

Department of Justice

Office of Public Affairs

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Justice Department Settles Charge of Employment Discrimination by Puerto Rico Security Company

WASHINGTON – The Justice Department and Puerto Rico-based Indrescom Security Technology Inc. have agreed to settle allegations that the company discriminated against a work-authorized individual during the Employment Eligibility Verification Form I-9 process by requiring him to present a lawful permanent resident card, despite the fact that the employee had already produced documents establishing his identity and authority to work in the United States, and not allowing him to work when he did not produce the card. Indrescom Security Technology Inc. is a for-profit corporation which provides security personnel to hotels and other establishments in Puerto Rico.

The charging party, a lawful permanent resident of Venezuelan descent, alleged that in early 2011 he presented a valid Puerto Rican driver's license and an unrestricted Social Security card during the Employment Eligibility Verification Form I-9 process, which together are sufficient to establish identity and work authorization. His charge further alleged that Indrescom rejected his valid documentation and told him that he needed to present an unexpired lawful permanent resident card. The man alleges he was denied employment when he failed to produce the additional documentation. The department's investigation revealed that Indrescom did not reject driver's licenses and unrestricted Social Security cards presented by U.S. citizens. The Immigration and Nationality Act (INA) prohibits employers, both private and public, from imposing different or greater employment eligibility verification standards based on citizenship status or national origin.

“The anti-discrimination provision of the Immigration and Nationality Act (INA) demands that employers not place additional barriers in front of work-authorized, non-U.S. citizens before allowing them to work,” said Thomas E. Perez, Assistant Attorney General for the Civil Rights Division. “This resolution is further evidence that the Civil Rights Division is committed to making that demand of equal treatment a reality in America's worksites.”

Under the terms of the settlement agreement, Indrescom agrees to pay \$7,000 in back pay to the charging party, train its human resources personnel about employers' responsibilities to avoid discrimination in the employment eligibility verification process and be subject to reporting and compliance monitoring requirements for three years.

The Office of Special Counsel for Immigration-Related Unfair Employment Practices (OSC) is responsible for enforcing the anti-discrimination provisions of the INA, which protect U.S. citizens and certain work-authorized individuals from citizenship status discrimination. The INA also protects all work-authorized individuals from national origin discrimination, over-documentation in the employment eligibility verification process and retaliation.

For more information about protections against employment discrimination under the immigration laws, call 1-800-255-7688 (OSC's worker hotline) (1-800-237-2525, TDD for

hearing impaired), 1-800-255-8155 (OSC's employer hotline) (1-800-362-2735, TDD for hearing impaired), or 202-616-5594. Email oscrt@usdoj.gov, or visit the website at www.justice.gov/crt/osc.

<http://www.justice.gov/opa/pr/2012/March/12-crt-332.html>