

Department of Justice

Office of Public Affairs

Wednesday, December 29, 2010

Justice Department Settles Allegations of Immigration-Related Unfair Employment Practices in Oregon and North Carolina

WASHINGTON – The Justice Department today announced that it has reached a settlement agreement with Collins Management Corporation, a forestry products company in Oregon, to resolve allegations that it unlawfully fired and later refused to rehire a lawful permanent resident in violation of the anti-discrimination provision of the Immigration and Nationality Act (INA).

According to the department's findings, Collins insisted that a lawful permanent resident present an unexpired permanent resident card (also known as a "green card") for Form I-9 purposes, even though the individual had already presented his driver's license and unrestricted Social Security card to the employer. The department further found that the company fired the individual when he was unable to present an unexpired green card and refused to consider him for re-hire two months later because the company believed he did not possess proper documentation.

As part of the settlement agreement, Collins agreed to pay \$15,000 in back pay to the former employee and a \$600 civil penalty to the federal government. The company also agreed to train its managers and human resources representatives regarding compliance with the anti-discrimination provision of the INA.

In addition, earlier this month, the department entered into a settlement agreement with Oakwood Healthcare Inc. to settle allegations that its Asheville, N.C., facility unlawfully discriminated against a lawful permanent resident by rejecting her employment eligibility verification documents and rescinding an offer of employment. As part of the settlement, Oakwood agreed to compensate the individual for lost wages totaling \$732, pay a \$1,100 civil penalty and train its human resources employees regarding compliance with the anti-discrimination provision.

"The INA's anti-discrimination provision protects all authorized workers from unfair documentary requests during the Form I-9 process," said Thomas E. Perez, Assistant Attorney General for the Civil Rights Division. "The Justice Department is committed to stopping workplace discrimination against citizens and work-authorized non-citizens alike."

The Office of Special Counsel (OSC) for Immigration-Related Unfair Employment Practices is responsible for enforcing the INA anti-discrimination provision. For more information about protections against employment discrimination under federal immigration law, call 1-800-255-7688 (OSC's worker hotline) (1-800-237-2525, TDD for hearing impaired); 1-800-255-8255 (OSC's employer hotline) (1-800-362-2735, TDD for hearing impaired); 202-616-5594; email oscrt@usdoj.gov; or visit www.usdoj.gov/crt/osc.

<http://www.justice.gov/opa/pr/2010/December/10-crt-1483.html>