

Department of Justice

Office of Public Affairs

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Justice Department Settles Allegations of Immigration-Related Employment Discrimination Against Wendy's Franchise Owners in Maine

WASHINGTON – The Justice Department today announced that it has reached a settlement agreement with Restwend LLC, the corporate owner of several Wendy's restaurants in Maine, to resolve allegations that at least one of its restaurants engaged in employment discrimination by refusing to hire individuals believed to be non-U.S. citizens.

According to the department's findings, since at least 2009 this Restwend-owned Wendy's instituted a policy of refusing to hire work authorized individuals whom it believed to be non-U.S. citizens. The Immigration and Nationality Act (INA) generally prohibits discrimination in hiring against authorized workers on the basis of citizenship status.

Under the terms of the settlement, Restwend has agreed to pay \$14,500 in back pay, plus interest, to a victim of its citizens-only policy, plus \$3,200 in civil penalties. Restwend will also train its human resources personnel about employers' nondiscrimination responsibilities under the INA, and the company agreed to monitoring provisions.

"No one who is authorized to work in the United States should face discrimination because of their perceived immigration status," said Thomas E. Perez, Assistant Attorney General for the Civil Rights Division. "We are pleased to have reached the settlement with Restwend and look forward to continuing to work with all employers, both public and private, to educate them about their responsibilities under federal law."

The Civil Rights Division's Office of Special Counsel for Immigration-Related Unfair Employment Practices (OSC) is responsible for enforcing the anti-discrimination provision of the INA, which protects work authorized individuals against discrimination in hiring, firing and recruitment or referral for a fee on the basis of citizenship status and national origin. The INA also protects all work-authorized individuals from discrimination in the employment eligibility verification process and from 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 OSC's website at www.justice.gov/crt/osc.

<http://www.justice.gov/opa/pr/2011/April/11-crt-530.html>