

News Release

WHD News Release: [04/04/2011]

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Release Number: 11-0357-NAT

Prince George's County Public Schools charged with violating provisions of H-1B temporary foreign worker program

US Department of Labor orders \$4.2 million in back wages be paid to 1,044 teachers, fines school system \$1.7 million in civil money penalties

WASHINGTON — An investigation by the U.S. Department of Labor's Wage and Hour Division found Maryland's Prince George's County Public Schools system in willful violation of the laws that govern the H-1B temporary foreign worker visa program. Investigators found that PGCPs illegally reduced the wages of 1,044 foreign teachers hired under the H-1B program by requiring the payment of \$4,224,146 in fees. The Labor Department is responsible for ensuring H-1B workers are paid in accordance with the law and that employers do not misuse visa programs in ways that adversely affect U.S. workers.

The H-1B program allows employers to hire foreign professionals to work temporarily in the U.S. So that the wages of similarly employed U.S. workers are not adversely affected, workers hired under the H-1B program must be paid at least the same wage rates and benefits as those paid to U.S. workers doing the same job in the same area.

"All employers, including school systems, are required to follow the law. That includes the legal duty to pay every teacher hired the full wages he or she is owed," said Nancy J. Leppink, acting administrator of the Wage and Hour Division.

Due to the willful nature of some of the violations, PGCPs has been assessed \$1,740,000 in civil money penalties and may be debarred from filing new petitions, requests for extensions or requests for permanent residency for foreign workers under any employment-based visa program. Violations are willful when an employer knew or acted in reckless disregard for whether its actions were impermissible.

The H-1B visa program requires that employers pay certain fees incurred when they utilize the program. Instead of paying these fees, PGCPs required the foreign teachers to pay them. As a result, the teachers' earnings were reduced below the amount legally required to be paid.

For more information about the requirements of the H-1B visa program, review the Wage and Hour Division's H-1B Web page at <http://www.dol.gov/whd/immigration/h1b.htm>. For more information on other federal wage laws, call the Wage and Hour Division's toll-free helpline at 866-4US-WAGE (487-9243). Information is also available on the Internet at <http://www.dol.gov/whd>.