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JUSTICE NEWS

Department of Justice

Office of Public Affairs

FOR IMMEDIATE RELEASE

Justice Department Resolves Citizenship Status Discrimination Charge Against Sernak Farms

WASHINGTON – The Justice Department announced today that it has reached a settlement agreement with S.W. Penn., to settle allegations that Sernak engaged in discrimination on the basis of citizenship status by preferring to applicants and adversely treating its U.S. citizen employees. The underlying charge was filed by Philadelphia Lega in Puerto Rico.

The Department of Justice investigation indicated that Sernak hired three foreign national workers under the H2-A visa holders are more diligent than U.S. workers. Of the five investigation suggested that Sernak treated them differently than Sernak's foreign national employees in their territory dismissed them because of their citizenship status. The Immigration and Nationality Act (INA) generally prohibits because of their citizenship status.

Under the terms of the settlement, Sernak has agreed to pay \$30,000 in back pay to the eight injured parties, who also agreed to provide its employees training on the anti-discrimination requirements of the Immigration and Nationality Act with respect to recruitment and hiring, and maintain and submit records to the Department of Justice for the three

“All workers who are authorized to work in the United States have the right to look for a job without encountering discrimination on the basis of national origin,” said Thomas E. Perez, Assistant Attorney General for the Justice Department's Civil Rights Division with Sernak and we look forward to continuing our work with public and private employers to educate them about their obligations under the law.”

The Office of Special Counsel for Immigration-Related Unfair Employment Practices (OSC) is responsible for enforcing the law which prohibits employers from discriminating against work-authorized individuals on the basis of citizenship status. Attorneys Richard Crespo and A. Baltazar Baca represented OSC in this matter.

For more information about protections against employment discrimination under federal immigration law, call Call Center (1-800-255-8155, TDD for hearing impaired), OSC's employer hotline at 1-800-255-8155 (1-800-362-2735, TDD for hearing impaired) or visit the website at www.justice.gov/crt/osc.

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