JUSTICE NEWS

**Department of Justice**

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## Justice Department Settles with University of California San Diego Medical Center

WASHINGTON – The Justice Department today reached agreement with the University of California San Diego Medical Center, resolving a complaint filed on Dec. 6, 2011, alleging that the medical center failed to comply with proper employment eligibility verification processes for non-citizens who are authorized to work in the United States.

Specifically, the department's complaint alleged that the medical center subjected newly hired non-U.S. citizens to excessive demands for documents issued by the Department of Homeland Security in order to verify their employment eligibility, but did not require the same of U.S. citizens. T he Immigration and Nationality Act's (INA) anti-discrimination provision prohibits employers from placing unfair documentary burdens on work-authorized employees during the hiring and employment eligibility verification process based on their citizenship status or national origin.

The medical center has taken appropriate action to ensure compliance with INA's anti-discrimination provision and has received Department of Homeland Security/U.S. Immigration & Customs Enforcement (ICE) training on the proper use of work authorization documents.

Under the terms of the settlement agreement, the medical center agrees to implement new employment eligibility verification policies and procedures that treat all employees equally regardless of citizenship status. In addition, the medical center has agreed to pay a civil penalty of $115,000, conduct supplemental training of its human resources personnel on their responsibilities to avoid discrimination in the employment eligibility verification process and work with the department to ensure compliance with proper employment eligibility verification processes across all University of California campuses, medical centers and facilities.

"Federal law protects people who are authorized to work in the United States from facing barriers and discrimination when they are seeking employment," said Thomas E. Perez, Assistant Attorney General for the Civil Rights Division. "I commend medical center officials on their cooperation in working with us to reach this resolution. We look forward to working with the University of California to ensure best practices in the employment eligibility verification process across the University of California system."

The Civil Rights Division's Office of Special Counsel (OSC) for Immigration-Related Unfair Employment Practices 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.

The United States was represented in this matter by Luz V. Lopez-Ortiz and Ronald Lee, OSC Trial Attorneys.

For more information about protections against employment discrimination under federal immigration law, call OSC's worker hotline at 1-800-255-7688 (1-800-237-2515, TDD for hearing impaired), OSC's employer hotline at 1-800-255-8155 (1-800-237-2515, TDD for hearing impaired), or 202-616-5594; email osccrt@usdoj.gov; or visit OSC's website at www.justice.gov/crt/about/osc.

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