

JUSTICE NEWS

Department of Justice

Office of Public Affairs

FOR IMMEDIATE RELEASE

Thursday, July 14, 2011

Justice Department Files a Lawsuit Alleging Employment Discrimination by a Georgia Poultry Processing Plant

WASHINGTON – The Justice Department today filed a lawsuit against Mar-Jac Poultry Inc., a poultry processing plant in Gainesville, Ga., alleging that Mar-Jac requires all newly hired non-U.S. citizens to present documents issued by the Department of Homeland Security in order to secure their jobs, but the company does not require U.S. citizens to show any specific documentation. The Immigration and Nationality Act’s (INA’s) anti-discrimination provision prohibits employers from placing additional burdens on work-authorized employees during the hiring and employment eligibility verification process based on their citizenship status or national origin.

The department’s investigation revealed that Mar-Jac engages in a pattern or practice of discriminatory documentary conduct against non-U.S. citizens by requiring them to produce specific documents during the Form I-9 process. The non-U.S. citizens subjected to the practice were determined to be work authorized by E-Verify, the Department of Homeland Security’s Internet-based employment eligibility verification system.

“Employers are not allowed to impose more burdensome employment eligibility verification procedures on certain workers based on their citizenship status,” said Thomas E. Perez, Assistant Attorney General in charge of the Civil Rights Division. “The Justice Department is committed to vigorously enforcing the anti-discrimination provisions of the INA, including those protecting employees from discriminatory documentary requirements.”

The lawsuit charging Mar-Jac with discriminatory practices was filed before the Office of the Chief Administrative Hearing Officer within the Executive Office for Immigration Review, another component of the Department of Justice.

The Office of Special Counsel for Immigration Related Unfair Employment Practices is responsible for enforcing the

anti-discrimination provision of the INA, which protects work authorized individuals against employment discrimination on the basis of citizenship status or national origin discrimination, including discrimination in hiring and the employment eligibility verification (Form I-9) process. 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); e-mail oscrt@usdoj.gov ; or visit OSC's website at www.justice.gov/crt/about/osc .

11-924

Civil Rights Division