

[Home](#) » [Briefing Room](#) » Justice News

JUSTICE NEWS**Department of Justice**

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Justice Department Settles Discrimination Claim Against New Jersey Company

The Justice Department announced today that it reached an agreement with Advantage Home Care LLC, a home health care provider based in Hackensack, N.J., resolving claims that the company violated the anti-discrimination provision of the Immigration and Nationality Act (INA), when it required newly-hired lawful permanent residents to provide more or different documents during the Form I-9 employment eligibility verification process.

The investigation stemmed from a charge filed by an individual after Advantage Home Care, formerly known and doing business as Executive Care LLC, had a criminal background check run that erroneously concluded that the charging party's Social Security number was invalid. The charging party visited the Social Security Administration, which told him that his number was valid, but Advantage Home Care still refused to employ him based on the background check. The subsequent investigation revealed that Advantage Home Care imposed greater requirements to verify employment eligibility for lawful permanent residents as compared to U.S. citizen employees. The INA requires employers to treat all authorized workers in the same manner during the employment eligibility verification process, regardless of their national origin or citizenship status.

Under the settlement agreement, Advantage Home Care will pay \$1,633 in back pay to the charging party, and \$46,575 in civil penalties to the United States. The company will also work with the department to identify and pay back pay to additional potential victims that suffered economic harm as a result of the practice. Advantage Home Care will also train its human resources staff about employers' responsibilities to avoid discrimination in the employment eligibility verification process and be subject to reporting and compliance monitoring by the department for three years.

"The Civil Rights Division commends Advantage Home Care for prioritizing compliance with the anti-discrimination provision of the Immigration and Nationality Act and working together with the division to identify and compensate potential injured parties," said Thomas E. Perez, Assistant Attorney General for the Civil Rights Division. "We encourage all employers to evaluate their policies and practices to ensure compliance with the INA's anti-discrimination provision."

The 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 from 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 the immigration laws, call the OSC's worker hotline at 1-800-255-7688 or the OSC's employer hotline at 1-800-255-8155. TDD for hearing impaired is 800-237-2515. You may also sign up for a no-cost webinar at www.justice.gov/crt/osc/webinars.php, email oscrt@usdoj.gov or visit the website at www.justice.gov/crt/about/osc.

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Civil Rights Division