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JUSTICE NEWS

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Justice Department Settles Immigration-Related Discrimination Claim Against Illinois Staffing Agency

The Justice Department today reached an agreement with The Agency Staffing located in West Dundee, Ill., resolving claims that the staffing company violated the anti-discrimination provisions of the Immigration and Nationality Act (INA).

The Justice Department's investigation was initiated based on a referral from the U.S. Citizenship and Immigration Services (USCIS) under a memorandum of agreement between the Civil Rights Division and USCIS. The department's investigation concluded that The Agency Staffing applied enhanced employment eligibility procedures to work-authorized non-U.S. citizens that were run through E-Verify. The company did not utilize these additional procedures when it ran U.S. Citizens through E-Verify. E-Verify is an Internet-based system run by USCIS that confirms employment eligibility by comparing information from an employee's Form I-9.

Under the settlement agreement, The Agency Staffing will pay \$8,400 in civil penalties to the United States, undergo Justice Department training on the anti-discrimination provision of the INA, and be subject to monitoring of its employment eligibility verification practices for a period of three years. The case settled prior to the Justice Department filing a complaint in this matter.

"Employers cannot create higher hurdles for non-U.S. citizens in the employment eligibility verification process, which includes E-Verify, than those required of U.S. citizens or those required by law," said Thomas E. Perez, Assistant Attorney General for the Civil Rights Division. "We commend The Agency Staffing for restructuring its hiring processes to ensure that it will no longer be treating new hires differently based on their citizenship status."

The Office of Special Counsel for Immigration-Related Unfair Employment Practices (OSC) is responsible for enforcing the anti-discrimination provision of the INA. For more information about protections against employment discrimination under the immigration laws, call the OSC's worker hotline at 1-800-255-7688 (1-800-237-2525, TDD for hearing impaired), call the OSC's employer hotline at 1-800-255-8155 (1-800-362-2735, TDD for hearing impaired), sign up for a no-cost webinar at www.justice.gov/about/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