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Office of Public Affairs

FOR IMMEDIATE RELEASE

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Justice Department Settles Claims of Discrimination Against Philadelphia Employment Agency

The Justice Department announced today that it reached a settlement agreement with Best Packing Services Employment Agency Inc., which is based in Philadelphia, resolving allegations that the company discriminated under the anti-discrimination provision of the Immigration and Nationality Act (INA), when it impermissibly delayed the start date of two refugees after requiring them to provide specific Form I-9 documentation.

In two charges filed with the department, the refugees alleged that they were not allowed to begin employment until they produced unexpired, Department of Homeland Security-issued employment authorization documents, despite the fact that they initially presented sufficient documentation for employment eligibility verification purposes. The charging parties had presented unexpired state identification cards and unrestricted Social Security cards at the time of hire. Both were permanently work-authorized but lost several weeks' worth of wages as a result of Best Packing's practices. The department's investigation revealed that Best Packing did not demand specific Form I-9 documentation from U.S. citizens, but allowed them to provide state identification cards and unrestricted Social Security cards. The anti-discrimination provision prohibits treating employees differently in the employment eligibility verification and reverification processes based on citizenship status or national origin.

As part of the settlement, Best Packing will undertake immediate corrective action to address and rectify its employment eligibility verification policies and practices. As part of its corrective action, Best Packing will provide full back pay to both victims. Under the settlement agreement, the company agrees to pay \$4,379 in back pay, to conform all of its actions to ensure compliance with the INA's anti-discrimination provision and to train its human resources personnel about the company's responsibility to avoid discrimination in the employment eligibility verification process.

"The Civil Rights Division is pleased that Best Packing has prioritized compliance with the Immigration and Nationality Act," 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 process.

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/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