

## EMPLOYMENT SERVICES ALERT

6/19/14

### OSC Issues New Fact Patterns Flyer on Citizenship/Immigration Status and National Origin Discrimination in Employment

By *Klodiana Tedesco*

The U.S. Department of Justice, Office of Special Counsel for Immigration-Related Unfair Employment Practices ("OSC"), has recently released an updated and instructive "Fact Patterns Flyer" (rev. June 2014), which includes many examples of citizenship, immigration status, or national origin discrimination against employment-authorized individuals in violation of the anti-discrimination provision of the Immigration and Naturalization Act ("INA") ([Click here to view the flyer](#)).

OSC is an independent federal investigative and prosecutorial agency that receives, investigates, and prosecutes allegations of prohibited personnel practices and seeks corrective action remedies (such as back pay and reinstatement) for injuries suffered by complainants and assesses civil fines against non-compliant employers.

This updated flyer is based on actual cases that OSC has successfully prosecuted in the last four years. While most employers take steps to ensure that their hiring and personnel practices do not violate INA provisions, some of the examples provided by OSC reveal subtler forms of discrimination of which employers may not be aware, such as re-verification of expired green cards. Therefore, it is highly recommended that employers re-visit their own anti-discrimination policies in light of the newly released flyer to ensure that they are in compliance with the provisions of the INA and reach out to competent counsel as needed.

For further information, please contact **Klodiana B. Tedesco** at 614.723.2092 or [ktedesco@ralaw.com](mailto:ktedesco@ralaw.com).