DOJ Settles Claim Against Illinois-Based IT Recruiter for Discrimination Against U.S. Workers

Article By
Raymond G. Lahoud
Norris McLaughlin P.A.
Immigration Law Blog - Norris McLaughlin

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On August 17, 2021, the Department of Justice (“DOJ”) announced that it entered a settlement agreement with an Illinois-based IT staffing and recruiting company – Ameritech Global Inc. The settlement resolves the claims of discrimination against U.S. workers.

Ameritech posted job advertisements specifying its preference to hire applicants with temporary work visas. It also failed to consider at least three U.S. worker applicants who applied to the advertised positions.
Claims of Discrimination

A U.S. citizen filed a discrimination complaint against Ameritech with the Civil Rights Division. After its investigation, the DOJ concluded that Ameritech posted at least three job advertisements between August 1, 2019, and June 17, 2021, announcing its preference to fill positions with non-U.S. citizens with immigration statuses associated with employment-based visas. In doing so, Ameritech harmed U.S. citizens, U.S. nationals, recent lawful permanent residents, asylees, and refugees. Ameritech unlawfully deterred many from applying for the position and also failed to consider hiring those who nonetheless applied for the jobs.

The Immigration and Nationality Act (“INA”) expressly prohibits employers from discrimination based on citizenship status in recruitment or hiring processes. “Employers who discourage and refuse to hire eligible job applicants based on their citizenship or immigration status must be held accountable,” stated Attorney General Kristen Clarke of the Justice Department’s Civil Rights Division. “The Civil Rights Division will step in and vigorously enforce the law to ensure that workers are protected from such lawful discrimination.”

The Settlement

According to the settlement reached, Ameritech will pay $10,000 in civil penalties. Ameritech is also to revise its policies and procedures, train relevant employees and agents on the INA’s anti-discrimination provision.

The Immigration and Employee Rights Section

The Division’s Immigrant and Employee Rights Section is responsible for enforcing the anti-discrimination provision of INA. Among many other things, the INA prohibits employers from discriminating based on citizenship status or immigration status, national origin in hiring, firing, or recruitment or referral for a fee. It also prohibits unfair documentary practices, retaliation, and intimidation.

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