



OSC UPDATE

Office of Special Counsel for Immigration-Related Unfair Employment Practices

The Office of Special Counsel for Immigration-Related Unfair Employment Practices (OSC) investigates and prosecutes allegations of national origin and citizenship status discrimination in hiring, firing, and recruitment or referral for a fee, as well as unfair documentary practices during the employment eligibility verification process and retaliation under the anti-discrimination provision of the Immigration and Nationality Act (INA). In addition, OSC conducts outreach aimed at educating employers, workers and the general public about their rights and responsibilities under the INA's anti-discrimination provision.



Photo: Attorney Ron Lee with members of the Sant La Haitian Community Center and Haitian Lawyers Association, Miami, FL. September 6, 2012

OSC's Recent Enforcement Activities

On **August 12, 2012**, OSC entered into a [settlement agreement](#) with a Philadelphia employment agency that required DHS documents from refugees.

On **August 22, 2012**, OSC entered into a [settlement agreement](#) with an Illinois semiconductor manufacturer that placed online job postings stating citizenship status preferences.

On **September 24, 2012**, OSC entered into a [settlement agreement](#) with a Tampa janitorial services company that misused E-Verify and retaliated against an employee who asserted her rights under the INA.

For more information, please visit: <http://www.justice.gov/crt/about/osc/> and look under the section "OSC Section News."

OSC Stakeholder Input Session

OSC presented its first stakeholder input session on employer self-audits on September 13, 2012. Comments about employer self-audits may be submitted to osc.engagement@usdoj.gov until November 9, 2012.

OSC on DACA

OSC published [guidance](#) on the INA anti-discrimination provision as it pertains to the USCIS **Deferred Action for Childhood Arrivals (DACA)** program. DACA beneficiaries who show economic necessity are eligible to receive employment authorization documents (EAD, DHS Form I-766) during the period of deferred action. An unexpired EAD is a valid List A document for Form I-9, proving both identity and work authorization. Employers must comply with the same verification and re-verification rules, including the INA antidiscrimination provision, whether an employee's work-authorization be pursuant to DACA or to any other program or status.

TPS Update: Haiti

DHS has [extended](#) the designation of Haiti for temporary protected status (TPS) from January 23, 2013 to July 22, 2014. TPS Employment Authorization Documents (EADs) with an expiration date of January 22, 2013 are automatically extended until July 22, 2014.

OSC Webinar Schedule

November 8, 2012 at 3:00 pm EST: [OSC "en Español" Worker/Advocate webinar](#) (in Spanish!)

November 13, 2012 at 3:00 pm EST: [OSC Employer/HR webinar](#)

November 15, 2012 at 2:00 pm EST: [OSC Worker/Advocate webinar](#)

December 5, 2012 at 3:00 pm EST: [OSC Employer/HR webinar](#)

December 11, 2012 at 4:00 pm EST: [OSC Worker/Advocate webinar](#)

January 8, 2013 at 3:00 pm EST: [OSC "en Español" Worker/Advocate webinar](#)

January 9, 2013 at 1:00 pm EST: [OSC Employer/HR webinar](#)

January 17, 2013 at 10:00 am EST: [OSC Worker/Advocate webinar](#)

Receive OSC E-mail Alerts

Stay informed about OSC's latest news by signing up for e-mail alerts through [Gov-Delivery](#). Once you enter your email address, you will be directed to a page where you can expand the "Civil Rights Division" box to click on the "Immigration-Related Employment Discrimination" section. You can receive email updates about a variety of OSC topics.

How Can You Work with OSC

1. Invite OSC staff to participate in a webinar for your membership.
2. Write to OSC to request technical assistance at oscrt@usdoj.gov.
3. Refer workers, worker advocates, employers and employer representatives to our hotlines and website.
4. Request outreach materials to distribute in your office, at meetings

OSC Employer Hotline:

1-800-255-8155
1-800-237-2515 (TDD)

OSC Worker Hotline:

1-800-255-7688
1-800-237-2515 (TDD)

OSC Website:

<http://www.justice.gov/crt/about/osc>

Fiscal Year 2012 Statistics

Complaints filed:	6
Informal Telephone Interventions	192
Civil Penalty Relief:	\$304,424
Back Pay Relief:	\$156,598
Number of Jobs Saved:	214
Letters of Resolution:	30
Out of Court Settlements:	11
In Court Settlements:	3
Outreach presentations by OSC:	343
Hotline Calls Directly Handled:	4,674



Photo: Interns in the OSC Office, Fall 2012 with Richard Crespo, Intern Coordinator