

U.S. Department of Justice

Civil Rights Division

Office of Special Counsel for Immigration-Related

Unfair Employment Practices



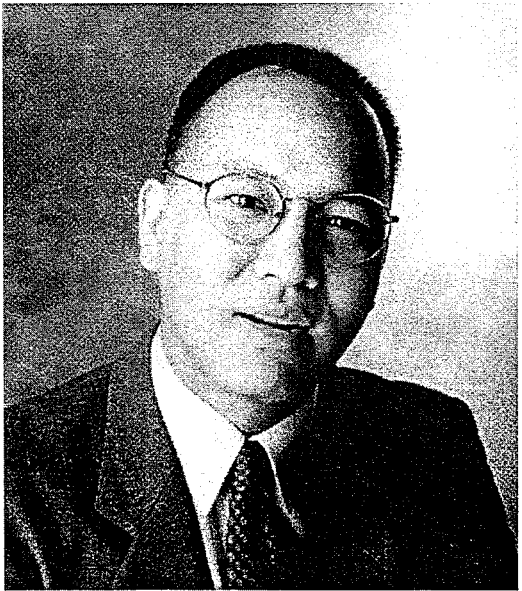
**If You Have The Right To Work,
Don't Let Anyone Take It Away.**

Real Life Stories That Can Help You.



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This brochure will tell the stories of four people. These individuals applied for jobs and were turned away. Each had the right to work in the United States but was discriminated against by employers who demanded things that they had no right to ask for. But most importantly, these people stood up for themselves. They knew they had a right to work in the United States and they talked to the people who could help them. You can too.



"I was trained as an airline pilot in Korea. I was working as a flight attendant for a U.S. airline and applied for a job opening for pilots. But my employer said that all pilots have to be U.S. citizens. I thought I would never be able to move up the employment ladder. Then a friend of mine told

me that what had happened to me is illegal. She told me to call the Office of Special Counsel for Immigration-Related Unfair Employment Practices. She told me they have attorneys who will assist you free of charge. I called and they investigated, and now I'm flying!"



"The dress factory where I cut patterns required proof of work authorization only from Asian employees. The manager said he wanted to make sure we were 'legal.' Then he fired my friend from Vietnam because she could not show an extension of her EAD and instead chose to show a drivers license and an unrestricted social security card now that she is a lawful permanent resident—the same documents the manager accepts from

non-Asian employees. She has a family to support, and she was so upset she told our neighbor what happened. His son is an immigration lawyer, and he told her what happened to her is against the law. He told her about an office in Washington at the Department of Justice. He told her they had free services, and she called. They investigated her case, and she got her job back. She also got paid for the days she had missed work. Now she tells everyone the number to call . . ."



"I was granted asylum when I left China and wanted to apply my training in computer programming in the United States. I interviewed for a job with a defense contractor in California. The job didn't require a security clearance. But the personnel director said he couldn't take a chance on me since I wasn't a U.S. citizen.

I knew this was illegal because I went to a workshop at my church on fair employment practices. In the workshop they talked about unfair hiring practices, and I knew this policy was wrong. I looked up the OSC telephone. I called and they contacted the employer, and I am now working."



"I applied for a job in a watch factory and showed my driver's license as proof of identity and my social security card as proof of work authorization. The owner insisted on seeing a 'green card' and turned me away. I knew I was allowed to choose which documents to present So I called the Hotline for help. I spoke with an attorney who intervened on my behalf, and I was offered a job."

If You Receive an E-Verify TNC

If the information you provide on the I-9 form does NOT match information contained in Social Security Administration (SSA) or Department of Homeland Security (DHS) databases, E-Verify will generate a tentative nonconfirmation (TNC) notice.

STEP 1: If E-Verify generates a TNC, the employer must promptly provide you with the written TNC notice generated by E-Verify which explains your option to contest the TNC.

STEP 2: You must indicate on the form whether you choose to contest the TNC, sign the form, and return it to your employer. If you decide to contest the TNC, your employer must then promptly provide you with a referral letter issued by E-Verify that contains specific instructions and contact information.

STEP 3: Once you receive the referral letter you must contact the appropriate federal agency (SSA or DHS) by the date on the letter.

NOTE: The SSA referral letter will direct you to visit an SSA field office to update your record. However, if you are a naturalized U.S. citizen and SSA is unable to confirm your citizenship, you may call USCIS directly to resolve the TNC. The phone number appears on the letter.

Employers may not influence your decision to challenge a TNC, nor may they take any adverse action against you while you are challenging the TNC. This includes firing, suspending, withholding pay or training, or otherwise infringing upon your employment.

**If You Have Also Been
Discriminated Against Because Of
Your National Origin Or Your
Immigration Status, Call This
Hotline Number For Help
1-800-255-7688**

TDD for hearing impaired: 1-800-237-2515

**In the Washington, DC area, call (202) 616-5594
(Washington, DC, TDD number: (202) 616-5525)**

Office of the Special Counsel for Immigration-
Related Unfair Employment Practices (OSC)

or write to OSC at:

U.S. Department of Justice
Civil Rights Division—NYA
Office of Special Counsel
950 Pennsylvania Ave., NW
Washington, DC 20530

If you have been denied work or fired because of your nationality, appearance, or accent, you have the right to file a charge of discrimination with OSC. OSC can help you in getting the job you lost because of the discrimination. You can also receive pay for the days you missed work.

If an employer has denied you work or fired you because he/she will not accept your work authorization as proof of your legal right to work in the U.S., or only hires U.S. citizens or permanent residents, he/she is breaking the law. You need to show the employer the Lists of Legal Work Papers that appear on the back of the I-9 form. If the employer still insists on seeing a particular document, or refuses to hire you, call OSC right away.

Visit the OSC web site at:

www.justice.gov/crt/osc