The Immigration and Nationality Act (INA) prohibits employers from discriminating against U.S. citizens and other work-authorized individuals based on citizenship status or national origin. The Immigrant and Employee Rights Section (IER) in the U.S. Department of Justice’s Civil Rights Division enforces this law, found at 8 U.S.C. § 1324b, and its regulations, found at 28 C.F.R. Part 44. IER investigates this type of employment discrimination, may sue employers that discriminate, and educates the public about the law. Workers can call IER for information and help, as described below.

The law protects you from discrimination based upon your citizenship status and national origin

Citizenship/Immigration Status Under the INA (8 U.S.C. § 1324b(a)(1)(B)), the general rule is that an employer is not allowed to treat you differently because of your citizenship status. Citizenship status includes a person’s past and current immigration status.

National Origin Under federal law (8 U.S.C. § 1324b(a)(1)(A) and 42 U.S.C. § 2000e-2), the general rule is that an employer is not allowed to treat you differently because of your place of birth, native language, accent, or other national origin indicator.

Unfair Documentary Practices Under the INA (8 U.S.C. § 1324b(a)(6)), an employer must not, because of your citizenship status or national origin, demand more or different documents than necessary, request specific documents, or reject reasonably genuine-looking documents when verifying your work authorization.
Retaliation Under the INA (8 U.S.C. § 1324b(a)(5)), an employer is not allowed to retaliate against anyone who files a charge with IER, cooperates with an IER investigation, or asserts rights under the law that IER enforces.

E-Verify An employer is not allowed to treat you differently because of your citizenship status or national origin when using E-Verify to check your work authorization. Discrimination in the E-Verify process may violate 8 U.S.C. § 1324b and E-Verify rules.

Keeping your records up to date

Updating your citizenship status information with the Social Security Administration (SSA) will help ensure your records are accurate. SSA records will continue to reflect your status as a lawful permanent resident unless you go to SSA and show your naturalization certificate. You may wish to wait at least 10 days after your naturalization ceremony before you visit SSA, to allow time for SSA to update its records.

Immigrant and Employee Rights Section (IER)
1-800-255-7688
www.justice.gov/ier
Contact our office if you believe an employer has treated you unfairly or if you would like information about your rights.
TTY 1-800-237-2515

Social Security Administration (SSA)
1-800-772-1213
To find the address of the nearest SSA office, visit www.ssa.gov
TTY 1-800-325-0778