

MEMORANDUM OF UNDERSTANDING
between
THE MUNICIPALITY OF SAN JUAN, PUERTO RICO
and
THE UNITED STATES DEPARTMENT OF JUSTICE
CIVIL RIGHTS DIVISION,
OFFICE OF SPECIAL COUNSEL FOR IMMIGRATION RELATED
UNFAIR EMPLOYMENT PRACTICES

INTRODUCTION

The U.S. Department of Justice, Civil Rights Division, Office of Special Counsel for Immigration Related Unfair Employment Practices (Office of Special Counsel) was created by an act of Congress in 1986 to enforce 8 U.S.C. Section 1324b. That Section prohibits discrimination in employment against United States citizens, legal immigrants and other work-authorized aliens on the basis of either citizenship status or national origin. That Section also prohibits employers from engaging in certain unfair documentary practices, and from retaliating against persons who have either asserted their rights under 8 U.S.C. Section 1324b or taken part in an investigation or law suit pursued by the Office of Special Counsel. The Office of Special Counsel is also required by 8 U.S.C. Section 1324b to engage in outreach efforts to increase the knowledge of employers, employees and the general public on the rights and responsibilities created by 8 U.S.C. Section 1324b.

The Government of the Municipality of San Juan strives to protect and serve all the people within the municipality and to ensure fair and equal opportunities to citizens, residents and legal immigrants. The following services are already being coordinated through the Mayor's Office: physical and mental health services and referrals; social services; job placement; U.S. Citizenship seminars and courses; housing improvements and searches; referrals for legal services; coordination and referrals for educational services and high school equivalency examinations; basic English courses and social integration services through cultural, educational events.

Immigrants from several Latin American nations, including the Dominican Republic, have chosen to make the Municipality of San Juan their home. These immigrants come to San Juan for the same reason all people leave their homes for a new land: The hope of finding a better life for themselves and their children. They seek fair employment, quality education, good housing, and the guarantees of equality and equal opportunity.

All the people of the Municipality of San Juan enjoy certain basic civil rights under both Puerto Rican and federal law. Included in these are the rights created by 8 U.S.C. Section 1324b to be protected from illegal employment discrimination based on citizenship status or national origin.

Both the Municipality of San Juan and the Office of Special Counsel recognize the importance of addressing the needs of the growing immigrant community in San Juan. This Memorandum of Understanding expresses the desire and intention of the Municipality of San Juan and the Office of Special Counsel to cooperate to better serve all the people of the Municipality of San Juan, including its growing immigrant community. Accordingly, the Municipality of San Juan and the Office of Special Counsel agree to the following:

AGREEMENT TO COOPERATE

The Municipality of San Juan and the Office of Special Counsel agree to cooperate to protect the rights of both immigrants and U.S. Citizens, and to better educate the immigrant community, the business community, and the general public regarding the rights and responsibilities of both employers and workers under 8 U.S.C. Section 1324b, and other laws.

AGENCY AGREEMENT

The Office of Special Counsel hereby appoints the Office of Immigrant Affairs, a division of the Department of the Family and Community of the Municipality of San Juan as its agent for the purposes of satisfying the time limits of filing a charge of discrimination under 8 U.S.C. Section 1324b(d)(3), thus protecting the rights of persons who allege to be the victims of illegal employment discrimination under that Section.

When the Immigrant Affairs Office receives a charge or other written submission containing allegations that fall within the jurisdiction of the Office of Special Counsel, it will forward that charge or written submission to the Office of Special Counsel as soon as possible. To ensure that the statutory charge filing deadlines of 8 U.S.C. Section 1324b are satisfied, the Immigrant Affairs Office will accurately record and notify the Office of Special Counsel of the date the charge was filed.

AGREEMENT ON TRAINING AND OUTREACH

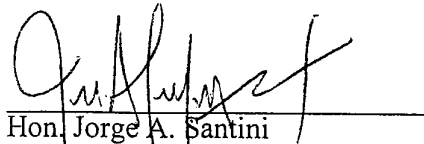
The Office of Special Counsel agrees to train employees of the Municipality of San Juan, including the Immigrant Affairs Office, on the rights and responsibilities of both workers and employers under 8 U.S.C. Section 1324b. The Office of Special Counsel further agrees to consult with the Immigrant Affairs Office and the Office of the Mayor of San Juan on outreach and educational efforts directed toward both the immigrant and employer communities in San Juan. The Office of Special Counsel will discuss with the Immigrant Affairs Office ways in which the two agencies can conduct joint outreach programs in the Municipality of San Juan, and will provide to the Immigrant Affairs Office outreach materials explaining the rights and responsibilities contained in 8 U.S.C. Section 1324b. Through these ongoing efforts, both the Office of Special Counsel and the Municipality of San Juan hope to serve both the immigrant and employer communities by preventing unlawful employment discrimination before it occurs.

DESIGNATION OF POINT OF CONTACT

The Immigrant Affairs Office and the Office of Special Counsel agree to designate an employee in their respective agencies to act as the official point of contact for purposes of carrying out this Memorandum of Understanding.

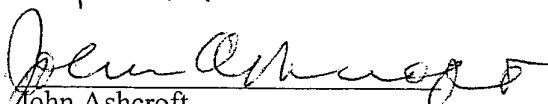
PRESERVATION OF AUTHORITY

This Memorandum of Understanding does not diminish either party's authority to investigate and prosecute charges that fall within the coverage of its statutes or regulations, to independently conduct educational or outreach efforts, or to carry out any other activity. Nor does this Memorandum of Understanding create any new rights for any group or individual.



Hon. Jorge A. Santini
Mayor
The Municipality of San Juan, Puerto Rico

4.19.02
Date



John Ashcroft
Attorney General

4.19.02
Date