

NATIONAL ORIGIN DISCRIMINATION BY SMALL EMPLOYERS

Along with Title VII, Section 102 of the Immigration Reform and Control Act of 1986 (IRCA) prohibits national origin discrimination.¹ Under this law, employers with four or more employees are prohibited from discriminating against U.S. citizens, U.S. nationals, and authorized aliens based upon national origin. Thus, immigrants who work for small employers can file a charge of national origin discrimination pursuant to the anti-discrimination provision of IRCA. The Office of Special Counsel for Immigration Related Unfair Employment Practices (OSC) has authority to investigate charges of job discrimination related to an individual's national origin under IRCA. The office can be reached at 1-800-255-7688 and <http://www.usdoj.gov/crt/osc>.

IRCA also prohibits document and citizenship discrimination. OSC can assist workers who believe their employers have discriminated against them because of their citizenship or employers who insist that workers produce certain, specified work and identity documents for purposes of the I-9 process. Please contact OSC's website for further information or call the OSC office at the number listed above.

The information contained in this article is for general informational purposes only. It is not intended to serve as legal advice and it does not substitute for legal counsel.

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¹ 8 U.S.C. § 1324b; see 28 C.F.R. §§ 44.100-305.