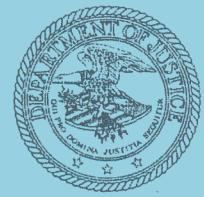


The Immigration Reform and Control Act (IRCA) Prohibits Employment Discrimination



What You Should Know

Under IRCA, when hiring, discharging, or recruiting or referring for a fee, employers with four or more employees may not:

- Discriminate because of **national origin** against U.S. citizens, U.S. nationals, and authorized aliens. (Employers of 15 or more employees should note that the ban on national origin discrimination against any individual under Title VII of the Civil Rights Act of 1964 continues to apply.)
- Discriminate because of **citizenship status** against U.S. citizens, U.S. nationals, and the following classes of aliens with work authorization: permanent residents, temporary residents (that is, individuals who have gone through the legalization program), refugees, and asylees.

Employers can demonstrate compliance with the law by following the verification (I-9 Form) requirements and treating all new hires the same. This includes the following steps:

- **Establish a policy of hiring only individuals who are authorized to work.** A U.S. citizens only" policy in hiring is illegal. An employer may require U.S. citizenship for a particular job *only* if it is required by federal, state, or local law, or by government contract.
- **Complete the I-9 Form for all new hires.** This form gives employers a way to establish that the individuals they hire are authorized to work in the United States.
- **Permit employees to present any document or combination of documents acceptable by law.** Employers *cannot* prefer one document over others for purposes of completing the I-9 Form. Authorized aliens do not carry the same documents. For example, not all aliens who are authorized to work are issued "green cards." As long as the documents are allowed by law and appear to be genuine on their face and to relate to the person, they should be accepted. Not to do so is illegal. Acceptable documents are listed on the reverse side.

IRCA established the Office of Special Counsel for Immigration-Related Unfair Employment Practices to enforce the IRCA antidiscrimination provision. Discrimination charges are filed with this Office. Charges or written inquiries should be sent to: Civil Rights Division, The Office of Special Counsel for Immigration-Related Unfair Employment Practices, 950 Pennsylvania Ave., N.W., Washington, DC 20530. For more information, call the OSC Employer Hotline at 1-800-255-8155 (toll free); 1-800-362-2735 (TDD device for the hearing impaired). For questions about Title VII, please contact the Equal Employment Opportunity Commission at 1-800-669-4000 (toll free) or 202-275-7518 (TDD).

LISTS OF ACCEPTABLE DOCUMENTS

LIST A

LIST B

LIST C

Documents that Establish Identity and Employment Eligibility	or	Documents that Establish Identity	and	Documents that establish Employment Eligibility
1. U.S. Passport (unexpired or expired)		1. Driver's license or ID card issued by a state or outlying territory of the United States, provided it contains a photograph or information such as name, date of birth, sex, height, eye color and address		1. U.S. Social Security card issued by the Social Security Administration <i>(other than a card stating it is not valid for employment)</i>
2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551)		2. ID card issued by federal, state, or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, sex, height, eye color and address		2. Certification of Birth Abroad issued by the Department of State (Form FS-545 or Form DS-1350)
3. An unexpired foreign passport with a temporary "I-551" stamp		3. School ID card with a photograph		3. Original or certified copy of a birth certificate issued by a state, county, municipal authority or outlying possession of the United States bearing an official seal
4. An unexpired Employment Authorization Document that contains a photograph (Form I-766, I-688, I-688A, I-688B)		4. Voter's registration card		4. Native American tribal document
5. An unexpired foreign passport with an unexpired Arrival-Departure Record (Form I-94), bearing the same name as the passport and containing an endorsement of the alien's nonimmigrant status, if that status authorizes the alien to work for the employer		5. U.S. Military card or draft record		5. U.S. Citizen ID Card (Form I-197)
		6. Military dependent's ID card		6. ID Card for use of Resident Citizen in the United States (Form I-179)
		7. U.S. Coast Guard Merchant Mariner Card		7. Unexpired Employment Authorization Document issued by DHS <i>(other than those listed under List A)</i>
		8. Native American tribal document		
		9. Driver's license issued by a Canadian government authority		
		For persons Under age 18 who are unable to present a document listed above:		
		10. School Record or report card		
		11. Clinic, doctor, or hospital record		
		12. Day-care or nursery school record		