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Facebook Settlement Resolves Claims of Discrimination Against U.S. Workers

Legal Update

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By Immigration Group

This article was prepared with the assistance of ABIL, the Alliance of Business Immigration Lawyers, of which Loan Huynh, Fredrikson Immigration Department Chair, is a member.

The Departments of Justice (DOJ) and Labor (DOL) released a joint statement on October 19, 2021, announcing separate settlement agreements with Facebook regarding its use of the permanent labor certification program (PERM).

The DOJ settlement includes about \$14 million in fines, along with additional notice, recruitment and training requirements. The DOJ settlement resolves its claims that Facebook routinely refused to recruit, consider or hire U.S. workers—a group that includes U.S. citizens, U.S. nationals, asylees, refugees and lawful permanent residents—for positions it had reserved for temporary visa holders in connection with the PERM process.

Additionally, the DOL settlement resolves issues it separately identified through audit examinations of Facebook's recruitment activities related to its PERM applications filed with the Employment and Training Administration's Office of Foreign Labor Certification (OFLC).