

2 FIRMS FINED FOR BREAKING FOREIGN WORKER RULES

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Body

Digital Equipment Corp. and a small Michigan computer consulting company have been **fined** by the Department of Labor for **breaking** the **rules** covering the use of temporary **foreign workers**.

The **fines**, the result of two unrelated investigations, are among the first in the computer industry involving a temporary visa established under the Immigration Act of 1990, which allows U.S. companies to hire **foreign** citizens to work in the United States in "specialty occupations" for up to six years.

The jobs include computer programmers, engineers, teachers, physicians and physical therapists -- fields in which **workers** are said to be in short supply. Thousands of computer programmers from other countries are working in the United States on temporary visas, and their presence has stirred controversy. While such visas have long been used to recruit talented experts from overseas, some American programmers charge that a few companies recruit **foreign** temporaries with average skills simply because they are cheaper.

The law is supposed to protect American **workers** from replacement by less- expensive **foreign workers** and requires employers to pay prevailing wages, advise their American and resident alien **workers** of the openings and maintain public files that describe the jobs and how the prevailing wage was determined.

Digital, a Boston computer manufacturer, underpaid 24 computer programmers and will pay \$26,360 in back wages and a \$19,000 civil penalty, the Labor Department announced. The company also agreed not to use the temporary **worker** visa for three months.

A Digital official said the company tried to comply with the **rules**, but they were ambiguous.

Complete Business Solutions Inc. of Farmington Hills, Mich., paid a \$45,000 **fine** for violating regulations affecting about 90 temporary **workers**. The **firm** agreed not to use the visa for nearly five months, the Labor Department said, and will increase the number of domestic **workers** in its training program.

The department dropped charges that CBSI had paid substandard wages to 48 of its **foreign workers**.

"We're paying them market wages in our opinion," said Tim Manney, chief financial officer.

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