

### Hoffman Plastic Compounds Wins Supreme Court Decision

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Sheppard, Mullin, Richter & Hampton LLP client Hoffman Plastic Compounds, Inc., ("Hoffman") has received a **majority decision before the United States Supreme Court** in the matter of Hoffman Plastic Compounds, Inc. v. National Labor Relations Board.

Ryan McCortney, **attorney for Hoffman and a partner in Sheppard Mullin's Labor and Employment practice group, released this statement:**

"The Supreme Court has restored the proper balance between our country's labor laws and immigration laws. In this case, the National Labor Relations Board ignored immigration laws by awarding back pay to an illegal alien who entered the country in violation of the law, who obtained employment by lying about his true identity, and who remained in this country unlawfully for more than four years. A goal of our immigration laws is to preserve jobs for those who are authorized to work in this country. The Supreme Court's decision furthers that goal. Our client feels vindicated after more than a decade of proceedings with the NLRB. The Supreme Court's decision is a victory for all people who are authorized to work in this country."

The Court held for Hoffman in a 5-4 vote. Delivering the 5-4 opinion of the Court, Chief Justice William Rehnquist stated "... awarding backpay in a case like this not only trivializes the immigration laws, it also encourages future violations." The majority found **McCortney's argument on behalf of Hoffman persuasive**. The Court held in this case that federal immigration policy, as expressed by Congress in the Immigration Reform Act of 1986, foreclosed the National Labor Relations Boards from awarding backpay to an undocumented alien who has never been legally authorized to work in the United States.

For additional information on this matter or to speak with Mr. McCortney, please **contact Mr. McCortney at (714) 424-2830**.

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