

The EEOC's Plan Of Attack

January 3, 2013 | [EEOC, Employment Discrimination, Labor And Employment](#)

The United States Equal Employment Opportunity Commission (EEOC) recently approved its [Strategic Enforcement Plan](#) (SEP) to establish national enforcement priorities. The SEP is an outgrowth of the EEOC's [Strategic Plan for 2012-2016](#). The purpose of the SEP is to coordinate the EEOC's resources to have a "sustainable impact" on reducing discriminatory practices in the workplace. To that end, the SEP identifies six national enforcement priorities, which include:

- Eliminating barriers in recruitment and hiring: The EEOC will target class-based recruitment and hiring practices that discriminate against racial, ethnic and religious groups, older workers, women, and people with disabilities.
- Protecting immigrant, migrant and other workers: The EEOC will focus on disparate pay, job segregation, harassment, trafficking and discriminatory policies affecting vulnerable workers who may be unaware of their rights under the equal employment laws, or reluctant or unable to exercise them.
- Addressing emerging and developing employment discrimination issues: The EEOC will place a special emphasis on emerging issues in equal employment law, including issues associated with significant events, demographic changes, developing theories, new legislation, judicial decisions and administrative interpretations.
- Enforcing equal pay laws: The EEOC will scout out compensation systems and practices that discriminate based on gender.
- Preserving access to the legal system: The EEOC will zone in on policies and practices that discourage or prohibit individuals from exercising their rights under employment discrimination statutes, or that impede the EEOC's investigative or enforcement efforts.
- Preventing harassment through systemic enforcement and targeted outreach: The EEOC will pursue systemic investigations and litigation and conduct a targeted outreach campaign to deter harassment in the workplace.

Bottom line: Employers should expect to see a very active EEOC over the next four years. As a result, employers must stay abreast of emerging employment discrimination issues to avoid costly litigation down the line.

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