

Businesses Brace For Another Round Of EEOC Challenges

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On Dec. 17, 2012, the EEOC revealed its “priorities and goals,” giving businesses some forecast of the EEOC climate and danger zones during next four years. In technical terms, the Commission approved (by a 3-1 vote) its formal Strategic Enforcement Plan (SEP), which identified the following six (6) national priorities:

- Eliminating barriers in recruitment and hiring
- Protecting immigrant, migrant and other vulnerable workers
- Addressing emerging and developing employment discrimination issues
- Enforcing Equal Pay Laws
- Preserving Access to the Legal System
- Preventing Harassment through Systemic Enforcement and Outreach

In other words, businesses should keep their eyes open (and ready their procedures) for regulatory guidance on credit checks, access to confidential medical information under the amended ADA, an upswing in national origin claims, and the EEOC's continued effort to address "systemic" issues. We could see more efforts from the EEOC to reintroduce initiatives on [e-RACE](#) (Eradicating Racism and Colorism from Employment), [LEAD](#) (Leadership for Employment of Americans with Disabilities) and [Youth@Work](#). Many practitioners saw increased pressure, broader inquiries and, some might argue, overreaching by investigators at the EEOC during the last four years. With these new goals and priorities in place, we expect that trend to continue.

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