

EEOC General Counsel Discusses Drop In Systemic Case Filings, Announces New Priorities

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As the EEOC anticipates filing fewer systemic cases in fiscal year 2012 than it did in FY 2011, it also will shift its priorities to hiring discrimination cases and cases involving vulnerable workers, according to recent statements by EEOC General Counsel P. David Lopez.

In discussing systemic case filings, Lopez attributed the drop to existing litigation and limited resources to take on new cases. The EEOC established its "Systemic Initiative" in 2006, defining systemic cases as "pattern or practice, policy and/or class cases where the alleged discrimination has a broad impact on an industry, profession, company, or geographic location." In 2011, the EEOC filed 23 lawsuits alleging systemic discrimination.

Lopez also announced that the EEOC is shifting its priorities to hiring discrimination cases and cases involving vulnerable workers, such as immigrants or low-wage workers. A [Public Meeting](#) was held in July at which the EEOC considered views on its proposed Strategic Enforcement Plan (SEP). At that meeting, advocacy groups urged the agency to consider such cases, which private plaintiffs' lawyers are less likely to pursue. Employers are encouraged to take note of these announcements, as they highlight the EEOC's focus in the coming fiscal years.

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