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JOB BIAS CHARGES RISE 9% IN 2007, EEOC REPORTS

Discrimination Charges Highest in Five Years; Agency Obtains \$345 Million for Victims

WASHINGTON – The U.S. Equal Employment Opportunity Commission (EEOC) received a total of 82,792 private sector discrimination charge filings last fiscal year, the highest volume of incoming charges since 2002 and the largest annual increase (9%) since the early 1990s, the agency reported Wednesday, March 5, 2008 as part of its Fiscal Year 2007 enforcement and litigation statistics. The data, available online at www.eeoc.gov/stats/charges.html, also show that the EEOC recovered \$345 million in monetary relief for job bias victims.

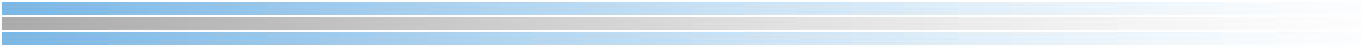
“Corporate America needs to do a better job of proactively preventing discrimination and addressing complaints promptly and effectively,” said Commission Chair Naomi C. Earp. “To ensure that equality of opportunity becomes a reality in the 21st century workplace, employers need to place a premium on fostering inclusive and discrimination-free work environments for all individuals.”

According to the EEOC’s FY 2007 data, allegations of discrimination based on race, retaliation, and sex were the most frequently filed charges, continuing a long-term trend. Additionally, nearly all major charge categories showed double digit percentage increases from the prior year -- a rare occurrence. The jump in charge filings may be due to a combination of factors, including greater awareness of the law, changing economic conditions, and increased diversity and demographic shifts in the labor force.

Snapshot of Discrimination Charge Filings with the EEOC Nationwide

Basis of Charge Filing	FY 2007	FY 2006	Percentage Increase/Historical Comparison
RACE	30,510	27,238	Up 12% to highest level since FY 1994
RETALIATION	26,663	22,555	Up 18% to record high level, double since FY 1992
SEX/GENDER	24,826	23,247	Up 7% to highest level since FY 2002
AGE	19,103	16,548	Up 15%, largest annual increase since FY 2002
DISABILITY	17,734	15,575	Up 14% to highest level since FY 1998
NATIONAL ORIGIN	9,369	8,327	Up 12%, above 9,000 for second time ever
RELIGION	2,880	2,541	Up 13% to record high level, double since FY 1992
TOTAL CHARGES	82,792	75,768	Up 9%, largest annual increase since FY 1993

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Last year, for the first time, retaliation was the second highest charge category (behind race), surpassing sex-based charges in total filings with EEOC offices nationwide. Historically, race has been the most frequently filed charge since the EEOC became operational in 1965. In addition to the statutory bases of discrimination, charges filed with the EEOC and state and local Fair Employment Practices Agencies (combined) also trended upward for the high visibility issues of pregnancy discrimination and sexual harassment.


During FY 2007, pregnancy charges surged to a record high level of 5,587, up 14% from the prior fiscal year's record of 4,901. Sexual harassment filings increased for the first time since FY 2000, numbering 12,510 – up 4% from the prior fiscal year's total of 12,025. Additionally, a record 16% of sexual harassment charges were filed by men, up from 9% in the early 1990s.

What is the reason behind these increases in EEOC filings? It is hard to pin-point, but one failing by employers could be **supervisor training** in these key EEO areas. Employers should train supervisors and managers at least once a year on the EEO laws overseen by the EEOC. They should be trained because they are on the frontline of company operations everyday and need the training to effectively deal with these situations.

The above chart shows, race discrimination, retaliation, and sex/gender discrimination remaining as the biggest problem areas. The surprise is that retaliation is now number 2 over sex/gender discrimination.

If you are **not training** at the current time you should plan a strategy to get this vital risk management tool implemented in your company.

Please contact us if we can be of assistance.



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