

EEOC/New York State Enforcement Partnership

FEATURED ATTORNEY



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From the desk of Rachel Demarest Gold

On Wednesday, I received this press release:

<https://content.govdelivery.com/accounts/USEEOC/bulletins/37109e6>

It announces that the New York State Division of Human Rights (DHR) and the U.S. Equal Employment Opportunity Commission (EEOC) have partnered with local community-based organizations to host two “Know Your Rights” events in Suffolk County for immigrant workers. The forums will address, amongst other topics, employment protections for immigrants, and specifically the NYS Human Rights law which includes immigration status amongst its protected classes.

On Thursday, the EEOC released its annual strategic enforcement plan that sets the Agency’s priorities:

<https://www.eeoc.gov/sites/default/files/2023-09/SEP%20FY%2020242028%20FINAL%20APPROVED.pdf>

Included amongst this year’s, are expansion of the vulnerable and underserved worker categories, protection of workers affected by pregnancy or childbirth, and employment discrimination.

What’s the Message?

That in light of the recent Supreme Court and lawsuit activity working to eliminate Diversity, Equity, and Inclusion efforts from education and employment, the anti-discrimination laws are alive and well here and both NYS and the Feds are ramping up enforcement. And it’s not just here in New York. Last week no fewer than 4 harassment lawsuits made the national news; including against Nobu, Trader Joe’s, Chipotle, and Sweetgreen.

What does this Mean for New York’s Employers?

Get your policies in order. Make sure they are distributed. Make sure they are posted. Make sure your training is up to date, and make sure everyone has completed it, as you head into the fourth quarter. (For those NY attorneys out there, remember DEI credits are now part of our CLE requirement.)

There have been changes recently to the very laws that these agencies are looking to enforce. On the Statewide side, for example, salary transparency. In the City, new protected categories will be added to the Human Rights Law effective in November.

We will write separately on that in time for the deadline. In the meantime, please let us know if we can help get your compliance in order. This is for informational purposes only and is not legal advice.