



## News & Trending

PUBLICATIONS & ALERTS

### ETRENDS - RECORD HIGH NUMBER OF JOB DISCRIMINATION CHARGES FILED IN 2010

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In its January 11, 2011 press release, the U.S. Equal Employment Opportunity Commission ("EEOC") reported what employers may already have surmised — employees are filing more charges of discrimination than ever before. The EEOC reported an "unprecedented" number of charge filings, 99,922 charges filed in FY 2010 (which ended on September 30, 2010). This number is an increase of more than 7% over the previous year's filing of 93,277 charges.

Filings in every category increased. Interestingly, for the first time ever, race was not the most prevalent charge. Instead, retaliation charges (36,258 filed), which often are filed concurrently with other types of discrimination charges, were the most frequently filed type of charge. Additionally, the EEOC received 201 charges of discrimination under the Genetic Information Nondiscrimination Act in that Act's first year of enforcement, a number that is likely to increase as employees' understanding of GINA's protections increases.

The EEOC also reported that it secured more than \$404 million in monetary benefits from employers through the Commission's combined enforcement, mediation and litigation programs.

Finally, the report states that the EEOC is committed to building a strong national systemic enforcement program. By the end of FY 2010, the Commission had commenced 465 systemic, or class-wide investigations, involving over 2,000 charges, signaling its focus on bringing more multiple-plaintiff cases against employers.

As always, employers should be careful to make sure their employment decisions are non-discriminatory and they should be aware that their decisions are increasingly likely to be challenged. The increase in the number of retaliation charges is a reminder that employers should be particularly careful not to engage in any conduct that could be perceived as retaliation for an employee's filing a charge or making an internal complaint.

The press release, with links to enforcement and litigation statistics, including trend data, is available [here](#).

**Please contact [Susan Parrott](#) with any questions.**

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