



# Recent Enforcement Activity Signals Increased EEOC Focus on Harassment

Insights

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In the latest sign of an increased emphasis on harassment, the federal Equal Employment Opportunity Commission (EEOC) recently announced filing seven lawsuits against various employers charging them with harassment. Five of these claims involved alleged sexual harassment, two alleged racial harassment, and one also included a claim of harassment based on national origin.

This flurry of enforcement activity follows a similar push in June, in which the EEOC sued eight employers, alleging unlawful employment harassment. The current enforcement effort involved employers in California, Arizona, New Mexico, Colorado, Georgia, Texas, and Illinois.

“Workplace harassment causes serious harm to women and men in all kinds of jobs across the country,” said EEOC Acting Chair Victoria A. Lipnic. “These lawsuits allege harassment based on race, national origin, and sex and involve workers at country clubs and cleaners, sports bars and airlines, in health care and grocery stores. When employers fail to protect their employees from harassment, the EEOC may bring legal action to stop the harassment and prevent future harm.”

The EEOC noted that approximately one-fourth of the EEOC’s litigation filed in recent years has included allegations of workplace harassment, and nearly one-third of the 80,000 to 90,00 charges the EEOC receives each year involve allegations of harassment.

In addition, the EEOC stated that five of the seven lawsuits recently filed also involved claims of retaliation. Employers in recent years have noted a sharp uptick in the number of retaliation claims filed with the EEOC and private litigants.

If you’ve been following the EEOC of late, the increased emphasis on harassment should come of no real surprise. Back in 2016, an agency task force released a special report on the extent of sex, race, and other unlawful harassment. The EEOC reconvened this same task force in June of this year, setting forth a special focus on sex harassment in light of the #MeToo movement.

In addition, earlier this year, the EEOC released its Strategic Plan for 2018-2022, which incorporated a number of elements specifically aimed at addressing sexual harassment in the workplace.

## Employer Takeaways

This increased focus on harassment shows that, despite the change in administrations at the federal level, the EEOC plans to aggressively investigate harassment claims and enforce the law. Therefore, employers must remain vigilant in taking these matters seriously.

Moreover, in light of the #MeToo movement, employers are likely to see not only increased enforcement activity from federal and state enforcement agencies, but also a rise in private lawsuits alleging claims of harassment. And many states are moving forward with legislative efforts to increase obligations and liability for employers for sexual harassment claims.

Prevention is always the best medicine – in life and in law. Many of these types of claims can be avoided with good policies, effective training, and consistent enforcement and compliance. Contact your Fisher Phillips attorney if you would like to check and see if you are compliant with the law and employing best practices to avoid harassment claims such as those targeted by the EEOC.

### ***Related People***

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