

## Burned By Kaplan Loss, EEOC May Rethink Credit Check Suits

News

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Kansas City Partner Randy Coffey commented on a recent Equal Employment Opportunity Commission (EEOC) case in the article “Burned By Kaplan Loss, EEOC May Rethink Credit Check Suits” on *Law360*. The February 5 article reviewed the dismissal of a recent EEOC racial bias suit. The Commission had difficulty supporting its theory that credit checks used as a hiring tool can have an illegal disparate impact on African-American and Latino job seekers. Randy said: “I think the decision does have broader implications both for employers and the EEOC. It probably means the EEOC is less likely to bring these cases related to credit checks because of how difficult these cases are. They're going to have to go out and conduct an enormous amount of background research and discovery if they want to proceed, and that reveals one of the flaws in the EEOC's position.”

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