



2014 Empowering Today's Accountant Seminar

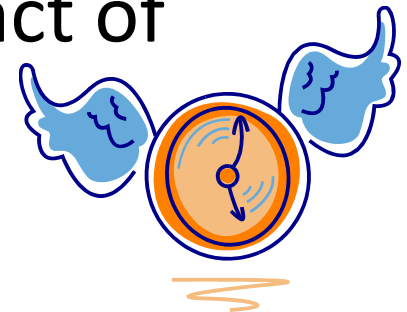
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JURISDICTION and TIMELINESS:

- Phoenix District – AZ, CO, NM, UT, WY
- Private, Public and Federal Employers/Unions
- Employer/ Employee relationships
- >15 Employees-Title VII, ADA, GINA
- >20 Employees-ADEA
- >1 Employee - EPA
- 300 days to file charge from last act of discrimination



Strategic Enforcement Plan

Adopted December 2012

- **National Enforcement Priorities:**

- ① Eliminating Barriers in Recruitment and Hiring
- ② Protecting Immigrant, Migrant and Other Vulnerable Workers
- ③ Addressing Emerging and Developing Issues
- ④ Enforcing Equal Pay Laws
- ⑤ Preserving Access to the Legal System
- ⑥ Preventing Harassment through Systemic Enforcement and Targeted Outreach

LAWS ENFORCED

The Equal Pay Act

Sex based wage discrimination

Lilly Ledbetter Fair Pay Act of 2009



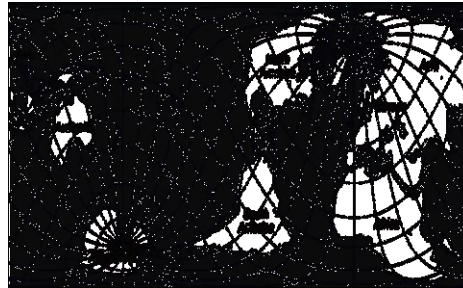
LAWS ENFORCED

TITLE VII OF THE CIVIL RIGHTS ACT of 1964

Race



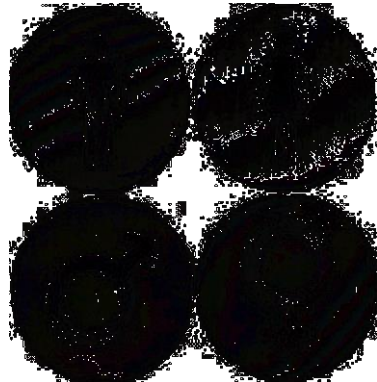
National Origin



Color



Sex



Religion



LAWS ENFORCED

The Americans With Disabilities Act

Americans With Disabilities Act Amendments Act (ADAAA)

Genetic Information Nondiscrimination Act (GINA) of 2008



LAWS ENFORCED

Age Discrimination in Employment Act



Age 40 +

WHAT IT FEELS LIKE TO COMPLAIN OF EMPLOYMENT DISCRIMINATION



Practical Tips



Remember.....



- Unconscious bias is real.
- Always stop and get your emotions in check.
- Something likely when wrong somewhere even if not discrimination.
- Why do we want to blame the victim?
- Recordkeeping – Secure evidence/records
- Review all documents in charge package

Practical Tips for Working Effectively With EEOC

- Establish a good working relationship with the Investigator
- Submit a thorough statement of position
- Be Accurate
- Think resolution
- Take advantage of the Commission's outreach, education and technical assistance



Practical Tips – Preventing Charges of Discrimination

- Lead By Example
- Don't Wait for A Complaint of Harassment
- Respond Promptly and Appropriately to Complaints of Discrimination
- Don't Retaliate
- Be Honest
- Accommodate Employees



Practical Tips – Preventing Charges of Discrimination

- Question Your Decisions
- Prepare for Interviewing Applicants
- Assure Pregnant Employees Are Not Treated Less Favorably Than Others
- Be Consistent
- Ask For Help
- Spend a Few Extra Minutes With Teens
- Consider Mediation



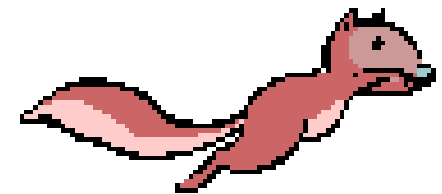
Practical Tips – Preventing Charges of Discrimination

- Correct mistakes as soon as possible
- Training to ALL personnel
- Evaluate supervisors on EEO compliance
- Policy
- Recognize Positive of an EEO complaints
- Fund/Develop/Respect HR



ADA – Practical Tips Preventing Charges of Discrimination

- Focus on finding a reasonable accommodation rather than a reason to deny a reasonable accommodation
- Consider reassignment to a vacant position as a reasonable accommodation
- Do not have a 100% or “full duty” return to work policy
- Make Case by Case Decisions



ADA – Practical Tips Preventing Charges of Discrimination

- Consider more than 12 weeks of unpaid leave
- Consider an ADA Coordinator
- Do not contract out discrimination
- Assure individuals conducting interviews, answering phones and greeting applicants have had training in the ADA.



Resources available at EEOC

- Email Distribution List
 - Training Information
 - Press Releases (Phoenix District Only)
 - Random Important Information
 - Do not share email address
- www.eeoc.gov
- Training – EEOC Training Institute (www.eeoc.gov)
- Publications (www.eeoc.gov)



Other Important Contacts

- Job Accommodation Network (JAN)
 - U.S. Department of Labor – Free
 - Workplace accommodation solutions and technical assistance
- Contact:
 - www.jan.wvu.edu
 - jan@jan.wvu.edu
 - 1-800-526-7234



THANK
YOU