

# EMPLOYMENT NEWS ALERT

## *JANUARY NEWSFLASH*

---

Brian E. Curtis, Esq.

---

### THE EEOC IN 2009 *í* AND WHAT TO EXPECT IN 2010

*Discrimination Complaints in the Workplace Remain at Historic Highs*

The Equal Employment Opportunity Commission recently announced that complaints about what employees perceive to be discrimination in the workplace have continued to be reported at a stubbornly high pace. In fact, reports of discrimination are at historically high levels. In 2009, complaints to the EEOC reached the second-highest level in the agency's history. 2008 was the highest ever on record. So what are we to make of this information in the midst of what many experts agree has been the most severe and prolonged recession since the Great Depression?

As most HR professionals know, and recent data has shown, work-related discrimination complaints typically increase during recessions. In the current economic downturn, age discrimination claims in particular have surged an incredible 30% in 2008 and 2009 over previous years. The EEOC sees no real change from this trend in the near future. What's more, the New York Times reported in an article in April 2009 that "workers ages 45 and over form a disproportionate share of the "long-term unemployed"ó those who have been out of work for six months or longer, according to the Bureau of Labor Statistics (BLS). This trend continued through the end of the year. The unemployment rate in 2009 for workers in this age group averaged 6.4%, significantly below the national unemployment rate for all workers but still the highest in this age group since at least 1948 when the BLS began tracking unemployment in certain categories on a monthly basis.

#### *What's Coming in 2010?*

According to EEOC Acting Chairman Stuart Ishimaru, "the latest data tell us that *í* employers must step up their efforts to foster discrimination-free and inclusive workplaces, or risk enforcement and litigation by the EEOC." Increased enforcement is what is in store for employers in 2010, especially in view of another record high the EEOC achieved in 2009 ó the recovery of nearly \$295 million for workers by way of the agency's administrative enforcement proceedings and mediation.

***WE CAN HELP YOU!*** In these challenging times, we have the experience and the know-how to help you implement the right policies to address your organization's concerns, from salary banding guidelines to internal conflict management and litigation avoidance processes. ***CALL NOW!***

---

(732) 277-8261

**Brian E. Curtis, Esq.**  
[becurtis@strykertams.com](mailto:becurtis@strykertams.com)

(973) 491-9500

The materials and information disclosed in this [Employment News Alert](#) *NewsFlash* is for informational purposes only. It is not for the purpose of providing legal advice and does not create an attorney-client relationship between the firm of Stryker, Tams & Dill and the reader, or between Brian E. Curtis, Esq. and the reader.

*Revised June 1, 2010*  
*Excerpts reprinted with permission*  
Employment News Alert © 2004 Brian E. Curtis, Esq.  
Monthly NewsFlash © 2009 Brian E. Curtis, Esq.

---

---