

S 2693

EEOC Reform Act

Congress: 114 (2015–2017, Ended)

Chamber: Senate

Policy Area: Labor and Employment

Introduced: Mar 16, 2016

Current Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

Latest Action: Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (Mar 16, 2016)

Official Text: <https://www.congress.gov/bill/114th-congress/senate-bill/2693>

Sponsor

Name: Sen. Alexander, Lamar [R-TN]

Party: Republican • **State:** TN • **Chamber:** Senate

Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Sen. McCain, John [R-AZ]	R · AZ		Mar 17, 2016
Sen. Roberts, Pat [R-KS]	R · KS		Apr 4, 2016
Sen. Isakson, Johnny [R-GA]	R · GA		Apr 5, 2016

Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Referred To	Mar 16, 2016

Subjects & Policy Tags

Policy Area:

Labor and Employment

Related Bills

Bill	Relationship	Last Action
114 HR 549	Related bill	Mar 24, 2015: Subcommittee Hearings Held.
114 HR 550	Related bill	Mar 24, 2015: Subcommittee Hearings Held.

EEOC Reform Act

This bill prohibits the Equal Employment Opportunity Commission (EEOC) from implementing the proposed revision of the private sector employer information report EEO-1 published on February 1, 2016, until:

- the EEOC collects annually from federal agencies the same employment data as a private sector employer with 100 or more employees would be required to collect under the revised report;
- the EEOC develops software for processing and creates a comprehensive plan for using such information, including examples of how the EEOC will use the information in its enforcement efforts, protect the information from theft or public dissemination, and share the data with other agencies;
- the Office of Management and Budget approves the EEOC's data collection procedures and comprehensive plan under a review process that provides for public notice and comments to evaluate the need for, and the burden of, the collection; and
- the EEOC reduces its inventory of pending charges to not more than 3,660.

The EEOC must publish annual calculations of the cost of such data collection activities, including the number of employees and employee hours required to: (1) collect, verify, and protect the confidentiality of such data; and (2) be transferred away from duties that would reduce the number of pending charges of discrimination before the EEOC.

The Civil Rights Act of 1964 is amended to require the EEOC to approve or disapprove by majority vote a decision on whether the EEOC shall commence or intervene in litigation involving: (1) multiple plaintiffs, or (2) an allegation of systemic discrimination or a pattern or practice of discrimination. An EEOC member shall have the power to require the EEOC to approve or disapprove by majority vote a decision on whether the EEOC commences or intervenes in any litigation.

The EEOC must publish on its website information regarding each case brought in court by the EEOC after a judgment is made with respect to any cause of action. Such information must include: (1) instances in which the EEOC was ordered to pay fees and costs; (2) cases in which a sanction was imposed on the EEOC; (3) the total number of charges of an alleged unlawful employment practice or discrimination filed under specified civil rights, disability, employment, and labor laws; and (4) cases of systemic discrimination, including pattern or practice discrimination.

The EEOC is prohibited from bringing a suit unless it: (1) exhausts its obligation to use bona fide informal good faith endeavors of conciliation, and (2) certifies that conciliation is at impasse. The determination as to whether the EEOC has engaged in bona fide informal good faith endeavors is subject to judicial review.

The EEOC Inspector General must notify Congress of any sanctions, fees, or costs imposed on the EEOC by a court. The EEOC must report to Congress regarding the steps being taken to reduce such instances.

Actions Timeline

- **Mar 16, 2016:** Introduced in Senate
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