

EEOC Releases Strategic Enforcement Plan for FYs 2024-28

On Sept. 21, 2023, the U.S. Equal Employment Opportunity Commission (EEOC) released its [Strategic Enforcement Plan](#) (SEP) for fiscal years (FYs) 2024 to 2028. The SEP establishes the agency's subject matter priorities as it works to prevent and remedy discrimination in the workplace.

In developing the draft SEP for FYs 2024-28, the EEOC sought input from the public through an email box and several public listening sessions, which included representatives from civil rights and workers' rights organizations, unions, employers, HR representatives, scholars and employment attorneys. The agency then published the draft SEP in the Federal Register for a 30-day public comment period before finalizing the plan. The EEOC finalized the SEP based on the comments it received.

The final SEP for FYs 2024-28 updates and refines the commission's subject matter priorities to reflect progress in achieving its goals of equal employment while recognizing the challenges that remain in reaching those goals. This plan will help guide the EEOC's work, including outreach, education, technical assistance, enforcement and litigation.

Some enforcement priorities from the agency's newly released SEP have been priorities previously, while others reflect the commission's future goals. The following are the EEOC's subject matter priorities for FYs 2024-28:

- Eliminating barriers in recruitment and hiring
- Protecting vulnerable workers and persons from underserved communities from employment discrimination
- Addressing selected emerging and developing issues, such as protections for workers affected by pregnancy, childbirth or related medical conditions; employment discrimination associated with the long-term effects of COVID-19 symptoms; and technology-related employment discrimination
- Advancing equal pay for all workers
- Preventing and remedying systemic harassment
- Preserving access to the legal system by addressing employment waivers, releases, and nondisclosure and nondisparagement agreements

Employer Takeaways

Earlier this year, the agency published its [Strategic Plan](#) for FYs 2022-26, which provides the overall framework for achieving the EEOC's mission. The SEP works together with the Strategic Plan by establishing substantive enforcement priorities.

As the SEP will guide the agency's enforcement priorities for the next five years, employers should consider reviewing the plan to determine how it may impact their organizations. The EEOC will likely start addressing its enforcement priorities now that the plan is published; therefore, impacted employers will want to follow the agency's actions closely.

We will keep you apprised of any notable updates. Contact OneDigital for more workplace resources.