

**NATIONAL COUNCIL OF EEOC LOCALS No 216, AFGE, AFL-CIO**  
**Office of the President**  
**c/o Denver District Office, EEOC**  
**303 East 17<sup>th</sup> Avenue, Suite 410, Denver, Colorado 80203**  
**Tele: (303) 866-1337 Fax: (303) 736-3964**

**PRESS RELEASE**

**FOR IMMEDIATE RELEASE**

August 4, 2010

Contact: Gabrielle Martin  
(303) 725-9079

**EEOC UNION FILES ULP COMPLAINTS AGAINST ALL 53 EEOC FIELD OFFICES**

The National Council of EEOC Locals, No. 216, AFGE/AFL-CIO, (“the Council”), which represents the workers at the Equal Employment Opportunity Commission (EEOC), announced that it has filed fifty-three (53) unfair labor practice (ULP) complaints with the Fair Labor Relations Authority (FLRA). The ULP’s charge that each of EEOC’s field offices has:

UNILATERALLY INSTITUTED PRODUCTION STANDARDS FOR ENFORCEMENT INVESTIGATORS, MEDIATORS, AND ADMINISTRATIVE JUDGES, BY REQUIRING THESE BARGAINING UNIT EMPLOYEES TO COMPLETE A CERTAIN NUMBER OF CASE CLOSURES BY SEPTEMBER 30, 2010. FAILURE TO MEET THESE PRODUCTION STANDARDS COULD RESULT IN AN UNSATISFACTORY PERFORMANCE RATING, REMOVAL FROM ALTERNATE WORK SCHEDULE, AND/OR PARTICIPATION IN OR REMOVAL FROM THE DISTRICT’S TELECOMMUTING PROGRAM.

According to Council President Gabrielle Martin, “These ULP’s will hopefully stop cases from being dumped at the end of the year, which is unfair both to the public and EEOC employees.” Martin believes the case closure quotas to be an “irresponsible reaction to the backlog crisis.” Levi Morrow, the Council’s Chief Negotiator states, “The tipping point that made us file all the ULP’s was that management waited until the fourth quarter to raise the number of discrimination cases EEOC employees must shut down.”

Currently, the EEOC is inundated with a backlog of cases due to staff-shortages, increased filings, its emphasis on systemic cases and EEOC expanding enforcement authority to three new laws. On July 23, 2010, the [Senate Appropriations Committee Report for EEOC](#) stated:

This backlog is on pace to reach over 105,000 charges by the end of fiscal year 2011. The Committee is disturbed that this issue has not been addressed in a systematic or strategic manner. The Committee is concerned that there is a lack of leadership response and will at the EEOC to adequately address this problem and it could affect the ability of EEOC to meet its mission and mandate to promote equal opportunity at the workplace.

In fact, for fiscal year 2009, [Congress directed](#) EEOC to produce “a comprehensive plan for backlog reduction.” Martin states, “Now, two fiscal years later the EEOC’s plan is to pressure staff to rush the cases or face negative consequences. EEOC’s new emphasis on resource intensive systemic (class) cases, also causes individual cases to get dumped.”

Martin contends that “a better way for EEOC to address the backlog, rather than [violating overtime laws](#) or dumping cases, is to improve the bottlenecked intake process. The Union has offered an intake plan, as part of a [top 10 list to the Chair](#).” However, Martin states, “Almost one year later, the plan is still under review, despite the need to implement it in time for the start of the new fiscal year on October 1.”