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PRESS RELEASE

FOR IMMEDIATE RELEASE

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PRESIDENT SUPPORTS CIVIL RIGHTS WITH A \$23M BUDGET BOOST FOR EEOC

On May 8, 2009, EEOC released its budget justification, including a \$23 million increase. According to Gabrielle Martin, President of the National Council of EEOC Locals, No. 216, AFGE/AFL-CIO, the Union representing EEOC employees, "The agency's request for a \$23 million budget boost must be monitored. It will be a tragic waste of precious resources and a further blow to public confidence if EEOC fails to use the funds to hire and train frontline staff."

Since 2001, the EEOC lost 25% of its workforce, mostly frontline positions that directly serve the public. Fewer employees mean the public waits an average of eight months for a charge of discrimination to be processed. After limping along for five years on frozen budgets, in FY08 EEOC received 95,402 charges of discrimination, the greatest in its history, while the number of case backlog skyrocketed to 73,951. Recently Congress provided some relief when it approved a \$15 million increase for the EEOC as part of the 2009 Omnibus budget bill.

The Council, which has led the march on securing adequate funding, continues to support increasing EEOC's FY10 budget to \$378 million, the amount originally called for by the Senate for FY08. According to Martin, "This increase in funding is needed now more than ever to support backlog reduction and to ensure the ability to enforce the new GINA and ADAAA laws." While the \$367 million requested by EEOC and the President is shy of that figure, Martin says, "We will happily take it as a down payment towards the goal of ensuring that the EEOC has the necessary resources to effectively enforce this nation's discrimination laws."

While pleased about the down payment, the Council remains concerned that EEOC's budget justification falls short in calling for staff. The 2,556 employee request is far below the Council's requested 3,000 employees, i.e., the same level as FY94, the last time charge receipts were close to FY08's record high. Martin states, "Raising EEOC's staff ceiling to 3,000 will allow EEOC to finally reduce the backlog. With the down payment, it is essential that EEOC staff up to its existing ceiling, which means a net gain of 300 frontline employees ASAP."

While EEOC's private enforcement programs are in dire need of staff, its federal sector and litigation programs also need funds and staff. Without additional staff, all of EEOC's enforcement activities, including its labor intensive systemic cases, will only continue to tread water, subjecting the public to lengthy delays in processing.

Another byproduct of the staffing shortfall is that on [March 23, 2009, Arbitrator Steven M. Wolf ruled that the Equal Employment Opportunity Commission \(EEOC\) willfully violated the Fair Labor Standards Act](#) by engaging in a nationwide pattern that results in suffered and permitted overtime for its own employees. Martin states, "Since the ruling, the agency has claimed that it wants to do overtime right, but yet it has neither corrected overtime classifications for employees nor belatedly paid them for the extra time worked."

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