



For Immediate Release
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LDF Condemns the EEOC's Recent Vote Rescinding Its Position on Mandatory Arbitration

Earlier this week, the Equal Employment Opportunity Commission (EEOC) voted to rescind its long-standing position that binding arbitration agreements conflict with civil rights laws – laws which the agency is required to enforce. The NAACP Legal Defense and Educational Fund, Inc. (LDF) strongly condemns this decision, as it threatens workers' ability to secure their civil rights.

The EEOC was established to enforce the federal laws which prohibit discrimination against a job applicant or employee because of the person's race, color, religion, sex, national origin, age, disability or genetic information. Many employers require their employees to sign binding arbitration agreements mandating that workplace disputes are resolved outside of the court system in private (and often non-transparent) arbitration proceedings. Open access to courts is critical to the civil rights of workers in America, and forced arbitration threatens to undermine the struggle for equality in the workplace.

"The Equal Employment Opportunity Commission (EEOC)'s vote rescinding its guidance on mandatory arbitration is a stunning rollback of civil rights protections and represents a complete deviation from the commission's long-established policy," said Lisa Cylar Barrett, LDF's Director of Policy. "For 22 years, the commission has maintained the position that binding arbitration conflicts with the civil rights laws that the agency enforces. The decision to revoke this position, which comes at a time when two of the five seats on the commission remain vacant, represents a clear move by the administration to continue its dismantling of workers' rights."

LDF has worked for many years to raise awareness of the civil rights threats posed by mandatory arbitration – and has engaged in legislative advocacy as well as advocacy before the Supreme Court to seek to limit the extent to which employers can use binding arbitration. Despite the problematic nature of the EEOC vote, LDF will continue its efforts to protect and advance equality for all workers.

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Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation's first civil and human rights law organization. LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF's Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.

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