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EEOC Announces Enforcement Focus on “Illegal Preferences Against American Workers”

Law and the Workplace on **February 20, 2025**

On Wednesday, February 19, 2025, Acting Equal Employment Opportunity Commission (“EEOC”) Chair Andrea R. Lucas announced the EEOC plans to target employers that “illegally prefer non-American workers,” as well as “staffing agencies and other agents that unlawfully comply with client companies’ illegal preferences against American workers” through increased enforcement of Title VII’s national origin protections.

This latest statement expounds upon the enforcement priorities Lucas laid out in her January 21, 2025, statement, which included “protecting American workers from anti-American national origin discrimination.”

This week, Lucas explained that the EEOC intends to partner with other federal agencies, including the Department of Justice, the Department of Homeland Security, and the Department of Labor to achieve “enhanced investigation and enforcement” of Title VII protections for American employees.

Notably, the announcement also indicates that the EEOC’s enforcement focus will include non-American employees who are authorized to work in the United States, including “visa holders and other legal immigrants.” Citing a “large-scale problem in multiple industries nationwide,” Lucas stated that the EEOC is committed to not only “decreasing demand for illegal alien workers,” but also “decreasing abuse of the United States’ legal immigration system.”

As Proskauer previously reported, the EEOC still lacks a quorum, which may limit the Commission’s ability to effect Lucas’s agenda, as Commission approval is required before the EEOC initiates a case alleging a systemic pattern or practice of discrimination.

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