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# Senate Restores EEOC Quorum and Appoints New Wage and Hour Division Leader

**Law and the Workplace** on **October 15, 2025**

On October 7, 2025, the Senate approved two key employment agency nominations, confirming Brittany Panuccio to the U.S. Equal Employment Opportunity Commission ("EEOC") and Andrew Rogers to lead the Wage and Hour Division within the U.S. Department of Labor ("DOL").

Panuccio's appointment restores a Republican majority at the EEOC, while Rogers's confirmation returns a former DOL senior adviser to lead the Wage and Hour Division.

**EEOC: Restoration of Quorum and Decision-Making Authority**

Panuccio's confirmation restores the EEOC's decision-making authority after months without a quorum and gives Republicans a 2–1 majority on the EEOC. The agency is now composed of Acting Chair Andrea Lucas and Brittany Panuccio, both Republicans, and Commissioner Kalpana Kotagal, a Democrat appointed by former President Biden.

The EEOC had been operating without a quorum since January, when President Trump dismissed its two Democratic commissioners. During that time, the EEOC continued processing charges and issuing informal guidance, but it lacked the authority to vote on formal rulemaking, adopt or rescind published guidance, or authorize litigation that departs from circuit precedent or the EEOC's prior positions. With the quorum restored, the EEOC can again take formal votes on those matters, allowing it to resume conducting rulemaking, issuing or withdrawing of formal guidance, and authorizing significant litigation.

**Department of Labor: New Leadership at the Wage and Hour Division**

Andrew Rogers, who since October 2020 has been serving as acting general counsel at the EEOC, has been confirmed by the Senate to lead the DOL's Wage and Hour Division ("WHD"). During the first Trump administration, Rogers served as a senior adviser at the WHD.

During his confirmation hearing before the Senate Committee on Health, Education, Labor and Pensions, Rogers stated that the WHD must both provide clear guidance to help employers comply with the law and rigorously enforce it when violations occur. He noted that while most employers make good-faith efforts to comply with wage and hour requirements, the agency has a responsibility to hold accountable those who do not and to ensure that workers receive the wages they have earned.

Rogers also highlighted ongoing efforts at the DOL to address unlawful child labor. He further affirmed his commitment to enforcing the Davis-Bacon Act, which requires contractors and subcontractors on federally funded or assisted construction projects to pay workers no less than locally prevailing wages and benefits for similar work in the area.

**Takeaways** As noted above, with the EEOC's quorum restored, the agency will have the authority to resume rulemaking, issue or withdraw formal guidance, and authorize certain litigation. At the DOL, employers should expect continued enforcement attention on wage payment practices and child labor compliance under new leadership at the WHD. We will continue to monitor developments from these agencies.

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