

Class Actions / EEOC Pattern and Practice

The United States Equal Employment Opportunity Commission (“EEOC”) is the federal agency responsible for investigating and enforcing the federal laws dealing with employment discrimination based upon race, gender, color, national origin, religion, age and disability. In addition, there are a great variety of state and local agencies that enforce these and other protections as well.

The EEOC often brings class or group actions, seeking to address alleged “pattern,” “custom” or policy cases. Additionally, private litigants often bring class actions seeking redress of alleged discrimination against an entire class of protected employees.

Whether a class action is brought by the EEOC or private litigants, the number of potential claimants can number in the thousands or tens of thousands. The stakes are much higher for employers in these cases, and our attorneys provide clients with strategic advice and training in order to avoid or minimize class, pattern and practice claims. However, if such claims are brought, we litigate them aggressively, but as efficiently as possible.

Experience

Below is a representative sample of the types of services we provide our clients in connection with class actions and EEOC pattern and practice litigation:

- ✓ Our attorneys represent employers and their employees when they are sued in state or federal courts regarding pattern and practice discrimination claims, including seeking dismissal at the earliest stage of the proceeding, opposing class certification and seeking decertification after a class has been certified.
- ✓ When class, pattern or practice allegations are raised, our attorneys work with the clients in an effort to demonstrate that any alleged discrimination is particularized and that class or pattern treatment is not justified.
- ✓ Many employers find it more economical to resolve class, pattern and practice claims rather than litigate them, and in these situations we negotiate resolutions directly or through mediation, that are

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palatable to the employer and to the “class” or agency involved.

- ✓ We also work with employers to implement agreements or judgments involving class or pattern claims, usually involving employee training and reporting concerning ongoing compliance efforts.
- ✓ Wholly aside from working with clients to establish policies and practices that are designed to avoid these claims, we counsel employers in the early stages of discrimination claims not just to prevail in those claims, but also to try to avoid expanding the scrutiny beyond that individual.
- ✓ Our attorneys have successfully provided these services to clients across a multitude of industries, in both the public and the private sectors.

News, Events, and Publications

Marron Mahoney and Katherine Stryker Join Laner Muchin

01.09.2023

Illinois Supreme Court Reaches Decision in the Rosenbach "Biometric" Case

01.26.2019

Laner Muchin Attorney Priya Reddy Selected as 2018 National Employment Law Council Academy Fellow

04.18.2018

Laner Muchin Attorney Joe Gagliardo Presented on “Employment Practices Liability Claims” at the 4th Annual Employment Practices Liability Insurance ExecuSummit

04.10.2018

Years After Class-Action Deal, Electrician Wins OK To Pursue His Own Bias Claim

Chicago Daily Law Bulletin, 01.01.2015