

EEOC Regains Quorum: What Employers Can Expect

Labor & Employment Law Update

By Stephanie Cantrell on November 12, 2025

The U.S. Equal Employment Opportunity Commission (EEOC), the agency charged with the administration of federal workplace laws, including Title VII of the Civil Rights Act, recently regained a voting quorum. As a result, the agency can now enact sweeping policy changes in line with President Trump's second term agenda. Employers can expect increased scrutiny of DEI practices and an increase in charges surrounding religious accommodations.

Background: The EEOC Regains a Voting Quorum

Shortly after he took office in January, President Trump quickly moved to reshape the EEOC by firing Democratic commissioners Charlotte Burrows and Jocelyn Samuels. This left the agency without the necessary three-person quorum required to implement policy changes. On October 27, 2025, Trump-nominee Brittany Panuccio was sworn in as a third EEOC commissioner, restoring a quorum necessary to vote on guidance, rules and litigation. Panuccio will sit on the commission alongside Acting EEOC Chair Andrea Lucas and Democrat Kalpana Kotagal. The addition of a second Trump appointee to the agency now gives the EEOC a 2-1 Republican majority, empowering the EEOC to initiate more litigation, issue regulations and guidance, and take formal policy action.

Acting Chair Lucas has stated that she will prioritize "rooting out unlawful DEI-motivated race and sex discrimination" and "defending the biological and binary reality of sex and related rights, including women's rights to single-sex spaces and protecting workers from religious bias." In a recent statement, Lucas stated that "[n]ow the agency is empowered to deliver fully on our promise to advance the most significant civil rights agenda in a generation under President Trump, acting on behalf of the American worker."

Religious Discrimination Claims on the Rise

Targeting religious discrimination in the workplace is at the top of the agenda. The EEOC is widely expected to increase its focus on religious bias, particularly in the area of faith-based accommodation claims. In 2023, the U.S. Supreme Court paved the way for the re-examination of religious bias claims in *Groff v. DeJoy*. This case clarified the standard for undue hardship and found that an employer must reasonably accommodate an employee's religious accommodation requests under Title VII, unless doing so "would result in substantial increased

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costs" to the employer.

Since *Groff*, there has been a significant increase in religious accommodation cases filed in federal court. In 2025, the EEOC brought 11 religious bias lawsuits against employers, the highest number in nearly a decade. Lucas has said that she is proud of the success the EEOC has had in defending religious liberty this year and signaled that she expects this trend to continue as the EEOC shifts its priority towards protections against religious bias. This policy shift aligns with Lucas's other stated goals, particularly that of defending biological and binary definitions of sex.

Key Takeaways for Employers

With an expected rise in faith-based lawsuits against employers, companies should proactively:

- **Review internal policies and procedures.** Audit religious accommodation policies and DEI policies to ensure they are in compliance with Title VII. Be mindful of how religious bias claims may intersect with LGBTQ protections under the law.
- **Review standards with key employees.** Create training programs to ensure supervisors understand how to handle religious accommodation requests.
- **Monitor agency developments.** Although this is not a reset of law or precedent, simply a shift in priorities at the agency level, employers should continue to monitor changes at the EEOC to ensure compliance with legal obligations and remain up-to-date on changes to the current framework.