

Congress of the United States
Washington, DC 20515

November 17, 2010

Jacqueline Berrien
Chair
U.S. Equal Employment Opportunity Commission
131 M Street, NE
Washington, DC 20507

Dear Chair Berrien:

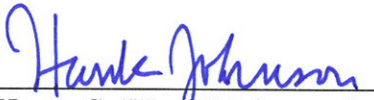
We are writing with serious concerns regarding the recent news reports about the blatant discrimination against the unemployed. This is a very serious issue, especially considering approximately 15 million Americans are unemployed. According to various news reports, employers are posting job advertisements stating: "must be currently employed" or "no unemployed candidates will be considered at all."

We are outraged by this discriminatory practice and are urging you to investigate how it can have an adverse impact on minority groups and be an unnecessary barrier to employment for minorities. Further, we are requesting that you issue a statement detailing how employers discriminating against the unemployed can open themselves up to disparate impact claims because a larger percentage of the unemployed population consists of minorities.

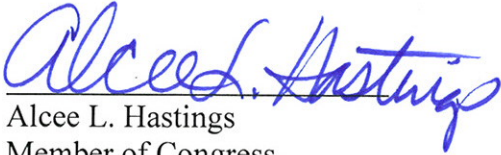
A policy where employers discriminate against the unemployed is unfair, unreasonable and simply ignores the effect of the recession on millions of highly-qualified workers who are unemployed through no fault of their own. Such a policy disproportionately hurts minorities as they suffer from higher unemployment rates than whites. According to the Bureau of Labor Statistics, in October 2010, the national unemployment rate was 9.6%. The unemployment rate for whites was lower than the national rate at 8.8%. African-Americans and Hispanics, however, experienced unemployment rates that were above the national unemployment rate. African-Americans suffered from an unemployment rate of 15.7% and Hispanics from a 12.6% unemployment rate.

If this trend of employers discriminating against the unemployed continues, it will only prolong the unemployment crisis the United States is facing. Discriminating against the unemployed will not help America on its path to economic recovery. On behalf of our constituents, we are urging you to investigate how this discriminatory practice can have an adverse impact on minority groups and be an unnecessary barrier to employment for minorities. We are also requesting that you issue a statement detailing that discriminating against the unemployed could be illegal if it has a disparate impact on minority groups. We thank you in advance for your prompt attention to this matter.

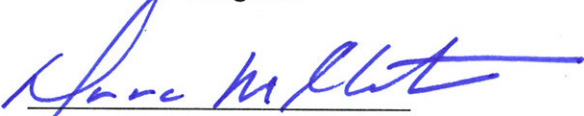
Sincerely,



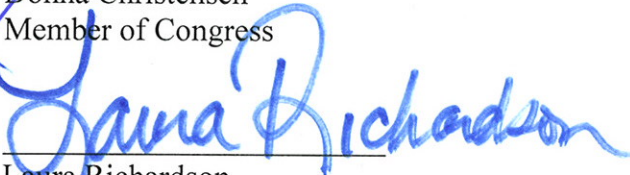
Henry C. "Hank" Johnson, Jr.
Member of Congress



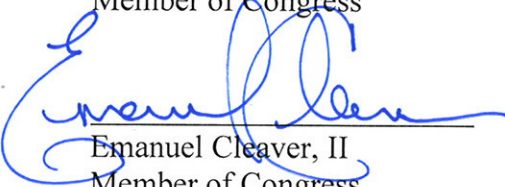
Alcee L. Hastings
Member of Congress



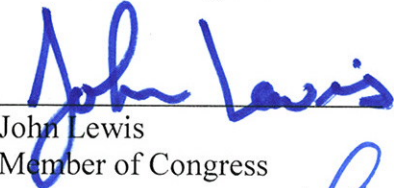
Donna Christensen
Member of Congress



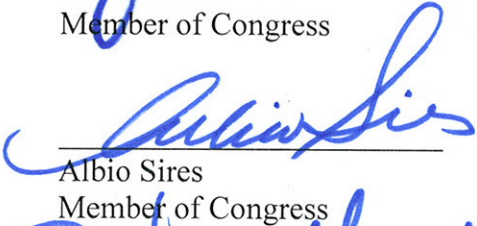
Laura Richardson
Member of Congress



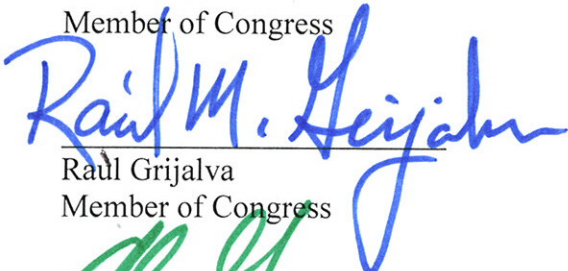
Emanuel Cleaver, II
Member of Congress



John Lewis
Member of Congress



Albio Sires
Member of Congress



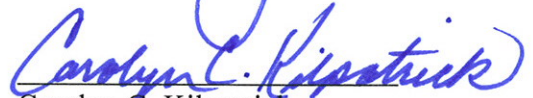
Raul Grijalva
Member of Congress



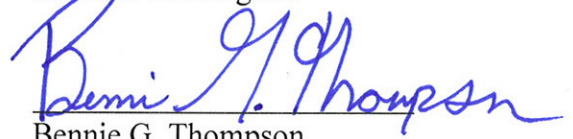
Al Green
Member of Congress



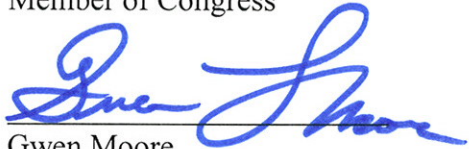
Sheila Jackson Lee
Member of Congress



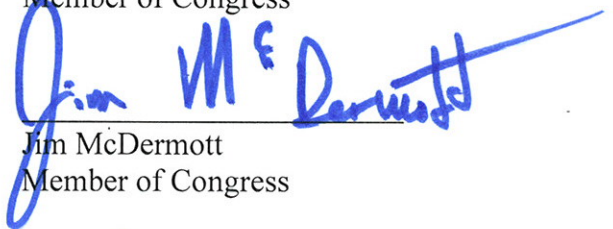
Carolyn C. Kilpatrick
Member of Congress



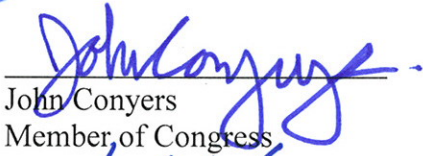
Bennie G. Thompson
Member of Congress



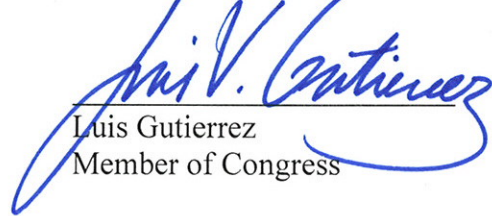
Gwen Moore
Member of Congress



Jim McDermott
Member of Congress



John Conyers
Member of Congress



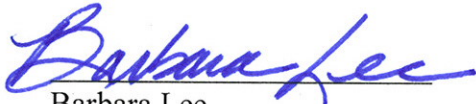
Luis Gutierrez
Member of Congress



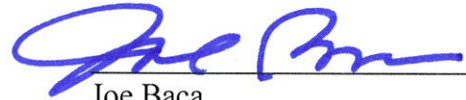
Eleanor Holmes Norton
Member of Congress



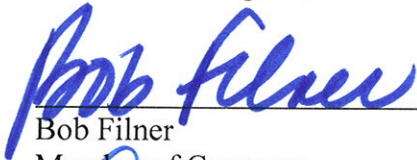
Maxine Waters
Member of Congress



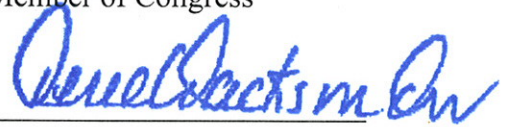
Barbara Lee
Member of Congress



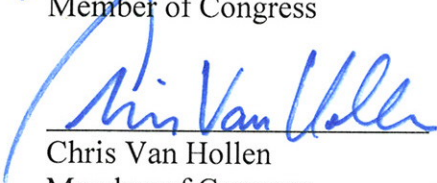
Joe Baca
Member of Congress



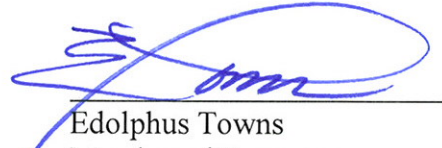
Bob Filner
Member of Congress



Jesse L. Jackson, Jr.
Member of Congress



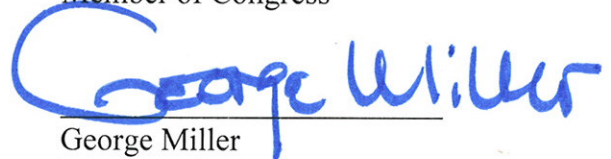
Chris Van Hollen
Member of Congress



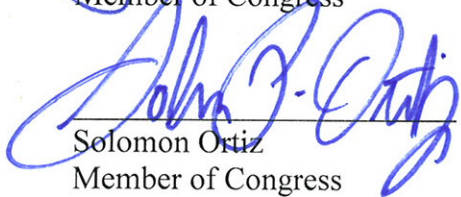
Edolphus Towns
Member of Congress



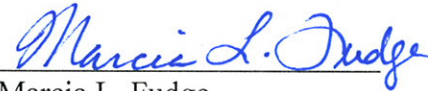
Yvette D. Clarke
Member of Congress



George Miller
Member of Congress



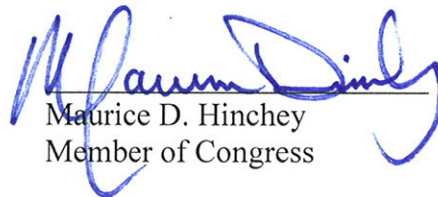
Solomon Ortiz
Member of Congress



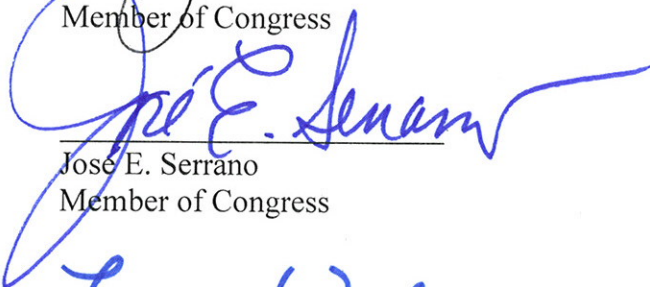
Marcia L. Fudge
Member of Congress



Danny K. Davis
Member of Congress



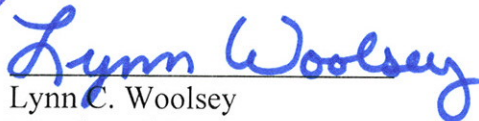
Maurice D. Hinchey
Member of Congress



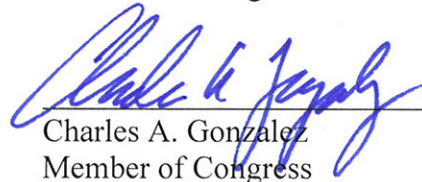
Jose E. Serrano
Member of Congress



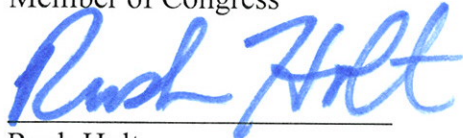
Rosa DeLauro
Member of Congress



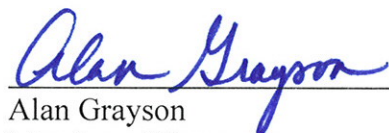
Lynn C. Woolsey
Member of Congress



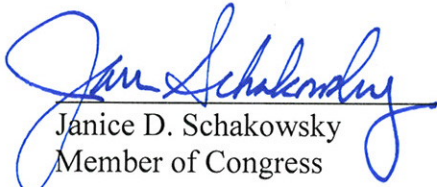
Charles A. Gonzalez
Member of Congress

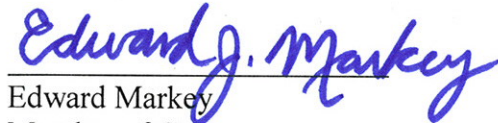


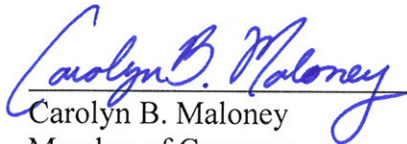
Rush Holt
Member of Congress

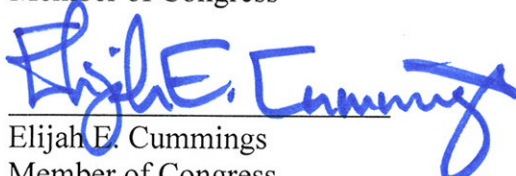


Alan Grayson
Member of Congress

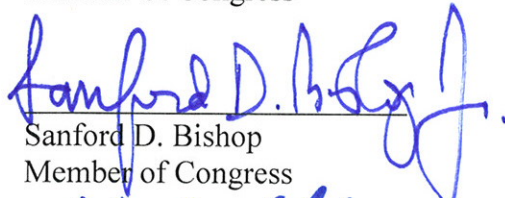

Janice D. Schakowsky
Member of Congress

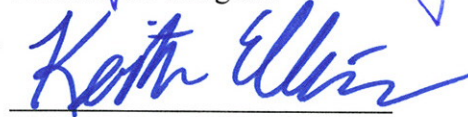

Edward Markey
Member of Congress


Carolyn B. Maloney
Member of Congress

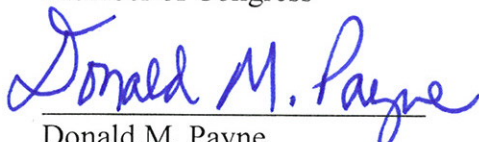

Elijah E. Cummings
Member of Congress

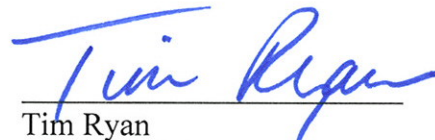

Dennis J. Kucinich
Member of Congress

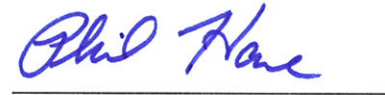

Sanford D. Bishop
Member of Congress

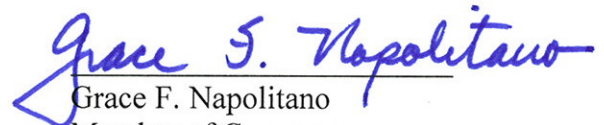

Keith Ellison
Member of Congress

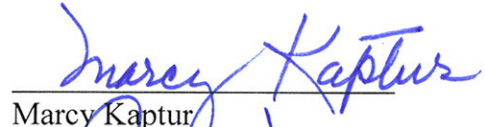

Wm. Lacy Clay
Member of Congress

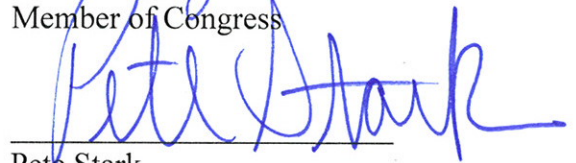

Donald M. Payne
Member of Congress

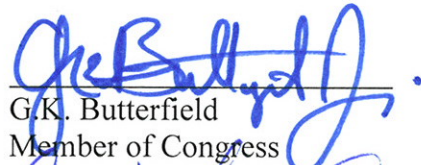

Tim Ryan
Member of Congress

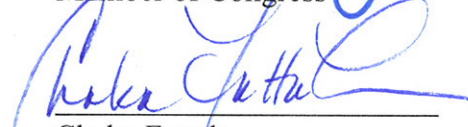

Phil Hare
Member of Congress

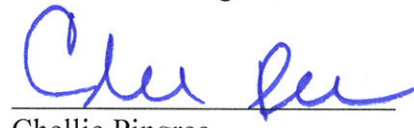

Grace F. Napolitano
Member of Congress

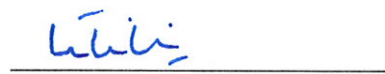

Marcy Kaptur
Member of Congress


Pete Stark
Member of Congress


G.K. Butterfield
Member of Congress


Chaka Fattah
Member of Congress


Chellie Pingree
Member of Congress


Gregorio Kilili Sablan
Member of Congress