

July 15, 2025

The Honorable Bill Cassidy
Chairman
Committee on Health, Education, Labor &
Pensions
United States Senate
455 Senate Dirksen Office Building
Washington, DC 20510

The Honorable Bernie Sanders
Ranking Member
Committee on Health, Education, Labor &
Pensions
United States Senate
332 Senate Dirksen Office Building
Washington, DC 20510

Re: Opposition to the Confirmation of Brittany Panuccio to the U.S. Equal Employment Opportunity Commission

Dear Chairman Cassidy and Ranking Member Sanders,

The undersigned organizations committed to civil rights, workers' rights, and gender justice write to express our strong opposition to the confirmation of Brittany Panuccio to serve as a commissioner on the U.S. Equal Employment Opportunity Commission (EEOC). Panuccio has no meaningful, relevant legal experience that prepares her to address the legal and policy issues she will confront as a commissioner, and she appears to have been nominated solely to serve as a rubber stamp for the Trump administration's anti-civil rights agenda. Her confirmation would further politicize the EEOC and would be devastating for workers and their families.

Everyone deserves a fair chance to compete for job opportunities, and to be treated with dignity and respect at work. The EEOC is an independent agency that serves a critically important role in ensuring equal opportunity for workers in the United States, enforcing laws prohibiting discrimination on the basis of sex (including pregnancy, sexual orientation, and gender identity), race, national origin, age, disability, and religion. Discrimination in the workplace remains widespread across industries, and workers around the country rely on the EEOC to enforce their rights. In FY 2024, the EEOC received 88,531 new charges of discrimination, a nearly 9 percent increase from the previous year.ⁱ The EEOC not only investigates these charges of discrimination, litigating when appropriate, but it also plays a key role in preventing discrimination through outreach, education, data collection, and technical assistance. Through its enforcement actions, EEOC obtains real relief for workers—from 2014-2024, the agency recovered \$5.6 billion for workers who experienced discrimination on the job.ⁱⁱ When workers are pushed out of their jobs due to discrimination or harassment, they don't just lose a paycheck—they lose their ability to put food on the table, their access to health insurance, and their ability to save for retirement. By enforcing workers' rights to be free from discrimination, harassment, and retaliation, the EEOC ensures workers can continue to support themselves and their families.

Given the importance of this work to the lives and livelihoods of millions of workers, the position of EEOC commissioner requires deep knowledge of employment anti-discrimination law and dedication to enforcing workers' rights to equal employment opportunity. The role of

commissioner is not simply administrative. EEOC commissioners carry out the agency's mission on behalf of workers by issuing regulations and guidance, identifying and implementing enforcement priorities, and in some cases, authorizing litigation. Commissioners must have extensive professional experience that will allow them to immediately engage in this substantive work and exercise independent judgement free from direction or political interference from the White House or fellow commissioners.

Nothing in Panuccio's record indicates that she has the requisite experience in employment anti-discrimination law or workers' civil rights to provide the strong and dedicated leadership the agency requires. While past EEOC commissioners have had a range of professional backgrounds in the public, private, and nonprofit sectors, both Democratic and Republican commissioners have traditionally had several years of relevant experience in employment law prior to stepping into their role at the EEOC. By contrast, the sum of Panuccio's experience in employment law appears to amount to just one year as a labor and employment associate at the law firm Jones Day and a summer internship at the EEOC.ⁱⁱⁱ There is no indication that she has worked on employment law matters in her current role as an Assistant U.S. Attorney, or in her previous roles in the first Trump administration, where she served in the U.S. Department of Education and did a three month stint in the U.S. Department of Justice, Office of Legal Policy.^{iv} Panuccio's lack of relevant expertise in the field of employment law makes her a clear outlier as compared to previous EEOC commissioners of both parties, and there is nothing in her record to suggest she is adequately prepared to address the legal and policy issues she will confront as a commissioner.

Insofar as Panuccio does have experience in the field of civil rights, she has gone out of her way to make it more difficult for people who have experienced discrimination and harassment to obtain relief. Panuccio describes herself as having "co-authored [the] 2018 Title IX NPRM," which ultimately became the 2020 Title IX final rule on sexual harassment.^v That rule significantly weakened protections against sexual harassment in schools by allowing schools to ignore many incidents of sexual harassment and allowing—and in some cases requiring—schools to use uniquely unfair, burdensome, and retraumatizing investigation procedures.^{vi} Sexual harassment remains widespread in workplaces across the country, and the EEOC plays a critical role in preventing and addressing this harassment. As a commissioner, Panuccio would be in a position to issue guidance and technical assistance on workplace harassment, including modifying the EEOC's Enforcement Guidance on Workplace Harassment—an important resource for workers, employers, and enforcement staff that explains the federal legal standards for workplace harassment claims. Her work on the Trump administration's Title IX rule calls into question her commitment to strong enforcement of anti-harassment protections in the workplace.

Panuccio's lack of any meaningful, relevant subject-matter expertise suggests she was nominated not to protect civil rights but to serve as a rubber stamp for the Trump administration's agenda. Congress specifically designed the EEOC to be a bipartisan, multi-member agency, and

attempted to protect it from being captured by the executive.^{vii} Its independence from the executive is a key feature of the agency, such that workers can rely on an EEOC that is fair and independent and not beholden to political whims that favor the powerful at the expense of everyday workers. However, Trump has politicized the EEOC and undermined its independence by lawlessly firing two Democratic commissioners before the end of their terms. As a result of these firings, the confirmation of Panuccio would give the EEOC the power to fully implement the Trump administration's anti-worker, anti-civil rights agenda. We cannot afford to play political games with an agency that is central to the rights of workers across the country and their ability to support themselves and their families.

Workers count on the EEOC to uphold civil rights in the workplace, and they deserve leadership with demonstrated experience in, and commitment to, workplace anti-discrimination law. As leaders in the fight for workplace civil rights, we strongly oppose the confirmation of Brittany Panuccio to serve as EEOC commissioner and urge the Committee to reject her nomination. If you have any questions, please contact Katie Sandson at the National Women's Law Center Action Fund (ksandson@nwlc.org), Josh Boxerman at the National Employment Law Project (jboxerman@nelp.org), Peggy Ramin at The Leadership Conference on Civil and Human Rights (ramin@civilrights.org), and Michelle Feit with the National Partnership for Women & Families (mfeit@nationalpartnership.org).

Sincerely,

National Women's Law Center Action Fund
National Employment Law Project
National Partnership for Women & Families
The Leadership Conference on Civil and Human Rights
AAUW California
Access Ready Inc.
Advocates for Trans Equality
All Of Us Or None
American Association of University Women (AAUW)
American Federation of State, County and Municipal Employees (AFSCME)
Autistic People of Color Fund
Autistic Self Advocacy Network (ASAN)
Care in Action
Chicago Women in Trades
Clearinghouse on Women's Issues
Colorado Anti-Violence Project
Demcast
End Child Poverty California
Equal Rights Advocates
Family Values @ Work
Feminist Majority Foundation
Gender Equality Law Center
Human Rights Campaign

Just Solutions
Legal Aid at Work
Legal Momentum, The Women's Legal Defense and Education Fund
Mississippi Black Women's Roundtable
MomsRising
NAACP Legal Defense and Educational Fund, Inc.
National Black Worker Center
National Council of Jewish Women
National Domestic Workers Alliance
National Education Association
National Employment Lawyers Association
National Institute for Workers' Rights
National LGBTQ Task Force Action Fund
National Organization for Women
National Taskforce on Tradeswomen's Issues
National Workrights Institute
Public Advocacy for Kids (PAK)
Revolution Workshop
Southern Poverty Law Center
TDIforAccess
The Sikh Coalition
The Workers Circle
Women Employed
Worksafe

ⁱ U.S. EQUAL EMP. OPPORTUNITY COMM'N EEO-1, ANNUAL PERFORMANCE REPORT FISCAL YEAR 2024 (Jan. 17, 2025), https://www.eeoc.gov/sites/default/files/2025-01/24-126_EEOC_2024_APR_508_1.16.25_508.pdf.

ⁱⁱ Brittany Williams, *Priceless: The Over \$5.6 Billion Impact of Equal Opportunity at Work*, THE NAT'L PARTNERSHIP FOR WOMEN AND FAMILIES (Feb. 2025), <https://nationalpartnership.org/report/priceless-over-5-6-billion-impact-of-equal-opportunity-at-work/>.

ⁱⁱⁱ *Brittany Bull Panuccio*, LINKEDIN, <https://www.linkedin.com/in/brittanykbull/> (last visited July 2, 2025).

^{iv} *Id.*

^v *Id.*

^{vi} *DeVos' New Title IX Sexual Harassment Rule, Explained*, NATIONAL WOMEN'S LAW CENTER (May 2020), <https://nwlc.org/wp-content/uploads/2020/05/Title-IX-Final-Rule-Factsheet-5.28.20-v3.pdf>.

^{vii} See 42 U.S.C. 2000e-4(a) (requiring that the EEOC include five members, of whom no more than three are of the same political party, and that members serve five-year terms, which ensures that commissioners' terms run between presidential terms).