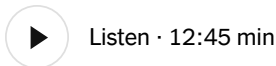


# *Employment Agency Pushes Discrimination Cases That Match Trump's Agenda*

Field staff at the Equal Employment Opportunity Commission say they are being pressured to bring politically charged cases, even with little evidence.



**By Rebecca Davis O'Brien**

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Field staff at the federal agency that enforces civil rights laws in the workplace say they are under intense pressure from leadership to bring in cases that fit the Trump administration's priorities, including charges of discrimination against white men and charges of antisemitism on college campuses.

That pressure has led investigators and lawyers at the agency, the Equal Employment Opportunity Commission, to focus its thin resources on pursuing and fast-tracking cases that have little evidence and tenuous legal bases, according to more than a dozen current and former employees, both Republicans and Democrats.

They described a deeply demoralized and fearful work force, diminished by years of attrition and a surge of resignations and retirements during the second Trump administration. Current and recently departed employees, who requested anonymity because they feared professional repercussions, said the commission's Republican chair, Andrea Lucas, had recast the agency to carry out President Trump's executive orders. They said they felt compelled to speak because they

were concerned about the future of the agency, where many saw their work enforcing the nation's civil rights laws as a moral calling that has now been abandoned.

Ms. Lucas has provided regular updates on major cases to the White House, two current employees said. That is a departure from the past, when there was a firewall between the agency and the White House. The contact is in keeping with the Trump administration's view — which Ms. Lucas has publicly supported, and which the Supreme Court is expected to rule on this year — that agencies like the commission are not independent but are subject to the president's authority.

Two people said Ms. Lucas and her staff scoured case files in the agency's internal database and became directly involved with cases. Current and former employees said that while leadership had been involved in high-profile cases in the past, the extent of her involvement was without precedent.

Ms. Lucas, whom Mr. Trump appointed to run the agency in 2025, has conveyed to staff that she is under pressure from the White House to produce cases the administration favors. Employees said they had been led to believe that bringing these cases was necessary to ensure the agency's funding. This month, the White House released a budget recommending a \$20 million funding increase for the commission — returning it to its 2025 level of \$455 million, after a cut last year.

“Chair Lucas and the Trump administration are ensuring all Americans are treated fairly by rigorously enforcing civil rights laws, ending illegal D.E.I.-motivated race and sex discrimination and upholding the Constitution,” said Liz Huston, a White House spokeswoman.

Agency leaders have maintained an internal list of top cases, known as the “top 30” although the number has fluctuated in recent months, that are considered the most promising and likely to garner legal and media attention, people familiar with the list said. Cases on the list largely fit what Ms. Lucas has said are her priorities: prosecuting discrimination based on religion and national origin; rooting out diversity, equity and inclusion initiatives; and ending what she has described as the improper elevation of gender identity over biological sex.

Connor Clegg, a spokesman for the commission, said that under the second Trump administration, the agency's "renewed focus on evenhanded enforcement of civil rights laws has delivered meaningful relief for thousands, leading to record monetary recoveries by the agency for the workers it protects."

Mr. Clegg cited a performance plan released this month, in which the commission said it had recovered almost \$660 million for nearly 18,000 victims of discrimination in the 2025 fiscal year, including a record \$528 million through settlements and mediation.

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"Instead of pulling punches, Chair Lucas is committed to following through on her promise to pursue a colorblind, evenhanded enforcement agenda," Mr. Clegg said.

Current and former employees said cases claiming "reverse D.E.I." and racism against white men had been accelerated through the process.

The top-down approach is a departure from efforts at bipartisan consensus on enforcement in past administrations, said David Lopez, who served as the agency's general counsel under President Barack Obama and is now a professor at Arizona State University. He also pointed to Ms. Lucas's explicit outreach to white men and reports of behind-the-scenes efforts to speed up investigations into discrimination against white people as troubling.

"It's a head-scratcher why the E.E.O.C.'s prioritization of limited resources based on race, both overtly and in practice, does not raise constitutional questions," Mr. Lopez said.

It is not unusual for commissioners, and in particular the commission's chair, to have interest in particular areas of civil rights and employment law, and for the focus of the agency to shift resources toward developing those kinds of cases.

Some current and former commission officials said recent Democratic chairs had also been directly engaged in the resolution of high-profile cases. And they argued that the discontent among field staff was based in part on political disagreement — people joined the agency out of a sense of mission, to stand up for the underdog, a mission that has now changed. But some current and former employees and officials, including Republicans, said they were alarmed by activity at the agency that had nothing to do with their personal political views.

District directors report to the chair, but they have typically run their offices without interference. Their work has traditionally been guided by the commission's Strategic Enforcement Plan, a set of long-term priorities and strategies shaped by public comment and voted on by the bipartisan commission.



The Trump administration's view is that agencies such as the E.E.O.C. are not independent but are subject to the president's authority. Doug Mills/The New York Times

The current plan, approved by a 3-to-2 vote in 2023 — Ms. Lucas, then a commissioner, voted against it — is in place until 2028. The plan's subject matter priorities include equal pay and “protecting vulnerable workers,” including immigrants, transgender people and people with arrest records, from employment discrimination.

Employees say Ms. Lucas has set these priorities aside.

In September, the director of one of the commission's 15 geographic districts instructed staff to assign the agency's top internal ranking to "all cases that fall within the chair's priorities," designating them for extra attention and resources, according to an email reviewed by The New York Times.

"As a friendly reminder, these cases *should not* be sent to mediation," the email said.

Four months later, in early January, the same district director made the instructions more explicit, telling his reports that they should assign the top ranking to all cases claiming discrimination against white people, except those deemed to have major legal shortcomings.

The second email came weeks after Ms. Lucas released a video on social media, encouraging white men to file complaints if they experienced discrimination at work.

The video spurred shock and consternation inside the agency, employees said. In the past, they said, investigators had always pursued cases on behalf of white men when they arose. Singling them out now, at the expense of other groups, seemed to turn the E.E.O.C.'s mission, born of the 1964 Civil Rights Act, on its head.

Now, facing pressure to bring more cases for white men — as well as claims of discrimination against American-born workers and cases of systemic antisemitism — staff in several districts said they were struggling to find complaints with merit. And they said they were pressed by their superiors to look for reasons to keep those cases alive, even when evidence was weak.

In one instance described to The Times, employees had to justify abandoning the case of a white man who said he was the victim of discrimination because he didn't get a job. The job, the office's review found, went to another white man, and all the other applicants were also white men.

Priority cases typically require special permission to dismiss, employees said. There is an understanding among staff that nobody can remove a case from the "top 30" list without Ms. Lucas's permission.

The agency is at its lowest staffing level in decades. There are about 1,725 employees at the commission today, down from 2,300 in 2023, including a net loss of 367 employees since Mr. Trump took office in January 2025, according to federal data.

The agency received about 90,000 complaints, known as charges, last year, a number that has increased steadily over the past decade. The number of investigators to handle their initial intake has declined to about 400, a record low.

The strained resources mean, staff members said, that they regularly close cases that, with additional time, would be clearly proved as violations of employment law. Staff said field offices were being pushed to bring in cases at a faster clip, and to resolve a backlog of charges.

Investigators are responsible for the initial processing of complaints, starting with intake interviews. At the direction of agency leadership, the interviews are now meant to be 55 minutes or less, down from around 90 minutes.

The pace is reflected in a push to speed the processing of priority cases, some employees said. It is illegal for E.E.O.C. staff to talk about ongoing civil rights cases, but the haste is apparent in cases that have become public.

The agency's investigation of Nike over its D.E.I. initiatives was instigated by Ms. Lucas herself, court filings show, and became public in what the company called "a surprising and unusual escalation" over subpoena compliance.

In December 2023, as a member of the commission, Ms. Lucas also personally filed a charge against the University of Pennsylvania, claiming a "pattern or practice of harassment" against Jewish employees. The investigation lay dormant until last summer, and in November the commission filed a motion in court to force the school to comply with a subpoena seeking, among other details, a list of the school's Jewish staff.

The school has resisted. In a court filing in January, lawyers for the school called the request "a particularly unjustified use of enforcement authority given the weakness of the underlying charge, which fails to identify a single allegedly

unlawful employment practice or incident involving employees.”

Instead, the lawyers wrote, the investigation was “premised on the unspecified suspicions of a single commissioner.”

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