

**EEOC Status Report on Retrospective Regulatory Review – May 2012**

<b>RIN/ OMB Control No.</b>	<b>Title of Initiative/Rule/ ICR</b>	<b>Brief Description</b>	<b>Actual or Target Completion Date</b>	<b>Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits</b>	<b>Progress updates and anticipated accomplishments</b>	<b>Notes</b>
3046-AA87*; 3046-AA76	29 CFR Part 1625 – Age Discrimination in Employment Act (most recently reviewed 1625.7(b),(c) – Reasonable Factors other than Age; 1625.7(d) – Disparate Impact)	Regulations interpreting the Age Discrimination in Employment Act (ADEA)	March 2012	EEOC anticipates these regulatory changes will reduce the burden on employers of defending against ADEA disparate impact claims by replacing the business necessity defense in the existing ADEA regulations with the less stringent “reasonable factor other than age” (RFOA) defense, in conformance with the Supreme Court’s decisions. EEOC also expects this rule will lessen litigation costs for employers by providing clear guidance about the defense.	The Final Rule was published in the Federal Register on March 30, 2012, and is effective on April 30, 2012. See 77 Fed. Reg. 19080. <a href="https://www.federalregister.gov/articles/2012/03/30/2012-5896/d disparate-impact-and-reasonable-factors-other-than-age-under-the-age-discrimination-in-employment">https://www.federalregister.gov/articles/2012/03/30/2012-5896/d disparate-impact-and-reasonable-factors-other-than-age-under-the-age-discrimination-in-employment</a>	
3046-AA73*	29 CFR Part 1614 - Federal Sector Equal Employment Opportunity	Establishes procedures for federal agency equal employment opportunity (EEO) programs	July 2012	EEOC is developing a rule to make the process fairer and more efficient, thereby reducing costs and increasing benefits.	Submitted for E.O. 12866 Regulatory Review on Feb. 6, 2012. More information may be found at <a href="http://www.reginfo.gov">www.reginfo.gov</a> .	

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3046-AA42	29 CFR Part 1640 – Procedures for Coordinating the Investigation of Complaints or Charges of Discrimination based on Disability subject to the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973	Implements federal agency procedures for processing complaints or charges of employment discrimination filed against recipients of federal financial assistance when jurisdiction exists under both section 504 of the Rehabilitation Act and Title I of the Americans with Disabilities Act (ADA)	October 2013	EEOC is developing proposed revisions to these regulations that are anticipated to result in increased efficiency in the government’s response to such complaints.	EEOC staff is developing specific proposed revisions to this rule.	
	29 CFR Part 1641 - Procedures for Complaints/Charges of Employment Discrimination based on Disability filed against Employers holding Government Contracts or Subcontracts	Implements procedures for processing complaints or charges of employment discrimination filed against employers holding government contracts or subcontracts, where the complaints/charges fall within the jurisdiction of both section 503 of the Rehabilitation Act and the ADA, and provides for cooperation between EEOC and the Department of Labor’s Office of Federal Contract Compliance Programs (OFCCP)	October 2013	EEOC is reviewing proposed changes to this regulation that are anticipated to result in increased efficiency in the government’s response to such complaints.	EEOC staff is developing specific proposed revisions to this rule.	

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	29 CFR Part 1691 – Procedures for Complaints of Employment Discrimination filed against Recipients of Federal Financial Assistance	Implements procedures for processing complaints of employment discrimination filed against recipients of federal financial assistance subject to title VI of the Civil Rights Act of 1964 (Title VI), title IX of the Education Amendments of 1972, the State and Local Fiscal Assistance Act of 1972, as amended, and provisions similar to title VI and title IX in Federal grant statutes	October 2013	EEOC is reviewing proposed changes to this regulation that are anticipated to result in increased efficiency in the government’s response to such complaints.	EEOC staff is developing specific proposed revisions to this rule.	

\* Indicates regulatory revision designated as significant within the meaning of EO 12866 as amended by EO 13563.