

NEWS & INSIGHTS

How Employers Can Comply with Title VII on DEI After Latest Warning

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Employers locally and across the country should examine their current hiring and training programs to assess risk under Title VII of the Civil Rights Act of 1964 following the latest warning from the federal government.

Andrea Lucas, the chair of the Equal Employment Opportunity Commission, recently sent [a letter](#) to all the Fortune 500 companies in the United States reinforcing the organization's anti-discrimination mission – including eliminating DEI programs and policies. President Donald Trump's administration has said that DEI programs are in direct conflict with the intent of Title VII, which prohibits workplace discrimination.

“(A) Americans have the right to be treated in the workplace as individuals, not members of a particular race or group, and judged only by the content of their character, skills, and abilities, rather than by the color of their skin or by their sex,” Lucas wrote in the letter.

The DEI trend in employment gained traction in the early 2020s to give historically marginalized groups fair treatment and participation in the workplace. However, during Trump’s 2024 presidential campaign, he promised to use the power of the White House to eliminate DEI programs, calling them discriminatory.

“The agency’s mission is evident in our very name given to us by Congress in the Civil Rights Act of 1964 — we are the *Equal Employment Opportunity* Commission, not the *Equitable Employment Outcomes* Commission,” she wrote in the letter. “Over the first year of the second Trump Administration, the EEOC under my leadership has undertaken exhaustive efforts to return to its founding principles and restore evenhanded enforcement of employment civil rights laws on behalf of all Americans.”

While the notice was sent only to Fortune 500 companies, it also serves as a reminder to all companies of the administration’s continued focus on eliminating DEI programs. Whether a company has ever had a formal DEI program or not, it should conduct a comprehensive audit of its hiring and training programs to assess risk and ensure that employment decisions are based on merit and qualifications. At a minimum, proof of an internal audit can serve as good faith evidence that your company is working to comply with Title VII regulations.

Saxton & Stump’s Labor and Employment Group has helped companies of all sizes and across industries audit and draft hiring, promotion, and benefits policies to ensure they thoroughly comply with all aspects of Title VII and has defended employers in litigation brought by employees alleging workplace discrimination. If you have questions about any of your company’s compliance with Title VII and all federal, state, or local employment regulations, please [contact me](#) or any member of the [Saxton & Stump Labor and Employment Group](#).

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