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EEOC Announces New Initiative On Artificial Intelligence & Algorithmic Fairness

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Continuing its efforts towards becoming a 21st century data analytics agency, during the last week of October, 2021, U.S. Equal Employment Opportunity Commission (EEOC) Chair Charlotte A. Burrows announced a new EEOC initiative on artificial intelligence and algorithmic fairness.

This new initiative is aimed at ensuring that artificial intelligence and other emerging tools and technologies used by employers in hiring and in a multitude of other employment related decisions comply with federal civil rights laws.

By closely examining how these developing technologies are developed and utilized by employers, this initiative may lead to agency guidance for applicants, employees, employers, as well as technology developers and vendors alike in furtherance of the principles of fairness, consistency with federal equal employment opportunity laws and regulations, as well as the prevention and elimination of biases arising from the use of algorithms and artificial intelligence.

Specifically, with this new initiative the EEOC anticipates:

- Creating a new internal working group responsible for coordinating the agency's work on the initiative;
- Gathering information regarding the development, adaptation, and impact of these technologies;
- Conducting a series of informational listening sessions with key stakeholders about these emerging technologies and their actual/potential implications on matters of employment;
- Identify practices and methodologies that seem likely to satisfy the EEOC's objectives and the requirements of federal employment laws within its enforcement jurisdiction; and ultimately,
- Provide technical assistance and guidance on using algorithms and artificial intelligence.

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