

Congress of the United States
Washington, DC 20515

July 26, 2022

The Honorable Patty Murray
Chair
Committee on Health, Education, Labor &
Pensions
United States Senate
428 Senate Dirksen Office Building
Washington, DC 20510

The Honorable Richard Burr
Ranking Member
Committee on Health, Education, Labor &
Pensions
United States Senate
428 Senate Dirksen Office Building
Washington, DC 20510

Dear Chair Murray and Ranking Member Burr,

As the leadership of the Democratic Women's Caucus, we write to express our strong support for the nomination of Kalpana Kotagal to serve as a member of the U.S. Equal Employment Opportunity Commission (EEOC). Ms. Kotagal has an outstanding record as a civil rights attorney and a wealth of expertise in employment law. She has represented countless victims of sex discrimination, including women who were denied equal pay, promotions, and pregnancy accommodations in violation of the law. We have full confidence in Ms. Kotagal's abilities and know that she will do well to advance the EEOC's mission of equal opportunity for all.

As the pandemic laid bare, women have made tremendous progress in the workplace but continue to face barriers to their success. There are over 800,000 fewer women in the labor force today than pre-pandemic even as men have recouped their labor force losses, and women still earn just 83 cents on the dollar compared with men. As women return to work and advance in their jobs, we must ensure that they're able to thrive. The EEOC plays an important role in that mission. By enforcing the nation's anti-discrimination laws, the EEOC not only pursues charges from private sector and federal agency employees, but also litigates cases and engages in important outreach and prevention work.

Ms. Kotagal's stellar record speaks for itself. As a Partner at Cohen Milstein, Ms. Kotagal played a leading role representing a class of 69,000 female employees of Sterling Jewelers subjected to widespread sexual harassment and equal pay violations. Ms. Kotagal also represented AT&T sales representatives in a pregnancy discrimination class action, and successfully settled a case that provided disabled veterans over \$9 million for improper pre-employment medical inquiries. She's also represented nurses deprived of fair wages, poultry plant workers denied overtime pay, and Walmart employees facing discrimination.

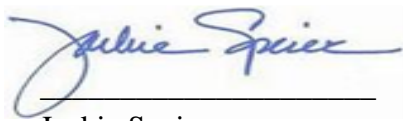
In addition to her work as a litigator, Ms. Kotagal is a co-author of the "Inclusion Rider," which has been adopted across industries to promote greater diversity, equity, and inclusion. With the outpouring of the #MeToo movement, Ms. Kotagal's background as a champion for safe and inclusive workplaces is sorely needed. Women and men across the country have made clear that workplace misconduct should not be tolerated, and perpetrators should be held accountable. The movement also prompted an uptick in EEOC

charges and greater demand for the EEOC's education and trainings. Congress recently affirmed the importance of combatting harassment with the enactment of the *Ending Forced Arbitration of Sexual Assault and Sexual Harassment Act*, which will enable more cases to be heard in court. The confirmation of Ms. Kotagal will allow the EEOC to continue this important work and will help ensure that the workers who are the backbone of our economy are protected.

Ms. Kotagal's confirmation will also allow the EEOC to implement long-delayed guidance to protect workers from harassment in the workplace. The EEOC first proposed guidance on combatting workplace harassment in January 2017, and the lack of final guidance in the years since has prevented the agency from adequately protecting employees. Confirming Ms. Kotagal is critical to ensuring the agency can finalize its guidance and fully protect workers from workplace harassment.

Thank you for your attention. We offer our enthusiastic support of Ms. Kotagal and stand ready to assist your efforts.

Sincerely,



Jackie Speier
Co-Chair
Democratic Women's Caucus



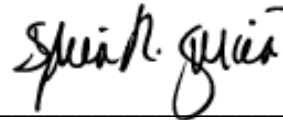
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