



Top Takeaways March 2026 Member Roundtable Meeting

The Institute is committed to keeping our members informed regarding cutting-edge developments. Below are the top highlights from Monday, March 23rd Member Roundtable with Institute Leaders Nita Beecher, David Cohen, Laura Mitchell and Mickey Silberman.

Please share these key takeaways with your internal leaders. The replay of the March 2026 Roundtable is located [here](#). Members will need to log in for full access.

Highlights

- **EEO-1 Report Release.** Laura Mitchell noted that OFCCP published the remaining 2026 to 2020 EEO-1 Reports from federal contractors as required by the 9th Circuit after it held FOIA Exemption 4 did not protect the reports. The reports can be found [here](#).
- **GSA SAM Proposal for Federal Grantees.** David Cohen explained the new [GSA regulatory proposal](#) for certification in the SAM.gov database would require those who receive federal funding to certify they will comply with federal laws prohibiting unlawful discrimination based on race or color. Comments can be submitted until March 30th.
- **EEOC DEI Actions.** Mickey Silberman discussed the [letter](#) EEOC Chair Andrea Lucas sent to Fortune 500 Board Chairs, CEO and General Counsel, reminding them of their obligations under Title VII and urging them to ensure their DEI initiatives comply with civil rights laws. Mickey also noted [Planned Parenthood](#) agreed to pay \$500,000 to settle claims its DEI training illegally segregated employees and harassed white employees.
- **Recent DEI Litigation.** Nita and the group discussed the following:
 - EEOC filed subpoena enforcement actions against [Nike](#) seeking additional information for its investigation that it discriminated against white employees in hiring, promotion, and layoffs and against [Napa Auto Parts](#) alleging discrimination against black applicants. Based on a recent subpoena enforcement hearing, UPenn is unlikely to avoid providing EEOC with a list of its Jewish employees.
 - EEOC filed its first DEI litigation against [Coca-Cola Northeast](#) alleging it provided a networking conference providing benefits to women that it did not provide to men.
 - EEOC [voted](#) 2-1 that federal agencies do not have to allow their transgender employees to use the bathroom or intimate areas for their gender identity.
 - Federal district court for Eastern District of Missouri dismissed [lawsuit](#) by Missouri attorney general against Starbucks alleging its DEI programs discriminated against whites, saying the state provided no evidence of harm to Missouri residents.
- **DOL Proposed New Independent Contractor Rule.** Mickey gave an overview of the [new DOL independent contractor rule](#) which would return the rule to the Trump 1.0 rule which primarily focused on two factors to determine employee status.

- ➔ Next Member Roundtable Meeting: **April 21 at 2pm EDT**. Please click [here](#) for the zoom information.
- ➔ Register today for [The Institute's Annual Summit](#) May 6-7, 2026. Please share with friends and colleagues.
- ➔ Webinars are always complimentary for Institute members. Registration information is located [here](#).