



BUILDING FOR THE FUTURE: ADVANCING EQUAL EMPLOYMENT OPPORTUNITY IN THE CONSTRUCTION INDUSTRY

May 2023

Report of Chair Charlotte A. Burrows

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION



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EXECUTIVE SUMMARY

The construction industry is critical to our nation's economy. Construction workers build and repair our homes, the roads and bridges on which we travel, and the utilities that power our daily lives. It is also one of the country's largest industries, employing nearly 11.8 million people in 2022. The industry's size and significance will only increase in coming years as a result of the bipartisan Infrastructure Investment and Jobs Act of 2021 and the CHIPS and Science Act of 2022. This substantial federal investment in infrastructure provides an historic opportunity to build a more inclusive construction industry and ensure that its opportunities are equally open to all qualified workers.

Many construction companies and industry groups are making good faith efforts to comply with civil rights laws and are undertaking proactive steps to reduce the barriers that have historically limited access to good construction jobs. Nevertheless, discrimination remains a substantial barrier to entry, retention, and advancement of women and people of color in construction decades after the Civil Rights Act of 1964 outlawed race, sex, and national origin discrimination by employers and unions.¹

For years, some of the most egregious incidents of harassment and discrimination investigated by the U.S. Equal Employment Opportunity Commission (EEOC or the Commission) have arisen in the construction industry. Specifically, discrimination in recruitment, apprenticeships, and hiring has blocked access to the industry for many, while unequal treatment in training, hours, pay, promotions, and layoffs has stymied opportunities for advancement for those women and persons of color who managed to find employment in construction. And, in many instances, men of color and women of all races and ethnicities face hostile work environments based on race, national origin, sex, or some combination of these characteristics, on jobsites across the country. Although the EEOC has had considerable success in its investigations and litigation on behalf of construction workers who experience discrimination, addressing specific violations in isolation is insufficient, standing alone, to ensure that all qualified workers are equally able to join and thrive in construction. Indeed, most workers who experience employment discrimination never report it.²

The purpose of this report is to explain the need for new, different, and collaborative approaches to these persistent problems. The report draws on the Commission's considerable experience in combatting employment discrimination in construction and other industries to highlight specific challenges and recommend concrete steps to address them. In addition to prioritizing strategic enforcement and litigation on behalf of employees and applicants in construction, the EEOC must work collaboratively with our partners across the federal government,³ state and local fair employment practices agencies, and in the private sector—including unions, worker representatives, contractors, and industry groups—to develop the kind of industry-specific prevention and training that creates the potential for lasting change. Now is an ideal time to undertake this effort as the unprecedented federal investment in infrastructure is spurring new hiring and expanding opportunities in the industry. Indeed, the federal government has an obligation to take steps to ensure that taxpayer funds do not, even inadvertently, subsidize discrimination.

This report draws on the evidence presented at the Commission's May 17, 2022, hearing, [*Knocking Down Walls: Discrimination and Harassment in Construction*](#), and other Commission hearings; the EEOC's experience enforcing our nation's workplace discrimination laws in the construction industry; academic research; and reports of workers and experts to shine a light on the existing challenges and suggest a path forward. The report begins with a brief overview of construction careers and the underrepresentation of women and certain racial and ethnic groups in the industry, both generally and in the higher-paid, higher-skilled construction trades. It then discusses employment discrimination based on race, sex, and national origin in the construction industry through the lens of the Commission's publicly resolved cases over the past decade. The report concludes with strategies for more effectively advancing equal employment opportunity in construction.

Key Findings

- **Women and people of color are underrepresented in the construction industry and especially in the higher-paid, higher-skilled trades.** Despite a significant increase in women’s employment in construction over the past 10 years, today women make up just 11% of all workers in the construction industry—a figure that includes office and clerical positions—and only about 4% of workers in the trades. Black workers were nearly 13% of the U.S. labor force in 2022 but less than 7% of the construction workforce. Asian workers also make up a very small percentage of the construction workforce (2.1%) compared to their share of the overall labor force (6.7%). In addition, Black and Hispanic or Latino workers and women are disproportionately concentrated in lower-paying construction jobs.
- **Discrimination based on sex, race, and national origin persists and contributes to the underrepresentation of women and workers of color in construction.** Discrimination in recruitment, apprenticeships, and hiring blocks access to good-paying construction careers while unequal treatment in the terms and conditions of employment—including training, hours, and work assignments—hinders advancement and pushes many women and workers of color out of the industry.
- **Harassment is pervasive on many jobsites and poses a significant barrier to the recruitment and retention of women and workers of color in the industry.** For example, in a [2021 survey of over 2,600 tradeswomen](#), nearly 1 in 4 women reported experiencing near constant sexual harassment, and 1 in 5 women of color reported “always” or “frequently” experiencing racial harassment on the job.
- **Racial harassment in construction often takes virulent forms and nooses appear with chilling frequency on jobsites across the country.** Over the past decade, the EEOC has publicly resolved construction cases involving egregious harassment directed at Black and Hispanic or Latino workers, including racial and ethnic slurs, racist graffiti, references to slavery and lynching, threats of violence, and physical assaults. A [2021 analysis by the Washington Post](#) found that more than four dozen nooses had been reported at 40 worksites since 2015, and the EEOC received at least 64 charges involving nooses in the construction industry between fiscal years 2015 and 2022.

- **Harassment in construction is a workplace safety issue as well as a civil rights issue.** Because construction work can be hazardous and is often performed as a team, harassment in construction can endanger workers' physical safety in addition to their well-being and potentially their careers. Indeed, evidence suggests that there is an [increased risk of workplace injury](#) to tradespeople who experience harassment on the job.
- **Construction workers who experience discrimination, particularly those on temporary assignments or in apprenticeships, often do not know to whom or how to report violations.** In many instances, workers are not provided adequate anti-discrimination policies and training that includes this information. In addition, there may be multiple employers (both subcontractors and primes) active on a particular jobsite, and multiple federal, state, or local agencies with jurisdiction to receive complaints.
- **Retaliation is a serious problem in construction and hinders efforts to prevent and remedy unlawful discrimination and harassment in the industry.** Retaliation is a significant issue in workplaces across the country, and the EEOC receives more charges alleging retaliation than any other discrimination claim. While retaliation is not unique to construction, the nature of the industry makes retaliation a particularly steep barrier for workers seeking to assert their rights and change workplace culture.

Next Steps

- The EEOC will continue to meet with unions, employers, industry groups, workers, and civil rights organizations to understand their needs, develop coalitions, and provide information about workers' rights and employers' duties under federal laws prohibiting employment discrimination.
- The agency will develop industry-specific technical assistance for employers, unions, and workers to help ensure fair hiring practices, equal treatment on the job, and safe and inclusive workplaces, working together with interagency partners where appropriate.

- As a corollary to the technical assistance mentioned above, the EEOC will provide industry-specific outreach and training to employers and unions on equal employment practices and harassment prevention, particularly for small businesses. To help ensure equal employment opportunities in federally assisted infrastructure projects now and in the future, the EEOC will focus in particular on apprenticeship programs, which are a critically important pipeline for new workers to enter construction.
- The EEOC will partner with workers' organizations and unions to provide outreach to construction applicants, pre-apprentices, apprentices, and workers to ensure they understand their rights under the laws enforced by the agency and know how to file a charge with the EEOC. The agency will endeavor to provide multilingual outreach where needed to reach workers with limited English proficiency.
- The EEOC will foster partnerships with unions, employers, and community-based organizations to provide effective anti-harassment training to apprentices and workers.
- The agency will work to gather and make available information about lawful diversity, equity, inclusion, and accessibility (DEIA) practices that have been effective in ensuring equal opportunity for all workers.
- The EEOC will continue to investigate and resolve charges of discrimination in the construction industry and will pursue litigation where necessary to enforce the law.



INTRODUCTION

The EEOC is the primary federal agency charged by Congress with enforcing the nation's workplace civil rights laws. The agency works to prevent and remedy discrimination through education and outreach, investigations, administrative enforcement, and, when necessary, litigation. The EEOC has brought all of these tools to bear to advance equal employment opportunity in the construction industry. Nevertheless, it is clear from the testimony presented at the Commission's May 17, 2022, hearing on discrimination and harassment in construction and other Commission hearings, relevant research, and the EEOC's own experience that additional strategic efforts are needed to prevent discrimination and meaningfully expand opportunity in the construction industry.

The Commission's focus on construction is particularly urgent now for several reasons. First, as noted above, construction is one of the country's largest industries and it continues to grow. Employment in construction and extraction occupations is projected to increase 4% from 2021 to 2031, which translates to about 252,900 new jobs expected over the decade.⁴ In total, more than 720,000 job openings are projected each year on average due to industry growth and the need to replace workers who retire or leave the industry.⁵ The construction industry's size and significance will only increase in coming years as a result of the bipartisan Infrastructure Investment and Jobs Act of 2021 (IIJA) and the CHIPS and Science Act of 2022 (CHIPS Act).⁶ As construction jobs are added to the U.S. economy over the next several years, it is critical that those employment opportunities be fully available to all eligible workers.

Second, construction has long been a pathway to the middle class, especially for workers without a college degree.⁷ Construction offers significantly higher wages and benefits than other industries open to workers who do not have a four-year college degree, like retail and hospitality, and offers ample opportunities for advancement.⁸ Construction workers can also develop critical skills and contacts that are invaluable if they later choose to start their own businesses. Indeed, as Kenneth Simonson, chief economist of the Associated General Contractors of America (AGC), testified before the Commission, "(c)ountless owners, executives, and senior managers of construction firms have worked their way up or started their own firms after entering the industry at the lowest rung."⁹ Leveling the playing field for

people of all backgrounds seeking to enter the industry and fostering safe, welcoming, and inclusive work environments will help ensure that careers in construction are open to all.

Third, as noted above, the construction industry benefits significantly from taxpayer dollars. Even before passage of the IIJA, federal, state, and local government contracts for the nation's highways, bridges, streets, public buildings, and other infrastructure made up a substantial part of the market for new construction. In 2022 alone, seasonally adjusted public construction expenditures equaled approximately \$4.35 trillion according to U.S. Census Bureau data.¹⁰ As a taxpayer-funded agency that represents all the nation's people, the EEOC should devote particular attention to industries like construction where public dollars are at stake. When sending to Congress the bill that became the historic Civil Rights Act of 1964 and established the EEOC, President John F. Kennedy said:

“Simple justice requires that public funds, to which all taxpayers . . . contribute, not be spent in any fashion which encourages, entrenches, subsidizes or results in . . . discrimination.”

- President John F. Kennedy, Special Message to the Congress on Civil Rights and Job Opportunities, June 19, 1963.

This report provides a brief overview of construction careers (Section I) and the underrepresentation of women and some workers of color in construction (Section II). It then discusses employment discrimination based on race, sex, and national origin in the construction industry through the lens of the Commission's publicly resolved cases¹¹ over the past decade (Section III). Finally, drawing on the EEOC's enforcement experience, expert testimony, and relevant research, the report outlines a concrete vision for more effectively advancing equal employment opportunity in construction (Section IV).

OVERVIEW OF CONSTRUCTION CAREERS

“I take great pride in my work and know that the bridges and roads I build matter to my community, my city, and our country’s infrastructure. And I love showing them off to my kids, family and friends.”

-Japlan “Jazz” Allen, Ironworker, Testimony to the EEOC, May 17, 2022.

Construction careers offer workers the opportunity to contribute to their communities and gain valuable skills, often without incurring the costs of a college degree. Construction also provides good pay and benefits and offers notable opportunities for advancement. Workers can progress from learning an individual skill to opening up their own business; indeed, many construction firms “are now run by, or started by, people who started at the entry level.”¹² In short, “(s)killed jobs in the trades can provide workers with high earnings, healthcare, economic security in retirement, the chance to own a home, and the ability to offer financial support for their families.”¹³



Educational Requirements

Entry-level construction jobs generally do not require a four-year college degree.¹⁴ Some construction occupations, such as painters, roofers, and drywall and flooring installers, typically require no formal educational credentials at the entry level.¹⁵ Most other construction occupations require only a high school diploma or equivalent, such as a GED.¹⁶ That includes, for example, carpenters, electricians, ironworkers, plumbers, and sheet metal workers.¹⁷ New construction workers learn their trade through on-the-job training, sometimes in formal apprenticeship programs.¹⁸

Apprenticeships combine on-the-job training with in-class instruction in a specific trade, and apprentices are paid for their work during training, allowing workers to learn while they earn and obtain industry-recognized qualifications.¹⁹ Joint labor-management organizations, employers, and unions all sponsor apprenticeship programs and cover tuition costs for participants.²⁰ Depending on the trade, apprenticeships can last from two to six years and require between 4,000 and 12,000 hours of on-the-job work.²¹ Apprentices who complete their programs become certified journeyworkers in their trade.²² Chris Winters, an enrolled member of the Muscogee Creek Nation, an adopted member of the Puyallup Tribe of Indians, and a tribal affairs liaison for the International Union of Painters and Allied Trades, District 5, told the Commission that his construction apprenticeship afforded him access to a family-sustaining career:

“(B)y entering some of the skilled trades apprenticeship programs as tribal citizens, we were able to follow those pathways to prosperity so that other career pathways and living wages that we could achieve could...support[] not just ourselves, but we could pass those on to our families through those programs for many years.”

- Christopher Winters, Tribal Affairs Liaison IUPAT District 5, Testimony to the EEOC, May 17, 2022.

Pay and Benefits

The median annual wage for construction and extraction occupations in May 2021 was \$48,210, which was higher than the median annual wage for all occupations of \$45,760.²³ Construction jobs typically offer nearly double the average hourly wage available in other occupations that do not require a college degree such as home health aide, housekeeper, and child care worker²⁴—jobs that, historically, have been held primarily by women and persons of color.²⁵ And, unlike jobs in hospitality, retail, or health care and social assistance, construction employees typically work full time (averaging 38.8 hours per week in 2022).²⁶ Many construction jobs also offer employee benefits.²⁷ In 2022, nearly two-thirds (63%) of workers in the construction industry had access to retirement benefit plans, three-quarters (75%) had access to employer-sponsored health care, and 8 out of 10 (81%) had paid vacation days.²⁸

Approximately 12% of the construction workforce is unionized, and workers represented by unions typically earn higher wages than their non-union counterparts.²⁹ Jazz Allen, a 21-year member of Ironworker’s Union Local 1 in Chicago, told the Commission that her career in the skilled trades “offers me and my family the economic security that comes with [an] Ironworker’s wage of \$54.83 per hour, and a benefits package of an additional \$55/hour which pays for full health coverage, and contributes to my pension.”³⁰

Nature of the Work

Although construction work is diverse and varies by trade, many construction jobs share common characteristics. Typically, construction work is conducted on site, sometimes at remote locations, where corporate management or human resources personnel may not be present.³¹ Construction is often performed as a team that can include workers from different employers, subcontractors, and unions and is potentially hazardous.³² Work in the construction industry can also be highly cyclical with seasonal downturns and variable demand, and only a small fraction of workers are employed as permanent core staff for one company. Most construction workers move from contract to contract and from jobsite to jobsite and are laid off after a project ends.³³ As Kenneth Rigmaiden, then President of the International Union of Painters and Allied Trades, told the Commission: “All of our jobs are temporary. We work on a project, that project is completed and there’s no guarantee that

there's somewhere else for us to go when that job is done, hence the term, journeyman."³⁴ The temporary nature of the work makes construction employees particularly vulnerable to retaliation, due to fears about the impact to livelihood that can result if a worker is blacklisted in the industry following a complaint of discrimination.



UNDERREPRESENTATION OF WOMEN AND PERSONS OF COLOR IN CONSTRUCTION

Women are underrepresented in the construction workforce overall and dramatically so in the construction trades.³⁵

Workers of color, as a general matter, also are underrepresented in the construction labor force and in the higher-paying, higher-skilled trades.³⁶ The underrepresentation of women and some workers of color in construction has serious implications for the economy and the long-term success of the industry, which is facing recruitment challenges and an aging workforce at the same time that demand for new construction is surging.³⁷

Workers of color and women also tend to be concentrated in lower paid construction jobs and are less likely to be business owners or executives compared to white men. According to a 2021 survey of nearly 12,000 people in the building professions conducted by the National Institute of Building Sciences (NIBS), women respondents were less likely to be business owners (9%) than men (16%) and tended to have lower incomes compared to men.³⁸ White respondents were significantly more likely to be business owners (15%) than Black or African American respondents (8%) and East Asian respondents (6%).³⁹ White respondents were also more likely than respondents of color to serve as president, C-level executive, vice president, or senior vice president (15% compared to 8% for Hispanic or Latino respondents and 7% for Black or African American respondents).⁴⁰ Racial and ethnic disparities in business ownership may hinder efforts to diversify the trades because research has shown that minority-owned firms are more likely to hire workers of color.⁴¹

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Women in Construction

The construction industry workforce is overwhelmingly male and “men continue to dominate the trades.”⁴² This is true despite a significant increase in women’s employment in construction over the past decade.⁴³ From 2012 to 2020, the number of women working in construction grew from 802,000 to about 1.2 million.⁴⁴ And, in 2022, the number of women working in the construction trades was more than 300,000—the highest level ever.⁴⁵ Despite that progress, women still make up less than 11% of the construction workforce compared to 47% of the total U.S. workforce.⁴⁶ That 11% figure includes women employed in management, business, and financial operations, as well as office and administrative positions.⁴⁷

Women are even more severely underrepresented in construction *occupations*,⁴⁸ in 2022, only about 1 in 20 (4.2%) of workers in the construction trades were women.⁴⁹ The extent of women’s underrepresentation varies widely by trade, with women generally clustered into lower-paying construction occupations.⁵⁰ For example, in 2022, women were 4.9% of construction laborers, the lowest paid construction job (median pay \$37,520), 3.9% of highway maintenance workers (median pay \$45,880), and 10.5% of painters (median pay \$45,590).⁵¹ Women made up only 1.1% of ironworkers (median pay \$57,160), 1.1% of plumbers (median pay \$59,880), and 2.2% of electricians (median pay \$60,040).⁵² (See Appendix A for median pay and women’s share of the workforce in select construction occupations).

Notably, women are also significantly underrepresented in construction apprenticeship programs, which are a critical entry point to the industry for new tradespeople. Although the number of women active in registered apprenticeship programs⁵³ more than tripled over the past decade,⁵⁴ women continue to make up only a small fraction of construction apprentices.⁵⁵ In fiscal year 2022, women accounted for just 4% of active apprentices and only 5% of new apprentices.⁵⁶ Women are more likely to be enrolled in union apprenticeships than non-union apprenticeships; in FY 2022, 6,989 (81.9%) of the 8,525 active women apprentices in the construction industry were in union apprenticeships.⁵⁷ The proportion of new apprentices who are women varies by trade, which is significant given the differences in pay across the trades.⁵⁸ As with the construction workforce generally, women tend to be concentrated in apprenticeship programs for lower-paying trades.⁵⁹

Persons of Color in Construction

Some racial groups are also underrepresented in the construction industry and in construction occupations, with tradespeople of color generally concentrated in the lower-paying trades.⁶⁰ For example, in 2022, Black workers were 12.6% of the U.S. labor force but only 6.7% of the construction industry workforce.⁶¹ Black workers are also underrepresented in supervisory and management positions and in certain trades.⁶² In 2022, Black workers were just 2.3% of pipelayers, 4.1% of first-line supervisors, 5.3% of construction managers, and 5.4% of construction equipment operators.⁶³ (See Appendix B for median pay and Black workers' share of the workforce in select construction occupations).

Asian workers also make up a very small percentage of the construction workforce. In 2022, Asian workers were just 2.1% of the construction industry and 1.6% of construction occupations, even though they made up 6.7% of the overall labor force.⁶⁴ And, in several trades, including painter, pipelayer, roofer, mason, and highway maintenance, Asian workers are less than 1% of the workforce.⁶⁵ (See Appendix C for median pay and Asian workers' share of the workforce in select construction occupations).

By contrast, Hispanic or Latino workers are overrepresented in the industry compared to their share of the labor force, but they are underrepresented in higher paid trades and management positions given their prevalence in the industry. In 2022, Hispanic or Latino workers comprised more than a third (34.2%) of the construction workforce compared to 18.5% of the U.S. labor force.⁶⁶ However, Hispanic or Latino workers are disproportionately concentrated in lower-paying occupations and trades.⁶⁷ A majority of laborers (50.7%) and nearly half of helpers (48.4%), the lowest paid jobs in construction (2021 median pay \$37,520), are Hispanic or Latino.⁶⁸ By contrast, about 16% of construction managers, the highest paying job in construction (median pay \$98,890), about a quarter of first-line supervisors (median pay \$72,010), and less than a quarter of electricians (median pay \$60,040) are Hispanic or Latino.⁶⁹ (See Appendix D for median pay and Hispanic or Latino share of the workforce in select construction occupations).

50.7%
LABORERS

16%
**CONSTRUCTION
MANAGERS**

Hispanic or Latino workers are disproportionately concentrated in the lowest paid jobs in construction.

Black and Asian workers also are underrepresented in registered apprenticeship programs, which provide a key pathway to the construction trades. In FY2022, only 2% of active apprentices and just 1% of new apprentices were Asian, and Black apprentices accounted for only 8% of active apprentices and 9% of new apprentices.⁷⁰ Union apprenticeships are generally more diverse than non-union programs; for example, in FY2022, 10% of new apprentices in union programs were Black compared with only 7% in non-union programs.⁷¹ While Hispanic or Latino workers are well represented in construction apprenticeships generally, “(t)here is a strong negative correlation between the median national wage within an occupation and the proportion of Hispanic participants in the trade.”⁷² In other words, Hispanic or Latino apprentices are “disproportionately enrolled in programs for lower-paying trades.”⁷³ Black apprentices are also concentrated in apprenticeships in the lower-paying trades⁷⁴ and have the lowest earnings among their peers.⁷⁵

DISCRIMINATION IN CONSTRUCTION

“DRAWN TO THE TRADES FOR VARIOUS REASONS, PEOPLE OF COLOR AND/OR WOMEN ARE STILL NOT ALWAYS WELCOMED. WORK ENVIRONMENTS CAN BE ISOLATED, DIFFICULT AND EVEN HOSTILE; RECEIVING EQUAL AND APPROPRIATE WORK ASSIGNMENTS ALONG WITH TRAINING CAN BE DIFFICULT; THOUGH EQUAL PAY AND BENEFITS ARE GUARANTEED UNDER COLLECTIVE BARGAINING AGREEMENTS, ACCESS TO EQUAL OVERTIME IS NOT; AND SEXUAL HARASSMENT AND SEXUAL ASSAULT REMAIN ISSUES.”

- Amy Tracy Wells, Ph.D., *Diversity, Equity, and Inclusion Initiatives in the Union Trades*, The Institute for Construction Employment Research, March 2022

Historically, good jobs in the construction industry were reserved for white men through employer and union bias.⁷⁶ Contractors provided privileged information about and access to jobs and apprenticeships to people with personal connections to the contractor.⁷⁷ To this day, some workers continue to refer to these informal hiring practices as “FBI”—friends, brothers, and in-laws.⁷⁸ In many instances, unions also practiced cronyism, favoring people with personal connections to the union or labor leaders for job opportunities.⁷⁹ As Dr. Trevor Griffey, Lecturer of U.S. History at the University of California, Irvine, explained in testimony before the Commission: “In this way, both union and employer practices effectively prohibited non-white and women workers from participating in apprenticeship programs or being dispatched from union hiring halls well into the 1960’s.”⁸⁰ When workers of color and women finally gained access to the construction industry, they often were not welcomed; many workers were “hazed off the job by hostile supervisors and coworkers.”⁸¹

Early federal enforcement of the Civil Rights Act included efforts to address discrimination in the building trades, including by unions.⁸² While decades have passed since the 1964 Civil Rights Act outlawed race, sex, and national origin discrimination by employers and unions, discrimination remains a substantial barrier to entry, retention, and advancement of women and persons of color in construction. The 2021 NIBS survey found that two-thirds of women respondents (66%) reported experiencing discrimination or prejudice based on gender at work, and almost three-quarters (72%) of Black or African American respondents reported experiencing discrimination or prejudice based on race and/or ethnicity.⁸³ About half of East Asian respondents (48%), South Asian respondents (48%), and Southeast Asian respondents

(53%) and more than 2 in 5 Hispanic or Latino respondents (41%) and Native American, Alaskan Native, or First Nations respondents (43%) reported facing discrimination or prejudice based on race and/or ethnicity.⁸⁴ As Buffalo Urban League President and CEO Thomas Beauford, Jr. told the Commission, “(m)uch of the advancement that has been made has given Blacks and other individuals the opportunity to walk into the door for something, but it doesn’t mean that that opportunity will be sustainable for them, [or] that they will be welcomed or nurtured in [that] environment.”⁸⁵

Discrimination in apprenticeships and hiring limits opportunities for women and people of color to enter the industry. Once on the job, women and workers of color too often encounter hostile work environments based on race, national origin, sex, or some combination of these characteristics. Women and workers of color also experience discrimination in training opportunities, hours, assignments, pay, promotions, and layoffs. Because increasing equal opportunity in construction depends on an understanding of how and why discrimination persists in the industry, these various, interrelated forms of discrimination are discussed in detail below. The EEOC’s publicly resolved cases over the past decade provide important context regarding the real-world impact of discrimination in construction and illustrate the troubling picture described in surveys and research.



Barriers to Entry

“I AM NOT BEING PROPERLY TRAINED. BEING A WOMAN OF COLOR, I SEE HOW WE ARE TREATED: LAST HIRED, FIRST LAID OFF. NEVER WORKING WITH A JOURNEYMAN SO I CAN LEARN MY CRAFT. ALWAYS WORKING ALONE.”

-Union Apprentice, Black, *A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry*, Institute for Women’s Policy Research, November 2021.

Discrimination in Apprenticeships

Apprenticeships are “one of the most tried and true pathways” to good paying jobs in construction.⁸⁶ Unfortunately, women and apprentices of color are less likely than white men to complete their apprenticeship programs, which likely means fewer women and minority tradespeople in the future.⁸⁷ Construction apprenticeships are challenging for all participants, with data showing that more than half of apprentices leave their programs prior to completion.⁸⁸ Nevertheless, race, national origin, and gender discrimination present unique challenges for women and persons of color who enroll in construction apprenticeships.⁸⁹

Women are much more likely to drop out and less likely to complete their apprenticeships than men.⁹⁰ An analysis of registered apprenticeship data from 34 states found that, in joint labor-management apprenticeship programs, 54.2% of women apprentices left before completing their programs—5.5 percentage points higher than the cancellation rate for men—and that the gender gap was even higher in non-joint programs.⁹¹

Apprentices of color also generally have higher termination and dropout rates and lower completion rates than white apprentices.⁹² Among racial and ethnic groups, Black apprentices are the least likely to complete their programs.⁹³



The cancellation rate for Black apprentices is 61.8% in joint programs and 66.6% in non-joint programs—higher than the percentage of white apprentices who cancelled by 17 and 10.2 percentage points, respectively.⁹⁴ Hispanic or Latino apprentices fare better than Black apprentices but still lag substantially behind white apprentices.⁹⁵ Thus, “while the recruitment of racial minorities in apprenticeship programs is roughly proportional to their shares in the workforce, their likelihood of becoming certified journeyworkers is lower than that of [w]hite registrants.”⁹⁶

Women apprentices and apprentices of color report lack of access to on-the-job training and mentoring, fewer work hours, being unfairly assigned tasks not related to the skills of their trade, and problematic jobsite culture.⁹⁷ As one tradeswoman shared:

“My first day as an apprentice, I was told that I was hired to satisfy goals on public jobs. Many of the men in my apprentice class easily found mentors. I did not. Some of the journeymen on my jobs were willing to teach me, while others obviously felt that women didn’t belong on construction jobs. I had to fight to get the training that I needed to become a successful journeyworker.”⁹⁸

Black men likewise report that they do not receive the informal mentoring on the job site that white men receive and that they are more likely to be blamed when mistakes are made.⁹⁹

Withheld training is “an especially devastating form of exclusion when it occurs during the apprenticeship years, because apprentices are dependent on journey[persons] for their training and safety.”¹⁰⁰ As a retired electrician explained:

“The heartbreak about onsite job accidents is someone who’s new to the trade that was withheld the training and information from the journey-level workers around them. And while this happens to a lot of new people it specifically and oftentimes uniquely happens to women and minorities in the trades. They are not told all the safety concerns of their trade, or how to do something safely, but left out to fend for themselves because there is a group of people who don’t think they should be there.”¹⁰¹

Apprentices who lack access to mentors and on-the-job training are less likely to complete their apprenticeships.¹⁰² For apprentices who do complete their programs, unequal access to opportunities to learn and use the tools of their trade may impede their ability to find work and advance in their careers.¹⁰³ As Ariane Hegewisch, senior research fellow at the Institute for Women’s Policy Research, told the Commission:

“For apprentices, discrimination in work assignments, use of tools, and hours of work means not only immediate cost but also long-term economic harm because it prevents them from acquiring the skills that will allow them to become . . . fully competent journey level workers once their apprenticeship is completed.”

- Ariane Hegewisch, Testimony to the EEOC, May 17, 2023.

Progress through an apprenticeship program and the associated increases in hourly pay depend on completing a certain number of hours on the job.¹⁰⁴ For apprentices, not working can mean being held back in their apprenticeship program and losing out on increased wages.¹⁰⁵ An analysis of 2018-2019 data from a state highway construction workforce development program found that women and Black men accumulated on-the-job hours at a slower rate than white men and that workers who accumulated hours at a slower rate were less likely to complete their apprenticeships.¹⁰⁶ According to the study, “(w)omen apprentices and apprentices of color accumulate [on-the-job] hours more slowly primarily because of informal practices in which (primarily white male) senior workers favor white male apprentices, such as retaining white male workers while laying off women and people of color.”¹⁰⁷ Working fewer hours means that women and workers of color bring home less money to support themselves and their families, which can have long-term economic consequences.¹⁰⁸ Indeed, Black apprentices have the lowest earnings among their peers.¹⁰⁹ While Black registered apprentices experience an average gain of \$9 per hour over the course of their apprenticeship programs, Black apprentices still begin and end their apprenticeships earning the least compared to white, Hispanic, and Asian workers.¹¹⁰

The EEOC has resolved several cases involving discriminatory practices in apprenticeship programs, including discrimination in hiring, work hours, and termination. For example, the EEOC sued Jacksonville Plumbers and Pipefitters Joint Apprenticeship and Training Trust (JPPJATT) for racial discrimination in hiring.¹¹¹ The EEOC's investigation found that the JPPJATT program, which provides "a gateway to union membership and access to a valuable career path" in the Jacksonville, Florida area, systematically denied apprenticeship opportunities to Black applicants.¹¹² The EEOC's investigation found that apprenticeship interviews were conducted by an all-white selection committee that consistently scored Black applicants lower than other applicants who provided the same or similar responses to interview questions. For example, a Black applicant with a 2.57 GPA received an education score of 6 out of 20 while a white applicant with a 2.12 GPA received a score of 11. JPPJATT agreed to pay \$207,500 in monetary relief to applicants denied apprenticeships because of their race and also agreed to significantly change its hiring practices.

The EEOC also sued an apprenticeship school affiliated with a New Jersey construction trade union for firing a Black apprentice shortly before he was scheduled to graduate from the program.¹¹³ According to the EEOC's investigation, the Joint Apprenticeship and Training Committee (JATC) of Sheet Metal Workers Local 25 discharged the apprentice, allegedly for poor performance, just days before his promotion to journeyman status. JATC imposed this severe sanction even though the apprentice satisfactorily completed virtually the entire four-year program and despite his complaints about inadequate on-the-job training from biased contractors. The EEOC resolved the case pursuant to a consent decree requiring JATC to make significant improvements to how apprentices are evaluated and kept apprised of their educational progress. The decree also required JATC to appoint an ombudsperson to investigate complaints of bias in classroom instruction, access to on-the-job opportunities, and other aspects of the apprenticeship program.

In another case involving Local 25 of the Sheet Metal Workers International Association and its apprenticeship program in New Jersey, the EEOC sued the union for discriminating against Black and Hispanic journeypersons in hiring and assignments.¹¹⁴ The EEOC's analysis of hours and wages showed that Black and Hispanic workers were given fewer hours of work than their white coworkers for nearly a decade. The EEOC resolved the case for \$1.65 million in damages to journeypersons harmed by the discrimination and significant injunctive relief to correct the unlawful practices.

Women and apprentices of color also report race- and gender-based hostility, harassment, and discrimination during their apprenticeships.¹¹⁵ For example, a 2018 survey of highway construction apprentices in Oregon found that 60% of women of color and more than half of white women (52.5%) reported experiencing gender discrimination.¹¹⁶ In the same survey, more than 1 in 5 men of color (21.7%) and nearly 1 in 4 women of color (24.4%) reported experiencing race discrimination during their apprenticeships.¹¹⁷ Participants in a 2020 study of the Oregon program similarly reported racism, sexism, sexual harassment, and other forms of harassment and discrimination in their apprenticeships.¹¹⁸ The researchers found that a majority of apprentices who failed to complete their programs cited harassment and discrimination as the reason they left or one of the biggest challenges of their apprenticeship.¹¹⁹ Apprentices of color and women apprentices who completed their programs also reported high levels of discrimination and harassment. A Black man who completed his program told researchers that the hardest part of his apprenticeship was racism:

“(M)y first six months into the program, my foreman . . . repeatedly called me a [N word], once he found out that I was half black and white. And so I put in a grievance report, and nothing was really done to the man . . . And then, at another job site, there was a guy who continued to use racial slurs. And then one day, around Christmas I had the word “[N word]” written on my car.”¹²⁰

Respondents to a 2021 nationwide survey of 2,635 tradeswomen by the Institute for Women’s Policy Research (IWPR) likewise reported encountering harassment and discrimination based on race, sex, and ethnicity as apprentices.¹²¹ More than half of the apprentices who left or seriously considered leaving the trades cited harassment or lack of respect as the reason.¹²² As one Black apprentice put it, “I have a target on [my] back for being both female and Black. There’s constant harassment, and I’m not taken seriously about learning and working.”¹²³ A Latina tradeswoman interviewed for the study recalled that, as a first-year apprentice, a male coworker told her, “I hate ‘n----rs and I hate spics.”¹²⁴ A Black apprentice who is also an immigrant described her experience as a third-year apprentice as follows:

“When they saw me, like the first day, they started giving me little jobs. [...] So, I went to the shop steward and told him about that, that I was doing fire stopping as a third-year apprentice and a first-year apprentice was doing conduit work. So, they sent me to another foreman [and he was like] ‘Are you legal in the country?’ Or, ‘You need speech for your accent.’ Things like that. And I became so drained. I became depressed and I thought, ‘Oh, my God, this is not for me.’” ¹²⁵



Hiring Discrimination

Discrimination in hiring is a persistent barrier to increasing the representation of women and people of color in the construction industry. The EEOC's investigations have identified evidence that, even today, some hiring officials and staffing agencies in the industry blatantly refuse to employ women in the building trades. Women seeking opportunities in construction may encounter stereotypes about what constitutes "women's work" and the assumption that women lack the physical strength or temperament for construction.¹²⁶

For example, in *EEOC v. BHT*, the EEOC's investigation found that a Florida-based construction contractor refused to hire a highly qualified woman for a heavy machine operator position because of her sex.¹²⁷ The applicant had over 20 years of experience as a heavy machine operator, but a supervisor told her that the company simply did "not hire women."¹²⁸ Similarly, in *EEOC v. Illini Precast*, the EEOC found that a manufacturer of prefabricated concrete construction panels failed to hire any women as temporary laborers at its facility in Marseilles, Illinois.¹²⁹ A qualified woman with prior experience in construction and concrete work applied for a general laborer position first through a staffing agency and then directly at the facility, but she was not selected. The manufacturer's site supervisor told the applicant that the staffing agency would not hire her because the company did not want to employ women. In addition to providing monetary relief to the applicant, Illini Precast agreed to partner with a local high school or vocational training program to encourage women to apply for work through staffing agencies used by the company.

In 2023, the EEOC obtained a default judgment of more than \$2.6 million against Green JobWorks, a construction-focused staffing agency based in Maryland that refused to hire women for demolition and laborer positions or assign women to those positions based on clients' preferences for men.¹³⁰ For example, when one woman called to inquire about job opportunities, a staffing firm employee told her that the company was "only hiring strong men and not women." The company owner told an applicant who was certified in asbestos removal and lead abatement that although women could operate jackhammers, she should not be surprised if the men at the job site gave her a broom. Another female worker who previously worked in demolition and had experience operating construction and demolition equipment was relegated to site cleanup duties, which mainly consisted of managing trash at

various jobsites. These cases illustrate the stubborn persistence of sex stereotypes in construction, even when women have prior experience in the industry.



In addition to outright discrimination, informal recruitment and hiring practices disadvantage women and persons of color seeking to enter construction.¹³¹ Learning about opportunities in construction can be “haphazard,” and smaller firms in particular often rely heavily on informal family or community connections to recruit candidates for job openings.¹³² Even larger firms with institutionalized recruitment methods, such as job fairs, nevertheless “tap[] into informal networks, friendships, and kinships for job candidates.”¹³³ Similarly, in the union trades, there can be pressure to reserve job opportunities for friends and family members.¹³⁴ Women and people of color often lack access to a network of friends and family who can provide information about upcoming jobs or encourage them to apply for openings.¹³⁵ Researcher Ariane Hegewisch told the Commission that reliance on personal connections operates to exclude women from construction “because the White men who are holding these jobs turn to sons, nephews, and other White men in their networks to share job opportunities.”¹³⁶ Thomas Beauford, Jr. of the Buffalo Urban League likewise testified that, due to long-term discrimination, Black workers “don’t have the network. Your cousin, your

uncle, they're not waking you up and saying, Hey, it's time to go . . . Because there's just not enough critical mass in that industry.”¹³⁷

Unscrupulous employers can exploit this reality to perpetuate exclusion. For example, in *EEOC v. ACM Services*, the EEOC's investigation found that an environmental remediation services contractor in Rockville, Maryland purposely and exclusively used word-of-mouth recruitment for field laborer positions to avoid hiring Black job applicants.¹³⁸ The consent decree resolving the case required ACM to pay \$415,000 in monetary relief, create a job opportunities advertisement program to recruit a diverse pool of qualified applicants for field laborer positions, and refrain from using word-of-mouth recruiting as its sole method of seeking job applicants. ACM also agreed to implement goals for hiring qualified Black applicants for field laborer positions.

Even where the intention is not to exclude, reliance on personal referrals, connections, and existing relationships to fill job openings can have the effect of denying employment opportunities to already underrepresented communities. Janel Bailey, co-executive director of organizing and programs for the Los Angeles Black Worker Center, told the Commission about a campaign to encourage the Los Angeles Metro Rail to hire Black workers to build a train line that ran through Black neighborhoods.¹³⁹ The LA Black Worker Center organized a “Do You See Me Now?” campaign to help “connect Metro and their subcontractors with the Black workers they said they couldn't find.”¹⁴⁰ Bailey testified that the contractors' claim was “likely in earnest, given that a legacy of exclusion would make it unlikely that anyone hiring for construction jobs would have meaningful relationships with a significant number of Black workers.”¹⁴¹ The campaign highlighted the invisibility of Black workers in Los Angeles and called for justice for workers who are absent from jobs due to discrimination.¹⁴²

Harassment

“IT BOTHERED ME A LOT. I WAS WORKING TO GET MONEY FOR MY FAMILY. THE RACIST COMMENTS STRESSED ME OUT. IT ALSO MADE IT HARD TO DO MY JOB. IN CONSTRUCTION, YOU NEED TO BE ABLE TO KEEP YOUR MIND AT EASE, TO KEEP YOURSELF SAFE AND EVERYONE AROUND YOU. HEARING RACIST JOKES IS NOT THE WAY TO KEEP YOUR MIND AT EASE.”

- Gary, Ironworker, Testimony to the U.S. Equal Employment Opportunity Commission, May 17, 2022

Harassment based on race, sex, and national origin is a significant barrier to equal employment opportunity in the construction industry. In the 2021 IWPR survey, more than a quarter of respondents (26.5%) reported that they “always or frequently” experience gender-based harassment on the job.¹⁴³ Nearly 1 in 4 women (23.6%) reported “always or frequently” experiencing sexual harassment, and over 1 in 5 women of color (21.7%) reported “always or frequently” experiencing racial harassment.¹⁴⁴ Significant percentages of tradeswomen reported seeing pornography or graffiti disparaging to women (26.9%), racist graffiti or symbols (26%), and swastikas or other antisemitic graffiti (18.4%) at their worksites.¹⁴⁵ Race and sex-based harassment in construction operates to exclude women and people of color and undermine their success on the job.



Nearly 23.6% of women surveyed reported "always or frequently" experiencing sexual harassment.



Over 21.7% of women of color surveyed reported "always or frequently" experiencing racial harassment.

Because construction work is potentially hazardous and often performed as a team,¹⁴⁶ harassment on construction sites not only threatens workers' well-being and their careers but can also endanger their physical safety.¹⁴⁷ "Safety and trust are deeply connected in construction. You need to know that where safety is concerned, your co-worker is going to do their job. But if people are expressing hate on the jobsite, how can you feel confident and trust that they will keep you safe?"¹⁴⁸ As Mike Meagher, president of Chicago-based James McHugh Construction Co., put it: "On construction sites there is no room for error - safety is always paramount. If you're hundreds of feet up in the air, or using heavy equipment, the last thing you need is doubt creeping up in your mind about whether your fellow workers have your back."¹⁴⁹ Indeed, evidence suggests that there is an increased risk of occupational injury to workers who are harassed on the job.¹⁵⁰

Harassment Based on Race and National Origin

When racial or ethnic harassment occurs in the construction industry, it often takes virulent forms. Over the past decade, the EEOC has resolved construction cases involving egregious harassment of Black and Hispanic or Latino workers, including racial and ethnic slurs, racist graffiti, references to slavery and lynching, and nooses.¹⁵¹ Several cases have involved threats of or actual physical violence against workers of color.¹⁵²

The EEOC's cases have arisen across the country, in urban construction sites, on remote oilfields, and in power plants. In 2023, the Whiting-Turner Contracting Company, a construction management and general contracting company headquartered in Baltimore, agreed to pay \$1.2 million to a class of Black former workers and provide other relief to settle a race harassment and retaliation lawsuit brought by the EEOC.¹⁵³ Whiting-Turner served as the prime contractor for the construction of the Google Data Center in Clarksville, Tennessee. The EEOC's investigation found that Whiting-Turner subjected Black employees at the jobsite to a racially hostile work environment and retaliated against two employees after they complained about race discrimination. The discriminatory treatment included referring to Black employees as "boy," "m-----f-----" and "you." Many portable toilets and buildings on the jobsite were defaced with racially offensive graffiti and a noose was displayed in the workplace on Martin Luther King Jr.'s birthday. Although Black employees reported these issues to Whiting-Turner several times, the company failed to investigate the complaints and instead fired two employees after they complained about the discrimination.

Another example is the EEOC's case against Skanska USA Building, a New Jersey-based company that served as the general contractor on construction of a children's hospital in Memphis, Tennessee.¹⁵⁴ Skanska subcontracted with a minority-owned firm, C-1, Inc. Construction Company, to provide buck hoist operators for the project.¹⁵⁵ The EEOC's investigation found that Skanska allowed white workers on the site to racially harass C-1's Black buck hoist operators. The buck hoist operators were subjected to hostility, racist jokes, and racially offensive language, and were regularly called "n---r," "monkey," "black m-----f-----," and other racial epithets. The harassment escalated to the point that an employee threw a mixture of urine, feces, and chemicals from a portable toilet at one of the Black buck hoist operators. When the C-1 employees complained, Skanska cancelled its contract with the minority-owned subcontractor and immediately fired the Black workers. The EEOC resolved the case through a consent decree requiring Skanska to provide in-person training on race discrimination and retaliation and to report complaints of racial harassment to the EEOC, in addition to monetary relief.

In another case, *EEOC v. American Casing & Equipment Company*, the EEOC's investigation found that a North Dakota oilfield service company subjected a Filipino employee to harassment based on his race and national origin.¹⁵⁶ The employee worked as a laborer on the "rat hole crew," which involved cutting, welding, and cementing pipes, along with other duties. Shortly after the employee began working for the company, he was harassed by a white manager because of his race and national origin. The manager called the employee a "non-white m-----f-----," "spic," "n---r," "monkey," and "ape" and, at one point, he urinated on the employee's legs as he worked under a truck in the shop. American Casing & Equipment agreed to pay \$250,000 and provide significant other relief to settle the case. Similarly, in *EEOC v. King-Lar Company*, the EEOC's investigation found that an Illinois HVAC and roofing company subjected a Black employee of Puerto Rican descent to a hostile work environment because of his color and national origin.¹⁵⁷ White foremen and coworkers harassed and threatened the employee, calling him a "spic," "n---r," "wetback," "Mexican n---r," "Puerto Rican n---r," and "n---r slave." Management, including one of the company's owners, were aware of the conduct but took no action in response. The harassment culminated in a brutal physical assault; a coworker kicked the employee in the head with steel-toed boots. The EEOC resolved the case by consent decree requiring King-Lar to pay

\$325,000 and establish a system for employees to report harassment and discrimination anonymously online or via a 1-800 number, among other requirements.

Nooses—a graphic symbol of the “racialized terror in the U.S. that includes lynching Black men”¹⁵⁸—appear with chilling frequency on construction sites across the country.¹⁵⁹ A July 2021 analysis by the Washington Post found that more than four dozen nooses had been reported at 40 jobsites since 2015.¹⁶⁰ The incidents reviewed by the Post spanned 17 states and the District of Columbia and included “several marquee projects: a Merck vaccine facility in North Carolina; campus expansions at Princeton and Johns Hopkins; a luxury shopping center in New Jersey; Apple’s Silicon Valley headquarters; and a Facebook data center in Iowa.”¹⁶¹ Janel Bailey of the LA Black Worker Center told the Commission that “(t)hese incidents are not few or far between for Black workers.”¹⁶² She shared the experience of one Black worker who confronted a noose at his jobsite. The noose was tied on a beam where the worker would discover it and his name was scrawled on the beam along with the messages “be scared” and “no more time for you.”¹⁶³

Between fiscal year 2015 and 2022, the EEOC received at least 64 charges involving nooses in the construction industry.¹⁶⁴ Gary, an African American man who has worked in the construction industry for more than two decades as an operator, mechanical millwright, and ironworker, testified before the Commission about his experience at an upstate New York construction site in 2016.¹⁶⁵ CCC Group, a San Antonio, Texas-based construction company, hired Gary as an ironworker, but he began working as a forklift operator moving equipment around the site. About a month after he started, his supervisors and coworkers began making racist remarks, including over a company radio channel that was monitored by all employees on the jobsite.¹⁶⁶ His primary supervisor called Gary over the radio and told him to “Get your Black ass down here now.”¹⁶⁷ Around Halloween, the same supervisor asked Gary if he was going trick or treating and then said, “you know what, Gary? You don’t even have to dress up . . . as a matter of fact, I’ll walk you down the street; I’ll put a noose around your neck, and I’ll put my white cape on and we’ll go trick-or-treating.”¹⁶⁸ On another occasion, a different supervisor called for Gary’s assistance and, when Gary arrived, the supervisor “had a rope dangling in front of him like a noose.”¹⁶⁹

Gary told the Commission that his experience at the jobsite was not only distressing, but dangerous. Construction sites are hectic, the work is stressful, and the harassment Gary

experienced on the job added to the stress and made focusing difficult. Gary explained the stakes:

“[M]y foreman, who I trust and rely on on the job site to keep me focused and keep me in the right direction due to his experience . . . he’s on the radio joking? And I lose my focus, and I [could] injure somebody or kill somebody. [That person could] never go home to their family.”

- Gary, Ironworker, Testimony to the EEOC, May 17, 2022.

The EEOC obtained \$420,000 for Gary and other Black workers pursuant to a consent decree that also required CCC Group to make significant changes to its employment practices. Notably, the consent decree barred the company from employing or contracting with the two supervisors who served as foremen on the project and harassed Gary and other Black employees.

In a separate case, Contonius Gill testified before the Commission about his experience working for A.C. Widenhouse, a North Carolina-based trucking company that hauled molten asphalt for highway construction.¹⁷⁰ His first day on the job, a white employee asked Gill if he “would like to hang from their family tree.”¹⁷¹ Another coworker motioned for Gill to look up at the ceiling rafters and a noose was hanging there. As Gill told the Commission, “I wish I could say that this was the first and last time I saw a noose, but it was not.”¹⁷² He saw nooses on a few more occasions, including in the back of a manager’s pickup truck. The general manager used the term “n----r” hundreds of times a week and the manager and coworkers called Gill and other Black coworkers “coon,” “lawn jockey,” “monkey,” and other racial slurs, including over the radio. Gill testified that “(t)his treatment at work left me depressed. I felt isolated, demeaned, and dehumanized. I began having difficulty sleeping and I was filled with anxiety.”¹⁷³ The EEOC brought suit on behalf of Gill and another Black worker and a jury awarded them \$200,000 in compensatory and punitive damages.¹⁷⁴ The court also ordered changes to the company’s employment practices.¹⁷⁵

The EEOC has publicly resolved several other cases involving nooses in construction. For example:

- In *EEOC v. Air Systems, Inc.*, the EEOC obtained \$1.25 million for eight Black employees who were subjected to a noose and racial slurs while working at the Apple Park construction project in Cupertino, California.¹⁷⁶ The employees, who worked for an electrical subcontractor, encountered a noose at the worksite hung next to a scrawled note containing expletives and a threat of lynching. The Black workers also encountered racist graffiti in the site's portable toilets, including drawings of nooses and swastikas.
- In *EEOC v. Driven Fence*, a Black employee at an Illinois fencing company discovered a noose hanging in the warehouse. Two coworkers pulled the Black employee toward the noose and told him to put his head in it. The warehouse manager saw the noose and laughed. The employee quit his job shortly after because he was afraid to go to work.¹⁷⁷
- In *EEOC v. JL Schwieters Construction*, a white supervisor at a Minnesota construction company made a noose out of electrical wire and threatened to hang two Black carpenters.¹⁷⁸

Between fiscal year 2015 and 2022, the EEOC received at least 64 charges involving nooses in the construction industry.

Sex-Based Harassment

For too many women in construction, “(h)arassment is a constant.”¹⁷⁹ More than a quarter (26.5%) of the over 2,600 tradeswomen who responded to the 2021 IWPR survey reported that they are “always or frequently harassed just for being a woman” and nearly 24% reported that they “always or frequently face sexual harassment.”¹⁸⁰ Sexualized conversations, jokes, stories, graffiti, and pornography are so common in the industry that in many instances even construction equipment, tools, and parts are referred to in sexual terms.¹⁸¹ For many tradeswomen, the environment can feel unwelcoming and uncomfortable, pressuring women to try and be “one of the guys.”¹⁸² When women attempt to complain about this culture or seek to change it, their concerns are often dismissed or used to support the false notion that women do not belong in construction.¹⁸³

Because women are so severely underrepresented in the construction industry, tradeswomen are often the only woman on the jobsite.¹⁸⁴ In the 2021 IWPR survey, one in five respondents (20.5%) reported that they “rarely or never work with another tradeswoman,” and almost three in ten tradeswomen of color (29.2%) “rarely or never” work with another tradeswoman of color.¹⁸⁵ Being the “only” can be alienating for women working in the trades.¹⁸⁶ It can also be dangerous; workplaces dominated by men are a risk factor for workplace sexual harassment and assault.¹⁸⁷ As Hannah Duckman, a welder, testified before Congress:

“As much as I loved welding, it was also the toughest job I have ever had. Not because of the work, but because of the people I was working with. I had to deal with everyone staring at me and saying things about my body when they thought I couldn’t hear. I had people say things like “you can’t do that you’re a woman”, “women don’t belong in shops”, and “are you sure you don’t need help?” after I had already told them three times I was okay, and they would help me anyways. It made me feel bad about myself and it was very distracting. I would be bending over welding inside of an oven and men would yell “culona” which means “big ass” in Spanish... Because of this, I was distracted, embarrassed and I felt like an outsider.”

- Testimony of Hannah Duckman, Bipartisan Women’s Caucus Hearing, From Silicon Valley to the Factory Floor: Time’s Up for Sexual Harassment in Male-Dominated Jobs, April 24, 2018.

The EEOC has resolved numerous construction cases involving sexual harassment over the last 10 years, including several cases involving the owners of construction firms.¹⁸⁸ For example:

- In *EEOC v. Air Control Heating and Air Conditioning*, the EEOC’s investigation found that the owner and president of a Spokane Valley, Washington-based HVAC contractor sexually harassed female workers on a near-daily basis for years.¹⁸⁹ His conduct included offensive graphic comments and sexually explicit innuendoes; touching women without their consent; unwanted remarks about their bodies; requests to wear more revealing clothing; leering; and offering tickets to a strip club. Under the five-year consent decree settling the suit, Air Control agreed to pay \$361,000 in compensatory damages to seven female employees and full back pay to a worker who was forced to quit.
- In *EEOC v. Total Maintenance Solutions*, the EEOC’s investigation found that a male owner of a Cincinnati-area company specializing in commercial cleaning and construction clean-up forced a female employee to endure sexual harassment, including unwanted touching and sexual comments.¹⁹⁰ The owner called the employee his “little young ass,” told her how sexy she looked, made sexual comments about her body, and repeatedly called her at home after work hours suggesting they have a sexual relationship.
- In *EEOC v. Desert Truss and Buttrum Construction*, the EEOC brought suit after finding that the owner of a construction supplies manufacturer and home building company repeatedly subjected a female worker to unwelcome and offensive sexual advances, including sexual touching and requests to engage in a romantic relationship.¹⁹¹

Predominantly white male construction workforces can be especially hostile to women of color, who may face a toxic mix of racialized and sexualized stereotypes and sometimes violence.¹⁹² In the 2021 IWPR survey, the percentage of tradeswomen reporting that they are always or frequently exposed to racist graffiti or symbols at work was highest for Native respondents (31.5%), Latinas (29.8%), and Black respondents (29%).¹⁹³ Sexist and racist graffiti and symbols, slurs, and verbal abuse are “a reminder of the aggression and contempt

that many tradeswomen face at work.”¹⁹⁴ For example, in *EEOC v. ACM Services, Inc.*, EEOC’s investigation found that a Maryland environmental remediation services contractor subjected two Latina workers to a hostile work environment based on sex, race, and national origin.¹⁹⁵ The harassment included sexual comments, derogatory references to Hispanic people and Latinas, requests for sex, and frequent displays of graphic sexual images of women. One of the women was also harassed because she associated with Black men on the jobsite. The EEOC obtained \$110,000 in monetary relief for the two women in addition to substantial injunctive relief.

In *EEOC v. Labor Ready Northeast*, the EEOC’s investigation found that a staffing firm subjected two female temporary employees to a hostile work environment based on race and sex.¹⁹⁶ Labor Ready’s Washington, Pennsylvania branch sent the two women to work as laborers at a client’s construction project in Metz, West Virginia. According to the EEOC’s suit, two men working on the project made overtly sexual comments to both women, including explicitly describing the sex acts they wanted to perform on them. The harassment also included racial epithets and comments. A male co-worker told one of the women, “It’s a shame you’re black. What a waste.”¹⁹⁷ Another man grabbed the second woman from behind while they were both working on a roof and groped her breasts. The two men also threw roofing tiles down at the two women while they were working on the ground, attempting to strike them. The EEOC resolved the case pursuant to a consent decree requiring Labor Ready to pay monetary damages and revamp its harassment procedures. Among other things, the decree required Labor Ready to investigate allegations against customers and their employees, ensure that their customers take appropriate corrective action to prevent their employees from harassing Labor Ready employees, and monitor the work environment after corrective actions have been taken. The decree also mandated corporate auditing of harassment investigations and proposed remedial responses and required Labor Ready to report future harassment complaints, investigations, and remedial actions to the EEOC.

Women in construction also face persistent gender stereotypes and assumptions about their abilities. For example, in the EEOC’s case against Air Control, the company’s owner and president repeatedly stated that women did not belong in the building trades.¹⁹⁸ He expressed disbelief that women workers could perform their job duties based on their sex, repeatedly commented that “women aren’t as good as men are at this job,” and said that construction “should be a man’s job.” An assistant electrical manager likewise made disparaging

comments about women in construction, telling one woman that she would never be good enough and that her “place was in the home.” In *EEOC v. Keller Paving and Landscaping*, male employees at a North Dakota civil construction company sexually harassed a female truck driver, including requesting oral sex, and told her that she did not belong at the worksite and instead should be at home in the kitchen taking care of her children. She was forced to quit because the working conditions became intolerable.¹⁹⁹

Finally, LGBTQI+ people, including non-binary and gender non-conforming workers, and men who are viewed as insufficiently “masculine” for construction work also face harassment. Although the sample sizes were small, more than half (58%) of non-binary and gender non-conforming respondents to the 2021 NIBS survey reported experiencing gender-based discrimination or prejudice,²⁰⁰ and 19% of LGBTQ respondents to the 2021 IWPR survey reported that they are “always” or “frequently” harassed based on sexual orientation.²⁰¹ In *EEOC v. Boh Bros. Construction Co.*, for example, a male superintendent for a major New Orleans-based construction contractor admitted at trial that he harassed a male ironworker because he thought he was “feminine” and did not conform to the supervisor’s stereotype of a typical “rough ironworker.”²⁰² The superintendent repeatedly taunted the ironworker, including making sexual gestures, exposing himself, and simulating anal sex. The jury awarded \$451,000 in damages to the ironworker.

Discrimination in Assignments, Pay, Promotion, and Termination

The common adage of having to work twice as hard to get half as far applies to the experience of many women and people of color in construction due to discrimination. The 2021 NIBS survey of almost 12,000 individuals in the building professions found that almost three-quarters (72%) of Black or African American respondents reported experiencing discrimination or prejudice based on race and/or ethnicity in the built environment, and two-thirds (66%) of women respondents reported experiencing discrimination or prejudice based on gender.²⁰³ Of the respondents who reported experiencing gender discrimination, around three in five (61%) reported discrimination in compensation and almost half reported discrimination in work assignments (49%) and promotions (47%).²⁰⁴ Among the respondents who reported experiencing racial or ethnic discrimination, more than two in five (41%)

reported discrimination in hiring and promotions and over a third (36%) reported discrimination in work assignments or projects and compensation.²⁰⁵ Moreover, almost two-thirds of women respondents (65%), nearly 7 in 10 Black or African American respondents (69%), and more than half of Hispanic or Latino respondents (55%) agreed or strongly agreed with the statement “**I have to work harder than others to be valued equally in the built environment.**”²⁰⁶ The 2021 IWPR survey of 2,000-plus tradeswomen yielded similar findings. Tradeswomen reported unequal treatment in promotions, work assignments, layoffs, hours of work, and overtime.²⁰⁷ Native American respondents were most likely to report never or rarely being treated equally with respect to promotions (37.8%), hiring (32.4%), layoffs (32.4%), and access to hours of work (20.5%), while Black respondents were more likely to report rarely or never being treated equally in the allocation of overtime (21.1%), in addition to high levels of inequality in promotions (36%) and layoffs (31.6%).²⁰⁸

“I have to work harder than others to be valued equally in the built environment.”



Two-thirds of women surveyed agreed.



7 in 10 Black or African American respondents agreed.



More than half of Hispanic or Latino respondents agreed.

Because of the cyclical nature of the construction industry, the number of hours a person works, and how many of those hours are premium-paid overtime hours, “is crucial for having enough resources to get through periods with little or no work, for accruing pension benefits, and for receiving health insurance coverage.”²⁰⁹ Finding consistent, family-sustaining work is challenging for many people working in construction, and unequal treatment in work hours, overtime, and layoffs disadvantages women and workers of color.²¹⁰ When tradeswomen or workers of color are given fewer hours, the disparity affects not only their weekly paychecks, but also their long-term economic security. In a unionized environment, equal pay and benefits are typically guaranteed under collective bargaining agreements, but equal access to

overtime is not.²¹¹ As a result, two workers can be on the same jobsite doing the same job and making the same hourly rate, but one worker can take home significantly more money because of overtime.²¹²

Discrimination in work assignments is also a significant challenge for women and people of color in construction. Women and workers of color report being unfairly assigned tasks that are more dangerous or physically demanding, lower-skilled, or unrelated to the skills of their trade compared to their white male colleagues.²¹³ For example, women apprentices and apprentices of color in a state highway workforce development program were more likely than white male apprentices to report being assigned low-skill tasks, such as flagging or cleaning.²¹⁴ One woman explained that, as an apprentice, she was “just supposed to learn by watching, where everyone else got to learn by actually experiencing things,” and that, even as a journeyworker, “I’m caulking, when I should be wearing my tools and actually building.”²¹⁵ A female electrician in Washington State described her experience this way: “It’s like you’re a first year apprentice even though you’ve been a journey-level whatever in your trade . . . it didn’t matter. You were sweeping the floors, taking out the garbage, you know, doing the scut work when you’re a talented journey-level worker.”²¹⁶

The EEOC’s cases reflect that experience.²¹⁷ For example, in *EEOC v. Vamco Sheet Metals*, the EEOC’s investigation found that a New York construction contractor specializing in sheet metal fabrication and installation discriminated against female sheet metal workers on a construction project in Manhattan.²¹⁸ According to the EEOC’s suit, female journeyworkers with extensive experience were relegated to menial, non-journeyworker tasks such as fetching coffee, which their male coworkers were not required to do. The contractor monitored the women’s breaks and failed to provide them with restrooms close to their work locations. A new mother was denied a clean, private place to express breast milk and instead had to pump in public places or bathroom stalls. In addition, the company fired female workers for pretextual reasons, in some cases after just a few days on the job. The three-year consent decree resolving the case required Vamco to pay \$215,000 in damages to the women workers, revise its policies, and provide anti-discrimination training for supervisors, among other relief.

Similarly, in *EEOC v. Olympia Construction*, the EEOC’s investigation found that supervisors at a construction site in Selma, Alabama subjected three Black employees to discriminatory


terms and conditions of employment.²¹⁹ Olympia hired the three employees as laborers, primarily to perform certain clean-up duties at the site. The project superintendent and another supervisor unreasonably monitored their work, routinely threatened them with termination, and required them to perform tasks outside their job description, like digging holes and washing the superintendent's car. The Black workers were only permitted a single short break during their eight-hour workday and the superintendent deducted a full hour from their pay if he claimed they were even a few minutes late returning from their only break. The EEOC obtained \$100,000 for the workers and required Olympia to take steps to prevent future harassment, including providing ongoing training for all employees and managers, reporting any complaints and the company's responses to the EEOC, and posting contact information for workers to report harassment, discrimination, or retaliation.

In *EEOC v. CCC Group*, the EEOC's investigation found that a general construction contractor assigned Black employees to less desirable and more physically demanding work and subjected them to greater scrutiny than white employees.²²⁰ For example, white supervisors and coworkers said Black men were better suited for manual labor than for jobs requiring skill and intelligence, which should be given to white employees. Supervisors assigned skilled Black tradespeople to tasks like pouring concrete and cleaning up after others' work rather than skilled jobs like ironworker, rigger, welder, and boilermaker, which were instead given to similarly qualified white employees. White employees were given easier jobs like reviewing and placing stickers on a completed welding job while Black employees on the same crew were assigned more difficult and dangerous jobs such as welding high up in the air on the outside of a building under construction. Supervisors routinely assigned multiple white employees to jobs that required a single worker to complete. By contrast, lone Black employees were often assigned to complete physically taxing jobs appropriate for two or more employees and then were accused of being lazy if they asked for assistance. White supervisors also assigned Black employees to work outdoors during the cold winter months in upstate New York while their white colleagues were given indoor tasks.

Finally, in *EEOC v. Thompson Construction Group*, a heavy industrial contractor based in Sumter, South Carolina fired a Black pipefitter foreman after an incident when a white subordinate made abusive and racially derogatory comments to him and engaged in insubordination.²²¹ The EEOC's investigation found that the company did not discharge white foremen whose subordinate employees engaged in verbal disputes with them or for reasons

similar to those it gave for terminating the Black pipefitter foreman. The EEOC brought suit alleging that the company fired the Black pipefitter foreman because of his race. The EEOC obtained \$115,000 in monetary relief for the Black foreman. The consent decree resolving the case also required the company to revise and distribute EEO and affirmative action policies, provide annual Title VII training, and regularly report to the EEOC about workers discharged from its North Carolina worksites.

Retaliation



“I WAS VINDICATED IN A COURT OF LAW, BUT THIS WAS NOT AN EASY ROAD TO WALK. I LEARNED THAT WHEN YOU SPEAK UP ABOUT RACIAL DISCRIMINATION AT WORK, PEOPLE DISTANCE THEMSELVES FROM YOU AND SOME EVEN VILIFY YOU . . . SO, YOU NEED TO HAVE A LOT OF INNER STRENGTH, BECAUSE ON THIS PATH, YOU WILL WALK ALONE.”

- Contonius Gill, Charging Party, Testimony before the U.S. Equal Employment Opportunity Commission, June 20, 2016

Retaliation is a significant issue in industries and workplaces across the country. The laws enforced by the EEOC prohibit punishing applicants or employees for asserting their rights to be free from employment discrimination, including harassment.²²² The EEOC receives more charges alleging retaliation than any other discrimination claim: more than half (56%) of all charges filed with the EEOC in fiscal year 2021 included a claim of retaliation.²²³ The nature of the construction industry makes retaliation a particularly steep barrier for workers seeking to assert their rights and change workplace culture.²²⁴ Many workers choose not to complain when faced with harassment or other forms of discrimination because they fear jeopardizing their jobs and future opportunities in construction.²²⁵ Ironworker Japlan Allen of Chicago Women in Trades told the Commission that “in the construction employment world, where layoffs and changing worksites and employers is the norm, retaliation for complaining is a reality. If tradeswomen seek redress, they are put on a ‘do-not-hire’ list, seen as a trouble-maker.”²²⁶ A journeywoman laborer in Washington State similarly recounted the stigma associated with filing a complaint in the industry: “(T)here’s a woman from Lakeside who sued

and that's all you ever hear . . . she never worked again."²²⁷ And, in union-run jobs, workers may fear retaliation for filing a grievance or speaking with a union representative.²²⁸

When employers or unions retaliate against workers who complain about discrimination or harassment, they send a clear message that bad behavior will be tolerated and that employees who speak up do so at their peril. The EEOC has litigated numerous cases involving construction workers who were reassigned, demoted, transferred, fired, or otherwise retaliated against for reporting harassment or other discrimination.²²⁹ For example, in the EEOC's case against Olympia Construction, the EEOC's investigation found that the project superintendent and a supervisor fired three Black employees because they complained about the racially hostile work environment.²³⁰ At the time, the company had no anti-harassment or anti-discrimination policies or reporting procedures. With the assistance of a relative, the three men contacted the EEOC and inquired about filing complaints of discrimination. The next day, the superintendent yelled at the three men using racial epithets, stating, "you colored boys go home." One of the employees and his aunt called the company's main office and spoke to one of the owners about the project superintendent's behavior. During the conversation, the employee's aunt mentioned that the workers had contacted the EEOC. When the three men reported to work the following week, they were told they were no longer needed. The company suggested that jobs might be available if the employees dropped their EEOC charges.

Because layoffs are common in the industry, companies may cite a lack of work as the reason for an employee's termination when in fact the layoff is motivated by retaliation.²³¹ For example, in the EEOC's case against Boh Brothers, after an ironworker reported his supervisor's sexual harassment, the company involuntarily transferred him to a different location where he was paid less and that was farther from his home.²³² The ironworker was then "laid off," supposedly because there was less work available at the new location.²³³ At trial, the EEOC established that Boh Brothers did not have a policy prohibiting sexual harassment, and the harassing supervisor testified that he had never received harassment training before the EEOC's lawsuit. Similarly, in *EEOC v. The Laquila Group*, a prominent New York City excavation and construction company terminated a Black employee a few days after he complained to the project superintendent and his union about racial harassment. The supervisor explicitly mentioned the employee's complaints of racial harassment in connection with his "layoff."²³⁴ The consent decree resolving the EEOC's

lawsuit required Laquila to set up a hotline for employees to report discrimination, provide anti-discrimination training to its managers, revise its anti-discrimination policies and complaint procedures, and report all worker harassment and retaliation complaints to the EEOC for the 42-month duration of the agreement.

Temporary workers are particularly vulnerable to retaliation in construction and other industries.²³⁵ Temporary workers often rely on multiple assignments to earn a living and there is no expectation of permanent employment at any assignment. A job can last a day or a week and temporary workers typically have no idea why a particular assignment ends. As Chris Williams, director of litigation for the National Legal Advocacy Network, testified before the Commission: “If you have a complaint, whether it’s about discrimination or anything else[,] [y]ou’re not fired, there’s just no work, and everybody knows that, right. You get a call and [they] say, oh, they don’t need you tomorrow. Why do they not need you tomorrow? Nobody’s going to tell you.”²³⁶ Further, temporary workers who experience discrimination or harassment on an assignment often do not know to whom or how to complain.²³⁷

For example, in the EEOC’s case against Labor Ready Northeast, discussed above, the EEOC’s investigation found that the staffing firm fired two female temporary employees after they complained about a racially and sexually hostile work environment.²³⁸ The women complained multiple times to Labor Ready’s branch office about the hostile work environment, and also complained to Labor Ready’s client, Panhandle Cleaning and Restoration, during an in-person meeting with Panhandle’s owner. When no action was taken in response, one of the women called the staffing firm’s corporate hotline and reported the harassment at Panhandle’s site. She called the hotline again when she did not hear back from corporate. When the two women later reported to the branch office for a full-day job assignment, the branch manager instead offered them a less desirable, half-day job. The branch manager told the women that they “didn’t have to call corporate” and that there “was no need for that.”²³⁹ That evening, Labor Ready terminated their employment.

Immigrant workers and monolingual non-English speakers are also particularly vulnerable to retaliation.²⁴⁰ For immigrant workers, whether legally authorized to work or not, retaliation can include threats of deportation, which means “speaking out becomes a lot more dangerous and challenging.”²⁴¹ As David Chincanchan, policy director for Workers Defense Project, testified before the Commission:

“(W)e hear from immigrant workers in particular that, like other workers, they’re threatened with retaliation. But for many immigrant workers who are in a more vulnerable position, . . . that retaliation includes threats of deportation for themselves and their family. And so it’s a situation where it’s the same issue that affect(s) other workers in the construction industry, but it is just exacerbated by the position that they are in . . . (F)ear of retaliation is very real when it comes to . . . what they experience in the industry.”

- David Chincanchan, Testimony to the EEOC, May 17, 2022.

In *EEOC v. Focus Plumbing*, for example, the EEOC’s investigation found that male supervisors and coworkers at a Nevada-based general construction company sexually harassed monolingual Spanish-speaking women workers at various construction sites around Las Vegas.²⁴² The women were threatened if they rejected sexual advances and offered better work assignments and hours if they acquiesced. The EEOC obtained \$500,000 in monetary relief for the workers and significant injunctive relief, including requiring Focus Plumbing to hire an external EEO monitor.

Similarly, in *EEOC v. Sys-Con*, a supervisor for an Alabama-based general contractor demanded sexual favors from two non-English speaking Latina employees, watched pornographic videos in front of them, and sexually assaulted one of the employees.²⁴³ The supervisor threatened to fire the women and their husbands, who were also Sys-Con employees, if they reported his harassment. When one of the women refused the supervisor’s sexual advances, he terminated her. The consent decree resolving the case required Sys-Con to pay \$70,000 to the two employees and required the company to take specific actions to prevent future Title VII violations, including revising company policies and providing anti-discrimination training for all supervisors, managers, and other employees, with an emphasis on harassment.

Nonexistent or Ineffective Policies and Procedures

“It’s great to talk about having more equity training and protocols in place, and certainly those are positive. But we need to make an example of people who do things like put a noose on a jobsite. We need to hold them accountable, either by putting them in prison or no longer welcoming them in the construction industry.”

- Nate McCoy, Executive Director, Oregon Chapter of the National Association of Minority Contractors, Construction Dive, October 23, 2020.

In addition to retaliation, nonexistent or ineffective policies and complaint procedures are often a barrier to reporting and remedying discrimination in construction. Gary, the ironworker who testified before the Commission about the racially hostile work environment he faced at a New York construction site, said that harassment was barely discussed at orientation when he began the job, and there were no company policies available to workers on the jobsite that explained what to do or how to complain about unfair treatment.²⁴⁴ Gary initially sought help from human resources, but his complaints were brushed off. He thought he had no other options until his girlfriend encouraged him to file a charge with the EEOC. Contonius Gill, the truck driver who hauled molten asphalt for highway construction in North Carolina and was threatened with a noose on the job, testified that his employer had no anti-harassment policy and that he “never received any information from them on my rights or how to complain.”²⁴⁵ He complained to his general manager many times, but nothing was done.

Even when policies exist, the nature of construction sites, where multiple firms are often present and turnover is high, complicates reporting and correcting inappropriate behavior.²⁴⁶ As Ironworker Japlan Allen explained:

“In an industry like construction, with multiple employers on a jobsite, it can be complicated to get relief from just complaining to the leadership of your own company, apprenticeship program or union. And leaving a job to avoid a harasser doesn’t provide any guarantee that the same employee won’t show up on the next job Regularly changing workplaces, employers and co-workers adds challenges to addressing and redressing sexual harassment.”


- Japlan “Jazz” Allen, Chicago Women in Trades, Testimony to the EEOC, May 17, 2022.

When employees do complain, far too often their complaints fall on deaf ears.²⁴⁷ For example, in the EEOC's case against Air Control, the EEOC's investigation found that the company's managers and directors failed to address the owner's egregious sexual harassment over many years.²⁴⁸ Even after Air Control hired a human resources consultant, who compared the company's workplace culture to a "sewer," the directors did nothing to stop the owner's conduct. In the 2021 IWPR survey, many respondents reported being frustrated about lack of follow up when issues like lack of respect, discrimination, and harassment are raised.²⁴⁹ Indeed, the majority (57.9%) of respondents who reported harassment or other discrimination to a supervisor, foreperson, union official, or human resources said that the incident was not addressed effectively.²⁵⁰ Similarly, in a 2022 evaluation of an Oregon state highway construction workforce development program, more than 1 in 4 apprentices surveyed (28%) reported that supervisors who observed harassment "never" did anything to stop it.²⁵¹ Another 29% reported that supervisors "sometimes" took action when they saw or learned of harassment.²⁵²

Ineffective complaint procedures and responses, coupled with employees' awareness that offending workers are unlikely to face consequences, perpetuate a discriminatory culture and make it less likely that workers will speak up when harassment or other discrimination occurs. Employees quickly internalize the message that complaining is futile or that workers who complain, or support those who complain, will be punished. Janel Bailey of the LA Black Worker Center told the Commission about the experience of a recent graduate from the Center's workforce development program who got a job as a painter:²⁵³

"He's endured persistent harassment full time at his job: teasing, name calling, and intimidation. He is often the lone Black worker on his assignments, so he must seek support elsewhere. It's caused a lot of anxiety and depression and he's seeking medical support, but fears retaliation if he brings these issues up at work, as he has already observed that his supervisor and his union business agents are unsupportive of him. They perpetuate the culture of exclusion when they fail to hold the other workers accountable to their leadership's stated values of equity and inclusion."²⁵⁴

CONCLUSION



“THERE’S MORE TO DESGREGATING AN INDUSTRY THAN SIMPLY BEING HIRED INTO IT. WORKPLACE CULTURE HAS TO CHANGE.”

- Dr. Trevor Griffey, Lecturer of U.S. History at the University of California, Irvine, Testimony to the U.S. Equal Employment Opportunity Commission, May 17, 2022

Discrimination in construction is costly—to the impacted workers and their families, to the industry, and to the U.S. economy. Workers who are driven out of their jobs due to harassment or other discrimination face significant financial costs, with lifetime effects on their economic security.²⁵⁵ For example, the Institute for Women’s Policy Research estimated that a “30-year-old apprentice pushed out of her union apprenticeship into a non-union job in another field faces financial costs of more than a million dollars over her lifetime.”²⁵⁶ When apprentices drop out of their programs or more experienced workers leave the industry, the companies and unions who sponsored their training lose out on their investment.²⁵⁷ As researchers Ariane Hegewisch and Eve Mefferd explain: “Every time a tradeswoman is forced out of the trades, particularly when she is an experienced journeywoman or several years into her apprenticeship, the industry loses her skills along with the thousands of dollars that were invested in her training.”²⁵⁸

Discrimination also reduces the pool of skilled workers available to meet the demand for construction, which is expected to increase as the nation rebuilds and expands its infrastructure.²⁵⁹ As Stephanie Roldan, corporate lean manager for San Jose, California-based Rosendin Electric noted: “Beyond the obvious answer that it is the right thing to do, construction executives should be concerned about rooting out racism because it impacts their business. Construction is suffering from a skilled-labor workforce shortage. People will not be attracted to working in a career that subjects them to this behavior.”²⁶⁰ It is critical to the nation’s economy that we develop and maintain a qualified construction workforce that can meet the demands of current and future generations.

The federal government’s historic investment in infrastructure through the Infrastructure Investment and Jobs Act of 2021 and the CHIPS and Science Act of 2022 provides a once-in-a-generation opportunity to break down barriers to equal employment opportunity in

construction and ensure fairness and dignity for all workers in the industry. Indeed, as acknowledged at the outset of this report, the federal government has a duty to take steps to ensure that public funds are not used, even inadvertently, to subsidize discrimination. The EEOC's enforcement experience demonstrates that addressing specific violations in isolation as they arise is insufficient to fully address the problem. Rather, the EEOC must work collaboratively with our partners across the federal government and in the private sector—including unions, contractors, industry liaisons, and community-based organizations—to develop the kind of industry-specific prevention and training that can provide the foundation for lasting change.

To help advance this critical effort, over the coming year, while continuing to vigorously enforce anti-discrimination laws on behalf of construction employees, the EEOC intends to undertake the following actions:

1. **Build coalitions with key stakeholders in the construction industry.** The EEOC will develop ongoing working relationships with employers, industry liaison groups, unions, and civil rights organizations to create the coalitions necessary to effectively implement anti-discrimination policies on jobsites, in apprenticeship programs, and in hiring halls. The agency has a long history of effective partnerships at the headquarters, district, and local levels, and will leverage and expand those existing relationships. As part of this effort, the EEOC will meet with industry stakeholders to understand their needs and provide information about their rights and duties under federal laws prohibiting employment discrimination.²⁶¹
2. **Develop industry-specific technical assistance to help ensure fair hiring practices, equal treatment on the job, and safe and inclusive workplaces.** Building on its past work, including the EEOC's bipartisan Select Task Force on the Study of Harassment in the Workplace,²⁶² the EEOC will work with the Department of Labor and industry stakeholders to develop best practices for employers and apprenticeship programs to prevent and address harassment, discrimination, and retaliation in construction. The best practices will consider the unique structure of the construction industry – including the roles of unions, prime contractors, subcontractors, and apprenticeship programs—and the various government entities with regulatory or enforcement authority over the industry. Technical assistance that is specifically tailored to construction will be particularly helpful in tackling harassment because anti-harassment strategies are most effective when adapted to the realities of the particular workplace and industry culture.²⁶³

3. **Leverage existing agency training experience and resources to provide industry-specific training to employers and unions to help ensure fair hiring practices and respectful workplaces.** Managers and supervisors are essential to preventing discrimination and harassment. Compliance training for middle-management and first line supervisors is critical to creating an organizational culture where employees believe that harassment will not be tolerated.²⁶⁴ Through EEOC's Small Business Resource Center, the EEOC will provide training modules and materials for new and small construction firms that may not have large human resources departments or compliance teams.²⁶⁵
4. **Provide outreach and training for workers in the construction industry, with a particular focus on apprentices.** The EEOC will work independently and also with agencies across the federal government to provide workers with clear and accessible information about their rights under federal laws prohibiting employment discrimination, the various federal agencies with authority to address unfair treatment in the construction industry, and how to file a charge or complaint of discrimination, harassment, retaliation, unequal pay, or other unfair labor practices. Whenever possible, outreach, education, and training will be offered in multiple languages reflective of the multilingual nature of the construction workforce.²⁶⁶
5. **Partner with unions, employers, and community-based organizations to provide effective anti-harassment, anti-retaliation, and other training on equal employment opportunity issues to apprentices and workers.** To be effective, anti-harassment training should:
 - be tailored to the specific realities of the construction industry and construction jobsites, including using construction-focused examples and trainers with industry experience if possible;
 - include a plain language definition of unlawful harassment and clearly explain what conduct is acceptable and unacceptable in the workplace and the consequences of engaging in unacceptable conduct;
 - be accessible to all employees, including through the provision of reasonable accommodations to individuals with disabilities;
 - be offered in the languages that workers are most comfortable using;
 - describe, in simple terms, how to report harassment and emphasize the importance of bystander intervention in reducing the prevalence of harassment; and

- be conducted and reinforced on a regular basis, considering the rapid turnover on construction projects.²⁶⁷
6. **Provide information to employers and apprenticeship programs about lawful diversity, equity, inclusion, and accessibility (DEIA) practices that have been effective in ensuring equal opportunity for all workers.** In January 2022, the EEOC and the Office of Federal Contract Compliance Programs (OFCCP) launched the [Hiring Initiative to Reimagine Equity \(HIRE\)](#), a multi-year collaborative effort to engage a broad array of stakeholders to expand access to good jobs for workers from underrepresented communities and help address key hiring and recruitment challenges. HIRE has convened multiple roundtables that highlighted barriers to promoting DEIA in recruitment and hiring and identified promising practices to expand equal employment opportunity in all industries, including construction. The EEOC will build on this work going forward.

Our economy works best when it draws on all of America’s talent. In this regard, the nation’s commitment to fairness and justice is fully aligned with our economic interests. The EEOC recognizes that, given the effects of past and present discrimination, substantial effort is needed to ensure that opportunities in the construction industry are truly equal for all qualified workers. Nonetheless, the current moment provides a pathway for meaningful progress toward that goal, and the EEOC looks forward to building on existing partnerships to achieve it.



ACKNOWLEDGEMENTS

This report was possible due to the excellent work of many in the EEOC and the rich contributions of many others outside the agency. I wish to thank each of them. In particular, I owe a debt of gratitude to the many workers whose courage and persistence inspired this project, including the charging parties who brought forward their claims and the witnesses who presented testimony at Commission hearings. These workers spoke out about their treatment while seeking employment or on the job, and in doing so helped change their workplaces for the better.

I also recognize the community organizations, worker centers, tradeswomen's organizations, industry groups, unions, civil rights organizations, and companies working to make construction a welcoming environment for all and helping women and workers from underrepresented communities find employment, stay, and thrive in the industry. In addition, I want to acknowledge the advocates and researchers who have focused their work on this critical industry.

Thank you also to the Office of the Vice Chair, the Office of Communications and Legislative Affairs, the Office of Enterprise Data and Analytics, the Office of Field Programs, the Office of General Counsel, and the Office of Legal Counsel for their careful review of the report and thoughtful feedback.

Finally, I wish to express my sincere thanks to the incredibly dedicated and hardworking current and former members of my staff as well as the many legal interns who made invaluable contributions along the way—among them Allie Bohm, Laura Feldman, Eunice Ikene, Davis Kim, Antonio Lee, Brandi Meredith, Amber Trzinski-Fox, and the incomparable Elizabeth Fox-Solomon, whose tireless efforts were truly indispensable.

APPENDIX A

Construction Occupations by Median Pay and Women's Share of the Workforce

Occupation	Median Pay ¹	Women's Share of Workforce (%) ²
Laborers	\$37,520	4.9
Painters	\$45,590	10.5
Highway Maintenance	\$45,880	3.9
Pipelayers	\$45,980	2.4
Insulation Workers	\$46,760	5.9
Roofers	\$47,110	5.0
Flooring Installers and Tile and Stone Setters	\$47,310	7.5
Brickmasons, blockmasons, and stonemasons	\$48,040	3.0
Carpenters	\$48,260	3.5
Construction Equipment Operators	\$48,290	1.7
Drywall Installers, Ceiling Tile Installers, and Tapers	\$48,350	2.8
Sheet Metal Workers	\$53,440	5.1
Structural Iron and Steel Workers	\$57,160	1.1
Plumbers, Pipefitters, and Steamfitters	\$59,880	1.1
Electricians	\$60,040	2.2
Construction and Building Inspectors	\$61,640	11.8
First-Line Supervisors	\$72,010	4.3
Construction Managers	\$98,890	8.5

¹ May 2021 median pay, [Construction and Extraction Occupations](#), *Occupational Outlook Handbook*, Bureau of Labor Statistics (last modified Sept. 8, 2022); [Construction Managers](#), *Occupational Outlook Handbook*, Bureau of Labor Statistics (last modified Nov. 16, 2022); [Data for Occupations Not Covered in Detail](#), Construction and extraction occupations, *Occupational Outlook Handbook*, Bureau of Labor Statistics (last modified Dec. 16, 2022).

² 2022 [Household Data Annual Averages, Table 11, Employed persons by detailed occupation, sex, race, and Hispanic or Latino ethnicity](#), *Labor Force Statistics from the Current Population Survey*, Bureau of Labor Statistics (last modified Jan. 25, 2023).

APPENDIX B

Construction Occupations by Median Pay and Black or African American Share of the Workforce

Occupation	Median Pay ¹	Black or African American Share of Workforce (%) ²
Laborers	\$37,520	8.4
Painters	\$45,590	6.8
Highway Maintenance	\$45,880	12.9
Pipelayers	\$45,980	2.3
Insulation Workers	\$46,760	15.8
Roofers	\$47,110	6.9
Flooring Installers and Tile and Stone Setters	\$47,310	7.5
Brickmasons, blockmasons, and stonemasons	\$48,040	8.7
Carpenters	\$48,260	5.5
Construction Equipment Operators	\$48,290	5.4
Drywall Installers, Ceiling Tile Installers, and Tapers	\$48,350	0.8
Sheet Metal Workers	\$53,440	7.0
Structural Iron and Steel Workers	\$57,160	16.5
Plumbers, Pipefitters, and Steamfitters	\$59,880	8.9
Electricians	\$60,040	7.3
Construction and Building Inspectors	\$61,640	9.7
First-Line Supervisors	\$72,010	4.1
Construction Managers	\$98,890	5.3

¹ May 2021 median pay, [Construction and Extraction Occupations](#), *Occupational Outlook Handbook*, Bureau of Labor Statistics (last modified Sept. 8, 2022); [Construction Managers](#), *Occupational Outlook Handbook*, Bureau of Labor Statistics (last modified Nov. 16, 2022); [Data for Occupations Not Covered in Detail](#), Construction and extraction occupations, *Occupational Outlook Handbook*, Bureau of Labor Statistics (last modified Dec. 16, 2022).

² 2022 [Household Data Annual Averages, Table 11, Employed persons by detailed occupation, sex, race, and Hispanic or Latino ethnicity](#), *Labor Force Statistics from the Current Population Survey*, Bureau of Labor Statistics (last modified Jan. 25, 2023).

APPENDIX C

Construction Occupations by Median Pay and Asian Share of the Workforce

Occupation	Median Pay ¹	Asian Share of the Workforce (%) ²
Laborers	\$37,520	1.9
Painters	\$45,590	0.7
Highway Maintenance	\$45,880	0.0
Pipelayers	\$45,980	0.0
Insulation Workers	\$46,760	0.0
Roofers	\$47,110	0.0
Flooring Installers and Tile and Stone Setters	\$47,310	3.2
Brickmasons, blockmasons, and stonemasons	\$48,040	1.3
Carpenters	\$48,260	1.9
Construction Equipment Operators	\$48,290	0.7
Drywall Installers, Ceiling Tile Installers, and Tapers	\$48,350	2.2
Sheet Metal Workers	\$53,440	1.1
Structural Iron and Steel Workers	\$57,160	0.0
Plumbers, Pipefitters, and Steamfitters	\$59,880	2.2
Electricians	\$60,040	2.0
Construction and Building Inspectors	\$61,640	4.8
First-Line Supervisors	\$72,010	1.6
Construction Managers	\$98,890	2.6

¹ May 2021 median pay, [Construction and Extraction Occupations](#), *Occupational Outlook Handbook*, Bureau of Labor Statistics (last modified Sept. 8, 2022); [Construction Managers](#), *Occupational Outlook Handbook*, Bureau of Labor Statistics (last modified Nov. 16, 2022); [Data for Occupations Not Covered in Detail](#), Construction and extraction occupations, *Occupational Outlook Handbook*, Bureau of Labor Statistics (last modified Dec. 16, 2022).

² 2022 [Household Data Annual Averages, Table 11, Employed persons by detailed occupation, sex, race, and Hispanic or Latino ethnicity](#), *Labor Force Statistics from the Current Population Survey*, Bureau of Labor Statistics (last modified Jan. 25, 2023).

APPENDIX D

Construction Occupations by Median Pay and Hispanic or Latino Share of the Workforce

Occupation	Median Pay ¹	Hispanic or Latino Share of the Workforce (%) ²
Laborers	\$37,520	50.7
Painters	\$45,590	59.1
Highway Maintenance	\$45,880	18.1
Pipelayers	\$45,980	60.2
Insulation Workers	\$46,760	44
Roofers	\$47,110	66.5
Flooring Installers and Tile and Stone Setters	\$47,310	55.7
Brickmasons, blockmasons, and stonemasons	\$48,040	46.9
Carpenters	\$48,260	41.8
Construction Equipment Operators	\$48,290	18.9
Drywall Installers, Ceiling Tile Installers, and Tapers	\$48,350	70.3
Sheet Metal Workers	\$53,440	21.8
Structural Iron and Steel Workers	\$57,160	16.1
Plumbers, Pipefitters, and Steamfitters	\$59,880	28.2
Electricians	\$60,040	24.9
Construction and Building Inspectors	\$61,640	12.9
First-Line Supervisors	\$72,010	25.6
Construction Managers	\$98,890	16.2

¹ May 2021 median pay, [Construction and Extraction Occupations](#), *Occupational Outlook Handbook*, Bureau of Labor Statistics (last modified Sept. 8, 2022); [Construction Managers](#), *Occupational Outlook Handbook*, Bureau of Labor Statistics (last modified Nov. 16, 2022); [Data for Occupations Not Covered in Detail](#), Construction and extraction occupations, *Occupational Outlook Handbook*, Bureau of Labor Statistics (last modified Dec. 16, 2022).

² 2022 [Household Data Annual Averages, Table 11, Employed persons by detailed occupation, sex, race, and Hispanic or Latino ethnicity](#), *Labor Force Statistics from the Current Population Survey*, Bureau of Labor Statistics (last modified Jan. 25, 2023).

ENDNOTES

¹ The EEOC enforces federal laws against employment discrimination based on race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, gender identity, and sexual orientation), national origin, age (40 or older), disability or genetic information. *See* Civil Rights Act of 1964, Title VII, 42 U.S.C. § 2000; Age Discrimination in Employment Act of 1967, 29 U.S.C. § 623; Pregnancy Discrimination Act of 1976, 42 U.S.C. § 2000; Equal Pay Act of 1963, 29 U.S.C. § 206(d); Americans with Disabilities Act of 1990, Titles I & V, 42 U.S.C. §§ 12111, 12201; Genetic Information Nondiscrimination Act of 2008, Title II, 42 U.S. Code § 2000ff; Pregnant Workers Fairness Act, Division II of 117 P.L. 328; *see also* [Overview | U.S. Equal Employment Opportunity Commission \(eoc.gov\)](#). This report focuses on discrimination against women and workers of color on the basis of race, sex, and national origin.

² *See* [Select Task Force on the Study of Harassment in the Workplace](#), Report of Co-Chairs Chai R. Feldblum and Victoria A. Lipnic (June 2016); *see also* Ariane Hegewisch and Eve Mefferd, [A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry](#), Institute for Women’s Policy Research, 18 (November 2021); Lily Zheng, [Do Your Employees Feel Safe Reporting Abuse and Discrimination?](#), Harvard Business Review (Oct. 8, 2020).

³ These partnerships should include the Department of Labor, in particular the Office of Federal Contract Compliance Programs, the Employment and Training Administration, the Wage and Hour Division, and the Women’s Bureau; the Office for Civil Rights at the Department of Transportation; and other agencies that have grantmaking, contracting or enforcement authority in the industry.

⁴ [Construction and Extraction Occupations](#), *Occupational Outlook Handbook*, Bureau of Labor Statistics (last modified Sept. 8, 2022).

⁵ *Id.*

⁶ The IIJA authorizes a historic \$550 billion in new federal investment in roads, bridges, public transit and other infrastructure, over fiscal years 2022 through 2026. *See* [Infrastructure Investment and Jobs Act \(IIJA\) \(Public Law 117-58\)](#); The White House, [Updated Fact Sheet: Bipartisan Infrastructure Investment and Jobs Act](#) (Aug. 2, 2021). The CHIPS Act boosts American production of semiconductors, used in everything from automobiles and household appliances to national defense systems, and provides capital expenditure incentives expected to create tens of thousands of new construction jobs. *See* The White House, [Fact Sheet: CHIPS and Science Act Will Lower Costs, Create Jobs, Strengthen Supply Chains, and Counter China](#) (Aug. 9, 2022).

⁷ *See* Frank Manzo IV, MPP and Robert Bruno, PhD, [The Apprenticeship Alternative: Enrollment, Completion Rates, and Earnings in Registered Apprenticeship Programs in Illinois](#), Illinois Economic Policy Institute (Jan. 6, 2020); [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Written Testimony of Melissa Wells](#), Special Assistant to the President for Diversity and Inclusion, North America’s Building Trades Union (construction careers provide “middle-class wages and benefits.”); *see also* Ryan Farrell and William Lawhorn, [Fast growing occupations that pay well and don’t require a college degree.](#) *Career Outlook*, Bureau of Labor Statistics (June 2022).

⁸ See [Construction and Extraction Occupations](#), *Occupational Outlook Handbook*, Bureau of Labor Statistics (last modified Sept. 8, 2022) (median annual wage for construction and extraction occupations in May 2021 was \$48,210, which was higher than the median annual wage for all occupations of \$45,760); [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Oral Testimony of Kenneth D. Simonson](#), Chief Economist, Associated General Contractors of America (“[C]onstruction pays well, does not have a high barrier to entry in terms of requiring credentialing off the bat, and has a terrific career path that has led to so many businesses that are now run by, or started by, people who started at the entry level.”), [Written Testimony of Ariane Hegewisch](#), Senior Research Fellow, Institute for Women’s Policy Research (“Working in the construction industry can provide good earnings with benefits, and opportunities to build a lifelong career without the need for a four-year college degree.”).

⁹ [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Written Testimony of Kenneth D. Simonson](#), Chief Economist, Associated General Contractors of America; see also [Advancing Racial and Economic Justice in the Workplace](#), U.S. Equal Employment Opportunity Commission (Aug. 22, 2022), [Oral Testimony of Thomas Beauford, Jr.](#), President and CEO, Buffalo Urban League (the “construction industry is one of the places where you can create generational wealth. . .[b]ecause you can move from learning an individual skill to. . .being a small business or an entrepreneur yourself.”).

¹⁰ U.S. Census Bureau, Business & Industry, [Time Series/Trend Charts](#).

¹¹ The Commission seeks to resolve charges of discrimination early whenever possible, including during the investigative phase. Because by law EEOC investigations must be kept confidential unless and until suit is filed, administrative resolutions are not included in this report. See 42 U.S.C. § 2000e-5(b); see generally [Confidentiality | U.S. Equal Employment Opportunity Commission \(eoc.gov\)](#).

¹² [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission (May 17, 2022), [Oral Testimony of Kenneth D. Simonson](#), Chief Economist, Associated General Contractors of America; see [Advancing Racial and Economic Justice in the Workplace](#), U.S. Equal Employment Opportunity Commission Meeting (Aug. 22, 2022), [Oral Testimony of Thomas Beauford, Jr.](#), President and CEO, Buffalo Urban League.

¹³ Ariane Hegewisch and Eve Mefferd, [A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry](#), Institute for Women’s Policy Research, 34 (November 2021).

¹⁴ See [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Written Testimony of Kenneth D. Simonson](#), Chief Economist, Associated General Contractors of America (“Entry-level jobs do not require an expensive college degree, credential, or capital investments.”).

¹⁵ See [Construction and Extraction Occupations](#), *Occupational Outlook Handbook*, Bureau of Labor Statistics (last modified Sept. 8, 2022); see also Elka Torpey, “[Careers in Construction: Building Opportunity](#),” *Career Outlook*, Bureau of Labor Statistics (August 2018); Ryan Farrell and William Lawhorn, “[Fast growing](#)

[occupations that pay well and don't require a college degree.](#)” *Career Outlook*, Bureau of Labor Statistics (June 2022).

¹⁶ Elka Torpey, “[Careers in Construction: Building Opportunity](#),” *Career Outlook*, U.S. Bureau of Labor Statistics (August 2018); [Construction and Extraction Occupations](#), *Occupational Outlook Handbook*, Bureau of Labor Statistics (last modified Sept. 8, 2022).

¹⁷ [Construction and Extraction Occupations](#), *Occupational Outlook Handbook*, Bureau of Labor Statistics (last modified Sept. 8, 2022).

¹⁸ Elka Torpey, “[Careers in Construction: Building Opportunity](#),” *Career Outlook*, U.S. Bureau of Labor Statistics (August 2018).

¹⁹ See Cihan Bilginsoy, “Diversity in Construction Apprenticeship Programs,” [Diversity, Equity, and Inclusion Initiatives in the Construction Trades](#), The Institute for Construction Employment Research, 40-41 (March 2022); Frank Manzo IV, MPP and Robert Bruno, PhD, [The Apprenticeship Alternative: Enrollment, Completion Rates, and Earnings in Registered Apprenticeship Programs in Illinois](#), Illinois Economic Policy Institute, 1 (Jan. 6, 2020); see generally [Career Seekers | Apprenticeship.gov](#).

²⁰ See Frank Manzo IV, MPP and Robert Bruno, PhD, [The Apprenticeship Alternative: Enrollment, Completion Rates, and Earnings in Registered Apprenticeship Programs in Illinois](#), Illinois Economic Policy Institute (Jan. 6, 2020); see also Cihan Bilginsoy, “Diversity in Construction Apprenticeship Programs,” [Diversity, Equity, and Inclusion Initiatives in the Construction Trades](#), The Institute for Construction Employment Research, 40-41 (March 2022).

²¹ See Ariane Hegewisch and Eve Mefferd, [A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry](#), Institute for Women’s Policy Research, 7 (November 2021); see also Cihan Bilginsoy, “Diversity in Construction Apprenticeship Programs,” [Diversity, Equity, and Inclusion Initiatives in the Construction Trades](#), The Institute for Construction Employment Research, 56 (March 2022); see generally Elka Torpey, “[Apprenticeships: Occupations and Outlook](#),” *Career Outlook*, Bureau of Labor Statistics (November 2017).

²² See Cihan Bilginsoy, “Diversity in Construction Apprenticeship Programs,” [Diversity, Equity, and Inclusion Initiatives in the Construction Trades](#), The Institute for Construction Employment Research, 41 (March 2022); Ariane Hegewisch and Eve Mefferd, [A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry](#), Institute for Women’s Policy Research, 7 (November 2021).

²³ [Construction and Extraction Occupations](#), *Occupational Outlook Handbook*, Bureau of Labor Statistics (last modified Sept. 8, 2022).

²⁴ In May 2022, the mean hourly wage for construction and extraction occupations was \$28.08. [Occupational Employment and Wages, May 2022: 47-0000 Construction and Extraction Occupations](#), *Occupational Employment and Wage Statistics*, Bureau of Labor Statistics (last modified April 25, 2023). The mean hourly wage for childcare workers was \$14.22. [Occupational Employment and Wages, May 2022: 39-9011 Childcare Workers](#), *Occupational Employment and Wage Statistics*, Bureau of Labor Statistics (last modified April 25, 2023). The mean hourly wage for home health and personal care aides was \$14.87. [Occupational Employment and Wages, May 2022: 31-1120 Home Health and Personal Care Aides](#), *Occupational Employment and Wage*

Statistics, Bureau of Labor Statistics (last modified April 25, 2023). The mean hourly wage for maids and housekeepers was \$15.35. [Occupational Employment and Wages, May 2022: 27-2012 Maids and Housekeeping Cleaners](#), *Occupational Employment and Wage Statistics*, Bureau of Labor Statistics (last modified April 25, 2023).

²⁵ See U.S. Department of Labor, [Bearing the Cost: How Overrepresentation in Undervalued Jobs Disadvantaged Women During the Pandemic](#) (March 15, 2022); [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Oral Testimony of Ariane Hegewisch](#), Senior Research Fellow, Institute for Women’s Policy Research (explaining that Black and Brown women are concentrated in low wage jobs that, unlike construction jobs, “do not provide economic security” for workers and their families); see also Marina Zhavoronkova, Rose Khattar, and Mathew Brady, [“Occupational Segregation in America,” Center for American Progress](#) (March 29, 2022).

²⁶ See [Construction: NAICS 23, Industries at a Glance](#), Bureau of Labor Statistics (data extracted May 21, 2023) (construction employees averaged 38.8 hours per week in 2022); [Leisure and Hospitality, Industries at a Glance](#), Bureau of Labor Statistics (data extracted May 21, 2023) (leisure and hospitality workers averaged 25.7 hours per week in 2022); [Retail Trade: NAICS 44-45, Industries at a Glance](#), Bureau of Labor Statistics (data extracted May 21, 2023) (retail workers averaged 30.2 hours per week in 2022); [“Health Care and Social Assistance: NAICS 62,” Industries at a Glance](#), Bureau of Labor Statistics (data extracted May 21, 2023) (health care and social assistance employees averaged 33.5 hours in 2022).

²⁷ See [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Written Testimony of Ariane Hegewisch](#), Senior Research Fellow, Institute for Women’s Policy Research, [Written Testimony of Melissa Wells](#), Special Assistant to the President for Diversity and Inclusion, North America’s Building Trades Union.

²⁸ [Construction: NAICS 23, Industries at a Glance](#), Bureau of Labor Statistics (data extracted May 19, 2023).

²⁹ See *id.* (In 2022, the median weekly earnings for full-time workers represented by unions were \$1,306 compared with \$976 for nonunion workers).

³⁰ [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Written Testimony of Japlan “Jazz” Allen](#), Chicago Women in Trades.

³¹ See [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Written Testimony of Kenneth D. Simonson](#), Chief Economist, Associated General Contractors of America.

³² See Hannah M Curtis, Hendrika Meischke, Bert Stover, Nancy J Simcox, Noah S Seixas, [“Gendered Safety and Health Risks in the Construction Trades,” Annals of Work Exposures and Health](#), Volume 62, Issue 4, 405-06, 410 (May 2018); see also [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission (May 17, 2022), [Written Testimony of Kenneth D. Simonson](#), Chief Economist, Associated General Contractors of America (“[S]uccess in construction requires constant teamwork that is impossible without mutual respect and support”).

³³ Ariane Hegewisch and Eve Mefferd, [A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry](#), Institute for Women’s Policy Research, 11 (November 2021);

see [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Written Testimony of Japlan “Jazz” Allen](#), Chicago Women in Trades (“layoffs and changing worksites and employers is the norm” in the industry).

³⁴ [The State of the Workforce and the Future of Work](#), U.S. Equal Employment Opportunity Commission Meeting (April 5, 2017), [Oral Testimony of Kenneth Rigmaiden](#).

³⁵ See [Household Data Annual Averages, Table 18, Employed persons by detailed industry, sex, race, and Hispanic or Latino ethnicity, 2022](#), *Labor Force Statistics from the Current Population Survey*, Bureau of Labor Statistics (last modified Jan. 25, 2023); Cihan Bilginsoy, “Diversity in Construction Apprenticeship Programs,” [Diversity, Equity, and Inclusion Initiatives in the Construction Trades](#), The Institute for Construction Employment Research, 40 (March 2022); see also [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission (May 17, 2022), [Written Testimony of Ariane Hegewisch](#), Senior Research Fellow, Institute for Women’s Policy Research.

³⁶ See [Household Data Annual Averages, Table 18, Employed persons by detailed industry, sex, race, and Hispanic or Latino ethnicity, 2022](#), *Labor Force Statistics from the Current Population Survey*, Bureau of Labor Statistics (last modified Jan. 25, 2023); Cihan Bilginsoy, “Diversity in Construction Apprenticeship Programs,” [Diversity, Equity, and Inclusion Initiatives in the Construction Trades](#), The Institute for Construction Employment Research, 40 (March 2022).

³⁷ Ariane Hegewisch and Eve Mefferd, [A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry](#), Institute for Women’s Policy Research, 1, 4 (November. 2021); [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Written Testimony of Kenneth D. Simonson](#), Chief Economist, Associated General Contractors of America.

³⁸ [“2021 Built Environment Social Equity Survey,” National Institute of Building Sciences](#), 6, 20 (May 2021).

³⁹ *Id.* at 6, 24.

⁴⁰ *Id.*

⁴¹ See, e.g., Timothy Bates, Joseph Farhat, and Colleen Casey, “The Economic Development Potential of Minority-Owned Businesses,” *Economic Development Quarterly*, Vol. 36(1), 53 (2022) (“Jobs generated by expanding minority firms are largely filled by minority employees”); Thomas D. Boston, “The Role of Black-Owned Businesses in Black Community Development,” *Jobs and Economic Development in Minority Communities*, 163 (2006) (“Black-owned businesses have a positive effect on Black employment,” and “Blacks are much more likely to be employed in greater percentages in Black-owned firms”).

⁴² Ariane Hegewisch and Eve Mefferd, [A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry](#), Institute for Women’s Policy Research, 4 (November. 2021); see Cihan Bilginsoy, “Diversity in Construction Apprenticeship Programs,” [Diversity, Equity, and Inclusion Initiatives in the Construction Trades](#), The Institute for Construction Employment Research, 44 (March 2022) (“Overall, the construction trades workforce is very male.”).

⁴³ See Ariane Hegewisch and Eve Mefferd, [A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry](#), Institute for Women’s Policy Research, 4 (November 2021).

⁴⁴ See Claire McAnaw Gallagher, “[The Construction Industry: Characteristics of the Employed, 2003-20](#),” *Spotlight on Statistics*, Bureau of Labor Statistics (April 2022).

⁴⁵ [Household Data Annual Averages, Table 11, Employed persons by detailed occupation, sex, race, and Hispanic or Latino ethnicity](#), *Labor Force Statistics from the Current Population Survey*, Bureau of Labor Statistics (last modified Jan. 25, 2023) (women made up 4.2% of the 8.427 million workers employed in construction and extraction occupations or approximately 353,934 workers; excluding construction and extraction occupations where the counts are too small to provide demographic data, the total number of women employed is equal to 317,180); see also [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Written Testimony of Ariane Hegewisch](#), Senior Research Fellow, Institute for Women’s Policy Research; Ariane Hegewisch and Eve Mefferd, [A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry](#), Institute for Women’s Policy Research, 34 (November 2021) (noting that more women than ever work in the construction trades).

⁴⁶ [Household Data Annual Averages, Table 18, Employed persons by detailed industry, sex, race, and Hispanic or Latino ethnicity, 2022](#), *Labor Force Statistics from the Current Population Survey*, Bureau of Labor Statistics (last modified Jan. 25, 2023).

⁴⁷ National Taskforce on Tradeswomen’s Issues, “[Numbers Matter: Clarifying the Data on Women Working in Construction](#),” *Institute for Women’s Policy Research* (March 31, 2022); see Claire McAnaw Gallagher, “[The Construction Industry: Characteristics of the Employed, 2003-20](#),” *Spotlight on Statistics*, Bureau of Labor Statistics (April 2022).

⁴⁸ Employed people are classified by occupation (what kind of work they do) and industry (what kind of work their employer or business does). People in the construction industry work in a wide variety of occupations. In 2020, construction and extraction occupations (such as construction laborers, carpenters, and electricians) accounted for about three-fifths of those employed in the construction industry. Claire McAnaw Gallagher, “[The Construction Industry: Characteristics of the Employed, 2003-20](#),” *Spotlight on Statistics*, Bureau of Labor Statistics (April 2022).

⁴⁹ [Household Data Annual Averages, Table 11, Employed persons by detailed occupation, sex, race, and Hispanic or Latino ethnicity](#), *Labor Force Statistics from the Current Population Survey*, Bureau of Labor Statistics (last modified Jan. 25, 2023).

⁵⁰ See generally [Household Data Annual Averages, Table 11, Employed persons by detailed occupation, sex, race, and Hispanic or Latino ethnicity](#), *Labor Force Statistics from the Current Population Survey*, Bureau of Labor Statistics (last modified Jan. 25, 2023).

⁵¹ See [Household Data Annual Averages, Table 11, Employed persons by detailed occupation, sex, race, and Hispanic or Latino ethnicity](#), *Labor Force Statistics from the Current Population Survey*, Bureau of Labor Statistics (last modified Jan. 25, 2023); [Construction and Extraction Occupations](#), *Occupational Outlook Handbook*, Bureau of Labor Statistics (last modified Sept. 8, 2022); [Data for Occupations Not Covered in Detail](#), Construction and extraction occupations, *Occupational Outlook Handbook*, Bureau of Labor Statistics (last modified Dec. 16, 2022).

⁵² [Household Data Annual Averages, Table 11, Employed persons by detailed occupation, sex, race, and Hispanic or Latino ethnicity](#), *Labor Force Statistics from the Current Population Survey*, Bureau of Labor Statistics (last modified Jan. 25, 2023); [Construction and Extraction Occupations](#), *Occupational Outlook Handbook*, Bureau of Labor Statistics (last modified Sept. 8, 2022).

⁵³ Registered apprenticeships are approved and validated by the U.S. Department of Labor or state apprenticeship agencies. See [Registered Apprenticeship Program | Apprenticeship.gov](#).

⁵⁴ See [Data and Statistics | Apprenticeship.gov](#) (In FY2022, there were 8,525 women active apprentices in construction compared to 2,806 in FY2013).

⁵⁵ See [Data and Statistics | Apprenticeship.gov](#) (In FY2022, women made up only 5% of new construction apprentices); see also Cihan Bilginsoy, David Bullock, Amy Tracy Wells, and Roland Zullo, [Diversity, Equity, and Inclusion Initiatives in the Construction Trades](#), The Institute for Construction Employment Research, 3 (March 2022) (“Although there has been modest growth over the last 10 years, women continue to constitute a small fraction of incoming classes of apprentices in both joint and non-joint programs.”).

⁵⁶ See [Data and Statistics | Apprenticeship.gov](#).

⁵⁷ [Data and Statistics | Apprenticeship.gov](#).

⁵⁸ See Maura Kelly and Lindsey Wilkinson, [2020 Evaluation of the Highway Construction Workforce Development Program](#), Portland State University, 12 (October 2020); Cihan Bilginsoy, “Diversity in Construction Apprenticeship Programs,” [Diversity, Equity, and Inclusion Initiatives in the Construction Trades](#), The Institute for Construction Employment Research, 53 (March 2022).

⁵⁹ See Maura Kelly and Lindsey Wilkinson, [2020 Evaluation of the Highway Construction Workforce Development Program](#), Portland State University, 12 (October 2020). Women’s registrations in construction apprenticeships are highest in the laborer (2021 median pay \$37,350), painter (2021 median pay \$45,590), and operating engineer (May 2022 mean annual wage \$59,420) trades. They are lowest in the HVACR (median pay \$48,630), power line (2022 median pay \$78,310), and elevator (2021 median pay \$97,860) trades. Notably, the operating engineer trade has “historically stood apart from all other trades in terms of (the) wide participation of women.” Cihan Bilginsoy, “Diversity in Construction Apprenticeship Programs,” [Diversity, Equity, and Inclusion Initiatives in the Construction Trades](#), The Institute for Construction Employment Research, 53 (March 2022); see [Construction and Extraction Occupations](#), *Occupational Outlook Handbook*, Bureau of Labor Statistics (last modified Sept. 8, 2022); [Occupational Employment and Wages, May 2022: 47-2073 Operating Engineers and Other Construction Equipment Operators](#), *Occupational Employment and Wage Statistics*, Bureau of Labor Statistics (last modified April 25, 2023).

⁶⁰ See [Household Data Annual Averages, Table 11, Employed persons by detailed occupation, sex, race, and Hispanic or Latino ethnicity](#), *Labor Force Statistics from the Current Population Survey*, Bureau of Labor Statistics (last modified Jan. 25, 2023); [Construction and Extraction Occupations](#), *Occupational Outlook Handbook*, Bureau of Labor Statistics (last modified Sept. 8, 2022).

⁶¹ See [Household Data Annual Averages, Table 18, Employed persons by detailed industry, sex, race, and Hispanic or Latino ethnicity, 2022](#), *Labor Force Statistics from the Current Population Survey*, Bureau of Labor Statistics (last modified Jan. 25, 2023).

⁶² See [Household Data Annual Averages, Table 11, Employed persons by detailed occupation, sex, race, and Hispanic or Latino ethnicity](#), *Labor Force Statistics from the Current Population Survey*, Bureau of Labor Statistics (last modified Jan. 25, 2023); [Construction and Extraction Occupations](#), *Occupational Outlook Handbook*, Bureau of Labor Statistics (last modified Sept. 8, 2022).

⁶³ [Household Data Annual Averages, Table 11, Employed persons by detailed occupation, sex, race, and Hispanic or Latino ethnicity](#), *Labor Force Statistics from the Current Population Survey*, Bureau of Labor Statistics (last modified Jan. 25, 2023).

⁶⁴ [Household Data Annual Averages, Table 18, Employed persons by detailed industry, sex, race, and Hispanic or Latino ethnicity, 2022](#), *Labor Force Statistics from the Current Population Survey*, Bureau of Labor Statistics (last modified Jan. 25, 2023); [Household Data Annual Averages, Table 11, Employed persons by detailed occupation, sex, race, and Hispanic or Latino ethnicity](#), *Labor Force Statistics from the Current Population Survey*, Bureau of Labor Statistics (last modified Jan. 25, 2023).

⁶⁵ [Household Data Annual Averages, Table 11, Employed persons by detailed occupation, sex, race, and Hispanic or Latino ethnicity](#), *Labor Force Statistics from the Current Population Survey*, Bureau of Labor Statistics (last modified Jan. 25, 2023)

⁶⁶ [Household Data Annual Averages, Table 18, Employed persons by detailed industry, sex, race, and Hispanic or Latino ethnicity, 2022](#), *Labor Force Statistics from the Current Population Survey*, Bureau of Labor Statistics (last modified Jan. 25, 2023).

⁶⁷ See Cihan Bilginsoy, “Diversity in Construction Apprenticeship Programs,” *Diversity, Equity, and Inclusion Initiatives in the Construction Trades*, The Institute for Construction Employment Research, 53 (March 2022); see also *Knocking Down Walls: Discrimination and Harassment in Construction*, U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Oral Testimony of Ariane Hegewisch](#), Senior Research Fellow, Institute for Women’s Policy Research (Latinas, like Latino men, are overrepresented in the construction industry compared to other women in the trades, “but they’re much less likely still to be in the best paying opportunities and apprenticeships.”).

⁶⁸ See [Household Data Annual Averages, Table 11, Employed persons by detailed occupation, sex, race, and Hispanic or Latino ethnicity](#), *Labor Force Statistics from the Current Population Survey*, Bureau of Labor Statistics (last modified Jan. 25, 2023); [Construction and Extraction Occupations](#), *Occupational Outlook Handbook*, Bureau of Labor Statistics (last modified Sept. 8, 2022).

⁶⁹ [Household Data Annual Averages, Table 11, Employed persons by detailed occupation, sex, race, and Hispanic or Latino ethnicity](#), *Labor Force Statistics from the Current Population Survey*, Bureau of Labor Statistics (last modified Jan. 25, 2023); [Construction and Extraction Occupations](#), *Occupational Outlook Handbook*, Bureau of Labor Statistics (last modified Sept. 8, 2022); [Construction Managers](#), *Occupational Outlook Handbook*, Bureau of Labor Statistics (last modified Nov. 16, 2022); [Data for Occupations Not Covered in Detail](#), Construction and extraction occupations, *Occupational Outlook Handbook*, Bureau of Labor Statistics (last modified Dec. 16, 2022).

⁷⁰ See [Data and Statistics | Apprenticeship.gov](#); see also Alex Camardelle, Ph.D., [Five Charts to Understand Black Registered Apprentices in the United States](#), Joint Center for Political and Economic Studies (March 20, 2023).

⁷¹ See [Data and Statistics | Apprenticeship.gov](#).

⁷² Cihan Bilginsoy, David Bullock, Amy Tracy Wells, and Roland Zullo, [Diversity, Equity, and Inclusion Initiatives in the Construction Trades](#), The Institute for Construction Employment Research, 3 (March 2022).

⁷³ Cihan Bilginsoy, “Diversity in Construction Apprenticeship Programs,” [Diversity, Equity, and Inclusion Initiatives in the Construction Trades](#), The Institute for Construction Employment Research, 53 (March 2022). The shares of Hispanic apprentices are highest among drywall installers (median pay \$48,350), roofers (median pay \$47,110), masons (median pay \$48,040), painters (median pay \$45,590), and flooring installers (median pay \$47,310), and lowest among millwrights (median pay \$61,750), boilermakers (median pay \$64,290), and powerline workers (median pay \$74,530). See *id.*; [Construction and Extraction Occupations](#), *Occupational Outlook Handbook*, Bureau of Labor Statistics (last modified Sept. 8, 2022); Bureau of Labor Statistics, [Line Installers and Repairers](#), *Occupational Outlook Handbook* (last modified Sept. 8, 2022); [Occupational Employment and Wages, May 2022: 49-9044 Millwrights](#), *Occupational Employment and Wage Statistics*, Bureau of Labor Statistics (last modified April 25, 2023).

⁷⁴ See Maura Kelly and Lindsey Wilkinson, [2020 Evaluation of the Highway Construction Workforce Development Program](#), Portland State University, 12 (October 2020); Cihan Bilginsoy, “Diversity in Construction Apprenticeship Programs,” [Diversity, Equity, and Inclusion Initiatives in the Construction Trades](#), The Institute for Construction Employment Research, 53 (March 2022).

⁷⁵ Alex Camardelle, Ph.D., [Five Charts to Understand Black Registered Apprentices in the United States](#), Joint Center for Political and Economic Studies (March 20, 2023).

⁷⁶ See [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Oral Testimony of Dr. Trevor Griffey](#), Lecturer of U.S. History at the University of California, Irvine (“Historically, the most lucrative jobs in the construction industry were restricted to white men until the 1970’s through a combination of employer and union bias”); see also *id.* (“[R]acism was overt, systematic and near total in the skilled trades of the construction industry before the 1970s.”).

⁷⁷ *Id.*

⁷⁸ *Id.*; see also [Advancing Racial and Economic Justice in the Workplace](#), U.S. Equal Employment Opportunity Commission Meeting (Aug. 22, 2022), [Oral Testimony of Thomas Beauford, Jr.](#), President and CEO, Buffalo Urban League.

⁷⁹ [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Oral Testimony of Dr. Trevor Griffey](#), Lecturer of U.S. History at the University of California, Irvine.

⁸⁰ *Id.*

⁸¹ *Id.*

⁸² See, e.g., *United States v. International Brotherhood of Electrical Workers, Local No. 38* (filed 1967); *United States v. Sheet Metal Workers Int'l Ass'n, Local 36* (filed 1966).

⁸³ [2021 Built Environment Social Equity Survey](#), *National Institute of Building Sciences*, 28, 30 (May 2021).

⁸⁴ *Id.* at 7, 30-31.

⁸⁵ [Advancing Racial and Economic Justice in the Workplace](#), U.S. Equal Employment Opportunity Commission Meeting (Aug. 22, 2022), [Oral Testimony of Thomas Beauford, Jr.](#), President and CEO, Buffalo Urban League.

⁸⁶ [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Oral Testimony of Janel Bailey](#), Co-Executive Director of Organizing and Programs, Los Angeles Black Worker Center; see Cihan Bilginsoy, “Diversity in Construction Apprenticeship Programs,” [Diversity, Equity, and Inclusion Initiatives in the Construction Trades](#), The Institute for Construction Employment Research, 41 (March 2022)

(“Apprenticeship is the traditional gateway into the skilled trades in construction.”); see also Frank Manzo IV, MPP and Robert Bruno, PhD, [The Apprenticeship Alternative: Enrollment, Completion Rates, and Earnings in Registered Apprenticeship Programs in Illinois](#), Illinois Economic Policy Institute (Jan. 6, 2020).

⁸⁷ See Cihan Bilginsoy, “Diversity in Construction Apprenticeship Programs,” [Diversity, Equity, and Inclusion Initiatives in the Construction Trades](#), The Institute for Construction Employment Research, 54-57 (March 2022); Maura Kelly and Lindsey Wilkinson, [2020 Evaluation of the Highway Construction Workforce Development Program](#), Portland State University, 8, 13-14 (October 2020); see also Ariane Hegewisch and Eve Mefferd, [A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry](#), Institute for Women’s Policy Research, 24 (November 2021) (“Recruitment, advancement, and retention of a diverse group of women apprentices now will determine the representation of women as journeyworkers and experienced tradespeople, shop stewards, foremen, supervisors, and other leaders in the future.”).

⁸⁸ See Cihan Bilginsoy, “Diversity in Construction Apprenticeship Programs,” [Diversity, Equity, and Inclusion Initiatives in the Construction Trades](#), The Institute for Construction Employment Research, 54 (March 2022); see also Maura Kelley, [2022 Evaluation of the Highway Construction Workforce Development Program](#), Portland State University (November 2022).

⁸⁹ See Ariane Hegewisch and Eve Mefferd, [A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry](#), Institute for Women’s Policy Research, 3 (November 2021).

⁹⁰ Cihan Bilginsoy, “Diversity in Construction Apprenticeship Programs,” [Diversity, Equity, and Inclusion Initiatives in the Construction Trades](#), The Institute for Construction Employment Research, 54-57 (March 2022).

⁹¹ *Id.* at 54.

⁹² See *id.*

⁹³ See *id.*; see also Alex Camardelle, Ph.D., [Five Charts to Understand Black Registered Apprentices in the United States](#), Joint Center for Political and Economic Studies (March 20, 2023) (finding a 41% completion rate for Black apprentices compared to 47% for Hispanic apprentices, 48% for white and Native apprentices, and 49% for Asian and Pacific Islander apprentices); Maura Kelly and Lindsey Wilkinson, [2020 Evaluation of the](#)

[Highway Construction Workforce Development Program](#), Portland State University, 14 (October 2020) (finding that Black men had the lowest completion rate-25%-among apprentices active in 2018-2019).

⁹⁴ Cihan Bilginsoy, “Diversity in Construction Apprenticeship Programs,” [Diversity, Equity, and Inclusion Initiatives in the Construction Trades](#), The Institute for Construction Employment Research, 54 (March 2022).

⁹⁵ *Id.*

⁹⁶ *Id.*

⁹⁷ See Maura Kelley, [2022 Evaluation of the Highway Construction Workforce Development Program](#), Portland State University, 10 (November 2022); Ariane Hegewisch and Eve Mefferd, [A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry](#), Institute for Women’s Policy Research, 26-29 (November 2021); Maura Kelly and Lindsey Wilkinson, [2020 Evaluation of the Highway Construction Workforce Development Program](#), Portland State University, 8-9, 16 (October 2020).

⁹⁸ Knocking Down Walls: Discrimination and Harassment in Construction, EEOC Hearing (May 17, 2022), Written Testimony of Japlan “Jazz” Allen, Chicago Women in Trades.

⁹⁹ Alex Camardelle, Ph.D., [Five Charts to Understand Black Registered Apprentices in the United States](#), Joint Center for Political and Economic Studies, 6 (March 20, 2023).

¹⁰⁰ Amy M. Denissen, “[The Right Tools for the Job: Constructing Gender Meanings and Identities in the Male-Dominated Building Trades](#),” *Human Relations*, Vol. 63, Issue 7, 1051-1069, 1057 (2010); see Hannah M. Curtis, Hendrika Meischke, Bert Stover, Nancy J. Simcox, Noah S. Seixas, “[Gendered Safety and Health Risks in the Construction Trades](#),” *Annals of Work Exposures and Health*, Volume 62, Issue 4, 405 (May 2018) (noting that “withholding of essential hands-on learning opportunities” during apprenticeships “can hinder women’s ability to advance in the trades and put them at risk of injury.”).

¹⁰¹ Hannah Curtis, MPH, and Noah Seixas, Ph.D., Addressing the Health and Safety Needs of Washington Women in the Trades, University of Washington Department of Environmental and Occupational Health Sciences, 5-6 (Nov. 18, 2016).

¹⁰² See Maura Kelly and Lindsey Wilkinson, [2020 Evaluation of the Highway Construction Workforce Development Program](#), Portland State University, 18 (October 2020); see also Maura Kelley, [2022 Evaluation of the Highway Construction Workforce Development Program](#), Portland State University, 10 (November 2022).

¹⁰³ Ariane Hegewisch and Eve Mefferd, [A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry](#), Institute for Women’s Policy Research, 26-27 (November 2021); see Cihan Bilginsoy, “Diversity in Construction Apprenticeship Programs,” [Diversity, Equity, and Inclusion Initiatives in the Construction Trades](#), The Institute for Construction Employment Research, 57 (March 2022) (noting that women apprentices are “massively disadvantaged in training”); [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Oral Testimony of Japlan “Jazz” Allen](#), Chicago Women in Trades (explaining that tradespeople need proper training “so when I go to the next job and to the next job and to the next job, I can compete with anybody out there no matter the race, creed, or color”); see also [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Written Testimony of Japlan “Jazz” Allen](#), Chicago Women in

Trades (describing how the problem of inadequate training persists even after completing an apprenticeship and impacts women’s access to steady work and advancement).

¹⁰⁴ Ariane Hegewisch and Eve Mefferd, [A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry](#), Institute for Women’s Policy Research, 27 (November 2021).^c

¹⁰⁵ See [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Written Testimony of Japlan “Jazz” Allen](#), Chicago Women in Trades.

¹⁰⁶ Maura Kelly and Lindsey Wilkinson, [2020 Evaluation of the Highway Construction Workforce Development Program](#), Portland State University, 16 (October 2020).

¹⁰⁷ *Id.*

¹⁰⁸ Ariane Hegewisch and Eve Mefferd, [A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry](#), Institute for Women’s Policy Research, 27 (November 2021); see [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission (May 17, 2022), [Written Testimony of Japlan “Jazz” Allen](#), Chicago Women in Trades.

¹⁰⁹ Alex Camardelle, Ph.D., [Five Charts to Understand Black Registered Apprentices in the United States](#), Joint Center for Political and Economic Studies, 7 (March 20, 2023).

¹¹⁰ *Id.*

¹¹¹ [EEOC v. Jacksonville Plumbers and Pipefitters Joint Apprenticeship and Training Trust](#), No. 3:18-cv-862-J32 (M.D. Fla. Jan. 10, 2020).

¹¹² *Id.*

¹¹³ [EEOC v. Joint Apprenticeship and Training Committee \(JATC\) of Sheet Metal Workers Local 25](#), no. 71 Civ. 2877 (S.D.N.Y. July 14, 2014).

¹¹⁴ [Union and Apprentice Program To Pay \\$1,650,000 to Settle Part of EEOC Race Bias Lawsuit | U.S. Equal Employment Opportunity Commission.](#)

¹¹⁵ See [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Written Testimony of Ariane Hegewisch](#), Senior Research Fellow, Institute for Women’s Policy Research; Maura Kelly and Lindsey Wilkinson, [2020 Evaluation of the Highway Construction Workforce Development Program](#), Portland State University, 17 (October 2020).

¹¹⁶ Lindsey Wilkinson and Maura Kelly, [Continuing to Build a More Diverse Workforce in the Highway Trades: 2018 Evaluation of the ODOT/BOLI Highway Construction Workforce Development Program](#), Portland State University, 17-19, 41 (September 2018).

¹¹⁷ *Id.*

¹¹⁸ Maura Kelly and Lindsey Wilkinson, [2020 Evaluation of the Highway Construction Workforce Development Program](#), Portland State University, 17 (October 2020).

¹¹⁹ *Id.*

¹²⁰ Maura Kelly and Lindsey Wilkinson, [2020 Evaluation of the Highway Construction Workforce Development Program](#), Portland State University, 17 (October 2020).

¹²¹ Ariane Hegewisch and Eve Mefferd, [A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry](#), Institute for Women’s Policy Research, 26-29 (November 2021).

¹²² *Id.* at 28.

¹²³ *Id.* at 13.

¹²⁴ [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Written Testimony of Ariane Hegewisch](#), Senior Research Fellow, Institute for Women’s Policy Research.

¹²⁵ [Knocking Down Walls: Discrimination and Harassment in Construction](#), EEOC Hearing (May 17, 2022), [Written Testimony of Ariane Hegewisch](#), Senior Research Fellow, Institute for Women’s Policy Research.

¹²⁶ See U.S. Department of Labor, [Bearing the Cost: How Overrepresentation in Undervalued Jobs Disadvantaged Women During the Pandemic](#) (March 15, 2022); Chandra Childers, Ph.D., Ariane Hegewisch, and Lark Jackson, [Here to Stay: Black, Latina, and Afro-Latina Women in Construction Trades Apprenticeships and Employment](#), National Center for Women’s Equity in Apprenticeship and Employment, Chicago Women in Trades (March 9, 2021); see also [EEOC v. Air Control Heating & Air Conditioning, Inc.](#), No. 2:21-cv-00347 (E.D. Wash. June 14, 2022) (EEOC alleged that company’s owner expressed disbelief that women workers could perform their job duties because of their sex, said that “women aren’t as good as men are at this job” and remarked that construction “should be a man’s job”).

¹²⁷ [EEOC v. BHT Constructions LLC](#), No. 19-cv-62145 (S.D. Fla. Aug. 27, 2019) (resolved pursuant to five-year consent decree providing \$38,000 in monetary relief to the female applicant and extensive injunctive relief to help secure a workplace free from sex discrimination, including anti-discrimination training for managers and employees).

¹²⁸ *Id.*

¹²⁹ [EEOC v. Illini Precast](#), 11-CV-879 (N.D. Ill. July 3, 2013).

¹³⁰ [EEOC v. Green JobWorks, LLC](#), No. 1:21-cv-01743 (D. Md. March 16, 2023).

¹³¹ See [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Oral Testimony of Dr. Trevor Griffey](#), Lecturer of U.S. History at University of California, Irvine.

¹³² [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Oral Testimony of Ariane Hegewisch](#), Senior Research Fellow, Institute for Women’s Policy Research; see David Bullock and Roland Zullo, “Diversity, Equity, and Inclusion Initiatives in the Non-Union Trades,” [Diversity, Equity, and Inclusion Initiatives in the Construction Trades](#), The Institute for Construction Employment Research, 31 (March 2022).

¹³³ *Id.* at 37.

¹³⁴ *Id.* at 39 (“In the union trades, a major DEI challenge is in overcoming barriers to entry for exclusive job opportunities entailing, among other things, contending with the internal political pressure among members to reserve those opportunities for friends and kin.”).

¹³⁵ [Advancing Racial and Economic Justice in the Workplace](#), U.S. Equal Employment Opportunity Commission Meeting (Aug. 22, 2022), [Oral Testimony of Thomas Beauford, Jr.](#), President and CEO, Buffalo Urban League.

¹³⁶ [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Written Testimony of Ariane Hegewisch](#), Senior Research Fellow, Institute for Women's Policy Research; see Timothy Bates, "[The Urban Development Potential of Black-Owned Businesses](#)," *Journal of the American Planning Association*, Vol. 71, No. 2, 227-237, 229 (2006) ("When most of the jobs available in small businesses are in White-owned firms, and many White owners prefer to hire relatives, family members, friends, and friends of friends, it follows that Black job seekers will do poorly"); see generally Judith K. Hellerstein, Melissa McInerney, and David Neumark, "[Neighbors and Coworkers: The Importance of Residential Labor Market Networks](#)," *Journal of Labor Economics*, Vol. 29, No. 4, 659-695, 691 (October 2011) (discussing the use of informal labor market contacts and noting that race-based networks may exacerbate racial differences in employment).

¹³⁷ [Advancing Racial and Economic Justice in the Workplace](#), U.S. Equal Employment Opportunity Commission Meeting (Aug. 22, 2022), [Oral Testimony of Thomas Beauford, Jr.](#), President and CEO, Buffalo Urban League.

¹³⁸ [EEOC v. ACM Services, Inc.](#), No. 8:14-CV-2997 (D. Md. Nov. 13, 2014).

¹³⁹ [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Written Testimony of Janel Bailey](#), Co-Executive Director of Organizing and Programs, Los Angeles Black Worker Center.

¹⁴⁰ [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Written Testimony of Janel Bailey](#), Co-Executive Director of Organizing and Programs, Los Angeles Black Worker Center; see [Do You See Me Now - labwc-dev \(lablackworkercenter.org\)](#)

¹⁴¹ [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Written Testimony of Janel Bailey](#), Co-Executive Director of Organizing and Programs, Los Angeles Black Worker Center.

¹⁴² [Do You See Me Now - labwc-dev \(lablackworkercenter.org\)](#) (the campaign is "designed to **fight the dominant narrative that there are not enough qualified black workers for quality jobs in our city.**") (emphasis in original).

¹⁴³ Ariane Hegewisch and Eve Mefferd, [A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry](#), Institute for Women's Policy Research, 14 (November 2021).

¹⁴⁴ *Id.*

¹⁴⁵ *Id.* at 15.

¹⁴⁶ See Hannah M. Curtis, Hendrika Meischke, Bert Stover, Nancy J. Simcox, Noah S. Seixas, "[Gendered Safety and Health Risks in the Construction Trades](#)," *Annals of Work Exposures and Health*, Vol. 62, Issue 4, 405-06, 410 (May 2018); see also [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Written Testimony of Kenneth D. Simonson](#),

Chief Economist, Associated General Contractors of America (“[S]uccess in construction requires constant teamwork that is impossible without mutual respect and support”).

¹⁴⁷ See Hannah M. Curtis, Hendrika Meischke, Bert Stover, Nancy J. Simcox, Noah S. Seixas, “[Gendered Safety and Health Risks in the Construction Trades](#),” *Annals of Work Exposures and Health*, Vol. 62, Issue 4, 404-415 (May 2018); see also Hannah Curtis, MPH, and Noah Seixas, Ph.D., [Addressing the Health and Safety Needs of Washington Women in the Trades](#), University of Washington Department of Environmental and Occupational Health Sciences, 3 (Nov. 18, 2016) (finding that sexual harassment and discrimination were “significantly associated with negative health and safety outcomes for women”); Maura Kelly and Lindsey Wilkinson, [2020 Evaluation of the Highway Construction Workforce Development Program](#), Portland State University, 17 (October 2020) (Latino apprentice reported terminating his apprenticeship after his coworkers dropped a piece of equipment without counting down and it landed on his foot).

¹⁴⁸ Joe Bousquin, “[Racism on the jobsite: How hate erodes construction’s bottom line](#),” *Construction Dive* (Oct. 19, 2020), quoting Allison Glussi, director of human resources at New York-based Bright Power, a provider of energy and water management systems for building owners.

¹⁴⁹ Joe Bousquin, “[Racism on the jobsite: How hate erodes construction’s bottom line](#),” *Construction Dive* (Oct. 19, 2020).

¹⁵⁰ Hannah M. Curtis, Hendrika Meischke, Bert Stover, Nancy J. Simcox, Noah S. Seixas, “[Gendered Safety and Health Risks in the Construction Trades](#),” *Annals of Work Exposures and Health*, Vol. 62, Issue 4, 404-15 (May 2018).

¹⁵¹ See, e.g., [EEOC v. The Whiting-Turner Contracting Company](#), No. 3:21-cv-00753 (M.D. Tenn. Oct. 1, 2021) (construction management and general contracting company subjected Black employees on a Clarksville, Tennessee jobsite to racial harassment, including referring to Black employees as “boy” “m---f-----” and “you;” in addition, portable toilets and buildings on the jobsite were defaced with racially offensive graffiti and a noose was displayed in the workplace on Martin Luther King Jr.’s birthday); [EEOC v. Giertsen Company of Wisconsin](#), No. 21-cv-1130 (E.D. Wis. June 2, 2022) (construction and commercial real estate renovation company repeatedly subjected Black employees to racial slurs and comments at its Waukesha, Wisconsin location); [EEOC v. Lone Wolf Resources](#), No. 3:21-cv-00979 (M.D. Fla. Sept. 30, 2021) (management at Florida environmental remediation and construction services company referred to Black employees using racial slurs; a manager referred to one Black employee as a “blue gum monkey,” called him “n---r,” and described Black people as “lazy”); [EEOC v. CCC Group](#), No. 1:20-cv-00610 (N.D.N.Y Aug. 8, 2021) (White supervisors and employees at an upstate New York construction site referred to Black workers as “n---rs” and “boy” and called them “gorillas” and “monkeys;” one supervisor attempted to ensnare a Black employee with a noose and another bragged that his ancestors had owned slaves); [EEOC v. Hathaway Dinwiddie Construction Company](#), No. 2:20-cv-06741 (C.D. Cal. May 12, 2021) (San Francisco-based general contractor subjected Black and Hispanic workers to racially offensive remarks and graffiti; case was resolved for \$725,000 and significant injunctive relief); [EEOC v. Air Systems](#), No. 5:19-cv-07574 (N.D. Cal. Aug. 20, 2020) (San Jose-based electrical subcontractor at the Apple Park construction project in Cupertino, California subjected African American employees to racial harassment, including racial slurs, taunting, threats of lynching, racist graffiti, and a

noose); *EEOC v. Driven Fence*, No. 17 C 6817 (N.D. Ill. Feb. 14, 2020) (warehouse manager and coworkers at an Illinois fencing company called a Black employee racial slurs and made offensive comments about Black people in his presence; the employee also discovered a noose hanging in the warehouse); *EEOC v. The Laquila Group*, No. 1:16-cv-05194 (E.D.N.Y. Dec. 1, 2017) (White labor foreman at a New York City excavation and construction company routinely referred to Black employees using racial slurs and derogatory terms such as “n----r,” “gorilla,” “monkey,” “animal,” and “Godzilla”); *EEOC v. J.L. Schwieters Construction*, No. 16-cv-03823 (D. Minn. Sept. 7, 2017) (White supervisor at a Minnesota construction project made a noose out of electrical wire and threatened to hang two Black employees); *EEOC v. King-Lar Co.*, No. 3:15-cv-03238 (C.D. Ill. March 30, 2017) (Illinois sheet metal and HVAC company allowed white employees to verbally harass and threaten a Black employee of Puerto Rican origin, which ultimately led to a brutal assault); *EEOC v. Olympia Construction*, No. 2:13-cv-155-N (S.D. Ala. March 12, 2014) (project superintendent and supervisor at a construction site in Selma, Alabama subjected three Black employees to racial slurs and intimidation, including “colored boy” and “n----r,” and said that the men were “lazy n----rs” and “not worth shit”); *EEOC v. Holmes & Holmes Industrial*, No. 10-CV-955 (D. Utah Apr. 16, 2013) (site superintendent at Utah construction company referred to African American employees as “n----rs” or a variation of that slur almost every time he spoke to them, employees regularly used the term “n----r-rigging,” and the portable toilets were covered with racist graffiti); *EEOC v. A.C. Widenhouse*, No. 1:11-cv-00498 (M.D.N.C. Feb. 1, 2013) (White employee at a North Carolina-based trucking company that transported molten asphalt for construction confronted his Black coworker with a noose and said, “[t]his is for you. Do you want to hang from the family tree?”).

¹⁵² See, e.g., *EEOC v. Skanska USA Building Inc.*, No. 2:10-cv-2717 (W.D. Tenn. Jan. 29, 2015) (co-worker threw feces, urine, and chemicals from a portable toilet at a Black employee); *EEOC v. A.C. Widenhouse*, No. 1:11-cv-00498 (M.D.N.C. Feb. 1, 2013) (African American employed by North Carolina-based trucking company to transport molten asphalt for construction was told by a co-worker holding a noose “[t]his is for you. Do you want to hang from the family tree?” and was asked by white employees if he wanted to be the “coon” in their “coon hunt.”); *EEOC v. Day & Zimmerman NPS, Inc.*, No. 11-civ. 04741 (E.D.N.Y. March 13, 2013) (foreman at a power plant frequently tripped Black laborer and once kicked him in the buttocks); *EEOC v. J.L. Schwieters Construction*, No. 16-cv-03823 (D. Minn. Sept. 7, 2017) (White supervisor at a Minnesota construction company threatened to hang two Black employees).

¹⁵³ *EEOC v. The Whiting-Turner Contracting Company*, No. 3:21-cv-00753 (M.D. Tenn. Oct. 1, 2021).

¹⁵⁴ *EEOC v. Skanska USA Building Inc.*, No. 2:10-cv-2717 (W.D. Tenn. Jan. 29, 2015).

¹⁵⁵ A buck hoist is a temporary elevator installed along the side of a building under construction to lift workers and materials.

¹⁵⁶ *EEOC v. American Casing & Equipment, Inc.*, No. 4:15-cv-00066 (D.N.D. May 24, 2016).

¹⁵⁷ *EEOC v. King-Lar Co.*, No. 3:15-cv-03238 (C.D. Ill. March 30, 2017).

¹⁵⁸ *Knocking Down Walls: Discrimination and Harassment in Construction*, U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), *Oral Testimony of Janel Bailey*, Co-Executive Director of Organizing and Programs, Los Angeles Black Worker Center.

¹⁵⁹ See Taylor Telford, “[Dozens of nooses have shown up on U.S. construction sites. The culprits rarely face consequences](#),” *The Washington Post* (July 22, 2021); see also Ariane Hegewisch and Eve Mefferd, [A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry](#), Institute for Women’s Policy Research, 15 (November 2021) (Graffiti and offensive symbols such as nooses are “a reminder of the aggression and contempt that too many tradeswomen face at work.”).

¹⁶⁰ Taylor Telford, “[Dozens of nooses have shown up on U.S. construction sites. The culprits rarely face consequences](#),” *The Washington Post* (July 22, 2021).

¹⁶¹ *Id.*

¹⁶² [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Written Testimony of Janel Bailey](#), Co-Executive Director of Organizing and Programs, Los Angeles Black Worker Center.

¹⁶³ [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Oral Testimony of Janel Bailey](#), Co-Executive Director of Organizing and Programs, Los Angeles Black Worker Center.

¹⁶⁴ This number is likely underinclusive. It includes only charges of discrimination: (a) on the basis of race (Black); (b) reported under the North American Industry Classification System (NAICS) code for construction (NAICS 23); and (c) that were flagged by enforcement staff as involving a noose.

¹⁶⁵ [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Oral Testimony of Gary](#), Ironworker.

¹⁶⁶ *Id.*

¹⁶⁷ *Id.*

¹⁶⁸ *Id.*

¹⁶⁹ [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Written Testimony of Gary](#), Ironworker.

¹⁷⁰ [Rebooting Workplace Harassment Prevention](#), U.S. Equal Employment Opportunity Commission Meeting (June 20, 2016), [Written Testimony of Contonius Gill](#), Charging Party, *EEOC v. A.C. Widenhouse, Inc.*; see also [Oral Testimony of Contonius Gill](#).

¹⁷¹ [Rebooting Workplace Harassment Prevention](#), U.S. Equal Employment Opportunity Commission Meeting (June 20, 2016), [Oral Testimony of Contonius Gill](#), Charging Party, *EEOC v. A.C. Widenhouse, Inc.*

¹⁷² [Rebooting Workplace Harassment Prevention](#), U.S. Equal Employment Opportunity Commission Meeting (June 20, 2016), [Written Testimony of Contonius Gill](#).

¹⁷³ *Id.*

¹⁷⁴ *EEOC v. A.C. Widenhouse*, No. 1:11-cv-00498 (M.D.N.C. Feb. 1, 2013).

¹⁷⁵ *EEOC v. A.C. Widenhouse, Inc.*, No. 1:11-cv-00498 (M.D.N.C. Feb. 22, 2013).

¹⁷⁶ *EEOC v. Air Systems*, No. 5:19-cv-07574 (N.D. Cal. Aug. 20, 2020).

¹⁷⁷ *EEOC v. Driven Fence*, No. 17 C 6817 (N.D. Ill. Feb. 14, 2020) (consent decree resolving the case required Driven Fence to provide \$25,000 to the former employee, strengthen its discrimination complaint procedures,

and develop and implement investigation procedures; the decree also required the companies to provide training to its employees and report any future complaints of race harassment to the EEOC).

¹⁷⁸ [*EEOC v. J.L. Schwieters Construction*](#), No. 16-cv-03823 (D. Minn. Sept. 7, 2017) (consent decree required company to pay \$125,000 to the two workers, provide training to management and non-management employees, revise its employee handbook to include a complaint procedure, and report complaints of race discrimination and racial harassment to the EEOC for two years).

¹⁷⁹ Ariane Hegewisch and Eve Mefferd, [*A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry*](#), Institute for Women's Policy

Research, 2 (November 2021); *see id.* at 14 ("Far too many respondents describe near-constant harassment at work").

¹⁸⁰ *Id.* at 2.

¹⁸¹ Lauren Sugerman, [*#MeToo in Traditionally Male-Dominated Occupations: Preventing and Addressing Sexual Harassment*](#), Chicago Women in Trades, National Center for Women's Equity in Apprenticeship and Employment, 2 (October 2017); *see also* Ariane Hegewisch and Eve Mefferd, [*A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry*](#), Institute for Women's Policy Research, 15 (November 2021) (more than 1 in 4 tradeswomen reported seeing pornography or graffiti disparaging to women at work).

¹⁸² Lauren Sugerman, [*#MeToo in Traditionally Male-Dominated Occupations: Preventing and Addressing Sexual Harassment*](#), Chicago Women in Trades, National Center for Women's Equity in Apprenticeship and Employment, 2 (October 2017).

¹⁸³ *Id.* at 2-3.

¹⁸⁴ *Id.* at 1; *see* Ariane Hegewisch and Eve Mefferd, [*A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry*](#), Institute for Women's Policy Research, 9 (November 2021) (given the low representation of women in the trades, "the odds of being on a job site with other tradeswomen are low").

¹⁸⁵ *Id.* at 10.

¹⁸⁶ *Id.*; *see* Chandra Childers, Ph.D., Ariane Hegewisch, and Lark Jackson, [*Here to Stay: Black, Latina, and Afro-Latina Women in Construction Trades Apprenticeships and Employment*](#), National Center for Women's Equity in Apprenticeship and Employment, Chicago Women in Trades, 2 (March 9, 2021); Lauren Sugerman, [*#MeToo in Traditionally Male-Dominated Occupations: Preventing and Addressing Sexual Harassment*](#), Chicago Women in Trades, National Center for Women's Equity in Apprenticeship and Employment, 2-3 (October 2017).

¹⁸⁷ *See* [*Select Task Force on the Study of Harassment in the Workplace*](#), Report of Co-Chairs Chai R. Feldblum and Victoria A. Lipnic (June 2016); *see also* Ariane Hegewisch, Jessica Forden, and Eve Mefferd, [*Paying Today and Tomorrow: Charting the Financial Costs of Workplace Sexual Harassment*](#), Institute for Women's Policy Research, 6 (July 2021).

¹⁸⁸ *See, e.g., EEOC v. Focus Plumbing, LLC*, No. 2:21-cv-01758 (D. Nev. Oct. 13, 2022) (Latina construction employees subjected to sexual harassment that included unwanted touching, groping, sexual advances, sexually offensive comments and requests); [*EEOC v. Keller Paving and Landscaping, Inc.*](#), No. 1:17-cv-00092

(D. N.D. June 5, 2018) (male coworker at a civil construction company asked female truck driver to perform oral sex on him and another male coworker touched her shoulder and her leg; she complained to the company's owners and site managers, but the harassment continued; and she was forced to quit her job because the work conditions were intolerable); [EEOC v. Sys-Con, LLC](#), No. 2:18-cv-00837 (M.D. Ala. March 11, 2019) (over a period of nearly 18 months, a supervisor at a general contractor demanded sexual favors from two non-English speaking Hispanic female employees and watched pornographic videos in front of them; the supervisor sexually assaulted one of the employees and then taunted her, asking whether she "liked it.").

¹⁸⁹ [EEOC v. Air Control Heating & Air Conditioning, Inc.](#), No. 2:21-cv-00347 (E.D. Wash. June 14, 2022).

¹⁹⁰ [EEOC v. Total Maintenance Solutions, Inc.](#), No. 1:18-cv-00413 (S.D. Ohio June 7, 2021) (company agreed to pay \$22,500 to the former female employee, provide anti-discrimination training, and report discrimination claims to an outside independent entity for investigation, among other relief).

¹⁹¹ [EEOC v. Desert Truss, Inc.](#), No. 19-CV-01127 (W.D. Tex. Nov. 4, 2020) (company agreed to pay \$70,000 to the employee, adopt and implement an effective policy against sexual harassment and retaliation, train its employees on the requirements of Title VII, and post notices in its workplaces of the company's intent to fully comply with the law).

¹⁹² See Hannah M. Curtis, Hendrika Meischke, Bert Stover, Nancy J. Simcox, Noah S. Seixas, "[Gendered Safety and Health Risks in the Construction Trades](#)," *Annals of Work Exposures and Health*, Vol. 62, Issue 4, 413 (May 2018) (noting that Black tradeswomen may experience greater danger and exposure to harassment and disrespect than white tradeswomen).

¹⁹³ Ariane Hegewisch and Eve Mefferd, [A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry](#), Institute for Women's Policy Research, 15 (November 2021).

¹⁹⁴ *Id.*

¹⁹⁵ [EEOC v. ACM Services, Inc.](#), No. 8:14-CV-2997 (D. Md. Nov. 13, 2014).

¹⁹⁶ [EEOC v. Labor Ready Northeast, Inc.](#), No. 2:15-CV-01251 (W.D. Penn. Nov. 9, 2016).

¹⁹⁷ *Id.*

¹⁹⁸ [EEOC v. Air Control Heating & Air Conditioning, Inc.](#), No. 2:21-cv-00347 (E.D. Wash. June 14, 2022).

¹⁹⁹ [EEOC v. Keller Paving and Landscaping, Inc.](#), No. 1:17-cv-00092 (D. N.D. June 5, 2018) (consent decree resolving the case required Keller to pay \$59,000 in monetary relief to the female truck driver, revise its policies to outline a complaint procedure for sexual harassment, train its managers and non-management employees on sexual harassment, and report complaints of sexual harassment to the EEOC for two years).

²⁰⁰ [2021 Built Environment Social Equity Survey](#), *National Institute of Building Sciences*, 28 (May 2021).

²⁰¹ Ariane Hegewisch and Eve Mefferd, [A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry](#), Institute for Women's Policy Research, 14 (November 2021).

²⁰² [EEOC v. Boh Bros. Construction Co.](#), No. 09-6460 (E.D. La. Feb. 27, 2014).

²⁰³ [2021 Built Environment Social Equity Survey](#), *National Institute of Building Sciences*, 28, 30 (May 2021).

²⁰⁴ *Id.* at 29.

²⁰⁵ *Id.* at 31.

²⁰⁶ *Id.* at 7, 39.

²⁰⁷ Ariane Hegewisch and Eve Mefferd, [A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry](#), Institute for Women’s Policy Research, 12 (November 2021).

²⁰⁸ *Id.* at 13.

²⁰⁹ *Id.* at 11; see also [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Written Testimony of Japlan “Jazz” Allen](#), Ironworker, Chicago Women in Trades.

²¹⁰ Ariane Hegewisch and Eve Mefferd, [A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry](#), Institute for Women’s Policy Research, 12 (November 2021).

²¹¹ Amy Tracy Wells, “Diversity, Equity, and Inclusion Initiatives in the Union Trades,” [Diversity, Equity, and Inclusion Initiatives in the Construction Trades](#), The Institute for Construction Employment Research, 25 (March 2022).

²¹² [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Written Testimony of Japlan “Jazz” Allen](#), Ironworker, Chicago Women in Trades.

²¹³ See, e.g., Maura Kelly, [2022 Evaluation of the Highway Construction Workforce Development Program](#), Portland State University, 10 (November 2022); [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Written Testimony of Japlan “Jazz” Allen](#), Chicago Women in Trades; Ariane Hegewisch and Eve Mefferd, [A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry](#), Institute for Women’s Policy Research, 27 (November 2021).

²¹⁴ See Lindsey Wilkinson and Maura Kelly, [Continuing to Build a More Diverse Workforce in the Highway Trades: 2018 Evaluation of the ODOT/BOLI Highway Construction Workforce Development Program](#), Portland State University, 21 (September 2018); see also Joe Bousquin, “Racism on the jobsite: How hate erodes construction’s bottom line,” [Construction Dive](#) (Oct. 19, 2020) (noting that Hispanic or Latinx workers are more likely to die on jobsites than white, non-Hispanic workers).

²¹⁵ Maura Kelly and Lindsey Wilkinson, [2020 Evaluation of the Highway Construction Workforce Development Program](#), Portland State University, 18 (October 2020).

²¹⁶ Hannah Curtis, MPH, and Noah Seixas, Ph.D., [Addressing the Health and Safety Needs of Washington Women in the Trades](#), University of Washington Department of Environmental and Occupational Health Sciences, 13-14 (Nov. 18, 2016).

²¹⁷ See, e.g., [EEOC v. Lone Wolf Resources, LLC](#), No. 3:21-cv-00979 (M.D. Fla. July 6, 2022) (environmental remediation and construction services company gave a Black employee less desirable assignments, denied him an annual performance evaluation and raise, and then fired him when he complained about his lack of an evaluation); [EEOC v. CCC Group](#), No. 1:20-cv-00610 (N.D.N.Y. Aug. 8, 2021) (a general construction contractor assigned Black employees to less desirable and more physically demanding work and subjected them to greater scrutiny and work criticism than white employees); [EEOC v. Vamco Sheet Metals, Inc.](#), No. 13-CV-6088 (S.D.N.Y. Oct. 29, 2014).

²¹⁸ [EEOC v. Vamco Sheet Metals, Inc.](#), No. 13-CV-6088 (S.D.N.Y. Oct. 29, 2014).

²¹⁹ [EEOC v. Olympia Construction, Inc.](#), No. 2:13-cv-155 (S.D. Ala. Apr. 16, 2013).

²²⁰ [EEOC v. CCC Group](#), No. 1:20-cv-00610 (N.D.N.Y Aug. 8, 2021).

²²¹ [EEOC v. Thompson Construction Group, Inc.](#), No. 1:20-cv-00406 (M.D.N.C. Oct. 1, 2020).

²²² [Retaliation | U.S. Equal Employment Opportunity Commission \(eoc.gov\)](#).

²²³ [Charge Statistics \(Charges filed with EEOC\) FY 1997 Through FY 2021 | U.S. Equal Employment Opportunity Commission](#).

²²⁴ [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Oral Testimony of Janel Bailey](#), Co-Executive Director of Organizing and Programs, Los Angeles Black Worker Center, [Oral Testimony of Japlan “Jazz” Allen](#), Chicago Women in Trades, [Oral Testimony of David Chincanchan](#), Policy Director, Workers Defense Project; *see also* [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Written Testimony of David Chincanchan](#), Policy Director, Workers Defense Project; [Workplace Harassment](#), U.S. Equal Employment Opportunity Commission Meeting (Jan. 14, 2015), [Oral Testimony of Fatima Goss Graves](#), Vice President for Education and Employment, National Women’s Law Center.

²²⁵ *See* [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Oral Testimony of Ariane Hegewisch](#), Senior Research Fellow, Institute for Women’s Policy Research; Ariane Hegewisch and Eve Mefferd, [A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry](#), Institute for Women’s Policy Research, 18 (November 2021).

²²⁶ [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Written Testimony of Japlan “Jazz” Allen](#), Chicago Women in Trades.

²²⁷ Hannah Curtis, MPH, and Noah Seixas, Ph.D., [Addressing the Health and Safety Needs of Washington Women in the Trades](#), University of Washington Department of Environmental and Occupational Health Sciences, 6 (Nov. 18, 2016).

²²⁸ [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Oral Testimony of Japlan “Jazz” Allen](#), Chicago Women in Trades (“[T]he minute you go inside and try to make a grievance for something, you might be penalized and never get a job again.”).

²²⁹ *See, e.g.*, [EEOC v. Garrison Contractors](#), No. 4:14-CV-00073 (W.D. Tex. Sept. 2, 2015) (Texas oil field construction and services company fired its only female roustabout after she reported being sexually harassed on the job); [EEOC v. Holmes & Holmes Industrial](#), No. 10-CV-955 (D. Utah Apr. 16, 2013) (court found that a Utah construction company fired a Black employee for complaining about racial harassment); [EEOC v. Day & Zimmerman NPS, Inc.](#), No. 11-civ. 04741 (E.D.N.Y. March 13, 2013) (company disciplined Black employee less than an hour after a meeting in response to his complaints of racial harassment and fired him later that day, citing a false safety violation); [EEOC v. Olympia Construction, Inc.](#), No. 2:13-cv-155 (S.D. Ala. Apr. 16, 2013) (Alabama company terminated three Black employees who complained to the company owner and officials about racial slurs and intimidation and informed the company that they had contacted the EEOC); [EEOC](#)

v. The Laquila Group, No. 1:16-cv-05194 (E.D.N.Y. Dec. 1, 2017) (supervisor terminated Black employee a few days after he complained to the project superintendent and his union about racial harassment); *EEOC v. American Casing & Equipment, Inc.*, No. 4:15-cv-00066 (D.N.D. May 24, 2016) (Filipino employee fired after he complained to the company's safety manager about harassment based on race and national origin); *EEOC v. ACM Services, Inc.*, No. 8:14-CV-2997 (D. Md. Nov. 13, 2014) (environmental remediation services contractor terminated two Hispanic female employees who opposed harassment and discrimination based on sex, race, and national origin); *EEOC v. Sys-Con, LLC*, No. 2:18-cv-00837 (M.D. Ala. March 11, 2019) (supervisor for an Alabama-based general contractor terminated female employee who rejected his sexual advances); *EEOC v. Total Maintenance Solutions, Inc.*, No. 1:18-cv-00413 (S.D. Ohio, June 13, 2018) (female employee who repeatedly complained about the company owner's sexual harassment was fired in retaliation for her complaints); *EEOC v. Desert Truss, Inc.*, No. SA:19-CV-01127 (W.D. Tex. Nov. 4, 2020) (the company fired a female employee in retaliation for opposing repeatedly unwelcome and offensive sexual advances from the company's owner); *EEOC v. Giertsen Company of Wisconsin*, No. 21-cv-1130 (E.D. Wis. June 2, 2022) (after Black employee complained about racial harassment, the company assigned him to physically demanding and dirty work below his job title and then fired him).

²³⁰ *EEOC v. Olympia Construction, Inc.*, No. 2:13-cv-155 (S.D. Ala. Apr. 16, 2013).

²³¹ See *Knocking Down Walls: Discrimination and Harassment in Construction*, U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Written Testimony of Japlan "Jazz" Allen](#), Chicago Women in Trades.

²³² *EEOC v. Boh Bros. Construction Co.*, No. 09-6460 (E.D. La. Feb. 27, 2014).

²³³ *EEOC v. Boh Bros. Construction Co.*, No. 09-6460 (E.D. La. Feb. 27, 2014).

²³⁴ *EEOC v. The Laquila Group*, No. 1:16-cv-05194 (E.D.N.Y. Dec. 1, 2017).

²³⁵ See *Shaping the EEOC's Strategic Enforcement Priorities*, U.S. Equal Employment Opportunity Commission Meeting (Sept. 22, 2022), [Oral Testimony of Chris Williams](#), Director of Litigation, National Legal Advocacy Network.

²³⁶ *Id.*

²³⁷ *Id.*

²³⁸ *EEOC v. Labor Ready Northeast, Inc.*, No. 2:15-CV-01251 (W.D. Penn. Sept. 24, 2015).

²³⁹ *Id.*

²⁴⁰ See *Knocking Down Walls: Discrimination and Harassment in Construction*, U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Oral Testimony of David Chincanchan](#), Policy Director, Workers Defense Project; *Shaping the EEOC's Strategic Enforcement Priorities*, U.S. Equal Employment Opportunity Commission Meeting (Sept. 22, 2022), [Oral Testimony of Chris Williams](#), Director of Litigation, National Legal Advocacy Network; *Identifying Vulnerable Workers and Reaching Underserved Communities*, U.S. Equal Employment Opportunity Commission Meeting (Sept. 12, 2022), [Oral Testimony of Marisa Diaz](#), Senior Staff Attorney, Legal Aid at Work, [Oral Testimony of Marisa Lundin](#), Legal Director, Indigenous Program at California Rural Legal Assistance, Inc. ("[I]ndigenous workers are very fearful of retaliation, which is another disincentive to reporting"), [Oral Testimony of Vidhi Bamzai](#), Staff Attorney, Southern Poverty Law Center (SPLC)

(immigrant workers, and particularly workers who speak languages other than English, “fear and experience retaliation for reporting sexual harassment, and so they are less likely to report”).

²⁴¹ [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Oral Testimony of David Chincanchan](#), Policy Director, Workers Defense Project.

²⁴² [EEOC v. Focus Plumbing, LLC](#), No. 2:21-cv-01758 (D. Nev. Oct. 13, 2022).

²⁴³ [EEOC v. Sys-Con, LLC](#), No. 2:18-cv-00837 (M.D. Ala. March 11, 2019).

²⁴⁴ [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Oral Testimony of Gary](#), Ironworker.

²⁴⁵ [Rebooting Workplace Harassment Prevention](#), U.S. Equal Employment Opportunity Commission Meeting (June 20, 2016), [Written Testimony of Contonius Gill](#), Charging Party, *EEOC v. A.C. Widenhouse, Inc.*

²⁴⁶ [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Oral Testimony of James E.B. Bobseine](#), Trial Attorney, EEOC Buffalo Local Office.

²⁴⁷ See, e.g., [EEOC v. Giertsen Company of Wisconsin](#), No. 21-cv-1130 (E.D. Wis. June 2, 2022) (Black employees complained about racial harassment at Wisconsin construction and commercial real estate renovation company and company took no action to stop it; instead, managers witnessed and participated in the racist conduct); [EEOC v. Air Systems](#), No. 5:19-cv-07574 (N.D. Cal. Aug. 20, 2020) (California-based electrical subcontractor at the Apple Park failed to act when notified by two Black employees that a white coworker had taunted them with racial pejoratives); [EEOC v. Keller Paving and Landscaping, Inc.](#), No. 1:17-cv-00092 (D. N.D. June 5, 2018) (female truck driver subjected to egregious sexual harassment by male coworkers at a North Dakota civil construction company was forced to resign when the company’s owners and site managers took no action to stop the harassment and her work conditions became intolerable).

²⁴⁸ [EEOC v. Air Control Heating & Air Conditioning, Inc.](#), No. 2:21-cv-00347 (E.D. Wash. June 14, 2022).

²⁴⁹ Ariane Hegewisch and Eve Mefferd, [A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry](#), Institute for Women’s Policy Research, 2 (November 2021).

²⁵⁰ *Id.* at 18.

²⁵¹ Maura Kelly, [2022 Evaluation of the Highway Construction Workforce Development Program](#), Portland State University, 19 (November 2022).

²⁵² *Id.*

²⁵³ [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Oral Testimony of Janel Bailey](#), Co-Executive Director of Organizing and Programs, Los Angeles Black Worker Center.

²⁵⁴ [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Written Testimony of Janel Bailey](#), Co-Executive Director of Organizing and Programs, Los Angeles Black Worker Center.

²⁵⁵ See Ariane Hegewisch and Eve Mefferd, [A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry](#), Institute for Women’s Policy Research, 18-19 (November 2021).

²⁵⁶ *Id.* at 19.

²⁵⁷ See David Bullock and Roland Zullo, “Diversity, Equity, and Inclusion Initiatives in the Non-Union Trades,” [Diversity, Equity, and Inclusion Initiatives in the Construction Trades](#), The Institute for Construction Employment Research, 38 (March 2022).

²⁵⁸ Ariane Hegewisch and Eve Mefferd, [A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry](#), Institute for Women’s Policy Research, 17 (November 2021).

²⁵⁹ *Id.* at 4; see [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Written Testimony of Kenneth D. Simonson](#), Chief Economist, Associated General Contractors of America (“In short, construction firms are busy. They are hiring as many workers as they can, and they have good reason to expect they will need more workers in the years ahead.”).

²⁶⁰ Joe Bousquin, “[Racism on the jobsite: How hate erodes construction’s bottom line](#),” *Construction Dive* (Oct. 19, 2020).

²⁶¹ See [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Oral Testimony of Dr. Trevor Griffey](#), Lecturer of U.S. History at University of California, Irvine (“[T]he best way for agencies like the EEOC to enforce fair employment law is to partner with tradeswomen and Black worker organizations to help watchdog the enforcement of the law.”); [Advancing Racial and Economic Justice in the Workplace](#), U.S. Equal Employment Opportunity Commission Meeting (Aug. 22, 2022), [Oral Testimony of Thomas Beauford, Jr.](#), President and CEO, Buffalo Urban League.

²⁶² [Select Task Force on the Study of Harassment in the Workplace](#), Report of Co-Chairs Chai R. Feldblum and Victoria A. Lipnic (June 2016).

²⁶³ See [Select Task Force on the Study of Harassment in the Workplace](#), Report of Co-Chairs Chai R. Feldblum and Victoria A. Lipnic (June 2016).

²⁶⁴ See [Select Task Force on the Study of Harassment in the Workplace](#), Report of Co-Chairs Chai R. Feldblum and Victoria A. Lipnic (June 2016).

²⁶⁵ See [Advancing Racial and Economic Justice in the Workplace](#), U.S. Equal Employment Opportunity Commission Meeting (Aug. 22, 2022), [Oral Testimony of Thomas Beauford, Jr.](#), President and CEO, Buffalo Urban League (many construction firms are smaller businesses that may not have sophisticated compliance or HR infrastructure but that have “a profound impact on the population that we’re talking about that will be able to avail all of these opportunities”).

²⁶⁶ See [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Oral Testimony of David Chincanchan](#), Policy Director, Workers Defense Project; [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Oral Testimony of James E.B. Bobseine](#), Trial Attorney, EEOC Buffalo Local Office.

²⁶⁷ See [Select Task Force on the Study of Harassment in the Workplace](#), Report of Co-Chairs Chai R. Feldblum and Victoria A. Lipnic (June 2016); see also [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Oral Testimony of James E.B. Bobseine](#), Trial Attorney, EEOC Buffalo Local Office; [Knocking Down Walls: Discrimination and Harassment in Construction](#), U.S. Equal Employment Opportunity Commission Hearing (May 17, 2022), [Oral Testimony of Japlan “Jazz” Allen](#), Chicago Women in Trades.