

# FINAL PRESENTATION

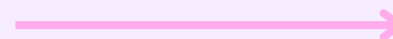
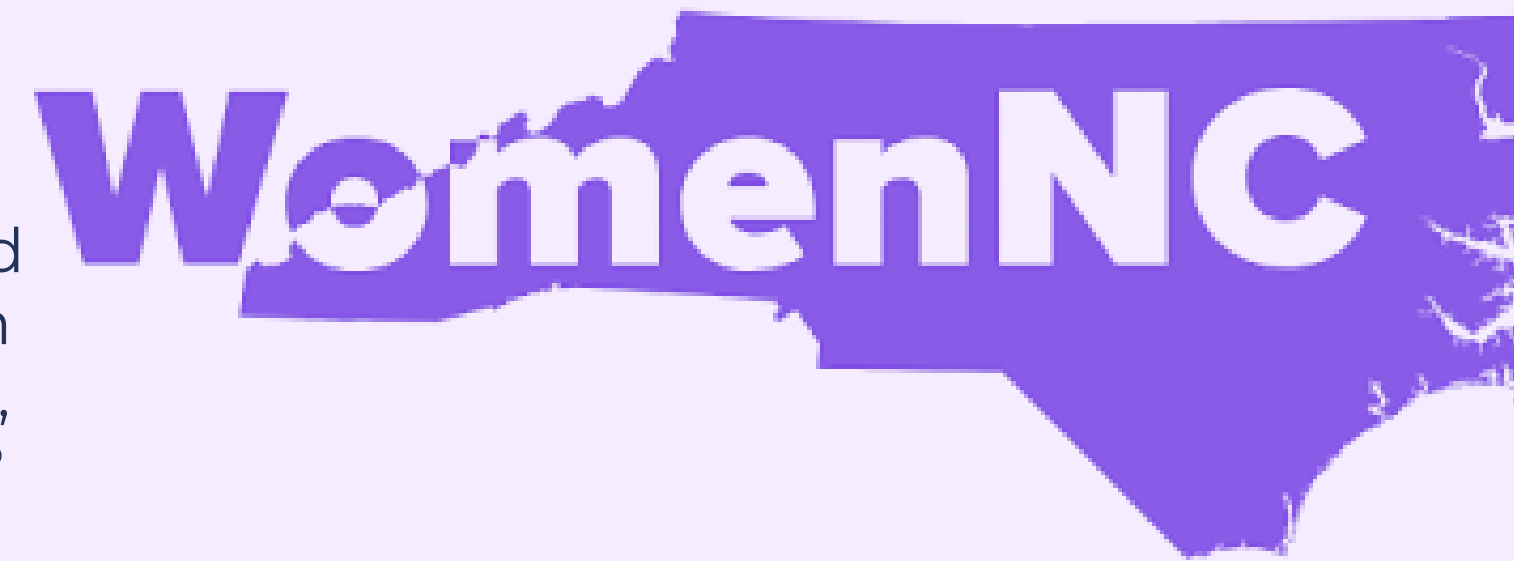
GRACE W. BERRY

Beyond Title VII: Benchmarking Gender-Based Workplace Protections in North Carolina and the Southeast

# RESEARCH QUESTION

**How does North Carolina’s legal framework for addressing gender-based workplace discrimination compare to neighboring states—Virginia, Tennessee, and South Carolina—in terms of statutory protections and reported EEOC complaint trends?** Based on this comparative analysis, where does North Carolina stand within the broader regional landscape of gender discrimination protections, and what targeted policy strategies could help close identified gaps?

This research analyzes publicly reported EEOC charge data from 2009 to 2024 alongside a comparative review of gender-based discrimination laws in North Carolina, Virginia, Tennessee, and South Carolina. By examining both the frequency and share of sex-based EEOC complaints, and the statutory frameworks that either support or fail to support complainants, this project identifies key gaps in North Carolina’s legal protections relative to its regional peers.



# PROJECT OVERVIEW

- 1 Legislative Analysis Report
- 2 Navigational Toolkit
- 3 Policy Recommendations Document
- 4 Community Forum Presentation

# BACKGROUND

## WHY IT MATTERS

- Federal laws like Title VII prohibit gender-based workplace discrimination, but state protections vary.
- North Carolina's framework—via the North Carolina Equal Employment Practices Act (NCEEPA)—is limited:
  - **No private right of action**
  - **No standalone law for sexual harassment or retaliation**
  - **No requirement for pregnancy accommodations**
  - **No explicit LGBTQ+ protections beyond federal standards**

*As a result, workers must rely on the EEOC, which can be slow, inaccessible, or difficult to navigate.*

## Comparative Focus

- This project uses EEOC sex-based complaint data and state legal comparisons (NC vs. VA, TN, SC) to:
  - Assess how workers in NC seek redress
  - Benchmark gaps in state-level protections
  - Identify where NC falls in the regional policy landscape

# BACKGROUND

## WHY IT MATTERS

### STRUCTURAL & ECONOMIC BARRIERS IN NC

**Wage Inequity:** Women in NC earn just 85.7% of men's median weekly income (NC Dept. of Commerce, 2022).  
Occupational Segregation: Women hold 64% of the state's lowest-paying jobs, increasing economic vulnerability (NC Justice Center, 2022).

**Underrepresentation:** Women remain excluded from male-dominated fields like construction and tech (Catalyst, 2020).

#### **Harassment & Retaliation:**

- 49% of women in male-majority workplaces report harassment is a problem (Pew, 2018).
- 77% of transgender workers in NC report mistreatment; 16% lost jobs due to gender identity (NCTE, 2015).

Fear of retaliation and job loss deters reporting.

# PROBLEM STATEMENT

Gender-based workplace discrimination remains a widespread issue in North Carolina, where women and gender minorities face persistent inequities—including wage gaps, harassment, and limited legal protections. In 2023, women working full-time earned just **85.8%** of what men earned, with even wider disparities for Black women (NC Justice Center, 2023). Nearly **1 in 3** women report experiencing workplace harassment (Pew, 2018), and transgender workers face disproportionate mistreatment (NCTE, 2015).

With limited state-level protections, many North Carolinians must rely on complex federal processes like the EEOC (Movement Advancement Project, 2023).

**This project goes beyond acknowledging the problem to assess how North Carolina compares to neighboring states in addressing gender-based workplace discrimination. Through comparative analysis, it examines whether the state lags behind, leads, or aligns with regional peers—and identifies targeted policy solutions to close the gaps.**

# DATA ANALYSIS

To support this project's comparative assessment of gender-based workplace discrimination, I used publicly available data from the U.S. Equal Employment Opportunity Commission (EEOC), which provides annual breakdowns of discrimination charges filed by state and by basis (e.g., race, sex, disability).

## PRIMARY DATA SOURCES

- EEOC Enforcement Statistics (2009–2024): Available via [EEOC.gov/statistics](https://www.eeoc.gov/statistics)
- Annual State-by-State Charge Totals (2009–2024): [EEOC.gov/statistics](https://www.eeoc.gov/statistics)
- Charge Visualizations (2009–2024): From internally curated datasets and public visualizations that categorize charges by “basis of discrimination” and geographic location.

# DATA ANALYSIS

To identify relevant trends, I filtered the EEOC dataset to isolate:

- Sex-based discrimination charges only (including those citing sexual harassment, pregnancy discrimination, and gender identity).
- Charges by state (NC, VA, TN, and SC) from 2009 to 2024.
- Annual totals and proportions, calculating:
  - The average number of sex-based complaints per year
  - The percentage of all EEOC charges that were sex-based

These measures were used to create bar charts, line graphs, and correlation plots, helping visualize how North Carolina compares to its neighbors over time.

Each state's dataset was cross-referenced with its legal landscape to explore how policy gaps may correlate with higher federal complaint volume.

# METHODOLOGY

## LEGEND



## Key Variables:

- Total EEOC Charges per State (2009–2024)
- Sex-Based Charges (e.g., sexual harassment, pregnancy, gender identity)
- Percentage of Total Charges That Are Sex-Based

## Methods:

- Organized 16 years of EEOC data into a comparative dataset for NC, VA, TN, and SC.
- Calculated average annual sex-based charges per state.
- Determined the share of all EEOC charges that were sex-based.
- Created colored coded visualizations using Tableau (bar graphs, trend lines, box-plots, correlation plots) to display trends.
- Cross-referenced EEOC complaint trends with a comparative analysis of legal protections in NC, VA, TN, and SC, focusing on statutes related to sex discrimination, harassment, pregnancy accommodations, and LGBTQ+ inclusion.
- Legal code information was obtained from each state's official General Assembly or Legislative Code websites (e.g., N.C. General Statutes, Code of Virginia, Tennessee Code Annotated, South Carolina Code of Laws).

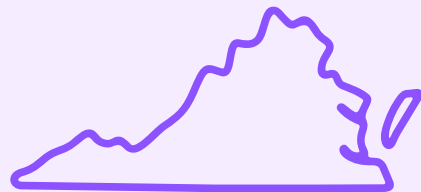
# LEGAL CONTEXT

## North Carolina



- **Weakest** legal framework among all four states.
- NCEPA expresses policy but does not grant a private right of action.
- No explicit harassment, pregnancy, or LGBTQ+ protections.
- Workers must rely on federal law (e.g., Title VII) and the EEOC.

## Virginia



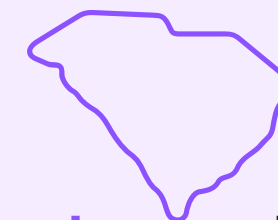
- **Strongest** state-level protections.
- Virginia Values Act (2020) expanded VHRA to include:
  1. *A private right of action*
  2. *LGBTQ+ protections*
  3. *Mandatory pregnancy accommodations*
  4. *Allows both public and private sector employees to seek redress through state law.*

## Tennessee



- Offers **moderate** protections.
- THRA covers sex discrimination and retaliation.
- No LGBTQ+ protections under state law, and pregnancy accommodations are not well defined.
- Private right of action available.

## South Carolina



- Offers **minimal** state-level protections.
- Human Affairs Law prohibits sex discrimination but:
  1. *No standalone sexual harassment law*
  2. *No private right of action*
  3. *Like NC, workers largely rely on federal processes.*

# DATA PRESENTATION

# WORKPLACE DISCRIMINATION PROTECTIONS

## COMPARATIVE ANALYSIS

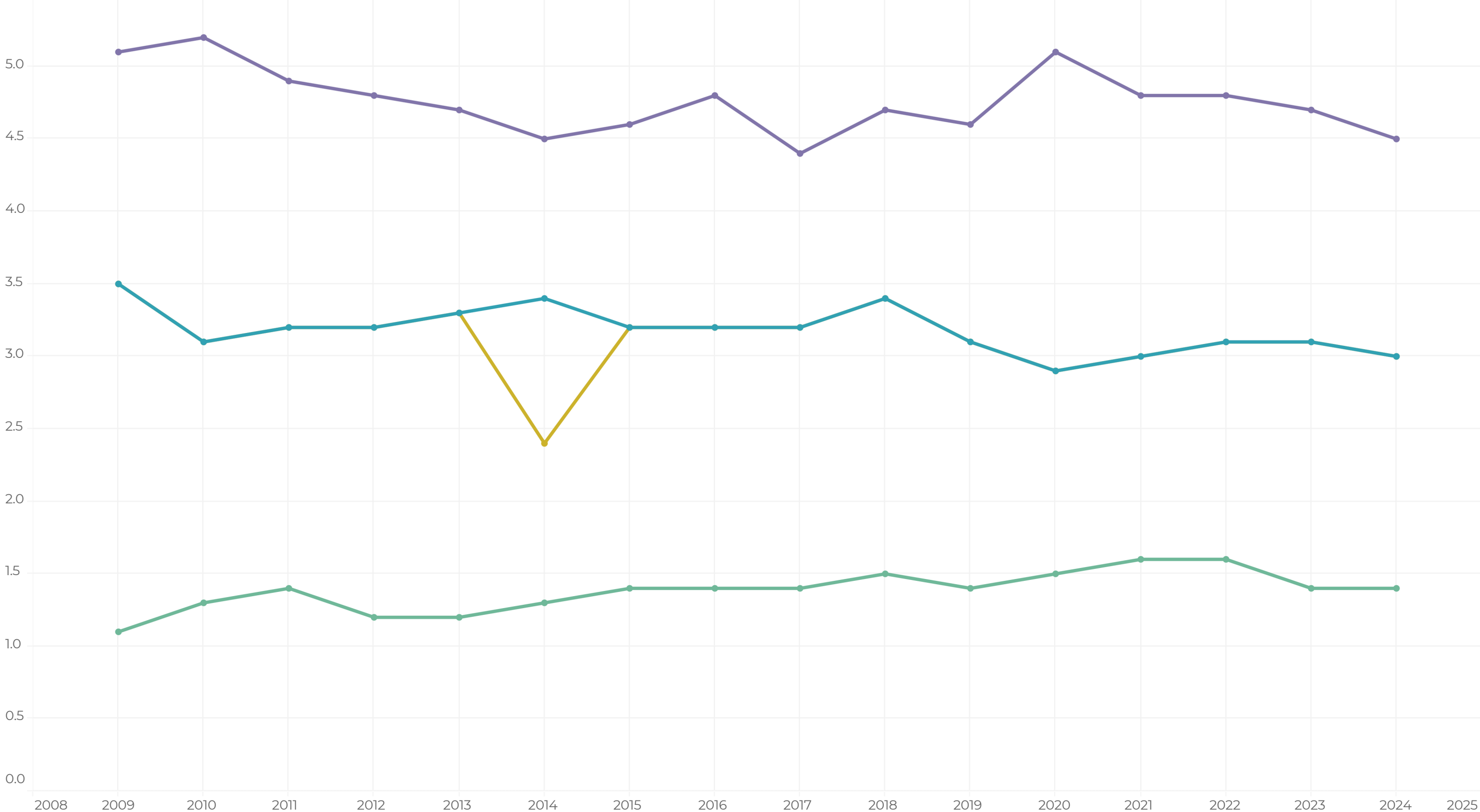
| LEGAL CRITERIA              | NC | VA                    | TN                     | SC                                 |
|-----------------------------|----|-----------------------|------------------------|------------------------------------|
| Private Right of Action     | ✗  | ✓                     | ✓                      | ✗                                  |
| Sexual Harassment Law       | ✗  | ✓                     | ⚠ Covered under THRA   | ⚠ Broadly under sex discrimination |
| Pregnancy Accommodations    | ✗  | ✓                     | ⚠ Not clearly mandated | ⚠ Not explicitly required          |
| LGBTQ+ Protections          | ✗  | ✓                     | ✗                      | ✗                                  |
| Paid Parental Leave (state) | ✗  | ⚠ Some local policies | ✗                      | ✗                                  |

Tennessee’s Human Rights Act bars (THRA) discrimination in employment, housing, and public spaces based on factors like race, sex, religion, disability, and more. It covers employers with **eight** or more employees statewide.

# % of Total EEOC Charges Related to Sex-Based Discrimination by State and Year (2009-2024)

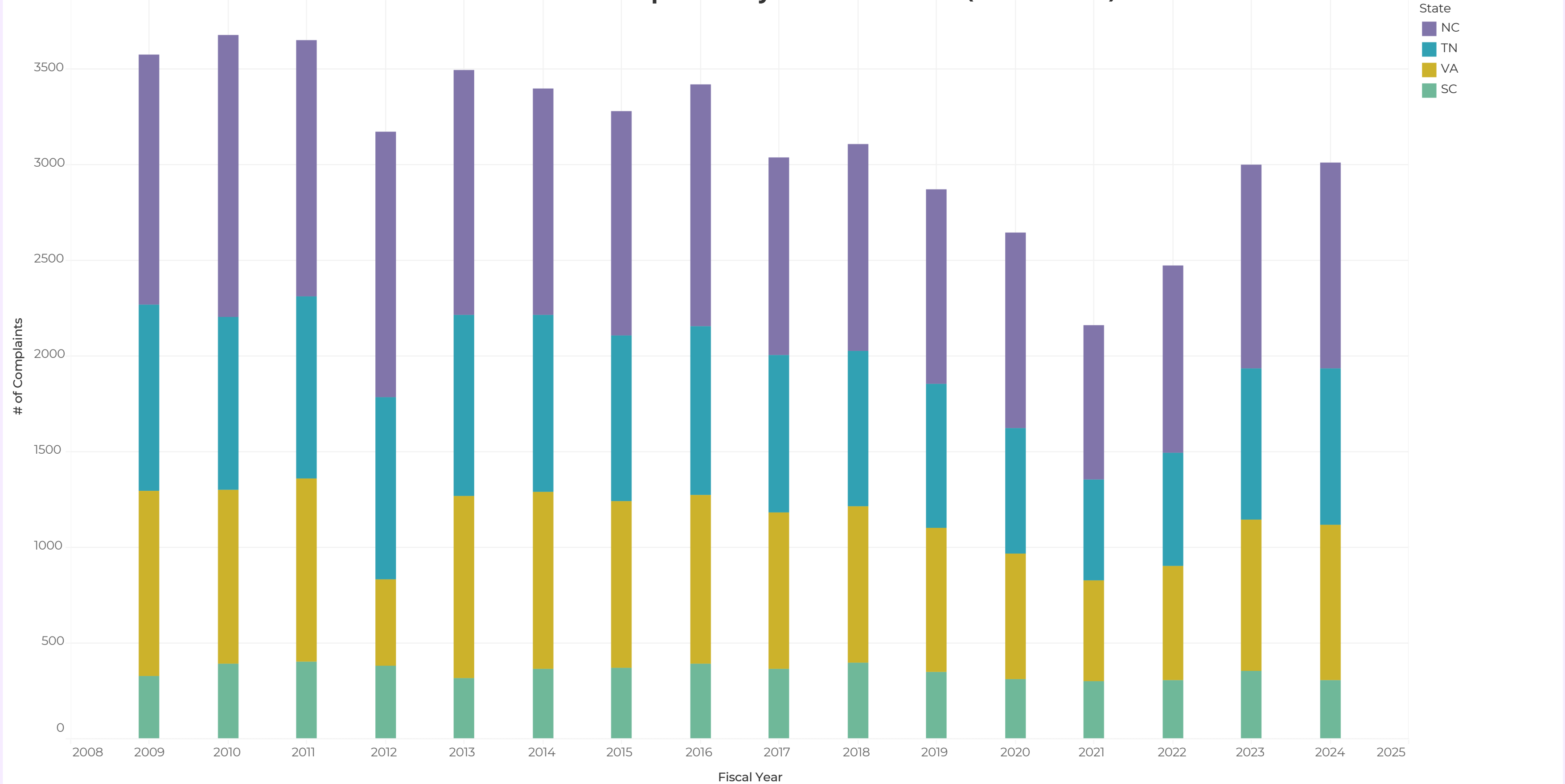
% of Total EEOC State Receipts by Discrimination Type

State  
NC  
SC  
TN  
VA



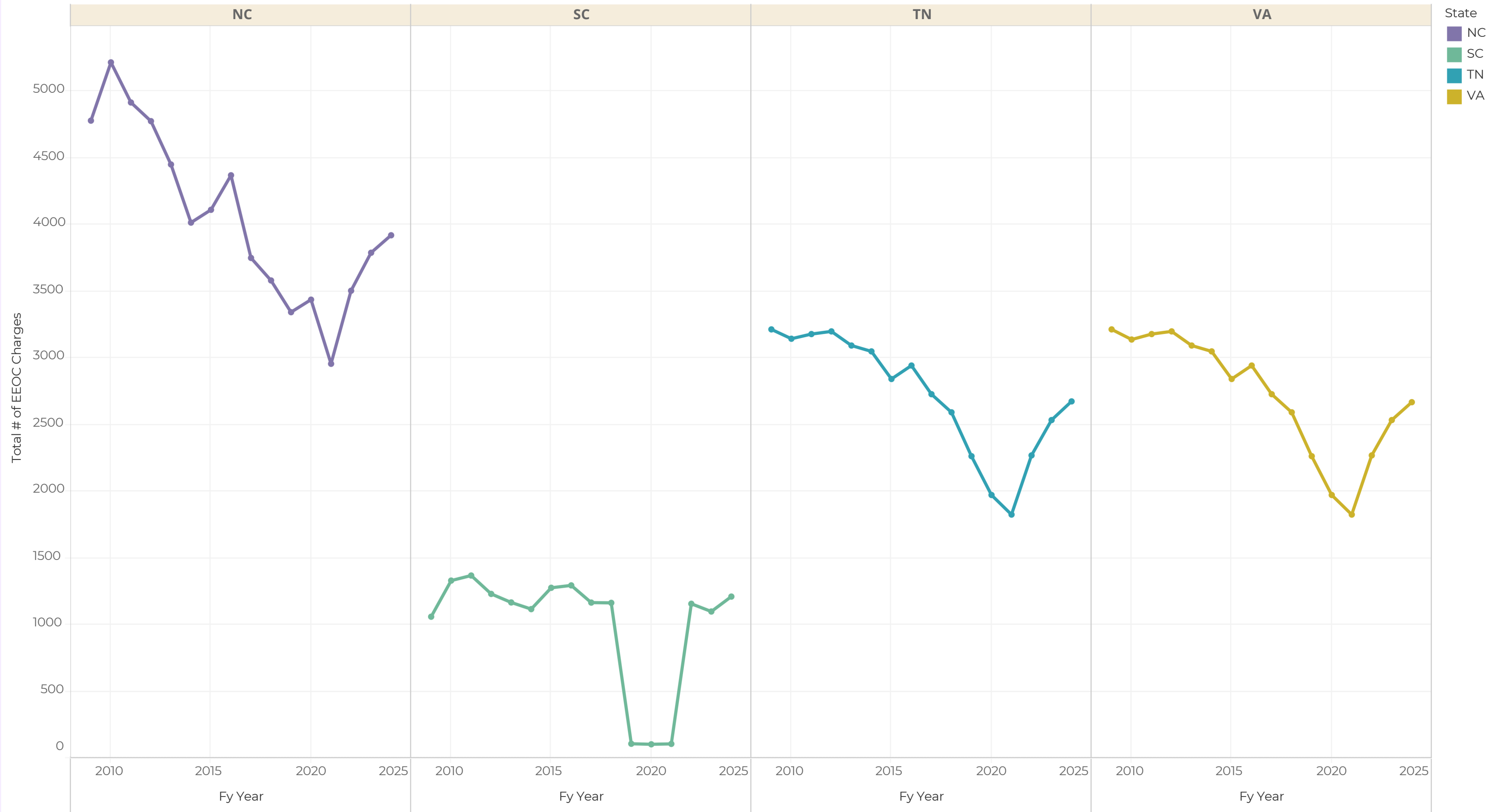
The trend of sum of % of Total EEOC State Receipts by Discrimination Type (filter:sex) for Fy Year. Color shows details about State.

Number of Sex Based Complaints by State and Year (2009 - 2024)



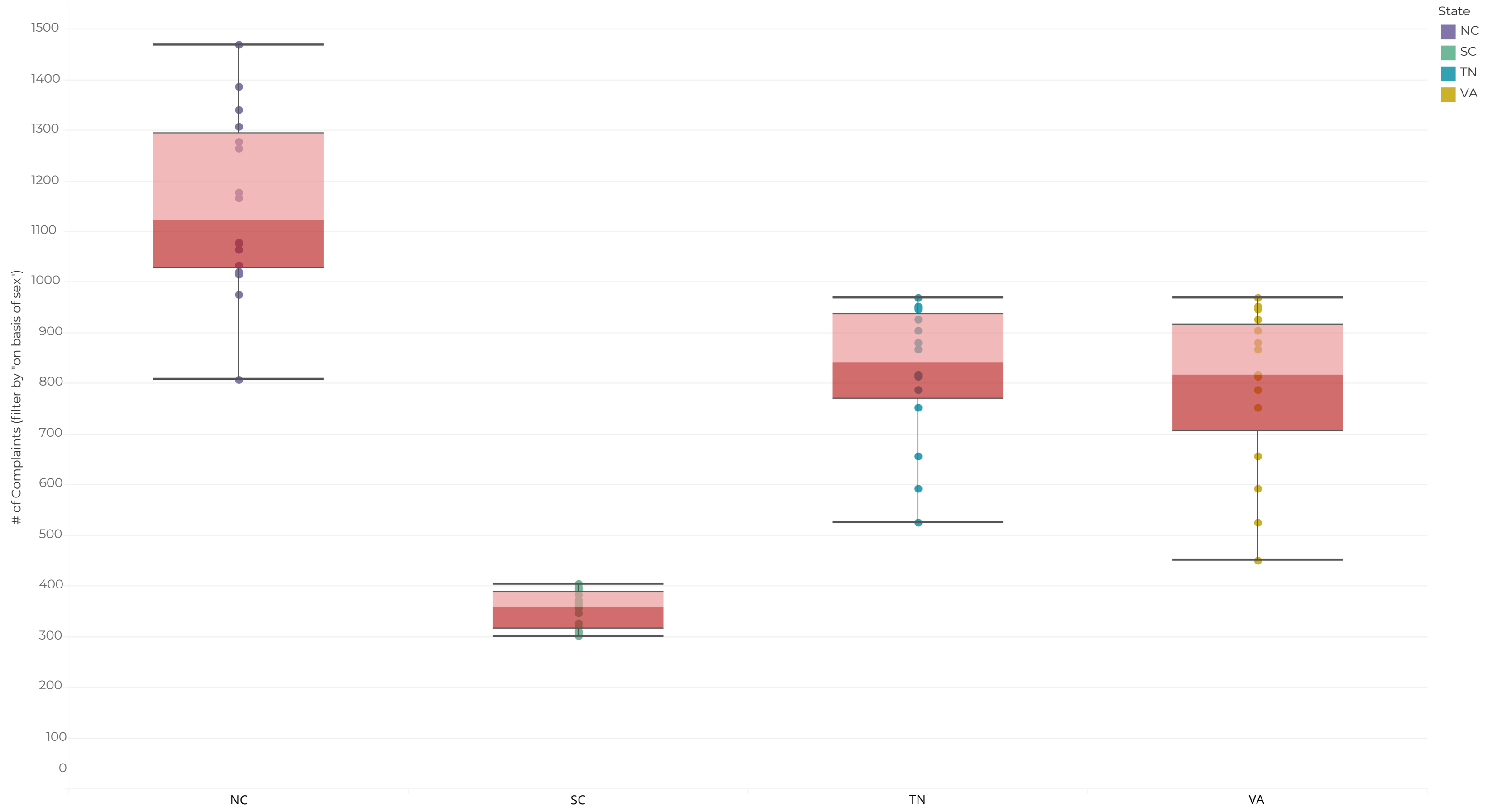
The plot of sum of # of Complaints (filter by "on basis of sex") for Fy Year. Color shows details about State.

## Total # of EEOC Charges per State (2009-2024)



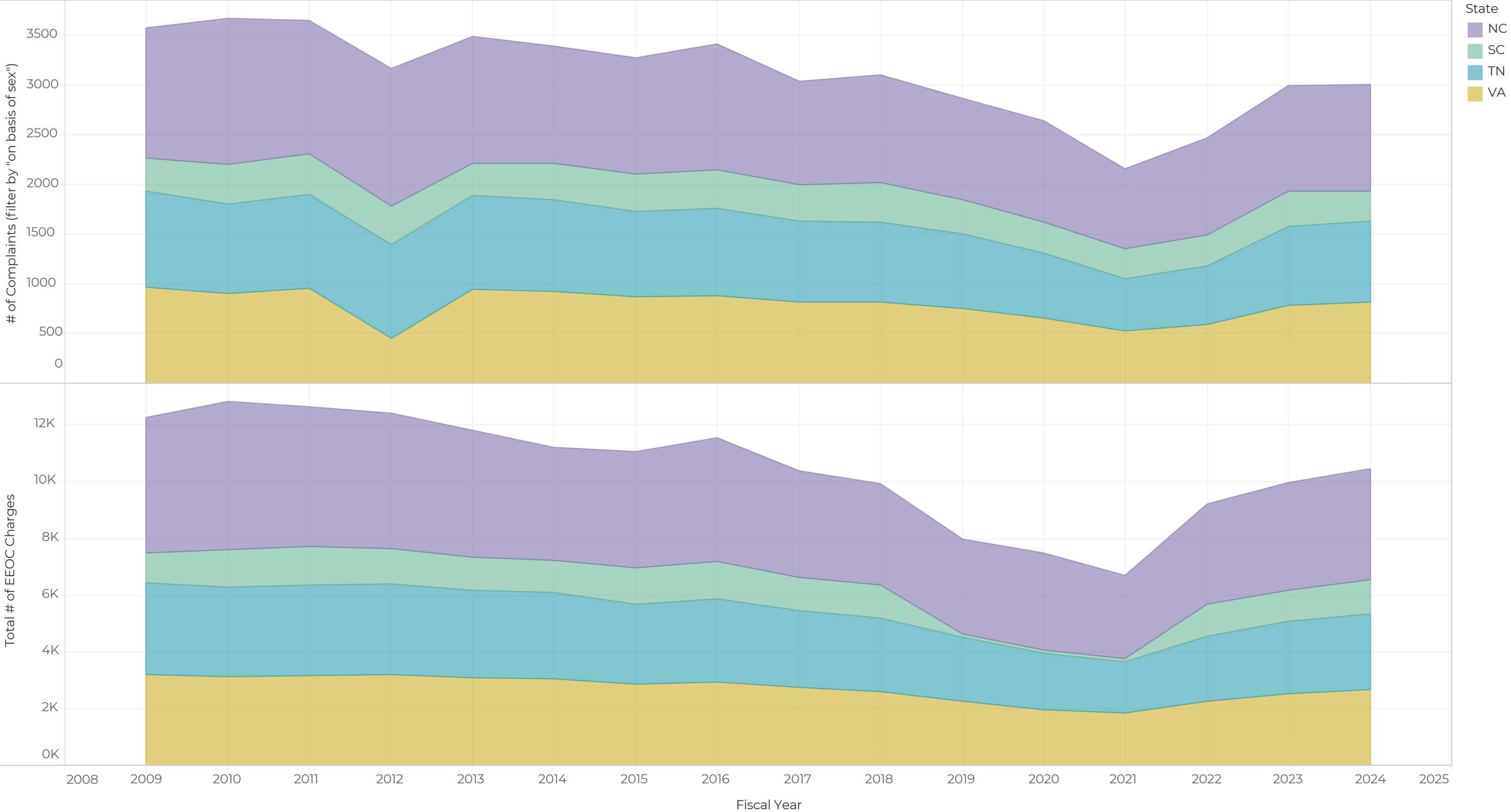
The trend of sum of Total # of EEOC Charges for Fy Year broken down by State. Color shows details about State.

# Distribution of Complaints by Year per State.

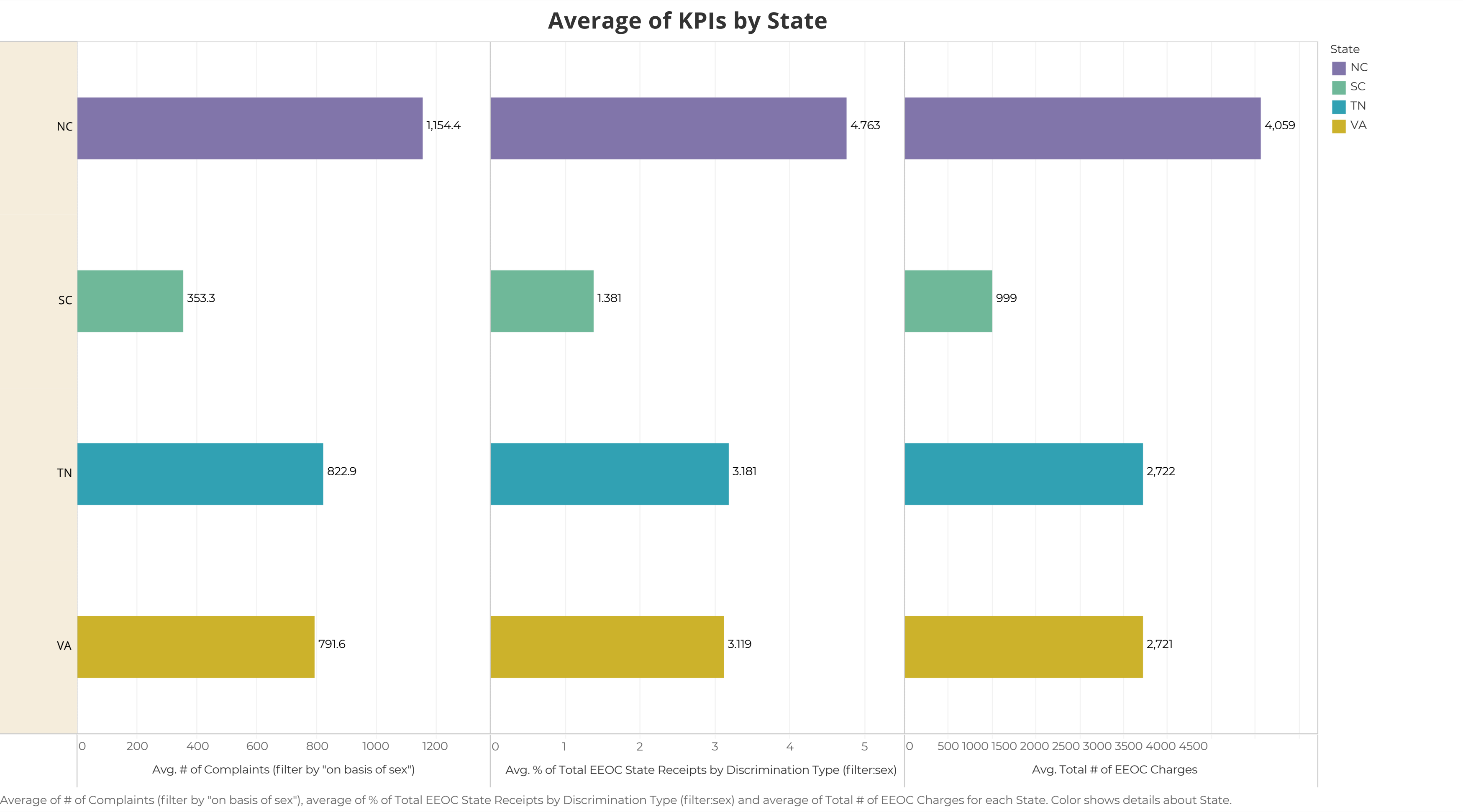


Sum of # of Complaints (filter by "on basis of sex") for each State. Color shows details about State. Details are shown for Fy Year.

# Total # of EEOC Charges vs Number of Complaints by State over the years (2009 - 2024)



The plots of sum of # of Complaints (filter by "on basis of sex") and sum of Total # of EEOC Charges for Fy Year. Color shows details about State.



# KEY FINDINGS

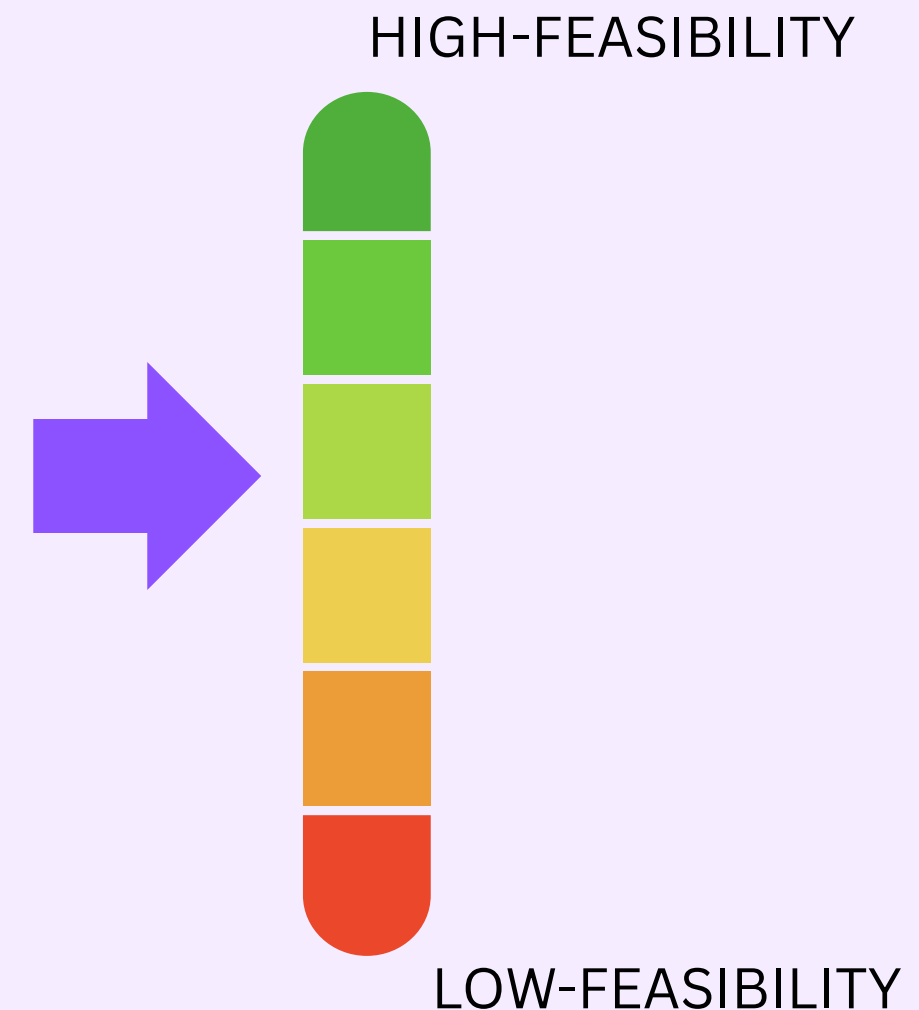
- North Carolina had the highest average number (1,154/year) and highest percentage (4.76%) of sex-based EEOC complaints—standing out across the region.
- Its high complaint volume and limited legal protections position NC as a regional outlier, signaling systemic gender equity challenges.
- Virginia's lower complaint rates may reflect its stronger legal protections and more accessible state-level remedies.
- South Carolina's low numbers may indicate underreporting, low awareness, or different workplace norms.
- Tennessee and Virginia's consistency makes them strong policy benchmarks for evaluating state-level protections.

# RECOMMENDATIONS

1

North Carolina should establish a state-level **Navigational Toolkit or centralized resource hub specifically targeting gender-based workplace discrimination.**

Currently, North Carolina lacks any centralized, comprehensive resource for navigating gender-based workplace discrimination and clearly understanding individual rights and protections, making this toolkit critically necessary.



Navigating individual rights and workplace protections in the U.S. is incredibly confusing, further emphasizing the urgent need for clear resources.

# RECOMMENDATIONS

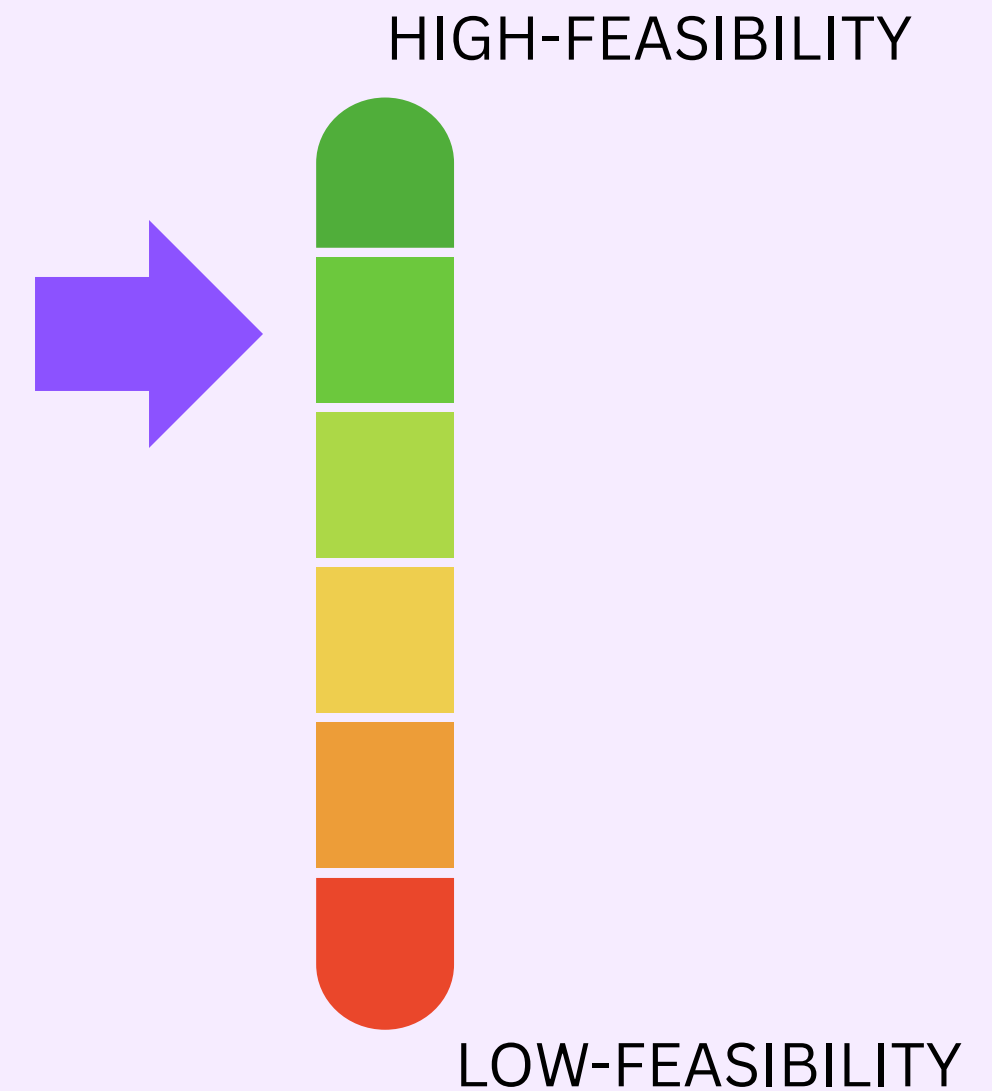
2

A coordinated research effort should be undertaken by a range of independent stakeholders—such as academic institutions, state civil rights offices, and policy researchers—to evaluate the accuracy, accessibility, and equity of the EEOC’s sex-based workplace discrimination complaint process.

## Why This Is Necessary:

South Carolina

- No private right of action
- No explicit sexual harassment or pregnancy accommodation protections
- Weak DEI infrastructure and historically low gender equity rankings (IWPR, 2015; CAP, 2019; Guttmacher, 2022)



*These figures don't align with the legal or cultural context—but without empirical evidence, but we cannot assume underreporting.*

# TOOLKIT COMPONENTS

-  Legal Rights Education
-  Reporting Roadmap
-  Resource Hub
-  Success Stories
-  Continuous Updates

# ✦ ALTERNATIVES MATRIX ✦

## State-Level Navigational Toolkit

A centralized, digital hub providing legal rights education, reporting steps, and access to support services.

**Feasibility:** High – can be implemented by state agencies, but fear of federal retaliation

**Equity Impact:** Directly improves access to protections for workers

**Evidence-Based:** Responds to NC's consistently high EEOC complaint volume

# ✦ ALTERNATIVES MATRIX ✦

## Multi-Stakeholder EEOC Research Audit

An independent research initiative to evaluate the accuracy and equity of sex-based complaint data.

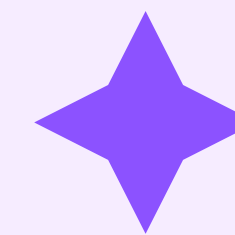
**Feasibility:** Moderate – methodologically sound, but shaped by current DEI climate

**Equity Impact:** High – identifies systemic barriers and underreporting risks

**Evidence-Based:** Addresses unexplained reporting gaps, particularly in South Carolina



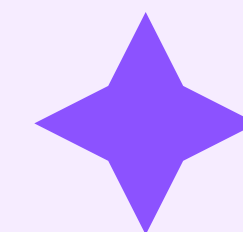
# ALTERNATIVES MATRIX



| Criteria                | Policy Option 1: State-Level Navigational Toolkit                                                                                                                                              |
|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Policy Description      | Create a centralized, digital resource hub to guide NC workers through workplace discrimination protections, reporting, and support services                                                   |
| Primary Goal            | Improve access to information and empower individuals to take action through state-level knowledge infrastructure.                                                                             |
| Lead Implementers       | NC Department of Labor, Office of Administrative Hearings, or another designated state agency                                                                                                  |
| Feasibility             | High – Can be implemented at the state level with legislative or administrative action                                                                                                         |
| Key Benefits            | <ul style="list-style-type: none"><li>- Fills information gaps for workers</li><li>- Increases state-level visibility of rights</li><li>- Reduces dependence on federal EEOC process</li></ul> |
| Evidence of Need        | NC has highest EEOC sex-based complaint volume and share; current resources are fragmented and inaccessible                                                                                    |
| Challenges              | <ul style="list-style-type: none"><li>- Requires interagency collaboration and sustained updates</li><li>- Initial development costs</li></ul>                                                 |
| Equity Impact           | High – Directly increases access to protections for marginalized and under-resourced workers                                                                                                   |
| Time Horizon            | Short-to-Medium Term (1–2 years for full launch and iteration)                                                                                                                                 |
| Complementary Potential | Can inform and be informed by research findings; improves immediate accessibility while deeper systemic issues are explored                                                                    |



# ALTERNATIVES MATRIX



| Criteria                | Policy Option 2: Multi-Stakeholder Audit of EEOC System                                                                                                                                                       |
|-------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Policy Description      | Launch a collaborative research initiative to evaluate the EEOC's complaint process for accuracy, equity, and completeness across U.S. states.                                                                |
| Primary Goal            | Ensure that EEOC complaint data accurately reflects workplace conditions and reporting systems function fairly and equitably.                                                                                 |
| Lead Implementers       | Academic institutions, state civil rights offices, labor scholars, independent research groups                                                                                                                |
| Feasibility             | Moderate – Methodologically feasible but dependent on research funding and political climate surrounding DEI                                                                                                  |
| Key Benefits            | <ul style="list-style-type: none"><li>- Builds a stronger evidence base for interpreting EEOC data</li><li>- Identifies structural barriers to reporting</li><li>- Supports long-term system reform</li></ul> |
| Evidence of Need        | SC has unusually low EEOC complaint volume despite weak protections—suggesting potential underreporting or data inaccuracies                                                                                  |
| Challenges              | <ul style="list-style-type: none"><li>- Political resistance due to current DEI rollbacks</li><li>- Long research timeline and potential difficulty securing buy-in from multiple actors</li></ul>            |
| Equity Impact           | High – Indirect but powerful, as it addresses system-level biases and procedural inequities                                                                                                                   |
| Time Horizon            | Medium-to-Long Term (2–4 years for complete research, findings, and policy uptake)                                                                                                                            |
| Complementary Potential | Can validate and enhance effectiveness of the Toolkit by assessing where current reporting systems succeed or fail                                                                                            |

# ✦ EXECUTIVE SUMMARY ✦

This project examines how North Carolina’s gender-based workplace discrimination protections compare to those in Virginia, Tennessee, and South Carolina—and how these differences shape reliance on federal systems like the EEOC. While Title VII offers baseline protections, state laws vary. North Carolina’s framework, based on the NCEEPA, lacks a private right of action, does not independently address sexual harassment or pregnancy accommodations, and excludes explicit LGBTQ+ protections, leaving key gaps.

Using EEOC data from 2009–2024, the project conducts a comparative analysis of sex-based complaints across states. North Carolina consistently reports the highest volume and proportion of filings, suggesting many workers turn to federal recourse due to limited state-level options. In contrast, Virginia’s stronger legal protections may contribute to lower complaint rates.

**To address these gaps, the project proposes two solutions:**

- A state-run Navigational Toolkit offering clear guidance on rights, reporting, and support services.
- A multi-stakeholder audit of EEOC data to assess accuracy and uncover potential underreporting, especially in states like South Carolina.

**Together, these reforms aim to improve access to protections, empower marginalized workers, and support more equitable policy outcomes in North Carolina.**



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**THANK  
YOU!**