

# EEOC says it's legal to 'encourage' minorities to apply; but don't say you're 'seeking' them

If you tack the phrase “women and minorities are encouraged to apply” onto the end of a help-wanted ad, could that be construed as race or sex discrimination? In a carefully worded opinion letter, the EEOC has said “no.”

But don’t go so far as saying that you’re “seeking” employees from certain age, sex or racial groups. Says the EEOC: “‘Seeking’ a particular kind of applicant denotes a preference for that group; it is not just ‘encouraging’ people to submit applications. Thus, seeking persons on a protected basis, such as race or gender, would violate EEOC-enforced laws.”