

Raquel Alvarenga in Law360: 'Biden's First 100 Days See an About-Face on Workers' Rights'

May 3, 2021 Raquel Alvarenga

PRACTICES Labor and Employment, Litigation, Employment Litigation, Wage and Hour Litigation

Haynes Boone Counsel [Raquel Alvarenga](#) was quoted in a *Law360* article about President Joe Biden's first 100 days in office and his different approach from his predecessor on discrimination, diversity issues, legal protections for the LGBTQ community, and racial sensitivity.

Below is an excerpt:

Raquel Alvarenga, a management-side lawyer at Haynes Boone, offered a similar sentiment, saying the new administration has made combating bias and inequality a core component of its platform.

"Given the developments that we're seeing so far, I think that the Biden-Harris administration clearly has a very robust anti-discrimination, anti-harassment and an equity-focused agenda that ... is really just a reversal of course from the Trump-era policies," Alvarenga said.

EEOC Conciliation Rule on Chopping Block

On the U.S. Equal Employment Opportunity Commission front, Democrats in Congress wasted little time charting a new course on one of the agency's key processes — presuit conciliation.

Alvarenga noted that many of her clients find the conciliation process "frustrating" and were supportive of the added transparency the Trump-era rule promised to bring to the process.

"One complaint I typically hear from employers is that [before] this rule the conciliation process really lacked a lot of transparency," Alvarenga said, while noting that the conciliation process prior to the rule being finalized "wasn't as fruitful as employers would typically like it to be because the EEOC essentially treated it as a 'black box,'" and employers "wouldn't get the factual [or] legal underpinnings for their reasonable cause findings."

Sweeping Proposals Lie Ahead

Haynes Boone's Alvarenga for one said she believes Biden's various executive orders in the early days of his term occurred both because he "wanted to take quick, decisive action on his first day in office," and to serve as strategic stopgap while employment-related bills like those move through Congress.

"I think Biden's plan all along was strategically to have these executive orders serve as a stopgap anticipating that there could be some pushback from Republicans in the Senate in ultimately getting something like the Equality Act passed," Alvarenga said.

To read the full article, click [here](#). (Subscription required)