

OFCCP'S AUDIT FINDINGS INADMISSIBLE IN COURT AS DEFENSE FOR ALLSTEEL

A private compensation discrimination case alleging Allsteel discriminated against three former female managers in pay was brought to the attention of the Eighth Circuit Court. The court's ruling on *Dindinger v. Allsteel, Inc.* deemed OFCCP's compliance audit results, which were in favor of the defendant, to be inadmissible as evidence in the trial. The circuit court's rationale was that OFCCP's findings might 'unfairly prejudice' the jury instead of allowing them to make an independent evaluation of whether the three female managers were paid less than men.

It is important to note that administrative findings by other government agencies have been found to be inadmissible in a number of cases. OFCCP's audit findings have rarely been presented as evidence in court. This ruling might set a precedent for the future, especially in jury trials concerning disparate treatment.

Another noteworthy discussion in this case was the use of economic conditions as defense to explain pay differences between female plaintiffs and their male counterparts. Allsteel presented evidence that the company had experienced negative effects because of the economic recession in 2008, resulting in company-wide employee layoffs and freezes on pay raises. The court rejected this argument, mainly because Allsteel failed to offer evidence specifically on how the recession may have caused the plaintiffs to be paid less than men.

For additional information on this case, click [here](#).

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