

## Employment Law Update

The Massachusetts Commission Against Discrimination (MCAD) disclosed recently that it will participate in the Equal Employment Opportunity Commission's E-RACE initiative which is designed to uncover hiring discrimination.

MCAD will send two comparable applicants of different age, sex, color or ethnicity to apply for the same position. The MCAD will then analyze how each applicant is treated and decide whether discrimination is present. The E-RACE initiative also will involve complaint testing in which applicants take part in the employers' complaint process to determine whether discrimination exists. You should inform all of your management employees involved in the hiring process about this new initiative and caution them to be very careful. It is also advisable to emphasize to them the importance of alerting you, prior to making any hiring decisions, about any potential issues arising out of the hiring process that could relate to this initiative so that the matter can be discussed with you and/or your employment counsel. [Visit Our Website](#)

We at Cooley, Shrair are available to counsel you on any such matters that may arise. As always, please do not hesitate to contact us with any questions you may have.

Sincerely,

Robert L. Dambrov  
Cooley, Shrair P.C.

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email: [rdambrov@cooleyshrair.com](mailto:rdambrov@cooleyshrair.com)

phone: (413) 735-8004

web: <http://cooleyshrair.com>