

EEOC v. Konica Minolta Business Solutions U.S.A., Inc., 7<sup>th</sup> cir  
No. 10-1239 (April 29, 2011).

During Elliot Thompson's tenure with Konica, the company had four facilities in and around Chicago. In addition to Tinley Park, where Thompson worked, Konica had offices in Rolling Meadows, Downers Grove, and Chicago. The Tinley Park facility is now closed. Thompson's charge, filed with the EEOC on November 1, 2005, stated:

*Since the beginning of my employment, my Branch Manager has subjected me to different terms and conditions of employment. On or about October 5, 2005, I was disciplined for not meeting sales quotas, whereas a non-Black similarly situated co-worker was not disciplined for not meeting his quota. On or about October 21, 2005, I complained to [the] Human Resources Department about race discrimination. On or about October 31, 2005, I was discharged. I believe I have been discriminated against and retaliated against because of my race, Black, in violation of the Civil Rights Act of 1964, as amended.*

- Elliot Thompson, who is black, was terminated by Konica Minolta Business Solutions following 8 months employment.
- Thompson filed a charge of discrimination with the EEOC alleging that he had been discriminated against because of his race and in retaliation for filing a race discrimination complaint with Konica's human resources department.
- Thompson did not raise any issue concerning Konica's hiring practices. However, the EEOC subpoenaed Konica demanding information relating to its hiring practices. Konica refused.
- Both the district and appeals courts held that the EEOC subpoena was enforceable.
- The appeals court held that the EEOC has broad authority to issue subpoenas on employers and a subpoena is enforceable "as long as the investigation is within the agency's authority, the subpoena is not too indefinite, and the information sought is reasonably relevant"; "virtually any material that might cast light on the allegations against the employer" may be subpoenaed by the EEOC.

The case continues as of the time of this writing.