



Press Release

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iTutorGroup to Pay \$365,000 to Settle EEOC Discriminatory Hiring Suit

Settles Federal Charges Tutoring Provider Programmed its Online Software to Automatically Reject More Than 200 Older Applicants

NEW YORK – iTutorGroup, three integrated companies providing English-language tutoring services to students in China, will pay \$365,000 and furnish other relief to settle an employment discrimination lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today.

iTutorGroup, composed of iTutorGroup, Inc.; Shanghai Ping’An Intelligent Education Technology Co., Ltd.; and Tutor Group Limited hired tutors based in the United States to provide online tutoring from their homes or other remote locations. According to the EEOC’s lawsuit, iTutorGroup programmed their tutor application software to automatically reject female applicants aged 55 or older and male applicants aged 60 or older. iTutorGroup rejected more than 200 qualified applicants based in the United States because of their age.

iTutorGroup’s alleged conduct violates the Age Discrimination in Employment Act (ADEA), which prohibits employers from discriminating based on age. The EEOC filed suit (EEOC v. iTutorGroup, Inc., et al., Civil Action No. 1:22-cv-02565) after first attempting to reach a pre-litigation settlement through its conciliation process.

“Prohibitions on age and other types of discrimination do not stop at the border,” said Trial Attorney Daniel Seltzer. “Even companies doing business abroad will face serious consequences if they discriminate against U.S.-based employees.”

“Where, as alleged here, companies closely control the way fully remote workers perform their jobs, those workers are employees protected by federal anti-discrimination laws,” said Jeffrey Burstein, regional attorney for the EEOC’s New York District Office. “The EEOC will continue to enforce those protections for all covered employees.”

The decree settling the suit provides \$365,000 to be distributed to applicants who were automatically rejected due to age. Although iTutorGroup has ceased hiring tutors in the United States, the decree also provides for significant non-monetary relief designed to prevent discrimination should iTutorGroup ever resume its U.S. operations. That relief includes extensive and continuing training for those involved in hiring tutors, issuance of a robust new anti-discrimination policy, and strong injunctions against discriminatory hiring based on age or sex and requesting applicants’ birth dates. The EEOC will monitor iTutorGroup’s compliance with these obligations for at least the next five years or longer if iTutorGroup resumes hiring tutors in the United States, and if iTutorGroup does resume its U.S. operations, it must notify and interview those applicants allegedly rejected because of age.

“Everyone loses when employers engage in age discrimination,” said Timothy Riera, the acting director of the EEOC’s New York District. “Hundreds of applicants lost out on employment during a difficult time for job seekers, and iTutorGroup’s students lost the opportunity to learn English from highly qualified and experienced tutors.”

For more information on age discrimination, please visit

<https://www.eeoc.gov/age-discrimination> (<https://www.eeoc.gov/age-discrimination>).

The EEOC’s New York District Office is responsible for addressing discrimination charges and conducting agency litigation in Connecticut, Maine, Massachusetts, New Hampshire, New York, northern New Jersey, Rhode Island and Vermont.

The EEOC advances opportunity in the workplace by enforcing federal laws prohibiting employment discrimination. More information is available at **www.eeoc.gov (<http://www.eeoc.gov>)**. Stay connected with the latest EEOC news

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Recent Press Releases from the New York District Office

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(<https://www.eeoc.gov/newsroom/eeoc-sues-two-new-york-area-employers-sexual-harassment>)

Four Seasons Licensed Home Care Agency to Pay \$400,000 in EEOC Race and National Origin Discrimination Lawsuit (<https://www.eeoc.gov/newsroom/four-seasons-licensed-home-care-agency-pay-400000-eeoc-race-and-national-origin>)

Kimberly A. Cruz Appointed Regional Attorney of EEOC's New York District Office (<https://www.eeoc.gov/newsroom/kimberly-cruz-appointed-regional-attorney-eeocs-new-york-district-office>)

Recent Press Releases on the Subject of Age

Noble Energy Settles EEOC Age Discrimination Charge
(<https://www.eeoc.gov/newsroom/noble-energy-settles-eeoc-age-discrimination-charge>)

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Fiscal Year 2024 EEOC Litigation Focuses on Emerging Issues and Underserved, Vulnerable Populations (<https://www.eeoc.gov/newsroom/fiscal-year-2024-eeoc-litigation-focuses-emerging-issues-and-underserved-vulnerable>)