

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To: Agency(ies) Charge No(s):

- FEPA
 EEOC

_____ and EEOC

State or local Agency, if any

Name (Indicate Mr., Ms., Mrs.)

Kristina Rasmussen, Executive Director of Do No Harm

Home Phone (Incl. Area Code)

703-243-9423 (counsel)

Date of Birth

N/A

Street Address

City, State and ZIP Code

11357 Nuckols Road PMB 115, Glen Allen, VA 23059

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two are named, list under PARTICULARS below.)

Name

Alliance for Regenerative Medicine

No. Employees, Members

20+

Phone No. (Incl. Area Code)

Street Address

City, State and ZIP Code

1015 18th Street NW Suite 1102, Washington, DC 20036

Name

No. Employees, Members

Phone No. (Incl. Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

- RACE COLOR SEX RELIGION NATIONAL ORIGIN
 RETALIATION AGE DISABILITY GENETIC INFORMATION
 OTHER (Specify)

DATE(S) DISCRIMINATION TOOK PLACE

Earliest Latest
 Jan 1, 2020

CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

See attached for particulars.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY – When necessary for State or Local Agency Requirements

I declare under penalty of perjury that the above is true and correct.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

7/18/2024



Date

Charging Party Signature

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
 (month, day, year)



Do No Harm

11357 Nuckols Road PMB 115
Glen Allen, VA 23059

July 18, 2024

Director Mindy Weinstein
U.S. Equal Employment Opportunity Commission
131 M. Street, NE
Fourth Floor, Suite 4NW02F
Washington, DC 20507-0100

Investigation Request: Unlawful Racial Discrimination by the Alliance for Regenerative Medicine

Dear Director Weinstein,

Do No Harm requests that EEOC investigate the Alliance for Regenerative Medicine for operating a racially discriminatory internship program that is open only to black students, in conjunction with various host companies in the biotech industry. See Ex. A (Internship Information). Do No Harm has at least one member who meets all nonracial eligibility requirements but is ineligible to apply because of ARM's race requirement. This charge is submitted on behalf of that member. Alternatively, Do No Harm requests the issuance of a Commissioner's charge, which would also require EEOC to investigate ARM.

Do No Harm is a nationwide membership organization consisting of healthcare professionals, students, patients, and policymakers who want to protect healthcare from radical, divisive, and discriminatory ideologies. Do No Harm accomplishes its mission through education and advocacy about the dangerous ideas being embedded in medicine. It has, among other things, sued the federal government for introducing discriminatory "equity" criteria into Medicare, sued private medical organizations for creating racially exclusive fellowships, and filed Office of Civil Rights complaints against medical schools that create fellowships and scholarships that exclude students based on race.

ARM is an organization that engages in advocacy relating to the benefits of engineered cell therapies and genetic medicines.¹

ARM operates the GROW RegenMed Internship Program, which is designed to provide early-career, paid opportunities in the regenerative medicine sector for undergraduate and graduate students.² The internship program is open to "[a]ll majors" and students with all "career interests."³ And it runs for 12 weeks during summer.⁴ ARM works to match the intern with one of the host companies based on the intern's background, professional experience, position requirements, location, and career

¹ ARM, *Fact Sheet* (last visited July 5, 2024), perma.cc/4NWP-6QD5.

² ARM, *GROW Regen Med Internship Program* (last visited July 5, 2024), perma.cc/CM4T-L7SN.

³ *Id.*

⁴ *Id.*

goals.⁵ The host companies includes Arbor Biotech, Caribou Biosciences, Dark Horse Consulting, Ensoma, Lonza, National Hemophilia Foundation, Novartis, Regenxbio, Shape, Tenaya Therapeutics, and VOR Biopharma.⁶ In 2023, the host companies paid the interns an average hourly pay rate of \$25/hour and an average housing stipend of \$2,850.⁷ In addition, ARM will cover the travel cost (flight, hotel, meals, etc.) for the interns to attend the annual Cell & Gene Meeting conference so that the interns can network with industry professionals and attend expert panel presentations.⁸

But this lucrative internship program is open only to black students.⁹ ARM makes it clear that the internship's goal is to "increase the disproportionate number of Black employees and executives in ARM member organizations."¹⁰ ARM further asserts that it "believe[s] that improving the representation of Black employees at ARM member organizations ... is fundamental to achieving the full promise of [ARM's] work."¹¹ ARM also states that the GROWN Internship Program is only "open to Black undergraduate and graduate students" and that "identify[ing] as Black/African American" is one of the "Eligibility Requirements" to apply.¹²

This kind of racial bar violates Title VII of the Civil Rights Act of 1964. That law makes it "an unlawful employment practice for an employer to fail or refuse to hire or to discharge any individual, or otherwise discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race." 42 U.S.C. §2000e-2(a)(1). It's also unlawful to "limit, segregate, or classify ... applicants for employment in ways which would deprive" them "of employment opportunities ... because of such individual's race." *Id.* §2000e-2(a)(2). Similarly, it's unlawful to "fail or refuse to refer for employment ... because of [an applicant's] race." *Id.* §2000e-2(b). Title VII also makes it unlawful to discriminate in connection to any "apprenticeship or other training or retraining" programs based on race. *Id.* §2000e-2(d).

EEOC, of course, has the duty to investigate violations of Title VII. EEOC "shall receive information concerning allege violations of title VII ... from any person." 29 C.F.R. §1601.6(a). A charge "may be made by or on behalf of any person claiming to be aggrieved." *Id.* §1601.7(a). And EEOC permits anonymous complaints filed on behalf of others. See *id.* §1601.7(a) ("The written charge need not identify by name the person on whose behalf it is made.").

Do No Harm files this charge on behalf of its members. Do No Harm has at least one member who meets all nonracial criteria. This member is currently enrolled in a graduate-level program, in good standing, and a U.S. citizen. But this member is ineligible to apply to the GROW Internship Program because he is white. He is, however, able and ready to apply once ARM stops discriminating based on race. ARM has injured this member because he is unable to compete on an equal footing (because of

⁵ARM, GROW Regen Med Intership Program Information Sheet 2, perma.cc/B33W-LBGJ.

⁶ *Supra* n.2.

⁷ *Supra* n. 5, at 2.

⁸ *Id.*

⁹ *Id.* at 1.

¹⁰ *Id.* at 2.

¹¹ *Supra* n.2.

¹² *Id.*

race). See *Gratz v. Bollinger*, 539 U.S. 244, 260-62 (2003); *Teamster v. United States*, 431 U.S. 324, 365-66 (1977) (“When a person’s desire for a job is not translated into a formal application solely because of his unwillingness to engage in a futile gesture he is as much a victim of discrimination as is he who goes through the motions of submitting an application.”).

In addition, Do No Harm alternatively requests that the Commissioners issue a charge and direct EEOC to investigate ARM. “Any person or organization may request the issuance of a Commissioner charge for an inquiry.” 29 C.F.R. §1601.6(a). And “[a]ny member of the Commission may file a charge with the Commission.” *Id.* §1601.11(a)(emphasis added).

Do No Harm requests that EEOC investigate ARM accordingly. Thank you for your consideration.

Sincerely,



Kristina Rasmussen
EXECUTIVE DIRECTOR
Do No Harm

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Cc: The Honorable Charlotte A. Burrows, Chair
The Honorable Jocelyn Samuels, Vice Chair
Keith E. Sonderling, Commissioner
Andrea R. Lucas, Commissioner
Kalpana Kotagal, Commissioner

GROW RegenMed Internship Program



Providing paid, early-career internship opportunities for Black students



The leading international advocacy organization dedicated to realizing the promise of regenerative medicines & advanced therapies



WHAT WILL I GAIN FROM BEING A GROW INTERN

Build a network: Interns will have a chance to work with industry professionals and leaders in research & development, human resources, supply chain management, patient advocacy, and more!

Earn while you learn: Interns will be paid competitive industry standard compensation while learning about the vast career opportunities within the cell, gene, and tissue-based therapies sector.

Attend the annual Meeting on the Mesa: Interns will attend an all-expense paid trip in October 2024 to attend the annual Meeting on the Mesa conference that features expert panels, keynote speakers, interactive exhibits, networking opportunities with company CEO's, and more!

Support: GROW will link intern with mentor, managers, and past interns to provide tools and training to support a successful internship experience for all involved.

ABOUT GROW

The **GROW RegenMed Internship Program** provides paid, early career internship opportunities, for Black undergraduate and graduate students in the regenerative medicine sector. All majors and career interests are encouraged to apply!

ARM has over 400 Member Companies that hire GROW Interns during a **12-week summer period from June 3 -August 16, 2024.**

Positions are both in-person and remote.

Program Model:

- Diversity – underrepresented group with an interest in regenerative medicine but no prior experience
- Scale – varied positions at a broad range of organizations
- Substance – projects that make the experience significant
- Compensation – stipends/hourly pay that make participation financially viable
- Networking – peer to peer networking to provide a sense of belonging
- Mentoring – access to industry professionals to provide support
- Education – independent reading and technical requirements
- Structured communication – programmed engagement with peers, supervisors, and industry professionals.

APPLY TO BE A GROW INTERN FOR SUMMER 2024!

Deadline dates:

Early selection: October 1, 2023

Final deadline: January 15, 2024

Link to apply: <https://fs16.formsite.com/9vuCy5/7qgl1onzp2/index>

FREQUENTLY ASKED QUESTIONS



How do I apply to be a GROW intern?

The **early selection** deadline is **October 1, 2023**. The **final deadline** is **January 15, 2024**. Use this link to complete the online application: <https://fs16.formsite.com/9vuCy5/viosobfd5b/index.html>

Why are there two deadline dates, what is early selection?

Many companies begin their process to hire summer interns very early. In an effort to better partner with as many companies as possible we have created two phases of the application process. You only need to complete ONE application to be considered for both early and final selection.

What are the dates of the internship?

The GROW Internship program is a 12-week summer internship, the dates are **June 3 - August 16, 2024**.

Can interns work outside of those dates?

Yes. Alternative dates can be arranged on an individual basis between the intern and the member company. Many interns have continued their employment through the Fall semester.

Is the internship remote or in-person?

In 2021 due to Covid, 100% of the internships were remote. In 2022, 40% of the internships were in-person or hybrid. This working arrangement is determined by the member company and intern.

What is the pay rate?

The hourly pay rate for an intern varies and is determined by the host company based on the intern's education and experience. Compensation is competitive to industry standards, the average hourly pay rate for interns in 2023 was \$25/hr.

Does the company have to provide housing for the intern?

During the matching process we try to match companies with interns that are local to the area, however, this is not always possible. The amount for housing is determined by the company. The average housing stipend provide for an intern in 2023 was \$2,850.

Will the company sponsor a work VISA for an intern?

No. Currently, the GROW Internship Program is only open to US citizens and permanent residents.

Is the program global?

For 2023, all GROW internships will be in the United States.

How many years of education should interns have completed to qualify for the GROW internship?

We expect employers to create internships for undergraduate and graduate students. All majors are encouraged to apply.

How do you decide which company to place interns at?

Intern matches will be based on the interns background, professional experience, position requirements, location, and intern career goals. GROW will conduct an initial screening of the interns and then interns will be interviewed and hired by the individual company.

Is this internship focused only on STEM fields?

NO. Internship opportunities are open to all majors and career interests. We anticipate that many of the opportunities will be technical in nature, but we also expect internship opportunities outside of STEM fields, such as operations (human resources, finance, marketing), supply chain management, and patient advocacy.

What is the Meeting on the Mesa?

The annual **Cell & Gene Meeting on the Mesa** is held the second week of **October**, and will take place in Phoenix, AZ. All interns are required to attend and all travel cost (flight, hotel, meals, ground transportation, etc.) are paid for by the GROW Program. During the conference interns have the opportunity to network with industry professionals and CEO's, attend expert lead panels and presentations, explore the exhibit tables, connect with other interns, and much more!

What is the ultimate goal of the GROW Internship Program?

The goal is to increase the disproportionate number of Black employees and executives in ARM member organizations and to build a strong and ongoing community of GROW interns. We hope that the exposure and experience you gain during your internships will spark a passion for your desire to work in the regenerative medicine field.

Who do I contact for question and more information?

Please contact GROWInternProgram@alliancernm.org for questions.



... (https://alliancerm.org)



... (https://alliancerm.org)



Providing crucial, early-career paid opportunities in the regenerative medicine sector for Black undergraduate and graduate students.



“I received hands-on experience with CRISPR gene editing technology.”

**– Travis Wright
GROW Intern
(REGENXBIO)**

[APPLY TO BE A GROW INTERN \(HTTPS://FS16.FORMSITE.COM/9VUCY5/7QGL1ONZP2/INDEX\)](https://fs16.formsite.com/9vucy5/7qgl1onzp2/index)

Thanks to the work of the Action For Equality Task Force (AFE), ARM launched the GROW RegenMed Internship Program in 2020 to provide crucial, early-career paid opportunities in the regenerative medicine sector for Black undergraduate and graduate students.

ARM represents 400+ organizations in the cell, gene, and tissue-based therapies sector that target a range of diseases and disorders, many of which affect the Black community. Interns are placed at these companies for 12 weeks during the summer to gain experience and exposure to the vast career opportunities within the regenerative medicine sector. ARM and the AFE Task Force believe that improving the representation of Black employees at ARM member organizations and cultivating a community of these future leaders is fundamental to achieving the full promise of our work.

Apply to be a GROW Intern for Summer 2024

Applications for the GROW RegenMed Internship Program are open! The early selection deadline is October 1, 2023, and the final deadline to apply has been extended to January 22, 2024. The program is open to Black undergraduate and graduate students. All majors and career interests are encouraged to apply.

[APPLY NOW \(HTTPS://FS16.FORMSITE.COM/9VUCY5/7QGL1ONZP2/INDEX\)](https://fs16.formsite.com/9vucy5/7qgl1onzp2/index)

Informational Webinar, October 18th at 7 PM (EST)

GROW will host an informational webinar to provide more information and answer questions about the GROW Internship program on Wednesday, October 18th at 7 PM (EST). During this webinar, you will learn more about the program, gene and cell therapy sector, the application process, the matching process, speak with former GROW Interns, answer FAQs, and much more!

**[REGISTER NOW
\(HTTPS://US02WEB.ZOOM.US/MEETING/REGISTER/TZ0PCEMSQZGIGDOQJ_LLSXFGACYCVQEEJNXG#/REGISTRATION\)](https://us02web.zoom.us/meeting/register/tz0pcemsqzqigdoqj_llsxfgacycvqeejnxg#/registration)**

Learn More about the GROW RegenMed Internship Program

Download this PDF for more information about the GROW Program, important deadlines, link to the application, and frequently asked questions.

**[LEARN MORE \(HTTP://ALLIANCERM.ORG/WP-CONTENT/UPLOADS/2023/08/INFORMATION-FOR-GROW-
INTERNS.-2024.PDF\)](http://alliancerm.org/wp-content/uploads/2023/08/information-for-grow-interns.-2024.pdf)**

Instructions for Students and Hosts

[Click Here to Access Information for Students](#) –

Join our GROW student information webinar

Have any questions about applying to the GROW Internship Program? ARM will be hosting a webinar on October 18, 2023. [Click here to register>>](#) (https://us02web.zoom.us/join/join?meeting/register/tZ0pcemsqzgiGd0QJ_llsxfGAcYCvQEejNxG).

What will GROW offer interns?

- **Earning while learning:** Interns will be paid, with some employers offering housing, relocation, and travel support.
- **Build community:** Interns will be part of an intern class and given a chance to connect with their peers at several points throughout the internship.
- **Professional development:** Interns will participate in an ARM-organized kick-off session, a two day in-person professional development event, and a closing session with their class. Post-internship, interns will be given the chance to reconnect with their class and engage with industry leaders at the annual Cell & Gene Meeting on the Mesa the October following their internship, free of charge.

Eligibility Requirements

- Interns must identify as Black/African American
- Interns must be an undergraduate or graduate student
- Interns must be a US citizens and permanent US residents
- Students must be in good standing at their current institution at the time of application
- Students must submit a completed application by the deadline
- All majors are encouraged to apply

What is the timeline?

- **September 1, 2023:** Internship [application](#) (<https://fs16.formsite.com/9vuCy5/7qg1onzp2/index>). opens
- **October 1, 2023:** Early selection deadline
- **October 18, 2023:** Applicant webinar, [click HERE](#) (https://us02web.zoom.us/join/join?meeting/register/tZ0pcemsqzgiGd0QJ_llsxfGAcYCvQEejNxG#/registration) to register
- **January 22, 2024:** Final selection deadline
- **November, 2023 – March, 2024:** Intern and company matching and interview process
- **March 1, 2024:** Intern selection deadline
- **May, 2024:** Mandatory GROW Internship orientation in Washington, DC
- **June 3 – August 16, 2024:** 12-week summer internship period (These date may vary based on company)
- **October, 2024:** [Cell & Gene Meeting on the Mesa](#) (<https://meetingonthemesa.com/>) in Phoenix, AZ

Application Deadlines

- **October 1, 2023: Early selection deadline**
- **January 22, 2024: Final application deadline**

How to participate:

The student application for the GROW Internship Program is now open (<https://fs16.formsite.com/9vuCy5/7qg1onzp2/index>).

Questions:

Please email GrowInternProgram@alliancerm.org (<mailto:GROWInternProgram@alliancerm.org>).

[Click Here to Access Information for Host Companies](#) —

Thank you for your interest in hosting a GROW intern. Please get in contact with Rosie Walker for more information: rwalker@alliancerm.org (<mailto:GROWInternProgram@alliancerm.org>).

Internship Partner: the National Society of Black Engineers



2023 Host Companies



<https://alliancern.org/members/profile/2212/>
[profile/arbor-biotechnologies/](https://alliancern.org/members/profile/arbor-biotechnologies/)



<https://alliancern.org/members/>



[https://alliancern.org/members-profile/dark-horse-consulting/](https://alliancern.org/members/profile/dark-horse-consulting/)



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Alliance for Regenerative Medicine

News (<https://alliancerm.org/press-releases/>) Events (<https://alliancerm.org/events/>)

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 (<https://www.youtube.com/user/AllianceRegenMed>)

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