

resolve a charge. Participation in the mediation program is confidential and voluntary. Charge processing will resume if mediation is not successful.

- EEOC may settle a charge at any time during the investigation, if both the charging party and the employer agree. If there is no early settlement, processing will continue.

- After an appropriate investigation, EEOC may decide that discrimination occurred or may close the charge because the evidence does not show discrimination.

- If the charge is closed, EEOC will give the charging party a "Notice of Right to Sue."

- If discrimination is found, EEOC will seek a remedy for the charging party through conciliation.

- If conciliation is not successful, EEOC may file a lawsuit against the employer.

- If the charging party is not satisfied with EEOC's efforts, the charging party has the right to file his or her own lawsuit against the employer within **90 days** of receiving the "Notice of Right to Sue."

Remedies Available When Discrimination is Found

The remedies available for job discrimination may include hiring, reinstatement, reasonable accommodation, promotion, back pay, front pay or other actions that will make an individual "whole" (the condition the person would have been in if discrimination had not occurred). Remedies also may include

payment of attorneys' fees, expert witness fees, and court costs.

Under most EEOC-enforced laws, damages for *intentional* discrimination may be available for actual monetary losses, for future monetary losses, and for mental suffering and inconvenience. Punitive damages also may be sought if an employer knowingly and purposely broke the law.

EEOC Phone Numbers and Resources

For assistance or more information from the EEOC field office nearest you, call: **1-800-669-4000 (voice)** or **1-800-669-6820 (TTY)**.

For free publications, contact EEOC's Publications Distribution Center at: **1-800-669-3362 (voice)**, **1-800-800-3302 (TTY)**, or **513-489-8692 (fax)**.

Information about the laws enforced by EEOC also can be found on the Internet at: www.eeoc.gov.

This pamphlet is available in braille, large print, audiotape, and electronic file on computer disk. EEOC publications are available in accessible formats on request to the Publications Distribution Center.

Duplication of this EEOC publication is permitted.

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U.S. Equal Employment Opportunity Commission

Filing a Charge of Job Discrimination



Equal Employment Opportunity Laws

If you think that an employer, employment agency, or union has discriminated against you when applying for a job or on the job because of race, color, sex, religion, national origin, age, or disability, you may file a charge of discrimination with the U.S. Equal Employment Opportunity Commission.

The EEOC enforces the following federal laws against job discrimination:

- **Title VII of the Civil Rights Act of 1964 (Title VII)** forbids employment discrimination based on race, color, religion, sex, or national origin;
- **the Equal Pay Act of 1963 (EPA)** protects men and women who perform substantially equal work in the same establishment from sex-based wage discrimination;
- **the Age Discrimination in Employment Act of 1967 (ADEA)** protects individuals who are 40 years of age or older against employment discrimination based on age;
- **Title I of the Americans with Disabilities Act of 1990 (ADA)** forbids employment discrimination against qualified individuals with disabilities; and

- **the Civil Rights Act of 1991** provides monetary damages in cases of intentional employment discrimination.

Under **Title VII**, the **ADA**, and the **ADEA**, it is illegal to discriminate in any area of employment, including hiring, firing, pay, assignment, transfer, promotion, layoff, recall, fringe benefits, retirement plans, leave, or any other terms or conditions of employment.

These laws forbid sexual harassment and harassment on the basis of race, color, religion, sex, national origin, disability, or age, and pregnancy-based discrimination. It also is illegal to retaliate against an individual for filing a charge of discrimination, taking part in an investigation, or opposing discriminatory practices.

Covered Employers

Title VII and the **ADA** cover all private employers, state and local governments, and educational institutions that employ **15 or more** individuals. The **ADEA** covers all private employers, state and local governments, and educational institutions with **20 or more** employees. These laws also cover private and public employment agencies, unions, and labor-management committees that control apprenticeship or training.

The **EPA** protects all employees who are covered by the Federal Wage and Hour Law (the Fair Labor Standards Act). Almost all employers are covered by this Act.

Title VII, the **ADEA**, and the **EPA** also apply to the *federal* government. In addition, **Section 501 of the Rehabilitation Act of 1973**, as amended, which is enforced by EEOC and incorporates the employment nondiscrimination requirements of the **ADA**, covers the federal government. *For more information on how to file a complaint of discrimination in federal employment, contact the EEO office of the federal agency where the alleged discrimination occurred.*

Filing a Charge of Job Discrimination

Any person who believes that his or her job rights have been violated has the right to file a charge of discrimination with EEOC. Also, another person, group, or agency may file a charge on behalf of someone else.

A charge may be filed by mail or in person at the nearest EEOC office. The local telephone book may have a telephone number for the closest EEOC office, listed under "U.S. Government." Calling **1-800-669-4000 (voice)** or **1-800-669-6820 (TTY)** also will connect you to the nearest EEOC office. In addition, telephone numbers and information on filing a charge can be found at EEOC's Internet Web site at **www.eeoc.gov**.

A charging party is responsible for keeping EEOC informed of any changes in his or her address or telephone number while the charge is being processed.

Time Limits for Filing a Charge

A charge must be filed with EEOC within **180 days** from the date of the alleged violation in order to protect the charging party's rights. This 180-day deadline may be increased up to **300 days** if the charge also is covered by certain state or local anti-discrimination laws. Under all laws enforced by EEOC, except the **EPA**, a charge must be filed with EEOC before going to court.

These time limits do not apply to complaints under the **EPA**. However, since many **EPA** complaints also raise **Title VII** sex discrimination issues, it may be better to file charges under both laws within the time limits given.

Processing a Charge of Discrimination

When a charge is filed, EEOC informs the employer within ten days. Charges are given the most prompt attention when the facts seem to show that it is likely that discrimination has occurred. Other charges will receive follow-up investigation, as resources allow, if more information is needed. Charges may also be closed at any time if EEOC believes that more investigation will not show that employment discrimination laws have been broken.

Charges may be chosen for EEOC's mediation program if both the charging party and the employer are interested in this option. Mediation is an alternative to an investigation and may quickly