



Workplace Discrimination: Filing a Complaint with the EEOC

If the company has more than 15 employees, you're protected by federal law, Title VII of the Civil Rights Act of 1964. Under Title VII, employers may not use race, skin color, gender, religious beliefs, or national origin as the basis for decisions on hirings, promotions, dismissals, pay raises, benefits, work assignments, leaves of absence or just about any other aspect of employment.

Title VII complaints can be filed with the Equal Employment Opportunity Commission (EEOC). To find the office closest to you, call 800-669-4000 or go to www.eeoc.gov.

You will be most successful if you are organized and prepared; the EEOC's staff is often overworked.

Once you file a claim, the EEOC will investigate and categorize your claim in one of three ways:

- Cases that are likely to result in a finding of discrimination;
- Cases that cannot be immediately assessed one way or the other;
- Those unlikely to result in a discrimination judgment.

Upon the completion of the investigation, the EEOC will send you a letter describing their findings, and issuing you a "Right to Sue".

There are two types of letters:

- A "No Cause" letter states that they didn't find sufficient evidence of discrimination. If you receive this letter, you can still sue. Many times the EEOC gives these letters because they know they don't have access to the same evidence that would be available by subpoena in a court of law.
- A "Probable Cause" letter states that they have found sufficient evidence to believe you've been discriminated against. If you decide to pursue legal action, you can use this letter in court.

If you feel you have a strong legal case, you don't have to wait for the EEOC to complete its investigation. Your lawyer can request the "Right to Sue" letter at any time and file the case on your behalf.

Once you receive the letter you have 90 days to file a case.

For additional protection, check your state's anti-discrimination laws. State and local anti-discrimination laws *may* also protect categories not covered by federal law, such as sexual orientation or companies with fewer than 15 employees. To learn more about your state's law go to your local government's website or civil rights agency.

9to5 does not provide legal advice. As a membership and advocacy non-profit organization, we offer information on workplace rights and how to handle workplace issues.

*For more information about your rights on the job, call the 9to5 Job Survival Helpline
1-800-522-0925 or helpline@9to5.org*

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