

REVIEWED

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U.S. Equal Employment Opportunity Commission

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What You Can Expect After You File a Charge

Note: Federal employees and job applicants have a [different complaint process](#).

At the time your charge is filed, we will give you a copy of your charge with your charge number. Within 10 days, we will also send a notice of the charge to the employer. In some cases, we will ask both you and the employer to take part in our [mediation program](#). If the laws EEOC enforces do not apply to your claims, if your charge is untimely, or we decide that we probably will not be able to determine if the law was violated, we will close the investigation of your charge and notify you.

Mediation

If you and the employer agree to [mediation](#), a mediator will try to help you both reach a voluntary settlement. Mediation allows you and the employer to talk about your concerns. Mediators don't decide who is right or wrong, but they are very good at suggesting ways to solve problems and disagreements.

Investigation

If the charge is not sent to mediation, or if mediation doesn't resolve the charge, we usually ask the employer to give us a written answer to your charge (called "Respondent's Position Statement"). You may request the Respondent's Position Statement to review and provide EEOC with your response to it. We ask that you provide a response within 20 days. For more information, see [EEOC Procedures for Respondent Position Statements](#). We may also ask the employer to answer questions we have about the claims in your charge.

How we investigate a charge depends on its facts and the kinds of information we need to gather. In some instances, we visit the employer to hold interviews and gather documents. In other instances, we interview witnesses and ask for documents. After we finish our investigation, we will let you and the employer know the result.

How long the investigation takes depends on many factors, including the amount of information that needs to be gathered and analyzed. It took us - on average - nearly 10 months to investigate a charge in 2015. We are often able to settle a charge faster through mediation (usually in less than 3 months). You can check the status of your charge by using EEOC's [Online Charge Status System](#).

Subpoena

If an employer refuses to cooperate with an EEOC investigation, EEOC can issue an

administrative subpoena to obtain documents, testimony or gain access to facilities.

Possible Action After Investigation Completed

If we aren't able to determine that the law was violated, we will send you a Notice-of-Right-to-Sue. This notice gives you permission to file a lawsuit in a court of law. If we determine the law may have been violated, we will try to reach a voluntary settlement with the employer. If we cannot reach a settlement, your case will be referred to our legal staff (or the Department of Justice in certain cases), who will decide whether the agency should file a lawsuit. If we decide not to file a lawsuit, we will give you a Notice-of-Right-to-Sue.

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