

***GUIDE***  
***TO***  
***FILING A CHARGE OF***  
***EMPLOYMENT DISCRIMINATION***



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## **Who Can File a Charge of Discrimination?**

Any person who believes that his or her employment rights have been violated by unlawful discrimination may file a charge of discrimination.

## **What Information Must Be Provided to File a Charge?**

- The complaining party's name, address, and telephone number;
- The name, address, and telephone number of the respondent employer, employment agency, or union that is alleged to have discriminated, and number of employees (or union members), if known;
- A short description of the alleged violation (the event that caused the complaining party to believe that his or her rights were violated); and
- The date(s) of the alleged violation(s).

## **What Are The Time Limits For Filing A Charge Of Discrimination?**

Because there are strict time limits within which Charges must be filed it is always best to act as soon as possible when discrimination is suspected or has occurred.

According to the New Hampshire Commission for Human Rights:

- A Charge **MUST** be filed within 180 days of the last date of discrimination. (Under certain circumstances a Charge may be filed up to 300 days from the date of alleged discrimination).

According to the Equal Employment Opportunity Commission (EEOC):

- A Charge must be filed with EEOC within 180 days from the date of the last act of discrimination or violation.
- This 180-day filing deadline is extended to 300 days if the Charge also is covered by state anti-discrimination laws such as in New Hampshire. For ADEA Charges, only state laws extend the filing limit to 300 days.
- These time limits do not apply to claims under the Equal Pay Act, because under that Act persons do not have to first file a Charge with EEOC in order to have the right to go to court. However, since many EPA claims also raise Title VII sex

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discrimination issues, it may be advisable to file Charges under both laws within the time limits indicated.

To protect your legal rights, please contact our employment lawyers to review your rights.

### **What Is The Procedure After The Charge Is Filed?**

- A copy of the Charge is sent to the employer for a written response.
- An investigator is assigned to the case and begins an investigation of the Charge.
- The parties will provide relevant information to the investigator.
- If the case cannot be resolved, the investigator completes the investigation and prepares a report. The assigned Investigating Commissioner will make a decision of Probable or no Probable Cause. The parties are sent a copy of the Investigative Report.
- If there is a finding of Probable Cause by the Investigating Commission, the case will be scheduled for a Public Hearing. Prior to the Public Hearing, the Commission will attempt to conciliate the case.

### **If You Want To File A Charge Of Discrimination**

Our experienced employment lawyers at Douglas, Leonard & Garvey will take prompt action to protect your rights. For years, we have represented victims of employment discrimination before the New Hampshire Commission for Human Rights and the Equal Employment Opportunity Commission. We will help you draft and file the Charge of Discrimination.

Please call us for an immediate, free consultation at 1-800-240-1988 or complete our [contact form](#) online.