**LEGALLY BRIEF:**

**U.S. Equal Employment Opportunity Commission and COVID-19**

The U.S. Equal Employment Opportunity Commission (EEOC) is responsible for enforcing federal laws that make it illegal to discriminate against an employee or job applicant on the basis of a person’s race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), disability or genetic information. It is also illegal to discriminate against a person because they complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.

The EEOC is continuing to enforce employment non-discrimination laws amidst the COVID-19 crisis and public health guidelines. While the EEOC has closed its physical offices to the public, it has implemented agency-wide expanded telework. They will continue to work remotely, across the private and federal sectors, and will continue to educate the public about workplace rights and responsibilities.

**Preserving Access to File a Charge of Discrimination**

An employee or job applicant who believes that they have been discriminated against at work can file a “Charge of Discrimination”. The laws enforced by EEOC require employees and applicants to file a Charge of Discrimination with EEOC before they can file a job discrimination lawsuit against their employers. It is then EEOC’s job to investigate the matter to determine whether there is reasonable cause to believe that discrimination has occurred.

At the end of an investigation the EEOC will issue a Notice of Right to Sue to the charging parties. Once you receive a Notice, you must file your lawsuit within 90 days. If you do not file in time, you may be prevented from going forward with your lawsuit.

To is important to note that not all employers are covered by the laws enforced by EEOC and there are also strict time limits for filing a charge.

**How to File a Charge of Discrimination**

* Online at the EEOC public portal <https://publicportal.eeoc.gov/Portal/Login.aspx>
* Calling the EEOC at (800) 669-4000
* If you are deaf or hard-of-hearing, you can reach the EEOC by videophone at (844) 234-5122.

For more information, please contact Staff Attorney Jocelyn Alday at [jalday@icadvinc.org](mailto:jalday@icadvinc.org).