

## How to File an Employment Discrimination Complaint

### If Your Employment Rights Are Violated

If you believe your employment rights have been violated you can either call Disability Rights Montana, file a complaint with the Montana Human Rights Bureau (MHRB), or file a complaint with the Equal Employment Opportunity Commission (EEOC).

### Montana Human Rights Bureau

The Montana Human Rights Bureau is charged with enforcing certain state and federal laws that prohibit unlawful discrimination. When a person files a complaint with the Department of Labor and Industry's Human Rights Bureau, the Bureau will informally investigate.

Please note the Bureau can only investigate complaints of discrimination in certain protected areas when a person asserts that an adverse action happened because he or she is a member of a protected class.

1. You must contact MHRB:

**Mailing address**

Montana Human Rights Bureau  
PO Box 1728  
Helena MT, 59624-1728

**Phone**

1 (800) 542-0807

2. You must file your charge of employment discrimination within 180 days of the alleged discriminatory act.
3. If more than 180 days have passed since the alleged discriminatory act, but less than 300 days have passed, your complaint may be sent to the Equal Employment Opportunity Commission (EEOC) for consideration.



### Prepare the following information:

- A written statement of what happened, in chronological order;
- Names and contact information of people who were treated MORE favorably and who do/did the same kind of work;
- Records of the reasonable accommodation(s) requested, including what reasonable accommodation(s) were requested, when they were requested [date/times], and of whom they were requested;
- Records of the employer's response to the request for reasonable accommodation(s);
- Copies of all relevant documents, and;
- Contact information for all witnesses and whatever information they can provide.

*This fact sheet has general information. It is not intended as legal advice. Only an attorney can give you legal advice to help you with a problem or answer a question.*

## The Equal Employment Opportunity Commission (EEOC)

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

Most employers with at least 15 employees are covered by EEOC laws (20 employees in cases of age discrimination). Most labor unions and employment agencies are also covered. The laws apply to all types of work situations, including hiring, firing, promotions, harassment, training, wages, and benefits.

To file an employment discrimination charge with the EEOC, you must file your charge within 300 days of the alleged discriminatory act.

You can file a charge with the EEOC by sending a letter that includes the following information:

- Your name, address, and phone number
- The name, address, and phone number of the employer (or employment agency, or union) you want to file a charge against
- The number of employees employed there
- A short description of the events you believe were discriminatory (for example; why you were fired, demoted, or harassed)
- When the events took place
- Why you believe you were discriminated against (race, color, religion, sex [including pregnancy], national origin, age (40 or older), disability, or genetic information)
- Your signature (the EEOC cannot investigate without this)

Your letter will be reviewed and if more information is needed, you may be contacted or sent a follow-up questionnaire. Occasionally, DRM will gather all your information on an official EEOC charge form and ask you to sign it. Send your letter to the following EEOC regional office:

Phoenix District Office  
3300 North Central Avenue, Suite 690  
Phoenix, AZ 85012-2504  
(800) 669-4000  
(602) 640-5071 FAX  
(800) 669-6820 TTY

## For More Information

If you have further questions, or would like more information in general, please contact Disability Rights Montana. Our services are offered statewide and free of charge.

Call 1-800-245-4743 or visit our office to speak confidentially with an Advocate. Office hours are Monday-Friday, 8:00 AM to 4:00 PM.



1022 Chestnut Street  
Helena, Montana 59601  
(800) 245-4743  
(406) 449-2344  
DisabilityRightsMT.org  
Advocate@DisabilityRightsMT.org