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## Question of the Week

December 26, 2024

### Question

What does my employee mean when they say they're going to "file a claim" for discrimination with the EEOC?

### ANSWER

In the context, filing a claim of discrimination means lodging a formal complaint with the Equal Employment Opportunity Commission (EEOC). The EEOC is the federal agency that enforces Title VII of the Civil Rights Act, where most of our federal employment discrimination prohibitions come from. A claim can be filed by an employee, former employees, or job applicant. The claim will assert that they were discriminated against by the employer because of their race, color, religion, sex, pregnancy, gender identity, sexual orientation, national origin, age, disability, genetic information, or another protected characteristic.

When the EEOC receives a claim of discrimination, it sends a notice of the charge to the employer. The notice will either ask the parties to participate in a mediation program to resolve the claim or instruct the employer to provide a written answer to the charge before it investigates. Although discrimination claims usually need to be *filed* with the EEOC before a person can sue, filers don't have to wait for the EEOC to investigate and can instead ask for a "right to sue" letter, which will usually end the EEOC's investigation. A lawsuit may follow, depending on the outcome and circumstances.

You can learn more about discrimination on the [platform](#).

*This Q&A does not constitute legal advice and does not address state or local law.*

