

Steps in Filing a Charge of Discrimination with the WFEP/EEOC

- * Intake Questionnaire(s) filled out by Charging Party and received by the Wyoming Fair Employment Practices office.
- * Intake Questionnaire(s) reviewed by Compliance Officer and Charge Draft send to Charging Party **OR** a Request for Information sent to Charging Party.
- * Signed, notarized Charge Draft received by the Wyoming Fair Employment Practices office and Charge is file.
- * Respondent served with Charge within 10 days of receipt by the Wyoming Fair Employment Practices office and given 14 days to respond. if requested, an extension of time to respond can be granted.
- * Respondent responds - Charging Party given 14 days to rebut Respondent's answer. If requested, an extension of time to respond can be granted
- * Charging Party responds - Charge assigned to a Compliance Officer for investigation; investigation ensues.
- * Fact Finding/Settlement Conference held with Charging Party, Respondent and the Compliance Officer.
- * Case resolved at conference and closed **OR** more information required and investigation continues **OR** Compliance Officer makes determination.
- * No Reasonable Cause determination issued by Compliance Officer - case closed. Charging Party has 20 days to ask for hearing under state law, **OR** 15 days to ask EEOC for a review of the investigation if the charge is dual filed under state and federal laws.
- * Reasonable Cause determination issued by Compliance Officer - conciliation agreement signed by Charging Party and Respondent - case settled and closed. If conciliation agreement is not signed by Charging Part and/or Respondent, the case proceeds on to further conciliation efforts, litigation on behalf of Charging party, Right-to-Sue in Federal District Court or hearing under State law.
- * Generally, you have the burden to show that the employer has violated the laws we enforce. you must supply some specific evidence --with names, approximate dates, and possible witnesses to the events-- that suggests unlawful discrimination has occurred. WFEP/EEOC reserves the right to decide how to investigate, how far to investigate, and what determination to make on any charge. If WFEP/EEOC does not find in your favor, you have the right to pursue your claim through legal action on your own.
- * WFEP/EEOC also decides what priority to give your case, based on the information you supply and our experience in such matters. Some cases are investigated immediately, but you should also be prepared to wait several months for the investigation to start.

* When we investigate, we might interview your witnesses and the employer's representatives, review records and documents, and contact other sources and witnesses not named by you for information. WFEP/EEOC tries to protect employees currently working for the employer, and such witnesses can be talked to confidentially if they wish. If there are other employees who were affected by the circumstances in your case, we might expand the investigation to include their circumstances.

* If you feel you have been retaliated against for filing your charge, discuss this with an investigator. Discrimination law prohibits retaliation for asserting your civil rights by filing a charge or participation in an investigation.

* Let us know if you change your address or phone number while your case is open at WFEP/EEOC. If we cannot locate you, your charge will be dismissed.

* WFEP/EEOC does not act as a representative or attorney for either side, and cannot give legal advice. It is up to you whether or not to hire an attorney.

* A settlement, either directly between you and the employer or through the mediation service offered by WFEP/EEOC, is one way to get early action on your charge. A settlement usually requires compromises by both sides. WFEP/EEOC cannot force the employer to agree to the terms of a settlement, which is voluntary, unless a suit has been filed and won.

* If you are now out of work because of the events in your charge, your search for work could have bearing on any future damages. Keep a record of where and when you look for work and what interim work you have obtained.