

# Reporting Employment Discrimination

## What Can I Do If I Believe That I Have Experienced Employment Discrimination?

To report employment discrimination, you can:

- File a charge with the United States Equal Employment Opportunity Commission (EEOC).
- File a complaint with the North Dakota Department of Labor and Human Rights (ND DOL). The charge will be cross filed with the EEOC.

## What Happens When I File a Charge of Discrimination?

After you file a charge of discrimination, the agency (ND DOL or EEOC) will investigate the claim to determine if there was a violation of anti-discrimination laws. The agency will make a finding of either:

- Probable Cause – it is likely that illegal discrimination occurred
- No Probable Cause – it is likely that no illegal discrimination occurred

If Probable Cause is found, the agency will work with the parties to resolve the dispute. This may be done through mediation. If the matter is not resolved through an informal process such as mediation, the claim can proceed to an administrative hearing. If the matter is not resolved or if the agency finds No Probable Cause, the person who brought the charge may file a lawsuit in district court. See NDCC 14-02.4-23.

In some cases, parties may agree to mediate before the agency makes a probable cause determination. The agency will work with the parties to reach a resolution. If the issue is resolved in mediation, the investigation will stop and there will not be a probable cause determination.

## What Are Some Tips To Help Me Support My Claim?

- Keep a record of incidents that have happened, including supporting documentation such as emails, dates, and witnesses.
- Document requests for reasonable accommodations, such as sending a follow-up email to your supervisor regarding conversations you have regarding accommodations.

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