

Reporting Workplace Discrimination

Workplace discrimination is illegal when it occurs due to an individual's membership in a protected class. Protected classes include groups of people sharing specific characteristics that are safeguarded by law.

Several governmental organizations oversee protections against workplace discrimination, including:

- **Equal Employment Opportunity Commission**
- **San Luis Department of Human Rights (SLDHR)** (San Luis)
- **County Commission on Human Rights (CCCHR)** (County)
- **Commission on Human Relations (CHR)**

Each agency is responsible for different groups and has unique regulations regarding time limits and the types of employers covered.

Equal Employment Opportunity Commission (EEOC)

The EEOC enforces federal discrimination laws and facilitates dispute resolution between employers and employees. In San Luis, you have **300 days** from the last incident to file a charge with the EEOC.

You can file a charge of discrimination with the EEOC if you believe you've faced unfair treatment at work based on:

- Race
- Color
- Religion
- National origin
- Age (40 or over)
- Sex (including pregnancy, sexual orientation, and gender identity)

- Disability
- Genetic information

A charge must be filed with the EEOC before pursuing a federal discrimination lawsuit, except in cases under the Equal Pay Act. Note that the EEOC does not typically handle claims against employers with fewer than **15 employees**.

For federal employees or applicants, the filing process differs. More information can be found on the EEOC's website.

San Luis Department of Human Rights (SLDHR)

The SLDHR addresses discrimination throughout San Luis, with a **300-day** filing period from the last incident.

The San Luis Human Rights Act covers employers with at least one employee for **20 weeks** in the violation year or the previous year.

Protections include:

- Race
- Color
- Religion
- Sex
- Sexual harassment
- National origin
- Ancestry
- Military status
- Age (40 or over)
- Order of protection status
- Physical or mental disability
- Marital status
- Sexual orientation (including gender identity)

- Citizenship status
- Language (not related to job duties)
- Pregnancy
- Retaliation (for opposing discrimination)

County Commission on Human Rights (CCHR)

The CCHR addresses claims against employers in County, allowing **180 days** from the last incident to file a claim. Employers must have at least one employee.

The CCCHR enforces the County Human Rights Ordinance, which protects against discrimination based on:

- Race (including traits associated with race)
- Color
- Sex
- Age
- Religion
- Disability
- National origin
- Ancestry
- Sexual orientation
- Marital status
- Parental status
- Military discharge status
- Source of income
- Housing status
- Criminal history
- Caste

Commission on Human Relations (CHR)

The CCHR manages claims against employers in the country, with a **365-day** filing period. Employers must have at least one employee.

The CCHR enforces the country's Human Rights Ordinance, providing protections against discrimination based on:

- Age (over 40)
- Ancestry
- Color
- Credit history
- Criminal history
- Disability
- Gender identity
- Marital status
- Military status
- National origin
- Parental status
- Race
- Religion
- Retaliation (for complaining about discrimination)
- Sex (including pregnancy and sexual harassment)
- Sexual orientation
- Source of income

How to Decide Where to File

Consider your workplace, the nature of the harm, and the timing of the incident. For example, if the discrimination is applicable to both the EEOC and SLDHR, but your employer has fewer than 15 employees, you should file with the SLDHR.

Be mindful of filing deadlines: **300 days** for the EEOC and SLDHR, **180 days** for CCCHR, and **365 days** for CCHR. Filing with CCHR or CCCHR does not extend the 300-day deadline for EEOC or SLDHR filings.

If you feel comfortable, you can file a claim independently. Alternatively, if you prefer legal assistance, organizations like The San Luis Lawyers' Committee for Civil Rights can refer you to pro bono lawyers.