



U.S. Equal Employment Opportunity Commission

Time Limits For Filing A Charge

The anti-discrimination laws give you a limited amount of time to file a charge of discrimination. In general, you need to file a charge within 180 calendar days from the day the discrimination took place. The 180 calendar day filing deadline is extended to 300 calendar days if a state or local agency enforces a law that prohibits employment discrimination on the same basis. The rules are slightly different for age discrimination charges. For age discrimination, the filing deadline is only extended to 300 days if there is a **state** law prohibiting age discrimination in employment and a state agency or authority enforcing that law. The deadline is **not** extended if **only** a local law prohibits age discrimination.

Note: Federal employees and job applicants have a [different complaint process](#), and generally must [contact an agency EEO Counselor](#) within 45 days. The time limit can be extended under certain circumstances.

Regardless of how much time you have to file, it is best to file as soon as you have decided that is what you would like to do.

Time limits for filing a charge with EEOC generally will not be extended while you attempt to resolve a dispute through another forum such as an internal grievance procedure, a union grievance, arbitration or mediation before filing a charge with EEOC. Other forums for resolution may be pursued at the same time as the processing of the EEOC charge.

Holidays and weekends are included in the calculation, although if the deadline falls on a weekend or holiday, you will have until the next business day. Figuring out how much time you have to file a charge is complicated. If you aren't sure how much time is left, you should contact one of our field offices as soon as possible so we can assess whether you still have time.

If More Than One Discriminatory Event Took Place

Also, if more than one discriminatory event took place, the deadline usually applies to each event. For example, let's say you were demoted and then fired a year later. You believe the employer based its decision to demote and fire you on your race, and you file a charge the day after your discharge. In this case, only your claim of discriminatory discharge is timely. In other words, you must have filed a charge challenging the demotion within 180/300 days from the day you were demoted. If you didn't, we would only investigate your discharge. There is one exception to this general rule and that is if you are alleging ongoing harassment.

Ongoing Harassment

In harassment cases, you must file your charge within 180 or 300 days of the last incident of harassment, although we will look at all incidents of harassment when investigating your charge, even if the earlier incidents happened more than 180/300 days earlier.

Equal Pay Act And Time Limits

If you plan to file a charge alleging a violation of the Equal Pay Act (which prohibits sex discrimination in wages and benefits), different deadlines apply. Under the Equal Pay Act, you don't need to file a charge of discrimination with EEOC. Instead, you are allowed to go directly to court and file a lawsuit. The deadline for filing a charge or lawsuit under the EPA is two years from the day you received the last discriminatory paycheck (this is extended to three years in the case of willful discrimination).

Equal Pay Act And Title VII And Time Limits

Keep in mind, Title VII also makes it illegal to discriminate based on sex in the payment of wages and benefits. What this means is, if you have an Equal Pay Act claim, you may also want to file a Title VII claim. In order to pursue a Title VII claim, you must file a charge with EEOC first. Filing a Title VII charge will not extend the deadline for filing an EPA lawsuit. Figuring out how much time you have to file a charge is complicated. It also can be difficult to figure out the pros and cons of filing a charge under the EPA instead of a lawsuit. Our field office staff would be happy to speak with you to explore your options.