

May 7, 2015

EEOC Launches Digital Charge Pilot Program

Yesterday, the U.S. Equal Employment Opportunity Commission (EEOC) launched a pilot program to digitize and streamline the current paper-based charge process for charges filed against private and public employers. The pilot – ACT Digital – will initially run in the EEOC’s field offices in the San Francisco and Charlotte NC districts, and will roll out nationwide by fall 2015.

Typically, when a discrimination charge is filed, the EEOC notifies the employer by sending EEOC Form 131 and a copy of the charge. Under the ACT Digital program, the agency will instead email or mail the employer a one-page notice which includes links and instructions to access a new secure online “Respondent Portal.” Employers will use the online portal to download the charge, communicate with the EEOC, review an invitation to mediate, submit a position statement, and provide contact information. Each charge will have a password-protected login for the Respondent Portal. Employers can opt out of ACT Digital and instead receive and submit documents and communications on paper.

To ensure that all EEOC charges are responded to in a timely manner, employers should notify employees in their company who typically process or handle EEOC charges that the system is changing and to be on the alert for the new digital charge notices. We understand that the new notice looks very different from what employers are used to receiving and could easily get overlooked. What’s more, because the new notices may be sent via email, notifications could be sent to supervisors or others in the organization who do not usually handle EEOC charges; to that end, employers should take steps to ensure that such individuals are aware of their obligation to forward charge information to the appropriate company department. More information about ACT Digital can be found online at <http://www.eeoc.gov/employers/act-digital-qanda.cfm>.

Miller Law Group exclusively represents business in all aspects of California employment law, specializing in litigation, wage and hour class actions, trials, appeals, compliance advice and counseling. If you have questions about your workplace obligations, please contact us at (415) 464-4300. To learn more about our firm, visit our website at www.millerlawgroup.com.

111 SUTTER STREET
SUITE 700
SAN FRANCISCO
CA 94104
415 464 4300 T
415 464 4336 F

12121 WILSHIRE BLVD.
SUITE 1375
LOS ANGELES
CA 90025
310 943 8500 T
310 943 8501 F



This Alert is published by Miller Law Group to review recent developments in employment law. This material is designed to provide informative and current information as of the date of the Alert, and should not be considered legal advice.