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How to Submit an Employment Discrimination Complaint

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Overview

TWC's Civil Rights Division's programs provide an avenue for current and former employees (or people who applied for employment) to file a complaint if they believe they have been discriminated against in an employment transaction. We are here to assist you if you believe the treatment you received from the employer was because of your race, color, national origin, age, religion, sex, disability, or because of retaliation for participating and/or filing another discrimination complaint.

The Civil Rights Division conducts neutral investigations and gathers information to determine if discrimination has occurred under the Texas Labor Code. We work in cooperation with the federal Equal Employment Opportunity Commission (EEOC) to resolve employment discrimination allegations.

Complaint Process:

In order to file a complaint of discrimination, you must meet the following jurisdictional requirements:

- The physical address you worked at must be within the state of Texas.
- The company must have 15 or more employees.
- The date of discrimination must have occurred within the last 180 days from the date you are submitting the complaint.
- Your discrimination allegation must specify one or more of the following types: race, color, national origin, religion, sex, age or disability.
- Your complaint must identify employment harm such as demotion, denial of promotion or termination.

Contact

Contact the Civil Rights Division:

- Email: EEOintake@twc.state.tx.us
- Fax: 512-482-8465 or 512-482-8511
- Mailing Address:
Texas Workforce Commission
Civil Rights Division
101 E 15th St, Guadalupe CRD
Austin, TX 78778-0001
- Physical Address:
1215 Guadalupe St,
Austin, TX 78701
- Call: 512-463-2642 or 888-452-4778 (in Texas only)

Form

- [Employment Discrimination Complaint Form](#)

Publications

- [Civil Rights Reporter](#)

Laws

- Your complaint must identify employment harm such as demotion, denial of promotion or termination.

Feel free to complete the form below if you believe you were discriminated against for any of the reasons listed above.

- [Employment Discrimination Complaint Form](#) 

When you submit an employment discrimination complaint with the Civil Rights Division, it is automatically submitted with EEOC through our Worksharing Agreement. You cannot submit with both the Civil Rights Division and the EEOC.

Investigation Process:

Once our office receives your Employment Discrimination Complaint Form, we will determine if it meets the requirements. If your complaint does not meet the statutory requirements contained in Texas Labor Code Chapter 21 and/or Texas Administrative Code, Chapter 819, our office will mail you a letter formally dismissing your complaint.

If your complaint does meet the jurisdictional requirements, our office will draft a form known as the charge of discrimination. This form will be mailed or emailed for your review and signature. Once the signed charge of discrimination is received by our office, your complaint will be processed.

Mediation (Optional): Once a signed charge is received, you and the respondent will receive an invitation from our office to mediation. Mediation is a voluntary process that allows both parties to discuss their issues with a neutral mediator. The mediator's role is to provide assistance in resolving the dispute in a manner favorable to all parties. The mediation can take place on the telephone or in person or remotely, involving the internet. If both parties accept the mediation invitation, a meeting will be scheduled with one of our mediators.

Investigation: If either party declines mediation, the investigation will begin. The investigator will conduct interviews with the involved parties and witnesses, review relevant documents, policies and procedurals, and refer to relevant State laws. Based on the evidence presented and the investigation conducted, the investigator will determine whether or not there is sufficient evidence of discrimination.

Additional Complaint Submission Methods:

In addition to this Employment Discrimination Complaint Form, you can submit an employment discrimination complaint to us by email, by postal mail or in person.

We cannot accept employment discrimination complaints over the telephone.

- [Texas Labor Code, Chapter 21](#)
- [Texas Administrative Code, Chapter 819](#)
- [Texas Government Code](#)

Complaint Requirements

To submit an employment discrimination complaint to us, all of these requirements must be met:

- The physical address you worked at must be within the state of Texas.
- The company must have 15 or more employees.
- The date of discrimination must have occurred within the last 180 days from the date you are submitting the complaint.
- Your discrimination allegation must specify one or more of the following types: race, color, national origin, religion, sex, age or disability.
- Your complaint must identify employment harm such as demotion, denial of promotion or termination.

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Required Information

As the party making the complaint, you are required to actively participate in the complaint process. You must include each of the following:

- Your full name, home address and home telephone number
- The official company name, physical address where you worked for the employer and office telephone number
- The Human Resources Supervisor/Director's full name, address and telephone number
- Whether the company has 15 or more employees (this can include other worksites besides the one where you worked)
- Whether your treatment was because of your race, color, national origin, religion, sex, age or disability
- A description of the employment harm such as demotion, denied hire, termination, denied benefits, etc.

If your address or phone number change during an investigation, you must notify your investigator immediately.

Your full cooperation is very important during the processing of your complaint, and failure to cooperate may result in a dismissal of your complaint.

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See Also

- [Age Discrimination](#)
- [Disabilities Discrimination](#)
- [Emergency Evacuation Discrimination](#)
- [National Origin Discrimination](#)
- [Racial Discrimination](#)
- [Color Discrimination](#)
- [Religious Discrimination](#)
- [Retaliation Discrimination](#)
- [Sex Discrimination](#)

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Last Verified: January 17, 2019

Equal Opportunity Employer/Program

Auxiliary aids and services are available upon request to individuals with disabilities.

Deaf, hard-of-hearing or speech-impaired customers may contact TWC through the relay service provider of their choice. [Equal opportunity is the law.](#)

For questions, compliments or complaints, call 800-628-5115

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