

26 NCAC 04 .0102 CONTENT AND PROCEDURE

(a) Any person wishing to file a complaint of alleged employment discrimination under G.S. 7A-759 with the Civil Rights Division shall complete the preliminary intake form found at www.ncoah.com; or submit the complaint in writing or by telephone to:

Director of Civil Rights Division
Office of Administrative Hearings
6714 Mail Service Center
Raleigh, NC 27699-6714
(984) 236-1850

(b) The complaint shall include the following information:

- (1) The full name, address, telephone number (work and home), and email address of person making the complaint;
- (2) The full name and address of the person or agency against whom the complaint is made (the respondent);
- (3) A statement of the alleged employment discrimination including pertinent dates;
- (4) A statement of the specific employment issues (e.g. discharge, discipline, promotion) including the name and job title of the decision maker;
- (5) A statement of the act, policy or practice which is alleged to be unlawful;
- (6) For each act, policy or practice alleged, a statement of the facts which lead the person to believe the act, policy or practice is discriminatory; and
- (7) The approximate number of employees of the respondent employer.

(c) A complaint is considered a charge when the Equal Employment Opportunity Commission's Charge of Discrimination form is signed and dated and received by the Civil Rights Division.

(d) The Civil Rights Division shall assess the charge to determine if it is within the jurisdiction of the Office of Administrative Hearings and if so, it shall be assigned a charge number. If the charge is not within the jurisdiction of the Office of Administrative Hearings, it shall be transferred to the Equal Employment Opportunity Commission.

*History Note: Authority G.S. 7A-759;
Temporary Rule Eff. October 15, 1986 for a Period of 120 Days to Expire on February 11, 1987;
Eff. February 1, 1987;
Amended Eff. November 1, 2012; December 1, 1999; April 1, 1991; April 1, 1989;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016;
Amended Eff. October 1, 2022.*