



Equal Employment Opportunity Commission (EEOC)

EEOC Respondent Portal

User's Guide

Revised January 28, 2016

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Chapter 1 Notice Of Charge of Discrimination

If your organization has been named as the respondent in a charge of employment discrimination filed with the Equal Employment Opportunity Commission (EEOC), you will receive a **Notice of Charge of Discrimination**. The first page is illustrated by the example in FIGURE 1 on the following page. The features are summarized below.

- ❶ The name and address of the **EEOC Office** that is handling the Charge are shown in the Notice's header. *Note that the "Notice replaces EEOC FORM 131" as the official notice of the charge of discrimination.*
- ❷ The **Date of Notice** is the date on which the Notice of Charge of Discrimination is sent to your organization.
- ❸ The Notice is addressed to your **Organization Contact** (or Legal Representative, if your organization has already identified one) for matters involving charges of employment discrimination, if EEOC was able to verify that person prior to sending the Notice. If the Notice is sent by email, the email address appears here. Otherwise, a mailing address appears.
If EEOC was unable to verify your Organization Contact, the Notice is addressed to your **organization's email or mailing address of record** instead.
- ❹ The **Charging Party**, alleged **statutory violation**, **circumstances** and **date(s) of occurrence** are identified in the first paragraph of the Notice.

You can download, save, and print the official **Charge of Discrimination (EEOC Form 5)** from the EEOC Respondent Portal, as indicated in the Notice's second paragraph.

- ❺ **Instructions** for logging into the EEOC Respondent Portal are provided in the Notice's third paragraph. You are expected to log into the Portal and view the Charge within ten (10) days of receiving the Notice.
- ❻ The **terms of consent for electronic service** of the charge and a summary of what you'll be able to do when you log into the Portal are described in the fourth paragraph of the notice. A fifth paragraph includes a general information email address.

The Notice's second page (*not pictured*) explains **Preservation of Records** and **Non-Retaliation Requirements**, and the **right to retain an attorney**.



**U.S. Equal Employment Opportunity Commission
Sample District Office**

123 Any Street, Suite 100, Anytown, Anystate, 00001

NOTICE OF CHARGE OF DISCRIMINATION

(This Notice replaces EEOC FORM 131)

2

DIGITAL CHARGE SYSTEM

December 4, 2015

To: Mr. Jay Q. Publik
Administrator
A Restaurant, Inc.
j.q.publik@anywhere.com

3

4

This is notice that a charge of employment discrimination has been filed with the EEOC against your organization by «Field14» under Title VII of the Civil Rights Act (Title VII) and The Age Discrimination in Employment Act (ADEA). The circumstances of the alleged discrimination are based on Sex, Race and Age, and involve issues of Harassment and Discharge that are alleged to have occurred on or about November 25, 2015 and may be continuing.

The Digital Charge System makes investigations and communications with charging parties and respondents more efficient by digitizing charge documents. The charge is available for you to download from the EEOC Respondent Portal, EEOC's secure online system.

Please follow these instructions to view the charge within ten (10) days of receiving this Notice:

5

1. Access EEOC's secured online system at <https://10.5.1.201/sample/login.jsf>.
2. Enter this EEOC Charge No.: **430-2016-00000**.
3. Enter this password: **5AMPL3XP**.

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Once you log into the system, you can view and download the charge, and electronically submit documents to EEOC. The system will also advise you of possible actions or responses, and identify your EEOC point of contact for this charge.

If you are unable to log into the EEOC Respondent Portal or have any questions regarding the Digital Charge System, you can send an email to SAMPLE@eeoc.gov.

FIGURE 1 Notice of Charge of Discrimination, page 1

Tip! *If the EEOC was able to obtain a valid email address for your organization, your organization's contact, or organization's legal representative, the Notice is sent as an email.*

Chapter 2 Opening the EEOC Respondent Portal

- Step 1.** If you've received a **Notice of Charge of Discrimination** from EEOC, the Notice contains a secure **https://** address (see Chapter 1, FIGURE 1). Click that address **or** enter it into a Web Browser.
- Step 2.** In the **EEOC Respondent Portal Sign-In Page** (FIGURE 2, below), enter the EEOC Charge No. provided in the Notice as the **Charge Number**. If you clicked the https:// address at Step 1, the Charge Number is entered for you.

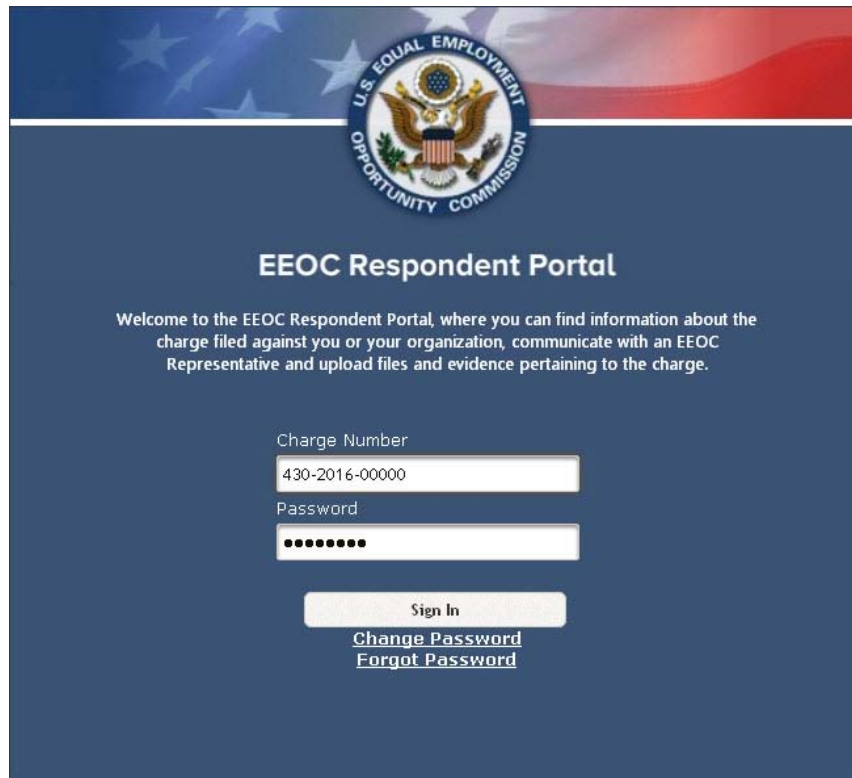


FIGURE 2 EEOC Respondent Portal Login Page

- Step 3.** Enter the **Password** provided in the Notice. It will appear as asterisks (*). You may change the password if you wish; see Chapter 3 to learn how.
- Step 4.** Click the **Sign In** button.
- Step 5.** A **Respondent Portal Terms of Access Page** appears every time you sign in. Click the **I have read and agree to the Terms of Access** box to indicate that you have. You **MUST** read and agree to the Terms to open the Portal.
- Step 6.** Click the **Enter Respondent Portal** button.

Chapter 3 Changing Your Portal Password

Step 1. Click **Change Password** at the bottom of the EEOC Respondent Portal Sign-In page (see Chapter 2, FIGURE 2). The **Update/Change Password Page** (FIGURE 3 below) appears.

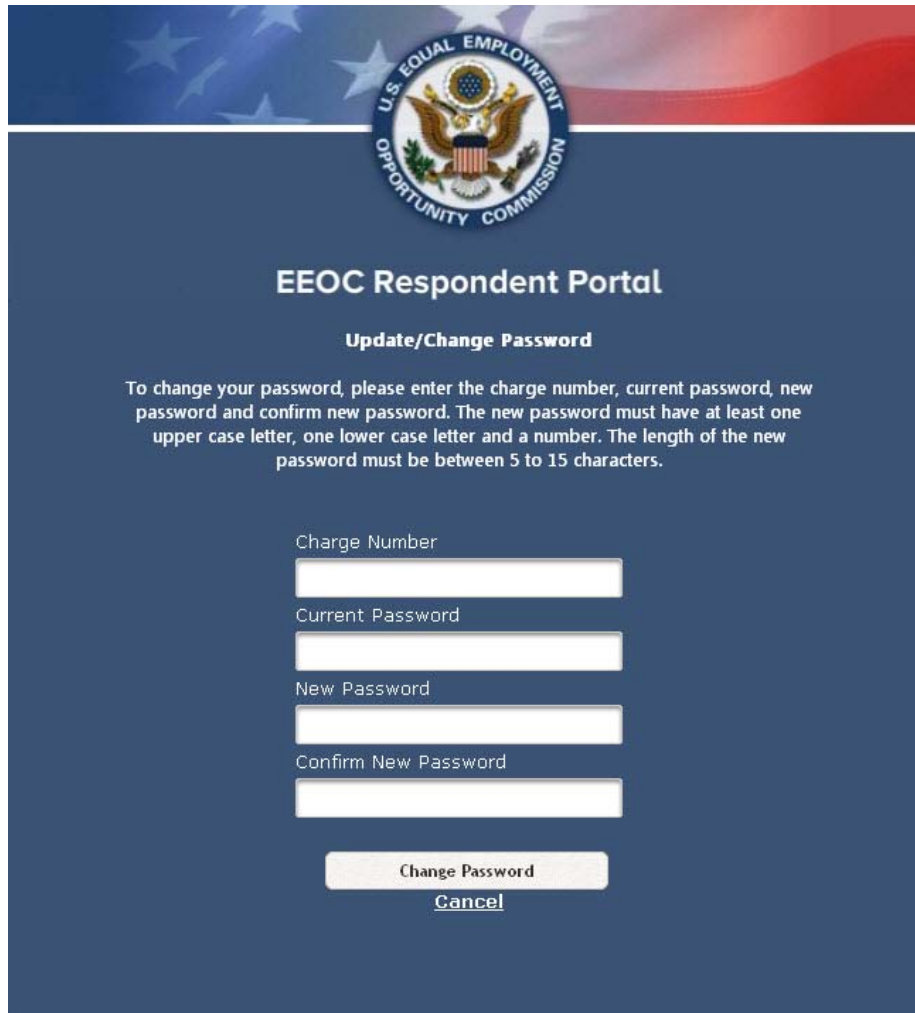
The screenshot shows the EEOC Respondent Portal's 'Update/Change Password' page. At the top, there is a header with the U.S. Equal Employment Opportunity Commission seal and the text 'U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'. Below the header, the page title 'EEOC Respondent Portal' is displayed, followed by the subtitle 'Update/Change Password'. A paragraph of instructions states: 'To change your password, please enter the charge number, current password, new password and confirm new password. The new password must have at least one upper case letter, one lower case letter and a number. The length of the new password must be between 5 to 15 characters.' Below this text are four input fields labeled 'Charge Number', 'Current Password', 'New Password', and 'Confirm New Password'. At the bottom of the form are two buttons: 'Change Password' and 'Cancel'.

FIGURE 3 EEOC Respondent Portal Update/Change Password Page

Step 2. Enter the **Charge Number** from the Notice of Charge of Discrimination (see Chapter 1, FIGURE 1)

Step 3. Enter your **Current Password**.

Step 4. Enter your **New Password**. It must be between 5 and 15 characters long and have at least one upper-case letter, one lower-case letter, and one number.

Step 5. Re-enter your new password in the **Confirm New Password** box.

Step 6. Click **Change Password** button. If you've changed your mind, click **Cancel** instead and skip Step 7.

Step 7. A pop-up window confirms that your password was changed and asks if you want to access the Portal to view charge information. Click **Yes** if you want to view charge information, or click **No** if don't want to view charge information at this time.

3.1 Requesting a New Password

If you previously logged into the EEOC Portal, but can't remember your password, you can request a new password. A new random password will be generated for you. You can then change it at your discretion.

Step 1. Click **Forgot Password** at the bottom of the EEOC Respondent Portal Sign-In page (see Chapter 2, FIGURE 2). The **Forgot Password Page** (FIGURE 4 below) appears.



FIGURE 4 EEOC Respondent Portal Forgot Password Page

Step 2. Enter the **Charge Number** from the Notice of Charge of Discrimination (see Chapter 1, FIGURE 1)

- Step 3.** Enter your **Email Address**. You must be identified in the EEOC Respondent Portal as a Contact or Legal Representative for the organization named in the charge, and the email address you enter must be identified in the Portal's **Contacts** block (see Chapter 5, FIGURE 6).
- Step 4.** Click **Email Password**. If you've changed your mind, click **Cancel** instead and skip Step 5.
- Step 5.** A pop-up window confirms that a new password was generated for you and sent to your email. Click **Ok** to dismiss the message, then retrieve the new password from your email. Then return to the Portal's Sign-In page to sign into the Portal with your new password.

Tip! Consider changing the password to one of your own choice before signing in.

Chapter 4 Verifying Organization Contact Information

When signing-in for the first time, you'll see an **Add/Update Organization Contact Information** pop-up (FIGURE 5 below). The pop-up appears each time you log in, until the information in it has been updated and/or confirmed.

Add/Update Organization Contact Information

The organization contact is the person you designate as the primary point of contact for your company or organization for matters regarding this charge. Please ensure that the information below is correct for your designated contact. If any information is missing or incorrect, please provide or correct it.

First Name: * R.

Middle Initial: Q

Last Name: * Contact

Title: * Corporate Contact

Organization: A RESTAURANT, INC.

Email: * r.q.contact@mailinator.com

Address Line 1: * 9 Any Road

Address Line 2: Suite 1400 - Room 13

Zip, City, State: * 28210 Charlotte NC

Phone: * (704) 123-0988

Cell Phone:

Fax:

Primary Organization Contact?: ☐

Update/Confirm Cancel

FIGURE 5 Add/Update Organization Contact Information Pop-up

To confirm or update the Organization Contact Information, follow the steps below:

Step 1. Add or modify the required information that identifies your organization's designated point of contact for the charge, as needed. A red asterisk (*) indicates that you must provide the information in order to confirm or update the contact. That information is the contact's:

- **First Name ***
- **Last Name ***
- **Title ***
- **Email *** – *enter a valid email address*
- **Address Line 1 *** – *typically a street address*
- **Zip, City, State *** – *enter a valid Zip Code*
- **Phone *** – *enter in format (###) ###-####*

When you enter a valid Zip Code, you will be asked to select the correct City and State to go with it. The City and State you select will be automatically entered for you in the pop-up.

Step 2. You may also enter the **Middle Initial** of the contact's name if applicable, an **Address Line 2** (e.g., apartment, building, P.O. Box, or suite number) if needed, and the contact's **Cell Phone** and/or **Fax** numbers, if they are available.

Step 3. If your organization has multiple contacts for the charge, and the contact that is currently displayed in the pop-up is the primary contact, be sure the checkbox beside **Primary Organization Contact?** is checked. Click the checkbox to check it – or to uncheck it, if your organization has multiple contacts for the charge, and the current contact is not the primary one.

Tip! *If you uncheck the checkbox, be sure to go to the EEOC Respondent Portal's **Contacts** block to identify one of your organization's other contact's as the primary contact (see Chapter 9.1).*

Step 4. If you made changes OR if the present information is correct, click **Update/Confirm**. Otherwise, click **Cancel** to postpone updating or confirming the organization contact information. Either action closes the pop-up and reveals the **Charge of Discrimination Page**.

If the contact information was confirmed or updated, a message appears at the top of the page to let you know the action was successfully completed.

Tip! *If you cancel the pop-up, it will appear each time you sign-in to the Portal, until you update or confirm the information in it.*

Chapter 5 The Charge Of Discrimination Page

After closing the Add/Update Organization Contact Information pop-up window (or immediately after logging-in, if you previously verified your organization's contact information), the **Charge of Discrimination Page** appears. An example of the page, showing all the features that are currently available, is illustrated in FIGURE 6 below. The features are summarized below the illustration.

The screenshot displays the EEOC Respondent Portal interface. At the top, the EEOC logo and "EEOC Respondent Portal" title are visible. The page is titled "Charge of Discrimination" and includes a "User Guide | Logout" link. The main content area shows the organization's name, "A RESTAURANT, INC.", and the EEOC contact, "Joe Investigator, joe.investigator@eeoc.gov". A yellow box labeled "Required" contains instructions for responding to the Mediation Offer by January 23, 2016. The charge number "430-2016-00190" is displayed. Below this, the charge details are provided, including the name of the charging party, "Jason Q. Private". A section titled "Statutes and circumstances of alleged discrimination" lists the Americans with Disabilities Act (ADA) and Title VII of the Civil Rights Act (Title VII). A section titled "Would you like to participate in the Mediation of this charge?" includes a "Your Partner in Workplace Solutions" image and text, and a "Confirm" button. The right sidebar contains sections for "Contacts" (with an "Add Organization Contact" button), "Charge Documents" (with an "Upload Documents" button), and a list of documents including "Notice of Charge" and "430-2016-00190_Private, Jason Q Jr. v. A Restaurant".

1 Update Organization Name

2 Required

3 Charge: 430-2016-00190

4 Would you like to participate in the Mediation of this charge?

5 Contacts

6 Charge Documents

FIGURE 6 Example of Charge of Discrimination Page

- 1 Near the top left of the page is the name of **Your Organization** as it appears in the charge of discrimination. You can request a change to the organization name. The request is sent to EEOC for approval. See Chapter 7 to learn more.

Below the name of your organization is the name and email address of **Your EEOC contact** for the charge. Your EEOC contact may change if the charge is transferred to a different EEOC staff member. For example, a charge may be re-assigned to a staff member of a Mediation Unit if it is eligible for Mediation.

Near the upper right of the page (above "Contacts") is a link to this **User Guide**, and a link to **Logout** of the Portal.

- 2 **Action Notices** appear below the name of Your EEOC contact and direct you to take a particular course of action, or inform you that no action is necessary. The person(s) identified as the Organization Contact(s) or Legal Representative(s) receive an email notification whenever a new Action Notice is posted. See Chapter 8 to learn more.

- 3 The **Charge** is identified below the Action Notice. The Charge Number, Charging Party's name, and Charge Circumstances (Statutes and Bases) are displayed on the page. You can open a copy of the Charge of Discrimination by clicking the hypertext link. See Chapter 6 to learn more.

- 4 If the Charge is eligible for mediation, an invitation to participate (**Would you like to participate in the Mediation of this charge?**) appears below the Charge information. Expand the invitation to read more about EEOC's Mediation Program and its benefits (**Why Mediation?**), and respond to the invitation by clicking and confirming a reply choice: "Yes", "No" or "Undecided". See Chapter 8, Section 8.1 to learn more.

Tip! The reply choices are disabled if EEOC is scheduling mediation for the Charge.

- 5 Your organization's **Contacts** are displayed near the page's upper-right. Contacts may include your Organization Contact(s) and Legal Representative(s). Manage Contacts as needed. See Chapter 9 to learn more.

Contacts receive notification emails on behalf of your organization if Action Notices change; the charge is amended by EEOC; or EEOC extends the due

date of your organization's Position Statement. See Chapter 9.6 to learn more.

Tip! *Your Organization Contact(s) receive the emails until a Legal Representative is added. When added, a Legal Representative(s) will receive the emails instead.*

- ⑥ Charge **Documents** are listed below the Contacts. These include documents provided by EEOC (such as the Charge of Discrimination, Notice of Charge, an Amended Charge of Discrimination, a Request for Position Statement, and a Request For Information) and any documents your organization submits to EEOC via the Portal (such as a Position Statement, response to a Request For Information, and general items Other Correspondence).

Click any **Documents** hypertext link to download and view the listed document. You may submit a Position Statement, a response to the Request For Information, and/or Other Correspondence to EEOC by clicking **Upload Documents**. See Chapter 10 to learn more.

Tip! *Future releases of the EEOC Respondent Portal will include the capability of downloading and submitting additional types of charge-related documents.*

Chapter 6 Viewing the Charge of Discrimination

You may view and/or download a copy of the signed Charge of Discrimination that was filed with EEOC from the **Charge of Discrimination Page** (Chapter 5, FIGURE 6). The EEOC Charge Number, charging party's name, and the statutes and circumstances (i.e., bases) of the alleged employment discrimination are displayed on the page, along with a link to the copy of the Charge. Follow the steps below to view and/or save the Charge.

Step 1. Under the Charge number in the sentence that reads "Please click here to open a copy of the charge", click "here".

Step 2. The Charge of Discrimination may be opened for viewing or saved.

Tip! You can also view or download the Charge of Discrimination, and the Notice of Charge of Discrimination ("Notice of Charge") in its PDF format, from the **Documents** block on the right side of the page. See 9.6 to learn more.

Chapter 7 Requesting an Update to Your Organization Name

At the top of the Charge of Discrimination Page (Chapter 5, FIGURE 6) is **Your Organization** information. The name of your organization as it appears in the Charge of Discrimination filed with EEOC is shown here.

If the name of your organization in the Charge of Discrimination is inaccurate, you may submit a request to have that name modified (see **Error! Reference source not found.**). EEOC will review your request and determine whether or not the charge should be amended to reflect the requested name change.

Follow these steps to request a change to how your organization's name appears in the charge.

Step 1. Click **Update Organization Name**.

Step 2. In the **Update Organization Name** pop-up, enter the corrected/updated **Company Name** and **Comments** to explain why you would like the name changed. You **MUST** provide the Company Name and Comments in order to submit your request.

Step 3. Click **Send Update Request**. A message appears at the top of the Charge of Discrimination Page to let you know that your requested name change has been sent to EEOC for review.

Chapter 8 Action Notices & Invitation to Mediation

Directly below Your Organization information, the Charge of Discrimination Page (Chapter 5, FIGURE 6) identifies the type of response expected from your organization. For example, you may see a notice that tells you a statement of your organization's position and any supporting documentation should be uploaded into the Respondent Portal by a particular date.

Tip! *If a new Notice posts, your Organization Contact(s) or Legal Representative(s) will receive an email notification. See Chapter 9 to learn more.*

A charge may be eligible for mediation through EEOC's Alternative Dispute Resolution Program. If it is, an Action Notice instructs you to reply to the **Invitation to participate in Mediation** that appears on the Charge of Discrimination Page, below the Charge details.

Clicking **"- Why Mediation? -"** in the Invitation to Mediation expands the Invitation to tell you more about the EEOC's Alternative Dispute Resolution Program and how it works. In FIGURE 6, you can see part of the information about Mediation that appears in the Respondent Portal.

8.1 Replying to an Invitation to Participate in Mediation

Let's say your organization agrees to participate in mediation. To reply to EEOC:

Step 1. Click **Yes** in the upper right of the Invitation to Mediation.

Step 2. Click the **Confirm** button. A message appears at the top of the page to let you know your reply was received, and provides more information regarding your reply. Additionally, the Action Notice instructing you to reply to the Mediation Offer changes to reflect further Action that may result from your decision.

If, on the other hand, your organization wished to decline the mediation offer, follow the procedure defined above, but click and confirm **No** instead.

If your organization needs more information and is unsure about agreeing to mediation, follow the procedure defined above, but click and confirm **Undecided** instead. An EEOC representative will contact your organization with more information about the EEOC's mediation program and the benefits of participating.

Chapter 9 Managing Contacts

On the right side of the Charge of Discrimination Page (Chapter 5, FIGURE 6) is information about your organization's **Contacts**. You can add, modify, or delete information for non-legal contacts and/or legal representatives handling matters concerning the Charge on behalf of your organization.

9.1 Displaying Additional Contact or Legal Representative Information

The most recently added Organization Contact and/or Legal Representative information is displayed by default under **Contacts**. A button located to the left of each Contact or Legal Representative name displays or hides the Organization Contact or Legal Representative's information with a click.

If there are additional Contacts and/or Legal Representatives other than the most recently added one, their information is hidden by default.

***Tip!** If you identify more than one contact or legal representative, you'll need to identify which one of them is the primary contact or representative.*

9.2 Adding or Modifying Organization Contact Information

Step 1. To add an Organization Contact, click **Add Organization Contact**.

To modify an Organization Contact's information, first display the desired Organization Contact (see above), then click **Update** below that Organization Contact's information.

Step 2. The **Add/Update Organization Contact Information** pop-up appears. It is the same pop-up you see the first time you sign-in to the Portal (Chapter 4, FIGURE 5).

If you are adding an Organization Contact, all the fields will be empty, and you will need to at least complete those which are marked with a red asterisk (*).

If you are modifying an Organization Contact, simply revise the existing information and/or add new information as necessary. Again, be sure all information that is marked with a red asterisk (*) is provided..

Follow the instructions in Chapter 4 to add or modify the Organization Contact information in the pop-up.

9.3 Deleting Organization Contact Information

- Step 1.** Display the desired Organization Contact (see above).
- Step 2.** Click **Delete** below the Organization Contact's information.
- Step 3.** A pop-up appears, asking you to confirm the action. Click **Yes** to confirm and complete the deletion, or **No** if you've changed your mind and want to retain the Organization Contact.

9.4 Adding or Modifying a Legal Representative

- Step 1.** To add a new Legal Representative, click **Add Legal Representative**.

To modify a Legal Representative's information, first display the desired Legal Representative (see above), then click **Update** below that Representative's information.

- Step 2.** The **Add/Update Legal Representative Information** pop-up appears. It is like the pop-up you see the first time you sign-in to the Portal (Chapter 4, FIGURE 5), except for its title.

If you are adding a Legal Representative, all the fields will be empty, and you'll need to at least complete those which are marked with a red asterisk (*).

If you are modifying a Legal Representative, simply revise the existing information and/or add new information as necessary. Again, be sure all information that is marked with a red asterisk (*) is provided..

Follow the instructions in Chapter 4 to add or modify the Legal Representative information in the pop-up.

9.5 Deleting a Legal Representative

- Step 1.** Display the desired Legal Representative (see above).
- Step 2.** Click **Delete** below the Legal Representative's information.
- Step 3.** A pop-up appears, asking you to confirm the action. Click **Yes** to confirm and complete the deletion, or **No** if you've changed your mind and want to retain the Legal Representative.

9.6 Email Notifications

Contacts receive email notifications from EEOC if

- A new Action Notice is posted in the Portal;
- An Amended Charge of Discrimination is posted in the Portal by EEOC;
- EEOC approves a request to extend your Position Statement due date; or
- Your organization submits documents to EEOC via the Portal.

If your organization hasn't identified at least one Legal Representatives, then its Organization Contact(s) receive the email notifications. If legal representatives are added, then the email notifications will be sent to them instead of the Organization Contacts.

Chapter 10 Charge Documents

Electronic versions of documents associated with the Charge are listed below the **Contacts**, on the right side of the Charge of Discrimination Page, under **Documents** (Chapter 5, FIGURE 6).

The Charge of Discrimination (EEOC Form 5; see Chapter 6) and Notice of Charge of Discrimination ("Notice of Charge"; see Chapter 1) are listed under Charge Documents. These documents can be clicked to open for viewing and/or to be saved.

A Request For Position Statement and a Request for Information (RFI) will also appear under Documents. An Action Notice (see Chapter 8) instructs you to review the Request for Position Statement or an RFI that has been posted, and to provide a response in a timely manner.

Tip! *If you receive an Action Notice requesting a Position Statement, be sure to review the **Effective Position Statements** document that are provided for your assistance.*

If the Charge is amended by EEOC, the Amended Charge will also be listed under Charge Documents. When a Charge is amended, the designated Organization Contact or Legal Representative (see Chapter 9.1) will receive an email notification.

Your organization may also submit Charge Documents to EEOC. When submitted, these also appear under Documents.

Tip! *Currently, Position Statements, general correspondence ("Other Correspondence"), and RFI responses may be submitted to EEOC through the Portal. As the EEOC Respondent Portal is enhanced, the capability for submitting other types of charge documents will be available.*

10.1 Submitting a Digital Position Statement to EEOC

If the EEOC asks your organization to provide a Position Statement, you can submit that document to EEOC through the Portal by following these steps:

Step 1. Click **+ Upload Documents**.

Step 2. In the **Upload Documents** pop-up, click **Choose File(s) to Upload** and select the Position Statement you want to submit, using the standard **Open** window, **or** by "dragging and dropping" that Position Statement from its file location into the area below Choose File(s) to Upload.

Step 3. Select the **Document Type**:

- Position Statement
- Position Statement Attachments – Non-Confidential
- Position Statement Attachments – Confidential

Step 4. Click **Save Upload** to submit the Position Statement and attachments to EEOC. Once the Position Statement and attachments have been submitted, you will not be able to retract the documents.

Step 5. A message at the top of the Charge of Discrimination Page informs you that the document has been successfully submitted to EEOC, and the Position Statement is listed under **Charge Documents**. Your organization's designated Organization Contact(s) or Legal Representative(s) will also receive an email notification that the document was received by EEOC (see Chapter 9.1).

10.2 Submitting Other Correspondence to EEOC

Your organization may submit general correspondence documents to EEOC through the Portal, for matters related to the charge. To submit general correspondence documents, follow the procedure as for "Submitting a Digital Position Statement to EEOC" (above), but select the "Other Correspondence" Document Type at Step 3 instead of selecting "Position Statement".

10.3 Submitting a RFI Response to EEOC

If a Request For Information is made by EEOC, you may submit your organization's response to EEOC through the Portal. Follow the procedure as for "Submitting a Digital Position Statement to EEOC" (above), but select the "RFI Response" Document Type at Step 3 instead of selecting "Position Statement".