

Completing EEOC intake form starts right-to-sue clock

Employees or applicants who want to sue an employer for discrimination generally have to file a complaint with the EEOC or the equivalent state administrative agency within 300 days of the alleged discrimination. Otherwise, they lose the right to do so.

Employers sometimes count down those days after a particularly contentious firing, hoping the worker doesn't file. But just because you don't hear anything, doesn't always mean much.

Recent case: Lateshia filed an intake form from the EEOC within 300 days of the alleged discrimination she experienced at Sysco. However, she didn't file a verified EEOC complaint within 300 days, and her case was tossed out as untimely. She appealed.

The 8th Circuit Court of Appeals ruled her filing was timely because the intake form was filed out before the deadline. (*Patillo v. Sysco Foods*, 8th Cir., 2017)