



EEOC Launches New Five-City Trial For Online Employee Inquiries

Insights

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The Equal Employment Opportunity Commission (EEOC) has just added a fourth option for employees to initiate charges against their employers – an online portal. On March 13, 2017, the agency announced the Online Inquiry and Appointment System (OIAS), another step forward in its cyber-presence, and another avenue for individuals to initiate employment discrimination claims against their employers. What do employers need to know about this latest development?

What Is OIAS?

Before filing a charge, an individual must submit an initial inquiry to the EEOC. Until this week, the individual had three options for submitting the inquiry: mail, in person, or over the phone. With the introduction of OIAS, the EEOC has created a fourth avenue: the online portal.

According to the [EEOC's press release](#), OIAS will do more than serve as a digital option for submitting inquiries; it will also serve as an additional way for individuals to request and schedule intake interviews for the purpose of filing or perfecting a charge of discrimination. The EEOC intends for OIAS to assist the agency in processing nearly 200,000 annual inquiries by creating a more streamlined and paperless process.

Importantly, OIAS is not a carte blanche system allowing individuals to directly file charges against employers. Rather, it is simply an additional way an individual can take the first step in the charge-filing process. In fact, the EEOC clearly explains that the use of OIAS does not guarantee the agency will even file a charge. Employers should see the EEOC's continuing role as an intermediary vetting charges as a silver lining, however thin that lining may be.

Where Is OIAS And When Will It Be Available?

Effective immediately, the EEOC is piloting the program in five cities:

- Charlotte, North Carolina;
- Chicago, Illinois;
- New Orleans, Louisiana;
- Phoenix, Arizona; and
- Seattle, Washington.

The OIAS pilot program encompasses individuals **living or working** within 100 miles of these pilot cities. An individual's zip code will determine eligibility to use OIAS during the pilot program.

Based on our informal testing of the system, it appears the 100 miles is not a "hard line radius," but instead an approximation that may range a bit further than advertised. Employers can [test their zip code here](#) to determine whether a specific residence or business location is within the pilot program.

The EEOC plans to "evaluate the public's experience with the new system in these five offices prior to a nationwide rollout later this fiscal year," which ends on September 30, 2017. Barring unforeseen complications or an outcry of reasonable complaints about the program, the agency has every intention of rolling it out on a national basis within the next six months.

The Bottom Line

Although the EEOC will still vet claims before they reach an employer's desk to ensure frivolous or non-viable charges are weeded out, it is unclear whether we can expect to see any sort of increase in the number of claims filed as a result of this new program. Increased access to the ability to initiate the claims process could lead to a slightly higher number of charges filed, although we do not expect a dramatic surge during the initial period of the pilot program or once it is rolled out nationally.

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