



**U.S. Department of Justice
Civil Rights Division
Immigrant and Employee Rights Section (IER)**

OMB Number 1190-0018
Revised date: X/XX/19
IER Charge Form

U.S. immigration law prohibits certain types of employment discrimination and retaliation, including: (1) **citizenship status** discrimination with respect to the hiring, firing, or recruitment or referral for a fee of protected individuals: citizens, recent lawful permanent residents, U.S. nationals, temporary residents, refugees, and asylees (excluding lawful permanent residents who do not apply for naturalization within six months of eligibility); (2) **national origin** discrimination (involving employers with four to fourteen employees) with respect to the hiring, firing, or recruitment or referral for a fee of all individuals authorized to work in the United States; (3) **unfair documentary practices**, which occur when an individual, business, or organization refuses to accept a valid document, requests specific documentation, or demands more or different documents than are required for completing the Form I-9 because of an individual's citizenship status or national origin; and (4) **retaliation** against individuals for asserting rights protected under the anti-discrimination provision of the immigration law, or for having participated or assisted in an investigation conducted by this office.

Charge Form Instructions:

Who can file a charge: Anyone who alleges he or she is a victim of discrimination or retaliation, or an authorized person on behalf of the victim. **This charge form must be mailed to the address below or faxed to (202) 616-5509 or emailed to IER@usdoj.gov within 180 days of the alleged date of discrimination.** Please complete this form by typing or by legibly printing the information requested, in any language. If a question does not apply to you, leave it blank.

**U.S. Department of Justice
Civil Rights Division
Immigrant and Employee Rights Section – 4CON
950 Pennsylvania Avenue, NW
Washington, DC 20530**

Questions concerning this charge form can be directed to IER by telephone at (202) 616-5594 or 1-800-255-7688 (toll free), TTY (202) 616-5525 or TTY 1-800-237-2515 (toll free).

Section 1: Injured Party Contact Information

Name and Address of the **Injured Party** (the person who claims to have been the victim of discrimination or retaliation):

How would you like to be addressed: Ms. Mr. Other _____

Full Name: _____

Street or Mailing Address

Apt _____ City _____ State _____ Zip Code _____

Telephone: (Home) _____ (Cell) _____

FAX: _____ E-mail: _____

Would you like us to communicate with the Injured Party in another language? Yes No

Specify language _____

What are the best times to contact the Injured Party by telephone (if not represented)? _____

Section 2: Injured Party's Citizenship or Immigration Status Information

Please provide Injured Party's **citizenship** or **immigration status** or **work authorization type**: *

Citizen
 National of the United States
 Lawful Permanent Resident: **Date residency granted:** (Month) _____ (Day) _____ (Year) _____
Has the Injured Party applied for naturalization? No Yes
Date of Application: (Month) _____ (Day) _____ (Year) _____

Asylee
 Refugee
 Temporary Resident admitted under § 1160(a) or § 1255(a) (certain individuals eligible to have their status adjusted based on amendments to the INA in the 1980s)
 None of the above, but is authorized to work: **Expiration date** (Month) _____ (Day) _____ (Year) _____
Please specify:
 H-1 H-2 F-1/OPT J-1 B-1 Asylum Applicant DACA
 Freely Associated States (FAS) Temporary Protected Status (TPS) (Country):
 Other (specify):

Alien #/USCIS # (for all non-citizens): _____ **Admission # (if no alien #):** _____

Section 3: Injured Party's National Origin and Other Personal Information

What is the Injured Party's country of birth? _____

What is the Injured Party's national origin (ancestry)? _____

What is the Injured Party's date of birth? Month _____ Day _____ Year _____

Section 4: Type of Discrimination Alleged

What type of discrimination is being alleged? Check all that apply:

Citizenship Status Discrimination (The Injured Party was discriminated against with respect to hiring, firing, or recruitment or referral for a fee because the Injured Party is, or is not, a U.S. citizen, or based on the Injured Party's immigration status.)

National Origin Discrimination (The Injured Party was discriminated against with respect to hiring, firing, or recruitment or referral for a fee because the Injured Party is from a particular country or part of the world, because of the Injured Party's ethnicity or accent, because of limited English ability, or because of some other national origin indicator.)

Unfair Documentary Practices (The individual, business or organization refused to accept a valid document, requested specific documentation from the Injured Party, or demanded more or different documents than are required for completing the Employment Eligibility Verification (Form I-9 or E-Verify) because of the Injured Party's citizenship status or national origin.)

Retaliation for Asserting Rights Protected under 8 U.S.C. § 1324b (The Injured Party filed a charge of discrimination, complained about discrimination, participated in the investigation or case of another individual's discrimination claim, or otherwise asserted a right under the anti-discrimination provision, and, as a result, the Injured

Section 7: Charges Filed with Other Federal or State Agencies Based on the Same Facts

Has a charge based on this set of facts been filed with any federal, state, or local governmental agency? No Yes

If yes: Full Agency Name _____

Agency Street or Mailing Address _____

Suite _____ City _____ State _____ Zip Code _____

Telephone _____

Date Filed Month _____ Day _____ Year _____

File # (if known) _____ Investigator Name (if known) _____

If IER determines that another government agency would be the appropriate office to investigate your claim, would you like IER to forward your charge to that office? Yes No, contact me before forwarding my charge.

Section 8: Charging Party Contact Information (The Charging Party is the person who is filing this form. Most times the Charging Party is the same as the Injured Party, but there are times when they are different, such as when someone files this form on behalf of an Injured Party)

Is the Charging Party the same as the Injured Party? Yes, the same. If yes, skip to #9. No

If no: How would you like to be addressed: Ms. Mr. Other _____

Full Name _____ Title _____

Entity Name _____

Street or Mailing Address _____

Apt _____ City _____

State _____ Zip Code _____ Telephone _____

FAX _____ E-mail _____

What are the best times to contact the Charging Party? _____

Section 9: Communications with IER

Have you previously spoken or communicated with IER before filing this charge? Yes No

If yes: When? Month _____ Day _____ Year _____

How? Telephone hotline E-mail Outreach event

If you know, what is the name of the IER representative you spoke to or communicated with? _____

Section 10: Affirmation and Signature of Charging Party
If this charge is being filed by the INJURED PARTY:

If this charge is being filed by the Injured Party:

As a person alleging that I have been injured by an unfair immigration-related employment practice, I understand that IER may find it necessary to reveal my identity and other information during the conduct of the investigation of my charge, during any hearing or other proceeding as a result of my charge, or in limited circumstances in response to inquiries under the Freedom of Information Act. I give my consent to such disclosure. I affirm that, to the best of my knowledge, the information provided on this form is true.

_____ Date: _____
(Signature of Injured Party)

If this charge is being filed by an AUTHORIZED REPRESENTATIVE of the Injured Party:

I affirm that, to the best of my knowledge, the information provided on this form is true and that I am authorized to file this charge on behalf of the Injured Party. I understand that IER may find it necessary to reveal my identity and/or the Injured Party's identity during the conduct of the investigation of this charge, during a hearing or other proceeding as a result of this charge, or in limited circumstances in response to inquiries under the Freedom of Information Act. I give my consent to such disclosure.

Print Representative Name: _____

_____ Date: _____
(Signature of Authorized Representative)

Section 11: Optional Information

How did you hear of IER? (check all that apply)

- Internet IER Outreach E-Verify I-9 Form, Employer Handbook, or I-9 Central Poster/Brochure
news/media reports Department of Labor (DOL) Equal Employment Opportunity Commission (EEOC) State
or Local Agency United States Citizenship and Immigration Services (USCIS)
 Union/Community Advocacy Group Friend/Relative Other (specify):

The Injured Party is: (check all that apply):

- Hispanic or Latino Asian Black or African American White American Indian or Alaska Native
 Native Hawaiian or Other Pacific Islander Two or more races

PRIVACY ACT STATEMENT

The authority for requesting this information from the Injured or Charging Party is contained in 8 U.S.C. § 1324b. The information that the Injured or Charging Party provides will be used principally for investigating and processing the charge of prohibited discrimination; however, the information may also be used for other legitimate purposes, as detailed in the Department of Justice's Federal Register Notice published in the Federal Register at 68 Fed. Reg. 47611 (August 11, 2003) describing the routine uses of the information obtained by the Civil Rights Division. The Injured or Charging Party's failure to provide the information requested on this form could lead to the charge being dismissed or not being accepted. Knowingly making false statements on this form is punishable

under 18 U.S.C. § 1001.

Paperwork Reduction Act Notice

This request is in accordance with the Paperwork Reduction Act of 1995. The information collection is necessary to enable the Department to process and investigate individual charges of discrimination in violation of 8 U.S.C. § 1324b as required by statutory mandate. The use of this collection instrument will facilitate this process by assisting charging parties to identify and provide the information necessary to initiate an investigation.

The estimated average burden associated with this collection is 30 minutes per charging party or recordkeeper, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to IER's Special Policy Counsel, USDOJ-CRT-IER, 950 Pennsylvania Avenue, NW - 4CON, Washington, DC 20530.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.