



ADMINISTRATIVE RULES OF MONTANA



2.21.4028 INITIATING AN EXTERNAL COMPLAINT

- (1) In addition to the internal complaint process, complaints may be filed with the following agencies:
 - (a) Montana Human Rights Bureau, 33 S. Last Chance Gulch, Suite 2, P.O. Box 1728, Helena, MT 59624-1728, (406) 444-4356, (800) 542-0807, Montana Relay Service 711; or
 - (b) United States Equal Employment Opportunity Commission (EEOC) Seattle Field Office, 909 First Avenue, Suite 400, Seattle, WA 98104-1061, (800) 669-4000, TTY (800) 669-6820, ASL Video (844) 234-5122.
- (2) Jurisdiction may vary based on the nature of the complaint. For example, neither the Human Rights Bureau nor the EEOC considers complaints based on culture, social origin or condition, ancestry, or military or veteran status.
- (3) The Human Rights Bureau must receive the complaint within 180 days of when the alleged discriminatory practice occurred or was discovered unless the person has filed an internal complaint. A person who files an internal complaint under these rules has 180 days from the conclusion of the internal investigation to file a complaint with the Human Rights Bureau if management completes the investigation within 120 days of when the alleged discriminatory practice occurred or was discovered. If management does not complete the investigation within 120 days, the person must file a complaint with the Human Rights Bureau within 300 days of when the alleged discriminatory practice occurred or was discovered.
- (4) The EEOC must receive the complaint within 300 calendar days from the date the discrimination took place if the Human Rights Bureau enforces a law prohibiting employment discrimination against the same protected class. Otherwise, the complaint must be filed with the EEOC in 180 days.
- (5) Service members and veterans who believe they have been discriminated against in employment based on military service or veteran status may contact:
 - (a) the Employer Support of the Guard and Reserve at (800) 336-4590; or
 - (b) the Veterans' Employment and Training Service (VETS) at (866)-487-2365. Service members and veterans may submit a formal, online complaint with VETS at <http://webapps.dol.gov/elaws/vets/userra/1010.asp>. (History: 2-18-102, MCA; IMP, 2-18-102, MCA; NEW, 2011 MAR p. 1672, Eff. 8/26/11; AMD, 2013 MAR p. 110, Eff. 2/1/13; AMD, 2016 MAR p. 1838, Eff. 10/15/16.)

Implementing statute(s): 2-18-102, MCA

History: NEW, 2011 MAR p. 1672, Eff. 8/26/11; AMD, 2013 MAR p. 110, Eff. 2/1/13; AMD, 2016 MAR p. 1838, Eff. 10/15/16.