

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
**Philadelphia District Office**

801 Market Street, Suite 1300  
Philadelphia, PA 19107-3127  
(215) 440-2600  
TTY (215) 440-2610  
FAX (215) 440-2847

Dear Charging Party:

Your charge of employment discrimination as filed with the Pennsylvania Human Relations Commission (PHRC) will also be forwarded to the Philadelphia District Office of the U.S. Equal Employment Opportunity Commission (EEOC) for dual filing. This dual filing is done in order to preserve your federal rights as explained below. The EEOC charge number will be assigned by the PHRC in addition to the PHRC's own charge number. This letter constitutes your notification of the dual filing with EEOC. The Respondent named in your charge will also be notified by the PHRC of the dual filing with EEOC.

The EEOC will refrain from any processing of your charge until such time as the PHRC completes its processing and issues final findings and orders. At that time, the PHRC will notify the EEOC of the closure so that EEOC can review the PHRC finding. Those final findings and orders may be adopted by EEOC and the EEOC case would then be closed based on the PHRC proceedings.

However, under Section 1601.76 of EEOC's regulations, you are entitled to request that EEOC perform a Substantial Weight Review of the PHRC's final finding. To obtain this review, you must request it by writing to EEOC within 15 days of your receipt of the PHRC's final finding in your case. Otherwise, EEOC will generally adopt the PHRC's findings.

To request a Substantial Weight Review, you should address your request to the address shown in the letterhead above, to the attention of the State and Local Unit. In addition, you should provide as much specific detail as possible as to why you are dissatisfied with the PHRC's investigation or finding.

While your charge is being investigated by the PHRC, you should address any concerns or additional information concerning your charge or the PHRC investigation directly to the PHRC. This will ensure that such concerns or information are provided to the appropriate person(s). **Please do not contact the EEOC directly as EEOC will not be able to assist you while the charge is being processed by the PHRC. Also, please do not submit documents or evidence to EEOC since the PHRC will be actively investigating the charge and will maintain the active case file.**

The dual filing of the charge with EEOC will preserve your rights to file a private lawsuit in federal district court as follows:

- a. If your charge is filed under Title VII of the Civil Rights Act of 1964, as amended (Title VII) (that is, based on race, sex, color, religion, or national origin) or under the Americans with Disabilities Act of 1990, as amended (ADA) (that is, based upon mental or physical disability), you can only file a lawsuit in Federal Court if EEOC first issues you a Notice of Right to Sue. To obtain such a Notice, you must wait for 240 days from the date you filed your charge with the PHRC. You must thereafter make a written request for issuance of the Notice of Right to Sue. This request can be sent directly to EEOC at the address shown in the letterhead above or you can send the request to the PHRC for forwarding to EEOC. Upon its receipt, EEOC will issue you the Notice of Right to Sue and you

would have 90 days in which to file suit. The issuance of the Notice of Right to Sue will normally result in EEOC terminating all further processing.

- b. If your charge is filed under the Age Discrimination in Employment Act of 1967, as amended (ADEA), (that is, based on age 40 or older), you do not have to request a Notice of Right to Sue from EEOC if you wish to file a lawsuit in Federal Court. Instead, you must wait at least 60 days from the date you filed your charge with the PHRC, regardless of the status of the PHRC or EEOC processing. Thereafter, you can file a private lawsuit directly in Federal Court without first contacting EEOC in any manner.

If based upon EEOC's review of the Commission's final finding, the EEOC determines that the finding should be accepted as the basis for EEOC's closure, you will be so notified in writing. If the PHRC closure is for any reason other than a successful settlement or a withdrawal, the EEOC closure will also include a Notice of Right to Sue. This applies to charges filed under Title VII, the ADA and/or the ADEA. In such an event, you would then have 90 days from the date of your receipt of the Notice of Right to Sue to file suit in federal district court.

EEOC's regulations require that you notify EEOC of any change in address and keep us informed of any prolonged absence from your current address. However, if the PHRC is still processing your charge, you should forward any such notification or change of address directly to the PHRC. You should also cooperate fully with the PHRC in its processing of your charge.

Should you contact EEOC to request a Substantial Weight Review or to request a Notice of Right to Sue, please include the EEOC Charge Number shown at the top of page 1 in your correspondence to EEOC.

Sincerely,

Jamie Williamson  
District Director