

**Employment Discrimination Jurisdiction: A Comparison Between  
The Office of Special Counsel for Immigration-Related Unfair Employment Practices (OSC) and  
The Equal Employment Opportunity Commission (EEOC)**

OSC and the EEOC are federal agencies that investigate and prosecute employment discrimination, but they have different jurisdictions. Below is an explanation of EEOC versus OSC jurisdiction so a worker can determine which agency to contact if the worker believes she or he is the victim of employment discrimination. **Some key differences between the agencies are highlighted in bold.**

	<b>EEOC</b>	<b>OSC</b>
<b>TYPE OF DISCRIMINATION WITHIN THE AGENCY'S JURISDICTION</b>	<b>Race, color, religion, national origin, sex, disability, genetic information, age</b> and retaliation	National origin, <b>citizenship status, document abuse</b> and retaliation
<b>NECESSARY EMPLOYER SIZE</b> (Number of employees that work at the company <u>overall</u> )	<b>15+ employees</b> (there are some limits on how number of employees are calculated)	For <u>national origin</u> : <b>4-14 employees</b>  For <u>citizenship status</u> and <u>document abuse</u> : <b>4+ employees</b>
<b>PROTECTED WORKERS</b> (Those who can sue or obtain relief due to discrimination)	<b>All workers</b> (including undocumented aliens)	For <u>national origin</u> & <u>document abuse</u> : all work-authorized individuals  For <u>citizenship status</u> : U.S. citizens, some Legal Permanent Residents, asylees, refugees.
<b>PROHIBITED DISCRIMINATORY ACTS</b>	Hiring, firing, recruitment/referral for a fee, <b>terms and conditions of employment</b>	Hiring, firing, recruitment/referral for a fee, <b>employment eligibility verification</b>
<b>AVAILABLE RELIEF</b>	Back pay, front pay, reinstatement, <b>compensatory/punitive damages</b> , injunctive relief, attorney's fees	Back pay, front pay, reinstatement, <b>civil penalties</b> , injunctive relief, attorney's fees in limited circumstances
<b>CHARGE-FILING DEADLINE</b> (Number of days to file a charge after discrimination occurs)	<b>180 days</b> in non-deferral states <b>300 days</b> in deferral states	<b>180 days</b> in all states
<b>HOW TO FILE A CHARGE WITH THE AGENCY</b>	Call the EEOC's toll-free number or file a charge with your state fair employment agency	Mail, email or fax a completed charge form. Charge forms can be downloaded from the internet or you can request them by calling OSC's toll-free hotline.
<b>AGENCY CONTACT INFORMATION</b>	<b>1-800-669-4000;</b> <b>www.eeoc.gov</b>	<b>1-800-255-7688 (worker hotline);</b> <b>www.justice.gov/crt/about/osc/</b>