

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 680

Short Title: Extend Employee Grievance Limit.

(Public)

Sponsors: Senator Ballance.

Referred to: Judiciary I.

April 5, 1993

A BILL TO BE ENTITLED

AN ACT TO EXTEND THE PERIOD DURING WHICH AN EMPLOYEE MAY
FILE A COMPLAINT WITH THE COMMISSIONER OF LABOR ALLEGING
RETALIATORY EMPLOYMENT DISCRIMINATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 95-242(a) reads as rewritten:

"(a) An employee allegedly aggrieved by a violation of G.S. 95-241 may file a written complaint with the Commissioner of Labor alleging the violation. The complaint shall be filed within ~~180 days~~ 12 months of alleged violation. Within 20 days following receipt of the complaint, the Commissioner shall forward a copy of the complaint to the person alleged to have committed the violation and shall initiate an investigation. If the Commissioner determines after the investigation that there is not reasonable cause to believe that the allegation is true, the Commissioner shall dismiss the complaint, promptly notify the employee and the respondent, and issue a right-to-sue letter to the employee that will enable the employee to bring a civil action pursuant to G.S. 95-243. If the Commissioner determines after investigation that there is reasonable cause to believe that the allegation is true, the Commissioner shall attempt to eliminate the alleged violation by informal methods of conference, conciliation, and persuasion. The Commissioner shall make a determination as soon as possible and, in any event, not later than 90 days after the filing of the complaint." Sec. 2. This act is effective upon ratification and applies to any written complaint filed on or after that date with the Commissioner of Labor pursuant to G.S. 95-242, as amended by this act.