

5.3 | CITATIONS TO CASE LAW

Case law are legal propositions that are based on administrative appellate and judicial decisions rather than on statutes. You do not need to cite to case law in your brief. But if you are aware of a case supporting your argument, you may cite to it.

Where can you research case law?

- You can read published administrative appellate decisions at <https://www.eeoc.gov/federal-sector/appellate-decisions>.
- Particularly noteworthy administrative appellate decisions are listed at <https://www.eeoc.gov/federal-sector/selected-noteworthy-federal-sector-appellate-decisions>.
- You can review summaries of decisions by topic in the Digest of Equal Employment Opportunity Law, at <https://www.eeoc.gov/digest>.

While there is no required format for citing to a case, this is the way we cite previous EEOC administrative appellate decisions:

- Initial EEOC appellate decision: the name of complainant or pseudonym v. the name of the agency (the name of the subagency is in parenthesis), EEOC Appeal No. _____ (date of the decision).

Example: Jones v. U.S. Department of Justice (Federal Bureau of Prisons), EEOC Appeal No. 01996624 (Nov. 1, 2001).

- EEOC decision upon a request for reconsideration: the name of complainant or pseudonym v. the name of the agency (the name of the subagency is in parenthesis), EEOC Request No. _____ (date of the decision).

Example: Adams v. U.S. Department of Justice (Federal Bureau of Prisons), EEOC Request No. 05990718 (May 16, 2001).

- EEOC decision upon a petition for review of a decision by the U.S. Merits Systems Protection Board: the name of complainant or pseudonym v. the name of the agency (the name of the subagency is in parenthesis), EEOC Petition No. _____ (date of the decision).

Example: Petitioner v. Department of Homeland Security, EEOC Petition No. 0320110053 (July 10, 2014)



When looking for complainant's names in decisions, you may find some published decisions do not list complainants' names. This is because from October 2013 to October 2015, the Commission used the term "Complainant" or "Petitioner" in the caption of cases, rather than complainants' names to protect privacy interests. After October 1, 2015, all federal sector appellate decisions issued for publication use a randomly generated name as a substitute for the name of the complainant. This randomly generated name consists of a first name and last initial, and is assigned using a computer program that selects names from a list of pseudonyms bearing no relation to the complainant's actual name.

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