

161—3.3 (216) Timely filing of the complaint.

3.3(1) *Limitation.* The complaint shall be filed within the 300 days after the occurrence of an alleged unlawful practice or act.

3.3(2) *Continuing violation.* If the alleged unlawful discriminatory practice or act is of a continuing nature, the date of the occurrence of the alleged unlawful practice shall be deemed to be any date subsequent to the commencement of the alleged unlawful practice up to and including the date upon which the unlawful practice has ceased.

3.3(3) *Tolling of filing period.* By law the filing period described in subrule 3.3(1) and in Iowa Code subsection 216.15(12) is subject to waiver, estoppel and equitable tolling. Whether the filing period shall be equitably tolled in favor of a complainant depends upon the facts and circumstances of the particular case. Equitable tolling suspends the running of the filing period during the period of time in which the grounds for equitable tolling exist.

[ARC 8744B, IAB 5/5/10, effective 6/9/10]