

§ 1601.75

Vermont Attorney General's Office, Civil Rights Division
Vermont Human Rights Commission
Virgin Islands Department of Labor
Virginia Council on Human Rights
Washington Human Rights Commission
West Virginia Human Rights Commission
Wheeling (WV) Human Rights Commission
Wichita Falls (TX) Human Relations Commission
Wisconsin Equal Rights Division, Department of Industry, Labor and Human Relations
Wisconsin State Personnel Commission¹²
Wyoming Fair Employment Practices Commission
York (PA) Human Relations Commission
Youngstown (OH) Human Relations Commission

(b) The designated Notice Agencies are:

Arkansas Governor's Committee on Human Resources
Ohio Director of Industrial Relations
Raleigh (NC) Human Resources Department, Civil Rights Unit

(Sec. 713(a) 78 Stat. 265 (42 U.S.C. 2000e—12(a)))

[46 FR 33030, June 26, 1981. Redesignated at 56 FR 9625, Mar. 7, 1991]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 1601.74, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 1601.75 Certification of designated FEP agencies.

(a) The Commission may certify designated FEP agencies based upon the past, satisfactory performance of those agencies. The effect of such certification is that the Commission shall accept the findings and resolutions of designated FEP agencies in regard to cases processed under contracts with those agencies without individual, case-by-case substantial weight review by the Commission except as provided in §§ 1601.76 and 1601.77 of this part.

¹²The Wisconsin State Personnel Commission is being designated as a FEP agency for all charges covering the employment practices of the agencies of the State of Wisconsin except those charges alleging retaliation under 704(a) of title VII. Accordingly, for retaliation charges, it shall be deemed a Notice Agency pursuant to 29 CFR 1601.71(b).

29 CFR Ch. XIV (7–1–08 Edition)

(b) Eligibility criteria for certification of a designated FEP agency are as follows:

(1) That the State or local agency has been a designated FEP agency for 4 years;

(2) That the State or local designated FEP agency's work product has been evaluated within the past 12 months by the Systemic Investigations and Individual Compliance Programs, Office of Program Operations, and found to be in conformance with the Commission's Substantial Weight Review Procedures (EEOC Order 916); and

(3) That the State or local designated FEP agency's findings and resolutions pursuant to its contract with the Commission, as provided in section 709(b) of title VII, have been accepted by the Commission in at least 95% of the cases processed by the FEP agency in the past 12 months.

(c) Upon Commission approval of a designated FEP agency for certification, it shall notify the agency of its certification and shall effect such certification by issuance and publication of an amendment to § 1601.80 of this part.

[46 FR 50367, Oct. 13, 1981, as amended at 54 FR 32061, Aug. 4, 1989. Redesignated and amended at 56 FR 9625, Mar. 7, 1991]

§ 1601.76 Right of party to request review.

The Commission shall notify the parties whose cases are to be processed by the designated, certified FEP agency of their right, if aggrieved by the agency's final action, to request review by the Commission within 15 days of that action. The Commission, on receipt of a request for review, shall conduct such review in accord with the procedures set forth in the Substantial Weight Review Procedures (EEOC Order 916).

[46 FR 50367, Oct. 13, 1981. Redesignated at 56 FR 9625, Mar. 7, 1991]

§ 1601.77 Review by the Commission.

After a designated FEP agency has been certified, the Commission shall accept the findings and resolutions of that agency as final in regard to all cases processed under contract with the Commission, as provided in section 709(b) of title VII, except that the Commission shall review charges closed by