

§ 1602.56

29 CFR Ch. XIV (7-1-08 Edition)

Subpart R—Investigation of Reporting or Recordkeeping Violations

Subpart C—Appeals

§ 1602.56 Investigation of reporting or recordkeeping violations.

- 1603.301 Appeal to the Commission.
- 1603.302 Filing an appeal.
- 1603.303 Briefs on appeal.
- 1603.304 Commission decision.
- 1603.305 Modification or withdrawal of Commission decision.
- 1603.306 Judicial review.

When it has received an allegation, or has reason to believe, that a person has not complied with the reporting or recordkeeping requirements of this part or of part 1607 of this chapter, the Commission may conduct an investigation of the alleged failure to comply.

AUTHORITY: 42 U.S.C. 2000e-16c.

SOURCE: 62 FR 17543, Apr. 10, 1997, unless otherwise noted.

[56 FR 35756, July 26, 1991]

§ 1603.100 Purpose.

PART 1603—PROCEDURES FOR PREVIOUSLY EXEMPT STATE AND LOCAL GOVERNMENT EMPLOYEE COMPLAINTS OF EMPLOYMENT DISCRIMINATION UNDER SECTION 304 OF THE GOVERNMENT EMPLOYEE RIGHTS ACT OF 1991

This part contains the regulations of the Equal Employment Opportunity Commission (hereinafter the Commission) for processing complaints of discrimination filed under section 304 of the Government Employee Rights Act, 42 U.S.C. 2000e-16c.

[62 FR 17543, Apr. 10, 1997, as amended at 72 FR 5616, Feb. 7, 2007]

Sec.

Subpart A—Administrative Process

1603.100 Purpose.

§ 1603.101 Coverage.

Subpart A—Administrative Process

Section 304 of the Government Employee Rights Act of 1991 applies to employment, which includes application for employment, of any individual chosen or appointed by a person elected to public office in any State or political subdivision of any State by the qualified voters thereof:

- 1603.101 Coverage.
- 1603.102 Filing a complaint.
- 1603.103 Referral of complaints.
- 1603.104 Service of the complaint.
- 1603.105 Withdrawal of a complaint.
- 1603.106 Computation of time.
- 1603.107 Dismissals of complaints.
- 1603.108 Settlement and alternative dispute resolution.
- 1603.109 Investigations.

(a) To be a member of the elected official's personal staff;

(b) To serve the elected official on the policymaking level; or

(c) To serve the elected official as an immediate advisor with respect to the exercise of the constitutional or legal powers of the office.

Subpart B—Hearings

[62 FR 17543, Apr. 10, 1997, as amended at 72 FR 5616, Feb. 7, 2007]

- 1603.201 Referral and scheduling for hearing.
- 1603.202 Administrative law judge.
- 1603.203 Unavailability or withdrawal of administrative law judges.
- 1603.204 Ex parte communications.
- 1603.205 Separation of functions.
- 1603.206 Consolidation and severance of hearings.
- 1603.207 Intervention.
- 1603.208 Motions.
- 1603.209 Filing and service.
- 1603.210 Discovery.
- 1603.211 Subpoenas.
- 1603.212 Witness fees.
- 1603.213 Interlocutory review.
- 1603.214 Evidence.
- 1603.215 Record of hearings.
- 1603.216 Summary decision.
- 1603.217 Decision of the administrative law judge.

§ 1603.102 Filing a complaint.

(a) *Who may make a complaint.* Individuals referred to in §1603.101 who believe they have been discriminated against on the basis of race, color, religion, sex, national origin, age or disability or retaliated against for opposing any practice made unlawful by federal laws protecting equal employment opportunity or for participating in any stage of administrative or judicial proceedings under federal laws protecting equal employment opportunity may