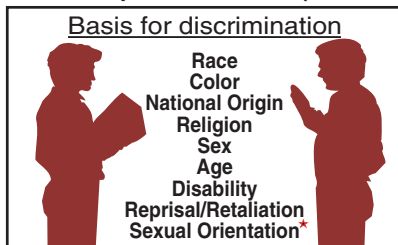


# Discrimination Complaint Process (29 CFR 1614)

## Discrimination Complaint Process (29 CFR 1614) 1



Can you identify the issue of Alleged Discrimination?

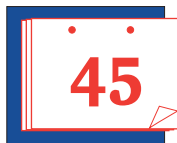
**IF YES**

\* Complaints based on sexual orientation cannot be the subject of either a hearing before an Administrative Judge of the EEOC or an Appeal to EEOC.

IF YES =



OR



You must contact the EEO office for an EEO Counselor within

**45 calendar days**

of alleged incident or effective date of the action

## Counseling/mediation 3



- **30 calendar days**
- **60 calendar days**

if extension is granted or complainant requests mediation

## Resolution 4



Dispute Resolution

- In the event of resolution, the EEO Counselor or mediator will draw up a settlement agreement

• If no resolution →

## The EEO Counselor will conduct ... 5

- Final interview to close out informal process

**AND**

- Inform the complainant of the right to file a formal complaint within

**15 calendar days**



## HHS has 180 calendar days from the date of the filing to... 6



- Accept or dismiss the complaint
- Conduct investigation and develop an investigative summary
- Issue the **Report Of Investigation (ROI)** to complainant

## Choose 7

within 30 days from receipt or ROI:

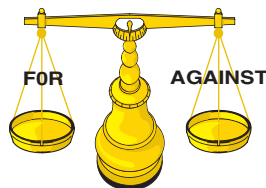


- **Hearing** (to be held within 180 days) with an EEOC Administrative Judge (AJ)



- Immediate **Final Agency Decision (FAD)** (to be given within 60 days)

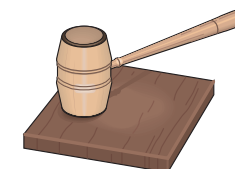
## Departmental Decision 8



- Final Decision by HHS (no Hearing) within **60 days**

- Issue a final order within **40 days** based on AJ's decision and notify complainant of any appeal rights and right to file in District Court.

## Appeal 9



- To EEOC within **30 days** of receipt of FAD (in writing)

- To US District Court within **90 days** of receipt of FAD