



## Technician Complaint Process and Timeline

# YOU HAVE A RIGHT TO FILE A COMPLAINT OF DISCRIMINATION



**Authority: NGR (AR) 690-600/NGR (AF) 40-1614**

If you are a National Guard Technician or applicant for a Technician position and feel that you have been discriminated against due to race, color, religion, gender (including) sexual harassment, national origin, age or handicap, you must act within **45 calendar days**, following the steps provided below:

<p><b>1<sup>st</sup> Step</b> <b>Contact Your EEO Counselor</b></p> <p>You must report the allegations to an EEO Counselor or State Equal Employment Manager (SEEM) within <b>45 days</b> of the incident. Informal attempts at resolution will be handled through either the traditional EEO Counseling process or through an Alternative Dispute Resolution (ADR) process.</p>	<p><b>2<sup>nd</sup> Step</b> <b>Informal Stage</b></p> <p>During the Informal Stage, the traditional EEO counseling process allows <b>30 days</b> for resolution of allegations or, if you choose the ADR process, it allows <b>90 days</b> for resolution. (Election of the ADR process eliminates the use of the traditional EEO counseling process). If not resolved during the Informal Stage you can go to Step 3.</p>	<p><b>3<sup>rd</sup> Step</b> <b>File a Formal Complaint</b></p> <p>At the end of the informal stage you have <b>15 days</b> to decide whether you wish to file formal. Your EEO Counselor will assist you with preparing NGB Form 713-5 to file with the SEEM.</p>	<p><b>4<sup>th</sup> Step</b> <b>Your Complaint will be Investigated</b></p> <p>The National Guard Bureau will conduct a fact finding or send an investigator to conduct an investigation. You will receive a report of the investigation within <b>180 days</b> of filing your complaint.</p>
<p><b>5<sup>th</sup> Step</b> <b>Request Immediate Decision or Hearing</b></p> <p>You will be provided a copy of the Report of Investigation. You must then decide whether to ask for an immediate National Guard Bureau decision or a hearing by an EEOC Administrative Judge (AJ)</p>	<p><b>6<sup>th</sup> Step</b> <b>Hearing and Final Action</b></p> <p>If an Administrative Judge hears your case, you will be issued a decision within <b>180 days</b>. The National Guard Bureau (agency) will take final action by issuing a final order within <b>40 days</b> of receipt of the AJ's decision.</p>	<p><b>7<sup>th</sup> Step</b> <b>Appeal to EEOC</b></p> <p>You may appeal the Agency's dismissal, decision, or final action within <b>30 days</b> of receipt directly to EEOC at the address show below.</p> <p><b>Equal Employment Opportunity Commission Office of Federal Operations P.O. Box 19848 Washington, D.C. 20036</b></p>	<p><b>8<sup>th</sup> Step</b> <b>File A Civil Action</b></p> <p>You may file a Civil Action in the appropriate Unites States District Court: within <b>90 days</b></p> <p>(1) Of receipt of the final action if no appeal is filed (2) Of Receipt of EEOC's final decision on appeal</p> <p><b>OR</b></p> <p>(3) 180 days from the date of filing an appeal with EEOC if there has been no final decision by the Commission.</p>

**YOU ARE ENTITLED TO A REPRESENTATIVE OF YOUR CHOICE THROUGHOUT THIS ENTIRE PROCESS.**