

USE OF OFFICIAL TIME FOR EEO COMPLAINTS

By regulation, complainants and their representatives have the right to a reasonable amount of duty time, measured in terms of hours vs. days or weeks, to prepare and pursue an EEO complaint. District supervisors are authorized to approve up to eight hours duty time for complainants and complainants' representatives to prepare and build their case. Time spent by the employee and his representative in meetings or hearings controlled by management officials (i.e., supervisors, EEO officials, EEO counselors, hearing examiners, etc.) does not count against those eight hours.

Employees and their representatives must request this time in advance from their supervisors. Key words here: *request*, and *in advance*. Supervisors may legitimately exercise control over when the time may be used. However, supervisors should recognize that they have little discretion when it comes to management-initiated meetings and hearings.

To use duty time as a complainant's representative, the individual must be designated by the employee in writing to the EEO office. An employee may have only one designated representative (or may choose to pursue the case on his own without a representative). Additionally, a representative may serve, on duty time, on only one active case at a time. That is, if you choose to act as representative in more than one complaint, you will have to do so on your own time, unless an exception has been granted.

Exceptions to this guidance will be handled on a case-by-case basis by the individual's supervisory chain.