

# EEO Complaints Timeline

An employee has 45 days to contact an EEO counselor from the date of, or from when they become aware of, the alleged discrimination.

Counselor provides Rights & Responsibilities. If not EEO-related, referral to IG, DRG, etc.

Informal complaint filed. Employee chooses traditional EEO counseling or ADR.

If not resolved after 30 days (90 days, if extended), counselor issues the Notice of Right to File a Formal Complaint of Discrimination. The Complainant has 15 days to file. If they do not file, the process is complete.

If Traditional EEO Counseling is selected, Counselor has 30-90 days to resolve.

If ADR is selected, Ombudsman has 90 days to resolve.

If the complainant files Formal and the complaint is not accepted,<sup>1,3</sup> the informal process is complete.

If the formal complaint is filed and accepted, the Agency has 180 days (up to 270 days, if both parties agree to an extension) to investigate.

The Agency has 30 days to sanitize the Report of Investigation (ROI). The ROI will be provided to Complainant.

ADR may be offered again. If resolved, process is complete.

Within 30 days of receiving the ROI, the Complainant must elect either a Final Agency Decision (FAD), or a hearing before an EEOC Administrative Judge (AJ).

If a FAD is elected, or if there is no election of a FAD or hearing, the Agency has 60 days to issue the FAD.<sup>1,3</sup>

If an EEOC hearing is elected, AJ has 180 days to render findings and order corrective measures, if applicable.<sup>2,3</sup>

<sup>1</sup> Complainant has the right to appeal within 30 days

<sup>2</sup> Complainant and Agency have the right to appeal within 30 days.

<sup>3</sup> Complainant or Agency has the right to request a reconsideration within 30 days after approval.

**Note:** Complainant also has the right to go to Federal District Court after the EEOC's reconsideration process.

Within 40 days, the Agency notifies complainant whether the agency will implement AJ's decision fully, in part, or not at all; if not fully implemented, agency must simultaneously file an appeal with the EEOC.<sup>3</sup>