



# Things You Should Know When Filing An EEO Complaint ...

Employee or Applicant contacts the EEO Office to request an EEO Counselor within **45 calendar days** of alleged discriminatory action -- incident or personnel action which gives rise to complaint. If personnel action, the EEO Office must be contacted within **45 calendar days** of its effective date.

The EEO Counselor has **30 calendar days** from the initial interview to attempt informal resolution. If final counseling interview is not completed within 30 calendar days, the counselor, on the 30th day, informs Complainant of right to file formal complaint.

Counseling may be extended if the matter is not resolved within the 30 calendar days. Any extension of the counseling period may not exceed an additional **60 calendar days**.

If informal resolution fails, the employee/applicant is issued a final counseling report and a notice of rights. A formal complaint may be filed with the EEO Office, within **15 calendar days** of receipt of the final counseling report and notice of rights.

If the formal complaint is accepted for processing, an investigation must be completed within **180 calendar days** from the filing date. If the complaint is dismissed, the complainant is notified of the reasons for dismissal and the right to appeal the decision to the Equal Employment Opportunity Commission (EEOC).

A complaint may be resolved at any time. If a resolution is reached, a written Settlement Agreement is prepared and signed. If the Complainant does not request a hearing or a final decision within 30 calendar days, the HQ DA will issue the final decision.

Upon receipt of a final decision, the Complainant may appeal to the EEOC within 30 calendar days or may file a civil action in an appropriate U.S. District Court within **90 calendar days**.

The Complainant may also file a civil action in an appropriate U.S. District Court if (s)he has not received a final decision within 180 days of filing a formal complaint; if no decision from the EEOC has been received within 180 days of filing a notice of appeal with the EEOC; or within 90 days of receipt of EEOC's final decision.

For information concerning class complaints of discrimination and/or other matters concerning the processing of EEO complaints, please contact the Equal Employment Opportunity Office.



**SDDC**  
**Equal Employment**  
**Opportunity Office**

*Committed- Dependable-  
Relentless*



# Overview of Complaint Process

