

EQUAL EMPLOYMENT OPPORTUNITY (EEO) DISCRIMINATION COMPLAINT PROCESS

In accordance with Equal Employment Opportunity Commission (EEOC) regulations, if you are a current employee, applicant for employment, or former employee and believe you have been discriminated against because of your race, color, religion, sex (including pregnancy, sexual orientation and gender identity), national origin, age (40 years and over), physical or mental disability genetic information, and/or retaliation, you can use the EEO discrimination complaint process.



Contact an ORMDI EEO counselor within 45 calendar days of the incident

- Contact can be anonymous.
- The counselor will conduct an informal inquiry and attempt resolution.



EEO counseling completed within 30 calendar days, or up to 90 calendar days if alternative dispute resolution (ADR) is elected

- If resolution is not achieved, you will be issued a Notice of Right to File a Discrimination Complaint.



File a formal complaint within 15 calendar days of receipt of Notice of Right to File

- Claims are investigated or dismissed based on EEOC regulations.
- Claims which are dismissed may be appealed to EEOC once final action is taken on your complaint.



Accepted claims are investigated within 180 days, or up to 360 days if amended

- The investigator will obtain witness statements, other evidence, and prepare a report of investigation.
- You will be issued an Advisement of Rights Notice and provided a copy of the Report of Investigation on your complaint.






You may elect an EEOC hearing or Final Agency Decision within 30 calendar days of receiving Advisement of Rights Notice

- EEOC's Administrative Judge issues a decision which the agency may implement or appeal; or
- VA's Office of Employment Discrimination Complaint Adjudication (OEDCA) issues a Final Agency Decision which may be appealed to EEOC.
- If you do not agree with the final action issued on your complaint, you may file a civil action in Federal District Court.

Note: ADR is an option at every step of the EEO process. ADR affords you the opportunity to work with a neutral third party in an effort to find a mutually satisfactory outcome to the complaint.

Definitions

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|  Gender Identity
Refers to an individual's self-identification as a man or woman. |  Genetic Information
Genetic information includes information about an individual or family member's genetic tests, as well as family medical history. |  Sexual Orientation
Is defined as homosexuality (gay, or lesbian), bisexuality, or heterosexuality, whether such orientation is real or perceived. |
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