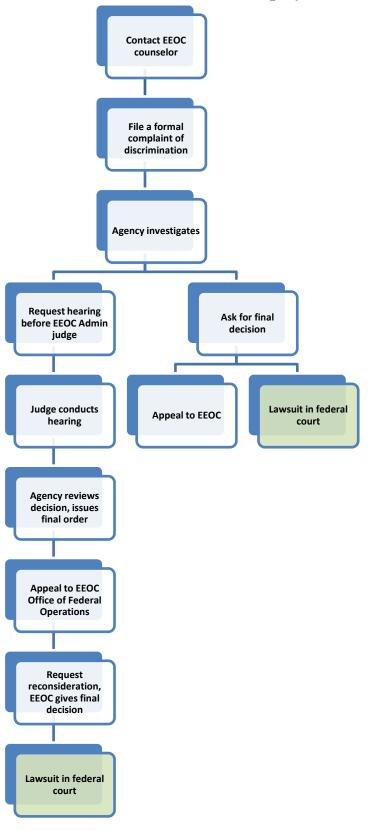
EEOC Process for federal employees



Important pointers

It is important to allege **ALL** the harms, issues, and bases of discrimination in the informal complaint process or during counseling, or you might lose the right to argue them later on. Similarly, review the EEO's website and comply with all deadlines.

EEO Process for Federal Employees	
Step 1: Contact EEOC counselor	Contact an EEO Counselor at the agency where you work or where you applied for a job. The EEO Counselor will likely give you the option to participate in EEO counseling or an alternative dispute resolution ("ADR") program, such as mediation. If you do not settle the dispute through counseling or ADR, the EEO Counselor will give you a notice explaining how to file a formal discrimination complaint with the agency's EEO Office.
Step 2: File a formal complaint of discrimination and agency investigation	 Within 15 days from the day you received notice, file a formal complaint of discrimination. The agency will review it and might dismiss for a procedural reason (ex., lateness in filing).¹ Otherwise, it will investigate and must finish that investigation within 180 days from the day you filed your complaint. The agency will issue a notice giving you two choices: 1. Ask the agency to issue a decision. If you take this option and disagree with the result, you can appeal to EEOC or challenge the decision in federal district court. 2. Request a hearing before an EEOC Administrative Judge. You must do this in writing within 30 days from the day you receive the notice from the agency about your rights.
Step 3: Hearing before an EEOC administrative judge	EEOC Administrative Judge conducts the hearing, makes a decision, and orders relief if discrimination is found. The agency then has 40 days to review and respond to this decision with a "final order."
Step 4: Appeal the final order	You may appeal an agency's final order (including one dismissing your complaint) to EEOC Office of Federal Operations. You must file your appeal no later than 30 days after you receive the final order. EEOC appellate attorneys will review the entire file and make a decision.
Step 5: Request reconsideration	You may request reconsideration, which will be granted only if you can show that the decision was based on a mistake about the facts of the case or the law applied to the facts. You must do this with 30 days of receiving the appeal decision. Reconsideration requests are very rarely granted.
Step 6: File lawsuit	If the EEOC denies reconsideration, you can bring a lawsuit in federal court.

What is the agency's investigation like (Step 2 above)?

The investigator has the authority to administer oaths and to require you, the agency, and any

For Step 2 above, how do I decide whether to request a hearing before an EEOC Administrative Judge or ask the agency to issue a decision right away?

Requesting a decision right away enables you to appeal the decision to the EEOC or to a federal court, but you won't have the opportunity to have a hearing. This decision depends on many factors, so you should consult an attorney to help you make this evaluation.

What is the EEOC hearing process like (#3 above)?

This is similar to a court proceeding. The parties may conduct discovery to seek information from each other, the agency should ensure that any witness employees attend, and the hearing is recorded, with the agency paying transcription costs.