Pre-complaint Counseling Formal Complaint Process Incident Occurrence EEOC regulations require that you seek pre-complaint counseling before filing a formal complaint. You must contact an EEO counselor within 45 days of the incident. If you request You must file a formal complaint within 15 days of traditional counseling, the EEO counselor will receiving the notice of the right to file a formal have 30 days to attempt resolution. complaint. DMEO will acknowledge receiving the formal complaint and notify you of the claims accepted for investigation. If the claims asserted and those accepted for investigation differ, DMEO will explain the reasons for such differences, The **30-day** counseling period may be including whether the agency is dismissing the extended no more than 60 days if you and the entire complaint, or in part. the agency agree to such an extension in writing. If you choose traditional counseling and a successful resolution is not reached, the EEO counselor will issue a notice of the right DMEO will assign an investigator to develop to file a formal complaint. You will have 15 impartial and appropriate factual information on days to file a formal complaint. the claims accepted for processing. DMEO must complete the investigation, within 180 days of the date the formal complaint was filed. You may request to participate in DMA's Alternative Dispute Resolution Program (i.e., After the investigation is completed, you will receive a Mediation Program), in which case the copy of the investigation report. DMEO will notify you Agency will have up to 90 days to resolve the of the right to request a hearing before an Equal matter. If you choose mediation, precomplaint counseling will not occur. If Employment Opportunity Commission (EEOC) Administrative Judge(AJ), receive a final agency mediation is not successful and a resolution is decision without a hearing, or withdraw your complaint. not reached within 90 days, the EEO counselor will issue a notice of the right to file a formal complaint. You will have 15 days to file a formal complaint. The Director of EEO will You may request an issue a final agency EEOC hearing within **30** decision within 60 days of days of receiving the receiving notice of the report of investigation. If mediation is successful within 90 days, request for a final agency the DMEO Director will inform the EEO decision. counselor that the claim was resolved. An EEOC AJ will make If you are not satisfied with a decision about the the agency's final decision, matter. you may appeal to EEOC within 30 days of receipt.

Within **40 days** of receiving the AJ's decision, the agency must issue a final order.

If you are not satisfied

with the agency's final

order, you may appeal

to EEOC within 30

days of receipt.

If you are not satisfied with

EEOC's appellate decision,

you may file a request for

reconsideration or you may

file in Federal district court

within 90 days of receipt.