Flowchart of the EEO Complaint Process

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. The Director of EEO 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, the Director of EEO will explain the reasons for The **30-day** counseling period may be such differences, including whether the agency is extended no more than 60 days if you and the dismissing the entire complaint, or in part. FTC 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 to The Director of EEO will assign an investigator to file a formal complaint. You will have 15 develop impartial and appropriate factual days to file a formal complaint. information on the claims accepted for processing. The FTC must complete the investigation, within **180 days** of the date the formal complaint was filed. You may request to participate in the FTC's Alternative Dispute Resolution Program (i.e., Mediation Program), in which case the FTC After the investigation is completed, you will receive will have up to 90 days to resolve the matter. a copy of the investigation report. The Director of If you choose mediation, pre-complaint EEO will notify you of the right to either request a counseling will not occur. If mediation is not hearing before an EEOC Administrative Judge (AJ) successful and a resolution is not reached or receive a final FTC decision without a hearing. 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 FTC decision EEOC hearing within 30 within **60 days** of receiving days of receiving the notice of the request for a report of investigation. If mediation is successful within 90 days, the final FTC decision. Director of EEO will inform the EEO counselor that the claim was resolved. An EEOC AJ will make If you are not satisfied with a decision about the the FTC's final decision, you matter. may appeal to EEOC within 30 days of receipt. Within 40 days of receiving the AJ's decision, the FTC must issue a final order. If you are not satisfied with If you are not satisfied

EEOC's appellate decision,

you may file a request for

reconsideration or you may

file in Federal district court

within 90 days of receipt.

with the FTC's final

of receipt.

order, you may appeal

to EEOC within 30 days