

## **EEO Complaint Process**

The first step is to contact an EEO Counselor within 45 days of the discriminatory action. The individual may request to participate in ADR.

Counseling must be completed within 30 days and ADR within 90 days. At the end of counseling, or if ADR is unsuccessful, the individual may then file a complaint with the agency.

The agency must complete an investigation of the complaint within 180 days of the date the formal complaint is filed.

Once the investigation is completed, the complainant has 30 days to request a hearing and decision by an EEOC administrative judge; an immediate final decision from the Secretary of the Navy; or may submit a written request to withdraw the complaint.

In cases where a hearing is requested, the administrative judge issues a decision within 180 days and sends the decision to both parties. Where discrimination is found, the administrative judge orders appropriate relief. If the agency does not issue a final order within 40 days after receiving the administrative judge's decision, the decision becomes the final action of the agency.

If the agency issues an order notifying the complainant that the agency will not fully implement the decision of the administrative judge, the agency must also file an appeal to EEOC.

A dissatisfied complainant may appeal to EEOC an agency's final action within 30 days of receipt. The agency may appeal a decision by an EEOC administrative judge within 40 days of receiving the administrative judge's decision.

A complainant who has filed an individual complaint may file a civil action in an appropriate United States District Court as follows: within 90 days of receipt of the final action, if no appeal has been filed; after 180 days from the date of filing a complaint, if an appeal has not been filed and final action has not been taken; within 90 days of receipt of the EEOC's final decision on an appeal; or after 180 days from the date of filing an appeal with the EEOC, if there has been no final decision by the EEOC.