

# FEDERAL EQUAL EMPLOYMENT OPPORTUNITY (EEO) COMPLAINT PROCESS

29 Code of Federal Regulations 1614

**INDIVIDUAL CASES** - Any employee, former employee, or applicant for employment who feels he/she has been discriminated against because of race, color, religion, sex, national origin, age (40 years of age and over), mental or physical disability, protected genetic information, and/or reprisal for prior complaint activity or opposition to an unlawful discriminatory employment practice, may file a timely complaint by calling the EEO intake line noted below within 45 calendar days of the alleged discriminatory act or effective date of alleged discriminatory personnel action.

**CLASS COMPLAINTS:** A class or group of employees, former employees or applicants, who believe they have been discriminated against because of one or more of the above factors, with respect to an agency personnel policy or practice, may also file a timely complaint by taking the steps noted above.

If a complaint is based on age or sex (for equal pay), the complainant can bypass the administrative process and file a civil action as noted below:

Under the Age Discrimination in Employment Act (ADEA), an aggrieved person may bypass the administrative complaint process and file a civil action directly in U.S. District Court provided that the aggrieved person first provides the Equal Employment Opportunity Commission (EEOC) with a written notice of intent to pursue via the ADEA process. The notice to the Commission must be filed within 180 days of the date of the alleged discriminatory action. Once a timely notice of intent to pursue is filed with the Commission, the aggrieved person must wait at least thirty (30) days before filing a civil action.

An aggrieved individual does not have to file an administrative complaint before filing a lawsuit under the Equal Pay Act (EPA). If an aggrieved individual nonetheless wants to file an administrative complaint, it will be processed like Title VII complaints under Part 1614. In EPA cases the statute of limitations (two years or, if a willful violation is alleged, three years), applies even if the individual files an administrative complaint. An aggrieved individual has the right to file directly in a court of competent jurisdiction without first providing notice to the Commission or exhausting administrative remedies.

Alternative dispute resolution (ADR) can be attempted at any stage of the complaint process by mutual consent of the employee and management. Mediation involves using a neutral person to facilitate early resolution and is highly encouraged for all kinds of workplace disputes. Please call the EEO intake line for more information on using the ADR process to resolve an EEO issue or other workplace dispute.

## INDIVIDUAL EEO COMPLAINT PROCESS\*



\*\*All days are calendar

Deputy EEO Officer Ms. Cil Pleman

619-532-3144

Individual EEO or Class Complaint Intake Line

Address for EEO Staff  
**COMPACFLT HRO SW**  
 937 N. Harbor Dr., Bldg. 1, 3<sup>rd</sup> Floor  
 San Diego CA 92101

Phone/contact info  
 619.532.3147  
 DSN: 522-3147

Alternative Dispute Resolution Intake Line  
 (All workplace disputes, including EEO)

619.532.1685  
 DSN: 522-1685

\*For information on the Class Complaint process, see item "K" at: <http://www1.eeoc.gov/eeoc/publications/fedprocess.cfm?renderforprint=1>.  
 For more information on the Federal complaint process, go to: [http://www.eeoc.gov/federal/fed\\_employees/index.cfm](http://www.eeoc.gov/federal/fed_employees/index.cfm)