

# MCIPAC - Federal Sector Discrimination Complaints Process Flow Chart

## Pre-Complaint / Informal Complaint Process

### EEO CONTACT

Contact must be made within 45 Calendar Days from the date of the alleged event of discrimination, or from the awareness of discriminatory action.

Contact must be within 45 Days

### AGGRIEVE'S INTENT TO PURSUE A COMPLAINT UNDER EEO

(Issue Rights & Responsibilities and option of choosing ADR or EEO Traditional Counseling)

Counseling within 30 days (may extend additional 60 days)

### IF EEO TRADITIONAL COUNSELING IS ELECTED

EEO Counselor Interviews all parties and gathers information in attempt to resolve issues / dispute. If resolution is unsuccessful, the EEO counselor conducts final interview and issues Notice of Rights to File a Formal Complaint of Discrimination

ADR within 90 days to complete

### ALTERNATIVE DISPUTE RESOLUTION (ADR)

Assign Certified Mediator, Respondent of Agency, and Aggrieve voluntarily meet to explore possible resolution. Process is not to find fault or blame, but to come to a consensus that satisfies both parties. If resolution is unsuccessful the EEO counselor conducts final interview and issues Notice of Rights to File a Formal Complaint of Discrimination

Must file Formal Complaint within 15 Days

For more information Contact the MCIPAC EEO Office at  
MCBButlerEEO@usmc.mil or call DSN 315-645-7660.

## Formal Complaint / Investigation Process

### FORMAL COMPLAINT FILED

Acknowledge Receipt of Formal Complaint in Writing within 3 days

### PROCEDURAL ACCEPT DIMISS DETERMINATION OF CLAIMS

Accepted claims starts the 180 days investigation process. Dismissed claims are appealable to EEOC OFO.

### INVESTIGATION / ISSUANCE OF ROI

Investigation to be completed within 180 days from filing of a formal complaint unless, the complaint is amended by additional claim, which the 180 days starts from the date of the amended claims, or within 360 days from filing of the formal complaint, which ever date is earlier. Upon completion of investigation, a Report of Investigation will be provided to the Complainant to elect a Hearing with EEOC AJ or SECNAV Decision within 30 days (no action defaults to SECNAV)

### APPEAL TO OFO

OFO may remand dismissed case to the Agency for processing to be investigated within 120 Calendar Days.

Individual may File Civil Action on an Appealed Decision within 90 Calendar Days

### HEARING BEFORE EEO COMMISSION'S ADMINISTRATIVE JUDGE

Judge issues Order, with or without hearing within 180 Days – Final Order of Decision is Submitted for Final Agency Action within 40 Calendar Days.

Individual may Appeal EEOC AJ Decision within 30 Calendar Days

### SECNAV DECISION WITHOUT HEARING

Decision within 60 Calendar Days. Individual can Appeal SECNAV Decision within 30 Calendar Days to OFO

### FEDERAL DISTRICT COURT / CIVIL ACTION

Individual May File Civil Action within 90 Calendar Days of EEOC OFO Appealed Decision