

EEO Complaint Processing

JS Policy

Directors, managers and supervisors are responsible for ensuring that the JS work environment is free from discrimination.

If you are a current or former JS employee or have applied for JS employment, and you believe you experienced discrimination, **you have the right to file a complaint of discrimination**. To do that, you must contact a JS EEO counselor within 45 calendar days of the alleged act of discrimination.

Pre-Complaint Process (Informal)

EEO Pre-complaint Intake Form

If you believe that you have been discriminated against or harassed because of your:

- Race, Color, Religion, National Origin, Sex, Pregnancy, Gender Identity, Sexual Orientation, Age (40 and over), Disability, Genetic Information, **OR** Retaliation (Participation in the EEO process),

You must contact the JS EEOD Office at (703) 692-2471 or (757) 203-5456 or js.pentagon.dom.mbx.eeod-mailbox@mail.mil. We will try to help informally resolve the matter. We will assign an *EEO counselor*, who will:

- Provide information about the EEO process,
- Provide information about other options that are available,
- Provide a written explanation of your rights and responsibilities,
- Offer an opportunity to elect Alternative Dispute Resolution (ADR),
- Gather basic information about the discrimination or harassment,
- Determine your *claims* and your *protected group*, and
- Do a *limited inquiry*.

If you do not elect to try *Alternative Dispute Resolution* (ADR), the EEO counselor will also attempt to resolve the situation informally.

EEO counseling will occur during the 30 calendar days after you contact the EEO office, but if more time is needed, the EEOD office will ask if you are willing to extend the counseling - up to 60 more days.

If cannot be resolved within the 30/90 days of contact, the EEO Counselor will **tell you in writing about your right to file a complaint of discrimination**. The *Notice of Right to File a Discrimination Complaint* will tell you:

- That you may file a discrimination complaint within 15 days
- How to file your complaint
- If you retain counsel or a representative, you must immediately notify the EEO Counselor.

Formal Complaint Process

Filing a Formal Complaint

Formal Complaint of Discrimination Form

If the attempts to resolve informally have failed, **you may file a formal EEO complaint with your EEO Office within 15 calendar days** of receiving the *Notice of Right to File a Discrimination Complaint*. The complaint must be:

- Filed in writing
- Signed by you, or by your attorney

We will include a JS Formal Complaint of Discrimination Form with your Notice of Right to File. Please use the JS Formal Complaint of Discrimination Form to file your complaint. A formal complaint can also just be a written statement, if it has:

- Your name
- Your telephone number (or your representative's telephone number)
- Your address (or your representative's address)
- The organization where the discrimination happened
- Your description of the actions or practices that you are complaining about

You must mail your formal to: Manager, Joint Staff Equal Employment and Diversity, Office of Directorate of Management, 116B Lake View Parkway, Suffolk, VA 23435-2697, email to js.pentagon.dom.mbx.eeod-mailbox@mail.mil, or hand-deliver to Pentagon EEOD Office at Room 1D820 or Hampton Roads EEOD Office at Room 144.

After we get your formal complaint, we will reply to tell you the date when we got your complaint. This date will be the postmark date, or the date you gave it to us in person. The EEO Counselor will provide a completed *EEO Counselor's Report to the EEOD Manager*, who use this report and your formal to determine:

- Whether you filed your complaint in time
- Whether to accept/dismiss it for formal EEO investigation

EEO complaints can be mediated both in the informal and formal stage. Mediation is the most common ADR technique in EEO cases because it has been shown to be effective in resolving workplace-related disputes quickly, economically, and fairly. Mediation is a viable alternative to lengthy and often expensive administrative process of agency investigation, hearing, and appeal to the EEOC, or possible litigation in the courts. Parties are highly encouraged to consider mediation in EEO cases.