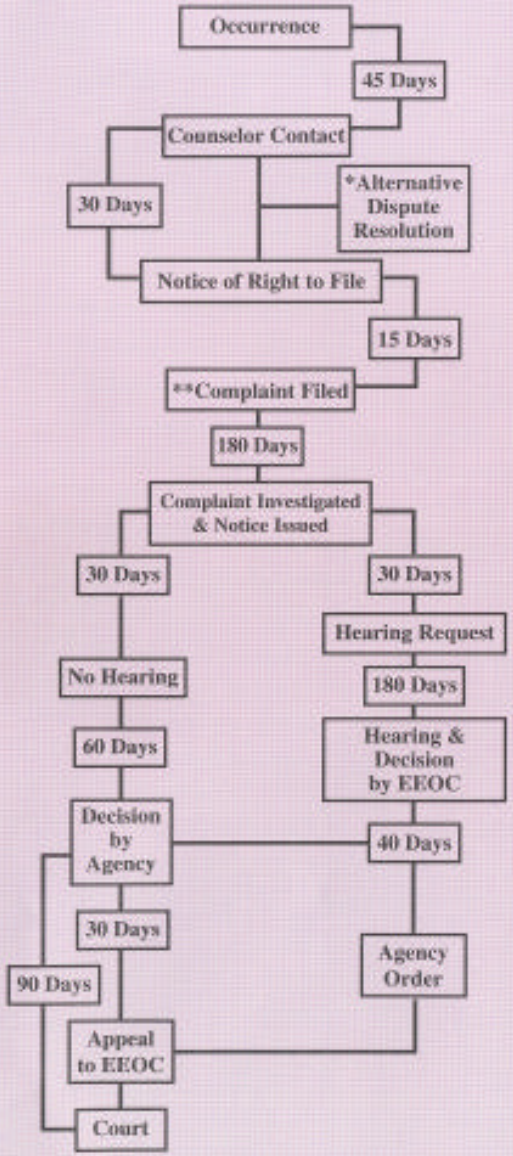

* ADR is available at all stages of the complaint process.
** Complaint may be dismissed on procedural grounds; e.g., fails to state a claim, fails to comply with applicable time limits, mootness, etc. (see 29 CFR Section 1614.107)

EEO POLICY

The Department of Energy does not discriminate on the basis of race, color, sex (including sexual harassment), religion, national origin, age, disability (physical or mental), sexual orientation, reprisal, or any other non-merit factor. We are committed to equal employment opportunity principles and practices in all of our management decisions and personnel practices.

The Department is committed to providing equal employment opportunity; eliminating discrimination in employment; and maintaining an environment that is free from any form of prohibited discrimination. The Department will provide a prompt, fair and impartial review, and adjudication of any allegation of discrimination.

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For additional information, contact:

The Office of Civil Rights and Diversity
(202) 586-2218
Fax (202) 586-0888

Sexual Harassment Hotline
(202) 586-2220

Disability Accommodation (Computer and Telecommunications) in the Office of Information Management
(202) 586-8028

web: http://www.hr.doe.gov/ed/index.html

Printed with soy ink on recycled paper

U.S. Department of Energy
Office of Civil Rights and Diversity

EEO COMPLAINTS PROCESSING

EEO PROCESS

A DOE employee or applicant for Federal employment may institute an EEO complaint if that employee or applicant believes that he/she has been discriminated against based on one or more of these factors.

RACE
COLOR
SEX (INCLUDING SEXUAL HARASSMENT)
RELIGION
NATIONAL ORIGIN
AGE
DISABILITY (PHYSICAL OR MENTAL)
SEXUAL ORIENTATION*
REPRISAL

STEP ONE
INFORMAL COMPLAINT

If you believe that you have been the victim of discrimination in your work or through the employment process, you must contact an EEO counselor within **45 days** of the occurrence of the alleged discrimination. The Counselor will advise you of your rights (including mediation) and will conduct an informal inquiry regarding your allegation. During this time, the Counselor will attempt to resolve the complaint.

The Counselor will issue a Notice of Final Interview within **30 days** of your initial contact, and in certain instances, up to **90 days** of your initial contact.You will have **15 days** from your receipt of that notice to decide whether you wish to file a formal complaint.

* Prohibited by DOE policy.

STEP TWO
FORMAL COMPLAINT

After completing the informal process, you may decide to file a formal complaint. You must file your complaint within **15 days** of your receipt of the Notice of Final Interview. You may send your complaint to one of the individuals named in the Notice of Final Interview. Although you may use DOE Form 1600.1 to file a formal complaint, it is not specifically required.

You may choose to include a letter or any other supporting materials with your complaint. You can obtain this form from the Department's Office of Civil Rights, if you did not receive one with your Notice of Final Interview.

Your complaint must be specific, and limited only to those matters that you previously discussed with the EEO Counselor. You will receive written acknowledgment of receipt of your complaint. It will inform you of the date that your complaint was filed. This date will be used for calculating the processing times relevant to the formal process.

If your complaint is accepted for processing, an impartial investigation will be ordered. The Department will insure that it is a thorough and fair investigation and is completed within **180 days** from the date you filed your formal complaint.

During this period the Department also will attempt to settle your complaint through mediation and will provide you with a copy of the investigative file.

Within **30 days** of your receipt of these materials, you may request either an EEOC hearing or an immediate final agency decision from the Department. If you request a hearing, the EEOC's Administrative Judge will issue the final decision.

If you fail to respond or request an immediate final decision, the Department will issue a decision based on its review of the investigative report and complaint file. The Department will issue its decision within **60 days** of your request.

If you request a hearing from the EEOC, an Administrative Judge will conduct a hearing and issue a decision on your complaint. The Judge must complete this process within **180 days** from receipt of the agency's file.

The Department, within **40 days** of its receipt of the Administrative Judge's decision, must issue its final order. The order must state whether or not the Department will fully implement the decision. If the order states that the Department will not, the Department must file an appeal with EEOC at the same time it issues its final order. If the Department does not take any action, the Judge's findings and any ordered relief become the final decision.

If you requested the Department to issue a final decision without a hearing, you may appeal the Department's decision to the EEOC within **30 days** of receipt. You may file a civil action in U.S. District Court within **90 days** of your receipt of the final decision.