

Informal EEO Counseling Process

Current Employees, Former Employees, Applicants, and (most) Contract Workers have the right to file EEO complaints and receive EEO Counseling per EEOC guidance. In the complaint process these individual are referred to as the “Aggrieved Individual” (AI)

The **AI contacts an EEO Counselor** no later than 45 days from the date that the issue occurred.

During the **EEO Intake Process**, the EEO Counselor or Intake Specialist:

1. Helps the AI identify their claim,
2. Describes alternative methods of resolution for the AI to consider,
3. Explains the AI’s rights and responsibilities (Notice of Rights or “NOR”) and gives them a copy,
4. Provides the AI with the “Delegation of Representative” form (to be completed by the AI *only* if and when the AI chooses representation at any point in the EEO process),
5. Secures the AI’s signed statements indicating:
 - a. Their understanding of the NOR and their intension to file a formal complaint.
 - b. Their choice as to whether they want to retain or waive their right to anonymity,
 - c. Their choice as to whether they want to try to resolve the matter through EEO counseling or Alternative Dispute Resolution (ADR)

If the AI chooses **EEO Counseling**, the EEO Counselor has 30 calendar days to conduct a “limited inquiry” and facilitate resolution / settlement of the AI’s claim.

If the AI chooses **ADR**, the deadline for attempted settlement is extended to 90 calendar days. If ADR fails, the Counselor issues a Notice of Final Interview giving the AI the right to file a formal complaint.

Resolution/Settlement is reached within established timeframes. *Terms are put in writing. AI signs and dates a written withdrawal of their complaint. AI and an authorized management official sign the settlement agreement.*

Resolution/Settlement is not reached. If settlement is not reached, the EEO Counselor issues a Notice of Final Interview (NOFI) and Notice of Right to File Formal (NRFF) providing the AI the right to file a formal EEO complaint.