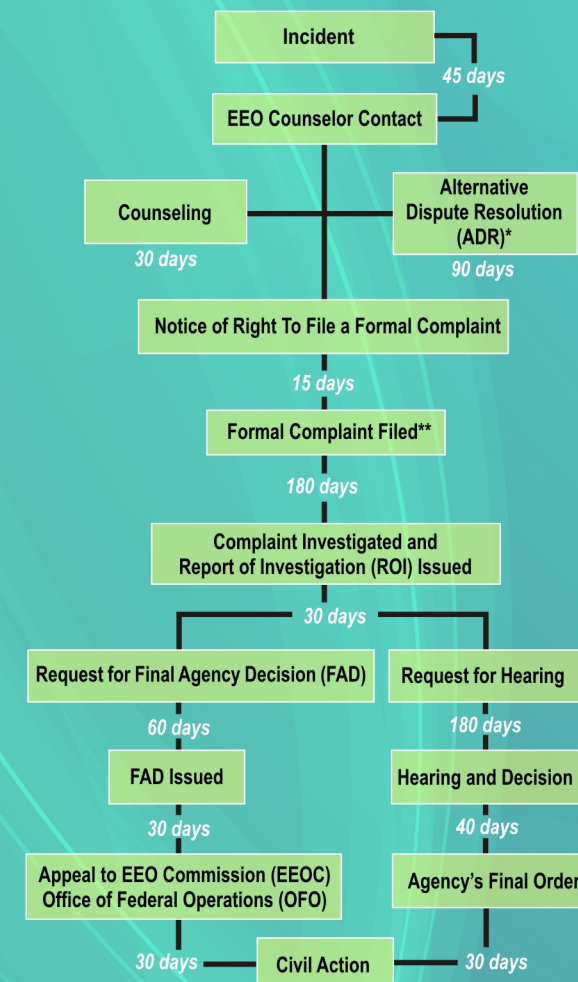


## EQUAL EMPLOYMENT OPPORTUNITY COMPLAINT PROCESS



\*Alternative dispute resolution is available at any stage of the complaint process.

\*\*Complaints may be dismissed on procedural grounds in accordance with Title 29, "Labor," of the Code of Federal Regulations (29 CFR) 1614.107 "Dismissals of Complaints."

Days = calendar days.

Related processes: See 29 CFR Part 1614, Subpart C.



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December 2014

## ANTIDISCRIMINATION LAWS AND REGULATIONS

**The Equal Pay Act of 1963 (EPA), as amended,** prohibits Federal agencies from paying employees of one sex a lower wage than employees of the opposite sex for performing equal or substantially equal work under similar conditions. Employees may file simultaneous sex-based wage claims under Title VII of the Civil Rights Act and the EPA. (See also Lilly Ledbetter Fair Pay Act of 2009.)

**Title VII of the Civil Rights Act of 1964, as amended,** prohibits discrimination on the basis of race, color, religion, national origin, and sex (including sexual harassment). Title VII also prohibits discrimination for pregnancy, childbirth, or a medical condition related to pregnancy or childbirth. Title VII protects employees from reprisal or retaliation for participating in the discrimination complaint process or for opposing any unlawful employment practice that the employee reasonably and in good faith believes to violate Title VII.

**The Age Discrimination in Employment Act of 1967 (ADEA), as amended,** prohibits discrimination on the basis of age (40 years and older).

**The Rehabilitation Act of 1973, as amended,** prohibits discrimination on the basis of physical or mental disability. It requires agencies to reasonably accommodate the known physical or mental limitations of qualified disabled employees or applicants. (See also Americans with Disabilities Act Amendments Act of 2008.)

**The Genetic Information Nondiscrimination Act of 2008 (GINA)** prohibits discrimination on the basis of genetic information about an individual or an individual's family members, including genetic tests, diseases, disorders, or conditions.

**U.S. Equal Employment Opportunity Commission Regulations (Title 29, "Labor," of the Code of Federal Regulations, Part 1614, "Federal Sector Equal Employment Opportunity")** (revised September 25, 2012) govern the processing of Federal-sector discrimination complaints filed under the above laws. These regulations also require Federal agencies to offer an ADR program to resolve informal and formal complaints of employment discrimination. For more information, see



## Know Your Rights



## Equal Employment Opportunity is the Law

Office of Small Business  
and Civil Rights



The U.S. Nuclear Regulatory Commission (NRC) believes that fostering equal employment opportunity (EEO) and enhancing diversity management are sound business practices. These practices enable the NRC to realize the full potential of its employees to enhance the effectiveness of its programs. As the NRC recruits, develops, and takes positive steps to retain a high-quality workforce with the skills necessary to achieve its mission, it also must maintain an innovative, effective, and discrimination-free organizational environment. One strategy to maintain this environment is the EEO process.

**The EEO Process (Precomplaint)**

EEO counseling is the first step in the complaint process. If current or former employees and applicants believe they have been subjected to discrimination on the basis of race, color, national origin, religion, sex (including sexual harassment), age, disability, reprisal, or genetic information, they must first contact an EEO counselor or an Office of Small Business and Civil Rights (SBCR) official within 45 calendar days of the alleged discriminatory event or within 45 calendar days of the effective date of a personnel action.

The EEO counselor will advise the aggrieved person of his or her rights and responsibilities and offer Alternative Dispute Resolution (ADR) as an option. Other options include the negotiated grievance procedure and an appeal to the Merit Systems Protection Board.

**The EEO Process (Formal Complaint)**

If the parties do not resolve the matter informally in the precomplaint stage, the EEO counselor will issue the aggrieved person a Notice of Right to File a Formal Complaint of Discrimination (NRTF) within 30 calendar days of initial contact. If the aggrieved person chooses ADR, the EEO counselor will issue the NRTF within 90 calendar days.

If the aggrieved person elects to file a formal complaint, he or she must do so within 15 calendar days of receiving the NRTF. The aggrieved person must provide a written, signed complaint that precisely identifies the actions forming the basis of the complaint. SBCR will provide written acknowledgment of the complaint, confirming the date the complaint was filed. This date will be used to calculate the processing times for the formal process. The flowchart on the reverse side of this brochure outlines each stage of the EEO complaint process.



**U.S. NRC**  
United States Nuclear Regulatory Commission  
*Protecting People and the Environment*

Office of Small Business and Civil Rights  
One White Flint North, Mail Stop O3G4  
11555 Rockville Pike  
Rockville, MD 20852

E-mail: [eeoprograms@nrc.gov](mailto:eeoprograms@nrc.gov)  
<http://www.internal.nrc.gov/SBCR/adrprocess.pdf>

**EEO COUNSELORS**

<b>HEADQUARTERS:</b>		
Tekia Govan	NRO	301-415-6197
Jennifer Tobin	NRR	301-415-2328
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Lena Boyd	OI	301-415-2373
Deborah Dennis	OIS	301-415-5704
Shawn Marshall	RES	301-251-7523

<b>REGION I:</b>		
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Marjorie McLaughlin	AES	610-337-5240
David Rule	DRM	610-337-5350

<b>REGION II:</b>		
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McKenzie Thomas	DRS	404-997-4673

<b>REGION III:</b>		
Cassandra Frazier	DNMS	630-829-9830
Bruce Palagi	DRS	630-829-9611

<b>REGION IV:</b>		
Carol Hill	DNMS	817-200-1140
Judith Weaver	ORA	817-200-1145

<b>SBCR STAFF:</b>		
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Melody Fopma, Associate Director Civil Rights and Diversity Directorate		301-415-1580
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Joel Kravetz Civil Rights Program Manager		301-415-0503
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<b>Civil Rights Specialists:</b>		
Rhonda Dorsey		301-415-2254
Catherine Solomon		301-415-1117
Stephanie Garland		301-415-2729
Courtney Smith (Contractor)		301-415-5830