

FORMAL COMPLAINT OF DISCRIMINATION

(Read information on the back carefully before completing this form.)

NOTE: IF YOU WISH TO FILE A FORMAL COMPLAINT OF DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN, AGE, HANDICAP, OR REPRISAL; COMPLETE THIS FORM.

1. COMPLAINT INFORMATION	2. EMPLOYMENT INFORMATION
a. NAME (Last, First, MI)	a. TYPE (Check one) <input type="checkbox"/> GSA <input type="checkbox"/> FORMER GSA <input type="checkbox"/> FEDERAL <input type="checkbox"/> NON-FEDERAL
b. HOME ADDRESS (Street, City, State, ZIP Code)	b. NAME OF PROGRAM OFFICE
c. HOME TELEPHONE NUMBER	c. OFFICE ADDRESS (Street, City, State, ZIP Code)
d. SOCIAL SECURITY NUMBER	d. OFFICE TELEPHONE NO.
3. POSITION TITLE/SERIES/GRADE	

4. CHECK BASIS(ES) YOU BELIEVE CAUSED THE DISCRIMINATION

a. RACE	(State type)	f. HANDICAP (Check one)	
b. COLOR	(State type)	<input type="checkbox"/> PHYSICAL (State type below)	<input type="checkbox"/> MENTAL (State type below)
c. RELIGION	(State type)		
d. NATIONAL ORIGIN	(State type)	g. AGE (State years)	DATE OF BIRTH
e. SEX (Check appropriate boxes) <input type="checkbox"/> FEMALE <input type="checkbox"/> MALE <input type="checkbox"/> EQUAL PAY <input type="checkbox"/> SEXUAL HARASSMENT		k. REPRISAL	

5. DESCRIPTION OF DISCRIMINATION (Explain, briefly, how you believe you were discriminated against (that is, treated differently from other employees or applicants because of your race, color religion, sex, national origin, age, mental or physical handicap, or reprisal). If your complaint involves more than one allegation of discrimination: (1) list each allegation; (2) provide the date(s) of alleged discriminatory act(s); and (3) furnish specific factual information in support of each. Use additional blank sheets of paper, if necessary.

6a. NAME OF EEO COUNSELOR	6b. TELEPHONE NUMBER
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7. REPRESENTATION

a. NAME OF REPRESENTATIVE	b. TITLE (Attorney, Union, etc.)	c. TELEPHONE NUMBER
d. ADDRESS (Street, City, State, ZIP Code)		

8. STATE REMEDY SOUGHT IN THIS COMPLAINT

9a. SIGNATURE OF COMPLAINT	9b. DATE
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DO NOT WRITE BELOW THIS LINE (For Agency Use Only)

AGENCY DOCKET NUMBER	DELIVERED BY (Check one)		DATE OF DELIVERY
	<input type="checkbox"/> MAIL (Include date of postmark)		
	NAME OF COMPLAINANT	<input type="checkbox"/> HAND DELIVERY	
<input type="checkbox"/> OTHER (Specify)			
SIGNATURE OF RECEIVING OFFICIAL	DATE		

INFORMATION CONCERNING DISCRIMINATION COMPLAINT PROCESSING UNDER TITLE 29 C.F.R. PART 1614

1. This form is for use if you are an employee of the GSA or an applicant for Federal employment and believe that you have been discriminated against because of your race, color, religion, sex, national origin, age (40 and above), handicap and/or reprisal. Before filing a formal complaint, you must first have presented the matter for informal resolution to an Equal Employment Opportunity (EEO) counselor within 45 CALENDAR DAYS of the date of the alleged discriminatory event or the effective date of an alleged discriminatory personnel action.
2. The EEO counselor shall conduct the final interview within 30 days of the date you brought the matter to the EEO counselor's attention. If you agree, in writing to participate in GSA's established dispute resolution procedure, the EEO counselor shall conduct the final interview within 90 days of the date you brought the matter to the EEO counselor's attention.
3. Your complaint must be filed within 15 CALENDAR DAYS from the date of receipt of your Notice of Right to File a Discrimination Complaint letter from the EEO counselor. If the matter has not been resolved to your satisfaction within 30 CALENDAR DAYS of your first contact with the EEO counselor and the final counseling interview has not been held within that time or within the 60-day agreed upon extension period, you have a right to file a complaint at any time thereafter up to 15 CALENDAR DAYS from the date of receipt of the Notice of Right to File a Discrimination Complaint letter.
4. The time limit for filing a discrimination complaint may be extended by the agency only if you can show that you were not notified of the time limits and were not otherwise aware of them, or that you were prevented by circumstances beyond your control from submitting the matter within the time limits or for other reasons considered sufficient by the agency.
5. Your written complaint may be filed by you with the officials designated in the Notice of Right to File a Discrimination Complaint letter which you will receive. A complaint is deemed filed on the date it is received, if delivered to an appropriate official, or on the date postmarked if addressed to an appropriate official designated to receive complaints.
6. You may have a representative of your own choosing at all stages in the complaint process.
7. Voluntary attempts to settle your complaint can be made throughout the administrative process. If a settlement of the complaint is reached, the terms of the settlement will be stated in writing and you will be given a copy.
8. The agency is required, pursuant to 29 C.F.R. Part 1614, to conduct a complete and fair investigation of the complaint within 180 calendar days of the filing of your complaint unless you and the agency agree in writing to extend the time period, for not more than an additional 90 days.
9. If your complaint is accepted, upon the completion of the investigation under Part 1614, you will be issued a Notice of Final Action which will contain your right to a final decision with or without a hearing. If you request a hearing before an EEOC Administrative Judge (AJ), you must notify the EEO OFFICER as designated in your Notice of Right to File a Discrimination Complaint letter, within 30 calendar days of receipt of the Notice of Final Action.
10. If you request a hearing, you are expected to proceed without delay in presenting your complaint before the assigned EEOC AJ. Therefore, if you plan to have a representative, you should immediately obtain representation and you should also begin preparing a list of proposed witnesses, with a summary of the testimony you believe each will present at the hearing. The AJ will request this list after being assigned your case. Within 60 calendar days of receiving the findings and conclusions of the AJ, the agency will issue the final decision.
11. Failure to prosecute your complaint in a timely fashion may be grounds for the AJ to return your case to the agency. The agency will issue a final decision based on the evidence presented in your investigative and complaint files.
12. However, if you request immediate final decision to be rendered on the merits of each allegation contained in your complaint, based on the investigative file, the head of the agency, or his designee, will render a decision without a hearing. A request for a final decision without a hearing must be made to the EEO OFFICER designated in the Notice of Right to File a Discrimination Complaint letter, **within 30 calendar days from the day you receive the notice of final action.**
13. In the absence of any response from you, upon the expiration of the 30-day notice period as to your options to a decision with or without a hearing, the agency will, within 60 calendar days, issue a final decision based on the evidence presented in your investigative and complaint files.
14. In the event that GSA has not issued a notice of final action within 180 days from the filing of your complaint you may request a hearing at any time.
15. If your complaint or any allegation contained therein is dismissed, you will receive a final decision on the complaint or that portion of the complaint which is dismissed. The letter dismissing your complaint or any part will delineate your rights of appeal. The accepted portion of a partially dismissed complaint will be stayed, pending a decision on any appeal.
16. If you are dissatisfied with the final decision with or without a hearing, you may appeal to the EEOC. An appeal to the EEOC must be postmarked or, absent a postmark, received by the Commission **within 30 calendar days from the day you received the final decision.** The 30-day period for filing a Notice of Appeal begins to run on the day after you receive the final decision. However, if you are represented by an attorney, the 30-day timeframe begins to run on the day after your attorney receives the final decision. Any statement or brief in support of an appeal may be submitted to the Commission, with copies to the agency, **within the 30-day time limit.** You must certify the date and method by which service was made on the agency regarding any appeal filed with the Commission. Appeals must be filed on EEOC Form, 573, which will be forwarded with the final decision on your complaint. In addition, appeals to the Commission should be forwarded to the Director, Office of Federal Operations, Equal Employment Opportunity Commission, P.O. Box 19848, 1801 L Street, NW, Washington, DC 20036.
17. You may file a civil action in the appropriate federal district court in any of the following situations.
 - A. Instead of appealing GSA's final decision to the EEOC, you may file a civil action in an appropriate United States District Court. If you choose to file a civil action, you must do so **within 90 days from the day you receive the final decision.**
 - B. If you appeal GSA's final decision to the EEOC and the EEOC renders a decision on your appeal, you may appeal the EEOC decision by filing a civil action **within 90 calendar days from the day you receive the EEOC decision on your appeal.**
 - C. If GSA has not issued a final decision after 180 days have elapsed from the date you filed your formal complaint, you may file a civil action.
 - D. If the EEOC has not issued a decision on your appeal within 180 calendar days from the date of filing the appeal, you may file a civil action.
 - E. On complaints alleging violations of the Equal Pay Act, the time limit for filing a civil action is as follows, regardless of whether you pursued any administrative complaint processing:
 1. Within two years of the date of the date the alleged violation, or
 2. If the violation is willful, within three years of the date of the alleged violation.
18. If you decide to file a civil action under Title VII of the Civil Rights Act of 1964, 42 U.S.C. Sec. 2000e et seq., as amended or the Rehabilitation Act of 1973, 29 U.S.C. Sec 791 and Sec. 794c, as amended, and do not have or are unable to obtain the services of a lawyer, you may request the court to appoint a lawyer to represent you. In such circumstances as the court may deem just, the court may appoint a lawyer and may authorize the commencement of the action without the payment of fees, costs or security. Any such request must be made within the above referenced 90-day time limit for filing suit and in such form and manner as court may require.
19. Please note that if you file a civil action, you must name the agency head as the defendant. Failure to name the head of the agency may result in loss of any judicial redress to which you may be entitled.