



DEPARTMENT OF THE ARMY  
HEADQUARTERS, UNITED STATES ARMY GARRISON, FORT RILEY  
510 HUEBNER ROAD  
FORT RILEY KANSAS 66442-7000

IMRL-EEO

January 14, 2016

MEMORANDUM FOR ALL FORT RILEY DEPARTMENT OF ARMY CIVILIAN  
EMPLOYEES

SUBJECT: Procedures for Filing an Equal Employment Opportunity (EEO) Discrimination  
Complaint – For Civilian Employees

1. References:

- a. Title 29, Code of Federal Regulations (CFR), Part 1614, amended 9 Nov 99.
- b. Equal Employment Opportunity Commission (EEOC) Management Directive 110 Revised, dated 5 Aug 15.
- c. AR 690-600, Equal Employment Opportunity Discrimination Complaints, dated 9 Feb 04.

2. The purpose of this memorandum is to disseminate guidance regarding the procedures to file an EEO discrimination complaint.

3. Individuals who believe they have been subject to discrimination because of race, color, religion, sex (pregnancy or gender), age, national origin, genetics, physical/mental disability, or reprisal for prior EEO activity in an employment matter subject to the control of the Army, may use the EEO discrimination complaint procedures without fear of coercion, restraint, interference, harassment, intimidation, or reprisal. Complaints of discrimination based on age will be accepted only from employees or job applicants who are at least 40 years old at the time the discriminatory action or effective date of the personnel action is alleged to have occurred.

4. In order to file a timely complaint, an aggrieved person must initiate contact with an EEO official within **45 calendar days from the date of the alleged discrimination, or within 45 calendar days of when the aggrieved person knew or reasonably should have known, of the alleged discriminatory action. If the complaint involves a personnel action, contact with an EEO official must be initiated within 45 calendar days of its effective date. If the matter is not a specific action, but an on-going policy or practice, it must have been in effect within 45 calendar days prior to contact with an EEO Counselor.** Title 29 CFR, Section 1614.105, paragraph (a) (1) – Failure to make contact with an EEO Counselor within 45 days may result in dismissal of a formal complaint on the basis of untimeliness.

5. Provided as Enclosures 1-3 are documents that identify the Civilian EEO Office contact information and outline of the EEO discrimination complaint procedures:

IMRL-EEO

SUBJECT: Procedures for Filing an Equal Employment Opportunity (EEO) Discrimination Complaint – For Civilian Employees

- a. Enclosure 1 – EEO Organizational Chart
- b. Enclosure 2 – Steps in Individual Complaints of Discrimination
- c. Enclosure 3 – Overview of the EEO Complaints Process

6. If you need additional information, please contact the EEO Office at 785-239-2741 or 6698 or DSN 856. The office is located at 510 Huebner Road, also known as Grimes Hall, 1<sup>st</sup> Floor, Rooms 104-110, Fort Riley, KS 66442.



KATHY BELLINDER  
Equal Employment Opportunity Officer

3 Encls

# EQUAL EMPLOYMENT OPPORTUNITY

(For Complaints of Discrimination or Sexual Harassment)

**EEO Director**  
**Kathy Bellinder**  
**239-6698**

**Complaints Manager**

**Vacant**  
**239-2741**

**Affirmative  
Employment Manager**

**Jeffrey Greer**  
**239-3263**

In order to file a **timely** EEO discrimination complaint on the basis of national origin, age (40+), race, reprisal, religion, color, sex (gender/sexual harassment), genetics, or physical/mental disability, you **must** contact our office **within 45 calendar days** of the alleged discriminatory act or personnel action or when you became aware or reasonably aware of the action. Failure to make contact within **45** calendar days **may** result in the dismissal of a formal complaint on the basis of untimeliness.

510 Huebner Road  
1<sup>st</sup> Floor, Rooms 104-110  
Fort Riley, KS 66442-5000  
(785) 239-2741 or 6689/DSN 856-2741/6689

**POST TO OFFICIAL BULLETIN BOARDS**

## STEPS IN INDIVIDUAL COMPLAINTS OF DISCRIMINATION

<p>1. Army employee, former employee, or applicant for employment must contact an EEO counselor or EEO official.</p>	<p>Within 45 calendar days of the date of the matter alleged to be discriminatory, within 45 calendar days of the effective date of the personnel action, or within 45 days from the date the aggrieved became aware of the alleged discriminatory action or practice.</p>
<p>2. EEO counselor offers Alternative Dispute Resolution (ADR) or makes inquiry, attempts informal resolution, conducts final interview, and if complaint is not resolved, gives aggrieved Notice of Right to File a Formal Complaint of Discrimination.</p>	<p>Within 30 days after the date the aggrieved requested EEO counseling or 90 days if the aggrieved chooses the ADR process or agrees to extend the counseling period.</p>
<p>3. The aggrieved may file a formal complaint (DA Form 2590-R) in writing with EEO Officer or other designated official. Must advise EEO Officer if he/she obtains legal or other representation. At this stage the aggrieved is referred to as a complainant.</p>	<p>Within 15 days after receipt of the Notice of Right to File a Formal Complaint of Discrimination.</p>
<p>4. EEO Officer accepts or dismisses the formal complaint in whole or part. If complaint is dismissed, EEO Officer notifies complainant and representative.</p> <p>a. If dismissed in whole, complainant may appeal to Equal Employment Opportunity Commission, Office of Federal Operations (EEOC, OFO).</p> <p>b. If partially dismissed, complainant cannot appeal, but can raise dismissed issues at EEOC hearing.</p>	<p>Within 15 calendar days after receipt of complaint.</p> <p>Within 30 days after receipt of dismissal.</p>
<p>5. If the complaint is accepted for investigation, the Department of Defense (DOD), Investigations &amp; Resolutions Division (IRD) will conduct the investigation.</p>	<p>Investigation will be completed and the EEO Officer will issue the investigative report/file and notice of completion within 180 days of filing of the complaint unless there has been an extension. Notice will include post investigative options. If investigation is not completed within 180 days, complainant may request an EEOC hearing or file a civil action.</p>

## STEPS IN INDIVIDUAL COMPLAINTS OF DISCRIMINATION

<p>6. Complainant or representative may request EEOC hearing or issuance of a Final Army Decision (FAD) without a hearing. If complainant or representative fails to respond within 30 days, a FAD will be issued.</p>	<p>Within 30 days of receipt of Notice of Post-Investigative options</p>
<p>7. EEOC hearing held and findings and recommendations sent from EEOC administrative judge to Equal Employment Opportunity Compliance Complaint Review (EEOCCR).</p>	<p>Within 180 days of receipt of the request for a hearing.</p>
<p>8. Appeal to EEOC:</p> <p style="padding-left: 40px;">a. Complainant or representative sends Notice of Appeal to EEOC with a copy to EEO Officer.</p> <p style="padding-left: 40px;">b. Complainant or representative sends statement or brief to support appeal of final Army decision to EEOC with a copy to the EEO Officer and EEOCCR.</p>	<p>Within 30 days of receiving Final Army Decision.</p> <p>Within 30 days of filing Notice of Appeal.</p>
<p>9. Civil action by complainant or representative:</p> <p style="padding-left: 40px;">a. Before FAD.</p> <p style="padding-left: 40px;">b. After FAD if no appeal to EEOC.</p> <p style="padding-left: 40px;">c. Before EEOC final decision or appeal decision.</p> <p style="padding-left: 40px;">d. After EEOC final decision on appeal.</p>	<p>After 180 days of filing formal complaint if an appeal has not been filed and a FAD has not been issued.</p> <p>Within 90 days of receipt of FAD.</p> <p>After 180 days of filing an appeal to EEOC, if no decision from EEOC issued.</p> <p>Within 90 days of receiving EEOC final decision.</p>

# EEO COMPLAINT PROCESS

