

United States Mint

Equal Employment Opportunity Complaint Process

The United States Mint is committed to ensuring that equal employment opportunity (EEO) complaints filed by employees and applicants are processed in accordance with the prescribed time-line and process identified below.

Informal Phase: You must contact your local EEO Office within 45 calendar days of the date that the incident occurred or the effective date of the personnel action. An EEO Counselor will be assigned to counsel your complaint. The EEO Counselor will advise you in writing of your rights, and in most cases will give you the choice of participating either in EEO counseling or Alternative Dispute Resolution (ADR) - mediation. The EEO Counselor has 30 calendar days to resolve the complaint. The 30-day period for EEO counseling may extend up to an additional 60 days if you agree in writing. If the matter is not resolved during counseling or mediation, the EEO Counselor will provide you with a Notice of Right to File (NRTF), a formal discrimination complaint. The informal phase includes the following:

- ◆ **EEO Counselor:** The EEO Counselor will explain the EEO process, advise you of your rights and responsibilities, including timeframes and appeal procedures, and attempt to informally resolve the matter. The EEO Counselor is not a mediator and does not conduct mediations. The mediator is a neutral third party trained in mediation techniques.
- ◆ **Alternative Dispute Resolution (ADR):** If the matter is not resolved during ADR/mediation process within 90 days of the date the individual contacted the agency's EEO office, the EEO Counselor must have a final interview and provide you with a written NRTF a formal discrimination complaint.

Representative: You have the right to be represented at any phase of the process, informal and formal. It can be a conflict of interest for Supervisors/Managers, EEO officials or subordinates to serve as representatives in the EEO process for complainants. You may select a person to represent you that does not fall in any of the above categories, including an attorney.

Formal Phase: You have the right to file a formal discrimination complaint within 15 calendar days of receipt of the NRTF. The formal discrimination complaint must be sent to the Department of the Treasury, Office of Civil Rights and Diversity, 1500 Pennsylvania Avenue, NW, Washington, DC 20220 or email at EEOComplaints@treasury.gov or fax 202-622-0367. If your complaint is accepted, an investigator is assigned to your case. The formal phase includes the following:

- ◆ **Investigation:** The investigator must complete the investigation within 180 days from the filing of the formal complaint. A copy of the investigative file must be provided to the complainant, along with a notification that, within 30 days of receipt of the file, the complainant has the right to request a hearing and a decision from an Equal Employment Opportunity Commission (EEOC) Administrative Judge (AJ) or request a final agency decision (FAD).

◆ **Hearing:** Requests for a hearing must be sent by the complainant to the EEOC office indicated in the Treasury acknowledgment letter, with a copy to the Treasury's EEO office. Within 15 days of receipt of the request for a hearing, the Treasury must provide a copy of the complaint file to EEOC. The EEOC will then appoint an Administrative Judge (AJ) to conduct a hearing. The AJ must conduct the hearing and issue a decision on the complaint within 180 days of receipt by the AJ of the complaint file from Treasury. The AJ will send copies of the hearing record, the transcript and the decision to the parties. If Treasury does not issue a final order within 40 days of receipt of the AJ's decision, then the decision becomes the final action by Treasury in the matter.

◆ **Final Agency Decision:** The agency's decision must be issued within 60 days of receiving notification that the complainant has requested a FAD. The agency's decision must contain notice of the complainant's right to appeal to the EEOC, or to file a civil action in federal court. Within 40 calendar days of receipt of the Administrative Judge's decision, Treasury must take final action on the complaint by issuing a final order notifying the individual whether or not Treasury will fully implement the Administrative Judge's decision. The final order will also explain the individual's appeal rights. If Treasury does not issue a final order within the above stated time limit, the Administrative Judge's decision will become the Final Agency Action of Treasury.

◆ **Appeal:** A complainant may appeal an agency's final decision to the EEOC, Office of Federal Operations, P.O. Box 77960, Washington, D.C. 20013, within 30 days of receipt.

◆ **Civil Action:** Civil actions may be filed in federal United States District Court within 90 days of receipt of the final action where no administrative appeal has been filed; or after 180 days from the date of filing a formal discrimination complaint if an administrative appeal has not been filed and final action has not been taken; or within 90 days of receipt of EEOC's decision on an appeal; and after 180 days from the filing of an appeal with EEOC if there has been no final decision by the EEOC.

Negotiated Grievance Procedures

◆ **Grievances:** Persons covered by collective bargaining agreements which permit allegations of discrimination to be raised in the grievance procedure, and who wish to file a complaint or grievance on an allegation of employment discrimination, must elect to proceed either under the procedures of 29 C.F.R. Part 1614 or the negotiated grievance procedures, but not both.

EEO Administrative Complaint Process Flow Chart 29 C.F.R. Part 1614

DISCRIMINATION BY TYPE:

Age (over 40)
Color
Equal Pay
Gender Identity
Physical or Mental Disability
National Origin
Parental Status
Pregnancy
Protected Genetic Information
Race
Religion
Retaliation
Sex
Sexual Orientation

For further information contact:

Office: Diversity Management and Civil Rights
801 9th Street, NW, 3rd Floor
Washington, DC 20220

Phone: (202) 354-7260

