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YOU HAVE A RIGHT TO FILE A COMPLAINT OF DISCRIMINATION!

National Guard
Americans At Their Best

Your Equal Opportunity Official
NAME_____
LOCATION_____
TELEPHONE_____
ORGANIZATIONS: SERVED_____

Authority: NGR(AR) 690-600/NGR (AF) 40-1614

If you are a National Guard Technician or applicant for a Technician position and feel that you have been discriminated against due to race, color, religion, gender (including) sexual harassment, national origin, age or handicap, you must act within 45 Calendar days, following the steps provided in this poster.

1st STEP
Contact Your EEO Counselor

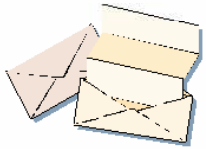
You must report the allegations to an EEO Counselor or State Equal Employment Manager (SEEM) within 45 days of the incident. Informal attempts at resolution will be handled through either the traditional EEO Counseling process or through an Alternative Dispute Resolution (ADR) process.

2nd STEP
Informal Stage

During the Informal Stage, the traditional EEO counseling process allows 30 days for resolution of allegations or, if you choose the ADR process, it allows 90 days for resolution. (Election of the ADR process eliminates the use of the traditional EEO counseling process). If not resolved during the Informal Stage you can go to Step 3.

3rd STEP
File a Formal Complaint

At the end of the informal stage you have 15 days to decide whether you wish to file formal. Your EEO Counselor will assist you with preparing NGB Form 713-5 to file with the SEEM.



4th STEP
Your Complaint will be Investigated

The National Guard Bureau will conduct a fact finding or send an investigator to conduct an investigation. You will receive a report of the investigation within 180 days of filing your complaint.

5th STEP
Request Immediate Decision or Hearing

You will be provided a copy of the Report of Investigation. You must then decide whether to ask for an immediate National Guard Bureau decision or a hearing by an EEOC Administrative Judge (AJ).

6th STEP
Hearing and Final Action

If an Administrative Judge hears your case, you will issued a decision within 180 days. The National Guard Bureau (agency) will take final action by issuing a final order within 40 days of receipt of the AJ's decision.

7th STEP
Appeal to EEOC

You may appeal the Agency's dismissal, decision, or final action within 30 days of receipt directly to EEOC at the address shown below.

8th STEP
File A Civil Action

You may file a Civil Action in the appropriate United States District Court: within 90 days
(1) Of receipt of the final action if no appeal is filed
(2) Of Receipt of EEOC's final decision on appeal

OR

(3) 180 days from the date of filing an appeal with EEOC if there has been no final decision by the Commission.

YOU ARE ENTITLED TO A REPRESENTATIVE OF YOUR CHOICE THROUGHOUT THIS ENTIRE PROCESS.

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