

§ 588.78 Disposition of complaints of discrimination.

(a) When action on a complaint of discrimination has been completed at the activity level, the case record will be promptly forwarded to the Director, EEOCCRA, ATTN: SFCR, WASH DC 20310-1813. When the case has been closed at the activity, instructions set forth in § 588.78(b) will be followed. When a hearing is requested, one copy of the file, similarly compiled, will be forwarded to the EEOC district office that will provide the complaints examiner. Additionally, one copy of the file, similarly compiled, will be forwarded to EEOCCRA. In all cases, the chronology of events will be completed and included in the case file. (See § 588.76) This will apply whether forwarded to the EEOC complaints examiner for a hearing or to the EEOCCRA for a decision on the record.

(b) Cases closed at the activity level are as follows:

(1) Cases are closed at the activity level as a result of rejection, cancellation, withdrawal, termination, adjustment, or decision on the merits.

(2) If a formal EEO complaint is closed in whole at the activity level, the EEO officer will submit the original file and one copy to EEOCCRA, compiled in accord with § 588.66, and DA Form 5497-R. Submissions will be made within 10 days after the complaint is closed. If the complaint has been closed in part, two legible copies of the file will be forwarded to EEOCCRA within 10 days, compiled in accord with § 588.66 along with DA Form 5497-R. Such case files will be notated as partial closure.

(c) Activities and MACOMs will be notified of cases closed at the DA level by receipt of a copy of the final Army decision signed by the Secretary of the Army or his or her designee.

§ 588.79 Travel and other costs.

For individual complaint as well as class complaints of discrimination, travel and other related expenses will be as follows:

(a) Travel and per diem expenses of USACARA investigators will be funded by the activity against which the alleged discrimination is lodged.

(b) Expenses of the Army investigators, counselors, or investigators from other Federal agencies will be funded by the activity where the alleged discrimination took place.

(c) Expenses of the EEOC complaints examiner are paid for by EEOC.

(d) Travel expenses of Army personnel (complainants, representative, or witnesses), whose travel is required by a complaints examiner or other authorized official, will be funded by the activity against which the complaint is lodged.

(e) Travel expenses of non-Army personnel (applicants/complainants) will not be paid in advance by the Army. Nor, if they are Federal employees, can their expenses be paid by their agencies unless their role concerns official business of the current employers. A successful applicant/complainant, may, however, be reimbursed for such travel expenses as part of his or her costs.

(f) If a complaint of discrimination is filed against a tenant organization, the tenant organization will pay the hearing costs, investigative costs, attorney fees and/or costs unless otherwise provided for in a host-tenant agreement. Problems that develop between host and tenant organizations will be promptly referred for resolution to the parent MACOM.

(g) If the complaint involves a non-appropriated fund (NAF) activity, the costs will be borne by the host activity (that is, the appropriated fund activity that heads the installation where the NAF is assigned).

APPENDIX A TO PART 588 —STEPS IN INDIVIDUAL COMPLAINTS OF DISCRIMINATION

Action	Time limits
1. Employee or applicant must see EEO counselor or EEO officer.	Within 30 calendar days after the alleged discrimination, personnel action, or when the complainant becomes aware or reasonably should have become aware of the action.
2. EEO counselor makes inquiry, tries to resolve complaint informally, conducts final interview, and, if complaint is not resolved, gives complainant written notice of right to file formal complaint.	Within 21 calendar days after matter first called to EEO counselor's attention.

Action	Time limits
3. Complainant files formal complaint (DA Form 2590-R) in writing with EEO officer or other designated official. Must advise EEO officer if he or she obtains legal or other representation.	Within 15 calendar days after receipt of the Notice of Final Interview or if final interview not held, anytime after 21 days from initial contact with the EEO counselor.
4. EEO officer accepts or rejects the formal complaint in whole or in part.	Within 5 calendar days after receipt of complaint.
5. EEO officer sends file to USACARA requesting assignment of an investigator if any part of complaint is accepted. If complaint is rejected, EEO officer notifies complainant and representative.	Within 3 calendar days after acceptance.
6. USACARA investigator completes investigation and sends ROI to activity.	Within 45 calendar days from assignment.
7. USACARA ROI furnished to complainant and an adjustment meeting offered.	Within 5 calendar days after receipt of USACARA ROI.
8. If adjustment meeting held and adjustment reached— a. Written agreement specifying terms of proposed disposition is signed by both parties. Copy is given to complainant. b. Activity Commander takes action agreed upon.	
9. If adjustment meeting is not held or no adjustment is reached— a. Activity Commander issues a proposed disposition, including finding issues of discrimination and proposed remedial action including appeal rights. b. Complainant informed of right to request EEOC hearing or Army decision without hearing. c. If complainant fails to respond, Activity Commander adopts proposed disposition as final Army decision and notifies complainant and representative. d. If complainant asks for decision without hearing, EEO officer sends complaint file (original and one copy) to EEOCCRA. e. If complainant requests hearing, EEO officer requests complaints examiner from EEOC.	Within 20 calendar days from receipt of USACARA ROI.
10. Hearing held and findings and recommendations sent by EEOC complaints examiner to EEOCCRA.	Same as a above.
11. Army final decision by the Director of EEO to include appeal right.	Within 15 calendar days after notice proposed disposition.
	Same as c above.
	Same as c above.
	Within 180 calendar days after the date that the formal complaint was filed or 30 days after receipt of the examiner's report recommending a finding of discrimination.

Action	Time limits
12. Appeal to EEOC: a. Complainant sends notice of appeal to EEOC with copy to EEOCCRA. b. Complainant sends statement or brief to support appeal of Army decision to EEOC, with a copy to EEOCCRA.	Within 20 calendar days after receiving Army final decision. Within 30 calendar days after filing Notice of Appeal.
13. Civil action by complainant: a. Before final Army decision b. Instead of appeal to EEOC after Army final decision. c. Before EEOC final decision or appeal. d. After EEOC final decision on appeal.	After 180 calendar days after filing formal complaint. Within 30 calendar days after receiving Army decision. After 180 calendar days after filing appeal to EEOC. Within 30 calendar days after receiving EEOC decision.

Note: In age complaints, a complainant must appeal the Army decision to the EEOC before filing a civil action in a Federal District Court.

APPENDIX B TO PART 588—STEPS IN CLASS COMPLAINTS OF DISCRIMINATION

Action	Time limits
1. Class agent contacts EEO counselor about class complaint.	Within 90 calendar days after the alleged discriminatory matter, personnel action, or the date that the aggrieved person became aware or reasonably should have become aware of the discriminatory event or personnel action.
2. EEO counselor makes inquiry, attempts informal resolution, and conducts final interview. Informs class agent, in writing, of right to file formal complaint.	Within 30 calendar days after contact by class agent.
3. Class agent files formal complaint with EEO officer. Notifies EEO officer if legal representation is obtained.	Within 15 calendar days after receiving Notice of Final Interview.
4. EEO officer coordinates with labor counselor on class status of complaint.	
5. EEO officer sends complaint file, including a brief if deemed necessary, to EEOC district office for assignment of complaints examiner.	Within 10 calendar days after receiving complaint.
6. Allegations not discussed with EEO counselor or nonspecific allegations are returned by EEOC complaints examiner for additional information.	Within 15 calendar days for response from activity or class agent.
7. Complaints examiner recommends to the Secretary of the Army or his or her designee to accept, reject or cancel complaint. Sends copy to agent.	

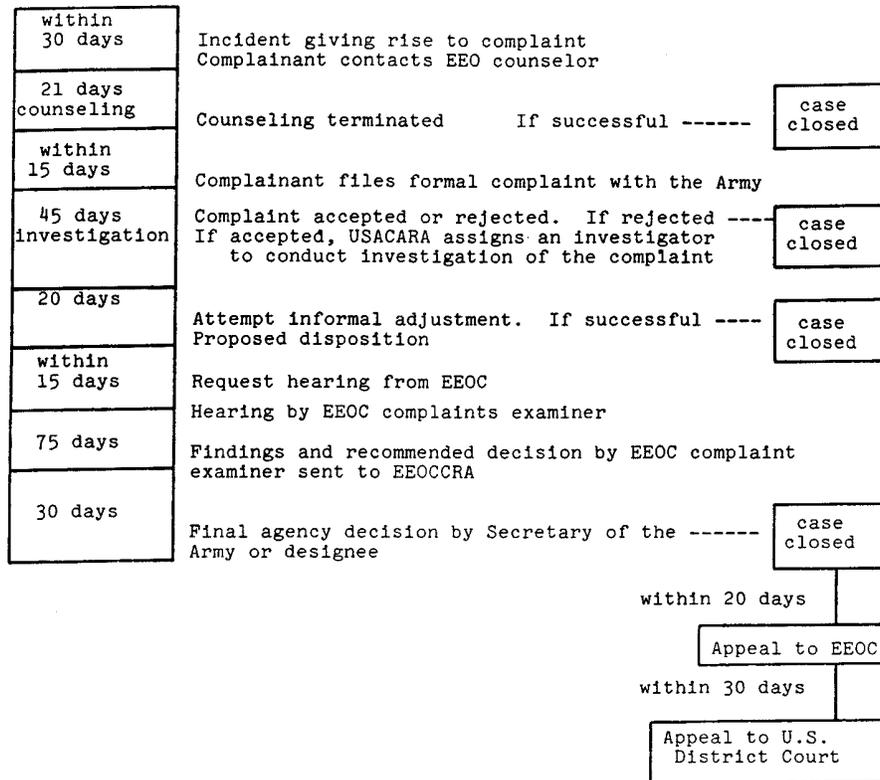
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Action	Time limits	Action	Time limits
8. Secretary of the Army or his or her designee decides to accept, reject, or cancel complaint. If decision is to reject or cancel, advises class agent of right to file individual complaint and appeal to EEOC.	EEOC recommendation becomes Army decision unless Secretary of the Army or designee rejects or modifies it within 10 calendar days after receipt.	20. Complaints examiner's report of findings and recommendations forwarded to Army EEOCCRA.	
9. If complaint accepted, the EEO officer notifies all class members of existence of class complaint and right to opt out. Activity Commander designates Army representative.	Within 15 calendar days after acceptance.	21. Final Army decision made by Secretary of the Army or his/her designee.	Time limits as in step 15.
10. Class members may opt out. (Final decision binding on all members who do not opt out.).	Within 30 calendar days after issuance of notice.	22. Appeals and Civil Action Rights:	
11. All parties to complaint develop evidence and send it to EEOC. Complaints examiner may direct investigation.	Within 60 calendar days after notification by the EEOC complaints examiner.	a. Class agent may appeal to EEOC when—	
12. Informal resolution attempted by class agent and Army.		(1) Complaint rejected or canceled by the Army.	Within 15 calendar days after the Army decision.
13. If no resolution, hearing by EEOC complaints examiner.		(2) Army refuses to reinstate complaint for processing after agent alleges that Army has not carried out terms of resolution.	
14. EEOC complaints examiner's findings and recommendations forwarded to EEOCCRA.		(3) Army issues decision on merits of complaint or corrective action.	
15. Final Army decision. Agent informed of right to appeal to EEOC and file civil action in Federal District Court.	Within 30 calendar days after receiving complaints examiner's report. If no decision within 30 calendar days, then the complaints examiner's findings and recommendations become the final Army decision.	b. Claimant may appeal to EEOC when—	
16. All class members notified of the final Army decision by EEO officer.	Within 10 calendar days.	(1) Army rejects claim for individual relief.	
17. Individual class members may file written claim.	Within 30 calendar days after Army decision. Persons must have been affected no more than 135 calendar days before filing of class complaint.	(2) Army decides on adjustment of claim for individual relief.	
18. Army tries to resolve claim at activity level.	Within 60 calendar days after date claim filed.	c. Class agent and claimants may file a civil action when—	
19. Hearing held by EEO complaints examiner if no resolution.		(1) Army issues final decision on complaint or claim.	Within 30 calendar days.
		(2) There has been no Army decision on complaint or claim.	After 180 calendar days from date of filing formal complaint or claim with Army.
		(3) EEOC issues decision on appeal.	Within 30 calendar days.
		(4) Appeal was made to EEOC and no decision has been given.	After 180 calendar days from date of filing formal complaint or claim with EEOC.

Note: In age discrimination complaints, an agent must appeal the Army decision to the EEOC before filing a civil action in a Federal District Court.

APPENDIX C TO PART 588—PROCEDURAL STEPS IN AN INDIVIDUAL DISCRIMINATION COMPLAINT



Notes:

1. In age discrimination complaints, a complainant must appeal the Army decision to the EEOC before filing a civil action in a Federal District Court.
2. All "days" refer to calendar days.

APPENDIX D TO PART 588—SAMPLE FORMAT: AVENUES OF REDRESS FOR ARMY EMPLOYEES

Subject: Avenues of redress for Army employees
From: EEO officer
To: (Name of person counseled)

1. Grounds for discrimination complaint. If you believe you have been discriminated against because of race, color, religion, sex, national origin, age, physical or mental handicap and/or reprisal, or in an employ-

ment matter subject to the control of the Army, you may have the choice of more than one route to file a complaint and have it resolved.

2. Options for employees outside of the bargaining unit. If you are not a member of a bargaining unit covered by a union contract, you may select one of the following options:

a. The discrimination complaint procedure (covered by AR 690-xxx). Your first step under that procedure is to contact an EEO counselor within 30 calendar days from the date the act of discrimination took place or

the date you became aware, or reasonably should have become aware, of the act of discrimination. If the counselor cannot resolve your problem, you may file a formal complaint. The counselor will tell you with whom to file your complaint and will explain complaint procedures. These include an investigation by the U.S. Army Civilian Appellate Review Agency, a hearing by the Equal Employment Opportunity Commission (EEOC), and a final decision by the Army.

b. The Merit Systems Protection Board (MSPB) appeal procedure. This procedure is available to you only if the alleged discriminatory action can be appealed to the MSPB, such as a removal, a suspension for more than 14 days, or any other appealable action. (Usually, you will be notified in writing of your right to appeal to the MSPB.) The time limit for appeal to the MSPB is 20 days after the effective date of the personnel action which you believe discriminated against you. Under an MSPB appeal, you are entitled to a hearing by the MSPB. You may ask the EEOC to review the final decision of the MSPB.

3. Options for employees within the bargaining unit. If you are a member of a bargaining unit covered by a union contract and if the negotiated grievance procedure in that contract does not exclude discrimination issues, you may have the following options:

a. In actions under 5 U.S.C. 7512 (Removal, suspension for more than 14 days, reduction in grade, reduction in pay, furlough for 30 days or less) and 5 U.S.C. 4303 (Removal or reduction in grade for unacceptable performance), you have the following options. First, you may follow the discrimination complaint procedure described in paragraph 2a above. Second, you may follow the MSPB procedures described in paragraph 2b above. Third, you may follow the negotiated grievance procedure. Your union contract outlines the steps involved in a negotiated grievance procedure, which include an informal and a formal grievance with specific time limits for filing, and a decision by Army management. The next step, arbitration, may be requested only by the union or by the Army, not by you. If you choose the negotiated grievance procedure, you have the right to appeal the final Army decision or the arbitration award to the EEOC. Note that decisions in 5 U.S.C. 7512 or 4303 cases are not appealable to the Federal Labor Relations Authority (FLRA).

b. In actions not covered by 5 U.S.C. 7512 or 4303, but otherwise appealable to MSPB, you have access to the MSPB procedures only if such actions are excluded from the grievance procedure. If they are covered by the grievance procedure, the option is between the discrimination complaint procedure under AR 690-xxx or the negotiated grievance procedure. If you choose the negotiated grievance procedure, you have the right to appeal

the final decision (Army decision, arbitration award, or FLRA decision) to the EEOC or MSPB, as appropriate. Note that in actions not appealable to the MSPB, but covered by the grievance procedure, you may choose between the grievance procedure or the complaint procedure under AR 690-xxx.

4. Election of avenues of redress.

a. Your appeal to the MSPB will not be accepted if you have filed a timely formal complaint in writing, under AR 690-xxx or a timely written grievance under the negotiated procedure.

b. A discrimination complaint under AR 690-xxx will not be accepted if you have filed a timely appeal to the MSPB or a timely written grievance under the negotiated procedure.

c. A grievance under the negotiated procedure will not be accepted if you have filed a timely appeal to the MSPB or if you have initiated action under the discrimination complaint procedure in AR 690-xxx.

5. Additional information on avenues of redress. If you have any other questions on this matter, you may contact the management/employee relations section of the civilian personnel office, your union representative, or your activity EEO office.

APPENDIX E TO PART 588—SAMPLE FORMAT: NOTICE OF INTERVIEW WITH EEO COUNSELOR

Subject: Notice of Final Interview

From: EEO Counselor

To: (Name of Person Counseled)

1. This is notice that on the above date the final counseling interview was held in connection with the matter you presented to me as an EEO counselor. You initially contacted me on (DATE). You alleged that you were a victim of (SPECIFY) discrimination in the following action(s): (SPECIFY THE FACTS THAT ARE THE BASIS OF THE DISCRIMINATION COMPLAINT.)

2. If you believe you have been discriminated against on the basis of race, color, religion, sex, age, national origin, mental/physical handicap, and/or reprisal for participation in a Title VII activity, you have the right to file a *complaint of discrimination within 15 calendar days after receipt of this notice.*

3. This complaint must be in writing, preferably on a DA Form 2950-R, which can be obtained from the Equal Employment Opportunity Office. Your complaint must be filed in person or by mail with the following officials authorized to receive discrimination complaints:

a. Equal Employment Opportunity Officer

(ADDRESS)

b. Activity Commander

(ADDRESS)

c. Federal Woman's Program Manager

(ADDRESS)

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d. Director of Equal Employment Opportunity, Department of the Army
ATTN: SFCR
WASH, DC 20310-1813
e. Secretary of the Army
ATTN: SFCR
WASH, DC 20310-1813

4. The formal complaint should specify the issues which form the basis for the complaint and the matter giving rise to the complaint which were discussed with the EEO counselor. If you add issues not counseled, the formal complaint will be returned to you for further counseling.

5. If an attorney is retained as a representative, you must notify the EEO officer (NAME AND ADDRESS).

(SIGNATURE BLOCK)
EEO counselor

Notes:

- 1. This notice is to be given to the person counseled at the final interview.
- 2. A copy of this notice will be provided to the EEO officer with the counselor's report and made part of file.

APPENDIX F TO PART 588—SAMPLE FORMAT: NOTICE OF RIGHT TO FILE A DISCRIMINATION COMPLAINT

Subject: Notice of Right To File a Discrimination Complaint

From: EEO Counselor

To: (NAME OF PERSON COUNSELED)

1. Although my inquiry into the matter you brought to my attention has not been completed, 21 calendar days have passed since you first contacted me and you are now entitled to file a discrimination complaint based on race, color, religion, sex, national origin, physical or mental handicap, age, and/or reprisal. If you do not file a complaint at this time, my inquiry will continue and your right to file a complaint will continue until 15 calendar days after the final interview with me. I will inform you in writing when the final interview is conducted. If you file a complaint, it must be in writing, preferably using DA Form 2590-R, and filed in person or by mail with the following officials authorized to receive discrimination complaints:

- a. Equal Employment Opportunity Officer (ADDRESS)
- b. Activity Commander (ADDRESS)
- c. Federal Women's Program Manager (ADDRESS)
- d. Director of Equal Employment Opportunity
Department of the Army
ATTN: SFCR
WASH, DC 20310-1813
- e. Secretary of the Army
ATTN: SFCR
WASH, DC 20310-1813

2. If you file your complaint with one of the officials listed above, it will be sent to the activity EEO officer for processing. Therefore, if you choose to file your complaint with any of the officials listed above be sure to provide a copy of your complaint to the EEO officer to ensure prompt processing of your complaint.

3. The complaint must be specific and must be limited to the matters discussed with me. It must also state whether or not you have filed a formal grievance or an appeal to the Merit Systems Protection Board on the same matters. Additionally, you must state whether you are having this matter considered under a negotiated grievance procedure.

4. You or your representative must immediately notify the EEO officer, in writing, if you retain an attorney or any other person to represent you.

(SIGNATURE)

EEO counselor

Notes:

1. This notice is to be given to the person counseled 21 days after the counselor was first contacted on this matter by the complainant.

2. A copy of this notice will be provided the EEO officer with the counselor's report and made a part of the complaint file.

APPENDIX G TO PART 588—SAMPLE FORMAT: NOTICE OF RECEIPT OF DISCRIMINATION COMPLAINT

Subject: Notice of Receipt of Discrimination Complaint

From: EEO Officer

To: (COMPLAINANT)

1. This notice acknowledges receipt of your discrimination complaint dated (DATE), and gives you a written notice of your rights and the time requirements for exercising these rights. If you have further questions, please ask your EEO counselor or contact me.

2. If your complaint is accepted, it will be investigated. Based on the information developed by the investigation, an attempt will be made to resolve your complaint informally. You will receive a copy of the investigative report and have an opportunity to discuss it with an Army official.

3. If your complaint, or any allegation contained in it, is rejected, the rejection is considered to be a final Army decision on the complaint or that part of the complaint which is rejected. You will receive a notice by separate letter if your complaint or any part of it is rejected. You will be advised at that time of your rights of appeal.

4. If a complaint is settled, the terms of the settlement will be stated in writing and you will be given a copy.

5. If a complaint is not settled you will be notified in writing of the proposed disposition of the complaint. You will also be notified of your right to a hearing by an Equal Employment Opportunity Commission (EEOC) complaints examiner who will recommend a decision to the Army, or to a decision by the Army without an EEOC hearing. If you want a hearing or a decision by the Army without a hearing, you must notify the Army in writing within 15 days after receiving the proposed disposition of your complaint. Your request for a hearing or for an Army decision without a hearing must be addressed to me in order that I can make the necessary arrangements.

6. If, within 15 days after your receipt of the proposed disposition, you fail to request a hearing or to ask for a decision by the Army without a hearing, that disposition will become the final Army decision.

7. If you are dissatisfied with the final Army decision (with or without a hearing), you may file a notice of appeal to the EEOC Office of Review and Appeals within 20 calendar days after receiving the decision. A copy of the notice should be sent to EEOCCRA ATTN: SFCR, WASH DC 20310-1813. Also, you may submit a brief or statement to support your appeal within 30 calendar days after filing the notice of appeal. At the same time, you must furnish a copy of the supporting brief or statement to EEOCCRA.

8. Any appeal to the EEOC should be addressed to the Director, Office of Review and Appeals, Equal Employment Opportunity Commission, 2401 E Street, NW., Wash DC 20506. The appeal and any representations in its support must be filed in duplicate.

9. Instead of an appeal to the EEOC, you may file a civil action in a proper Federal District Court within 30 calendar days after receiving the Army decision or, if the Army has not issued a final decision on your complaint, after 180 calendar days from the date the formal complaint was filed.

10. If you decide to appeal to the EEOC Office of Review and Appeals, you will still have an opportunity to file a civil action in a Federal District Court within 30 calendar days after receiving the EEOC's final decision, or 180 calendar days after the date of your initial appeal to the Commission if EEOC has not rendered a final decision.

(SIGNATURE BLOCK)
EEO Officer

Notes:

1. The notice is sent by certified mail, return receipt requested, or personally delivered to both complainant and representative. If the notice is personally delivered, the complainant and his or her representative will acknowledge receipt by signing and dating the official file copy of the notice. If they decline to sign the copy, the server will sign

it and indicate to whom and when the notice was served.

2. A copy of the notice given to the complainant will be filed in the complaint file. In age discrimination cases, references to the right to file a civil action (paras 4 and 5) will specify that the complainant can file a civil action in a Federal District Court 30 days after providing notice to the EEOC of his or her intent to file a civil action. Such notice must be given to the EEOC within 180 days of the occurrence of the alleged discriminatory act. If a complainant elects to pursue his or her age discrimination complaint through the administrative procedures outlined in chapter 2, then he or she may not file a civil action in a Federal District Court until all administrative remedies (including an appeal of the final Army decision to the EEOC) have been exhausted.

APPENDIX H TO PART 588—NEGOTIATED SETTLEMENT AGREEMENT

NEGOTIATED SETTLEMENT AGREEMENT

IN THE MATTER OF:

(NAME)

Complainant

AND

(NAME OF ORGANIZATION)

1. In the interest of promoting its Equal Employment Opportunity Program and to avoid protracted litigation, the Army agrees to settle the above-captioned complaint on the basis shown below.

2. By entering this settlement, the Army does not admit that it has violated the Civil Rights Act of 1964, as amended, or any other Federal or State statute or regulation.

3. The Army agrees to (SPECIFY REMEDY TO BE PROVIDED AND PROCESS BY WHICH REMEDY IS TO BE PROVIDED).

4. Complainant's signature on this agreement constitutes the withdrawal of his or her complaint. In addition, the complainant agrees that he or she waives his or her right to sue over the matters raised in this complaint and that will not be made the subject of future litigation.

5. If the Army does not carry out, or rescind, any action specified by the terms of the adjustment for any reason not attributable to acts or conduct of the complainant, the Army shall, upon the complainant's written request, reinstate the complaint for further processing from the point processing ceased under the terms of the adjustment. If the Activity Commander determines that the terms of the adjustment have been implemented, a decision declining to reinstate the complaint will be issued and the complainant will be advised of his/her appeal rights to EEOC.

6. I have read the Negotiated Settlement Agreement and accept and agree to its provisions.

For the Army
(ACTIVITY COMMANDER'S SIGNATURE)

Date _____

Complainant
(Complainant's signature)
(Signature of Complainant's representative, if any)

Date _____

APPENDIX I TO PART 588—SAMPLE FORM—NOTICE OF PROPOSED DISPOSITION OF DISCRIMINATION COMPLAINT

Subject: Notice of Proposed Disposition of Discrimination Complaint

From: Activity Commander

To: (COMPLAINANT)

1. This notice is to inform you of the proposed disposition of your discrimination complaint and of your rights if you are dissatisfied with the proposed disposition.

a. Proposed disposition. (STATE THE SPECIFIC PROPOSED DISPOSITION OF THE COMPLAINT. INCLUDE A LEGAL ANALYSIS OF THE COMPLAINT, DISCUSSION OF THE FACTS, FINDING ON THE ISSUE OF DISCRIMINATION, AND A STATEMENT OF PROPOSED REMEDIAL ACTION IF APPLICABLE.)

b. Right to a hearing.

(1) If you are dissatisfied with the proposed disposition, you may request a hearing by the Equal Employment Opportunity Commission (EEOC) and a decision by the Army if you notify the EEO officer (PROVIDE SPECIFIC MAILING ADDRESS) within 15 calendar days after receiving this notice, that you desire such a hearing.

(2) If you request a hearing, you are expected to proceed without delay in presenting your complaint before the assigned EEOC complaints examiner. If you plan to have a representative, you should immediately obtain representation. You should also begin preparing a list of proposed witnesses with a summary of the testimony you believe each would present at the hearing. The complaints examiner will request this list immediately after being assigned to your case.

(3) The failure to prosecute your complaint in a timely fashion may be grounds for the complaints examiner to return your case to the Army. The Army may then cancel your complaint or issue a final decision based on the evidence present in the complaint file.

c. Right of decision without a hearing. If you are dissatisfied with the proposed dis-

position, you may request a decision by the Secretary of the Army or his or her designee without a hearing, based on the evidence in the complaint file. This request must be made to (ACTIVITY EEO OFFICER) within 15 calendar days after receiving this notice.

d. Right of appeal. If you fail to notify the EEO officer of your intentions within the 15-day period, I or my designee may adopt as the Army final decision the proposed disposition shown above and will so notify you in writing. On receiving notification, you may file a notice of appeal to the EEOC Office of Review and Appeals within 20 calendar days. You may also submit a brief or statement to the EEOC to support your appeal within 30 calendar days after filing the notice of appeal. You must furnish the Equal Employment Opportunity Compliance and Complaint Review Agency (EEOCCRA); ATTN: SFCR WASH DC 20310-1813, with a copy of your appeal and a brief or statement. Instead of an appeal to the EEOC, you may file a civil action in a proper Federal District Court within 30 calendar days after you receive the final Army decision. If the Army has not issued a final decision, a civil action may be filed 180 calendar days after the date you filed your formal complaint.

2. If you appeal to the EEOC, you may still file a civil action within 30 calendar days after receiving the EEOC decision. You may also file a civil action 180 days after your appeal to EEOC if you have not received a final decision.

(SIGNATURE BLOCK)

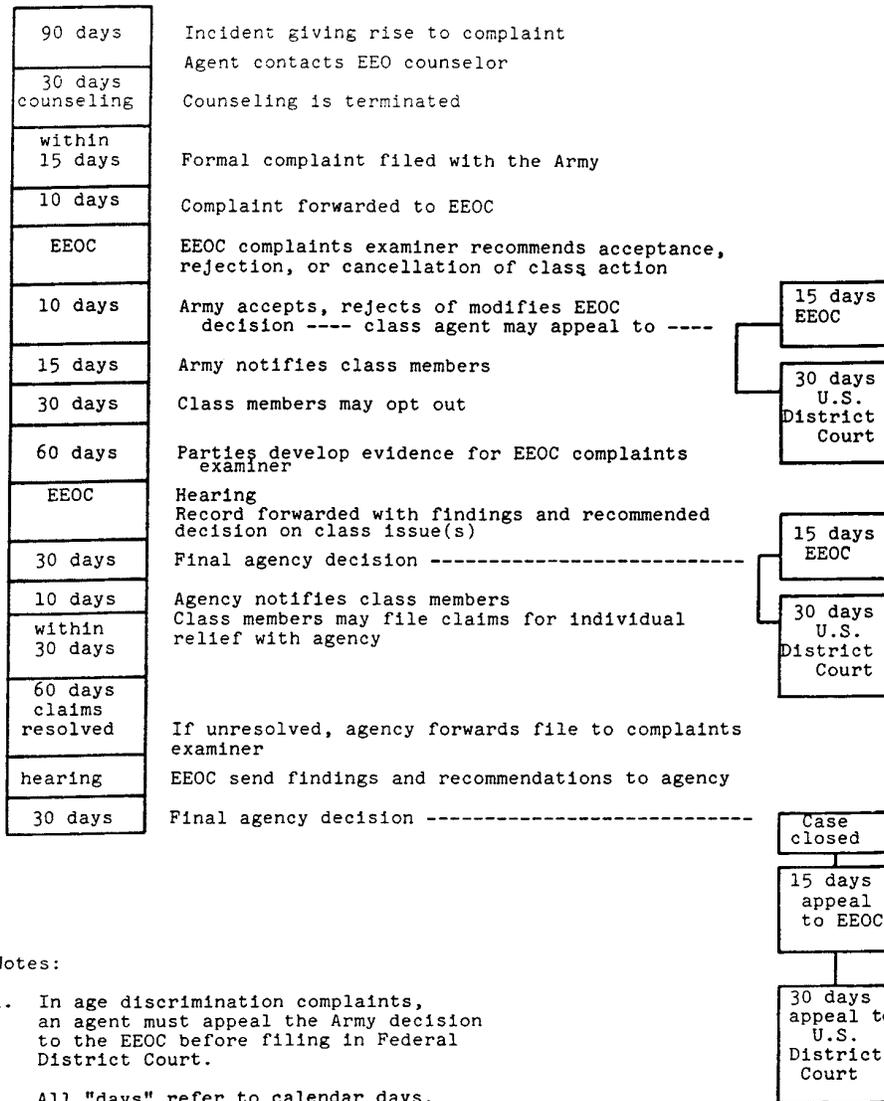
Activity Commander.

Notes:

1. The notice is sent by certified mail, return receipt requested, or personally delivered to both complainant and representative if any. If the notice is personally delivered, the complainant and his or her representative, if any, will acknowledge receipt by signing and dating the official file copy of the notice. If they decline to sign the copy, the server will sign it and indicate to whom and when the notice was served.

2. A copy of the notice given to the complainant will be filed in the complaint file. In age discrimination cases, references to the right to file a civil action (paras 1d and 2) will specify that the complainant can file a civil action in Federal District Court only after all administrative remedies (INCLUDING AN APPEAL OF THE FINAL ARMY DECISION TO THE EEOC) have been exhausted.

APPENDIX J TO PART 588—PROCEDURAL STEPS IN A CLASS ACTION DETERMINATION COMPLAINT



Notes:

1. In age discrimination complaints, an agent must appeal the Army decision to the EEOC before filing in Federal District Court.
2. All "days" refer to calendar days.

APPENDIX K TO PART 588—ADDRESSES AND GEOGRAPHIC JURISDICTION OF U.S. ARMY CIVILIAN APPELLATE REVIEW REGIONAL OFFICES

USACARA investigators are assigned to investigate discrimination complaints from

various regional offices located throughout the United States and Europe. When an EEO officer must obtain the services of a USACARA investigator in accord with paragraph 2-6 (individual complaints) he or she should contact the USACARA regional office with jurisdiction over the activity.

Department of the Army, DoD

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The USACARA regional officers are as follows:

USACARA: 5611 Columbia Pike, Room 434, Falls Church, VA 22041-5091, AV: 289-1423, (703) 756-1423

Geographic Jurisdiction: USACARA Headquarters.

USACARA-GC: Gorman Plaza Bldg., Suite 100, 8950 Old Annapolis Road, Columbia, MD 21045, (301) 995-0069, (202) 621-5170

Geographic Jurisdiction: Delaware, Maryland, Ohio, Virginia, District of Columbia, West Virginia.

USACARA-SE: Citizens Trust Bldg., Room 450, 75 Piedmont Ave., NE, Atlanta, GA 30303, AV: 797-5801, (404) 363-5801

Geographic Jurisdiction: Alabama, Florida, Georgia, Mississippi, South Carolina, Puerto Rico, Panama.

USACARA-SW: Federal Bldg, 1100 Commerce Street, Room 6B25, Dallas, TX 75242, (214) 767-0287

Geographic Jurisdiction: Arkansas, Louisiana, New Mexico, Oklahoma, Texas.

USACARA-MW: 405 S. Tucker Blvd., Room 4118, St. Louis, MO 63102-1132, AV: 693-0427, (314) 263-0427

Geographic Jurisdiction: Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, New England, Tennessee, Wisconsin.

USACARA-WE: 801 'I' Street, Room 498, Sacramento, CA 95814, (916) 551-1073, FTS: 460-1073

Geographic Jurisdiction: Alaska, Arizona, California, Colorado, Idaho, Montana, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, Wyoming.

USACARA-EU: APO NY 09102-0007, Heidelberg Military 8968/6351

Geographic Jurisdiction: Europe, Africa, North East, Atlantic Area, Middle East.

USACARA-PA: P.O. Box 50041, Honolulu, HI 96850-0001, (808) 546-8344

Geographic Jurisdiction: Hawaii, Far East, Pacific Area.

USACARA-NE: 766 Shrewsbury Ave., 3rd Floor, Tinton Falls, NJ 07724, (201) 741-1900

Geographic Jurisdiction: Pennsylvania, New Jersey, Maine, Massachusetts, New Hampshire, Vermont, Rhode Island, Connecticut, New York.

APPENDIX L TO PART 588—SAMPLE FORMAT FOR NOTICE OF FINAL ACTION

Section I

Format for the Final Army Decision Letter

1. Use

The notice of final Army decision is to be used under the following circumstances:

- a. If a discrimination complaint is rejected or canceled.
- b. If a proposed disposition is adopted after the complainant has failed to request a hearing or a decision by the Army without a hearing.

2. Delivery

The notice of final Army decision is sent by certified mail, return receipt requested, or personally delivered to both complainant and representative, if any. If the notice is personally delivered, the complainant and his or her representative, if any, will acknowledge receipt by signing and dating the official file copy of the notice. If they decline to sign the copy, the server will sign it and indicate to whom and when the notice was served.

3. Filing

A copy of this notice will be filed in the complaint file.

4. Preparation of the Notice of Final Army Decision

The notice of final Army decision should contain the notice itself and one of the three appeal rights.

Section II

Appeal Rights

5. Use

When a notice of final Army decision is issued by an activity it must contain an appropriate advisement of appellate rights. Use one of the following appellate rights as appropriate:

a. Use figure L-2 for complaints that allege discrimination based on any of the following:

- (1) Race.
- (2) Color.
- (3) Religion.
- (4) Sex.
- (5) National origin.
- (6) Physical or mental handicap.
- (7) Reprisal.

b. Use figure L-3 for complaints that allege age discrimination as their only bases.

c. Use figure L-4 for complaints that allege age discrimination and any of the following:

- (1) Race.
- (2) Color.
- (3) Religion.
- (4) Sex.
- (5) National origin.
- (6) Physical or mental handicap.
- (7) Reprisal.

Figure L-1

Subject: Notice of final Army decision, (*Docket number*).

From: (ACTIVITY COMMANDER).

To: (COMPLAINANT)

This is the Army's final decision on your equal employment opportunity complaint, dated (date). You alleged (specify type of discrimination) when (state the wrong allegedly suffered by the complainant.)

Based on my evaluation of your complainant and pursuant to my authority to issue a final decision in this matter in accord with paragraph 2-9g, AR 690-600, I have decided you (were or were not) subjected to prohibited discrimination in the matter at issue.

(Specify the reasons for the decision and the documents, or reports relied upon in reaching your decision.)

If you are dissatisfied with this final Army decision, you have the following appeal rights: (See figs L-2, L-3, or L-4.)

Figure L-2

Regular Appeal Rights

(for all allegations of discrimination other than age)

Appeal Rights

1. An appeal may be filed with the equal employment Opportunity Commission within *20 calendar days* of receipt of this decision. The *20-day* period for filing an appeal begins on the date of receipt of this decision. The appeal must be postmarked, or in the absence of a postmark, received by the Commission within *20 calendar days* of the date of receipt of this decision. Statements or briefs in support of the appeal may be submitted up to *30 calendar days* from the date the appeal is filed. The regulation providing for appeal rights, section 1613.233, title 29, Code of Federal Regulations (29 CFR 1613.233), is reproduced below pursuant to 29 CFR 1613.221(e).

"Section 1613.233 Time limits.

(a) Except as provided in paragraph (c) of this section, a complainant may file a Notice of Appeal at any time up to *20 calendar days* after receipt of the agency's notice of final decision on his or her complaint. An appeal shall be deemed filed on the date it is postmarked, or, in the absence of a postmark, on the date it is received by the Commission. Any statement or brief in support of the appeal must be submitted to the Commission and to the defendant agency within *30 calendar days* of filing the Notice of Appeal. For purposes of this part, the decision of an agency shall be final only when the agency makes a determination on all of the issues in the complaint, including whether or not to award attorney's fees or costs. If a decision to award attorney fees or costs is made, the decision will not be final until the procedure is followed for determining the amount of the award as set forth in Section 1613.271(c).

(b) When issues of discrimination have been raised in a negotiated grievance proc-

ess, a complainant may file a Notice of Appeal of such issues up to 20 days after:

(1) Receipt of an agency decision on the grievance and expiration of the time during which the union and the agency may move the matter to the next stage of the grievance process;

(2) Receipt of an arbitrator's award; or (3) receipt of the decision of the FLRA on exceptions to the arbitrator's award.

(c) The 20-day time limit within which a Notice of Appeal must be filed will not be extended by the Commission unless, based upon a written statement by the complainant showing that he or she was not notified of the prescribed time limit and was not otherwise aware of it or that circumstances beyond his or her control prevented the filing of a Notice of Appeal within the prescribed time limit, the Commission exercises its discretion to extend the time limit and accept the Appeal."

2. In lieu of an appeal to the Commission, a civil action may be filed in an appropriate United States District Court within *30 calendar days* of receipt of the decision.

3. If an appeal to the Commission is filed, a civil action may be filed in a United States District Court within *30 calendar days* of receipt of the Commission's final decision.

4. A civil action may also be filed any time after *180 calendar days* of the date of initial appeal to the Commission, if a decision has not been rendered.

5. If a civil action is filed, and complainant does not have or is unable to obtain the services of a lawyer, the complainant may request the court to appoint a lawyer to represent him/her. 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 *30-day* time limit for filing suit and in such form and manner as the court may require.

6. Appeals to the Commission should be forwarded to the Director, Office of Review and Appeals, Equal Employment Opportunity Commission, 2401 E Street, NW, WASH DC 20507. Any statement or brief in support of the appeal must be submitted to the Commission with two copies to the Director, Equal Employment Opportunity Compliance and Complaints Review Agency, Department of the Army, ATTN: SFCR, WASH DC 20310-1813, within *30 calendar days* of filing the Notice of Appeal.

Docket Number

The docket number identified in the upper right hand corner of page 1 of this letter should be used on all correspondence to the Director of Equal Employment Opportunity or the Director, Equal Employment Opportunity Compliance and Complaints Review Agency.

Sincerely,
(Signature block)

Figure L-3. Age Appeal rights

Age Only Appeal Rights

(for allegations of age discrimination)

Appeal Rights

1. An appeal may be filed with the Equal Employment Opportunity Commission within 20 calendar days of receipt of this decision. The 20-day period for filing an appeal begins on the date of receipt of this decision. The appeal must be postmarked, or in the absence of a postmark, received by the Commission within 20 calendar days of the date of receipt of this decision. Statements or briefs in support of the appeal may be submitted up to 30 calendar days from the date the appeal is filed. The regulation providing for appeal rights, section 1613.233, title 29, Code of Federal Regulations (29 CFR 1613.233), is reproduced below pursuant to 29 CFR, 1613.221(e).

“Section 1613.233 Time limits.

(a) Except as provided in paragraph (c) of this section, a complainant may file a notice of appeal at any time up to 20 calendar days after receipt of the agency’s notice of final decision on his or her complaint. An appeal shall be deemed filed on the date it is postmarked, or, in the absence of a postmark, on the date it is received by the Commission. Any statement or brief in support of the appeal must be submitted to the Commission and to the defendant agency within 30 calendar days of filing the notice of appeal. For purposes of this part, the decision of an agency shall be final only when the agency makes a determination on all of the issues in the complaint, including whether or not to award attorney’s fees or costs. If a decision to award attorney fees or costs is made, the decision will not be final until the procedure is followed for determining the amount of the award as set forth in §1613.217(c).

(b) When issues of discrimination have been raised in a negotiated grievance process, a complainant may file a Notice of Appeal of such issues up to 20 days after: (1) receipt of an agency decision on the grievance and expiration of the time during which the union and the agency may move the matter to the next stage of the grievance process; (2) receipt of an arbitrator’s award; or (3) receipt of the decision of the FLRA on exceptions to the arbitrator’s award.

(c) The 20-day time limit within which a notice of appeal must be filed will not be extended by the Commission unless, based upon a written statement by the complainant showing that he or she was not notified of the prescribed time limit and was not otherwise aware of it or that circumstances be-

yond his or her control prevented the filing of a Notice of Appeal within the prescribed time limit, the Commission exercises its discretion to extend the time limit and accept the Appeal.”

2. Appeals to the Commission should be forwarded to the Director, Office of Review and Appeals, Equal Employment Opportunity Commission, 2401 E Street, NW, WASH DC 20507. Any statement or brief in support of the appeal must be submitted to the Commission with two copies to the Director, Equal Employment Opportunity Compliance and Complaints Review Agency, Department of the Army, ATTN: SFCR, WASH DC 20310-1813, within 30 calendar days of filing the Notice of Appeal.

3. Attorney fees are not allowable for age discrimination complaints in the administrative process.

Docket Number

The docket number identified in the upper right hand corner of page 1 of this letter should be used on all correspondence to the Director of Equal Employment Opportunity or the Director, Equal Employment Opportunity Compliance and Complaints Review Agency.

Sincerely,
(Signature block)

Figure L-4. Combined appeal rights

Combined Appeal Rights

(for allegations of age plus race, color, religion, sex, national origin, physical or mental handicap, and/or reprisal)

Appeal Rights-Age Discrimination

1. An appeal may be filed with the Equal Employment Opportunity Commission within 20 calendar days of receipt of this decision. The 20-day period for filing an appeal begins on the date of receipt of this decision. The appeal must be postmarked, or in the absence of a postmark, received by the Commission within 20 calendar days of the date of receipt of this decision. Statements or briefs in support of the appeal may be submitted up to 30 calendar days from the date the appeal is filed. The regulation providing for appeal rights, section 1613.233, title 29, Code of Federal Regulations (29 CFR 1613.233), is reproduced below pursuant to 29 CFR 1613.221(e).

“Section 1613.233 Time limits.

(a) Except as provided in paragraph (c) of this section, a complainant may file a notice of appeal at any time up to 20 calendar days after receipt of the agency’s notice of final decision on his or her complaint. An appeal shall be deemed filed on the date it is postmarked, or, in the absence of a postmark, on the date it is received by the Commission.

Any statement or brief in support of the appeal must be submitted to the Commission and to the defendant agency within 30 calendar days of filing the notice of appeal. For purposes of this part, the decision of an agency shall be final only when the agency makes a determination on all of the issues in the complaint, including whether or not to award attorney fees or costs. If a decision to award attorney's fees or costs is made, the decision will not be final until the procedure is followed for determining the amount of the award as set forth in §1613.271(c).

(b) When issues of discrimination have been raised in a negotiated grievance process, a complainant may file a Notice of Appeal of such issues up to 20 days after: (1) receipt of an agency decision on the grievance and expiration of the time during which the union and the agency may move the matter to the next stage of the grievance process; (2) receipt of an arbitrator's award; or (3) receipt of the decision of the FLRA on exceptions to the arbitrator's award.

(c) The 20-day time limit within which a notice of appeal must be filed will not be extended by the Commission unless, based upon a written statement by the complainant showing that he or she was not notified of the prescribed time limit and was not otherwise aware of it or that circumstances beyond his or her control prevented the filing of a Notice of Appeal within the prescribed time limit, the Commission exercises its discretion to extend the time limit and accept the appeal."

2. Appeals to the Commission should be forwarded to the Director, Office of Review and Appeals, Equal Employment Opportunity Commission, 2401 E Street, NW, WASH DC 20507. Any statement or brief in support of the appeal must be submitted to the Commission with two copies to the Director, Equal Employment Opportunity Compliance and Complainants Review Agency, Department of the Army, ATTN: SFCR, WASH DC 20310-1813, within 30 calendar days of filing the Notice of Appeal.

3. Attorney fees are not allowable for age discrimination complaints in the administrative process.

Appeal Rights—Other

1. An appeal may be filed with the Equal Employment Opportunity Commission within 20 calendar days of receipt of this decision. The 20-day period for filing an appeal begins on the date of receipt of this decision. The appeal must be postmarked, or in the absence of a postmark, received by the Commission within 20 calendar days of the date of receipt of this decision. Statements or briefs in support of the appeal may be submitted up to 30 Calendar days from the date the appeal is filed. The regulation providing for appeal rights, section 1613.233, title 29 Code of Fed-

eral Regulations (29 CFR 1613.233), is reproduced below pursuant to 29 CFR 1613.221(e).

"Section 1613.233 Time limits.

(a) Except as provided in paragraph (c) of this section, a complaint may file a notice of appeal at any time up to 20 calendar days after receipt of the agency's notice of final decision on his or her complaint. An appeal shall be deemed filed on the date it is postmarked, or, in the absence of a postmark, on the date it is received by the Commission. Any statement or brief in support of the appeal must be submitted to the Commission and to the defendant agency within 30 calendar days of filing the notice of appeal. For purposes of this part, the decision of an agency shall be final only when the agency makes a determination on all of the issues in the complaint, including whether or not to award attorney fees or costs. If a decision to award attorney's fees or costs is made, the decision will not be final until the procedure is followed for determining the amount of the award as set forth in §1613.271(c).

(b) When issues of discrimination have been raised in a negotiated grievance process, a complainant may file a Notice of Appeal of such issues up to 20 days after:

(1) Receipt of an agency decision on the grievance and expiration of the time during which the union and the agency may move the matter to the next stage of the grievance process; (2) receipt of an arbitrator's award; or (3) receipt of the decision of the FLRA on exceptions to the arbitrator's award.

(c) The 20-day limit within which a notice of appeal must be filed will not be extended by the Commission unless, based upon a written statement by the complainant showing that he or she was not notified of the prescribed time limit and was not otherwise aware of it or that circumstances beyond his or her control prevented the filing of a Notice of Appeal within the prescribed time limit, the Commission exercise its discretion to extend the time limit and accept the Appeal."

2. In lieu of an appeal to the Commission, a civil action may be filed in an appropriate United States District Court within 30 calendar days of receipt of the decision.

3. If an appeal to the Commission is filed, a civil action may be filed in a United States District Court within 30 calendar days of receipt of the Commission's final decision.

4. A civil action may also be filed any time after 180 calendar days of the date of initial appeal to the Commission, if a decision has not been rendered.

5. If a civil action is filed, and complainant does not have, or is unable to obtain the services of a lawyer, the complainant may request the court to appoint a lawyer to represent him/her. In such circumstances as the court may deem just, the court may appoint

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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 *30-day* time limit for filing suit and in such form and manner at the court may require.

6. Appeals to the Commission should be forwarded to the Director, Office of Review and Appeals, Equal Employment Opportunity Commission, 2401 E Street, NW, WASH DC 20507. Any statement or brief in support of the appeal must be submitted to the Commission with two copies to the Director, Equal Employment Opportunity Compliance and Complaints Review Agency Department of the Army, ATTN: SFCR, WASH DC 20310-1813, within *30 calendar days* of filing the Notice of Appeal.

Docket Number

The docket number identified in the upper right hand corner of page 1 of this letter should be used on all correspondence to the Director of Equal Employment Opportunity or the Director, Equal Employment Opportunity Compliance and Complaints Review Agency.

Sincerely,
(Signature block)

APPENDIX M TO PART 588—ADDRESSES AND GEOGRAPHIC JURISDICTION OF EEOC DISTRICT OFFICES

Addresses and Geographic Jurisdictions of EEOC District Offices

C-1. EEOC complaints examiners are assigned to hear discrimination complaints from various district offices located throughout the United States. When an EEO officer must obtain the services of an EEOC complaints examiner to conduct a hearing in accord with paragraph 2-13 (individual complaints) or paragraph 3-6 (class action complaints), he or she should contact the EEOC district office with jurisdiction over the activity.

C-2. The EEOC district offices are as follows:

Atlantic District Office

District Director, EEOC, Citizens Trust Bldg., 10th Fl., 75 Piedmont Avenue, NE., Atlanta, Georgia 30335, (404) 212-6091, FTS 242-6091.

Geographic Jurisdiction: States of Georgia and South Carolina.

Baltimore District Office

District Director, EEOC, 109 Market Pl., Suite 4000, Baltimore, Maryland 21201, (301) 962-3932, FTS 922-3932.

Geographic Jurisdiction: States of Maryland and Virginia, District of Columbia, Europe.

Birmingham District Office

District Director, EEOC, 2121 Eighth Ave., North, Birmingham, Alabama 35203, (205) 254-1166, FTS 229-1166.

Geographic Jurisdiction: States of Alabama and Mississippi.

Charlotte District Office

District Director, EEOC, 1301 East Morehead Street, Charlotte, North Carolina 28204, (704) 371-6437, FTS 672-6455.

Geographic Jurisdiction: State of North Carolina.

Chicago District Office

District Director, EEOC, Federal Bldg., Room 930A, 536 S. Clark Street, Chicago, Illinois 60605, (312) 353-2712, FTS 353-2713.

Geographic Jurisdiction: State of Illinois, except counties of Alexander, Bond, Calhoun, Clinton, Greene, Jackson, Jersey, Macoupin, Madison, Monroe, Perry, Pulaski, Randolph, St. Clair, Union, and Washington.

Cleveland District Office

District Director, EEOC, One Playhouse Square, 1375 Euclid Avenue, Room 600, Cleveland, Ohio 44115, (216) 522-7425, FTS 942-4784.

Geographic Jurisdiction: State of Ohio.

Dallas District Office

District Director, EEOC, 8303 Elmbrook Dr., 2nd Floor, Dallas, Texas 75247, (214) 767-7015, FTS 729-7015.

Geographic Jurisdiction: States of Oklahoma and Texas counties of: Anderson, Archer, Armstrong, Bailey, Baylor, Bell, Borden, Bosque, Bowie, Briscoe, Brown, Callahan, Camp, Carson, Cass, Castro, Cherokee, Childress, Clay, Coke, Coleman, Collin, Collingsworth, Comanche, Cooke, Coryell, Cottle, Crath, Crosby, Dallas, Deafsmith, Delta, Denton, Dickens, Donley, Ellis, Falls, Fannin, Fisher, Floyd, Foard, Franklin, Freestone, Garza, Glasscock, Gray, Grayson, Gregg, Hale, Hall, Hamilton, Hansford, Hardeman, Harrison, Hartley, Haskell, Hemphill, Henderson, Hill, Hood, Hopkins, Howard, Houston, Hunt, Hutchinson, Irion, Jack, Jonson, Jones, Kaufman, Kent, King, Knox, Lamar, Lampasas, Leon, Limestone, Lipscomb, Madison, Marion, McLennan, Mehannan, Milam, Mills, Mitchell, Montague, Moore, Morris, Motley, Nacogdoches, Navarro, Nolam, Ochiltree, Oldham, Palo Pinto, Panola, Parker, Parmer, Potter, Rains, Randall, Regean, Red River, Robertson, Rockwall, Runnels, Rusk, Scurry, Shackelford, Shelby, Sherman, Smith, Somervell, Stephens, Sterling, Stonewall, Swisher, Tarrant, Taylor, Throckmorton, Titus, Tom Green, Upshur, Van Zandt,

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Wheeler, Wichita, Wilbarger, Wise, Wood, Young, Andrews, Cochran, Crane, Culberson, Dawson, Ector, El Paso, Gaines, Hockley, Hudspeth, Loving, Lubbock, Lynn, Martin, Midland, Reeves, Terry, Upton, Ward, Winkler, Yoakum.

Denver District Office

District Director, EEOC, 1531 Stout Street, 6th Floor, Denver, Colorado 80202, (303) 844-2711, FTS 564-2771.

Geographic Jurisdiction: States of Colorado, Wyoming, Montana, North Dakota, South Dakota.

Detroit District Office

District Director, EEOC, McNamara Federal Building, 477 Michigan Avenue, Room 1540, Detroit, Michigan 48226, (313) 226-7636, FTS 226-7636.

Geographic Jurisdiction: State of Michigan.

Houston District Office

District Director, EEOC, 405 Main Street, 6th Floor, Houston, Texas 77002, (713) 226-5601, FTS 526-5601.

Geographic Jurisdiction: State of Texas, counties of: Angelina, Austin, Brazoria, Chambers, Colorado, Fort Bend, Galveston, Grimes, Hardin, Harris, Jasper, Jefferson, Liberty, Matagorda, Montgomery, Newton, Orange, Polk, Sabine, San Augustine, San Jacinto, Trinity, Tyler, Walder, Waller, Warton.

Indianapolis District Office

District Director, EEOC, Federal Building, U.S. Courthouse, 46 E. Ohio Street, Room 456, Indianapolis, Indiana 46204, (317) 269-7212, FTS 331-7212.

Geographic Jurisdiction: States of Indiana and Kentucky.

Los Angeles District Office

District Director, EEOC, 3255 Wilshire Blvd., 9th Floor, Los Angeles, California 90010, (213) 798-3400, FTS 798-3400.

Geographic Jurisdiction: State of Nevada, and California counties of: Los Angeles, San Bernadino, Ventura, Kern, San Luis Obispo, Santa Barbara, Orange, Riverside, Imperial, San Diego.

Memphis District Office

District Director, EEOC, 1407 Union Avenue, Suite 502, Memphis, Tennessee 38104, (901) 521-2617, FTS 222-2617.

Geographic Jurisdiction: States of Tennessee and Arkansas.

Miami District Office

District Director, EEOC, Metro—Mall Building, 1 NE First Street, Miami, Florida 33132, (305) 350-4949, FTS 350-4491.

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Geographic Jurisdiction: State of Florida, and Panama Canal Zone.

Milwaukee District Office

District Director, EEOC, 310 West Wisconsin Ave., Suite 800, Milwaukee, Wisconsin 53203, (414) 291-1111, FTS 362-1111.

Geographic Jurisdiction: States of Wisconsin, Minnesota, and Iowa.

New Orleans District Office

District Director, EEOC, F. Edward Herbert Federal Bldg., 600 South Street, New Orleans, Louisiana 70130, (504) 589-3842, FTS 682-3842.

Geographic Jurisdiction: State of Louisiana.

New York District Office

District Director, EEOC, 90 Church St., Room 501, New York, New York 10007, (804) 441-3470, FTS 827-3470.

Geographic Jurisdiction: States of New York, Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, Maine; and Puerto Rico and the Virgin Islands.

Philadelphia District Office

Acting District Director, EEOC, 127 N. 4th Street, Suite 300, Philadelphia, Pennsylvania 19106, (215) 597-7784, FTS 597-7784.

Geographic Jurisdiction: States of Pennsylvania, New Jersey, Delaware, and West Virginia.

Phoenix District Office

District Director, 135 North Second Ave., 4th Floor, Phoenix, Arizona 85003, (602) 261-3882, FTS 261-382.

Geographic Jurisdiction: States of Arizona, New Mexico, and Utah.

San Antonio District Office

District Director, EEOC, 727 East Durango, Suite B-601, San Antonio, Texas 78206, (512) 229-6051.

Geographic Jurisdiction: State of Texas, counties of: Aransas, Atascosa, Bandera, Bastrop, Bee, Bexar, Blanco, Brazos, Brewster, Brooks, Burleson, Burnet, Caldwell, Calhoun, Cameron, Comal, Concho, Crockett, De Witt, Dimmit, Duval, Edwards, Fayette, Frio, Gillespie, Goliad, Gonzalos, Guadalupe, Hays, Hildalgo, Jackson, Jeff Davis, Jim Hogg, Jim Wells, Karnes, Kendall, Kenedy, Kent, Kerr, Kimble, Kinney, Kleberg, La Salle, Lavaca, Lee, Live Oak, Llano, Mason, Maverick, Medina, Menard, McCulloch, McMullen, Neuces, Pecos, Presidio, Real, Refugio, San Patricio, San Saba, Scheleicher, Starr, Sutton, Terrell, Travis, Uvalde, Val Verde, Victoria, Washington, Webb, Willacy, Williamson, Wilson, Zapata, Zavala.

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San Francisco District Office

District Director, EEOC, 10 United Nations Plaza, 4th Floor, San Francisco, California 94102, (415) 556-0260, FTS 556-0260.

Geographic Jurisdiction: State of Hawaii, Pacific Far East, and California counties of: Colusa, Del Norte, Glenn, Humboldt, Lake, Marlin, Mendocino, Napa, San Francisco, San Mateo, Solana, Sonoma, Trinity, Yolo, Fresno, Inyo, Kings, Madera, Alameda, Alpine, Amador, Calaveras, Contra Costa, Mono, San Joaquin, Stanislaus, Tuolumne, Butte, El Dorado, Lassen, Modoc, Nevada, Placer, Plumas, Sacramento, Shasta, Sierra, Siskiyou, Sutter, Tehama, Yung, Monterey, Santa Clara, Santa Cruz.

Seattle District Office

District Director, EEOC, Arcade Plaza Building, 7th Floor, Seattle, Washington 98101, (206) 442-0968, FTS 339-0968.

Geographic Jurisdiction: States of Washington, Oregon, Idaho, and Alaska.

St. Louis District Office

District Director, EEOC, Central West Plaza Bldg., 4th Floor, 625 N. Euclid Street, St. Louis, Missouri 63108, (314) 425-6585, FTS 279-6585.

Geographic Jurisdiction: States of Missouri, Kansas, and Illinois counties of: Alexander, Bond, Calhoun, Clinton, Greene, Jackson, Jersey, Macoupin, Madison, Monroe, Perry, Pulaski, Randolph, St. Clair, Union, Washington.

APPENDIX N TO PART 588—SAMPLE
ADVICE—MIXED CASES

N-1. The following advice should be attached verbatim to all Army decisions on personnel actions that are appealable to the MSPB where the employee has raised the issue of discrimination, either orally or in writing, during the processing of the personnel action but prior to the Army decision to effect that personnel action:

If you believe that this personnel action discriminated against you on the basis of your race, color, religion, sex, national origin, age, physical or mental handicap and/or reprisal, you may file a complaint of discrimination with the following person (activity EEO officer) or you may file an appeal with the Merit Systems Protection Board, as previously described. You may not, however, file both. Should you elect to file a complaint of discrimination, your complaint will be processed in accordance with Equal Employment Opportunity Commission regulations at section 1613.401, title 29, Code of Federal Regulations (29 CFR 1613.401.) Should you elect to file an appeal, your appeal will be processed in accordance with MSPB regulations at 5 CFR 1201.

N-2. The following advice is applicable to mixed case complaints and should be attached to all decisions where the Army rejects the complaint pursuant to 29 CFR 1613.405(a) (that is, where the complainant has previously appealed the matter which forms the basis of the complaint to the MSPB):

Should you wish to proceed further with this matter, you must bring the allegations of discrimination contained in this rejected complaint to the attention of the MSPB as part of your appeal, pursuant to 5 CFR 1201.155.

N-3. The following advice is applicable to mixed case complaints filed on or after May 2, 1983, and should be attached to all decisions where the Army canceled the complaint pursuant to 29 CFR 1613.405(b) (that is, where the Army learns, after accepting a complaint, that the complainant previously filed an appeal on the same matter with the MSPB):

Should you wish to proceed further with this matter, you must bring the allegations of discrimination contained in this canceled complaint to the attention of the MSPB as part of your appeal to them, pursuant to 5 CFR 1201.155.

N-4. The following advice shall be made a part of all letters notifying the complainant of the acceptance of a mixed case complaint for processing pursuant to 29 CFR 1613.405(e):

Your complaint shall be processed in accordance with 29 CFR 1613.405(e) of Equal Employment Opportunity Commission (EEOC) regulations. If you do not receive a final agency decision on this complaint within 120 calendar days of the date of the filing of this complaint, you may appeal the matter to the Merit Systems Protection Board at any time thereafter, up to, but not later than, 1 year from the filing of the complaint, or you may file a civil action, as specified at 29 CFR 1613.417(g). If you are dissatisfied with the Army's eventual decision on this complaint, you may appeal that decision to the MSPB (not the EEOC) within 20 calendar days of receipt of the decision.

N-5. The following advice shall be made a part of the letter notifying the complainant of the proposed disposition of a mixed case complaint:

If you are dissatisfied with this proposed disposition, you are entitled to request a final decision (without a hearing by the EEOC) from the Secretary of the Army or his or her designee. If, thereafter, you should be dissatisfied with that final decision, you may appeal that decision to the MSPB within 20 calendar days of receipt of that decision. You

may, in connection with any such appeal, request a hearing before the MSPB. In addition, if the Army's final decision has not been issued within 120 calendar days of the date on which you originally filed your complaint, you may appeal directly to the MSPB (not the EEOC) at the expiration of 120 calendar days, up to 1 year after filing the complaint. You may also file a civil action in Federal District Court within 30 calendar days of receipt of the final Army decision, if you do not file an appeal with the MSPB.

N-6. The following advice shall be made a part of the letter notifying the complainant of the final agency decision on a mixed case complaint:

If you are dissatisfied with this decision you have the right to appeal the matter to the Merit Systems Protection Board (not the Equal Employment Opportunity Commission), within 20 calendar days of receipt. You also have the right to file a civil action in Federal District Court within 30 calendar days of receipt of this decision and as further described at 29 CFR 1613.417(a).

N-7. The following advice shall be made a part of the letter notifying the complainant of the cancellation pursuant to 29 CFR 1613.406(a)(2). This applies when a complaint on a proposal to take an appealable action is canceled because the complainant has subsequently filed an appeal with the MSPB on the agency decision to effect that proposal):

The allegation(s) of discrimination contained in this canceled complaint should be raised with the MSPB in connection with your pending appeal of the Army's decision to effect the action which formed the basis of this complaint.

APPENDIX O TO PART 588—GLOSSARY

Section I

Abbreviations

ADO—alleged discriminating official
 CIVPERCEN—U.S. Army Civilian Personnel Center
 CPO—civilian personnel officer
 DA—Department of the Army
 EEO—equal employment opportunity
 EEOC—Equal Employment Opportunity Commission
 EEOCRA—Equal Employment Opportunity Compliance and Complaints Review Agency
 FLRA—Federal Labor Relations Authority
 MACOM—major Army command
 MSPB—Merit Systems Protection Board
 NAF—nonappropriated fund
 ROI—report of investigation
 SJA—Staff Judge Advocate
 USACARA—U.S. Army Civilian Appellate Review Agency

Section II

Terms

Activity Commander. The Army Commander who has delegated appointing authority for the civilian work force and has a CPO, a labor counselor, and an EEO officer available for advice.

Age discrimination. A claim of discrimination based on age by an individual who is at least 40 years of age at the time of the alleged discriminatory act.

Agent of the class. A member of a class who files the complaint and acts for the class during the processing of the class complaint. This person alleges that an Army personnel practice or policy discriminates against the class on the basis of race, color, religion, sex, national origin, age, physical or mental handicap, and/or reprisal.

Alleged discriminating official. A person identified or implicated by the complainant as responsible for the specific act or policy alleged to be discriminatory.

Allegation of reprisal. A claim of restraint, interference, coercion, discrimination, or retaliation in connection with presenting or processing a complaint. Reprisal claims can be brought by complainants, their representatives, witnesses, and personnel involved in the complaint process.

Arbitration. The final resolution of a grievance filed under a negotiated grievance procedure by an impartial person (an arbitrator) selected by labor and management. If allegations of discrimination are not excluded from a negotiated grievance procedure, they may be filed under such procedure and eventually may be decided through arbitration. An employee cannot individually invoke arbitration. Only labor and management may invoke arbitration to resolve a grievance.

Civilian personnel officer. The individual who is designated by the commander to administer the civilian personnel program.

Class. A group of Army employees, former Army employees, or applicants for Army employment, who allege that they have been, are being, or may be adversely affected by an Army personnel management policy or practice which the Army has authority to rescind or modify. The policy or practice must allegedly discriminate against the group based on their common race, color, religion, sex, national origin, age, physical or mental handicap, and/or reprisal.

Class complaint. A written discrimination complaint filed on behalf of a class by the agent of the class alleging that an Army personnel policy or practice discriminates against the class, and fulfills all of the following elements:

- a. The class is so numerous that a consolidated complaint of the class is impractical.
- b. There are questions of fact common to the class.

c. The individual claim of discrimination of the agent of the class is typical of the claims of the class.

d. The agent of the class, and his or her representative, if any, will fairly and adequately protect the interests of the class.

Complainant. An Army employee, a former Army employee, or an applicant for Army employment who files a formal complaint of discrimination based on his or her race, color, religion, sex, national origin, age, physical or mental handicap, and/or reprisal.

Complaints examiner. An official assigned by the EEOC to hold hearings on formal complaints of discrimination and otherwise process individual and class complaints for the EEOC.

Director of Equal Employment Opportunity. The official designated by the Secretary of the Army, to administer the Army's EEO program in accordance with 29 CFR 1613.204.

Discrimination. Any act or failure to act, impermissibly based in whole or in part on a person's race, color, religion, national origin, sex, age, physical or mental handicap, and/or reprisal; that adversely affects privileges, benefits, working conditions; results in disparate treatment; or has a disparate impact on employees or applicants.

Equal Employment Opportunity Commission. The Federal agency responsible for issuing policy and regulations on the discrimination complaint system established by an agency in the Federal service. The EEOC holds hearings and makes findings and recommendations. The EEOC Office of Review and Appeals makes final decisions on discrimination complaints that have been appealed. It also reviews, upon request, decisions of negotiated grievances and Merit Systems Protection Board appeals if they include issues of discrimination.

Equal Employment Opportunity Compliance and Complaints Review Agency. The Army Organization responsible for the management of the Army's EEO complaint system. EEOCRA also prepares the final Army decision in EEO complaints for the approval and signature of the Secretary of the Army or his or her designee.

EEO counselor. An Army employee (or an employee of a serviced Department of Defense activity), working under the direction of the EEO officer, who makes informal inquiries and seeks resolution of informal complaints. EEO counselors may be assigned to full-time or part-time EEO counselor positions or be given collateral EEO duties and responsibilities. (In the latter case, the EEO counseling duties are officially added to the counselor's position description). In performing the EEO functions, the counselor is guided by the EEO officer.

EEO officer. The individual designated by the Activity Commander to administer the activity's EEO Program. This includes managing and operating the complaint process-

ing system, supervising EEO counselors, and advising the Activity Commander on the proposed disposition of complaints.

Federal Labor Relations Authority. The Federal agency responsible for deciding appeals of arbitration awards filed by a union or an agency regarding grievances filed under the negotiated grievance procedure.

Final Army decision. The decision, with or without a hearing, of the Army on a complaint of discrimination.

Formal individual discrimination complaint. A written complaint (ordinarily, a DA Form 2590-R) filed under this regulation, alleging that a specific act of discrimination or reprisal has taken place that is personal to the individual.

Handicapped person. a. A person who—

(1) Has a physical or mental impairment which substantially limits one or more of such person's major life activities.

(2) Has a record of such an impairment.

(3) Is regarded as having such an impairment.

b. Physical or mental impairment.

(1) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems:

(a) Neurological.

(b) Musculoskeletal.

(c) Special sense organs.

(d) Cardiovascular.

(e) Reproductive.

(f) Digestive.

(g) Genito-urinary.

(h) Hemic and lymphatic.

(i) Skin.

(j) Endocrine.

(2) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

c. Major life activities. Functions include caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

d. Has a record of such an impairment. The person has a history of, or has been classified (or misclassified) as having, a mental or physical impairment that substantially limits one or more major life activities.

e. Is regarded as having such an impairment. This term is defined as one of the following:

(1) A physical or mental impairment that does not substantially limit major life activities but is treated by an employer as constituting such a limitation.

(2) A physical or mental impairment that substantially limits major life activities only as a result of the attitude of an employer toward such impairment.

(3) None of the impairments defined in (2) above but is treated by an employer as having such an impairment.

Informal individual discrimination complaint. A matter of alleged discrimination which is brought to the attention of an EEO counselor by an aggrieved person before a formal discrimination complaint is filed. Contact with the EEO counselor may be oral or in writing.

Investigative report. In the Army, the report of investigation prepared by a USACARA investigator after the filing of a formal EEO complaint.

Labor counselor. An attorney working in the legal office servicing an activity who advises and represents the Activity Commander in labor matters, to include EEO complaints.

Merit Systems Protection Board. The Federal agency responsible for deciding appeals of personnel actions and mixed case complaints.

Mixed case complaint. A complaint involving an action appealable to MSPB which alleges that the action was taken because of discrimination. Actions appealable to the MSPB include removals, demotions, suspensions for more than 14 days, reductions-in-force, and furloughs for 30 days or less.

Mixed case appeals. An appeal filed with the MSPB which alleges that an Army action resulted, in whole or in part, because of discrimination on the basis of race, color, religion, sex, national origin, mental or physical handicap, age, and/or reprisal, or alleges that such Army action resulted in sex-based wage discrimination.

Negotiated grievance procedure. A grievance procedure contained in a collective bargaining agreement negotiated between the Army and a recognized labor organization. An allegation of discrimination may be processed under a negotiated grievance procedure as provided for by section 7121(d), title 5, United States Code. Unless specifically excluded by agreement between labor and management, an allegation of discrimination may be processed under a negotiated grievance procedure or this regulation, but not both.

Notice of proposed disposition. The notification from the commander to the complainant, after an informal adjustment attempt, of his or her findings and disposition of the complaint. The notice advises the complain-

ant of the right to request a final Army decision, with or without a hearing, from the Department of the Army.

Qualified handicapped person. With respect to employment, a handicapped person who, with or without reasonable accommodation, can perform the essential functions of the position in question without endangering the health and safety of himself, herself, or others and who, depending upon the type of appointing authority being used, either—

a. Meets the experience or education requirements (which may include passing a written test) of the position in question.

b. Meets the criteria for appointment under one of the special appointing authorities for handicapped persons.

Remedial action. May include, but is not limited to, retroactive appointment or promotion, back pay, attorney fees and/or costs, cancellation of an unwarranted personnel action, or expunction from the Army's records of any reference to, or any record of, an unwarranted disciplinary action that is not a personnel action.

Reportable contact. A reportable contact is any contact with an EEO counselor by an aggrieved person who alleges discrimination on the bases of race, color, religion, sex, age, mental or physical handicap, national origin, or reprisal.

Sexual harassment. Unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature when one or more of the following occurs:

a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.

b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.

c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

U.S. Army Civilian Appellate Review Agency. The Army organization that investigates and makes recommendations on formal EEO complaints filed against the Army.

APPENDIX P TO PART 588—PRESCRIBED FORMS

FORMAL COMPLAINT OF DISCRIMINATION <small>For use of this form, see AR 690-600; the proponent agency is the Office of the Secretary of the Army (Please print or type)</small>	
PRIVACY ACT STATEMENT <small>(5 U.S.C. 552a)</small>	
AUTHORITY: <i>Public Law 92-261</i>	
PRINCIPAL PURPOSE: <i>Formal filing of allegation of discrimination because of race, color, religion, sex, handicap, age, national origin or reprisal.</i>	
ROUTINE USES: <i>This form and the information on this form may be used (a) as a data source for complaint information for production of summary descriptive statistics and analytical studies of complaints processing and resolution efforts and may also be used to respond to general requests for information under the Freedom of Information Act, (b) to respond to requests from legitimate outside individuals or agencies (for example: Members of Congress, The White House, and the Equal Employment Opportunity Commission) regarding the status of the complaint or appeal and, (c) to adjudicate complaint or appeal.</i>	
DISCLOSURE: <i>Voluntary; however, failure to complete all appropriate portions of this form may lead to rejection of complaint on the basis of inadequate data on which to determine if complaint is acceptable.</i>	
1. NAME OF COMPLAINANT (Last, First, Middle)	2. COMPLAINANT'S TELEPHONE NUMBERS WORK HOME
COMPLAINANT'S SSN	4. IS COMPLAINANT BEING REPRESENTED YES NO IF YES, NAME OF REPRESENTATIVE
3. COMPLAINANT'S ADDRESS (Include City, State, ZIP Code)	6. ADDRESS OF ALLEGED DISCRIMINATION ORGANIZATION (Include City, State, ZIP Code)
5. NAME OF ARMY ORGANIZATION YOU BELIEVE DISCRIMINATED AGAINST YOU	8. DATE ON WHICH MOST RECENT ALLEGED DISCRIMINATION OCCURRED
7. MAJOR ARMY COMMAND OF ACTIVITY YOU BELIEVE DISCRIMINATED AGAINST YOU	10. NAME OF AGENCY WHERE YOU ARE CURRENTLY EMPLOYED
9. ARE YOU WORKING FOR THE FEDERAL GOVERNMENT / / YES (Answer Items 10, 11 and 12) / / NO (Skip to Item 13)	12. TITLE AND GRADE OF YOUR CURRENT JOB
11. ADDRESS OF YOUR CURRENT EMPLOYER (Include City, State, ZIP Code)	
13. CHECK BELOW WHY YOU BELIEVE YOU WERE DISCRIMINATED AGAINST, BECAUSE OF YOUR / / RACE, IF SO, STATE YOUR RACE / / SEX, IF SO, STATE YOUR SEX / / COLOR, IF SO, STATE YOUR COLOR / / RELIGION, IF SO, STATE YOUR RELIGION / / HANDICAP, MENTAL/PHYSICAL (CIRCLE ONE) / / AGE, IF SO, STATE YOUR AGE / / NATIONAL ORIGIN, IF SO, STATE YOUR NATIONAL ORIGIN / / REPRISAL	
14. I HAVE DISCUSSED MY COMPLAINT WITH AN EQUAL EMPLOYMENT OPPORTUNITY COUNSELOR (See reverse) / / YES / / NO	15. NAME OF COUNSELOR
16. DATE OF FINAL INTERVIEW	
17. EXPLAIN SPECIFICALLY HOW 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 basis for your dissatisfaction, list and number each such allegation separately and furnish specific, factual information in support of each. You may continue your answer on another sheet of paper if you need more space.) ALLEGATION NUMBER 1:	
18. LIST BELOW THE NAMES OF YOUR WITNESSES AND WHAT FACTUAL INFORMATION EACH WILL BE EXPECTED TO CONTRIBUTE THROUGH HIS/HER TESTIMONY TO THE INVESTIGATION OF YOUR COMPLAINT (Include in REMARKS)	
19. WHAT SPECIFIC CORRECTIVE ACTION DO YOU WANT TAKEN ON YOUR COMPLAINT (If more than one allegation is being made, state overall corrective action desired and the specific corrective action desired for each separate allegation)	

20. HAVE THE MATTERS LISTED IN ITEM 17 BEEN APPEALED TO THE MERIT SYSTEM PROTECTION BOARD OR FILED UNDER A NEGOTIATED GRIEVANCE PROCEDURE: IF YES, EXPLAIN REMARKS (Continue on white bond paper if necessary)	
21. DATE THIS COMPLAINT FORM WAS SIGNED BY THE COMPLAINANT (Month, Day, and Year)	22. SIGNATURE OF COMPLAINANT
TO BE COMPLETED BY THE ORGANIZATION'S EQUAL EMPLOYMENT OPPORTUNITY OFFICER (EEOO)	
I CERTIFY THAT (1) THE COMPLAINANT HAS REAFFIRMED THIS COMPLAINT IN MY PRESENCE AND HAS STATED THAT THE FACTS CONTAINED THEREIN ARE TRUE TO THE BEST OF HIS/HER KNOWLEDGE, (2) A DETERMINED EFFORT AT INFORMAL RESOLUTION OF THIS COMPLAINT FAILED TO PRODUCE A SOLUTION SATISFACTORY TO THE COMPLAINANT AND, (3) LOCAL MANAGEMENT IN THE APPROPRIATE CHAIN OF COMMAND HAS BEEN INFORMED CONCERNING THE COMPLAINT AND ITS SUBMISSION IN THE ABOVE FORMAT:	
22. SIGNATURE OF EEOO	23. TYPED NAME, TITLE, AND ADDRESS OF EEOO
24. DATE COMPLAINT FILED WITH EEOO	25. TELEPHONE NO. OF EEOO PROCESSING COMPLAINT
26. SUBJECT MATTER CODES:	
THE MATTER(S) GIVING RISE TO THE COMPLAINT WILL BE CODED USING ONE OR MORE OF THE FOLLOWING CODES: APPOINTMENT (1); PROMOTION (2); REASSIGNMENT (3); SEPARATION/TERMINATION (4); SUSPENSION (5); REPRIMAND (6); EVALUATION/APPRaisal (7); DUTY HOURS (8); TRAINING (9); TIME AND ATTENDANCE (10); RETIREMENT (11); ASSIGNMENT OF DUTIES (12); EXAM/TEST (13); WORK CONDITIONS (14); HARASSMENT (15); SEXUAL HARASSMENT (16); REPRISAL (17); PAY, INCLUDING OVERTIME (18); CONVERSION TO FULL TIME/CAREER CONDITIONAL (19); REINSTATEMENT (20); AWARDS (21); OR, OTHER (22) (specify):	
INFORMATION CONCERNING THE PROCESSING OF YOUR COMPLAINT OF DISCRIMINATION. THIS FORM WILL BE USED ONLY IF YOU, AS AN ARMY EMPLOYEE OR AS AN APPLICANT FOR FEDERAL EMPLOYMENT, THINK YOU HAVE BEEN TREATED UNFAIRLY BECAUSE OF YOUR RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN, AGE, MENTAL OR PHYSICAL HANDICAP, OR REPRISAL. IF YOU HAVE ANY QUESTIONS CONCERNING THE COMPLETION OF THIS FORM, YOU MAY CONTACT THE EQUAL EMPLOYMENT OPPORTUNITY OFFICER (EEOO) AT YOUR ACTIVITY. YOUR WRITTEN FORMAL COMPLAINT MUST BE FILED WITHIN 15 CALENDAR DAYS OF THE DATE OF YOUR FINAL INTERVIEW WITH THE EEO COUNSELOR. IF THE MATTER HAS NOT BEEN RESOLVED TO YOUR SATISFACTION WITHIN 21 CALENDAR DAYS OF YOUR FIRST INTERVIEW WITH THE EEO COUNSELOR AND THE FINAL COUNSELING INTERVIEW HAS NOT BEEN COMPLETED WITHIN THAT TIME, YOU HAVE A RIGHT TO FILE A COMPLAINT AT ANY TIME THEREAFTER UP TO 15 DAYS AFTER THE FINAL INTERVIEW. YOUR WRITTEN FORMAL COMPLAINT MUST BE FILED WITHIN 15 CALENDAR DAYS OF THE DATE OF YOUR FINAL INTERVIEW WITH THE EEO COUNSELOR. THIS TIME LIMIT MAY BE EXTENDED IF YOU CAN GIVE A GOOD REASON FOR NOT SUBMITTING THE COMPLAINT WITHIN THE 15 CALENDAR DAY TIME LIMIT. YOU MAY HAVE A REPRESENTATIVE AT ALL STAGES OF THE PROCESSING OF YOUR COMPLAINT. YOU OR YOUR REPRESENTATIVE SHOULD PERSONALLY FILE YOUR COMPLAINT WITH THE EEOO OF YOUR ACTIVITY. IF YOUR COMPLAINT IS ACCEPTED, YOU WILL HAVE AN OPPORTUNITY TO TALK WITH AN INVESTIGATOR FROM THE U.S. ARMY CIVILIAN APPELLATE REVIEW AGENCY AND TO GIVE HIM ALL THE FACTS YOU HAVE WHICH YOU BELIEVE WILL SUPPORT YOUR COMPLAINT. IF YOUR COMPLAINT IS REJECTED, YOU WILL BE ADVISED IN WRITING OF THE REASON(S) AND ADVISED OF THE RIGHT TO APPEAL. UPON COMPLETION OF THE INVESTIGATION OF YOUR COMPLAINT, YOU WILL RECEIVE A COPY OF THE INVESTIGATOR'S REPORT AND AN ATTEMPT WILL BE MADE TO RESOLVE THE COMPLAINT THEN. IF YOUR COMPLAINT CANNOT BE SETTLED INFORMALLY ON THE BASIS OF THE INVESTIGATION, YOU MAY REQUEST A REVIEW OF YOUR RECORD BY THE DEPARTMENT OF THE ARMY DIRECTOR OF EQUAL EMPLOYMENT OPPORTUNITY, OR YOU MAY REQUEST A HEARING AT THIS STAGE. IF A HEARING IS REQUESTED, IT WILL BE CONDUCTED BY A COMPLAINTS EXAMINER DESIGNATED BY THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. THE FINDINGS, ANALYSIS, AND RECOMMENDATION WILL BE FORWARDED TO THE DIRECTOR OF EQUAL EMPLOYMENT OPPORTUNITY FOR DECISION. YOU WILL BE ADVISED BY THE DIRECTOR OF THE DECISION AND PROVIDED A COPY OF THE CASE RECORD. IF YOU ARE NOT SATISFIED WITH THE DIRECTOR'S DECISION, YOU WILL HAVE THE RIGHT TO APPEAL TO THE OFFICE OF REVIEW AND APPEALS OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, 2401 E STREET, N.W., WASHINGTON DC, 20507 WITHIN 20 CALENDAR DAYS AFTER RECEIPT OF THE DECISION. PLEASE BE SPECIFIC IN STATING THE FACTS CONCERNING YOUR COMPLAINT IN ITEMS 14 THROUGH 20 ON THE REVERSE OF THIS FORM.	

PRECOMPLAINT COUNSELING DATA SHEET										DATE	
For use of this form, see AR 690-600; the proponent agency is the Office of the Secretary of the Army											
INSTRUCTIONS The EEO Counselor will complete all items except those which will be completed by the EEO Officer, which are: (1) Identifying the MACOM of the activity against which the inquiry was raised and, (2) reporting the amount of backpay awarded or to be awarded, if any.										MACOM	
BASIS OF COMPLAINT											
For the appropriate box(es) below, enter the applicable code as follows:											
CATEGORY	SPECIFIC	CODE	CATEGORY	SPECIFIC	CODE						
<i>R/C (RACE/COLOR)</i>	<i>Black</i>	<i>1</i>	<i>Rgn (Religion)</i>	<i>Enter the religion</i>	<i>X</i>						
	<i>Hispanic</i>	<i>2</i>	<i>Sex</i>	<i>Female</i>	<i>F</i>						
	<i>American Indian</i>	<i>3</i>		<i>Male</i>	<i>M</i>						
	<i>Oriental</i>	<i>4</i>	<i>Age</i>	<i>Enter the age</i>	<i>—</i>						
	<i>Aleut (Alaska only)</i>	<i>5</i>	<i>Hdcp (Handicap)</i>	<i>Mental</i>	<i>M</i>						
	<i>Eskimo (Alaska only)</i>	<i>6</i>		<i>Physical</i>	<i>P</i>						
	<i>White</i>	<i>7</i>	<i>Nat'l Orgn</i>	<i>Enter national origin</i>	<i>X</i>						
	<i>Non-Hispanic (P.R. only)</i>	<i>8</i>	<i>Reprisal</i>	<i>Reprisal</i>	<i>X</i>						
	<i>None of the above</i>	<i>9</i>									
RACE	COLOR	RELIGION	HANDICAP	SEX	NATIONAL ORIGIN	AGE	REPRISAL				
MATTER GIVING RISE TO THE COMPLAINT											
The matter(s) giving rise to the complaint will be coded using one or more of the following codes: APPOINTMENT (1); PROMOTION (2); REASSIGNMENT (3); SEPARATION/TERMINATION (4); SUSPENSION (5); REPRIMAND (6); EVALUATION/APPRaisal (7); DUTY HOURS (8); TRAINING (9); TIME AND ATTENDANCE (10); RETIREMENT (11); ASSIGNMENT OF DUTIES (12); EXAM/TEST (13); WORK CONDITIONS (14); HARASSMENT (15); SEXUAL HARASSMENT (16); REPRISAL (17); PAY, INCLUDING OVERTIME (18); CONVERSION TO FULL TIME/CAREER CONDITIONAL (19); REINSTATEMENT (20); AWARDS (21); AND/OR OTHER (22) (specify)											
ENTER CODE(S) FOR MATTER(S) GIVING RISE TO THE COMPLAINT											
DATE OF ALLEGED INCIDENT				DATE COUNSELOR CONTACTED				DATE OF 21-DAY LETTER			
DATE OF FINAL INTERVIEW				WAS COMPLAINT RESOLVED							
				YES / / NO / /							
CORRECTIVE ACTION TAKEN (Check appropriate box)											
A-1 PERFORMANCE RE-EVALUATED			B-2 ADVERSE MATERIAL REMOVED FROM OFF			C-1 CEASE PRACTICE COMPLAINED OF					
D-2 AGENCY IMPROVEMENTS PERSONNEL PRACTICES			D-3 AGENCY IMPROVEMENT WORKING COND/PERS PRAC			E-1 RETROACTIVE HIRE WITH BACKPAY					
E-2 RETROACTIVE HIRE WITHOUT BACKPAY			E-3 NON-RETROACTIVE HIRE			E-4 NON-RETROACTIVE PROMOTION					
E-5 MODIFY DISCIPLINARY ACTION			F-1 REASSIGNMENT - SAME DUTY STATION			F-2 REASSIGNMENT DIFFERENT DUTY STATION					
G-1 RETROACTIVE PROMOTION WITH BACKPAY			G-2 RETROACTIVE PROMOTION WITHOUT BACKPAY			H-1 ADVERSE ACTION RESCINDED WITH BACKPAY					
H-2 ADVERSE ACTION RESCINDED WITHOUT BACKPAY			J-1 PRIORITY CONSIDERATION			K-1 REINSTATEMENT WITH BACKPAY					
K-2 REINSTATEMENT WITHOUT BACKPAY			AMOUNT OF BACKPAY AWARDED			OTHER (Explain)					
REMARKS (Continue on white bond paper if necessary)											
SIGNATURE OF EEO OFFICER											

INDIVIDUAL COMPLAINT DATA SHEET				EEOCCRA DOCKET NO.			
For use of this form, see AR 690-600; the proponent agency is the Office of the Secretary of the Army							
NAME (Last, First, Middle Initial)		SSN	RANK/GRADE	ORGANIZATION			
INSTRUCTIONS Items 1 through 15c will be filled out by both the EEO Counselor and the EEO Officer. Items 16a through 39d will be filled out by the EEO Officer only. When an item is not applicable to the particular EEO complaint being reviewed, the proper square will be marked with a diagonal line. All references are to paragraphs of AR 690-600, Equal Employment Opportunity Discrimination Complaints.				EEO COUNSELOR		EEO OFFICER	
				YES	NO	YES	NO
SECTION A. PRECOMPLAINT PROCESSING (PARA 2-2)							
1. DID THE AGGRIEVED PERSON CONTACT THE EEO COUNSELOR WITHIN 30 DAYS OF THE ALLEGED DISCRIMINATION, EFFECTIVE DATE OF THE PERSONNEL ACTION, OR THE DATE THAT THE AGGRIEVED PERSON BECAME AWARE OR REASONABLY SHOULD HAVE BECOME AWARE OF THE DISCRIMINATORY EVENT OR PERSONNEL ACTION							
2. WAS THE AGGRIEVED PERSON ADVISED OF THE RIGHT TO HAVE A REPRESENTATIVE ACCOMPANY HIM/HER AT ALL STAGES OF THE COMPLAINT PROCESS							
3. WAS THE AGGRIEVED PERSON INFORMED OF ALTERNATE PROCEDURES FOR FILING ALLEGATIONS OF DISCRIMINATION							
4. HAS THE AGGRIEVED PERSON FILED AN APPEAL WITH THE MSPB ON THE SAME ISSUE							
5. HAS THE AGGRIEVED PERSON FILED A WRITTEN GRIEVANCE UNDER A NEGOTIATED GRIEVANCE PROCEDURE ON THE SAME ISSUE							
6. WAS THE AGGRIEVED PERSON'S NAME REVEALED TO ANYONE WITHOUT WRITTEN PERMISSION IN THE PRECOMPLAINT PROCESSING? IF YES, EXPLAIN IN REMARKS							
7a. DID THE EEO COUNSELOR DEFINE AND RECORD THE SPECIFIC DATE AND FACTS THAT FORM THE BASIS OF THE COMPLAINT							
b. WAS THIS DOCUMENT REVIEWED BY THE AGGRIEVED PERSON							
8. DID THE AGGRIEVED PERSON NAME AN ADO							
9. DID THE EEO COUNSELOR INQUIRE INTO THE SPECIFIC INCIDENTS AND ACTIONS IDENTIFIED BY THE AGGRIEVED PERSON							
10. DID THE EEO COUNSELOR INTERVIEW THE ADO, IF NAMED							
11. DID THE EEO COUNSELOR ADVISE THE ADO OF HIS/HER RIGHTS AND THE NATURE OF THE ACCUSATION							
12. IS THE EEO COUNSELOR'S REPORT TABBED IN THE COMPLAINT FILE							
13. WAS AN ATTEMPT MADE AT INFORMAL RESOLUTION							
14a. WAS THE FINAL INTERVIEW CONDUCTED WITHIN 21 DAYS AFTER THE MATTER WAS FIRST CALLED TO THE EEO COUNSELOR'S ATTENTION							
b. IF NOT, WAS THE AGGRIEVED PERSON INFORMED IN WRITING ON THE 21ST DAY OF THE RIGHT TO FILE A FORMAL COMPLAINT							
c. IS THE NOTICE TABBED IN THE COMPLAINT FILE							
15. AT THE FINAL INTERVIEW WAS THE AGGRIEVED PERSON INFORMED IN WRITING OF THE FOLLOWING							
a. THE RIGHT TO FILE A FORMAL COMPLAINT							
b. THE REQUIREMENT THAT A FORMAL COMPLAINT SPECIFICALLY DESCRIBE THE ACTS OF ALLEGED DISCRIMINATION							
c. THE REQUIREMENT THAT ONLY ISSUES DISCUSSED WITH THE EEO COUNSELOR BE CONSIDERED IN A FORMAL COMPLAINT							
SECTION B. FORMAL COMPLAINT PROCESSING (PARA 2-3 TO 2-13)							
<i>(Items 16a through 39d will be filled out by the EEO Officer only.)</i>							
16a. DID THE COMPLAINANT FILE AND SIGN A FORMAL WRITTEN COMPLAINT ON DA FORM 2590-R							
b. DID THE EEO OFFICER CODE DA FORM 2590-R							
17a. WAS THE COMPLAINT FILED WITH THE LOCAL EEO OFFICER							
b. IF NOT, WAS IT FORWARDED IMMEDIATELY TO THE RESPONSIBLE EEO OFFICER							
18. DID THE EEO OFFICER ACKNOWLEDGE RECEIPT OF THE COMPLAINT IN WRITING							
19. WAS THE EEO OFFICER IDENTIFIED AS AN ADO IN THE COMPLAINT							
20. WAS THE ACTIVITY COMMANDER IDENTIFIED AS AN ADO IN THE COMPLAINT							
21. WAS THE COMPLAINT ACCEPTED BY THE EEO OFFICER IN WHOLE OR IN PART							

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22a. DID THE EEO OFFICER SEND WRITTEN NOTICE TO THE COMPLAINANT OF HIS/HER DECISION TO ACCEPT, REJECT, OR CANCEL THE COMPLAINT			
b. IS THE DECISION LETTER TABBED IN THE COMPLAINT FILE			
c. DOES THE DECISION SPECIFY WHICH ISSUES WERE ACCEPTED			
d. DOES THE DECISION LETTER ADVISE THE COMPLAINANT OF THE RIGHT TO APPEAL THE REJECTIONS OR CANCELLATIONS			
23a. WAS THE COMPLAINT FILE SENT TO AN APPROPRIATE USACARA REGIONAL OFFICE REQUESTING ASSIGNMENT OF AN INVESTIGATOR			
b. IS THE REQUEST LETTER TABBED IN THE COMPLAINANT FILE			
24. WAS AN INVESTIGATOR FROM USACARA ASSIGNED TO THE COMPLAINT			
25. WAS AN INVESTIGATION CONDUCTED			
26. WERE ALL ALLEGATIONS ADEQUATELY INVESTIGATED BY USACARA			
27. WAS THE ADO GIVEN FULL OPPORTUNITY TO REVIEW DOCUMENTS AND RESPOND TO ALL ALLEGATIONS MADE AGAINST HIM/HER			
28. WAS THE INVESTIGATOR UNDER THE RATING CONTROL OF ANY PARTIES TO THE COMPLAINT			
29. WAS THE ROI SENT TO THE EEO OFFICER AND THE ACTIVITY COMMANDER OR A DESIGNEE WITHIN 45 DAYS AFTER ASSIGNMENT			
30. DOES THE INVESTIGATION INCLUDE THE INVESTIGATOR'S FINDINGS AND RECOMMENDATION			
31. WAS THE ROI SENT BY THE EEO OFFICER TO THE COMPLAINANT AND REPRESENTATIVE WITH AN OFFER TO MEET AND DISCUSS AN INFORMAL ADJUSTMENT TO THE COMPLAINT			
32a. DID THE CONCERNED PARTIES AGREE ON THE ADJUSTMENT			
b. IF SO, WERE THE TERMS OF THE ADJUSTMENT FIRST COORDINATED WITH THE LABOR COUNSELOR AND CPO			
c. IF SO, WAS THE ADJUSTMENT SIGNED BY THE COMPLAINANT AND THE ACTIVITY COMMANDER			
d. DID THE ADJUSTMENT INCLUDE AN AWARD OF ATTORNEY'S FEES AND/OR COSTS			
e. IS THE ADJUSTMENT TABBED IN THE COMPLAINT FILE			
33. WAS NOTICE OF PROPOSED DISPOSITION GIVEN TO THE COMPLAINANT AND THE ADO			
34. WAS THE COMPLAINANT INFORMED OF THE RIGHT TO REQUEST A HEARING OR AN ARMY DECISION WITHOUT A HEARING			
35. WAS THE COMPLAINANT INFORMED HE/SHE HAD 15 CALENDAR DAYS IN WHICH TO REQUEST A HEARING OR AN ARMY DECISION WITHOUT A HEARING			
36. IS THE NOTICE OF PROPOSED DISPOSITION TABBED IN THE COMPLAINT FILE			
37a. DID THE COMPLAINANT RESPOND TO THE NOTICE OF PROPOSED DISPOSITION WITHIN 15 CALENDAR DAYS			
b. IF NOT, DID THE ACTIVITY COMMANDER ADOPT THE PROPOSED DISPOSITION AS THE FINAL ARMY DECISION AND NOTIFY THE COMPLAINANT ACCORDINGLY			
38a. IF THE COMPLAINANT REQUESTED AN ARMY DECISION WITHOUT A HEARING, DID THE EEO OFFICER SEND THE ORIGINAL AND ONE COPY OF THE COMPLAINT FILE TO EEOCCRA			
b. IS THE REQUEST TABBED IN THE COMPLAINT FILE			
39. IF THE COMPLAINANT REQUESTED A HEARING			
a. DID THE EEO OFFICER REQUEST ASSIGNMENT OF AN EEOC COMPLAINTS EXAMINER			
b. IS A COPY OF THE REQUEST TO EEOC TABBED IN THE COMPLAINT FILE			
c. DID THE EEO OFFICER ASK THE EEOC COMPLAINTS EXAMINER TO SEND THE COMPLETE FILE AND FOUR COPIES OF THE FINAL REPORT AND HEARING TRANSCRIPT TO EEOCCRA			
d. WAS THE HEARING RECORDED			
REMARKS (Continue on white bond paper if necessary)			
DATE		SIGNATURE OF EEO COUNSELOR	
DATE		SIGNATURE OF EEO OFFICER	
FINAL ARMY ACTION			
DATE		ACTION	
SIGNATURE OF EEOCCRA REVIEWING OFFICIAL			

CLASS COMPLAINT DATA SHEET			EEOCCRA DOCKET NO.	
For use of this form, see AR 690-600; the proponent agency is the Office of the Secretary of the Army				
NAME (Last, First, Middle Initial)	SSN	RANK/GRADE	ORGANIZATION	
INSTRUCTIONS			EEO COUNSELOR	
Items 1 through 12d will be filled out by both the EEO Counselor and the EEO Officer. Items 13a, through 24 will be filled out by the EEO Officer only. When an Item is not applicable to the particular EEO complaint being reviewed, the proper square will be marked with a diagonal line. All references are to paragraphs of AR 690-600, Equal Employment Opportunity Discrimination Complaints.			EEO OFFICER	
			YES	NO
SECTION A. PRECOMPLAINT PROCESSING (PARA 3 2)				
1. DID THE CLASS AGENT CONTACT A DESIGNATED EEO COUNSELOR WITHIN 90 DAYS OF THE ALLEGED DISCRIMINATION, THE EFFECTIVE DATE OF THE PERSONNEL ACTION, OR THE DATE THAT THE AGGRIEVED PERSON BECAME AWARE OR REASONABLY SHOULD HAVE BECOME AWARE OF THE DISCRIMINATORY EVENT OR PERSONNEL ACTION				
2. WAS THE CLASS AGENT ADVISED IN WRITING OF				
a. DISCRIMINATION COMPLAINT PROCEDURES				
b. THE CRITERIA FOR THE ACCEPTANCE OF CLASS COMPLAINTS				
c. THE RIGHT TO BE REPRESENTED THROUGHOUT THE PRECOMPLAINT AND COMPLAINT PROCESS				
d. THE RIGHT TO NOT HAVE HIS/HER NAME REVEALED ONLY DURING THE PRECOMPLAINT PROCESS				
3. WAS THE DIRECTOR OF EEOCCRA AND OTJAG NOTIFIED WITHIN 5 CALENDAR DAYS AFTER START OF THE PRECOMPLAINT PROCESS BY THE EEO OFFICER				
4a. DID THE EEO COUNSELOR DEFINE AND RECORD THE SPECIFIC DATES AND FACTS THAT FORM THE BASIS OF THE COMPLAINT				
b. WAS THIS DOCUMENT REVIEWED BY THE CLASS AGENT				
5. WAS AN ADO IDENTIFIED				
6. DID THE COUNSELOR INQUIRE INTO THE SPECIFIC INCIDENTS AND ACTIONS IDENTIFIED BY THE CLASS AGENT				
7. DID THE COUNSELOR INTERVIEW THE ADO, IF NAMED				
8. DID THE COUNSELOR ADVISE THE ADO OF HIS/HER RIGHTS AND THE NATURE OF THE ACCUSATION				
9. IS THE COUNSELOR'S REPORT TABBED IN THE COMPLAINT FILE				
10. WAS AN ATTEMPT AT INFORMAL RESOLUTION MADE				
11a. WAS A FINAL INTERVIEW CONDUCTED WITHIN 30 CALENDAR DAYS AFTER THE MATTER WAS FIRST CALLED TO THE COUNSELOR'S ATTENTION				
b. IS THE NOTICE OF FINAL INTERVIEW TABBED IN THE COMPLAINT FILE				
12. AT THE FINAL INTERVIEW, WAS THE CLASS AGENT INFORMED IN WRITING OF				
a. THE RIGHT TO FILE A FORMAL COMPLAINT WITHIN THE NEXT 15 CALENDAR DAYS				
b. THE REQUIREMENT THAT THE CLASS AGENT IMMEDIATELY INFORM THE EEO OFFICER IF HE/SHE RETAINS A LEGAL REPRESENTATIVE				
c. THE REQUIREMENT THAT A FORMAL COMPLAINT SPECIFICALLY DESCRIBES THE ACTS OF THE ALLEGED DISCRIMINATION				
d. THE REQUIREMENT THAT ONLY ISSUES DISCUSSED WITH THE EEO COUNSELOR BE CONSIDERED				
SECTION B. FORMAL COMPLAINT PROCESSING (PARA 3 3 TO 3 11)				
<i>(Items 13a through 24 will be filled out by the EEO Officer only)</i>				
13a. DID THE CLASS AGENT FILE A FORMAL CLASS COMPLAINT ON DA FORM 2590-R				
b. IS THE CLASS COMPLAINT SIGNED BY THE AGENT AND HIS/HER REPRESENTATIVE, IF ANY				
c. IS THE CLASS COMPLAINT TABBED IN THE COMPLAINT FILE				
14. WAS THE COMPLAINT FILED WITHIN 15 CALENDAR DAYS AFTER THE CLASS AGENT RECEIVED NOTICE OF THE FINAL INTERVIEW				
15. DOES THE COMPLAINT SPECIFICALLY DESCRIBE IN DETAIL THE POLICY OR PRACTICE THAT GAVE RISE TO THE COMPLAINT AND THE RESULTING PERSONNEL ACTION OR MATTER THAT HARMED THE AGENT				
16. IF THE CLASS AGENT HAS A REPRESENTATIVE, IS THE DESIGNATION IN WRITING AND MADE PART OF THE COMPLAINT FILE				

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17. WAS THE COMPLAINT SENT TO EEOC FOR RECOMMENDATIONS ON ACCEPTANCE OR REJECTION WITHIN 10 DAYS AFTER RECEIPT			
18a. WAS THE COMPLAINT ACCEPTED OR REJECTED WITHIN 10 DAYS AFTER RECEIPT OF EEOC'S RECOMMENDED ACCEPTANCE OR REJECTION			
b. IS THE ACCEPTANCE/REJECTION TABBED IN THE COMPLAINT FILE			
19. DID THE EEO OFFICER MAKE A REASONABLE EFFORT TO NOTIFY ALL CLASS MEMBERS OF THE EXISTENCE OF A CLASS COMPLAINT WITHIN 15 DAYS AFTER ITS ACCEPTANCE			
20. DID THE NOTICE TO CLASS MEMBERS INFORM THEM OF THEIR RIGHT TO REMOVE THEMSELVES FROM THE CLASS WITHIN 30 DAYS AFTER RECEIPT OF NOTICE			
21a. WAS A LABOR COUNSELOR DESIGNATED BY THE ACTIVITY COMMANDER			
b. IS THE APPOINTMENT TABBED IN THE COMPLAINT FILE			
22. WAS THERE ANY ATTEMPT AT INFORMAL ADJUSTMENT OR SETTLEMENT			
23a. WAS THERE AN INFORMAL ADJUSTMENT REACHED BETWEEN THE PARTIES			
b. IF SO, WERE THE TERMS OF THE RESOLUTION PUT IN WRITING AND SIGNED BY THE PARTIES			
c. DOES THE RESOLUTION INCLUDE ANY CORRECTIVE ACTION AGREED UPON			
d. HAS A COPY OF THE RESOLUTION BEEN GIVEN TO THE AGENT OF THE PARTIES			
e. WAS NOTICE OF THE RESOLUTION GIVEN TO ALL CLASS MEMBERS IN THE SAME WAY AS THE NOTIFICATION OF ACCEPTANCE OF THE CLASS COMPLAINT			
f. DOES THE NOTICE OF THE CLASS CONTAIN THE TERMS OF THE CORRECTIVE ACTION, IF ANY			
g. WERE THE TERMS OF THE ADJUSTMENT FIRST COORDINATED WITH THE EEO OFFICER, LABOR COUNSELOR, AND THE CPO			
h. DID THE ADJUSTMENT INCLUDE AN AWARD OF ATTORNEY'S FEES AND/OR COSTS			
i. IS THE ADJUSTMENT AND CLASS NOTICE TABBED IN THE COMPLAINT FILE			
24. WAS A HEARING CONDUCTED BY THE EEOC HEARING EXAMINER			
REMARKS (Continue on white bond paper if necessary)			
DATE	SIGNATURE OF EEO COUNSELOR		
DATE	SIGNATURE OF EEO OFFICER		
FINAL ARMY ACTION			
DATE	ACTION		
SIGNATURE OF EEOCRA REVIEWING OFFICIAL			

CHRONOLOGY OF INDIVIDUAL EEO COMPLAINT			EEOCRA DOCKET NO.
For use of this form, see AR 690-600; the proponent agency is the Office of the Secretary of the Army.			
NAME (Last, First, Middle Initial)	SSN	RANK/GRADE	ORGANIZATION
<i>INSTRUCTIONS</i>			
<i>The days listed in parentheses are administrative suspense goals established by EEOC or the Army. Failure to meet any of the listed suspenses should be explained in the remarks section of this form or on a continuation sheet, if necessary. All days referred to in this form are calendar days. In computing days between dates, disregard the first day and count the last day. The actual number of days in each month will be counted.</i>			
ACTIONS		DATE: 19----	CUMULATIVE ELAPSED DAYS
1. DATE OF ALLEGED DISCRIMINATORY ACTION			
2. DATE COUNSELOR CONTACTED (30 DAYS)			
3. DATE OF 21-DAY LETTER (21 DAYS)			
4. DATE OF COUNSELOR'S FINAL INTERVIEW			
5. DATE OF FORMAL COMPLAINT (15 DAYS)			
6. DATE FORMAL COMPLAINT RECEIVED			
7. DATE COMPLAINT ACCEPTED/REJECTED (5 DAYS)			
8. DATE INVESTIGATOR REQUESTED (3 DAYS)			
9. DATE INVESTIGATOR ASSIGNED			
10. DATE(S) OF INVESTIGATION			
11. DATE ACTIVITY RECEIVED REPORT OF INVESTIGATION (ROI)			
12. DATE COMPLAINANT RECEIVED ROI (5 DAYS)			
13. DATE ATTEMPT AT INFORMAL ADJUSTMENT (15 DAYS)			
14. DATE OF PROPOSED DISPOSITION (20 DAYS AFTER RECEIPT OF ROI)			
15. DATE COMPLAINANT REQUESTED HEARING OR DECISION WITHOUT HEARING (15 DAYS)			
16. DATE COMPLAINTS EXAMINER REQUESTED			
17. DATE(S) OF HEARING			
18. DATE REPORT RECEIVED BY ARMY			
19. DATE OF FINAL ARMY DECISION			
20. TOTAL PROCESSING DAYS FROM DATE COMPLAINT WAS FILED			
21. DATE APPEALED TO EEOC OFFICE OF REVIEW AND APPEALS			
22. DATE EEOC REQUESTED RECORDS			
23. DATE DA FORWARDED RECORDS TO EEOC			
24. DATE DECISION BY EEOC OFFICE OF REVIEW AND APPEALS			
25. LITIGATION: DATE SUIT FILED			
26. DATE COURT DECISION			
REMARKS (Continue on white bond paper if necessary)			
DATE	SIGNATURE OF EEO OFFICER		
DATE	SIGNATURE OF EEOCRA OFFICIAL COMPLETING CHRONOLOGY SHEET		

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CHRONOLOGY OF CLASS EEO COMPLAINT			EEOCCRA DOCKET NO
For use of the form, see AR 690-600; the proponent agency is the Office of the Secretary of the Army.			
NAME (Last, First, Middle Initial)	SSN	RANK/GRADE	ORGANIZATION
INSTRUCTIONS <i>The days listed in parentheses are administrative suspense goals established by EEOC or the Army. Failure to meet any of the listed suspenses should be explained in the remarks section of this form or on a continuation sheet, if necessary. All days referred to in this form are calendar days. In computing days between dates, disregard the first day and count the last day. The actual number of days in each month will be counted.</i>			
ACTIONS		DATE: 19----	CUMULATIVE ELAPSED DAYS
1. DATE OF ALLEGED OFFENSE/PERSONNEL ACTION			
2. DATE COUNSELOR CONTACTED (90 DAYS)			
3. DATE OF FINAL INTERVIEW (30 DAYS)			
4. DATE OF FORMAL COMPLAINT (15 DAYS)			
5. DATE COMPLAINT FORWARDED TO EEOC (10 DAYS)			
6. DATE EEOC COMPLAINTS EXAMINER NOTIFIES ARMY OF RECOMMENDED ACCEPTANCE OR REJECTION OF CLASS COMPLAINT			
7. DATE OF ARMY ACCEPTANCE OR REJECTION OF CLASS COMPLAINT (10 DAYS)			
8. DATE ARMY NOTIFIES CLASS MEMBERS (15 DAYS)			
9. DATE OF EEOC HEARING			
10. DATE EEOC COMPLAINTS EXAMINER NOTIFIES ARMY OF DEFININGS AND RECOMMENDATION ON CLASS ISSUES			
11. DATE FINAL ARMY DECISION (30 DAYS)			
12. TOTAL PROCESSING DAYS FROM DATE CLASS COMPLAINT WAS FILED			
13. DATE OF APPEAL TO EEOC OFFICE OF REVIEW AND APPEALS			
14. DATE EEOC REQUEST RECORDS			
15. DATE ARMY FORWARDED RECORDS TO EEOC			
16. DATE DECISION BY EEOC OFFICE OF REVIEW AND APPEALS			
17. LITIGATION: DATE SUIT FILED			
18. DATE COURT DECISION			
REMARKS (Continue on white bond paper if necessary)			
DATE	SIGNATURE OF EEO OFFICER		
DATE	SIGNATURE OF EEOCCRA OFFICIAL COMPLETING CHRONOLOGY SHEET		

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DISPOSITION OF COMPLAINT OF DISCRIMINATION							REQUIREMENT CONTROL	
For use of this form, see AR 690-600; the proponent agency is the Office of the Secretary of the Army							SYMBOL 0285-EEO-SA	
NAME OF COMPLAINANT (Last, First, Middle Initial)				ACTIVITY			EEOCRA DOCKET NO.	
COMPLAINANT'S SSN							DATE COMPLAINT FILED	
COMPLAINANT'S JOB TITLE AND GRADE								
BASIS OF DISCRIMINATION COMPLAINT (Check appropriate box)								
RACE	COLOR	RELIGION	SEX (Male) (Female)	HANDICAP (Mental) (Physical)	AGE (STATE)	NATIONAL ORIGIN (STATE)	REPRISAL	
ALLEGATION(S) OF DISCRIMINATION (SUMMARIZE) (Continue on white bond paper if necessary)								
IF AN INVESTIGATION WAS CONDUCTED, DID THE INVESTIGATOR FIND DISCRIMINATION / / YES / / NO / / NO DISCRIMINATION BUT RECOMMENDED CORRECTIVE ACTION								
CONCERNING THE USACARA RECOMMENDATION, DID THE COMMANDER, IN THE PROPOSED DISPOSITION (CHECK ONE) / / REJECT IT / / ACCEPT IT / / MODIFY IT								
DID THE COMPLAINANT (CHECK ONE) / / FAIL TO RESPOND TO THE NOTICE OF PROPOSED DISPOSITION / / REQUEST DECISION BY THE DIRECTOR OF EEO WITHOUT HEARING / / REQUEST A HEARING AND SUBSEQUENT REVIEW AND DECISION BY THE DIRECTOR OF EEO								
IF NO HEARING WAS HELD, OR THE HEARING WAS NOT COMPLETED, DID THE AGENCY MAKE A DECISION ON THE MERITS (CHECK ONE) / / YES / / NO / / PROPOSED DISPOSITION ADOPTED AS THE AGENCY FINAL DECISION								
WHERE DISCRIMINATION IS FOUND, REPORT REASONS FOR TAKING OR NOT TAKING DISCIPLINARY ACTION								
DESCRIPTION OF ANY DISCIPLINARY ACTION TAKEN AS A RESULT OF THE COMPLAINT (CHECK APPROPRIATE BOXES) / / SEPARATION / / INVOLUNTARY DOWNGRADE / / REASSIGNMENT TO NON-SUPERVISORY POSITION / / SUSPENSION / / LATERAL REASSIGNMENT / / WRITTEN REPRIMAND / / TRAINING / / ORAL REPRIMAND / / COUNSELING / / NONE / / OTHER (SPECIFY)								
DESCRIPTION OF ANY REMEDIAL OR CORRECTIVE ACTION TAKEN INCLUDING THOSE COMPLAINTS WITHDRAWN BY THE COMPLAINANT AND THOSE CANCELLED FOR FAILURE TO PROSECUTE								
NATURE OF CLOSING ACTION (Check one)								
REJECTION (UNTIMELY)	REJECTION (OUT- SIDE PURVIEW)	REJECTION (IDENTICAL TO PREVIOUS COMPLAINT)	SETTLEMENT					
WITHDRAWAL	DECISION ON MERITS	CANCELLATION (FAILURE TO PROSECUTE)	CANCELLATION - MSPB/ LITIGATION DECISION					
TOTAL PROCESSING DAYS (FROM DATE OF FORMAL COMPLAINT TO CLOSURE)								
NAME, TITLE AND TELEPHONE NUMBER OF AGENCY OFFICIAL PREPARING REPORT								
INDICATE AMOUNT OF MONETARY RELIEF PROVIDED								
BACKPAY (RETROACTIVE HIRE) \$	BACKPAY (RETROACTIVE PROMOTION) \$	BACKPAY (RESCIND DISCIPLINARY ACTION) \$						
BACKPAY (REINSTATEMENT) \$	BACKPAY (OTHER) \$	TOTAL ATTORNEY FEES AND COSTS AWARDED \$						
REMARKS (Continue on white bond paper if necessary)								
SIGNATURE OF EEO OFFICER								