



CDC Informal EEO Complaint Process for Locally Employed (LE) Staff

Frequently Asked Questions

CDC offers non-U.S. citizen, locally employed (LE) Staff an informal process to have their EEO complaints properly heard and addressed. This new process was developed in collaboration and coordination with the Department of State and USAID and across CDC CIOs, Human Resources Office, Office of Equal Employment Opportunity, Office of General Council, and Office of the Director. This process is different from the standard EEO process available to U.S. citizens because formal EEO processes do not apply to non-U.S. citizens, including most LE Staff. LE Staff are not entitled to take advantage of U.S. EEO laws. CDC has created an informal EEO complaint process for CDC LE Staff who wish to register a complaint against a CDC employee, including a CDC U.S. citizen Direct Hire employee or CDC LE Staff appointed under 5 C.F.R. § 8.3.

- **How do I contact the Office of Equal Employment Opportunity?**

For more information on EEO complaints, contact the CDC EEO Complaints and Adjudication Team at (770) 488-1225 or EEOComplaints@cdc.gov.

- **Why is it called “informal”?**

A formal EEO complaint process includes an investigation and an official determination as to whether discrimination occurred. An informal complaint process focuses on resolution. Non-US citizens are not covered by the formal EEO complaint process administered through the Equal Employment Opportunity Commission.

- **Who can serve as a representative?**

The LE staff person may choose a representative, either a U.S. direct hire or a LE Staff, from within the Mission to help them with any part of the proceedings. Unless inconsistent with local law, no representation from outside the Mission may be used.

- **What is an FSN Direct Hire?**

A Foreign Service National Direct Hire, or FSN Direct Hire, is an individual appointed under 5 C.F.R. § 8.3 (appointed LE Staff) that allows for the performance of inherently governmental duties such as supervising US Direct Hires, representing the agency, and fiduciary responsibilities. The new CDC informal EEO complaint process can be used to register complaints against FSN Direct Hires with supervisory authority or US-citizen CDC employees assigned in country or on TDY.

- **Who is the Responsible Management Official (RMO)?**

The person who is accused of a discriminatory act.

- **What is ADR?**

Alternative Dispute Resolution (ADR) is a collection of processes, such as Mediation or Facilitated Discussion, elected by employees to informally and confidentially resolve workplace conflicts or disputes. These processes are called “alternative” because they are an alternative to grievances and



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EEO complaints. ADR does not displace those traditional processes. ADR deals with each situation individually and confidentially. The ADR Program offers an unbiased, neutral resource for LE Staff toward preventing and managing workplace conflicts.

ADR is a resource available to employees if you:

- Are not sure who to talk to about a workplace concern
- Want an informal, non-escalating approach to a dispute
- Want to discuss options for resolving issues

- **What is retaliation/reprisal?**

Retaliation, or reprisal, is the negative treatment of (or making decisions) against an employee who spoke to an EEO Counselor/Liaison or became involved in the EEO process or harassment investigation. Retaliation is a protected EEO base and is strictly prohibited.

- **If the terms of the MOU are not met or are broken, what happens?**

The LE person should notify OEE0 within 30 days. OEE0 will review the claim of incompleteness and issue a status letter on the terms. The status letter will include tentative dates for completion and available course of action.

- **So, there is already an EEO process with State Department, when would I use the new CDC Informal EEO Process?**

This process is for CDC LE Staff who wish to register a complaint against a CDC employee who is an FSN Direct Hire serving in a supervisory position or a U.S. citizen Direct Hire employee. For complaints against non-CDC employees (e.g. State Dept, USAID) or against other LE staff, the EEO Process at Post should be used.

- **What does “non-binding” mean?**

“Non-binding” means that the agreement itself cannot be enforced by law. However, senior leadership is involved in the process to ensure that the parties act in accordance with the measures outlined in the agreement.

- **Do I need supervisory approval to make an EEO complaint?**

No. You may contact OEE0 without going through the chain of command.

- **If not resolved and the complainant would like to take legal action, can documents and notes from meetings be used as evidence in legal action?**

OEE0 will not collect documents for the purpose of an investigation or legal action. The Informal Complaint file will not be shared with either party. The complainant may use any notes or documents s/he legally possesses to seek legal recourse.



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- **What about complaints from a USDH against LE Staff?**
Contact OEE0 for additional guidance.
- **What about complaints from an LE Staff against CDC contractors?**
Contact OEE0 for additional guidance and referral.
- **What about situations of an LE Staff person vs LE Staff person?**
Follow the Post grievance process.
- **If resolution is not met through the Informal EEO Process, does that mean nothing else can be done?**
If resolution cannot be met through the CDC Informal EEO Process, the LE staff person may use the Post Grievance process or local labor law.
- **Can you report harassment on someone's behalf?**
If you are a witness of harassment, you can file a complaint on *your own behalf*.
- **Can a past employee who experienced a hostile work environment access this LE staff EEO process?**
No. This process is for current CDC employees.
- **How long does the CDC Informal EEO process take?**
The LE staff person must initiate contact with OEE0 within 45 days of the alleged discriminatory event. EEO complaints are typically resolved within 30 days.
- **What if the supervisor is not a direct hire FSN? can we still use this process?**
No, if the supervisor is not a CDC FSN Direct Hire or a US Citizen, then the Post EEO process should be used.
- **Can a complainant withdraw a case that is already in the process of resolution?**
Yes, at any time.
- **What if I have additional questions about the process?**
You may contact OEE0 for further guidance without initiating the complaint process or contacting the responsible management official.

For more information, visit [Locally Employed Staff Informal Complaint Process](#) | [Complaint Process](#) | [EEO Complaints](#) | [OEE0 \(cdc.gov\)](#)