

Supervisor and Manager Guidance for Equal Employment Opportunity (EEO) Complaints



What to Expect When an EEO Complaint is Filed

The EEO Complaints process includes pre-complaint and formal complaint activities. Key points to reference in this process are:

- 1** A Responsible Management Official (RMO) is a manager who has been identified as allegedly violating employment anti-discrimination law in an EEO Complaint.
- 2** All EEO Complaints are filed against the agency. As the RMO, you are a witness. Your cooperation in the EEO process is required by law. This requirements includes providing statements and/or evidence.
- 3** The CIO Management Official (MO) and RMO are notified when a pre-complaint case is initiated, when a formal complaint is filed, and when they otherwise need to participate (i.e., Alternative Dispute Resolution (ADR), interview, sign affidavit, sign/implement settlement agreement, or scheduled hearing). CIOs receive a quarterly report of the case status for cases originating from their CIO. The status does not change often enough to warrant more frequent notifications.

"An EEO case was filed against me!"
EEO cases are filed against the agency.

"Do I have to respond to the complaint?"
Yes, as a federal employee, you are required to cooperate.

Quick Reference Guide

✗ Do Not

DO NOT initiate your own EEO investigation

DO NOT discuss the complaint with parties who do not have a need-to-know

DO NOT interfere with or attempt to guide the EEO investigation

DO NOT take a hands-off approach after submitting the request to the RA office

✓ Do

Cooperate with the EEO Specialist and/or Investigator who contacts you to schedule an interview. Participate in the interview in good faith and provide truthful answers

Maintain confidentiality of the process by limiting communication about the complaint to those who have a need to know, such as the Management Official.

Continue to perform your duties, manage staff, and focus on the mission of the agency without influence of the pending EEO complaint. Personnel decisions should be made without regard to pending EEO complaints. Retaliating against an employee for engaging in the EEO process is prohibited by law.

Direct your questions or concerns about the EEO process to OEEOWE. The assigned EEO Specialist is identified in the RMO Notification letter. They are available to answer your questions. Visit the [EEO Complaints](#) page for access to Agency EEO policies, procedures, reports, brochures, and staff contact information.

Questions and Answers for Supervisors and Managers

Who May File an EEO Complaint?

A complaint of discrimination may be filed by employees, former employees and applicants for employment. The aggrieved individual has the right to be represented at all stages of the process. Any person may serve as a representative if they do not pose a conflict of interest. The employee must notify OEEO of their representative once identified.

Are Employees afforded official time to work on their complaint?

Yes, employees engaging the EEO process are afforded a reasonable amount of official time (i.e., time during work hours) to prepare their complaint. There is no precise amount of time which is designated as "reasonable;" it is whatever is appropriate under the circumstances of the complaint to allow a complete presentation of the relevant information associated with the complaint. Any questions pertaining to the allowance of time should be directed to OEEO.

Am I required to participate in ADR/mediation session?

The agency will participate in ADR if elected by the complainant. The MO will determine who will participate in ADR on behalf of the agency. As a manager, if the agency determines you should participate, you are required to attend .

I was contacted during an investigation. Why am I required to sign an affidavit?

The goal of an EEO investigation is to secure factual information concerning the claims raised in a complaint and create a complete record of the claims sufficient for a fact-finder to reach a determination as to whether unlawful discrimination occurred. In general, a substantial portion of an investigative record is provided through written sworn statements by persons having knowledge of the facts relevant to the complaint.

Will I receive a copy of the Report of Investigation (ROI)?

No, the ROI will be issued to the complainant and his/her representative. Should the complainant request a hearing, the ROI will be provided to Equal Employment Opportunity Commission (EEOC), Counsel, and the Administrative Judge.

Can OEEO dismiss claims?

Yes, it can dismiss claims, but does NOT determine the merits of claims. The OEEO office can only dismiss a claim based on procedural reasons (i.e., failure to state a claim, untimeliness, and other procedural reasons).

Who makes the decision whether discrimination occurred?

If the complainant requests a hearing, the EEOC will hear the case and render a decision. If a Final Agency Decision (FAD) is elected, the agency (department level/HHS) will review the record (ROI) and render a decision.

Additional Support Resources

OEEOWE Resources

[OEEOWE Intranet Homepage](#)

[EEO Complaints: EEOComplaints@cdc.gov](mailto:EEOComplaints@cdc.gov)

Assistance with complaints or questions on the EEO process

EEO Complaints Hotline: 770-488-1225

[Alternative Dispute Resolution: ADRCustomerService@cdc.gov](mailto:ADRCustomerService@cdc.gov)

[Disability Program: DPAccessibility@cdc.gov](mailto:DPAccessibility@cdc.gov)

[Reasonable Accommodation: RAInquiry@cdc.gov](mailto:RAInquiry@cdc.gov)

Other Resources

[Human Resources Office \(HRO\)/Employee Labor Relations](#)

[Office of General Counsel \(OGC\) – HHS](#)