

Discrimination Complaint Filing

How to File an Equal Employment Opportunity (EEO) Discrimination Complaint

Who can file an EEO Discrimination Complaint?

USDA employees and applicants for employment who believe they have been subjected to employment discrimination based on race, color, religion, sex, national origin, age (if 40 or over), disability, reprisal (for prior participation in an EEO activity or having opposed discrimination), political affiliation, sexual orientation, marital status, parental status, or genetic information, have the right to file an EEO complaint.

The EEO complaint process consists of the informal process, and the formal process. If you wish to file an EEO complaint, you must begin with the informal process.

Informal EEO Complaint Process

You must contact an EEO Counselor within 45 days of the date of the alleged discriminatory act, event, or in the case of a personnel action. Contact the EEO Counselor that services the agency or office you believe discriminated against you.

If you are a former employee, employee of, or applicant for employment with the Office of the Assistant Secretary for Civil Rights and wish to file an EEO complaint, you must contact an EEO Counselor at the National Finance Center.

[EEO Counselors List](#) (PDF 98KB)

The EEO Counselor will:

- Ask for basic information about your complaint;
- Ask for information to contact you and your representative, if you are represented;
- Advise you of your rights and responsibilities; and
- Give you an opportunity to choose to resolve your complaint through EEO counseling or Alternative Dispute Resolution (ADR).

If the complaint is not resolved to the satisfaction of all parties during the informal EEO complaint process, the counselor will issue the employee a "**NOTICE OF RIGHT TO FILE (NRF)**" a formal EEO complaint. The Notice will explain how and where to file your formal EEO complaint. A Complaint of Employment Discrimination Form will be provided with your NRF. Upon receipt of this Notice, you will have 15 calendar days to file a formal EEO complaint.

Formal EEO Complaint Process

If your complaint is not resolved during the informal complaint process, you have the right to file a Formal EEO Complaint. **You must file a Formal EEO Complaint within 15 days from the receipt of the Notice of Right to File a formal EEO complaint.** Your written complaint must be a signed and dated statement that includes all of the following information:

1. Name, address, telephone number, and social security number (social security number is not mandatory, but is recommended.) If you have a representative, you will also need to provide your representative's name, address, and telephone number;
2. The name of the USDA agency you believe discriminated against you;
3. The basis on which discrimination is alleged. You may give more than one basis if applicable.
4. Specific description of the issues of the discrimination complaint, including the dates of the alleged discriminatory event or;
5. The name and telephone number of your EEO counselor; and,
6. Corrective action requested.

Mail your formal EEO complaint to the USDA Office of Adjudication and Compliance at one of the following addresses:

- **Formal EEO complaint against any USDA Agency, mail to:**
USDA, Office of Adjudication and Compliance
Chief, Employment Complaints Division
1400 Independence Avenue, SW
Washington, DC 20250-9440
- **Formal EEO complaint against USDA's Staff Offices, Departmental Administration, or the USDA Graduate School, mail to:**
USDA, Office of Adjudication and Compliance
Chief, Civil Rights Services Division
1400 Independence Avenue, SW
Washington, DC 20250-9403
- **Formal EEO complaint against the Office of the Assistant Secretary for Civil Rights, including any of the sub-offices, mail to:**
USDA, Office of the Chief Financial Officer
National Finance Center
EEO and Workforce Services Staff
ATTN: Myloc Nguyen
Post Office Box 29729
New Orleans, LA 70189-0792

NOTE: All timeframes stated above are stated in calendar days unless otherwise indicated.

http://www.ascr.usda.gov/complaint_filing_file.html