



DISCRIMINATION AGAINST FEDERAL EMPLOYEES AND APPLICANTS

If you are a federal employee or job applicant, Sections 501 and 503 of the Rehabilitation Act protect you from discrimination on the basis of disability when it comes to any aspect of employment, including hiring, firing, pay, job assignments, promotions, layoff, training, and fringe benefits. It is illegal to harass an applicant or employee because he or she has a disability. Additionally, employers are required to provide reasonable accommodations to an employee or job applicant with a disability, unless doing so would cause significant difficulty or expense to the employer.

Finally, the Rehabilitation Act protects you from retaliation if you oppose employment discrimination, file a complaint of discrimination, or participate in the Equal Employment Opportunity (EEO) complaint process, even if the complaint is not yours.

I'M A FEDERAL EMPLOYEE OR JOB APPLICANT. WHAT SHOULD I DO IF I'VE BEEN DISCRIMINATED AGAINST AT WORK?

If you are a federal employee and you think you have been discriminated against at work, contact the EEO Counselor at the agency where you work or where you applied for a job. You must contact the EEO Counselor within 45 days from the day the discrimination occurred. In most cases, the EEO Counselor will give you the choice of participating in either EEO counseling or an alternative dispute resolution (ADR) process, such as mediation.

If you do not settle the dispute through counseling or ADR, you can file a formal EEO discrimination complaint with the agency's EEO Office. You must file your complaint within 15 days from the day you receive instruction from the EEO Counselor.

WHAT HAPPENS NEXT?

Once you have filed a formal EEO complaint, the agency will review the complaint and decide whether or not the case should be dismissed for a procedural reason (for example, your claim was filed too late). If the agency doesn't dismiss the complaint, it will conduct

an investigation. The agency has 180 days from the day you filed your complaint to finish the investigation.

When the investigation is finished, the agency will issue a Notice giving you two options: (1) requesting a hearing before an Equal Employment Opportunity Commission (EEOC) Administrative Judge or (2) asking your agency to issue a decision as to whether the discrimination occurred. Your hearing request must be in writing, and it must be filed within 30 days from the day you receive Notice from the agency.

MORE INFORMATION IS AVAILABLE AT:

http://www.eeoc.gov/federal/fed_employees/complaint_overview.cfm.

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