


MILITARY (or NON-DUAL STATUS) TECHNICIANS

EQUAL EMPLOYMENT OPPORTUNITY COMPLAINT PROCESS	
NGR (AR) 690-600/NGR (AF) 40-1614, National Guard Civilian Discrimination Complaint System	
Filed Against	National Guard
Applies To	Federal National Guard Technicians (excepted, non dual status and applicants for employment)
Directives & Regulations	29 CFR 1613/1614 Federal Sector EEO DOD DIR 1440.1 DOD Civilian EEO Program NGR (AR) 690-600/NGR (AF) 40-1614, National Guard Civilian Discrimination Complaints System (Title VII) EEO MD 110 Complaint Processing Manual TAG Policy Memo 01-03
Laws	42 USC 2000e - 16. Title VII, CRA of 1964 (amended by EEO Acts of 72, 78 and 91) 5 USC 7121d CRA OF 1978 29 USC 633a. ADEA of 63 (amended by FLSA of 4 & 78) 29 USC 791 & 794a. Rehab Act of 73 (ADA 1990) 29 USC 201 et seq. FLSA of 1938 29 USC 206 (d) Equal Pay Act of 63 29 USC 2601-2654, Family/Medical Leave Act
Alternate Dispute Resolution (ADR)	Must be offered & may be implemented at any time
Basis	Race, Color, Religion, Gender (Includes Sexual Harassment), National Origin, Age, Handicap, Retaliation (based on EEO activity).
Time Limits 45 calendar days	An aggrieved person must contact a counselor within 45 calendar days from date of alleged discrimination or personnel action when complainant should have known. 29 CFR 1614.105 (a) (1)
Informal Stage Pre-Complaint Counseling 30 calendar days	<ul style="list-style-type: none"> • Individual complainant must Contact an EEO counselor 29 CFR 1614.105 • EEO Counselor attempt resolution, gather facts regarding allegations • If not resolved in 30 days, may extend 30-60 days. •
Formal Stage Written Complaint 15 calendar days	EEO counselor will assist complainant: <ul style="list-style-type: none"> • Prepare NGB Form 713-5-R, National Guard Bureau Formal Complaint of Discrimination • Formal complaint must be filed within 15 days of final counseling with SEEM.
Inquiry Or Investigation	NGB will conduct a fact-finding or send an investigator to conduct an investigation. Complainant will receive report within 180 days of filing complaint. 29 CFR 1614.108
Agency Decision	<ul style="list-style-type: none"> • Request NGB Decision 29 CFR 1614.108(f) • Decision w/out a hearing will be issued w/in 60 days
Final Decision	<ul style="list-style-type: none"> • Hearing and Decision 29 CFR 1614.109 • EEOC administrative judge provides recommendations to NGB within 180 days
Appeal Process End Administrative	<ul style="list-style-type: none"> • Appeal to EEOC 29 CFR 1614.401/402 •
Appeal Judicial Process	<ul style="list-style-type: none"> • Federal District Court 29 CFR 1614
Note: Military & Non-Dual Status (NDS) Technicians	<ul style="list-style-type: none"> • All time is measured in calendar day 29 CFR 1614.604 • Entitled to a representative throughout the entire EEO process 29 CFR 1614.605 • Extension of timelines accepted if complainant agrees to request in writing with justifiable reasons and is approved, signed and dated • Alternative dispute resolution (ADR) may be applied at any time of the complaint process with exception to the final decision stage • Coordinate all conflict resolution requests through the State Equal Employment Office (SEEM)
Point of Contact	 State Equal Employment Manager (SEEM) NGMO-HRD-EEO 573-638-9854