



## OVERVIEW OF DC GOVERNMENT EEO COUNSELING/INFORMAL RESOLUTION PROCESS

All individuals, including current employees, former employees and applicants, who believe they have been subject to discrimination in relation to any aspect of employment with the District of Columbia government, must first participate in Equal Employment Opportunity (EEO) Counseling and attempt resolution before filing a formal complaint with the District of Columbia Office of Human Rights (OHR).

### **Counseling/Informal Resolution Process:**

1. Individuals must report discrimination claim(s) to a certified **EEO Counselor** within **180 calendar days** of discrimination or discovery thereof in order to attempt resolution of their claim(s). Individuals may report to an EEO Counselor from their agency or another agency; a list of EEO Counselors is available at OHR ([www.ohr.dc.gov](http://www.ohr.dc.gov)). Individuals have a right to representation of their choosing.
2. Once contacted, the EEO Counselor will schedule an **Initial Interview** with the complainant. The EEO Counselor will NOT investigate the claim. However, in order to attempt resolution of the case, the EEO Counselor may request documents and speak with witnesses.
3. Whether or not the case is resolved, the EEO Counselor will schedule a **Final Interview** with complainant within **thirty (30)** calendar days, unless extended for 30 days for good cause.
4. During the Final Interview, the EEO Counselor will provide complainant with an **Exit Letter** outlining the claims reported, the attempts made to resolve the matter, and the right to file a formal complaint with OHR if the complainant is not satisfied with the outcome of the counseling. A copy of the Exit Letter will be provided to the agency and the complainant.
5. If the EEO counselor does not schedule a final interview or issue an Exit Letter within thirty (30) calendar days, the complainant may request that the counselor issue an Exit Letter.
6. If filing a formal complaint with OHR, the complainant **MUST** submit OHR's **Intake Questionnaire** with a copy of the Exit Letter within fifteen (15) calendar days of receiving the Exit Letter.

**NOTE:** EEO Counseling/Informal Resolution Process is not required for claims regarding sexual harassment and DCFMLA. Individuals may bring those claims directly to OHR.

## Filing a Formal Complaint with OHR:

1. Once the Intake Questionnaire is submitted to OHR, OHR may conduct an **Intake Interview** to obtain more information about the claim(s). OHR will then decide whether to dismiss or accept the claim(s).
2. If accepted for investigation, OHR will draft a **Charge of Discrimination** signed by the complainant. OHR will then docket the Charge and schedule a mandatory mediation.
3. If mediation is not successful, OHR will proceed with full investigation and issue a **Letter of Determination** (LOD) on whether there is probable cause to believe discrimination occurred.
4. If probable cause is found, the parties will be sent to conciliation to attempt resolution.
5. If conciliation is not successful, a hearing before an independent hearing examiner will be scheduled.
6. OHR will make a final decision based on recommendations of the hearing examiner.
7. OHR decisions can be appealed to D.C. Superior Court by filing a Petition for Review within 30 days of the final decision.

## FOR MORE INFORMATION:

### DC Office of Human Rights

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## OHR CERTIFIED EEO COUNSELORS AND OFFICER LIST

**(STARTS NEXT PAGE)**

**NOTE:** Some of the listed counselors or officers have asterisk signs next to their name to indicate the following:

\*General Counsel, Attorney-Advisors in the Office of General Counsel, and HR Managers may not act as an EEO Counselor for their agency but may assist complainants who are not employed within their agency.

\*\*EEO Officers may not conduct EEO Counseling for their agency, if they appear before OHR during mediation, file Position Statements to OHR, or acts on behalf of the agency in EEO Complaints.

\*\*\*Please note that these counselors are NOT available to agencies who fall under DCHR's personnel authority or are only available for their own agency employees.

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