

Complaint Processing

Employees, former employees, and applicants for employment with MSC may contact the Equal Employment Opportunity (EEO) and Affirmative Employment Office if they believe they have been subjected to discrimination based on race, color, sex (including sexual harassment), national origin, religion, mental or physical disability, age (40 or over), marital or family status, parental status, protected genetic information, political beliefs, sexual orientation, or reprisal because of one's involvement in prior EEO activity.

EEO Pre-complaint process

Intake Process

A staff member responsible for obtaining information regarding the caller's claim of discrimination will record on the "Intake Form" personal information, i.e., name, address, telephone numbers, etc., as well as the basis and issues raised by the Aggrieved.

Case Assignment

The case is assigned to an EEO Counselor

Role of the EEO Counselor

The EEO Counselor serves as a neutral party in an effort to resolve informal complaints of discrimination initiated by FSIS employees or applicants for employment. Through a series of informal interviews with the aggrieved party, supervisors, managers and other witnesses, an EEO Counselor gathers facts relating to the claim of discrimination, but makes no decisions about the merits of the case or whether there was discrimination. The goal of counseling is resolution of the complaint at the lowest possible level. The informal complaint process may be concluded with a voluntary withdrawal of the complaint, a settlement agreement or a Notice of Right to File a Formal Complaint.

Contact with the Aggrieved

After the EEO Counselor reviews the information on the Intake Form, contact is made with the Aggrieved by telephone. This first contact may result in the "initial interview." This may include, but is not limited to, verification of the information on the Intake Form, clear definition and agreement regarding the scope of the issues, the rights and responsibilities of the Aggrieved while in the EEO complaint process (right to representation and anonymity, etc.), time frames, extension of counseling process, the right to choose between Alternative Dispute Resolution (ADR) and EEO Counseling and the overall complaint process.

Election Requirements

If appropriate, the EEO Counselor will advise the Aggrieved that he or she must elect between the EEO complaint process, the negotiated or administrative grievance procedures, the Merit Systems Protection Board appeal or other special procedures as to the forum in which he or she may have their issues processed.

Responding Management Official (RMO)

The EEO Counselor discusses the issues raised by the Aggrieved, requests the RMO's responses to the allegations and discusses potential resolution options.

Alternative Dispute Resolution (ADR)

The EEO Counselor will offer Alternative Dispute Resolution and discuss its benefits in addressing workplace

conflicts. The Counselor will also explain that the Aggrieved does not forfeit his or her rights to resume processing of the EEO complaint if the ADR efforts do not result in resolution

Settlement Agreements

If resolution is reached, the EEO Counselor prepares a written Settlement Agreement, obtains appropriate approval for implementation of the terms and conditions of the agreement (e.g. Civil Rights Division, program area, Human Resources Division) and submits the agreement to both parties for signature. Once the agreement is signed by all parties, the counselor closes the informal complaint in the database.

Notice of Right to File (NRTF) a Formal Complaint

If resolution is not achieved, the EEO Counselor must issue an NRTF at the end of the 30-day counseling period, unless the Aggrieved has consented to an extension of up to 60 calendar days for additional processing and resolution efforts. The NRTF notifies the aggrieved that they have 15 calendar days to file a formal complaint of discrimination. Upon issuance the counselor will record the date the NRTF and will close the informal complaint in the database.

Complaint Withdrawal

The Aggrieved may request to withdraw his or her informal complaint at any time during the EEO Counseling period. Withdrawal of the complaint automatically renders it closed. The EEO Counselor notifies the Aggrieved of the closure and annotates the database to reflect that the informal complaint was closed through withdrawal.

EEO Counselor's Report

If the Aggrieved files a formal complaint, the EEO Counselor must prepare a report of counseling within 5 calendar days after the Department has notified the Agency of its receipt of the formal complaint. The EEO Counselor's Report is transmitted to the Department.

EEO Formal complaint process:

Upon receipt of a formal complaint, an EEO Specialist will analyze the complaint and make a determination on whether to accept or dismiss the complaint. The EEO specialist will then notify the Complainant and the Agency whether the complaint was accepted for investigation or dismissed.

ADD LINK for EEO PROCESS FLOWCHART

For additional information or assistance please contact the EEO office at:

Military Sealift Command

Equal Employment Opportunity Office
471 East C. Street, Building SP-47
Naval Station Norfolk, VA 23511-2419

Phone: (757) 443-4336

Fax: (757) 443-3083

[Email](#)