



\*Days = Calendar Days

\*\*ADR is available in all stages of the complaint process.

\*\*\*Complaints may be dismissed on procedural grounds in accordance with EEOC regulations at 29 CFR § 1614.107

## ANTI-DISCRIMINATION LAWS AND REGULATIONS

**Title VII of the Civil Rights Act of 1964, as amended**, prohibits discrimination based on race, color, religion, national origin, and sex (including sexual harassment). It prohibits reprisal or retaliation for participating in the discrimination complaint process or for opposing any unlawful employment practice that the individual reasonably and in good faith believes violates Title VII.

**Age Discrimination in Employment Act of 1967 (ADEA), as amended**, prohibits discrimination on the basis of age (age 40 and older).

**Rehabilitation Act of 1973, as amended**, prohibits discrimination on the basis of mental and physical disability. It also requires agencies to reasonably accommodate known physical or mental limitations of qualified disabled employees or applicants.

**Equal Pay Act of 1963 (EPA)** prohibits Federal agencies from paying employees of one sex a lower wage than employees of the opposite sex for performing equal or substantially equal work under similar working conditions. Sex-based wage claims may be filed under Title VII & EPA simultaneously.

**EEOC Regulations, Title 29, Code of Federal Regulations, Part 1614 (29 CFR Part 1614)**  
 These regulations, which were amended July 12, 1999 (effective November 9, 1999), govern the processing of Federal sector discrimination complaints filed under the above laws. These regulations also require Federal agencies to establish or make available an alternative dispute resolution (ADR) program to resolve claims of employment discrimination at both the pre-complaint and formal stage of the discrimination complaint process.

The full text of these laws, regulations, and relevant Executive Orders may be accessed through EEOC's website: <http://www.eeoc.gov>.

# KNOW YOUR EEO RIGHTS

## Equal Employment Opportunity is the LAW

Office of Small Business and Civil Rights (SBCR)



The Commission believes that fostering equal employment opportunity (EEO) and enhancing diversity management are sound business practices that enable the U. S. Nuclear Regulatory Commission (NRC) to utilize the full potential of everyone in the organization and enhance the effectiveness of our programs. As the NRC recruits, develops, and takes positive steps to retain a high-quality workforce that possesses the skills required to achieve its mission, it must also maintain an innovative, effective, and discrimination-free organizational environment. One strategy to assist with maintaining this environment is utilization of the EEO process.

#### The EEO Process (Precomplaint)

EEO counseling is the first step in the complaint process. If current or former employees, and applicants believe they have been subjected to discrimination based on race, color, national origin, religion, gender (including sexual harassment), age, disability, or reprisal, they must first contact an EEO counselor or an SBCR official within 45 calendar days of the alleged discriminatory action (in the case of a personnel action, within 45 calendar days of its effective date).

The counselor will advise the aggrieved person of their rights and responsibilities, including the availability of the ADR program and related processes such as the negotiated grievance procedure and the Merit Systems Protection Board.

#### The EEO Process (Formal Complaint)

If the matter is not resolved informally, through counseling or ADR, the EEO counselor will issue a Notice of Right to File a Formal Complaint of Discrimination (NRTF). The NRTF will be issued within 30 calendar days of initial contact when ADR is not elected; within 90 calendar days when ADR is elected.

If an election to file a formal complaint is made, the complaint must be filed within 15 calendar days of the receipt of the NRTF. The complaint must be signed and must be sufficiently precise to identify the actions that form the basis of the complaint. The SBCR will provide a written acknowledgement of the receipt of the complaint, establishing the date that the complaint was filed. This date will be used for calculating the processing times relevant to the formal process. The flow chart contained in this brochure specifically details each stage of the complaint process.



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11545 Rockville Pike  
Rockville, MD 20852

E-mail: [eeoprograms@nrc.gov](mailto:eeoprograms@nrc.gov), or  
<http://www.internal.nrc.gov/SBCR/adrprocess.pdf>

May 2007  
NUREG/BR- 0333

#### SBCR EEO COUNSELORS:

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##### SBCR STAFF:

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