

PAPERWORK REDUCTION ACT BURDEN STATEMENT

Under the Paperwork Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The public reporting burden for this voluntary collection of information is estimated to average 1 hour per response. If you wish to comment on the accuracy of the estimate or make suggestions for reducing this burden, please direct your comments to the U.S. Department of Transportation, Departmental Office of Civil Rights, S-34, 1200 New Jersey Avenue, SE., Washington, DC 20590.



U.S. Department of Transportation

INDIVIDUAL COMPLAINT OF EMPLOYMENT DISCRIMINATION FORM INSTRUCTIONS

(Read the following instructions carefully before you complete this form.)

(Please complete all items on the complaint form.)

GENERAL: This form should be used only if you, as an applicant for employment with the Department of Transportation, or as a present or former Department of Transportation employee:

- 1) believe you have been discriminated against because of your **race, color, religion, sex, national origin, age** (40 years or older at the time of the event giving rise to your claim), **physical or mental disability, equal pay/compensation, genetic information, pregnancy, childbirth, or related medical conditions**, or believe that you have been **retaliated** against for participating in activities covered under the Equal Employment Opportunity (EEO) statutes; **and**
- 2) have presented the matter for informal resolution to an EEO Counselor within **forty-five (45) calendar days** of the event giving rise to your claim, or within **forty-five (45) calendar days** of first becoming aware of the alleged discrimination.

IMPORTANT NOTE: In certain situations, the information provided in Part III of the attached complaint form may be used in lieu of an affidavit in the investigation of your complaint. Accordingly, the information you provide in this part should be brief, clear, and complete.

WHEN TO FILE: In accordance with 29 C.F.R. § 1614.106, your formal complaint must be filed **within fifteen (15) calendar days** of the date you received the Notice of Right to File a Discrimination Complaint form from your EEO Counselor. You must sign and date your complaint. If you are represented **by an attorney**, the attorney may sign the complaint on your behalf.

These time limits may be extended: **1)** if you show that you were not notified of the time limits and were not otherwise aware of them, or **2)** if you were prevented by circumstances beyond your control from submitting the matter within the time limits, or **3)** for other reasons considered sufficient by the Department.

REPRESENTATION: You may have a representative of your own choosing at all stages of the processing of your complaint. However, your representative will be disqualified if such representation would conflict with the official or collateral duties of the representative. No EEO Counselor or EEO Officer may serve as a representative. *(Your representative need not be an attorney, but only an attorney representative may sign the complaint on your behalf.)*

WHERE TO FILE: The complaint should be filed with the Associate Director, Complaints and Investigations Division (S-34), Departmental Office of Civil Rights, 1200 New Jersey Avenue, S.E., W76-401, Washington, DC 20590. Filing instructions are contained in the Notice of Right to File a Discrimination Complaint form which was provided by your EEO Counselor. Keep a copy of the completed complaint form for your records.

(PLEASE ALSO READ THE PRIVACY ACT STATEMENT ON THE REVERSE SIDE)

Privacy Act Statement (5 U.S.C. § 552a, as amended):

AUTHORITY: [29 U.S.C. § 633a](#), Nondiscrimination on account of age in Federal Government employment; [29 U.S.C. § 791](#), the Rehabilitation Act of 1973; [5 U.S.C. §§ 1303-1304](#), Investigations, reports, loyalty investigations, reports, and revolving fund; [42 U.S.C. § 2000e](#), Title VI of the Civil Rights Act of 1965; [5 C.F.R. § 5.2](#), Investigation, evaluations, and corrective actions; [5 C.F.R. § 5.3](#), Enforcement; [29 C.F.R. § 1614.105](#), [Equal Employment Opportunity \(EEO\)](#) Pre-complaint processing; [29 C.F.R. § 1614.107](#), [EEO](#) Dismissals of complaints; [Executive Order 11478](#); and [Executive Order 14173](#).

PURPOSE(S): DOT will use the information collected to process requests and document, investigate, and respond to civil rights complaints, inquiries, and appeals. The purpose of this complaint form, whether recorded initially on the form or taken from a letter from the Complainant, is to record the filing of a formal written complaint of employment discrimination with the Department of Transportation on the grounds of race, color, religion, sex, national origin, age, physical or mental disability, genetic information, pregnancy, childbirth, or related medical conditions, or reprisal, and to reach a decision on the complaint. Information provided on this form will be used by the U.S. Department of Transportation to determine whether the complaint was timely filed and whether the claims in the complaint are within the purview of 29 C.F.R. Part 1614, and to provide a factual basis for investigation of the complaint.

ROUTINE USE(S): In accordance with DOT's system of records notice, [DOT/ALL 24 – Departmental Office of Civil Rights System – 89 FR 79688 – September 30, 2024](#), the information provided may be disclosed to the U. S. Department of Justice, including United States Attorney's Offices, or other Federal agency conducting litigation or in proceedings before any court, or adjudicative or administrative body, when it is necessary to the litigation and one of the following is a party to the litigation or has an interest in such litigation. Exemptions apply to this system. A comprehensive list of routine uses can be found in DOT/ALL 24 and DOT's General Statement of Routine uses, 75 FR 82138 (Dec. 29, 2010), 77 FR 42796 (July 20, 2012), 84 FR 55222 (Oct. 15, 2019). Other disclosures may be:

1. to respond to a request from a Member of Congress regarding the status of the complaint or appeal;
2. to respond to a court subpoena or to refer to a district court in connection with a civil suit;
3. to disclose information to authorized officials or personnel to adjudicate a complaint or appeal; or
4. to disclose information to another Federal agency or to a court or third party in litigation when the Government is party to a suit before the court.

DISCLOSURE: Provision of the requested information is voluntary; however, failure to furnish the requested information may result in an inability of the Department to process any internal or external civil rights complaints, appeals, or inquiries from a party. Formal complaints of employment discrimination must be in writing, signed by the Complainant (or attorney representative), and must identify the parties and action or policy at issue. Failure to comply may result in the U.S. Department of Transportation dismissing the complaint. It is not mandatory that this form be used to provide the requested information.

DETACH AND KEEP THIS PAGE WHEN YOU FILE YOUR COMPLAINT

DEPARTMENT OF TRANSPORTATION INDIVIDUAL COMPLAINT OF EMPLOYMENT DISCRIMINATION WITH THE DEPARTMENT OF TRANSPORTATION	FOR OFFICE USE ONLY
	DEPARTMENT CASE NUMBER
	FILING DATE
PART I COMPLAINANT IDENTIFICATION INFORMATION	
1. Name (Last, First, Middle Initial): 	4. If you are a <i>current</i> or <i>former</i> employee of the Federal government, list your most recent title, series, and grade. Title Series Grade
2. Telephone/Fax (Include Area Code): Home: Fax: Work: Fax: E-Mail:	5. Name and Address of Organization Where You Work (If a Department of Transportation Employee): Office and Staff Symbol: Street Address: City: State: Zip Code:
3. Present Home Address (You must notify the Departmental Office of Civil Rights of any changes to your address while the complaint is pending, or your complaint may be dismissed): Street Address City State Zip Code	6. Employment Status in Relation to this Complaint: ☐ Applicant ☐ Probationary ☐ Career/Career Conditional ☐ Former Employee Date Last Employed at Department ☐ Retired Date of Retirement ☐ Other Specify
7. I certify that <u>all</u> of the statements made in this complaint are true, complete, and correct to the best of my knowledge and belief. Signature of Complainant or ATTORNEY Representative Date	
PART II DESIGNATION OF REPRESENTATIVE	
8. You may represent yourself in this complaint or you may choose someone to represent you. Your representative does not have to be an attorney. You may change your designation of a representative at a later date, but you must notify the Departmental Office of Civil Rights immediately in writing of any change, and you must include the same information requested in this Part. "I hereby designate (Please Print Name) to serve as my representative during the course of this complaint. I understand that my representative is authorized to act on my behalf.	
9. Representative's Mailing Address: Firm/Organization Street Address City State Zip Code	11. Representative's Telephone/Fax (Include Area Code): Telephone: Fax:
10. Representative's Employer (If Federal Agency):	12. SIGNATURE of Complainant (or ATTORNEY) DATE

PART III ALLEGED DISCRIMINATORY ACTIONS

13. Name and Address of Agency/office that took the action at issue (if different than item 5.)

Office and Organizational Component

Street Address

City

State

Zip Code

14. If your complaint involves non-selection for a position, please complete the following:

Position Title

Series

Grade

Vacancy Announcement No.

Date Learned of Non-Selection

15. Mark below ONLY the basis(es) you believe were relied on to take the actions described in #17.

☐ **Race (Specify)**

☐ **Mental Disability (Specify)**

☐ **Color (State Complexion)**

☐ **Physical Disability (Specify)**

☐ **Religion (Specify)**

☐ **Equal Pay/Compensation (Specify)**

☐ **Sex (Specify)**

☐ **Genetic Information (Specify)**

☐ **Retaliation (Date(s) of prior EEO Activity)**

☐ **National Origin (Specify)**

☐ **Age (Date of Birth)**

☐ **Pregnant Workers Fairness Act (Specify)**

16. Mark below ONLY the claim(s) you believe were relied on to take the actions described in #17.

☐	1. Appointment/Hire	☐	14. Reassignment A. Denied B. Directed
☐	2. Assignment Of Duties	☐	15. Reasonable Accommodation – Disability – Pregnant Workers Pregnant Fairness Act (PWFA)
☐	3. Awards	☐	16. Reinstatement
☐	4. Conversion To Full-Time	☐	17. Religious Accommodation
☐	5. Disciplinary Action A. Demotion B. Reprimand C. Suspension D. Termination E. Other	☐	18. Retirement
☐	6. Duty Hours	☐	19. Sex Stereotyping (LGBT-related discrimination only)
☐	7. Evaluation/Appraisal	☐	20. Telework
☐	8. Examination/Test	☐	21. Termination
☐	9. Harassment A. Non-Sexual B. Sexual C. Hostile Work Environment (non-sexual) D. Hostile Work Environment (sexual)	☐	22. Terms/Conditions Of Employment
☐	10. Medical Examination	☐	23. Time And Attendance
☐	11. Pay Including Overtime	☐	24. Training

☐	12. Performance Evaluation/ Appraisal	☐	25. Other
☐	13. Promotion/Non-Selection		

17. (A) Describe the action taken against you that you believe was discriminatory; (B) Give the date the action occurred, and the name of each person responsible for the action; (C) Describe how you were treated differently than other employees or applicants because of your race, color, religion, sex, national origin, age (40 years or older at the time of the event giving rise to your claim) physical or mental disability, equal pay/compensation, genetic information, pregnancy, childbirth, or related medical conditions or in retaliation for participating in activities covered under the Equal Employment Opportunity (EEO) statutes; (D) indicate what harm, if any, came to you in your work situation as a result of this action. (You may attach extra sheets.)

18. What remedial or corrective action are you seeking?

PART IV EEO COUNSELOR CONTACT

19. When did the most <u>recent</u> discriminatory event occur?	23. Name and Telephone number of EEO Counselor
Month Day Year	Name Telephone No.
20. When did you first become aware of the alleged discrimination?	24. When did you receive your Notice of Right to File a Discrimination Complaint?
Month Day Year	Month Day Year
21. When did you contact an EEO Counselor?	25. On this same matter, have you filed a grievance or appeal under:
Month Day Year	Negotiated Grievance procedures ☐ YES ☐ NO Agency grievance procedure ☐ YES ☐ NO MSPB appeal procedure ☐ YES ☐ NO If you filed a grievance or appeal, provide date filed, case number, and present status.
22. Did you discuss <u>ALL</u> actions raised in item 17 with an EEO Counselor? ☐ YES ☐ NO (If no, explain)	