icomplaints Formal Complaint Process

Within 15 days of **Notice of Right to File**

ADR can be elected at any phase of the process
Complainant Request ADR

ADR Events

462: ADR Offered

Formal Processing Events

462: Formal Start
462: Written Notification Received

ADR Events

462: ADR Rejected

REJECT

ADR Accept Or Reject?

*180 days from **Formal Start** to **Investigation End**.
If there is an Extension:
462: 90 Days Extension

Investigation Events

462: Investigation Start
462: Investigation End

ACCEPT

ADR Events

462: ADR Accepted

Investigation requires an **Investigator Contact**.

ADR Events

At least one ADR Attempt:

462: Mediation *****
462: Ombudsman
462: Other ADR Attempt
462: Settlement Conference
Etc.

180 days from **Formal Start** or after **Investigation End**, whichever comes first, the Complainant may request a Hearing
or
Agency or Complainant may request FAD

NO

Mediation requires a **Mediator Contact**.

Complainant Requests Hearing

Request Hearing or FAD ?

Agency or Complainant Requests FAD

Hearing Events

462: Hearing Start

Formal Processing Events

462: Agency Request for FAD
or
462: Request for FAD

Was ADR successful ?

AJ Decision?   YES

Hearing Events

462: AJ Decision *****
and

462: AJ Decision Fully Implemented
or
462: AJ Decision Not Fully Implemented

NO

Hearing Events

462: AJ Order FAD

Hearing Events

462: Hearing End

* AJ Decision Event:
Discrimination Found (Yes or No) must be selected for each basis of all accepted claims.

YES

Closure Action

462: Final Agency Decision *****
or
462: Final Agency Decision – Merit
or
462: Settlement
or
462: Withdrawal

Is Closure Action a Settlement ?   YES

Corrective Actions:
Monetary and/or Non-Monetary, are required for Settlement.

* FAD: Discrimination Found (Yes or No) must be selected for each basis of all accepted claims.

NO

Complainant or Agency may appeal

Complainant's Right To File a Civil Action:

- Within 90 days of FAD, if no appeal

- After 180 days of Formal Start, if no FAD or appeal

- Within 90 days of OFO Decision

- 180 days from Appeal if no decision has made

Agency Appeal Events

462: Agency Appealed Finding not Remedy
or
462: Agency Appealed Remedy not Finding
or
462: Agency Appealed both Finding and Remedy

and
462: OFO Decision

Civil Action Events

462: Civil Action