In reply refer to: 08

August 30, 2022

VIA: **(Delivery Method)** emailaddress3

firstname lastname

address1\_line1 address1\_line2

address1\_city, govcdm\_address1statepicklist address1\_postalcode

**SUBJECT: Notice of Amendment of the EEO Complaint of** **firstname lastname, Case No. govcdm\_name, Date Filed govcdm\_dateformalcomplaintfiled.**

Dearfirstname lastname:

\*This letter is only for use when no approved written extension from complainant exists and an amended investigation cannot be completed before day 360, **OR** when amended investigation cannot be completed before the total of 360 days + amount of days (up to 90 days max) in existing approved written extension.

If amendment request is subject to dismissal, use regular amendment letter template and dismiss, regardless of age of complaint.

1. This acknowledges receipt of an amendment request, **dated**, received in our office on **date**, to your client’s EEO discrimination complaint referenced above which is currently **how many days old** days old.

2. EEOC regulation 29 C.F.R. §1614.106(d) provides that a complainant may amend a complaint at any time prior to the conclusion of the investigation to include claims that are like or related to those raised in the complaint. EEOC Management Directive 110 provides that regardless of amendment or consolidation of complaints, the investigation shall be complete in not more than 360 days, unless there is a written extension of not more than 90 days from the complainant and approved by the agency. When no written extension exists and the agency is unable to conduct an impartial and appropriate investigation before the end of the regulatory time period allowed for complaint processing, it should not consolidate or accept the amendment; rather, the amendment request is to be returned to counseling for processing as a new complaint.

3. Office of Resolution Management, Diversity & Inclusion (ORMDI) cannot complete the investigation of the requested amendment within mandatory established processing time periods. Therefore your client’s request for amendment is being referred to counseling for processing as a new complaint. The date of initial contact for the new complaint will be the date of the amendment request. The assigned counselor will contact your client directly. **(CM’S MUST MAKE SURE TO FOLLOW THROUGH WITH REFERRING BACK TO COUNSELING)**.

4. EEOC encourages the use of Alternative Dispute Resolution (ADR) to resolve EEO complaints at the lowest possible level. Agencies and complainants can realize many advantages from using ADR. ADR offers the parties the opportunity for an early, informal resolution of disputes in a mutually satisfactory fashion. If you are interested in using mediation to address the issues raised in the complaint, please contact the ORMDI Case Manager listed below or the ADR Program Manager at [workplaceadr@va.gov](mailto:workplaceadr@va.gov).

5. If you have any questions concerning the processing of your complaint, please contact firstname lastname, ORMDI Case Manager at address1\_telephone1, internalemailaddress. **You are *strongly encouraged* to use email to submit your correspondence and/or documents to ORMDI.**

Sincerely,

firstname lastname

District Manager

cc:  firstname lastname, emailaddress3

**Facility Director and email**