In reply refer to: 08

September 14, 2022

VIA: **(Delivery Method)**

**Director (00)**

Department of Veterans Affairs

govcdm\_stationname

govcdm\_facilityaddress govcdm\_facilityaddress2

govcdm\_facilitycity, govcdm\_facilitystate govcdm\_facilityzip

**SUBJECT: Notice of Receipt of Mixed Case Discrimination Complaint of firstname lastname, Case No. govcdm\_name, Filed govcdm\_dateformalcomplaintfiled.**

Dear **(Director)**:

1. This is to inform you that firstname firstname filed an EEO complaint of discrimination on **govcdm\_dateformalcomplaintfiled**

2. ORMDI is reviewing the complaint to determine if it meets the Equal Employment Opportunity Commission’s (EEOC) requirements for investigation and further processing. You will be provided a copy of the procedural determination letter.

3. We have enclosed a document outlining what you can expect next as the complaint is processed.

Sincerely,

firstname lastname

District Manager

Enclosure: What to Expect During the Complaint Process

***What To Expect During the Complaint Process***

**Why Did I Receive this Notice?**

You received the *Notice of Receipt* because an employee, applicant, or former employee under your chain has filed a formal complaint of discrimination.

**What Happens Next?**

If ORM dismisses the complaint, the complainant can appeal the decision to the EEOC. If ORMDI accepts the complaint, in whole or in part, we will assign an investigator.

**What can management expect at the investigative phase?**

The investigator will develop impartial and appropriate factual information on the claims accepted for processing. ORMDI must complete the investigation within **180 days** of the date the formal complaint was filed (for mixed case claims[[1]](#footnote-1) ORMDI must complete the investigation within 120 days), so we need the cooperation of all witnesses, including management officials.

After the investigation is completed, ORMDI will send you a summary of the investigation. You should review the summary and determine if resolution should be attempted. ORMDI is available to consult or provide a mediator at this stage.

**What occurs after the investigation?**

The employee can elect an EEOC hearing or a final agency decision from OEDCA (the complainant does not have the right to an EEOC hearing on mixed case claims). If a hearing is elected, your management officials will work with the agency representative (usually a Chief Counsel attorney) to prepare for the hearing.

**When does the process end?**

The employee can also file in U.S. District Court after 180 days have elapsed from the formal filing date or after the case has been adjudicated (120 days for mixed case claims). If that occurs Regional Counsel works with a U.S. Attorney from the Department of Justice.

**For more information on the EEO complaint process and ORMDI, please visit ORMDI’s website:** [**http://www.va.gov/orm/**](http://www.va.gov/orm/)

1. A mixed case complaint alleges an action that is appealable to the MSPB was taken for discriminatory reasons. [↑](#footnote-ref-1)