In reply refer to: 08

August 26, 2022

VIA: **(Delivery Method)** emailaddress3

firstname lastname

address1\_line1 address1\_line2

address1\_city, govcdm\_address1statepicklist address1\_postalcode

**SUBJECT: Response to Premature Request for EEOC Hearing and Request for Extension to Complete Investigation for EEO Complaint of firstname lastname, Case No.** **govcdm\_name Filed on** **govcdm\_dateformalcomplaintfiled**

Dearfirstname lastname:

1. This is to acknowledge receipt on **(DATE)**, of your client’s request for a hearing before the EEOC regarding the above identified discrimination complaint. As stated in the **(acceptance/partial acceptance)** letter sent on **(DATE)**, your client may not request a hearing before the 181st day after filing the formal complaint, unless your client has received a copy of the investigative file prior to the 181st day.

2. The formal complaint was filed on **govcdm\_dateformalcomplaintfiled**, which makes **(DATE)** the 181st day after filing formal. Therefore, your client’s request for an EEOC hearing is premature. Your client’s complaint was assigned to an investigator on **govcdm\_dateinvestigatorassigned** and the anticipated completion date is **(DATE-45 or 60 days after date of assignment for investigation, depending on “A” or “C” case)**.

3. The regulations in 29 C.F.R. §1614.108(e) and EEO Management Directive-110, Chapter 5, II, A, 1, provide that the agency must complete the investigation within 180 days of filing the formal complaint unless, by written agreement within those time periods, the complainant and respondent agency voluntarily extend the time period for not more than an additional ninety (90) days.

4. Because the anticipated completion date for your client’s investigation will be more than 180 days after filing the formal complaint, we respectfully request that your client grant our office an extension until **(DATE)** in order that we may fully develop and prepare a complete investigative file on the complaint. It is important that the decision maker for the complaint have a complete investigative file to assist in either conducting a hearing or issuing a final agency decision on the merits of the complaint.

5. Please have your client complete, sign, and date the enclosed extension form and return to our office by email at: **@va.gov**; fax, or mail as follows:

**Department of Veterans Affairs**

**Office of Resolution Management, Diversity & Inclusion**

**govcdm\_name**

**govcdm\_address1\_line1 govcdm\_address1\_line2**

**govcdm\_address1\_city, govcdm\_address1statepicklist govcdm\_address1\_postalcode**

**Fax: (xxx) xxx-xxxx**

**Email: @va.gov**

6. Unless your client has agreed to grant ORMDI an extension to complete the investigation of the complaint, your client must submit another hearing request if you and your client do not receive a copy of the investigative file before **(DATE-181st day after filing formal)**. If your client has agreed to grant an extension, you and your client will be advised of the right to request either an EEOC hearing or a final agency decision when you receive a copy of the investigative file upon completion of the investigation.

7. If you have any questions, 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

Enclosure: Extension Form

**PERMISSION TO GRANT EXTENSION**

**TO COMPLETE EEO INVESTIGATION**

I understand that the regulations in 29 C.F.R. §1614.108(e) and EEO Management Directive-110, Chapter 5, II, A, 1, provide that the agency must complete the investigation within 180 days of filing the formal complaint unless, by written agreement within those time periods, the complainant and respondent agency voluntarily extend the time period for not more than an additional ninety (90) days.

Because the anticipated completion date for the investigation of my EEO complaint will be more than 180 days after filing my formal complaint, I agree to grant ORMDI an extension until **(DATE)** in order that ORMDI may fully develop and prepare a complete investigative file on my complaint.

I further understand that if I grant ORMDI an extension to complete my investigation, I will be advised of my right to request either an EEOC hearing or a final agency decision when I receive a copy of the investigative file upon completion of the investigation. By my signature below, I (check appropriate response):

\_\_\_\_\_\_\_\_ **AGREE TO AN EXTENSION** as indicated above.

\_\_\_\_\_\_\_\_ **DO NOT AGREE TO AN EXTENSION** as indicated above. I understand that my current request for an EEOC hearing is premature and I must resubmit my request on or after **(DATE),** the 181st day after filing my formal complaint.

**X**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

firstname lastname Date Signed

Case Number: **govcdm\_name**

**Please return this completed form via email, fax, or mailed as follows:**

**(You are *strongly encouraged* to use email to submit your correspondence and/or documents to ORMDI.)**

**Department of Veterans Affairs**

**Office of Resolution Management, Diversity & Inclusion**

**govcdm\_name**

**govcdm\_address1\_line1 govcdm\_address1\_line2**

**govcdm\_address1\_city, govcdm\_address1statepicklist govcdm\_address1\_postalcode**

**Fax: (xxx) xxx-xxxx**

**Email: @va.gov**