In reply refer to: 08

November 30, 2022

VIA: **(Delivery Method)**

**(Name of Witness)**

**(Address)**

**(Email Address)**

**SUBJECT: Notice of Investigation of EEO Complaint** **by firstname lastname, EEO Case No. govcdm\_name.**

Suspense Date: (Due Date)

Dear **(Name of Witness)**:

1. firstname lastname has filed a complaint under the authority of 29 C.F.R. § 1614, Federal Sector Equal Employment Opportunity (EEO).

2. **(SME)** You have been identified as a Subject Matter Expert (SME) with respect to the VA’s policies regarding specific matters that Complainant alleges were motivated by prohibited discrimination.

2. **(Other Witness)** You have been identified as an individual with critical or first-hand knowledge of matters that Complainant alleges were motivated by prohibited discrimination.

3. The claims accepted for investigation which you are alleged to have knowledge are as follows: **(Insert ONLY Pertinent Claims. Remove any information, such as names, that are not necessary to obtain relevant/thorough testimony. For allegations of sexual harassment or misconduct by others, remove their names unless approved by the ITL, ADM, or DM). For discipline, ask the witness about the conduct or behavior that resulted in discipline, do not ask about the actual discipline administered.**

4. You are directed to participate in a formal EEO complaint investigation conducted by the Office of Resolution Management, Diversity and Inclusion (ORMDI). ORMDI is authorized to investigate individual, formal complaints of discrimination filed by Department of Veterans Affairs (VA) employees or applicants. ORMDI’s authority includes requesting pertinent records and evidence, requiring VA personnel and other Federal employees to testify under oath or affirmation without a pledge of confidentiality, and issuing Reports of Investigation (ROI) and Investigative Files (IF).

5. I am an EEO Investigator with ORMDI and I have been assigned to conduct a formal EEO Investigation into the subject EEO case.

6. Attached to this notice is a document titled “Participant’s Guide to EEO Complaint Investigations” that is intended to clarify the investigative process. The Guide provides information about the investigation process, the role of participants, the standards of proof utilized to assess the merits of discrimination complaints, and instructions for completing a written affidavit (if required).

7. Method of Investigation: Written Affidavits. This EEO investigation will be conducted by obtaining written statements (affidavits) and evidence from participants. Attached to this notice is an affidavit for you to complete. The affidavit is a word document with questions that require your responses. Please begin by reviewing the instructions in Section D of the Participant’s Guide. Once reviewed, please open the affidavit and provide written responses, where indicated, to all of the questions. Your responses will be made under penalty of perjury and will be included in the Investigative File. When you submit your signed and dated affidavit, you should attach any evidence referred to in your statement, as well as any additional evidence you would like to submit for inclusion in the Investigative File.

Your signed and dated response is due by the Suspense Date identified above. The responses can be mailed to my attention at **(Investigator’s address)** address1\_line1 address1\_line2, address1\_city, govcdm\_address1statepicklist address1\_postalcodeor can be submitted via encrypted email to my email address at is **(Investigator’s email address)** internalemailaddress.

7. Method of Investigation: Telephonic Interviews: This EEO investigation will be conducted by obtaining your statement via a telephonic interview. Your interview is tentatively scheduled for **(Day, Da****te, and Time)**. You will be contacted at **xxx-xxx-xxxx**. If that time and date is unacceptable to you, please contact me as soon as possible so that we can discuss an alternative. My telephone number is: **(Investigator’s telephone)** address1\_telephone3, and my email is **(Investigator’s email address)** internalemailaddress. Your responses during the interview will be made under penalty of perjury and will be included in the Investigative File. When you submit your signed and dated affidavit, you should attach any evidence referred to in your statement, as well as any additional evidence you would like to submit for inclusion in the Investigative File.

Your signed and dated response is due by the Suspense Date identified above. The responses can be mailed to my attention at **(Investigator’s address)** address1\_line1 address1\_line2, address1\_city, govcdm\_address1statepicklist address1\_postalcodeor can be submitted via encrypted email to my email address at is **(Investigator’s email address)** internalemailaddress.

8. Thank you for your assistance with regard to the investigation of this formal EEO complaint. If you have any questions or need assistance, please contact me at **(Investigator’s telephone)** address1\_telephone3 or by email at **(Investigator’s email address)** internalemailaddress.

Sincerely,

firstname lastname

EEO Investigator

Enclosure: Participant’s Guide to EEO Complaint Investigations