

Strategies for Avoiding Discrimination

- 1. Read and comply with applicable Federal EEO laws, regulations, orders, and notices.
- 2. Treat all employees fairly and equally at all times.
- 3. Explain DoDEA’s EEO policy clearly to all employees and advise them that discrimination against anyone under any circumstances will not be tolerated. Advise employees to report any EEO related problems immediately to their supervisor or to the EEO Officer.
- 4. Take immediate corrective action when informed of actual or potential discriminatory employee conduct. Consult the EEO Officer for advice, if necessary.
- 5. Apprise employees on a continuous basis when their work is poor or marginal. Do not postpone this until the annual performance appraisal.
- 6. Document discussions and actions, which often lead to EEO complaints, such as performance, career advancement and disciplinary problems.
- 7. When in doubt about a matter, seek advice and guidance from the EEO Officer, the Personnel Office, or the related expert before making a decision.

**DoDDS Pacific EEO
Contact Information:**

EEO Program Manager

Mailing Address:
Department of Defense Education Activity
DoDDS Pacific – EEO
Unit 35007
APO AP 96376-5007

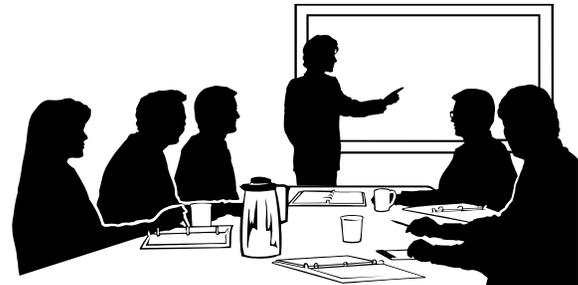
Phone:
644-5661

Phone:
644-5661



**Discrimination
Complaint Process**

DoDDS Pacific – EEO



Discrimination is defined in Civil rights law as unfavorable or unfair treatment of a person or class of persons in comparison to others who are not members of the protected class because of race, color, religion, sex, national origin, age, disabling condition, or reprisal for opposition to discriminatory practices, or participation in the EEO process. Federal EEO laws prohibit an employer from discriminating against persons in all aspects of employment, including recruitment, selection, evaluation, promotion, training, compensation, discipline, retention, and working conditions because of their protected status.

These EEO laws cover all DoDEA employees, managers, and applicants for employment. For example, the protection against racial discrimination afforded employees and job applicants are not limited to members of any particular race. White employees also are protected under Title VII of the Civil Rights Act of 1964, as amended.

WHAT IS SEXUAL HARASSMENT?

Sexual harassment is a form of sex discrimination, which is a violation of Title VII of the Civil Rights Act of 1964. The EEOC's guidelines define two types of sexual harassment: "quid pro quo" and "hostile environment."

WHAT IS "QUID PRO QUO" SEXUAL HARASSMENT?

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical

conduct of a sexual nature constitute "quid pro quo" sexual harassment when, (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.

WHAT IS "HOSTILE ENVIRONMENT" SEXUAL HARASSMENT?

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute "hostile environment" sexual harassment when such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

WHAT CAN YOU DO IF YOU BELIEVE YOU HAVE BEEN DISCRIMINATED AGAINST?

The first step for an employee or applicant who feels he or she has been discriminated against by a Federal agency is to contact an EEO counselor at the agency where the alleged discrimination took place within 45 days of the discriminatory action. Counseling must be completed within 30 days except when the Alternative Dispute Resolution (ADR) process has been requested.



In that case, the process may take up to 90 days. The aggrieved individual may then file a formal complaint within 15 days after receipt of the written "Notice of Right to File a Formal Complaint" with that agency if your complaint was not resolved to your satisfaction.

The agency must accept or dismiss the complaint and if it does not dismiss it, the agency must, within 180 days, conduct a complete and fair investigation.

If the complaint is one that does not contain issues that are appealable to the Merit Systems Protection Board (MSPB), at the conclusion of the investigation, the Complainant may request either a hearing by an Equal Employment Opportunity Commission (EEOC) administrative judge (AJ) or an immediate final decision by the employing agency.

The AJ must process the request for a hearing, issue findings of fact and conclusions of law, and order an appropriate remedy within 180 days. After the final decision of the agency, the Complainant may appeal to the Commission within 30 days or may file in U.S. District Court within 90 days. Either party may request reconsideration by the Commission. The Complainant may seek judicial review.

Special Provisions:

In cases covered under the Age Discrimination Employment Act (ADEA) of 1967, or the Equal Pay Act (EPA) you may file a complaint with the administrative process described above, or forgo the above administrative process and directly file a civil action.