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## Privacy Act Statement

**AUTHORITY:** 29 U.S.C. § 206(d); 29 U.S.C. § 791; 42 U.S.C. § 2000e; 42 U.S.C. § 2000ff-(2); 29 U.S.C. § 633a; 5 U.S.C. § 1303-1304; 5 CFR § 5.2-5.3; 29 CFR § 1614.105, .107; Executive Order 11478, as amended; and Executive Order 13152 and Management Directive 110 (August 2015).

**PRINCIPAL PURPOSE(S):** This information is being collected for the sole purpose to record a pre-complaint allegation of employment discrimination with the Department of the Treasury on the grounds of race, color, religion, sex (including pregnancy, sexual orientation and gender identity), national origin, age, disability, protected genetic information, parental status, or reprisal. An employee or applicant must participate in pre-complaint EEO counseling to informally resolve the allegation(s) per § 1614.105, prior to filing a formal EEO complaint of discrimination. Information provided on this form will be used to inform the aggrieved that, because the matters brought to our attention have not been resolved, the aggrieved is now entitled to file a formal EEO discrimination complaint with the Department of the Treasury. The information captured on this form will be used by the Department of the Treasury to provide a factual basis of the allegation(s) discussed during pre-complaint EEO counseling. This form will also be used to ensure the aggrieved is informed of their right to file and to provide instructions on how and where to file a formal EEO complaint of discrimination.

**ROUTINE USE(S):** The information on this form may be disclosed as generally permitted under 5 U.S.C. §552a(b) of the Privacy Act of 1974, as amended. This includes using this information as necessary and authorized by the routine uses published in Treasury 0.013--Department of the Treasury Civil Rights Complaints and Compliance Review Files – 81 FR 78266 (Nov. 7, 2016).

**PAPERWORK REDUCTION ACT STATEMENT:** In accordance with the Paperwork Reduction Act of 1995, The Department of the Treasury may not conduct or sponsor, and the respondent is not required to respond to this collection of information unless it displays a valid OMB Control Number. The valid OMB Control Number for this information collection is 1505-0262. The collection of this information is voluntary. However, the information is necessary to determine if your complaint of employment discrimination is acceptable for further processing in accordance with EEOC, 29 C.F.R. §1614. The time required to complete this information collection is estimated to average 20 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing the form. Send comments regarding this burden estimate or any other aspects of this collection, including suggestions for reducing this burden, to Department of the Treasury, Office of Civil Rights and EEO, 1500 Pennsylvania Avenue, N.W., Washington, DC 20220.

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bureau's seal*

## Department of the Treasury

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To<sup>1</sup>: \_\_\_\_\_ Pre-complaint number: \_\_\_\_\_

From: \_\_\_\_\_

### Notice of Right to File a Formal EEO Discrimination Complaint

On \_\_\_\_\_ you<sup>2</sup> contacted an EEO Official to initiate the EEO pre-complaint process during which you alleged: (if additional space is required, continue on a blank sheet of paper and attach to this form)

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<sup>1</sup> If the Aggrieved is represented by an attorney, this form shall be addressed to the representative with a copy to the Aggrieved. 29 C.F.R. § 1614.605(d).

<sup>2</sup> The term "you" as it appears in this Notice should be construed to refer to the Aggrieved.

This is to inform you that, because the matters brought to our attention have not been resolved, you are now entitled to file a formal EEO discrimination complaint with the Department of the Treasury.

If you wish to file a formal complaint, it must be in writing signed by you. If your designated representative is an attorney, they may sign on your behalf. The complaint must be filed within **fifteen (15) calendar days after receipt of this Notice**. The complaint form and instructions for filing are available [here](#)<sup>3</sup>.

If you did not contact an EEO Official within 45 days from the date of the matter you allege to be discriminatory, or if you do not file the formal complaint within 15 calendar days of receipt of this Notice, please use section 22 of the formal complaint form to explain why you did not meet the time requirements. The Department will evaluate this information when deciding whether to accept your complaint for investigation.

If you believe you were subjected to prohibited age discrimination (40 years of age and older), as an alternative to filing a complaint under the Equal Employment Opportunity Commission regulations, you may file a civil action in an appropriate U.S. District Court under the Age Discrimination in Employment Act against the Secretary of the Treasury, provided that you inform the EEOC of your intent to sue at least 30 calendar days in advance of filing suit. Such notice must be filed in writing with EEOC, at P.O. Box 77960, Washington, D.C. 20013, or by personal delivery or facsimile within 180 days of the occurrence of the alleged unlawful practice.

If you are filing a claim of discrimination based on sexual orientation or gender identity (LGBT), you may also elect to file with the Office of Special Counsel ([www.osc.gov](http://www.osc.gov)).

I certify that on \_\_\_\_\_, I transmitted this Notice by the following method<sup>4</sup>:

Email  (Aggrieved or attorney's email address)

(EEO Counselors: when sending via email, remember to obtain and add to the record proof of receipt on a certain date by the Aggrieved or their attorney representative (if designated); e.g., a return email from the Aggrieved or attorney representative confirming receipt of the Notice, or a copy of the email you sent showing the Notice attached plus a read receipt.)

Certified Mail  (Tracking Number)

Hand Delivery  (Aggrieved or Attorney's Signature)

EEO Counselor's Signature

cc (for Aggrieved when represented):

<sup>3</sup> <http://www.treasury.gov/about/organizational-structure/offices/Mgt/Pages/discrimination-complaint.aspx>

<sup>4</sup> When the Aggrieved is unrepresented or is represented by a non-attorney, the timeframe for filing is calculated from when the Aggrieved receives the Notice; when the Aggrieved is represented by an attorney, the timeframe is calculated from when the attorney receives the Notice. 29 C.F.R. § 1614.605(d). Therefore, the receipt information above tracks receipt of the Notice by the Aggrieved or when an attorney is designated, by the attorney.