



## What Happens After I File an EEO Complaint?

### EEO Compliance & Diversity Management Division

1. You may file a complaint verbally, in writing or online via the [Online EEO Compliant Filing Application](#) or by downloading the [EEO Complaint Intake Form](#).
2. Upon receipt of the complaint, the **EEO Compliance Division** will contact you to conduct an initial intake and determine if the matter is an EEO related issue and the jurisdiction of the Complaint.
3. **If the EEO Compliance Division does not have jurisdiction or the matter is a non-EEO complaint**, the matter will be administratively closed.
4. **If the EEO Compliance Division has jurisdiction over an EEO matter**, a Division representative will conduct a full intake, obtain any necessary information and proceed with an investigation.
5. The EEO Compliance Division will provide all parties to the investigation with a Notice of Charge. This notification includes provisions related to confidentiality, retaliation, external resources and, effectively, starts the formal investigatory process.
6. All parties are offered the opportunity to mediate and resolve the Complaint. [Mediation](#) requires all participants to voluntarily participate. The investigation will be held in abeyance until the conclusion of the mediation conference. If the matter is successfully resolved, the Complainant will withdraw their complaint from investigation and the matter will be administratively closed. If matter is not resolved, the Complaint will proceed to investigation.
7. The EEO Compliance Division will conduct the investigation which will require interviewing witnesses and other relevant individuals. The EEO Division will also review relevant records, documents, policies, regulations, recordings contained in electronic devices, and obtain all other relevant evidence.
8. Upon completion of the investigation, the EEO Compliance Division will analyze and review all information gathered during the investigation and prepare a confidential investigation report and proceed with a supervisory and legal review of the report.
9. The final investigative report shall NOT be issued to the parties. It shall contain the findings, with recommended action, as appropriate.
10. The EEO Division will provide closure or support a violation of letters to all parties, and relevant departmental management personnel. The closure letter will contain the investigative findings as noted by either a **Probable Cause Finding** or a **No Probable Cause Finding** of discrimination. A 'probable cause finding' is an indication that there was **sufficient evidence** to support a violation and a 'no probable cause finding' is an indication that there was **insufficient** evidence to support a violation of the MCPR, [Section 5](#), regarding EEO.
11. The Department takes the appropriate recommended action and provides copies of all disciplinary actions issued to the parties and recommended EEO-related training to **EEO Compliance Division** for the investigatory file.
12. The Complaint is administratively closed.
13. MCPR 5-4 (j) EEO Officer's decision is final, employee may not appeal the decision with the MSPB.
14. Irrespective of this finding, individuals have the right to file a discrimination Complaint with the [Montgomery County Office of Human Rights](#), the [Maryland Commission on Civil Rights](#), and/or the [U.S. Equal Employment Opportunity Commission](#). Employees may also dually file an internal complaint and a complaint with a Federal, State or local FEPA agency. Refer to the [External Agency Resource List](#) for more information.
15. Please be advised that all matters associated with discrimination investigations are confidential and that retaliation against anyone who has participated in an EEO investigation, as a party to the complaint or a witness to the investigation, is prohibited by policy and law.