

The Complaints Process

The Stennis Space Center (SSC) is committed to promoting equal opportunities for all people, to preventing all forms of work environment discrimination, to supporting equal opportunity guidelines, to zero-tolerance for sexual harassment, and to providing a diverse, healthy, work environment. Equal opportunity (EO) is a right of all NASA employees and job applicants.

The discrimination complaints process is outlined in detail in the Equal Employment Opportunity Commission's ([EEOC Web Site](#)) Management Directive 110. See also EEO Complaint Timeline for SSC's Complaint Process. See SSC Discrimination Pre-Complaints Process for information regarding the pre-complaint process.

A complaint of discrimination must be related to one of the bases listed below. Some workplace issues do not involve discrimination but are based on personality, unfair treatment, lack of communication, etc. There are other avenues of redress available to employees with non-EO complaints. The Diversity and Equal Opportunity (DEO) Officer or EO Counselors are available to advise employees of the proper place to voice their issues. An EO complaint may be filed by an employee or applicant for employment who feels that they have been discriminated against because of:

Race/Color	Disability
Sex (Including pregnancy)	Religion
National Origin	Age (40 years old or older)
Genetic Information	Sexual Orientation

Retaliation claims are also considered EO complaints where an individual feels discriminated against because of involvement in a previous EO complaint. While not required, any individual entering into the EO complaint process has the right to have a representative. EO Counselors are not permitted to serve as representatives since their role is neutral in the process.

We encourage all NASA employees to call or visit the Office of Diversity and Equal Opportunity (ODEO) if you have questions concerning equal opportunity programs or regarding potential discrimination issues, please contact us at **extension 228-688-1037, TDD: Call Federal Relay Service at 1-866-377-8642, ODEO.**

Informal Stage: Whenever an employee feels that they have been discriminated against because of any of the above bases, an EO Counselor from a contract counseling agency will be assigned to assist the employee. It is important to know that the employee or applicant for employment must contact an EO Counselor within 45 days of the event for which they are seeking counseling. Discussions with EO Counselors are confidential until the employee gives the counselor permission to use his or her name. The EO Counselor will listen to the issues, advise the individual about the EO process and offer the opportunity to continue in traditional counseling or participate in the Center's Alternative Dispute Resolution (ADR) process.

If the employee decides to continue in counseling, the counselor has 30 days in which to do limited fact finding into the allegations and attempt to resolve the matter. If the matter is not

resolved, the counselor will give the complainant a letter of final counseling that explains their rights in the EO process, and how to file a formal complaint.

If an employee elects the Center's ADR process, the counselor will notify the ODEO of that decision. The DEO Officer will then make a determination of whether the particular case is appropriate for ADR. If approved for mediation, a contract mediator will be assigned to conduct the mediation session. A senior SSC manager outside the complainant's organization will also be appointed as a Settlement Official. The Settlement Official is delegated the authority to act on behalf of the Center Director in approving or disapproving settlement agreements. Additional time up to 60 days may be added to the timelines when mediation is elected.

Discussions during the mediation process are confidential. Information contained in settlement agreements is shared only with the DEO Officer, who has responsibility for ensuring compliance, Chief Counsel's Office, appropriate organizational manager, Center Director, and those who have a need to know in order to process the agreement.

When an employee decides to continue in counseling, the counselor has 30 days in which to do limited fact finding into the allegations and attempt to resolve the matter. If the matter is not resolved, the counselor will give the complainant a letter of final counseling that explains their rights and how to file a formal complaint.

Formal Stage: If the issues are not resolved informally, either through counseling or mediation, the EEO counselor will present the complainant with a letter which explains how to file a formal complaint of discrimination against NASA, along with the appropriate form to use. From the date he or she receives the final counseling letter, a formal complaint must be filed within 15 calendar days if the employee wishes to pursue the complaint to the formal stage.

Once the formal complaint is received by the NASA Headquarters Office of Diversity and Equal Opportunity Programs, they will determine if the complaint is filed in a timely manner and if it fits within the intent of Title VII. The complainant will be notified once this determination is complete.

Complainants may be offered the opportunity once again to participate in the Agency's ADR program during this formal stage.

Once a complaint has been delineated and accepted, an independent investigator will be contracted with by NASA Headquarters to investigate the allegations, gather pertinent documents, interview witnesses and take affidavits. An investigative package will then be supplied to the complainant, the Center's Chief Counsel, and the DEO Officer. Investigators do fact gathering and do not make determinations regarding discrimination.

After review of the investigative package, the complainant will be asked if they would like a Final Agency Decision or if they would like to pursue a hearing before an Administrative Judge of the Equal Employment Opportunity Commission (EEOC).