



U.S. Equal Employment Opportunity Commission (EEOC)

EEOC Public Portal User's Guide

Vol 6 – Hearings with the EEOC

December 23, 2024

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Introduction to the EEOC Public Portal

The EEOC Public Portal is a secure, web-based application developed for individuals to interact with the EEOC regarding a complaint of employment discrimination. Using the EEOC Public Portal, you may file a complaint against an employer in the Private Sector (i.e. Business or non-profit) or a State or Local Government Agency. If you work or worked for the U.S. Federal Government as an employee or a contractor, or applied to work for the Federal Government, you may request a hearing with or appeal a decision to the EEOC regarding your formal EEO complaint. The EEOC Public Portal is the primary point of communication between you and the EEOC.

About the User's Guide

The EEOC Public Portal User's Guide ("User's Guide") provides comprehensive guidance for using the EEOC Public Portal features and functions. The User's Guide is published as individual documents, each of which covers a feature or related features of the EEOC Public Portal.

The following EEOC Public Portal User's Guide documents are available; the highlighted Document Name is the one you're reading right now:

- ❖ Vol 1 – Getting Started (learn about logging into the EEOC Public Portal, the Portal structure, and other basic information)
- ❖ Vol 2 – Submit an Online Inquiry to the EEOC
- ❖ Vol 3 – Post-Inquiry Tasks (learn about scheduling an interview with the EEOC, entering Supplemental Information, filing a Charge of Discrimination)
- ❖ Vol 4 – Post-Charge Tasks (learn how to check the status of your case, respond to an Invitation to Mediate, request/respond to a Respondent's Position Statement)
- ❖ Vol 5 – Charge Closure (learn what happens when your charge has been closed)
- ❖ **Vol 6 – Hearings with the EEOC**
- ❖ Vol 7 – Appealing Federal Agency Decisions to the EEOC
- ❖ Vol 8 – Manage Case/Charge Information (learn how to display information about your case, enter/update your personal information, add representatives, and submit/receive documents associated with your case)

Chapter 1 Request a Hearing with EEOC

When you file a formal EEO Complaint with a Federal Government agency, that agency is expected to complete its investigation within 180 days from the day the complaint was filed; or, if the complaint was amended, 180 days from the day it was amended. The agency is then expected to issue you its Report of Investigation and/or a Notice of Right to Request a Hearing. If you have received the Report or the Notice, or if more than 180 days have passed since you filed or amended your complaint, you may request a hearing with an EEOC's Hearing Unit Office. If you are an attorney/representative for a complainant, you cannot request a hearing on behalf of your client; only your client may request a hearing.

To request a hearing on your complaint through the EEOC Public Portal, perform the following steps:

Step 1. On the home page, select **Open an Inquiry/Case**.

Step 2. When asked to identify the **Type of Employer** you believe discriminated against you, select 'Federal Government agency...' and select the **Next** button.

U.S. Equal Employment Opportunity Commission

Sign In Register

Filing with EEOC

Progress...

14%

EEOC enforces Federal civil rights laws that protect you from workplace discrimination and retaliation because of your race, color, religion, sex, national origin, age, disability, or genetic information. You may also have rights under other federal, state or local laws.

If you're claiming an employer has discriminated against you, EEOC may be able to help. We'll need to ask you a few basic questions to be sure. Your answers will not be saved unless you submit your complaint (against private sector employers), or hearing request or appeal to EEOC (for complaints against federal agency employers). Submitting to EEOC will allow us to evaluate your information and advise you on what we can do to assist you.

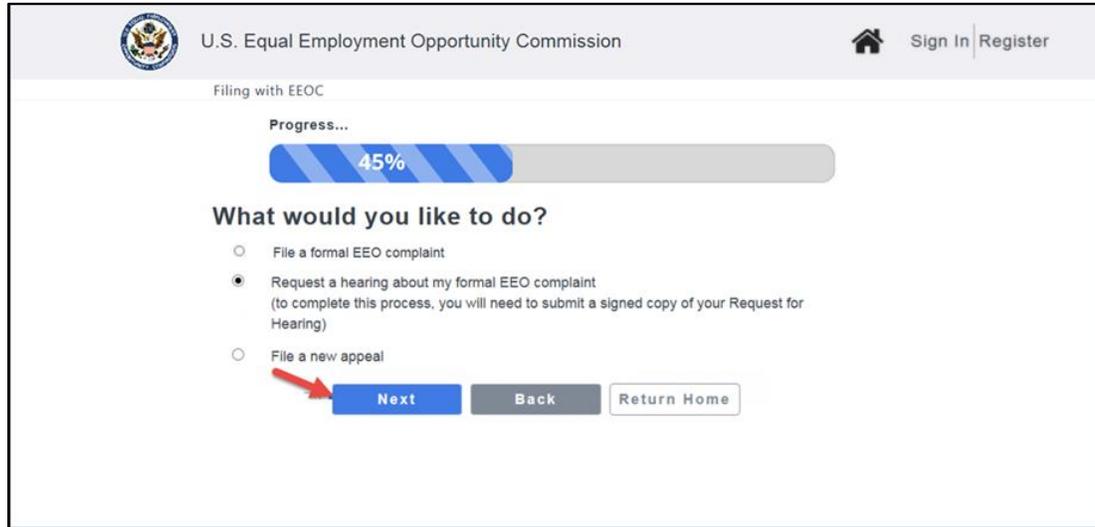
To get started, please tell us what type of employer you believe discriminated against you by choosing one of the following:

- Business or non-profit organization that I applied to, work for, or worked for
- State or Local Government that I applied to, work for, or worked for
- Union that represents me
- Temp agency or staffing firm that did not refer me to a job
- Federal Government agency that I applied to, work for, or worked for as a federal employee or contractor.
- Other

Next Return Home

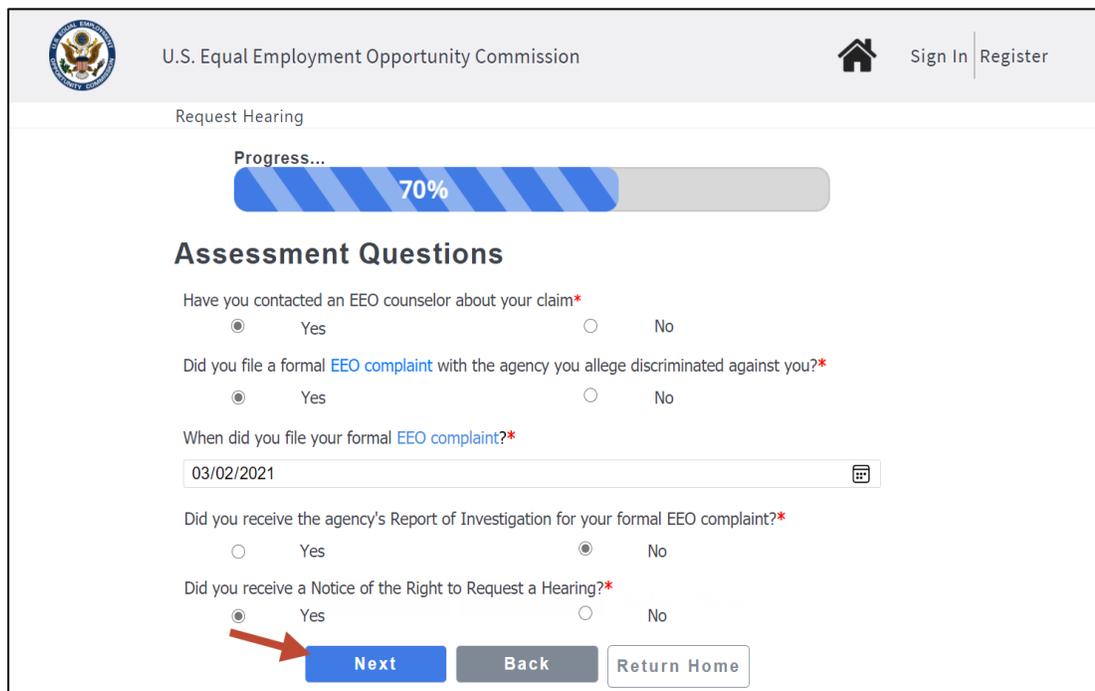
Step 3. An informational page displays with links to help you learn more about EEOC and the hearing and appeal processes. When you are ready to continue, select the **Next** button.

Step 4. The **What would you like to do?** page displays. Select **Request a Hearing about my formal EEO complaint** and select the **Next** button.



Step 5. You will now be asked some questions to determine if the EEOC can help you. Select the appropriate response or fill in the requested information for each question. When you have completed the questions, select the **Next** button.

- **Tip!** You may be asked more or fewer questions depending on your answers. The illustration below shows one possible outcome.



Step 6. To submit a Hearing request, you must have a user account. If you have not used the EEOC Public Portal before, select the **Sign-Up Now** button to create your user account (refer to *EEOC Public Portal User's Guide Vol 1 – Getting Started for details*).

- **Tip!** If you already registered with the EEOC, select the **Returning Users** button and login.

Step 7. Your personal information is displayed, which will be submitted with the online inquiry. This screen is view-only. Select the **Continue** button to proceed.

- **Tip!** If you need to modify this information, select the link at the top of the page to go to your User Account Information. When you have finished and submitted your changes, you will be returned to inquiry submission process.

U.S. Equal Employment Opportunity Commission

Welcome, **Joan** Log Out

Your Information

Progress... 15%

Information about you

This information is from your EEOC Public Portal Account and will be added to your case when you submit it. If you need to modify this information, please return to your Account Information to do so.

Prefix: Ms.

First Name:* Joan

Middle Initial: T

Last Name:* Worker

Suffix:

Address 1:* 150 Main Street

Address 2:

Country:* United States of America

Zip Code:* 60601

City:* CHICAGO

State:* Illinois

Email:* jtworker@mailinator.com

(Use your personal email, not your work email)

Home Phone (555) 413-1235

(At least one phone number must be entered*)

Cell Phone e.g., 1234567890

Continue Return Home

Step 8. Next, you will be asked if you want to enter information about your legal representative (this is optional, but if you are being represented by an attorney or another individual in the EEO process, you should identify your representative here). Select **Yes** or **No** and select the **Next** button to continue.

The screenshot shows the top navigation bar with the EEOC logo, the text 'U.S. Equal Employment Opportunity Commission', a home icon, and the user's name 'Welcome, Joan' with a 'Log Out' link. Below this is a 'Your Representatives' section with a progress bar at 28%. The main heading is 'Representative Information'. A question asks 'Do you want to add a representative?' with radio buttons for 'Yes' (selected) and 'No'. Below the question are three buttons: 'Next' (highlighted with a red arrow), 'Back', and 'Return Home'.

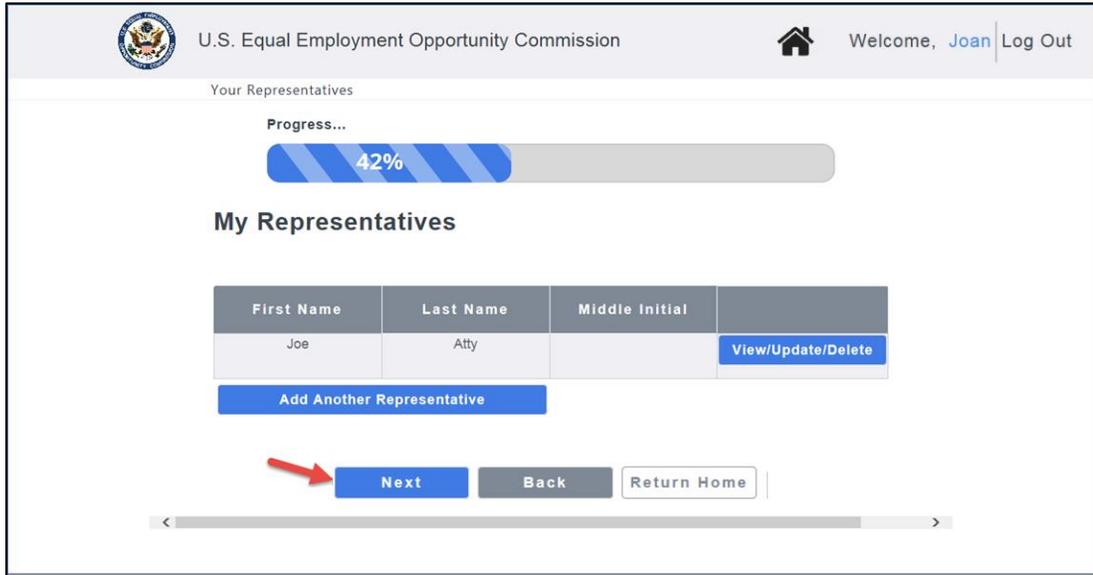
➤ **Tip!** If you choose not to enter a legal representative now, you will be able to enter one later, on the **My Case Page**.

Step 9. If you selected **Yes**, a form will display for you to fill in the representative information. When you are finished, select the **Next** button to continue.

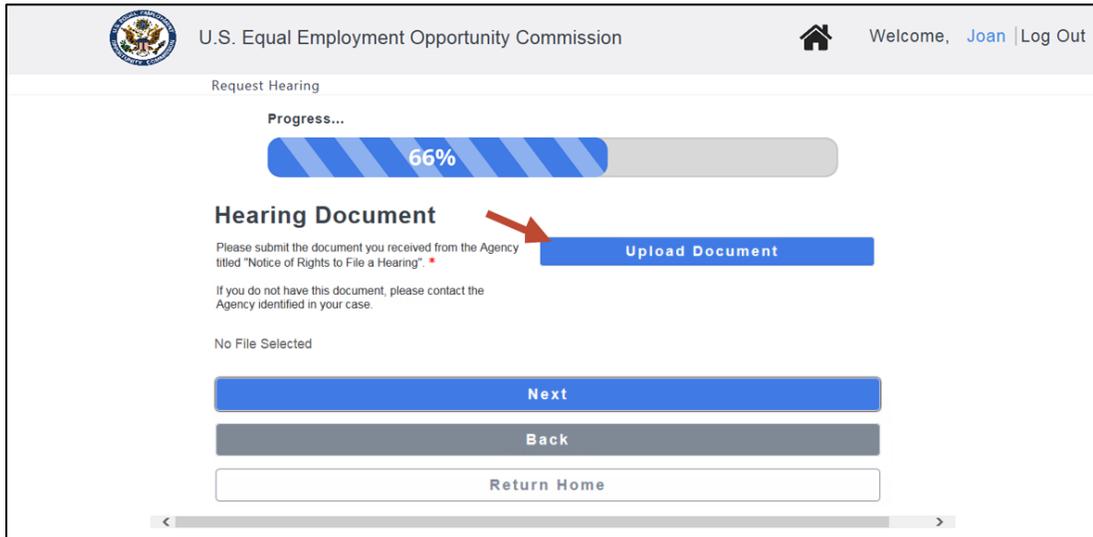
This screenshot shows the 'Representative Information' form at 33% progress. The form includes a sub-heading '(By providing this information you authorize EEOC to verify this person represents you.)' and a question 'Is this person an attorney?*' with radio buttons for 'Yes' and 'No'. The form fields include: Prefix (dropdown), First Name, Middle, Last Name, Suffix (dropdown), Address(1), Address(2), Country (dropdown, set to 'United States of America'), Zip Code, City (dropdown), State (dropdown), Phone Number (with example 'e.g., (123) 456-7890'), Cell Number (with example 'e.g., (123) 456-7890'), and Email. A red arrow points to the 'Next' button at the bottom of the form.

- **Tip!** EEOC verifies that the representative represents you. EEOC expects a reply from the representative within 10 days of sending a verification email; if they haven't received a reply after 10 days, then you will receive an email notifying you that EEOC has been unable to verify the representative.

Step 10. A page displays showing the representative(s) you have entered. Select the **Add Another Representative** button to add another representative. Select the **View/Update Delete** button to make changes. When you are finished, select the **Next** button to continue.

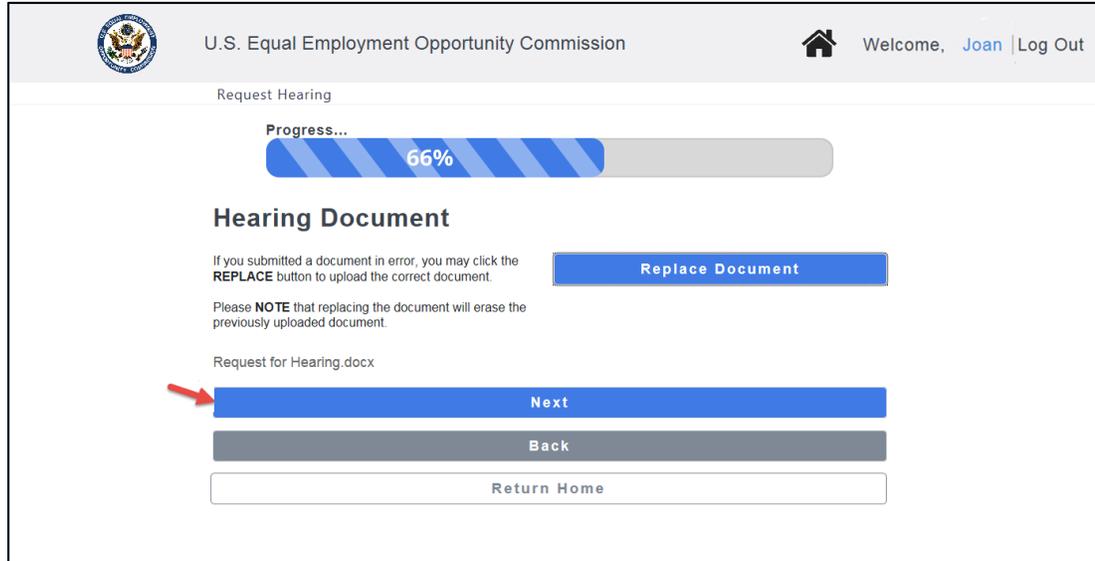


Step 11. Next you must upload your Notice of Right to Request Hearing document, which you should have received from the agency named in your complaint. Select the **Upload** button.



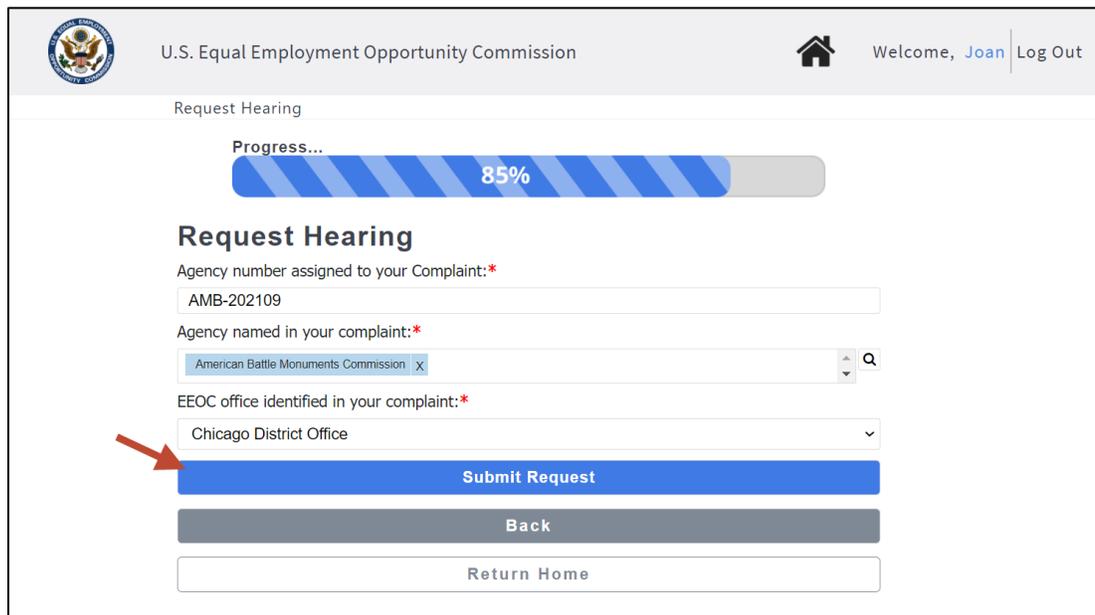
When the pop-up window displays, select the document and 'Request for Hearing' as the document type, and select the **Upload** button on the window. The **Hearing Document** page will then display the file that you uploaded. You must upload the hearing request document before you can submit the hearing request.

Step 12. After uploading the document, the screen will appear as shown below. If you made a mistake and uploaded the wrong document, you can replace it with the correct document by selecting the **Replace Document** button. Otherwise select the **Next** button to continue.



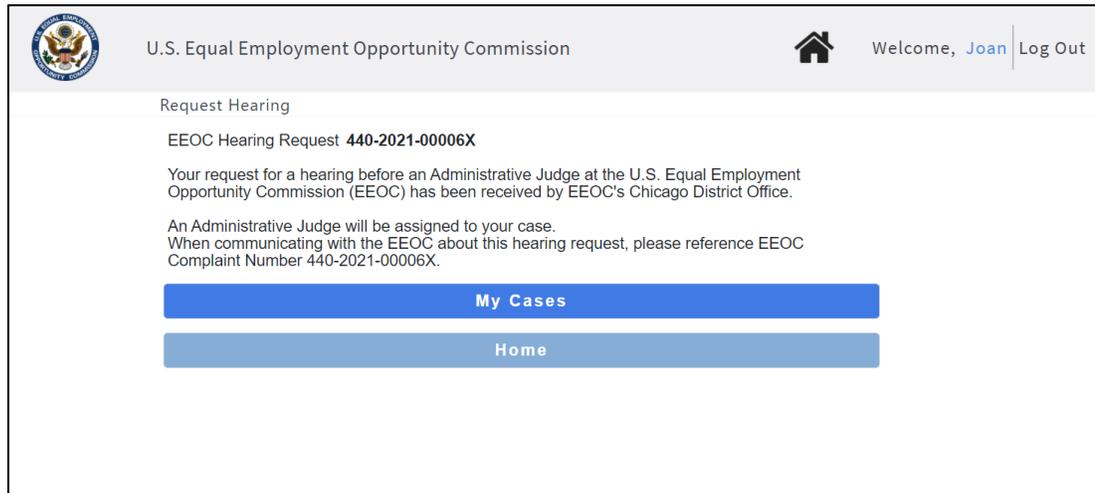
Step 13. Finally, you will be asked to enter information to identify your complaint. You must enter the Agency number, Agency name, and the EEOC office. When you are finished, select the **Submit Request** button.

- **Tip!** Select the magnifying glass to display a list of agencies to choose from. You may remove a selection by selecting the 'x' next to the agency name.



Step 14. When the request is successfully submitted, you and the Agency will receive an email titled a "Notice of Receipt of Hearing Request". The Notice may also be downloaded from the **My Cases** page for the hearing request.

In the Portal, a confirmation of your hearing request displays with your hearing number as shown below. (Note: the hearing number displayed is for a fictional hearing.)



Be sure to write down the hearing number so that you can reference it when communicating with the EEOC .

Step 15. Select the **My Cases** button to display the page for your case, or the **Home** button to return to the Home page.

Chapter 2 Uploading Hearing Documents

After you have requested a hearing with the EEOC, you can upload documents associated with your hearing. Select **My Cases** on the EEOC Public Portal Home Page, and then the EEOC Number in the case list. Select the **Upload** button on the **My Case** page to begin and follow the prompts provided.

For Details refer to EEOC Public Portal User's Guide Vol 8 – Managing Case Information.

Chapter 3 Viewing and Managing Information About Your Case

After you have requested a hearing with the EEOC, you may view the details of your case and associated documents by selecting **My Inquiries/Charges/Cases** on the EEOC Public Portal Home Page, and then the EEOC Number in the case list. From the **My Case** page you may also add Legal Representatives, update your contact information, and submit documents to the EEOC.

For Details refer to EEOC Public Portal User's Guide Vol 8 – Managing Case and Charge Information.

Chapter 4 Respond to an Invitation to ADR

All hearing requests upon submission and docketing are eligible for ADR except for complaints filed against the following Agencies:

1. Decennial Census Agency.
2. Central Intelligence Agency.
3. National Reconnaissance Office.
4. Office of the Director of National Intelligence.
5. National Security Agency.

You can view the invitation to participate in ADR and respond to it via the EEOC Public Portal. When you login, select **My Inquiries/Charges/Cases** and then the hearing number in the list of cases; the invitation displays on the **My Case** page below the **My Case** section as shown in Figure 1 below (the full text of the invitation to ADR can be found in Appendix A).

You will have 30 days to respond to the invitation. If you do not respond within 30 days, you will receive a weekly email reminder and if you do not respond after the reminder, EEOC may decide to move your case forward without mediation by assigning it to an Administrative Judge or Pending AJ assignment if your case is yet to be assigned to an Administrative Judge.

Figure 1 – Invitation to ADR

U.S. Equal Employment Opportunity Commission

Welcome, [Joan](#) | [Log Out](#)

My Case

[Update My Information](#)

EEOC Hearing Request 440-2019-00195X

Your request for a hearing before an Administrative Judge at the U.S. Equal Employment Opportunity Commission (EEOC) has been received by the EEOC's Chicago District Office. An Administrative Judge will be assigned to your case. When communicating with the EEOC about this hearing request, please reference EEOC Hearing Request **440-2019-00195X**

Status: Referred to ADR

*The EEOC ADR Program:
Your Partner in Workplace Solutions!*

We invite you to participate in the EEOC's Alternative Dispute Resolution (ADR) Program to efficiently resolve EEOC Number 440-2019-00195X. ADR is a no-cost, voluntary, and confidential opportunity for both parties to work with a neutral ADR facilitator to discuss and try to resolve your EEOC Complaint. ADR includes a variety of methods such as settlement conferences conducted by Administrative Judges and mediations with EEOC staff members or outside neutrals.

Here are five reasons you should participate:

It's the FASTEST way to resolve a complaints – We try to resolve complaint within 90 days.

It's fair and confidential – The ADR facilitator is a neutral facilitator who helps the parties find a solution to the problem. All discussions with the ADR facilitator are strictly confidential and are NOT part of the EEOC's adjudication of a case.

It provides a FINAL resolution to a complaint – ADR allows Complainants to address all of their filed claims.

You CONTROL the outcome – The ADR facilitator will work with you to identify the best options that exist to resolve the complaint at this early stage. The parties will determine what options are workable and you and the Agency are free to accept or reject any options.

It's FREE and EFFECTIVE – There is no cost to participate in ADR. EEOC resolves more than 50% of the complaints in the ADR program. If ADR doesn't resolve the complaint, then an EEOC Administrative Judge will be assigned and will proceed with the case.

We look forward to working with you in bringing this matter to an amicable resolution and demonstrating why so many Complainants consider the EEOC ADR Program their partner in workplace solutions

For more information, please click [ADR Fact Sheet](#)

Please select a response to the ADR Offer on this page by **11-23-2019**

Yes No

Please note, assignment to the ADR Program is dependent upon available EEOC resources, such as available ADR facilitators, office inventory and available dates.

4.1 Accepting or Rejecting an Invitation to ADR

To respond to an invitation to ADR, perform the following steps:

- Step 1.** Login to the EEOC Public Portal. On the home page, select **My Inquiries/Charges/Cases**.
- Step 2.** On the **My Cases** page, select the EEOC number for your hearing request.
- Step 3.** On the **My Case** page, scroll down to where "Invitation to ADR" is displayed (shown in Figure 1 above).
- Step 4.** Select a response, either 'Yes' or 'No'.
 - **Tip!** Select the link at the bottom of the invitation to view the ADR Fact Sheet.
- Step 5.** If you selected 'Yes', this message displays in the EEOC Public Portal:

*Thank you for agreeing to participate in the EEOC ADR Program. Please click **Review and Sign Documents** below to review and sign the ADR and Confidentiality Agreements.*

*If the Agency also agrees to participate in ADR, we will contact you to schedule the ADR conference. If the Agency does not choose to participate in ADR, the EEOC will determine how to proceed with your case. **Please note, assignment to the ADR Program is dependent upon available EEOC resources, such as available ADR facilitators, office inventory and available dates.***

We look forward to working with you in bringing this matter to amicable resolution and demonstrating why so many Complainants consider the EEOC ADR Program their partner in workplace solutions.

You must review and sign the ADR and Confidentiality agreements if you wish to proceed with the ADR program (the full text of the agreements can be found 0). Select the **Review & Sign Documents** button.

The EEOC ADR Program:
Your Partner in Workplace Solutions!

Thank you for agreeing to participate in the EEOC ADR Program. Please click **Review and Sign Documents** below to review and sign the ADR and Confidentiality Agreements.

If the Agency also agrees to participate in ADR, we will contact you to schedule the ADR conference. If the Agency does not choose to participate in ADR, then EEOC will determine how to proceed with your case. **Please note, assignment to the ADR Program is dependent upon available EEOC resources, such as available ADR facilitators, office inventory and available dates.**

We look forward to working with you in bringing this matter to an amicable resolution and demonstrating why so many Complainants consider the EEOC ADR Program their partner in workplace solutions


Review and Sign Document

First the Agreement to Participate in ADR displays. Select the box to "check" it and digitally sign the agreement (the signature will be automatically populated), then select the **Next** button. If you want to go back to the **My Cases** page, select the **Back** button

U.S. Equal Employment Opportunity Commission

U.S. Equal Employment Opportunity Commission
Chicago District Office

500 West Madison St
Suite 2000
Chicago, IL
(312) 869-8000
TTY (800) 669-6820
Fax: (312) 869-8220

AGREEMENT TO PARTICIPATE IN ALTERNATIVE DISPUTE RESOLUTION (ADR)

EEOC NUMBER: 440-2019-00195X
AGENCY NUMBER: AW00 Arctic Research Commission

COMPLAINANT: Joan Worker
AGENCY: Arctic Research Commission

This is an agreement by the above parties to participate in mediation in the above referenced complaint. The parties understand that mediation is a voluntary process, which may be terminated at any time. The parties and, if they desire, their representatives and/or attorneys, are invited to attend a mediation session. No one else may attend without the permission of the parties and the consent of the mediator(s).

The mediator(s) will not function as the representative of either party. However, the mediator(s) may assist the parties in crafting a settlement agreement. Each party acknowledges being advised to seek independent legal review prior to signing any settlement agreement. The parties acknowledge that they have received a copy of the Mediation Fact Sheet. The parties acknowledge that the mediator(s) possesses the discretion to terminate the mediation at any time if an impasse occurs or either party or the mediator deems the case inappropriate for mediation.

The parties acknowledge that participation in the scheduled mediation does not constitute an admission by either party of any wrongdoing or of a violation of the laws enforced by EEOC. Furthermore, the Complainant acknowledges that participation in the scheduled mediation by the Agency does not commit the Agency to providing a monetary resolution of the matter.

The parties recognize that mediation is a confidential process and agree to abide by the terms of the attached Confidentiality Agreement. The parties acknowledge that if a settlement is reached as a result of the mediation, the assigned mediator(s) is required to report to EEOC any benefits received. This information is reported only for purposes of providing aggregate data to the EEOC for mediation program evaluation purposes, and the individual terms of the agreement will not be disclosed to the public.

I AGREE TO SIGN THIS DOCUMENT

Complainant:
X Joan Worker Signed by Joan Worker On 07/10/19 15:59:52

Back Next

Then the Confidentiality Agreement displays. Select the box to “check” it and digitally sign the agreement (the signature will be automatically populated), then select the **Sign Agreements** button. If you want to go back to the Agreement to Participate in ADR, select the **Back** button.

U.S. Equal Employment Opportunity Commission
(Accountable EEOC Office)

500 West Madison St
Suite 2000
Chicago, IL
(312) 869-8000
TTY (800) 669-6820
Fax: (312) 869-8220

CONFIDENTIALITY AGREEMENT

EEOC NUMBER: 440-2019-00195X

1. I agree to participate voluntarily in mediation in an effort to resolve the complaint(s) filed with the EEOC.
2. I agree that all matters discussed during the mediation are confidential, unless otherwise discoverable, and cannot be used as evidence in any subsequent administrative or judicial proceeding. Confidentiality, however, will not extend to threats of imminent physical harm or incidents of actual violence that occur during the mediation.
3. Any communications between the ADR Coordinator and the mediator(s) and/or the parties are considered dispute resolution communications with a neutral and will be kept confidential.
4. I agree not to subpoena the mediator(s) or compel the mediator(s) to produce any documents provided by a party in any pending or future administrative or judicial proceeding. The mediator(s) will not voluntarily testify on behalf of a party in any pending or future administrative or judicial proceeding. The parties further agree that the mediator(s) will be held harmless for any claim arising from the mediation process.
5. Mediation sessions will not be tape-recorded or transcribed by the EEOC, the mediator or any of the participants. All information including all notes, records, or documents generated during the course of the mediation shall be destroyed at the conclusion of the session. Parties or their representatives are not prohibited from retaining their own notes. However, EEOC will not maintain any such notes or records as part of its record keeping procedures.
6. If a settlement is reached by all the parties, the agreement shall be reduced to writing and when signed shall be binding upon all parties to the agreement. If the complaint(s) is not resolved through mediation, it is understood by the parties that the complaint(s) will be assigned to an Administrative Judge further processing.

I AGREE TO SIGN THIS DOCUMENT

Complainant:
X Joan Worker ----- Signed by Joan Worker On 07/10/19 16:15:12

Back
Sign Agreements

You will now be returned to the **My Case** page. The signed agreements will be automatically uploaded and will appear in the **My Documents** list. This message displays in the EEOC Public Portal:

*Thank you for agreeing to participate in the EEOC ADR program. **Please note, assignment to the ADR Program is dependent upon available EEOC resources, such as available ADR facilitators, office inventory and available dates.***

If the Agency also agrees to ADR and an ROI has been submitted, then the EEOC may move the case forward to ADR scheduling and you will be contacted to schedule ADR.

Once you have chosen **'Yes'** and signed the documents, the selection cannot be undone.

Step 6. If you selected **'No'**, select the **Save** button. This message displays in the EEOC Public Portal:

*Thank you for your response. EEOC's staff will determine how to proceed with the processing of your complaint. We look forward to working with you in bringing this matter to an amicable resolution. If you had previously selected **No**, you may still select **Yes** should you decide to change your mind and proceed with the ADR program.*

Please note, assignment to the ADR Program is dependent upon available EEOC resources, such as available ADR facilitators, office inventory and available dates.

The radio buttons will remain active in case you change your mind and decide to accept the ADR invitation.

4.2 ADR Outcomes

4.2.1 ADR Scheduled

After you accept the invitation to ADR, if the agency has also agreed to participate in ADR and the EEOC decides to move the case forward to ADR scheduling, this message is displayed on the screen:

Both parties have agreed to participate in ADR. EEOC will contact you when the ADR session is scheduled and will provide you with more information. No further action is required from you at this time.

When the ADR session has been scheduled, this message will be displayed on the screen:

An ADR session has been scheduled. Please be sure to make yourself available for this meeting.

4.2.2 ADR Held

When ADR has been held, this message will be displayed on the screen:

Both parties participated in ADR.

If ADR was successful, this message will be displayed on the screen:

The ADR session resulted in a resolution of the complaint. After the executed settlement is uploaded, this matter will be closed.

If a Closure Document is issued, this message will be displayed on the screen:

A Closure Document was issued in the case. To view the document, please access the document section of the Portal.

When the complaint is closed, the following messages will display on the screen:

The case is now closed. Please review the Closure Document for Appeal Rights, if applicable.

If ADR was unsuccessful, this message will be displayed on the screen:

The ADR session did not result in a resolution of the complaint. The parties will receive further instruction on the processing of the complaint from EEOC.

Additional status messages will be displayed as the complaint is processed (refer to Chapter 5).

4.2.3 Not Eligible for ADR

If the EEOC reviews the ROI and determines your case is not eligible for ADR, or you and the Agency declines the ADR invitation, your case will be Pending AJ assignment and this message will be displayed on the screen:

Upon further review this complaint is not considered for ADR and will be assigned to an Administrative Judge to continue processing. However, ADR may be considered after assignment to an Administrative Judge. Your patience is appreciated.

Additional status messages will be displayed as the complaint is processed (refer to Chapter 5).

Chapter 5 Hearing Conducted by the EEOC

If your complaint was not eligible for ADR (either because one or both parties declined, or the EEOC determined it is ineligible), or the ADR session did not result in a resolution, the EEOC will proceed with conducting a hearing. The case is assigned to an EEOC Administrative Judge (AJ) who will conduct the hearing, make a decision, and order relief if discrimination is found.

Once the AJ has made a decision, the agency will issue a final order notifying you if they agree with the AJ's decision and if they will grant any relief ordered. You have a right to appeal the AJ's decision and may file an appeal via the EEOC Public Portal. For details on how to file an appeal refer to *EEOC Public Portal User's Guide Vol 7 – Appeals to the EEOC*.

You may track the progress of your hearing via the EEOC Public Portal. Select **My Inquiries/Charges/Cases** on the EEOC Public Portal Home Page, and then the EEOC Number in the case list. On the **My Case** page, the current status of your hearing request and a detailed description displays. The status will be one of the following:

- Pending AJ Assignment
- Assigned to AJ
- Hearing Scheduled
- Hearing Held
- Closure Document Issued
- Closed

You may submit documents, and view documents issued by the agency and/or the EEOC, throughout the remainder of the hearing process via the EEOC Public Portal, on the **My Case** page for your hearing request (in the **My Documents** section).

For details on viewing case information and uploading/downloading documents refer to *EEOC Public Portal User's Guide Vol 8 – Managing Case Information*.

Appendix A. ADR Documents

Invitation to ADR

The EEOC ADR Program:

Your Partner in Workplace Solutions!

We invite you to participate in the EEOC's Alternative Dispute Resolution (ADR) Program to efficiently resolve EEOC Complaint {EEOC Number}. ADR is a no-cost, voluntary, and confidential opportunity for both parties to work with a neutral ADR facilitator to discuss and try to resolve your EEOC Complaint. ADR includes a variety of methods such as settlement conferences conducted by Administrative Judges and mediations with EEOC staff members or outside neutrals.

Here are five reasons you should participate:

It's the FASTEST way to resolve a complaint – We try to resolve complaint within 90 days.

It's fair and confidential – The ADR facilitator is a neutral facilitator who helps the parties find a solution to the problem. All discussions with the ADR facilitator are strictly confidential and are NOT part of the EEOC's adjudication of a case.

It provides a FINAL resolution to a complaint – ADR allows Complainants to address all of their filed claims.

You CONTROL the outcome – The ADR facilitator will work with you to identify the best options that exist to resolve the complaint at this early stage. The parties will determine what options are workable and the Agency is free to accept or reject any options. **It's FREE and EFFECTIVE** – There is no cost to participate in ADR. EEOC resolves more than 50% of the complaints in the ADR program. If ADR doesn't resolve the complaint, then an EEOC Administrative Judge will be assigned and will proceed with the case.

We look forward to working with you in bringing this matter to an amicable resolution and demonstrating why so many Complainants consider the EEOC ADR Program their partner in workplace solutions

Please select a response to the ADR Offer on this page by **<30 days from receipt of the ADR invitation>**.

Yes No

Please note, assignment to the ADR Program is dependent upon available EEOC resources, such as available ADR facilitators, office inventory and available dates.

Agreement to Participate in ADR



U.S. Equal Employment Opportunity Commission
{Accountable EEOC Office}

{Office Address Line 1}
{Office Address Line 2}
{Office City, State Zip Code}
{Office Main Phone}
TTY {Office TTY}
Fax: {Office Main Fax}

AGREEMENT TO PARTICIPATE IN ALTERNATIVE DISPUTE RESOLUTION (ADR)

EEOC NUMBER: <Truncated EEOC Number>

AGENCY NUMBER: <AGENCY Number>

COMPLAINANT: <Complainant Name>

AGENCY: <AGENCY Name>

This is an agreement by the above parties to participate in mediation in the above referenced complaint. The parties understand that mediation is a voluntary process, which may be terminated at any time. The parties and, if they desire, their representatives and/or attorneys, are invited to attend a mediation session. No one else may attend without the permission of the parties and the consent of the mediator(s).

The mediator(s) will not function as the representative of either party. However, the mediator(s) may assist the parties in crafting a settlement agreement. Each party acknowledges being advised to seek independent legal review prior to signing any settlement agreement. The parties acknowledge that they have received a copy of the Mediation Fact Sheet. The parties acknowledge that the mediator(s) possesses the discretion to terminate the mediation at any time if an impasse occurs or either party or the mediator deems the case inappropriate for mediation.

The parties acknowledge that participation in the scheduled mediation does not constitute an admission by either party of any wrongdoing or of a violation of the laws enforced by EEOC. Furthermore, the Complainant acknowledges that participation in the scheduled mediation by the Agency does not commit the Agency to providing a monetary resolution of the matter.

The parties recognize that mediation is a confidential process and agree to abide by the terms of the attached Confidentiality Agreement. The parties acknowledge that if a settlement is reached as a result of the mediation, the assigned mediator(s) is required to report to EEOC any benefits received. This information is reported only for purposes of providing aggregate data to the EEOC for mediation program evaluation purposes, and the individual terms of the agreement will not be disclosed to the public.

{Signatory's Digital Signature}

{Date of Signature}

Signatory

Date

<Signatory Full Name>

Phone: {Signatory Phone} / Cell Phone: {Signatory Cell Phone}

Confidentiality Agreement



**U.S. Equal Employment Opportunity Commission
{Accountable EEOC Office}**

{Office Address Line 1}
{Office Address Line 2}
{Office City, State Zip Code}
{Office Main Phone}
TTY {Office TTY}
Fax: {Office Main Fax}

CONFIDENTIALITY AGREEMENT

EEOC NUMBER: {Truncated EEOC Number}

1. I agree to participate voluntarily in mediation in an effort to resolve the complaint(s) filed with the EEOC.
2. I agree that all matters discussed during the mediation are confidential, unless otherwise discoverable, and cannot be used as evidence in any subsequent administrative or judicial proceeding. Confidentiality, however, will not extend to threats of imminent physical harm or incidents of actual violence that occur during the mediation.
3. Any communications between the ADR Coordinator and the mediator(s) and/or the parties are considered dispute resolution communications with a neutral and will be kept confidential.
4. I agree not to subpoena the mediator(s) or compel the mediator(s) to produce any documents provided by a party in any pending or future administrative or judicial proceeding. The mediator(s) will not voluntarily testify on behalf of a party in any pending or future administrative or judicial proceeding. The parties further agree that the mediator(s) will be held harmless for any claim arising from the mediation process.
5. Mediation sessions will not be tape-recorded or transcribed by the EEOC, the mediator or any of the participants. All information including all notes, records, or documents generated during the course of the mediation shall be destroyed at the conclusion of the session. Parties or their representatives are not prohibited from retaining their own notes. However, EEOC will not maintain any such notes or records as part of its record keeping procedures.
6. If a settlement is reached by all the parties, the agreement shall be reduced to writing and when signed shall be binding upon all parties to the agreement. If the complaint(s) is not resolved through mediation, it is understood by the parties that the complaint(s) will be assigned to an Administrative Judge for further processing.

{Signatory's Digital Signature}

{Date of Signature}

Signatory
{Signatory}

Date