

**Table 2-1**  
**Steps in individual complaints of discrimination**

Action	Time limits
1. Employee or applicant must see EEO counselor or EEO officer.	Within 30 calendar days after the alleged discrimination, personnel action, or when the complainant becomes aware or reasonably should have become aware of the action.
2. EEO counselor makes inquiry, tries to resolve complaint informally, conducts final interview, and, if complaint is not resolved, gives complainant written notice of right to file formal complaint.	Within 21 calendar days after matter first called to EEO counselor's attention.
3. Complainant files formal complaint (DA Form 2590-R) in writing with EEO officer or other designated official. Must advise EEO officer if he or she obtains legal or other representation.	Within 15 calendar days after receipt of the Notice of Final Interview or if final interview not held, anytime after 21 days from initial contact with the EEO counselor.
4. EEO officer accepts or rejects the formal complaint in whole or in part.	Within 5 calendar days after receipt of complaint.
5. EEO officer sends file to USACARA requesting assignment of an investigator if any part of complaint is accepted. If complaint is rejected, EEO officer notifies complainant and representative.	Within 3 calendar days after acceptance.
6. USACARA investigator completes investigation and sends ROI to activity.	Within 45 calendar days from assignment.
7. USACARA ROI furnished to complainant and an adjustment meeting offered.	Within 5 calendar days after receipt of USACARA ROI.
8. If adjustment meeting held and adjustment reached— a. Written agreement specifying terms of proposed disposition is signed by both parties. Copy is given to complainant. b. Activity commander takes action agreed upon.	
9. If adjustment meeting is not held or no adjustment is reached.— a. Activity commander issues a proposed disposition, including finding issues of discrimination and proposed remedial action including appeal rights. b. Complainant informed of right to request EEOC hearing or Army decision without hearing. c. If complainant fails to respond, activity commander adopts proposed disposition as final Army decision and notifies complainant and representation. d. If complainant asks for decision without hearing, EEO officer sends complaint file (original and one copy) to EEOCRA. e. If complainant requests hearing, EEO officer requests administrative judge from EEOC.	<p>Within 20 calendar days from receipt of USACARA ROI.</p> <p>Within 20 calendar days from receipt of USACARA ROI.</p> <p>Within 15 calendar days after notice proposed disposition.</p> <p>Within 15 calendar days after notice proposed disposition.</p> <p>Within 15 calendar days after notice proposed disposition.</p>
10. Hearing held and findings and recommendations sent by EEOC to EEOCRA.	Administrative judge.
11. Army final decision by the Director of EEO, including appeal right.	Within 180 calendar days after the date that the formal complaint was filed or 60 days after receipt of the administrative judge's report recommending a finding of discrimination.
12. Appeal to EEOC: a. Complainant sends notice of appeal to EEOC with copy to EEOCRA. b. Complainant sends statement or brief to support appeal of Army decision to EEOC with a copy to the EEO officer and to EEOCRA.	<p>Within 20 calendar days after receiving Army final decision.</p> <p>Within 30 calendar days after filing Notice of Appeal.</p>
13. Civil action by complainant: a. Before final Army decision. b. Instead of appeal to EEOC after Army final decision. c. Before EEOC final decision or appeal. d. After EEOC final decision on appeal.	<p>After 180 calendar days after filing formal complaint.</p> <p>Within 30 calendar days after receiving Army decision.</p> <p>After 180 calendar days after filing appeal to EEOC.</p> <p>Within 30 calendar days after receiving EEOC decision.</p>