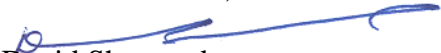




Denali Commission
Office of Inspector General
Anchorage, AK 99501

April 28, 2015

MEMORANDUM FOR: Joel Neimeyer
Federal Co-Chair, Denali Commission

FROM: 
David Sheppard
Acting Inspector General

SUBJECT: Need for EEO Services

The Denali Commission has no outlet for employees to currently file EEO complaints. According to the Equal Employment Opportunity Commission, the first step in an EEO (equal employment opportunity) complaint process is for the employee to contact an EEO counselor at his or her agency. Generally this must be done within 45 days of the alleged discriminatory action. If the dispute is not settled during counseling or alternative dispute resolution (ADR), in order to advance the employee must file a formal discrimination complaint within 15 days of the day the EEO counselor provides notice on filing procedures. The Denali Commission does not have an equal employment opportunity (EEO) counselor, so is unable to provide its employees with an avenue to raise issues of discrimination.

The informal EEO counseling process provides an opportunity to define the complainant's concerns, obtain information necessary to address the issues, and attempt to resolve the issues informally. Because the Commission does not have this counseling service available, staff are unable to obtain the needed informal counseling or alternative dispute resolution prior to filing a formal complaint. The Equal Employment Opportunity Commission notes that "not only does ADR provide a Win-Win resolution for the parties, but it also usually costs less and uses fewer resources than traditional administrative or adjudicative processes."

The Commission is required by 29 C.F.R. § 1614.102 to, among other things, "establish or make available an alternative dispute resolution program. Such program must be available for both the pre-complaint process and the formal complaint process." It also requires the agency "publicize to all employees and post at all times the names, business telephone numbers and business addresses of the EEO Counselors . . . a notice of the time limits and necessity of contacting a Counselor before filing a complaint and the telephone numbers and addresses of the EEO Director, EEO Officer(s) and Special Emphasis Program Managers."

We recommend that the Denali Commission work quickly to rectify this situation by determining what its EEO related agency requirements are and ensuring the agency is compliant. This should include obtaining the services of an EEO counselor to provide the full range of required services to Commission employees.

As this memorandum is a follow-up to our earlier discussion on the matter where we were able to agree on the Commission's need for these services, I request that you please provide your written response within 15 days, instead of the normal 30-day response period.

cc: Denali Commissioners
Todd Zinser, Inspector General, U.S. Department of Commerce
John Whittington, General Counsel, Denali Commission