	RITY	FOR OFFICIAL USE ONLY			
INDIVIDU	IAL COMPLAINT OF EN	MPLOYMENT	DEPARTMENT	CASE NUMBER	
	DISCRIMINATION		FILING DATE		
(Use the	is form for original complaints and a				
1 NAME (Lost First Mide					
1. NAME (Last, First, Mide	ne minai)	5. NAME AND ADDRESS OF Department of Homeland			
2. TELEPHONE/FAX (Include Area Code)		Bureau or Component			
Home	Fax	Office and Organizational I	Office and Organizational Unit		
Work	Fax	Street Address			
 HOME ADDRESS (You must notify the Department of any change of address while complaint is pending, or your complaint may be dismissed.) 		City	State	Zip Code	
		6. EMPLOYMENT STATUS	IN RELATION TO	THIS COMPLAINT	
		Applicant P	robationary	Career/Career Conditional	
4. IF YOU ARE A CURRENT OR FORMER EMPLOYEE OF THE FEDERAL GOVERNMENT, LIST YOUR RECENT TITLE,		Uniformed Service Mer	mber		
SERIES, AND GRADE. Title		Former Employee/Men		ft Department	
		Retired			
Series	Grade	Other (<i>Specify</i>)	Date of	Retirement	
belief.	ements made in this complaint are	-	DATE	v knowledge and	
	PART II DESIGNA	TION OF REPRESENTATIV	 F		
REPRESENTATIVE D LATER DATE, BUT YO THE SAME INFORMA	IT YOURSELF IN THIS COMPLAINT OR Y DES NOT HAVE TO BE AN ATTORNEY. DU MUST NOTIFY THE DEPARTMENT IM TION REQUESTED IN THIS PART.	YOU MAY CHOOSE SOMEONE TO YOU MAY CHANGE YOUR DESIG IMEDIATELY IN WRITING OF ANY	D REPRESENT YO NATION OF A RE CHANGE, AND Y	PRESENTATIVE AT A OU MUST INCLUDE	
as my representati on my behalf."	ve during the course of this compla	lint. I understand that my rep	resentative is a	uthorized to act	
Is the representative	e an attorney?	YES [NO		
9. REPRESENTATIVE'S MAILING ADDRESS		10. REPRESENTATIVE'S E	MPLOYER (If Fee	deral Agency)	
FIRM/ORGANIZATION					
STREET ADDRESS		11. REPRESENTATIVE'S TE Telephone	11. REPRESENTATIVE'S TELEPHONE/FAX (Include Area Code) Telephone Fax		
CITY, STATE, & ZIP CODE		12a. COMPLAINANT'S SIG	NATURE	12b. DATE	

PART III ALLEGED DISCRIMINATORY ACTIONS				
13. NAME OF PERSON OR DHS COMPONENT WHO TOOK THE ACTION AT ISSUE.	14. ARE YOU WILLING TO PARTICIPATE IN MEDIATION OR OTHER AVAILABLE TYPES OF ALTERNATIVE DISPUTE RESOLUTION TO RESOLVE YOUR COMPLAINT?			
FIRM/ORGANIZATION				
STREET ADDRESS				
CITY, STATE, & ZIP CODE	-			
 15. A. Describe the action taken against you that you believe was discriminatory. B. Give the date when the action occurred, and the name of each person responsible for the action. C. Describe how you were treated differently from other employees, applicants, or members for any of the reasons listed in Item 16. D. Indicate what harm, if any, came to you in your work situation as a result of this action. (You may, but are not required to, attach extra sheets.) E. If the basis of your complaint is parental status, sexual orientation, or protected genetic information, use this form, but your complaint is not statutorily based and will follow a separate. parallel process. 				
16. Mark below ONLY the bases you believe were relied on to take the actions described in Item 15.				
	AGE (Date of Birth)			
	PHYSICAL OR MENTAL DISABILITY (Describe)			
	RETALIATION/REPRISAL (Dates of Prior EEO Activity)			
NATIONAL ORIGIN (Specify)	SEXUAL ORIENTATION			
SEX (Specify)	PROTECTED GENETIC INFORMATION			
17. WHAT REMEDIAL OR CORRECTIVE ACTION ARE YOU SEEKING TO RESOLVE THIS MATTER				
18. ON THIS SAME MATTER, HAVE YOU FILED A GRIEVANCE OR AP	PEAL UNDER:			
Negotiated grievance procedure				
Agency grievance procedure				
Merit Systems Protection Board appeal procedure				
If you filed a grievance or appeal, provide date filed, case number, and present status.				
PART IV CONTACT EEO/EO Counseling is not required if you are requesting amendment of an existing, open complaint. Complete items 24 and 25, even if you did not contact a counselor.				
19. DATE YOU CONTACTED AN EEO COUNSELOR	20. NAME AND TELEPHONE NUMBER OF EEO COUNSELOR			
	Name Phone 22. DATE YOU RECEIVED YOUR "NOTICE OF RIGHT TO FILE"			
21. DID YOU DISCUSS ALL ACTIONS RAISED IN ITEM 15 WITH AN EEO COUNSELOR? (If NO, explain on attached sheet)	22. DATE YOU RECEIVED YOUR NOTICE OF RIGHT TO FILE			
23. IF YOU ARE REQUESTING AMENDMENT OF AN EXISTING, OPEN, FORMAL COMPLAINT (OR PROVIDING ADDITIONAL EVIDENCE), INDICATE THE COMPLAINT CASE NUMBER OF THAT COMPLAINT.				
24. DATE OF MOST RECENT DISCRIMINATORY EVENT	25. DATE YOU FIRST BECAME AWARE OF THE ALLEGED DISCRIMINATION			
 Page 2 of 2				

DEPARTMENT OF HOMELAND SECURITY DHS FORM 3090-1, INDIVIDUAL COMPLAINT OF EMPLOYMENT DISCRIMINATION FORM INSTRUCTIONS

(Read the following instructions carefully before you complete this form.) (Please complete all items on the complaint form.)

<u>GENERAL</u>: This form should be used only if you, as an applicant for employment with the Department of Homeland Security (DHS), or as a present or former Department of Homeland Security employee:

- believe you have been discriminated against because of your race, color, religion, sex, national origin, age (40 years or older at the time of the event giving rise to your claim), physical or mental disability, or in reprisal for opposition to activities protected by civil rights statutes, or participation in proceedings to enforce those statutes; or
- 2) believe you have been discriminated against because of your parental status, sexual orientation, or protected genetic information. Your claim is not covered under statutory basis, but will be processed under a parallel procedure, <u>and</u>
- 3) have presented the matter for informal resolution to an Equal Employment Opportunity (EEO) Counselor within 45 days of the event giving rise to your claim, or within 45 days of first becoming aware of the alleged discrimination. If you are amending or providing additional evidence to an existing open complaint, the form should be used, but EEO counseling is not required.

IMPORTANT NOTE: In certain situations, the information provided in Part III of the attached complaint form may be used in lieu of an affidavit in the investigation of your complaint. Accordingly, the information you provide in this part should be brief, clear, and complete.

<u>WHEN TO FILE:</u> In accordance with 29 CFR 1614.106, your formal complaint must be filed within **15 calendar days** of the date you received the "Notice of Right to File a Discrimination Complaint" from your EEO Counselor. You must sign and date your complaint. If you are represented <u>by an attorney</u>, the attorney may sign the complaint on your behalf.

These time limits may be extended:

- 1) if you show that you were not notified of the time limits and were not otherwise aware of them, or
- 2) if you were prevented by circumstances beyond your control from submitting the matter within the time limits, <u>or</u>
- 3) for other reasons considered sufficient by the Department.

REPRESENTATION: You may have a representative of your own choosing at all stages of the processing of your complaint. However, your representative will be disqualified if such representation would conflict with the official or collateral duties of the representative. No EEO Counselor, EEO Investigator or EEO Officer may serve as a representative. (Your representative need not be an attorney, but only an attorney representative may sign the complaint on your behalf.)

WHERE TO FILE: In accordance with 29 CFR 1614.106(c), your written complaint must be signed by you or your attorney. The complaint should be filed with the EEO Director of the Department of Homeland Security component where the alleged discrimination occurred. (Filing instructions are contained in the "Right to File" form, which was provided by your Counselor.) Keep a copy of the completed complaint form for your records.

PRIVACY ACT STATEMENT

- 1. <u>FORM/TITLE/DATE:</u> Department of Homeland Security (DHS) DHS Form 3090-1, Individual Complaint of Employment Discrimination with the Department of Homeland Security.
- 2. <u>AUTHORITIY:</u> 42 USC 2000e; 29 USC 633a; 5 USC 1303 and 1304;; 5 CFR 5.2 and 5.3; 29 CFR 1614.105 and 1614.107; and Executive Order 11478, as amended.
- 3. <u>PRINCIPAL PURPOSES</u>: The purpose of this complaint form, whether recorded initially on the form or taken from a letter from the Complainant, is to record the filing of a formal written complaint of employment discrimination with the Department of Homeland Security on the grounds of race, color, religion, sex, national origin, age, physical or mental disability, or retaliation. Information provided on this form will be used by DHS to determine whether the complaint was timely filed and whether the allegations in the complaint are within the purview of 29 CFR Part 1614, to provide a factual basis for investigation of the complaint, and to reach a decision on the complaint. It also records an amendment or additional evidence to an open, pending complaint.
- 4. **<u>ROUTINE USES:</u>** Other disclosures may be:
 - **a.** to respond to a request form from a Member of Congress regarding the status of the complaint or appeal;
 - **b.** to respond to a court subpoena and/or to refer to a district court in connection with a civil suit;
 - c. to disclose information to authorized officials or personnel to adjudicate a complaint or appeal; or
 - **d.** to disclose information to another Federal agency or to a court or third party in litigation when the Government is party to a suit before the court.
- 5. WHETHER DISCLOSURE IS MANDATORY OR VOLUNTARY, AND EFFECT OF NOT PROVIDING INFORMATION: Formal complaints of employment discrimination must be in writing, signed by the Complainant (or attorney representative), and must identify the parties and action or policy at issue. Failure to comply may result in the Department of Homeland Security dismissing the complaint. It is not mandatory that this form be used to provide the requested information.

OMB STATEMENT

In accordance with the Paperwork Reduction Act, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB Control Number for this information collection is 1610-0001. The time required to complete this information collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.