# OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS Alternative Dispute Resolution Process effective June 19, 2019

#### FOR MOST EMPLOYEES IN THE LEGISLATIVE BRANCH

## INITIAL PROCESSING

Claim must be filed within 180 days of violation.

## PRELIMINARY REPORT

Preliminary Hearing Officer issues report within 30 days; an extension of no more than 30 days is allowed.

#### **MEDIATION**

- Voluntary, confidential.
  Both parties must request.
  May be requested at several points during the process.
- Length of stage: 30 days, unless extended for additional 30 days.





OR



#### CIVIL ACTION

A claimant who has not requested a hearing at OCWR or whose claim does not proceed past the preliminary review stage may file a civil complaint in U.S.

District Court.

## ADMINISTRATIVE PROCEEDING BEFORE MERITS HEARING OFFICER

Must request a hearing at the OCWR no later than 10 days after Preliminary Hearing Officer's Report.

Hearing generally will be held within 90 days. Decision by Merits Hearing Officer issued within 90 days of end of hearing.



#### REVIEW BY OCWR BOARD OF DIRECTORS

Appeal must be filed no later than 30 days after Merits Hearing Officer's decision.



There is another chart available that reflects the process applicable to employees who are claiming that a Member of Congress personally engaged in certain types of misconduct.

For more information, please visit: OCWR.GOV.



Appeal must be filed no later than 90 days after Board of Directors' decision.



# OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS Alternative Dispute Resolution Process effective June 19, 2019

FOR EMPLOYEES WHO MAKE A PERSONAL CLAIM AGAINST A MEMBER OF CONGRESS

#### INITIAL PROCESSING

Claim must be filed within 180 days of violation.

Special notification requirements to Members of Congress if there is an allegation of harassment, intimidation, reprisal, or discrimination.

#### PRELIMINARY REPORT

Preliminary Hearing Officer issues report within 30 days; an extension of no more than 30 days is allowed.

Notice to appropriate Ethics Committees.\*

#### **MEDIATION**

- Voluntary, confidential.
  Both parties must request.
  May be requested at several points during the
- process.

   Length of stage: 30 days, unless extended for additional 30 days.



OR



#### CIVIL ACTION

A claimant who has not requested a hearing at OCWR or whose claim does not proceed past the preliminary review stage may file a civil complaint in U.S. District Court.

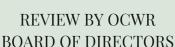
\* The OCWR Executive Director will refer to an appropriate Ethics Committee any "final disposition"

(i.e., a mediated settlement or a final decision within OCWR) of a claim that alleges a Member of Congress or a Member's senior staff member personally engaged in

harassment, intimidation, reprisal, or discrimination.

# ADMINISTRATIVE PROCEEDING BEFORE MERITS HEARING OFFICER

- Must request a hearing at the OCWR no later than 10 days after Preliminary Hearing Officer's Report.
- Hearing generally will be held within 90 days. Decision by Merits Hearing Officer issued within 90 days of end of hearing.



Appeal must be filed no later than 30 days after Merits Hearing Officer's decision.





There is another chart available that reflects the process applicable to most legislative branch employees. For more information, please visit: OCWR.GOV.

#### U.S. COURT OF APPEALS

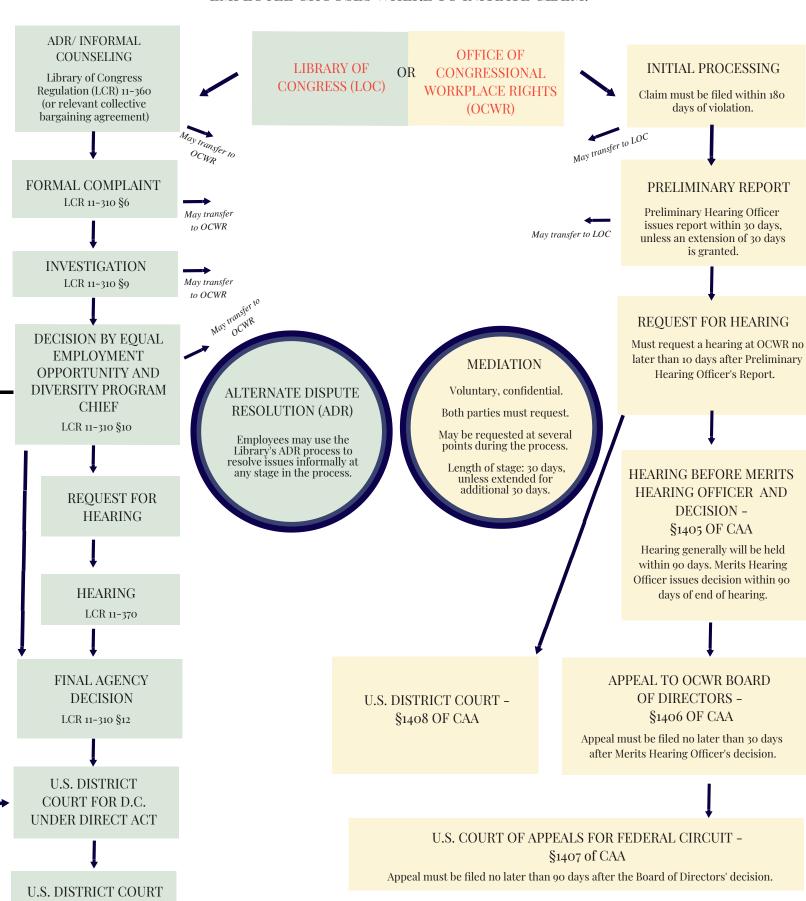
Appeal must be filed no later than 90 days after Board of Directors' decision.

OF APPEALS

### Alternative Dispute Resolution Process under Congressional Accountability Act (CAA) Reform Act

### FOR LIBRARY OF CONGRESS EMPLOYEES\*

#### EMPLOYEE CHOOSES WHERE TO INITIATE CLAIM:



<sup>\*</sup> There is another flow chart for legislative branch employees who do not work for the Library of Congress.