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CIVILIAN PERSONNEL SECTION FACT SHEET

COMPLAINT SYSTEMS

If you have a problem in the workplace involving an employment related matter, you have several means available to you to resolve your concerns. Your first stop should be your first level supervisor or someone higher in your chain of command. Poor communication and misunderstandings cause many disagreements and problems. The best way to fix a concern is at the lowest level possible and without bringing in outsiders. If this approach does not work, there are formal procedures available. This list should help you to determine which process is correct for you.

ADMINISTRATIVE GRIEVANCE: A grievance is a request by an employee, or a group of employees, for personal relief in any matter of personal concern or dissatisfaction not specifically excluded from the grievance procedure that relates to the employment and which is subject to the control of management. The time limit for filing a grievance is **15 days** from the date an incident occurred or otherwise became aware the incident occurred. The Air Force has an administrative grievance procedure which is outlined in AFI 36-706, *Administrative Grievance System*. For further information on the Ramstein AB procedures, contact your Employee Relations Specialist at DSN: 478-6714 or 478-7143.

APPEAL TO THE MERIT SYSTEMS PROTECTION BOARD (MSPB): The majority of the cases brought to MSPB are appeals of agency adverse actions - that is, removals, suspensions of more than 14 days, reductions in grade or pay, and furloughs of 30 days or less. Appeals of OPM determinations in retirement matters are also a major category of appeals. Other types of actions that may be appealed to the Board include: performance-based removals or reductions in grade, denials of within grade or salary increases, reduction-in-force actions, OPM suitability determinations, OPM employment practices (the development and use of examinations, qualification standards, tests, and other measurement instruments), denials of restoration or reemployment rights, and certain terminations of probationary employees. If the Air Force takes an action against you concerning one of these matters and you do not feel it was justified, you may choose to file a written request, called an appeal, to the MSPB to have the Air Force's decision reviewed. Your appeal must be in writing, stating the reasons you feel action was not warranted, and you may submit any evidence you feel necessary to support your appeal. You must submit an Appeal Form within **30 calendar days** of the effective date of the action or the date you receive the decision, whichever is later. An appeal is sent to the Merit Systems Protection Board, Washington DC Regional Office, via e-file (www.mspb.gov) or by mail to 1901 S Bell Street, Suite 950, Arlington, VA 22202. MSPB rules provide that the 30 day limit will be extended by an additional 30 days in cases where the employee and agency mutually agree in writing to attempt to resolve the dispute through an Alternative Dispute Resolution (ADR) process.

CLASSIFICATION APPEAL: If an employee believes that the classification of their position - that is, General Schedule (GS) [white collar] or Federal Wage System (FWS) [blue collar] pay plan, series, grade, and/or title is wrong, they may file a classification appeal. The matter should be discussed with the immediate supervisor first and if you have questions your supervisor cannot answer, you may want to speak with the

organization's assigned Staffing Specialist. An employee's avenue(s) of appeal depends on whether the employee is a GS or FWS employee.

- A GS employee has two avenues of appeal. The employee can appeal to either DoD or to OPM. If the employee appeals first to DoD, the employee can later appeal to OPM if they are not satisfied with the decision by DoD. An appeal to OPM is the final administrative avenue of appeal.
- An FWS employee cannot appeal to OPM until they first appeal to DoD. If the employee is not satisfied with the decision by DoD, the employee can then appeal to OPM. There is one exception - an FWS employee may appeal directly to OPM if the appeal covers the issue of pay category only, and no other appealable issues. Again, an appeal to OPM is the final administrative avenue of appeal.

Air Force civilian employees submit position classification appeal packages through the Air Force Personnel Center (AFPC) to Department of Defense (DoD) or the Office of Personnel Management (OPM). The procedures for filing classification appeal through the DoD Civilian Personnel Management System or the Office of Personnel Management are explained in their respective websites at:

www.dtic.mil/whs/directives/corres/pdf/140025_vol511.pdf and www.opm.gov/classapp.

DISCRIMINATION COMPLAINT AND EEO PURVIEW: If you believe you have been discriminated against on the basis of race, color, religion, sex, national origin, age, physical or mental handicap or reprisal for filing a previous discrimination complaint, you must contact an Equal Employment Opportunity Counselor within **45 calendar days** from the date the act took place or otherwise became aware of the act.

INSPECTOR GENERAL (IG) SYSTEM: The Inspector General system should not be used for matters that are to be handled by one of the formal civilian complaint systems. If such a matter is brought to the attention of the IG that office will usually refer it to the proper channels. Issues that may be appropriate for the IG include fraud, waste, and abuse issues, or complaints that are not personal to the person making the report.

OFFICE OF SPECIAL COUNSEL: The Office of Special Counsel (OSC) is an independent Federal investigative and prosecutorial agency. Basic authorities come from three Federal statutes, the Civil Service Reform Act, the Whistleblower Protection Act and the Hatch Act. Their mission is to safeguard the merit system by protecting Federal employees and applicants from prohibited personnel practices, especially reprisal for whistleblowing. OSC provides a safe channel through which current and former Federal employees and applicants for employment may disclose information that they believe shows a violation of law, rule or regulation; gross mismanagement; gross waste of funds; abuse of authority; or a substantial and specific danger to public health or safety. This disclosure channel guarantees confidentiality to the whistleblower and OSC may order an agency to investigate and report on the disclosure. OSC promotes compliance by government employees with legal restrictions on political activity by providing advisory opinions, enabling individuals to determine whether their contemplated political activities are permitted under the Act. OSC also protects the reemployment rights of Federal employee military veterans and reservists under the Uniformed Services Employment and Reemployment Rights Act (USERRA). Further information may be obtained from the following website: www.osc.gov or by contacting our Human Resources Specialist for assistance.

REFERENCES: DoDI 1400.25 Vol 511, *DoD Civilian Personnel Management System: Classification Program*; AFI 36-706, *Administrative Grievance System*; AFI 36-2706, *Equal Opportunity Program Military and Civilian*