**Section 2520.790 Complaint Process**

a) Internal Complaints – When any agency employee complains of employment discrimination against the agency through a grievance under the Personnel Code, a collective bargaining agreement or an internal agency grievance mechanism, the agency's EEO Officer shall be notified of the grievance not later than at the time it reaches the level of the agency's Chief Executive Officer. The EEO Officer shall attend the grievance hearing at that level either as the hearing officer or as a consultant to the hearing officer. If serving as a consultant to the hearing officer, the EEO Officer shall provide a written recommendation to the hearing officer regarding the disposition of the grievance within the timeframe applicable under the grievance mechanism, and the hearing officer shall consider the recommendation in determining the merits of the grievance.

b) External Complaints – When a charge or complaint alleging employment discrimination against an agency is filed with the Department, the U.S. Equal Employment Opportunity Commission or any other government agency, the agency shall provide a copy of the charge or complaint to the agency's EEO Officer immediately upon being served. The EEO Officer shall then promptly conduct a preliminary investigation, and make a recommendation to the agency's Chief Executive Officer concerning resolution of the complaint. The EEO Officer shall also participate in any conferences or hearings convened by the enforcement agency with which the charge or complaint is filed, and make recommendations to the agency's Chief Executive Officer or designee for disposition of the matter.

(Source: Amended at 17 Ill. Reg. 15556, effective September 13, 1993)