



**ROBNSAFBVA36-16**

**17 May 2024**

(Prescribed by 29 CFR, Section 1614.102(b)(7))

## **PROCESSING AGE DISCRIMINATION COMPLAINTS**

### **PROCEDURES:**

(1) The Age Discrimination in Employment Act (ADEA) prohibits discrimination in employment on the basis of age (40 years or older). An aggrieved person may file a formal administrative complaint with the agency under Title 29 Code of Federal Regulation Part 1614. Once the aggrieved person elects to file an administrative complaint, all administrative remedies must be exhausted before he or she may file a civil action in US District Court.

(2) An aggrieved person may bypass the formal administrative complaint process in Part 1614, and file a civil action directly in US District Court after first giving the EEOC not less than 30 days written notice of intent to sue under ADEA. Such notice must be filed within 180 calendar days of the date of the alleged discriminatory action. Since the statute of limitations in ADEA cases is not consistently applied by the courts, an aggrieved person wishing to bypass the administrative process should initiate the civil action as soon as possible after the expiration of the 30-day waiting period which follows the notice of intent to sue.

**FOR FURTHER INFORMATION, CONTACT:** Diversity, Equity, Inclusion, & Accessibility Office  
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