

NOTICE OF NON-ACCEPTANCE OF AN OFFER OF RESOLUTION

By signing and dating this notice, I hereby decline the offer of resolution that has been made to me under the provisions of Title 29, Code of Federal Regulations, Part 1614.109(c). I understand that by declining this offer, I will not receive payment for any attorney's fees and costs incurred after the 30 calendar day acceptance period if the relief awarded by the Equal Employment Opportunity Commission (EEOC) administrative judge or EEOC, Office of Federal Operations (OFO), on appeal, is less than the amount offered, unless the EEOC administrative judge or OFO rules that the interest of justice requires that I receive award of full attorney's fees and costs. I further understand that my non-acceptance of this offer of resolution will neither terminate the processing of my complaint(s) nor prohibit further negotiations or use of ADR in an effort to resolve my complaint(s).

Signature of complainant

Date

Signature of representative

Date

NOTES:

1. This notice, the Cover Letter for Offers of Full Resolution, and the Offer of Resolution must be sent in accordance with the service rules set forth in paragraph 1-23.
2. If complainant does not accept the offer of resolution, the agency representative should be immediately notified and provided with a copy of the non-acceptance notice.
3. The signed Notice of Non-Acceptance and a copy of all documents related to the offer of resolution will be filed in the agency representative's litigation file and not in the EEO complaint file.

Figure 4-15. Sample Notice of Non-Acceptance of an Offer of Resolution