UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAY 06 2010

OFFICE OF
CIVIL RIGHTS

Return Receipt Requested
Certified Mail #7009-2820-0002-1759-3692

In Reply Refer To:
EPA File No: 09S-10-R10

[redacted]

Re: **Rejection of Administrative Complaint**

Dear [redacted]:

This letter is in response to your administrative complaint filed with the U.S. Environmental Protection Agency (EPA) Office of Civil Rights (OCR). Your complaint was received by EPA on March 31, 2010. The complaint alleges that Teledyne Wah Chang in Albany, Oregon has discriminated against you on the basis of your gender.

OCR is responsible for processing and investigating complaints of discrimination filed against programs or activities that receive financial assistance from EPA. Pursuant to EPA's nondiscrimination regulations, OCR conducts a preliminary review of discrimination complaints to determine acceptance, rejection, or referral. 40 C.F.R. § 7.120(d)(1). To be accepted for investigation, a complaint must meet the jurisdictional requirements described in EPA's Part 7 regulations. First, it must be in writing. Second, it must describe an alleged discriminatory act that, if true, would violate EPA's nondiscrimination regulations (*i.e.*, an alleged discriminatory act based on race, color, national origin, sex, or disability). Third, it must be filed within 180 days of the alleged discriminatory act. Finally, the complaint must be filed against an applicant for, or recipient of, EPA assistance that allegedly committed the discriminatory act. (A copy of EPA's nondiscrimination regulations is enclosed for your convenience.)

After careful consideration, OCR has concluded that it cannot accept the complaint for investigation because it does not meet the jurisdictional requirements

described in EPA's nondiscrimination regulations. As stated above, a complaint must be filed against an applicant for, or a recipient of, EPA financial assistance that allegedly committed the discriminatory act. Teledyne Wah Chang is not an applicant for or recipient of EPA financial assistance. In addition, complaints of discrimination must be filed within 180 days of the alleged discriminatory act. From the materials you submitted, it appears that your complaint was not filed in a timely manner. Therefore, OCR cannot accept this complaint for investigation.

If you have questions regarding this letter, please contact Ericka Farrell of the OCR External Compliance Program at (202) 343-9224, via electronic mail at farrell.ericka@epa.gov, or by mail at U.S. EPA, Office of Civil Rights (Mail Code 1201A), 1200 Pennsylvania Avenue, NW, Washington, DC 20460-1000.

Sincerely,

Karen D. Higginbotham
Director

Enclosure

cc: Katherin E. Hall, Assistant General Counsel
Civil Rights Law and Finance Office (MC 2399A)

Bridget Coyle, EPA Region 10

Lynn Davis, President
ATI Wah Chang