



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**  
**Office of Federal Operations**  
**P.O. Box 77960**  
**Washington, DC 20013**

[REDACTED]  
Sacha K.,<sup>1</sup>  
Complainant,

v.

Louis DeJoy,  
Postmaster General,  
United States Postal Service  
(Field Areas and Regions),  
Agency.

Request No. 2024001061

Appeal No. 2022004834

Hearing No. 480-2022-00347X

Agency No. 4E-900-0079-21

**DECISION ON REQUEST FOR RECONSIDERATION**

Complainant requested that the Equal Employment Opportunity Commission (EEOC or Commission) reconsider its decision in Sacha K. v. U.S. Postal Service, EEOC Appeal No. 2022004834 (Oct. 23, 2023). EEOC Regulations provide that the Commission may, in its discretion, grant a request to reconsider any previous Commission decision issued pursuant to 29 C.F.R. § 1614.405(a), where the requesting party demonstrates that: (1) the appellate decision involved a clearly erroneous interpretation of material fact or law; or (2) the appellate decision will have a substantial impact on the policies, practices, or operations of the agency. See 29 C.F.R. § 1614.405(c).

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<sup>1</sup> This case has been randomly assigned a pseudonym which will replace Complainant's name when the decision is published to non-parties and the Commission's website.

The record indicates that on August 18, 2021, Complainant filed her complaint alleging discriminatory harassment based on race, national origin, sex, age, and in reprisal for prior EEO activity when:

1. beginning on or about May 14, 2021, Complainant's bid was abolished, and her schedule was changed daily, from shift to shift, and she was only allowed to work six hours;
2. on an unspecified date, Complainant's first-line supervisor ("Supervisor") threatened to walk Complainant out of the building if she moved equipment;
3. on August 10, 2021, the Supervisor threatened to walk Complainant out of the building for yelling at her;
4. on an unspecified date, the Supervisor yelled at Complainant to get off the phone, even though she had not clocked into work yet;
5. in April and May 2021, management did not properly process Complainant's Emergency Federal Employee Leave request, resulting in her being charged an improper type of leave;
6. on or about January 30, 2021, Complainant's request to be reassigned into a clerk craft position was not granted;
7. on or about May 26, 2021, Complainant request for Emergency Federal Employee Leave was denied;
8. on September 10, 2021, the Supervisor did not properly input Complainant's time and delayed ordering a new timecard;
9. on or about September 21, 2021, and ongoing, management continues to misplace Complainant's PS Form 3971s to get her into trouble;
10. on October 5, 2021, Complainant was told that she did not have any remaining annual leave, after taking twelve hours of leave;
11. on October 5, 2021, Complainant was accused of taking an extended break;
12. on or about October 5, 2021, Complainant was called into the office and given instructions to clean the front of the Post Office;
13. on October 12, 2021, management did not approve Complainant's request for leave on a PS Form 3971;
14. on October 14, 2021, Complainant was accused of not following instructions to pull weeds and on October 19, 2021, she was accused of not cleaning the front yard. She alleged that this was an ongoing issue of being accused of not following management's instructions and being told false information regarding customers' complaints;
15. on October 14, 2021, and continuing, Complainant was accused of yelling and harassing the Supervisor;
16. on October 19, 2021, management would not address Complainant's questions about the Family and Medical Leave Act (FMLA), and she was required to call the system;
17. on unspecified dates, Complainant's FMLA request was charged as unscheduled leave;
18. on or about October 20, 2021, Complainant submitted a request for three consecutive weeks of annual leave, but only the first two weeks were approved;
19. on November 30, 2021, Complainant was told that she could not apply for a vacant clerk position;

20. on December 1, 2021, management refused to meet with Complainant to discuss her concerns regarding the facility being a mess when she returned from her time off;
21. on December 3, 2021, the Supervisor accused Complainant of hitting her feet with a dust mop while sweeping; and
22. on January 7, 2022, Complainant became aware that she had been improperly charged sick leave for time off in December 2021, for which she requested annual leave.

Complainant requested a hearing before an EEOC Administrative Judge (AJ). The AJ issued a decision without a hearing finding no discrimination. The Agency issued its final order adopting the AJ's decision. Complainant appealed, and the Commission's prior decision affirmed the Agency's final order.

In her request, Complainant, reiterating arguments she previously made, provides no evidence to warrant granting her request. The Commission emphasizes that a request for reconsideration is not a second appeal to the Commission. Equal Employment Opportunity Management Directive for 29 C.F.R. Part 1614 (EEO MD-110) (Aug. 5, 2015), at 9-18; *see, e.g., Lopez v. Dep't of Agric.*, EEOC Request No. 0520070736 (Aug. 20, 2007). Rather, a reconsideration request is an opportunity to demonstrate that the appellate decision involved a clearly erroneous interpretation of material fact or law, or will have a substantial impact on the policies, practices, or operations of the Agency. Complainant has not done so here.

After reviewing the previous decision and the entire record, the Commission finds that the request fails to meet the criteria of 29 C.F.R. § 1614.405(c), and it is the decision of the Commission to deny the request. The decision in EEOC Appeal No. 2022004834 remains the Commission's decision. There is no further right of administrative appeal on the decision of the Commission on this request.

#### COMPLAINANT'S RIGHT TO FILE A CIVIL ACTION (P0124)

This decision of the Commission is final, and there is no further right of administrative appeal from the Commission's decision. You have the right to file a civil action in an appropriate United States District Court **within ninety (90) calendar days** from the date that you receive this decision. If you file a civil action, you must name as the defendant in the complaint the person who is the official Agency head or department head, identifying that person by their full name and official title. Failure to do so may result in the dismissal of your case in court. "Agency" or "department" means the national organization, and not the local office, facility or department in which you work.

#### RIGHT TO REQUEST COUNSEL (Z0815)

If you want to file a civil action but cannot pay the fees, costs, or security to do so, you may request permission from the court to proceed with the civil action without paying these fees or costs.

Similarly, if you cannot afford an attorney to represent you in the civil action, you may request the court to appoint an attorney for you. **You must submit the requests for waiver of court costs or appointment of an attorney directly to the court, not the Commission.** The court has the sole discretion to grant or deny these types of requests. Such requests do not alter the time limits for filing a civil action (please read the paragraph titled Complainant's Right to File a Civil Action for the specific time limits).

FOR THE COMMISSION:



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Carlton M. Hadden, Director  
Office of Federal Operations

January 25, 2024  
Date