

2.1 | WHAT IS AN APPEAL BRIEF?

An appeal brief is an optional written document where the parties explain to the EEOC Office of Federal Operations why an earlier decision by a federal agency or EEOC Administrative Judge made a mistake or decided the case correctly. Two briefs may be filed during the appeals process:

- A brief or statement in support of the appeal.

This brief usually sets out the history of the case, explains to the EEOC Office of Federal Operations the mistake or error that the previous decision made, and argues why the previous decision should be reversed.

- A brief or statement in opposition to the appeal.

This brief responds to the arguments raised in the brief in support of an appeal (when filed by a complainant it is responding to an appeal by the agency) and sets out arguments that the previous decision was correct and should be affirmed.

(EEOC Office of Federal Operations. © 2021)

