DEPARTMENT OF THE ARMY
HEADQUARTERS, 1ST BATTALION, 62ND AIR DEFENSE ARTILLERY REGIMENT FORWARD
AL UDEID AIR BASE, APO AE 09309
ISA AIR BASE, FPO AE 09859

AFVL-LRB-BC

9 November 2015

MEMORANDUM FOR RECORD

SUBJECT: Command Policy #4 Equal Opportunity Complaint Processing Procedures

1. References.

a. AR 600-20, Army Command Policy, 6 November 2014.

b. DoD Directive 1020.02E, "Diversity Management and Equal Opportunity in the DoD", 8 June 2015.

c. 31st ADA Brigade Command Policy Letter 4, 1 October 2015.

2. Purpose. Ensure all Soldiers have knowledge of the procedures to file an EO complaint and understand their right to present a complaint without fear of intimidation, reprisal, or harassment.

3. Background. Commanders at all levels will establish, implement, and inform their commands of the EO complaint procedures in accordance with AR 600-20, Chapter 6 and Appendix C. These procedures explain, in detail, how Soldiers can present a complaint to the chain of command or supporting agency.

4. Discussion. Any individual who believes they were discriminated against or treated unfairly based on race, color, national origin, gender, religion, or sexual orientation has the right to file an EO complaint. Complaints of discrimination can be submitted either informally or formally.

a. An informal complaint is any complaint that a complainant does not wish to file in writing. In resolving an informal complaint, members of the command must ensure that the complaint is taken seriously, handled fairly and with sensitivity. Informal complaints may be resolved without the knowledge or direct involvement of the commander. There are no time lines for resolving an informal complaint; however, the complaint will be resolved as quickly as possible.

b. A formal complaint is one that a complainant files in writing and swears to the accuracy (sworn statement) of the information. Formal complaints require specific actions, are subject to timelines, and require documentation of the actions taken. A formal EO complaint will be filed with the Equal Opportunity Advisor using DA Form 7279 (Equal Opportunity Complaint Form). Individuals have 60 calendar days to file a

formal complaint from the time that the incident occurred. However, leaders and commanders must investigate formal complaints, even if the 60 days have expired.

(1) Upon receipt of the complaint, the commander will either conduct an investigation personally or appoint an investigating officer in accordance with the provisions of AR 15-6. Depending on the circumstances of the complaint, the commander may deem it necessary to ask the next higher level of command to appoint the investigating officer. After receipt of the complaint, the commander to whom the complaint was given has 14 calendar days in which to conduct an investigation.

(2) All formal complaints will be reported to the first General Courts-Martial Convening Authority (GCMCA) within three calendar days. Additionally, the commander will provide a progress report to the GCMCA 21 days after that date on which the investigation began, and 14 days thereafter until completion.

(3) The commander will establish and implement a plan to protect the complainant, any named witnesses, and the subject from acts of reprisal. The plan will include, as a minimum, specified meetings and discussions with the complainant, subject, named witnesses, and selected members of the chain of command.

(4) All complaints should be handled by the lowest level of the chain of command. However, there will be times when an individual may feel uncomfortable submitting the complaint directly to the chain of command. In such cases, the individual may submit the complaint to the Equal Opportunity Advisor or another support agency. Agencies available to address and process complaints are any brigade or higher Army Equal Opportunity Advisor (EOA), Inspector General (IG), Chaplain, Provost Marshal, Staff Judge Advocate, a higher echelon of the command, and medical agency personnel. Leaders will not preclude or hinder individuals from using these channels for complaint resolution. The 31st Brigade Equal Opportunity Advisor can be reached at DSN 437-5307. The Battalion Equal Opportunity Leader can be reached at timothy.d.cook34.mil@mail.mil.

(5) Individuals who believe they were subjected to sexual harassment and/or offensive behavior of a sexual nature have the right to file an informal or a formal complaint with the Brigade Sexual Assault Response Coordinator (SARC) or Brigade Victim Advocate (VA).

6. The point of contact for this memorandum is CPT Annie Arauz, Battalion S-1 at annie.arauz@auab.afcent.af.mil or at 318-437-5884.

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Commanding