

Personnel-General
EQUAL OPPORTUNITY PROGRAM

SUMMARY. This regulation is a revision of the III Corps and Fort Hood (FH) Equal Opportunity (EO) Program. It establishes policy and procedures that provide for the fair treatment of all soldiers and their family members, both on and off post.

APPLICABILITY. This regulation applies to all HQ, III Corps and FH staff sections, Major Subordinate Command (MSC) soldiers, their family members, and Department of Defense (DOD) civilians. In the event of full mobilization, requirements of this regulation remain in effect. Civilian employees must direct their complaints to the civilian Equal Employment Opportunity (EEO) Office, AFZF-EEO.

REQUIREMENTS IMPACTING ON MSC COMMANDERS. MSC commanders are responsible for implementing and maintaining an all-encompassing EO program.

SUPPLEMENTATION. Supplementation of this regulation is prohibited unless approved by the Office of the Assistant Chief of Staff (ACofS), G1, ATTN: AFZF-GA-EO.

SUGGESTED IMPROVEMENTS. The proponent of this regulation is the ACofS, G1, AFZF-GA-EO. Users are invited to send comments and suggested improvements to Commander, III Corps and Fort Hood, ATTN: AFZF-GA-EO.

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GENERAL

	<u>1</u>
Purpose	This regulation establishes policy and procedures that provide for the fair treatment of all soldiers and their family members, both on and off post. <u>1a</u>
References	AR 20-1 (Inspector General Activities and Procedures) AR 25-30 (The Army Integrated Publishing and Printing Program) AR 350-1 (Army Training) AR 600-20 (Army Command Policy) AR 680-29 (Military Personnel-Organization and Type of Transaction Codes) DA Pamphlet 600-26 (The Department of the Army Affirmative Action Plan) DoD Directive 1350.2 (The Department of Defense Equal Opportunity Program) FH Reg 350-1 (Active Component Training) FORSCOM Supplement 1 to AR 600-20 <u>1b</u>
Abbreviations and Terms	Special terms and abbreviations used in this regulation are listed in the glossary. <u>1c</u>
Objectives	The objectives of the III Corps and FH EO program are to <ul style="list-style-type: none"> • identify and establish <ul style="list-style-type: none"> • goals, • responsibilities, • policies that support the EO program, and • assess EO. • execute the program within the chain of command. • train leaders to be sensitive and provide equal opportunity and treatment for soldiers and their family members without regard to race, color, religion, gender, or national origin and to provide an environment free of <ul style="list-style-type: none"> • discrimination, • sexual harassment, or • the perception that they exist. • strengthen the chain of command. • command a high degree of discipline and cohesion in support of improved readiness. <u>1d</u>

RESPONSIBILITIES

2

Commanders EO is the responsibility of all leaders and a function of command.

EO is the commander's program; therefore, commanders are the EO officers within their respective units and are advised by

- EO advisers (EOA),
- other staff members, and
- EO representatives (EORs)
 - on equal opportunity matters.

Commanders will

- develop, implement, and monitor EO programs for their organizations.
- identify discrimination and sexual harassment practices affecting soldiers and their family members.
- take appropriate action and follow up to resolve allegations of discrimination and/or sexual harassment made by soldiers or their family members.
- conduct EO training on a continuing basis for all soldiers, consistent with requirements from higher headquarters.
- monitor and assess the execution of EO programs and policies at all levels of their command.
- promote EO and interpersonal harmony for all soldiers and their family members.
- develop, update, and post policies on EO and the prevention of sexual harassment within their unit.
- appoint a trained EOR (SSG or above) in writing for each unit (company, battery, troop, or detachment).
- establish an EO council (to meet quarterly) at division and separate brigade (see Appendix A).
- establish an ethnic observance committee(s) to plan, organize, and execute special observances within their unit. (see Appendix B)
- ensure discrimination and sexual harassment complaints are processed, investigated, and resolved expeditiously or according to the time table in block 3f.

2a

Roles and Duties of EOAs

Roles and duties of EOAs are

- understand and articulate DoD and DA policies concerning EO as stated in Army directives.

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Roles and
Duties of EOAs
(continued)

- provide assistance and advice to their respective commanders in matters relating to the Army EO program.
- recognize and assess indicators of institutional and individual discrimination in organizations.
- recognize sexual harassment in both overt and subtle forms.
- recommend appropriate remedies to reduce or prevent discrimination and sexual harassment.
- collect, organize, and interpret demographic data concerning all aspects of EO climate assessment.
- train EORs to assist commanders in meeting their EO responsibilities.
- assist commanders in the development of a realistic Affirmative Actions Plan (AAP) and monitor progress of this plan.
- conduct training sessions pertaining to equal opportunity, discrimination, and prevention of sexual harassment.
- receive and act upon individual complaints.
- plan and conduct executive seminars on AAPs, equal opportunity, discrimination, and prevention of sexual harassment.
- assist in the planning and conduct of ethnic observances.
- assist commanders in developing EO policy for their unit.
- not further assigned to any non-EO related duties (full or part-time)

Actual duties of EOAs and relative emphasis on each duty may vary according to type of unit or level of command, unit composition, and location.

III Corps EOA

The III Corps EOA is the primary adviser to the Commanding General on all matters pertaining to EO.

The III Corps EOA

- develops EO policies, regulations, and directives for the EO program.
 - provides staff supervision for placement of soldiers with skill qualification identifier (SQI) "Q" to MSCs.
 - serves as member/adviser to the Armed Forces Disciplinary Control Board on equal opportunity matters.
 - coordinates, manages, and conducts specialized EO education and training for III Corps units.
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Unit of
Attachment
(continued)

- rate the EOA and as a minimum ensure EOA noncommissioned officer evaluation report (NCOER) is reviewed by the commander or senior officer in the command group.
- request an NCOER through the III Corps AG.
- submit SIDPERS information and finance documents to Personnel and Administration Center (PAC) which supports unit of attachment for further transmittal to HQ Command PAC.
- recommend the EOA for awards and decorations.

2f

EO COMPLAINT PROCESSING PROCEDURES

3

Complaints

Members of the chain of command (leaders, supervisors) and staff personnel will accept complaints from a soldier or a family member who believes he or she has been discriminated against because of race, color, religion, gender, or national origin.

Complaints may also be filed by an organization or unit for the family member of a soldier with his/her consent.

The complainant shall be free from restraint, interference, coercion, discrimination, or reprisal, and shall have the right to seek advice from the installation Legal Assistance Office, as well as the right to be accompanied, represented, and advised at any stage of the procedure by a voluntary representative, other than a Judge Advocate, of his/her own choosing.

The representative shall be provided the same protection as the complainant.

These guidelines do not apply to a complaint by a third party or group of soldiers or family members concerning general practices or conditions.

Soldiers or family members constituting such a group will be advised of their rights to file individual complaints.

Two or more soldiers or family members may jointly file a complaint concerning a specific action affecting them; such joint complaints will be processed simultaneously.

In order to establish and maintain viable EO Complaint Processing Procedures

- the chain of command must be involved to the fullest extent.
- all soldiers must be aware of the avenues available for the redress of complaints such as the Inspector General (IG) office, EO, EEO office or other available agencies.
- units will display complaint processing procedures where they are readily accessible to soldiers (i.e., bulletin boards, work areas, and billets).

NOTE: Agencies receiving complaints will provide the status and disposition of the complaint to the chain of command, leaders, and/or supervisors.

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Complaints (continued) EO Complaint Processing Procedures are used to resolve discrimination complaints concerning

- race,
- color,
- religion,
- gender,
- national origin,
- sexual harassment, or
- unit policies or procedures.

3a

Acceptance of Complaints Members of the chain of command and staff personnel can accept complaints from soldiers who believe they have grievances for the reasons stated in paragraph 3a.

The soldier (complainant) will be free from

- restraint,
- interference,
- coercion,
- discrimination,
- reprisal/harassment, or
- intimidation.

The soldier has the right to

- seek legal assistance/advice,
- be accompanied, represented, and advised at any stage of the procedure by a voluntary representative, other than a Judge Advocate, of his or her own choosing.

NOTE: The soldier's representative shall not be harassed, intimidated, or retaliated against in any form.

3b

Types of Complaints

NATURE OF COMPLAINT	RECEIVING AUTHORITY
Complaints against unit level (i.e. company, battery) personnel other than the commander or acting commander.	Unit commander
Complaints against the commander or acting commander.	Battalion/Squadron commander
Complaints against the battalion/ squadron commander.	Brigade/Group commander
Complaints against personnel, civilian, organizations.	Unit commander, EO Office, EEO Office, or IG/Chaplain Office
Complaints occurring at military installations other than Fort Hood.	Above guidelines apply. Complaint may be processed by either the home or host installation of the complainant.
Complaints involving off post housing.	Installation Housing Referral Office.

3c

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- Presenting Complaints
- Discrimination complaints should be submitted in accordance with (IAW) the following guidelines
- On-post complaint - 30 calendar days from the date of the incident when the incident occurred on another installation.
 - Off-post complaint - must be filed within 180 calendar days from the date of the incident when it concerns discrimination in off-post housing and/or other civilian establishments.
- NOTE:** In case of an alleged sexual harassment or other EO grievance at another installation, a written explanation must be submitted by the complainant as to why the complaint was not initiated at the location. When the complainant shows that he/she was not notified, aware of the time constraints, or from filing a complaint within the prescribed time limits, the complainant shall have an additional 10 working days to file the complaint with the receiving authority from the date the written explanation is submitted.
- Civilian employees and military retirees should use the EEO office to file complaints and seek redress of grievances.

3d

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- Complaint Processing
- Responsibilities of receiving authority are
- ensuring complaints are
 - processed IAW the established guidelines in AR 600-20, Interim change I04.
 - investigated, adjudicated, resolved, documented, and reported through command channels.
 - resolved based on recommendations obtained as a result of an inquiry and/or investigation of the complaint.
 - personally verified or designate a responsible individual to do the verification.
 - promptly verified as being EO related (there should be no formal or informal investigative action prior to interviewing the complainant).
- NOTE:** The designated individual should be equal to or senior in rank to the highest ranking individual named in the complaint. If sufficient data can be obtained and the solution to the problem is within the immediate organization, it should be resolved there. If sufficient data is unavailable to support the complaint, or the solution is beyond the capability of the receiving authority, a formal investigation, IAW AR 15-6 will be made. The investigating officer or board will not be appointed from the same company, battalion, department, or activity from where the complaint originated. Requests for investigating officers will comply with AR 15-6.
- verifying complaints by collecting
 - witness statement
 - statements of corroboration, and
 - other documents to support the complaint.

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Complaint Processing (continued)

NOTE: In the absence of witnesses or documents, the receiving authority may attempt to verify the incident by placing selected individuals, other than the complainant, in the same environment to determine if the same behavior is exhibited.

- ensuring the complainant has acted properly by filing the complaint within command channels and express receptivity to the complaint.
- ensuring the complainant receives assistance in filling out a complaint form (see appendix C).
- ensuring the interval between the time a complaint is received from a soldier and the receiving authority interview is no more than three working days, unless extenuating circumstances justify a time extension.
- ensuring an explanation from the receiving authority is attached to the complaint in the event the interview occurs more than three days after notification.

The number of EO complaints processed are reported quarterly through command channels to III Corps, ACoS, G1 (EO), NLT the first working day of the month following the end of the quarter, using the quarterly EO complaint report, FORSCOM Form 1028-R, found in FORSCOM Supplement 1 to AR 600-20.

Individuals who are not the appropriate receiving authority but receive a complaint will

- notify the appropriate receiving authority of the
 - nature of the complaint,
 - name(s) of the complainant(s) and the unit(s) of assignment, and provide a written copy of the complaint.

If the complainant requests their identity not be revealed

- the complainant is informed that EO personnel cannot maintain confidentiality and that the receiving authority must have their name prior to any formal action being taken.
- the complainant is informed their name may be given to the person accused of sexual harassment or discrimination should there be an initial finding that sexual harassment or discrimination exists and if the accused party requests the name of his/her accuser.

3e

Time Frame Processing Complaints

Soldiers and family members have 60 calendar days from the date of the alleged incident in which to file a formal complaint.

- This time limit is established to set reasonable parameters for the investigation and resolution of complaints, to include
 - ensuring the availability of witnesses,
 - accurate recollection of events,
 - and timely remedial action.

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Time Frame
for Processing
Complaint
(continued)

- If a complaint is received after 60 calendar days, the commander may conduct an investigation into the allegations.
- In deciding whether to conduct an investigation, the commander should consider the reason for the delay, the availability of witnesses, and whether a full and fair investigation can be conducted.
- Rapid resolution of EO complaints is in the best interest of both the person filing the complaint and of the command.
- After receipt of the complaint, the commander has 14 calendar days in which to conduct and investigation or to refer the case to a higher echelon commander.
- If, due to extenuating circumstances, it becomes impossible to conduct a complete investigation within the 14 calendar days allowed, the commander may obtain an appropriate extension (not to exceed 30 calendar days) in writing from the next higher echelon commander.
 - Upon receipt of an extension, the commander must inform the complainant of the extension, its duration, and the reasons for which it was requested. Any additional extensions must be approved in writing by the first general officer in the chain of command.
- Should the complaint be found to be unresolved in the mind of the complainant, the complainant has the right to appeal to the next higher commander within his or her chain of command.
 - The complainant must do so in writing on the DA Form 7279-R, part IV, within seven calendar days following notification of the results of the investigation and acknowledgment of the actions of the command to resolve the complaint or issue.
 - 30-45 days after the complaint is closed out (substantiated or not), an assessment must be done using DA Form 7279-1-R (Appendix D) to determine if any reprisal to the complainant or witnesses took place as a result of the complaint being initiated.

3f

Quarterly EO
Complaint
Report
(RSCCSGPA-
1471)

The quarterly EO complaint report (FORSCOM Form 1028-R) is consolidated at MSCs and staff and submitted to arrive at III Corps, ACoFS, G1, ATTN: AFZF-GA-EO, not later than the 1st duty day of the month following the end of the quarter. Cut off date for data is the 15th of the last month of each quarter.

The report will be forwarded in the format shown in Appendix B.

3g

SEXUAL HARASSMENT

4

General

Sexual harassment is a form of sex discrimination that involves

- unwelcomed sexual advances,

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General
(continued)

- requests for sexual favors, and
- other verbal or physical contact of a sexual nature.

Sexual harassment occurs when

- submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career.
- submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person.
- such conduct interferes with an individual's performance or creates an intimidating, hostile, or offensive environment.

Sexual harassment

- is not limited to the workplace.
- can occur anyplace, anytime.
- violates acceptable standards of honesty, integrity, and impartiality required of all Army personnel.

Any soldier or civilian employee

- in a supervisory or command position who uses or condones explicit or implicit sexual behavior to control, influence, or affect the career, pay, or job of another soldier or civilian employee is engaging in sexual harassment.
- who makes deliberate or repeated unwelcomed verbal comments, gestures, or physical contact of a sexual nature is engaging in sexual harassment.

Every leader (military and civilian) is responsible for taking both preventive and appropriate corrective action to eliminate sexual harassment.

Sexual harassment interferes with mission accomplishment and unit cohesion and will not be tolerated.

Many of the acts that constitute sexual harassment are punishable under civil and military law as criminal acts of a sexual nature (Manual for Courts Martial (MCM) 1984, para 17, part IV).

NOTE: Sexual harassment contains several critical elements, however all critical elements need not be present for sexual harassment to occur. Sexual harassment training should not be commingled with other EO training.

4a

EO STAFF ASSISTANCE AND ASSESSMENT VISIT (SAAV)

5

SAAV	<p>The SAAV is used to review and assess the overall EO program with emphasis on affirmative action, education and training, and to provide technical assistance and information in the following areas.</p> <p>Program Administration - ensure the following publications/documents are on hand and current</p> <ul style="list-style-type: none"> • AR 600-20. • DA Pam 350-20. • all higher headquarters supplements to ARs and policy letters regarding EO and sexual harassment. • unit implemented standing operating procedures (SOP).
	<u>5a</u>
Inspection Checklist	<p>The inspection checklist at Appendix E is for commanders to use in establishing an effective EO program.</p>
	<u>5b</u>
AAP	<p>Commanders at brigade and higher</p> <ul style="list-style-type: none"> • are required to publish an AAP. • will collect, record, maintain data and statistics by race, ethnic group, rank, and gender. <p>The AAP is comprised of planned, achievable steps to eliminate practices that deny EO to soldiers.</p> <p>Review the AAP for the following</p> <ul style="list-style-type: none"> • are proponents with affirmative actions responsibilities involved in the development and implementation of the command AAP? • does the plan include conditions requiring affirmative actions? • are goals and objectives clearly defined? • does the command have resources and authority to accomplish the stated goals and objectives? • is the AAP being reviewed, at least annually to assess the effectiveness of action steps, to initiate new actions, and to sustain goals already achieved? • is there a system for gathering and reporting affirmative action data to the commander in a timely and systemic manner?
	<u>5c</u>
Education and Training	<p>The unit training program should contribute to mission</p> <ul style="list-style-type: none"> • accomplishment, • cohesion, and • readiness.

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Education and Training	<p>EO Training - Review the program for the following</p> <ul style="list-style-type: none"> • does the unit training program meet the minimum DA criteria? (AR 600-20, para 6-14, FH Reg 350-1, para 3-3) • do members of the chain of command participate in unit training? • is EO training incorporated into the overall training schedule for the unit? • does each unit (company, troop, battery, attachment) have trained EORs appointed to assist the commander in developing and implementing the EO program? <p>NOTE: Staff assistance and assessment visits are conducted on as needed basis.</p>
	5d

INFORMATION GATHERING INTERVIEWS

6

Interviews	<p>Information gathering interviews with 20 - 25 company/battalion commanders and NCOs (CPL-MSG/1SG) are centered around</p> <ul style="list-style-type: none"> • information update on direction of program and new initiatives. • chain of command responsibility for ensuring equal opportunity for all soldiers. • unit training. • local policies. • discussion of areas that impact on unit cohesion and morale. • complaint processing procedures.
	6a

Soldier Interviews	<p>Soldier interviews/assessments (groups 20 - 25, PVT-SPC) soldiers.</p> <p>The meeting is centered around their</p> <ul style="list-style-type: none"> • understanding of the command EO policies and programs, • perception of fairness in the areas of <ul style="list-style-type: none"> • promotions, • awards, • assignments, and • UCMJ actions. • perception of areas that directly impact on EO and morale, such as <ul style="list-style-type: none"> • law enforcement, • sexual harassment, and • on/off post facilities/activities. • understanding of complaint processing procedures.
	6b

METHODOLOGY

7

General	<p>Methodology of an EO SAAV is</p> <ul style="list-style-type: none"> • ensure entrance and exit briefings are conducted with the senior commander and command sergeant major of the organization being visited or another representative from the command group. • provide technical assistance in all of the above areas throughout the visit, if needed. • conduct visits with selected proponents having affirmative actions responsibilities. • have person conducting the visit set sequence of information gathering sessions. • provide a written report to the commander within 10 working days after the visit.
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7a

MILITARY EQUAL OPPORTUNITY CLIMATE SURVEY (MEOCS)

8

General	<p>MEOCS is a management tool for commanders to assess the equal opportunity climate in their organizations.</p> <p>Diagnostic Instrument</p> <ul style="list-style-type: none"> • The MEOCS survey measures a unit's attitudinal climate (i.e. people's feelings and beliefs) rather than numbers of incidents or complaints. <p>Management Tool</p> <ul style="list-style-type: none"> • Since MEOCS measures perceptions and attitudes it is not designed to serve as a stand-alone instrument for decision making. The unit commander sets priorities for EO training and evaluates training effectiveness. <p>System components</p> <ul style="list-style-type: none"> • The MEOCS consists of a questionnaire that measures the perceptions of unit members in five primary areas: <ul style="list-style-type: none"> • Sexual harassment and discrimination. • Differential command behavior toward women and minorities. • Overt racist/sexist behaviors. • Positive equal opportunity behaviors. • So-called "reverse" discrimination (preferential treatment of minorities and women). • Feedback report - Once the survey is completed, the responses are returned to DEOMI (Defense Equal Opportunity Management Institute, Patrick Air Force Base [AFB], FL) for a statistical analysis. An assessment package comprised of the statistical analysis and a narrative interpretation of the responses are returned directly to the commander who requested the survey. Turnaround time varies depending on DEOMI's work load.
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8a

Requesting MEOCS Any commander may request the MEOCS.

The survey is mailed to the commander, upon written request.

Respondents are guaranteed confidentiality, as the survey requires no name or social security number.

To receive the survey, a request signed by the commander must be mailed to DEOMI, ATTN: DL, Patrick AFB, FL. 32925-6685.

Requests by fax may be sent to Defense Switch Network (DSN) 854-5534.

For more information about MEOCS contact Chief, Evaluation MEOCS and Survey Division, DSN 854- 5976 or (commercial) (407) 494-5976.

- Results of the MEOCS survey are provided only to the requesting commander.

8b

Administering The MEOCS survey is administered by the commander or designated representative at the MEOCS convenience of the requesting commander.

8c

TRAINING DIAGNOSIS ASSESSMENT SURVEY (TDAS)

9

General TDAS is a diagnostic instrument and management tool available to commanders at all levels to identify and address unit EO areas of concern.

Diagnostic Instrument

- TDAS survey measures a unit member's perceptions of personal/institutional discrimination, and the quality of interpersonal relations.

Management Tool

- The unit commander sets priorities for EO training and evaluates training effectiveness. Confidentiality of results is assured through the use of a unit code system.

System Components

- TDAS consists of a questionnaire, an answer sheet, computer-generated commander's feedback report, and a TDAS operating system.
- Questionnaire - it is anonymously answered and consists of 75 multiple choice items. All personnel who have been in the unit for more than 60 days should complete the survey. (Less than the 60 days time frame could bias the survey results.) The survey takes about 30 minutes to complete.
- Answer sheet - answer sheet is a single page, Mark Sense type form. It is not necessary to use only #2 lead pencils; any available writing implement will do.

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- Feedback Report - provides a tabulation of all items by race, gender, grade, and the soldiers regard toward reenlistment. The format of the feedback report is designed to make the task of interpreting results as simple and direct as possible. Items that relate to the same general issue or area are combined into scale scores. Scales measure intergroup tensions both on and off post, perceived differences in treatment by race and/or gender, and general knowledge of Army EO policies and regulations. A single copy of each feedback report is produced and only the commander who requested the survey sees it. Aggregated results, with individual units not distinguishable, can be produced for battalion and higher commanders similarly formatted feedback reports.

9a

Requesting
TDAS

Any commander may request TDAS material to be administered to their unit.

Requests for TDAS material are made to the brigade level or higher EO office.

- Battalion and higher commanders may request TDAS to be administered to a specific unit or units under their command, preferably by the next higher level EO office, or they can administer it internally.
- Operating System - instructions can be requested from brigade level and higher EO offices. Results from these surveys provide the commander with a feedback report.

9b

Administering
TDAS

The TDAS survey may be administered by the EOR or designated representative appointed by the commander.

The unit administering the survey is responsible for processing the results.

Processing should not take longer than 20 working days from the day the survey was administered.

The EOA can provide assistance in interpreting the results of the survey.

9c

UNIT LEVEL EQUAL OPPORTUNITY TRAINING

10

General

EO training is an integral part of combat readiness.

Unit commanders will

- evaluate their program,
- determine the unit's needs, and
- take actions necessary to accomplish the training.

Commanders will meet minimum DA criteria for local unit EO training as follows

- Members of the chain of command to include all leaders will
 - participate in unit EO sessions as discussion leaders or as resource persons for answering questions concerning policies and practices.

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General
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- have a representative from the leadership structure (such as first sergeant) as the unit's discussion leader at the
 - company,
 - battery,
 - troop, and
 - detachment level.
- incorporate EO training into the overall training plan for the unit, and
- include the type of training to be conducted on the training schedule.

The EO training subject will be specified on Unit Training schedules and meet the needs of FH Reg 350-1.

At a minimum, unit training should focus on

- Army policies on EO, AAP, and sexual harassment.
- objectives of the AAP.
- behavioral characteristics and other indicators of EO problems.
- the impact of individual and institutional discrimination on mission accomplishment.
- identifying and combating sexual harassment.
- the impact of sexual discrimination.
- gender related differences.
- racial and cultural related differences.
- legal consequences applicable to individuals.
- individual responsibilities concerning EO and prevention of sexual harassment.
- honest and open interpersonal communications in promoting a healthy EO climate.
- complaint procedures.

10a

Resources

EOAs are a tremendous resource for commanders to assist them in the EO program.

EOAs assigned to brigade and higher level are the commander's principal technical expert in this human resource area.

EOAs provide

- advice on matters concerning command climate evaluations,
- AAP,
- policy plans and program, and
- obtain materials essential to a good EO program.

NOTE: EOAs are graduates of the Defense Equal Opportunity Management Institute 16 week course and are assigned/attached no lower than brigade level. They are selected and funded by HQ DA.

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EOAs are

- SSGs and above that are trained in a 1 week III Corps Leadership Growth Course to assist commanders in carrying out all aspects of their EO program.
- appointed, by commanders at company, battery, troop, and detachment level, the additional duty of EO representative for at least one year and can be for the assignment tenure.

10b

Appendix A
SAMPLE MEMORANDUM, EO COUNCIL MINUTES

OFFICE SYMBOL

MEMORANDUM FOR

SUBJECT: EO Council Minutes

1. What meeting is taking place:
2. Name of attendees present:
3. Name of attendees absent:
4. Administrative notes:
5. Old business:
6. Current issues:
7. Commander's comments:
8. Closing Remarks:

Signature
Block of
Recorder

Signature
Block of
Commander

Appendix B
SPECIAL/ETHNIC OBSERVANCES TIMETABLE

Month: January
Dates: 3rd Monday
Observance: Martin Luther King, Jr. Birthday
Authority/comment: Public Law 98-144, Nov 83 (Federal holiday)

Month: February
Dates: 1 - 28/29
Observance: African-American/Black History Month
Authority/comment: First Presidential Proclamation, Feb 76

Month: March
Dates: 1 - 31
Observance: Women's History Month
Authority/comment: Public Law 100-9, Mar 87

Month: April/May
Dates: Sunday to Sunday for week incorporating *Yom Hashoah*
Observance: "Days of Remembrance" for victims of the Holocaust
Authority/comment: Public Law 96-388, Oct 80

Month: May
Dates: 1 - 31
Observance: Asian Pacific Heritage Month
Authority/comment: First Presidential Proclamation, May 91

Month: August
Dates: 26th
Observance: Women's Equality Day
Authority/comment: First Presidential Proclamation, Aug 73

Month: September/October
Dates: 15 Sep - 15 Oct
Observance: National Hispanic Heritage Month
Authority/comment: Public Law 100-402, Aug 88

Month: November
Dates: 1 - 30
Observance: National Native American Indian Heritage Month
Authority/comment: Public Law 102-188, Mar 92

Appendix C
SAMPLE OF EQUAL OPPORTUNITY COMPLAINT FORM, DA FORM 7279-R

EQUAL OPPORTUNITY COMPLAINT FORM For use of this form, see AR 600-20; the proponent agency is ODCSPER			
AUTHORITY: PRINCIPAL PURPOSE: ROUTINE USES: DISCLOSURE:	Title 10, USC Section 3013 (g). Formal filing of allegations of discrimination because of race, color, religion, gender, or national origin. This form and the information on this form may be used: (a) as a data source for complaints processing and resolution efforts, (b) to respond to requests from legitimate outside individuals or agencies (e.g., Members of Congress, the White House) regarding the status of the complaint or appeal, (c) to adjudicate complaint or appeal, and (d) for any other routine uses listed in AR 340-2a1, para 3-2. Disclosure is voluntary; however, failure to complete all portions of this form may lead to rejection of complaint on the basis of inadequate data on which to determine if the complaint is acceptable.		
1. NAME	2. RANK	3. SSN	4. UNIT
5. RACE/ETHNIC GROUP		6. GENDER	7. DATE
PART I - COMPLAINT			
8a. NATURE OF COMPLAINT. (Give, in as much detail as possible, the basis for your complaint; describe the incident/behavior(s) and date(s) of the occurrence(s); the names of parties involved, witnesses, and to whom it may have been previously reported; plus, any additional information that would be helpful in resolving your complaint. Attach additional sheets, as needed.)			
8b. REQUESTED REMEDY. <i>(What do you think the final outcome should be?)</i>			
9a. AFFIDAVIT. I, _____, have read or have had read to me this statement which begins on this page (<i>page 1</i>) and ends on page _____. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections. I made the statement without threat of punishment, and without coercion, unlawful influence, or unlawful inducement. <div style="text-align: right; margin-right: 100px;"> _____ <i>(Signature of Person Making Statement)</i> </div> Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____, 19____ at _____. <div style="display: flex; justify-content: space-between;"> _____ _____ </div> <div style="display: flex; justify-content: space-between;"> <i>(Signature of Person Administering Oath)</i> <i>(Typed Name of Person Administering Oath)</i> </div>			
9b. REFERRAL. I acknowledge receipt of this complaint from _____ <i>(name/rank)</i> of _____ <i>(unit)</i> on _____ <i>(date)</i> . I understand I have 3 calendar days <i>(next drill period for reserve soldiers)</i> in which to inform the appropriate commander/agency of the complaint and actions that I propose to take.			
9c. NAME	9d. GRADE	9e. DATE	
9f. AGENCY		9g. SIGNATURE	

DA FORM 7279-R, SEP 93

10a. ACKNOWLEDGEMENT. I acknowledge receipt of this complaint by _____ (name/rank) on _____ (date). I understand I have 14 calendar days (3 weekend drill periods for reserve soldiers) in which to investigate the complaint and to inform the complainant of the results of my investigation.		
10b. NAME	10c. GRADE	10d. DATE
10e. ORGANIZATION	10f. SIGNATURE	
PART II - RESULTS OF INVESTIGATION		
11a. Your complaint was investigated by _____ (name/rank) of _____ (agency) The complaint was found to be <input type="checkbox"/> substantiated <input type="checkbox"/> unsubstantiated – IC <input type="checkbox"/> unsubstantiated – NC based upon the findings listed below:		
11b. ACKNOWLEDGEMENT OF THE COMPLAINANT	SIGNATURE	DATE
PART III - ACTIONS TO RESOLVE COMPLAINT		
12a. The following has been done by the command:		
12b. ACKNOWLEDGEMENT OF THE COMPLAINANT	SIGNATURE	DATE
PART IV - APPEAL		
13a. As the complainant, I acknowledge I have 7 calendar days (<i>next drill period for reserve soldiers</i>) to appeal the investigative findings of my complaint to the higher commander. At present I choose: (<i>Place "X" as appropriate and initial to the left of "X"</i>) <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> _____ [<input type="checkbox"/>] I decline appeal <i>(Initials)</i> </div> <div style="text-align: center;"> _____ [<input type="checkbox"/>] I appeal <i>(Initials)</i> </div> </div>		
13b. ACKNOWLEDGEMENT OF THE COMPLAINANT	SIGNATURE	DATE
PART V - ACTIONS TAKEN ON APPEAL		
14a. The following actions have been taken:		
14b. SIGNATURE	14c. ORGANIZATION	14d. DATE
PART VI - ACKNOWLEDGEMENT OF ACTIONS TAKEN ON APPEAL		
I acknowledge seeing the results of my appeal.	SIGNATURE	DATE

Appendix D
SAMPLE OF EQUAL OPPORTUNITY COMPLAINT RESOLUTION ASSESSMENT FORM,
DA FORM 7279-1-R

EQUAL OPPORTUNITY COMPLAINT RESOLUTION ASSESSMENT FORM		
For use of this form, see AR 600-20; the proponent agency is ODCSPER		
<p><i>In accordance with AR 600-20, Army Command Policy, 30 to 45 calendar days (3 – 4 drill periods for reservists) following final decision on any complaint (substantiated or unsubstantiated) of discrimination or sexual harassment, an Equal Opportunity Advisor (EOA) will conduct an assessment of the effectiveness of corrective actions and will seek to detect and deter any acts or threats of reprisal. This assessment will be provided to the unit commander not later than 45 days (5th drill period for reservists) following final decision on the complaint.</i></p>		
PART I - COMPLAINT		
<p>1. CORRECTIVE ACTIONS. The corrective actions taken as a result of the complaint of _____ discrimination/sexual harassment, filed by _____ (type) _____ on _____ were: _____ (rank/name) _____ (date)</p>		
<p>2. CONDUCT OF THE ASSESSMENT. (EOA will list the dates and times of actions taken, interview personnel (include complainant, alleged perpetrator, key witnesses, members of the chain of command (and support chain, sampling of unit members, etc.), list surveys used, review of applicable unit records, etc.). Add enclosures to DA Form 7279-1-R as necessary.</p>		
<p>3. EFFECTIVENESS OF CORRECTIVE ACTIONS. I conducted an assessment of the effectiveness of the corrective actions taken on _____ (date). My findings are:</p>		
<p>4. REPRISAL. I also sought to detect any incident(s) or threat of reprisal(s). My findings are:</p>		
PART II - RECOMMENDATIONS		
<p>5a. Based on my findings, I recommend [] no further action [] the following actions be taken:</p>		
5b. EQUAL OPORTUNITY ADVISOR'S NAME/RANK/UNIT	5c. SIGNATURE	5d. DATE
PART III - ACKNOWLEDGEMENT		
<p>6a. I acknowledge receipt of this assessment and the EOA's recommendations. [] The following actions: [] No further actions were taken.</p>		
6b. COMMANDER'S NAME/RANK AND UNIT	6c. SIGNATURE	6d. DATE
<p>This form will be retained on file with the original DA Form 7279-R for 2 years following final decision on this complaint.</p>		

DA FORM 7279-1-R, XXX 94

D R A F T - USE UNTIL FINAL FORM IS DISTRIBUTED

Appendix E
INSPECTION CHECKLIST

References. IC I04 to AR 600-20, 17 Sep 93, Army Command Policy, and FORSCOM Suppl 1 to AR 600-20, 15 Sep 94, Army Command Policy

The unit must be prepared to satisfy requirements of this checklist and be ready for inspection at all times.

STANDARDS.

1. All required documents must be on hand.
2. Equal Opportunity Representatives (EOR) must be appointed (primary and alternate) and trained by qualified Equal Opportunity Advisors (EOA) at a leadership growth course (LGC).
3. Unit's EO program must be conducted IAW AR 600-20 and tailored to their needs.

CHECKLIST:

1. Are the following publications on hand at company level and above?
 - a. AR 210-50, 24 Apr 90, Housing Management (applies to BN only)
 - b. IC I04 to AR 600-20, 17 Sep 93, Army Command Policy
 - c. FORSCOM Suppl 1 to AR 600-20, 15 Sep 94, Army Command Policy
 - d. DA Pamphlet 350-20, 30 Aug 93 (change 1, 1 Jun 94), Contemporary Leadership Challenges: Equal Opportunity and Prevention of Sexual Harassment
 - e. Unit Affirmative Actions Plan (AAP)
 - f. Higher headquarters' AAP. (Brigade and above)
2. Has the unit commander published an EO and sexual harassment policy letter?
3. Is there a copy of higher headquarters' (Bn, Bde, Div, Corps, major command) EO and sexual harassment policy letter on hand.
4. Does the unit have trained EORs?
5. Are trained EORs assigned and utilized properly IAW chapter 6, IC I04 to AR 600-20 and FORSCOM Suppl 1 to AR 600-20?
6. Does EO training appear on the training schedule, conducted, and outlined IAW IC I04 to AR 600-20?
 - a. Is training conducted at least semiannually?
 - b. Is training documented on the training schedule and a memorandum?
 - c. Does the memorandum reflect the names of the facilitator/instructor; roster of attendees; date, time conducted; length of session; and what was covered in the session?

-
7. Is the chain of command actively involved in training?
 8. Has the commander published an Open Door Policy Letter?
 9. Is the new complaint procedure in place IAW IC 104 to AR 600-20?
 - a. Has the unit channeled complaints within the 14 day timeframe?
 - b. Are soldiers aware of their rights under the new complaint system.
 - c. Are soldiers aware of the action taken on their complaint.
 10. Has the unit ensured all personnel are aware of their personal responsibilities in support of the Army's EO program?
 11. Are the following items in the EORs reference book?
 - a. Certificate of Training as EOR.
 - b. EOR appointment orders.
 - * c. Division/Post Commander's equal opportunity policy letter.
 - * d. Division/Post Commander's policy on the prevention of sexual harassment.
 - * e. Brigade/Brigade equivalent Commander's equal opportunity and sexual harassment policy letters.
 - * f. Brigade/Brigade equivalent Commander's open door policy letter.
 - * g. Battalion/Squadron Commander's equal opportunity and sexual harassment policy letters.
 - * h. Battalion/Squadron Commander's open door policy letter.
 - * i. Company/Battery/Troop Commander's equal opportunity and sexual harassment policy letters.
 - * j. Company/Battery/Troop Commander's open door policy letter.
 - k. IC 104 to AR 600-20, 17 Sep 93, Army Command Policy.
 - l. FORSCOM Suppl 1 to AR 600-20, 15 Sep 94, Army Command and Policy.
 - m. DA Pam 350-20, , 30 Aug 93 (change 1, 1 Jun 94), Contemporary Leadership Challenges: Equal Opportunity and Prevention of Sexual Harassment.
 - n. EOR book checklist.
 - * o. FH Reg 600-40, 1 Nov 92 (with changes 1-4), List of Off Limits Areas and Establishments.
 - p. Complaint procedure checklist.
 - q. IG's letter on "Rights to Present Complaints."

NOTE: Items marked * must also be posted on unit bulletin boards in the permanent postings so unit members will have ready access to read them. Units are required to have on hand policy letters of all command levels through Division/Installation.

GLOSSARY

ABBREVIATIONS

AAP	Affirmative Actions Plan
ACofS	Assistant Chief of Staff
AFB	Air Force Base
AG	Adjutant General
AR	Army regulation
CG	Commanding General
CIF	central issue facility
CPL	corporal
DA	Department of the Army
DEOMI	Defense Equal Opportunity Management Institute
DoD	Department of Defense
DSN	Defense Switched Network
EEO	Equal Employment Opportunity
EO	Equal Opportunity
EOA	Equal Opportunity Adviser
EOR	Equal Opportunity Representative
FH	Fort Hood
FORSCOM	United States Army Forces Command
FY	Fiscal Year
HHC	headquarters and headquarters company
HQ	headquarters
IAW	in accordance with
IG	inspector general
MCM	Manual for Courts Martial
MEOCS	Military Equal Opportunity Climate Survey
MPRJ	Military Personnel Record Jackets
MSC	major subordinate command
MSG	master sergeant
NCOER	noncommissioned officer evaluation report
NLT	not later than
PAC	Personnel and Administration Center
PVT	private
SAAV	Staff Assistance and Assessment Visit
SIDPERS	Standard Installation/Division Personnel System
SPC	specialist
SQI	skill qualification identifier
SSG	Staff Sergeant

TDAS	Training Diagnosis Assessment System
TDY	temporary duty
UCMJ	Universal Code of Military Justice
USAG	United States Army Garrison

TERMS

action agency	The action agency is that commander, staff agency chief, or supervisor who will resolve the complaint. Resolution will be based on the recommendations obtained as a result of an inquiry and/or investigation of the complaint. The action agency can range from the division commander to section leader, depending on the nature of the case and the action necessary to resolve the complaint.
affirmative action measures	Designed to correct the effects of discriminatory policies and practices; prevent personal and institutional discriminatory policies; and provide career development and upward mobility for all qualified personnel, regardless of race, color, national origin, religion, or gender.
affirmative action plan	A management document which contains actions that identify and measure areas for potential inequities and directs corrective efforts where appropriate.
complainant	A military member, military family member, or civilian employee of the Army who submits a complaint of discrimination.
discrimination	Illegal treatment of a person or group based on race, color, religion, gender, or national origin.
equal opportunity	Equal evaluation, treatment, and consideration based on merit, fitness, and capability.
goal	A desired outcome based on realistic, measurable prospects for attainment.
milestone	Time-based planning targets which the proponent strives to attain.
objective	The general end to be attained with the accomplishment of supporting milestones.
receiving authority	The individual or agency authorized to receive a complaint of discrimination is considered the "Receiving Authority." The nature of the complaint will determine the appropriate receiving authority. The receiving authority is responsible for processing all complaints of discrimination received.

The proponent of this regulation is the ACofS, G1.

FOR THE COMMANDER:



JAMES P. O'NEAL
Colonel, GS
Chief of Staff

SCOTT T. LOFGREN
LTC, SC
DOIM

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