

# POLICY

Number: B-3

SUBJECT: Equal Opportunity Complaint Procedures

Date: 17 Sep 01

1. The Equal Opportunity (EO) complaint processing system addresses complaints that allege unlawful discrimination or unfair treatment on the basis of race, color, gender, religion, or national origin. All soldiers' and family members' complaints will be taken seriously and addressed in a prompt and professional manner. Attempts should always be made to solve problems at the lowest level possible within an organization. Any commander or agency receiving an EO complaint will immediately contact their unit Equal Opportunity Advisor for assistance. Complaint procedures are clearly outlined in AR 600-20, Army Command Policy, Appendix E, dated 15 July 1999.
2. There are two types of EO complaints: Informal and Formal.
  - a. An informal complaint is any complaint that a soldier or family member does not wish to file in writing. Informal complaints may be resolved directly by the individual or with the help of another unit member, the commander, or other persons in the complainant's chain of command. Typically, those issues that can be taken care of informally can be resolved through discussion, problem identification, and clarification of the issues.
  - b. A formal complaint is one that a complainant files in writing on the Equal Opportunity Complaint Form, DA Form 7279-R and swears / affirms to the accuracy of the information.
3. Although the processing of an EO complaint through the unit chain of command is strongly encouraged, it will not serve as the only channel available to resolve a complaint. Alternate agencies are listed on the Equal Opportunity / Sexual Harassment Complaint Process Poster, DA Poster 600-4.
4. Commanders, leaders, and supervisors will support the complaint procedure policy and are prohibited from taking any action that would discourage a soldier or family member from seeking assistance to resolve an issue or from filing an EO complaint. It is a chain of command responsibility to ensure the complainant and subject(s) are protected from reprisal and retaliation for filing an EO complaint. Appropriate action will be taken against those who violate Army policy. Soldiers who submit a false EO complaint (a complaint containing information or allegations that the complainant knew to be false) are subject to punishment under the Uniform Code of Military Justice.
5. This policy letter will be posted on all official bulletin boards.

  
STANLEY E. GREEN  
Major General, USA  
Commanding

ORIGINATING OFFICE:

EO/EEO Offices

# EQUAL OPPORTUNITY / SEXUAL HARASSMENT COMPLAINT PROCESS

Make an informal complaint. Report inappropriate behavior without initiating a full investigation. This may be most appropriate for minor infractions when the victim simply wants the behavior stopped.

*If You Are The Victim*

Call the Equal Opportunity Hot Line at your installation to clarify whether an incident or behavior qualifies as sexual harassment or discrimination.



*If Behavior Persists*

File a formal written complaint on a DA Form 7279-R with any of the following agencies. Complaints must be filed within 60 days of the incident. Complaints made after 60 days may be pursued at the commander's discretion.

CHAIN OF COMMAND	EQUAL OPPORTUNITY ADVISOR	INSPECTOR GENERAL	HOUSING REFERRAL OFFICE	JUDGE ADVOCATE GENERAL	MILITARY POLICE OR CRIMINAL INVESTIGATOR	CHAPLAIN	MEDICAL AGENCY
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**3 DAYS** Complaints, except those filed with the I.G., must be acted upon within three calendar days. Complaints filed with an agency against a member of the Chain of Command will be referred to the next higher commander in the chain. All formal complaints will be reported within 72 hours to the first General Courts-Martial Convening Authority (GCMCA) in the Chain of Command. Provide a progress report to the GCMCA 20 days after the date on which the investigation commenced and 14 days thereafter until completion.

**14 DAYS** The commander or the investigating officer appointed by the commander has 14 calendar days to investigate the allegations. The commander will meet with the victim and the subject(s) of the complaint to discuss the outcome and results. A 30-day extension may be granted from the next higher commander if circumstances require it. Further extensions can be approved only by the first General Officer in the Chain of Command. Complainants must be notified of extensions.

**7 DAYS** The complainant and/or subject(s) of the complaint have seven calendar days to appeal to the next higher commander if he or she is dissatisfied with the investigation results or actions taken. That commander has 14 days to act on the appeal and provide written feedback on the results. Final decisions on complaints/appeals not resolved at brigade level rest with the General Courts-Martial Convening Authority.

**30-45 DAYS** 30-45 days after final decision of the formal complaint (substantiated and unsubstantiated), an assessment is conducted by the Equal Opportunity Advisor to determine the effectiveness of any corrective actions taken and to detect and deter any incidents of reprisal. Reports and recommendations are submitted to the Commander on a DA Form 7279-1-R NLT 45 days following final decisions made on complaints.