

IN A DEPLOYED/JOINT ENVIRONMENT

It is recommended a written Memorandum of Agreement (MOA) or Memorandum of Understanding (MOU) be in place between all parties that defines ownership of the procedures and responsibilities for the EO Program within the command.

This matrix was created by the Defense Equal Opportunity Management Institute November 2006 (Reviewed April 2007)

USE FOR REFERENCE ONLY Military Services' Complaint Processing Procedures USE FOR REFERENCE ONLY

<p align="center">ARMY AR 600-20 Army Command Policy Chap 6, 7 & App E DA Form 7279-R (Formal Only)</p>	<p align="center">MARINE CORPS MCO P5354.1D</p>	<p align="center">NAVY OPNAVINST 5354.1 Series NAVPERS Form 5354/2 (Formal Only)</p>	<p align="center">AIR FORCE AFI 36-2706 Formal: AF IMT Form 1587 Informal: AF IMT Form 1587-1</p>	<p align="center">COAST GUARD Informal: COMDTINST M5350.4B Formal: COMDTINST M5350.4B/DHS Office of Civil Rights Civil Liberties</p>
INFORMAL COMPLAINT	INFORMAL COMPLAINT	INFORMAL COMPLAINT	INFORMAL COMPLAINT	INFORMAL COMPLAINT
Document on Memorandum For Record (MFR)	Document on Memorandum For Record (not mandatory)	Document on Memorandum For Record	Document and track on AF Form 1587-1	<ul style="list-style-type: none"> • Document on Pre-Complaint Intake Form (revised 09-05) • EOA or Equal Employment Opportunity (EEO) Counselor counsel military or civilian members IAW Chapter 3, M5350.4B
FORMAL COMPLAINT	FORMAL COMPLAINT	FORMAL COMPLAINT	FORMAL COMPLAINT	FORMAL COMPLAINT
Notification Procedures	Notification Procedures	Notification Procedures	Notification Procedures	Notification Procedures
Receiving commander must notify General Court Marshall Convening Authority (GCMCA) using the chain of command within 72 hours (must be documented on MFR)	For formal discrimination/Sexual Harassment (SH) complaints, commander must appoint an investigating officer (IO) within 3 working days and inform GCMCA in writing with the following: <ul style="list-style-type: none"> • Description of allegation • Name of IO 	<ul style="list-style-type: none"> • Notify unit commander within 24 hours • Notify GCMCA within 72 hours 	<ul style="list-style-type: none"> • For formal SH complaint, must notify GCMCA within 72 hours • For other EO complaints, notify commander as soon as possible • MEO office will conduct clarification 	<ul style="list-style-type: none"> • File formal complaint with USCG Area Civil Rights Director within 15 days of Notice of Right to File Discrimination Complaint • Complaint will be endorsed and forwarded to Department of Homeland Security (DHS) for acceptance or dismissal

ARMY (Continued)	MARINE CORPS (Continued)	NAVY (Continued)	AIR FORCE (Continued)	COAST GUARD (Continued)
Procedures For Handling Complaints And Timelines	Procedures For Handling Complaints And Timelines	Procedures For Handling Complaints And Timelines	Procedures For Handling Complaints And Timelines	Procedures For Handling Complaints And Timelines
<p>Commander can conduct an Inquiry</p> <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • Commander can assign an IO (must be a commissioned or warrant officer) • Commander must conduct a reprisal counseling with complainant, accused, witness(es) and any key leaders involved in the investigation • EOA must input formal complaint into the DA Database • Investigation must be completed within 14 calendar days • Extension can be granted by next higher commander as long as it does not exceed 30 days • Additional extensions or extensions exceeding 30 days must be approved by GCMCA 	<ul style="list-style-type: none"> • 14 days for the investigation to include legal and EO sufficiency reviews • 6 days for the commander to determine if complaint is substantiated or unsubstantiated and forward results and action taken to GCMCA • 20 days from commencement of investigation for Discrimination and Sexual Harassment (DASH) report submission to HQMC • Only one extension allowed (maximum of 30 days) must be requested through GCMCA • Commencement of investigation for DASH Report submission to HQMC 	<ul style="list-style-type: none"> • Assign advocates to complainant, accused and witness(es) • Assign IO within 72 hours (same rank as accused, but must be an E-7 or above) • UPDATES REQUIRED • Within 72 hours to chain of command • 20 days after receiving complaint • 14 days thereafter until completion 	<ul style="list-style-type: none"> • If SH, the clarification must be completed within 14 days • Other EO cases, notify commander as soon as possible and upon completion • 9 days for military equal opportunity office (MEO) clarification • 6 duty days for legal review • 5 duty days for commander action 	<p>Military and civilian: DHS investigation completed, Report of Investigation (ROI) prepared, reviewed, issued and transmitted to parties within 180 days of investigation</p>
Procedures Upon Completion Of Investigation	Procedures Upon Completion Of Investigation	Procedures Upon Completion Of Investigation	Procedures Upon Completion Of Investigation	Procedures Upon Completion Of Investigation
<ul style="list-style-type: none"> • EOA review (must be on MFR) • Legal review • Commander's decision 	<ul style="list-style-type: none"> • Legal sufficiency review • EO sufficiency review • Commander's final written report (forward to commanding general) • DASH report submitted to HQMC 	<ul style="list-style-type: none"> • EOA review • Legal review 	<ul style="list-style-type: none"> • Legal review • Commander's decision 	<ul style="list-style-type: none"> • Civilian complainant can (within 30 days) elect EEOC hearing or Final Agency Decision (FAD) • If no election in 30 days, DHS has 60 days to issue FAD • For military complainant, there is 90 days to issue FAD if no informal resolution upon receipt of ROI

ARMY (Continued)	MARINE CORPS (Continued)	NAVY (Continued)	AIR FORCE (Continued)	COAST GUARD (Continued)
Follow-Up Procedures	Follow-Up Procedures	Follow-Up Procedures	Follow-Up Procedures	Follow-Up Procedures
<ul style="list-style-type: none"> • 30-45 Days • Use DA Form 7279-1 	Provide updates every 14 days to complainant	<ul style="list-style-type: none"> • 30-45 days • Use NAVPERS Form 5354/2 (Attachment 2 from OPNAVINST 5354.1) 	<ul style="list-style-type: none"> • Follow-up required within 30 days • Use AF IMT Form 1587 	Full-time CRO/EOA to follow-up as requested/needed
Appeals	Appeals	Appeals	Appeals	Appeals
7 days to appeal		7 days to appeal	<ul style="list-style-type: none"> • Informal complaint timeline to appeal is 30 calendar days (the appeal would be in the form of or upgrade to a formal complaint only). • For Formal Complaints there is also a 30 calendar day window. The appeal will go through the MEO office to the first level (IC). Retirees and family members have no appeal rights 	<ul style="list-style-type: none"> • Military can accept FAD or file a Request for Reconsideration with DHS within 30 days of receipt of FAD • Civilians can accept FAD or within 30 days, file a Request for Reconsideration with DHS, or within 30 days appeal to EEOC, etc.
Assessments	Assessments	Assessments	Assessments	Assessments
<ul style="list-style-type: none"> • Within 90 days of taking command for unit level commander and yearly thereafter • Optional for battalion commanders and above 	<ul style="list-style-type: none"> • Within 90 days of taking command for unit level commander • Annual EO data summary sheet due November 15 	Recommended upon assumption of command and periodically throughout commander's tenure	<ul style="list-style-type: none"> • Within 6 months of assuming command • Every 2 years • Upon commander request 	Within 180 days of change of command