

Personnel - General

EQUAL OPPORTUNITY PROGRAM IN THE ARMY NATIONAL GUARD

By Order of the Secretaries of the Army and the Air Force:

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History: This printing publishes a revision of NGR (AR) 600-21, Equal Opportunity Program in the Army National Guard, 5 April 1993.

Summary. This regulation on the Equal Opportunity (EO) Program in the Army National Guard (ARNG) has been revised. It explains the need for equal opportunity within the ARNG; outlines organizations and responsibilities; defines fundamentals; and establishes procedures for the development, implementation, and management of the ARNG EO program. It implements the policies of DoD 1350.2-D and AR 600-20.

Applicability.

a. This regulation applies to--

(1) Army National Guard soldiers when serving in Title 32 status (e. g., IDT, AT, ADSW, AGR, etc.) or when performing active duty (Title 10) for less than 30 days.

(2) Commanders, supervisors, and managers of personnel in (1) above, applicants for membership in the ARNG, and recipients of services of the ARNG.

(3) Proponent Staff Responsible for Equal Opportunity Programs in the ARNG.

b. This regulation does not apply to ARNG personnel

(1) When performing active duty (Title 10) for 30 days or more. These soldiers are governed by AR 600-20.

(2) While serving in a duty status as a National Guard technician. Discrimination complaints of National Guard technician personnel are governed by NGR (AR) 690-600.

Proponent and exception authority. The proponent of this regulation is the Chief, NGB-EO. The proponent has the authority to approve exceptions to this regulation that are consistent with controlling law and regulation.

Management Control Process. This regulation is not subject to the requirements of AR 11-2. It does not contain management control provisions.

Supplementation. Supplementation of this regulation is prohibited without prior approval from the Chief, National Guard Bureau, ATTN: NGB-EO, 1411 Jefferson Davis Hwy, Arlington, VA 22202-3231.

* This regulation supersedes NGR (AR) 600-21, 5 April 1993.

Suggested improvements. The proponent agency of this regulation is the National Guard Bureau. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to NGB-EO, Jefferson Plaza One, 1411 Jefferson Davis Hwy, Suite 9200, Arlington, VA 22202-3231.

Distribution A.

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Chapter 1

Introduction

1-1. Purpose

a. This regulation establishes the Army National Guard Equal Opportunity Program, and sets policy. The objective of the program is to formulate, direct, and sustain a comprehensive effort that ensures fair treatment of all soldiers based solely on merit, fitness, and capability that supports readiness. Specifically, this effort is designed to:

- (1) Provide EO for all ARNG military personnel.
- (2) Contribute to mission accomplishment, cohesion, and readiness.
- (3) Create and sustain effective units by eliminating discriminatory behaviors or practices that undermine teamwork, mutual respect, loyalty, and shared sacrifice of the men and women of the ARNG.

b. This regulation implements the policies of DoD 1350.2-D and AR 600-20. The discrimination complaint processes and procedures are not contained in this regulation but are included in NGR (AR) 600-22, which is devoted exclusively to the discrimination complaint process. Physical disability and age controls are not addressed due to overriding concerns of medical fitness and deployability of military personnel. This regulation does not implement the provisions of either the Age Discrimination in Employment Act of 1967 (Sections 621 thru 634, Title 29, United States Code) or Title VII of the Civil Rights Act of 1964 (Section 2000e, Title 42, United States Code).

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1-2. Required and related publications are listed in Appendix A. Prescribed and referenced forms are also listed in Appendix A.

1-3. Explanation of abbreviations

AAP - Affirmative Action Plan.

ARNG - Army National Guard.

DEOMI - Defense Equal Opportunity Management Institute.

DoD - Department of Defense.

EEO - Equal Employment Opportunity.

EO - Equal Opportunity.

EOA - Equal Opportunity Advisor.

EOR - Equal Opportunity Representatives.

HQDA- Headquarters, Department of the Army.

HR/EO – Human Relations/Equal Opportunity Officer.

HR - Human Resources.

RI - Representation Index.

ROI - Report of Investigation.

TAG - The Adjutant General.

UCMJ - Uniform Code of Military Justice.

SEEM - State Equal Employment Manager

POSH - Prevention of Sexual Harassment

1-4. Responsibilities

a. Chief, National Guard Bureau (CNGB). CNGB is responsible for the overall National Guard-wide policies and plans pertaining to the ARNG Programs. The CNGB will—

- (1) Establish sufficient staff positions on the joint staff to adequately carry out program requirements.

(2) Ensure that the EO Program for military personnel and Equal Employment Opportunity (EEO) Programs for technician and federal civilian personnel complement each other.

b. Director, Army National Guard (DARNG). The DARNG is responsible for the ARNG-wide policies and plans pertaining to the ARNG EO Program. The DARNG will—

- (1) Implement, evaluate, and assess the ARNG EO Program.
- (2) Formulate, maintain, and assess the ARNG EO Program.
- (3) Allocate quotas among the states for training at DEOMI.
- (4) Monitor and evaluate implementation of EO policies and programs in the ARNG.
- (5) Develop management information and reporting requirements to determine progress toward affirmative action goals.
- (6) Establish EO training consistent with HQDA policy and ARNG needs.
- (7) Establish adequate compliance monitoring procedures to assure the attainment of program objectives for the ARNG.
- (8) Establish sufficient staff positions in the states to adequately carry out EO Program requirements.
- (9) Provide personnel, funds, and other resources to carry out the EO Program.

c. Chief, Army Training Branch (NGB-ART-I). NGB-ART-I will allocate quotas among the states for training at DEOMI.

d. Chief, Equal Opportunity Office. NGB-EO is responsible for providing guidance, direction, and supervision to the assigned staff. NGB-EO will—

- (1) Develop NGB policy for administration of equal opportunity.
- (2) Be manager and principal staff advisor to the CNGB and DARNG on EO matters.
- (3) Ensure that training provided to ARNG personnel by DEOMI meets requirements of the ARNG and reflects EO policies established by NGB.
- (4) Manage quota allocation for NG attendance at DEOMI in coordination with NGB-ARO-E.
- (5) Coordinate and approve adjunct faculty selection for DEOMI.

e. State Adjutants General. The State Adjutants General will—

- (1) Execute the EO Program in all commands, installations, and activities under their jurisdiction.
- (2) Establish EO training consistent with ARNG policy and command needs.
- (3) Ensure that the EO programs for military personnel and EEO programs for civilian personnel complement each other.
- (4) Provide personnel, funds, and other resources to carry out the EO Program.
- (5) Develop statistical data concerning race and gender for personnel management, as required.
- (6) Select personnel to attend DEOMI.
- (7) Implement and manage the discrimination complaints processing system within their State and take appropriate steps to ensure that the State National Guard operates in an atmosphere free of illegal discrimination.
- (8) Investigate all allegations of discrimination in the State in accordance with NGR (AR) 600-22.
- (9) Ensure that the procedures and requirements of this regulation are carried out within their State.
- (10) Prepare an affirmative action plan for the STARC and submit to NGB-EO.

f. Commanders. Commanders will ensure that the policies of the Adjutant General and of this regulation are adhered to in their organizations. Commanders at all levels will—

- (1) Be personally responsible and accountable for the EO climate within their units.
- (2) Develop and implement EO programs for their organizations.
- (3) Conduct a unit assessment within 180 days of assuming command, and annually thereafter. Commanders should supplement any survey efforts with individual or group interviews, the analysis of unit records and statistical information, i.e., awards, promotions, reenlistment and incidents of misconduct resulting in punishment under the Uniform Code of Military Justice (UCMJ) or State Code of Military Justice (SCMJ), and with complaint reports.
- (4) Identify unlawful discriminatory practices and act promptly to initiate corrective actions.
- (5) Ensure that personnel are fully aware of procedures for obtaining redress of complaints, including those against members of the chain of command. These procedures will be in writing and will be prominently displayed where all unit members will have access to them.
- (6) Conduct fact finding or inquiry whenever an allegation of discrimination is brought to their attention. (See NGR (AR) 600-22.)
- (7) Recognize and assess indicators of institutional and individual discrimination and implement remedies to eliminate and prevent unlawful discrimination and sexual harassment.

g. ARNG State Human Relations Equal Opportunity Advisors (HR/EO). The HR/EO advisor manages the Adjutant General's Equal Opportunity Program. He or she will—

(1) Provide staff supervision of EOAs at subordinate levels. To facilitate that task, the HR/EO officer will provide a letter of input to the OERs or NCOERS of EOAs at brigade or O-6 equivalent levels.

(2) Responsible for meeting reporting requirements mandated by the Director EO Division and as outlined in this regulation.

(3) Advise the AG regarding issues, merits, validity, and processing of discrimination complaints.

(4) Collect, organize and interpret demographic data concerning all aspects of EO climate assessment.

(5) Assist the AG in prepare the Annual Narrative and Statistical Report (ANSR) and forward to NGB-EO by 15 December each calendar year.

(6) Act as the proponent for EO training materials.

(7) Monitor State ARNG EO training requirements.

(8) Assist the Adjutant General in preparing the affirmative action plan.

(9) Responsible for sustainment of training of EOAs.

h. ARNG Equal Opportunity Advisor (EOA). ARNG EOAs will—

(1) Advise commanders regarding issues, merits, validity, and processing of discrimination complaints.

(2) Are the proponents to prepare the Affirmative Actions Plan for brigades or O-6 equivalent levels.

(3) As EOAs and the overall coordinators of brigade or O-6 equivalent level EO programs, they will develop a working relationship with battalion and company EORs.

(4) Keep HR/EO officers informed of EO matters within their respective units and will submit mandatory reports to HR/EO officers in a timely manner.

(5) Assist in evaluating the effectiveness of unit training conducted by commanders, and assist commanders in assessing, planning, and evaluating the EO Program.

(6) Coordinate training efforts with HR/EO and EORs to ensure standardization.

(7) Assist the commander in establishing a Consideration of Others Program.

(8) Responsible for training of EOR's subordinate to their command.

i. ARNG Equal Opportunity Representatives (EORs). EORs will assist commanders in carrying out the EO Program within units. EORs will--

(1) Assist commanders in the recognition of detractors from a healthy unit EO climate.

(2) Continuously assist commanders in the conduct of unit climate assessments through formal surveys, interviews and accessibility to the unit.

(3) Prepare and assist the commander in the conduct of EO training.

(4) Establish and maintain liaison with other EORs and the EOA at higher headquarters.

(5) Serve as a resource person for EO matters in the unit.

(6) Assist the commander in establishing a Consideration of Others Program.

(7) Will be appointed as additional duty in 0-5 commands and below.

1-5. Policy

a. The fair, equitable, and nondiscriminatory treatment of all members and employees of the National Guard (NG). Maintains and improves morale and productivity, fosters unit cohesion and readiness, and increases the combat effectiveness of the Guard. It is the policy of the NG to provide equal opportunity for NG military personnel or applicants for membership in the NG; they will not be subjected to illegal discrimination because of race, color, religion, gender (to include sexual harassment), national origin, or reprisal resulting from use of this, or any other EO regulation, to resolve grievances.

b. Soldiers will not be accessed, classified, trained, assigned, promoted, or be otherwise managed on the basis of race, color, religion, gender, national origin or reprisal, except as prescribed by statute or DoD/Army regulation.

c. The NG will establish and operate a Discrimination Complaint Processing System designed to reflect the policies stated herein and to provide a just and effective avenue of redress to aggrieved persons in accordance with applicable laws and regulations. Personnel who feel that they have been subjected to illegal discrimination will be permitted to participate in this complaint process. They will not be discouraged from participation due to fear of reprisal.

d. NGR 600-22/ANGI 36-3 prescribes procedures for processing discrimination complaints.

e. Requests for interpretation of policy or provisions of this regulation will be forwarded, in writing, through command channels, to the Chief, Equal Opportunity Office, National Guard Bureau, 1411 Jefferson Davis Highway, Arlington, VA 22202.

Chapter 2 General

2-1. Prevention of Sexual Harassment

Sexual harassment is a form of gender discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career, or
- b. Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person, or
- c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.

(1) Sexual harassment violates acceptable standards of integrity and impartiality required of all ARNG personnel, and interferes with mission accomplishment and unit cohesion. Acts that constitute sexual harassment may also be punishable under civil and military law as criminal acts of a sexual nature and should be treated as such.

(2) Sexual harassment is not limited to the workplace, but also can occur in the work related environment and violates standards of integrity and impartiality required of all Army personnel. It interferes with mission accomplishment and unit cohesion. Such behavior by soldiers or Army civilians will not be tolerated.

(3) Any person in a supervisory or command position who uses or condones implicit or explicit sexual behavior to control, influence, or affect the career, pay, or job of a military member or civilian employee is engaging in sexual harassment. A supervisor who fails to take corrective action when sexual harassment is reported to him or her is condoning sexual harassment.

2-2. Staffing

a. Minimum staffing requirements. Staff personnel with EO as a primary duty will be assigned to STARCs. EOAs at levels below STARC will be assigned to STARC TDAs and attached to division and brigade level or (06) equivalent commands. Personnel with primary duty in equal opportunity will not be assigned collateral duties that interfere with their EO duties. At battalion level and below, personnel will be assigned EO as an additional duty. Primary duty positions should be specified in applicable manning documents. Minimum grades for EO advisors are (requests and justification for waivers for the minimum grade may be addressed to NGB-EO, ATTN: ARNG EO Program Manager, 1411 Jefferson Davis Highway, Arlington, VA 22202) —

- (1) Officer: Captain.
- (2) Enlisted: Sergeant First Class (E-7).

b. One primary duty officer or enlisted EOA will be available to each division and brigade or (06) equivalent commander. Staffing at STARC HQ should, as a minimum, provide a Sergeant Major or Master Sergeant and a Lieutenant Colonel or Major. There will be at least one officer and one enlisted EOA position authorized at each ARNG post mobilization installation reflected on the post mobilization TDA. Civilian substitutions for these minimum staffing requirements are not authorized. Any staffing authorized beyond these minimum requirements may be military or civilians officially assigned to and trained for such duties.

c. Command and staff relationship. The EOA will be assigned to the Commander's special staff and have direct access to the Commander at all times. The EOA will have, at a minimum, access to a private office, near the Commander, to conduct EO business.

d. The EO Program and EEO Program relationship. The EO Program for military personnel and the EEO Program for technician personnel share the same foundations in similar goals and objectives. However, their practice and execution are considerably different. The military program is established by DoD policy, and its purpose is to ensure that all military units are capable of accomplishing any assigned mission by producing a command climate for all aspects of a soldier's life that promotes confidence and, therefore, soldier and unit readiness. Technician and Federal Civilian (U.S.C., Title 32) EEO is founded on Federal Law (Title VII, Civil Rights Act of 1964) and is primarily concerned with conditions of employment and adjudicating grievances concerning an employee's treatment while at the workplace. The two programs are not redundant efforts. EOAs will not supervise EEO personnel, nor will EEO personnel supervise EOAs. If the SEEM is also the HR/EO officer, he or she will manage two separate programs. However, integrating EO/EEO training, seminars, discussions, and shared use of training materials and facilities is encouraged when doing so promotes understanding, efficiency, economy, and the common use of both programs.

e. Roles and duties of state HR/EO advisors. State HR/EO advisors will coordinate state equal opportunity programs. Personnel assigned to positions as state HR/EO advisors will not be assigned further duties in other human development functions such as alcohol and drug abuse or weight control programs. As the coordinator of the State EO program, the State HR/EO advisor will have direct access to the AG. The HR/EO will assist the AG in preparing and updating the affirmative action plan. Since all state HR/EO advisors are trained at DEOMI, they are also responsible for the EOA roles and duties indicated below.

f. Roles and duties of EOAs. The actual duties of EOAs and relative emphasis on each duty will vary according to type of unit or level of command, unit composition, and location. Typical roles and duties of EOAs are as follows:

(1) Understands and articulates DoD, U.S. Army, and ARNG policies concerning equal opportunity as stated in this and other regulations.

(2) Recognizes and assesses indicators of institutional and individual discrimination in organizations.

(3) Recognizes sexual harassment in both overt and covert forms.

(4) Recommends remedies appropriate to reduce or prevent discrimination and sexual harassment.

(5) Collects, organizes, and interprets demographic data concerning all aspects of EO climate assessment.

(6) Assists commanders in the development and preparation of realistic affirmative action plans and monitoring progress of the plans.

(7) Trains unit equal opportunity representatives (EORs) to conduct classes, discussions, and seminars at unit level.

(8) Conducts training sessions pertaining to equal opportunity, discrimination, and prevention of sexual harassment.

(9) Plans and conducts executive seminars on affirmative action plans, equal opportunity, discrimination, and prevention of sexual harassment.

(10) Assists commander in processing complaints of discrimination.

(11) May assist appointed EO complaint investigators in developing investigatory questions and reviews Reports of Investigation to ensure compliance with regulatory and policy guidance.

(12) Assists commanders in developing a Consideration of Others Program.

g. Roles and duties of EORs. Equal opportunity representatives (EORs) are unit soldiers trained to assist commanders in carrying out EO programs within units (see paragraph 1-4i). Commanders authorized EOAs will ensure that each subordinate command (battalion and company level) has an EOR.

2-3. Activities

All on post facilities, armories, other staff installations, and official activities must be open, as appropriate, to all NG personnel and family members irrespective of race, color, religion, gender, or national origin. AGs have the responsibility for ensuring that an organization taking advantage of, or using on post facilities or armories (whether on a reimbursable basis or otherwise) does not engage in unlawful discriminatory practices. It is not enough to depend solely on the published bylaws or the constitution of the organization. The Commander must assess the organization's actual membership practices and its effect upon the command. In cases where questionable practices exist or allegations of discrimination are made, the burden of proof rests with organization members. The organization must convince the AG that it does not engage in de facto discrimination. Failure to substantiate absence of discriminatory practices will result in denial of use of on post or armory facilities.

2-4. Evaluating Report Entries

When evaluating soldiers, rating officials will consider the extent and effectiveness of leadership and support in EO and EO matters according to this regulation.

2-5. Civilian Schooling

ARNG soldiers pursuing an educational program at an institution that unlawfully discriminates in the admission or subsequent treatment of students will not be financially assisted from appropriated fund resources. Exceptions to this policy will be considered when the applicant has previously attended the institution in question and will suffer personal hardship through loss of earned credits if a transfer is required. Requests for exceptions will be sent to NGB-EO.

2-6. Affirmative Action

Affirmative actions will be comprised of planned, achievable goals that eliminate practices that deny equal opportunity to all soldiers.

a. Affirmative action plans will be developed and implemented by STARCs and separate units down to and including brigade or equivalent (0-6 command) level.

b. Plans will include conditions requiring affirmative action, remedial action steps (with goals and milestones as necessary), and a description of the outcome sought for each condition included in the plan. AAPs will be reviewed at least annually to assess the effectiveness of action steps, to initiate new action items, and to sustain goals already achieved. Subjects for affirmative action plans will be those deemed necessary by the responsible commander. AAPs will be in compliance with DoD reporting requirements contained in DoD 1350.2-D. (See Appendix E)

c. Each commander required to develop an AAP will provide a copy to the next higher commander. STARC AAPs will be sent to NGB-EO on a five (5) year cyclic requirement beginning 15 March 2000. Send report to: NGB-EO, 1411 Jefferson Davis Highway, Arlington, VA 22202-3231.

d. Commanders of battalions and lower level units are covered by the plans of their higher headquarters.

e. Annual assessments of the AAPs are required. Assessments will be as of 30 September and be reported in paragraph B-10 of the Annual Narrative and Statistical Report of the same year. Assessments will be consolidated at STARC and reach NGB-EO by 15 December each year. Sample format and additional guidance is in paragraph 2-7 and 2-8, and Appendix D.

2-7. Reports, Authority to Collect and Maintain Data

NGB-ARP will collect, record, and maintain racial, ethnic, and gender data and statistics required to support the ARNG EO Program to include AAP requirements. AGs, STARC, and other commanders required to publish AAPs are authorized to collect, record, and maintain data. Race, population groups, and gender designations for use by the ARNG are in AR 680-29, paragraphs 1-29, 1-51, and 1-71.

2-8. Annual Narrative and Statistical Report on Equal Opportunity Progress

AGs will submit an Annual Narrative and Statistical Report on Equal Opportunity Progress. This report will cover the preceding fiscal year and is due at NGB-EO, not later than 15 December each year. It will outline the progress made in achieving the established EO goals as reflected in the AAP for the organization as well as the progress made in eliminating sexual harassment by training key personnel. It will also assess the achievements and shortfalls and include plans of action programmed to correct problems or conditions that currently exist. Annotated AAP modifications in the ANSR should be used as an aid in completion of the next five (5) year AAP requirement.

(See Appendix D for suggested format.)

2-9. Climate Assessment

Commanders will, at a minimum, conduct a climate assessment and unit training needs assessment within 180 days following a change of command and annually thereafter. This assessment can be done using the Military Equal Opportunity Climate Survey (MEOCS); Commander's Handbook; or other survey instruments.

2-10. Training

a. Minimum ARNG criteria for local unit training programs are as follows:

(1) The Commander will incorporate EO training into the overall training plan for the unit based upon guidance in current regulations, national and local command guidance and current situations that affect soldiers. Unit training will be conducted at least twice annually and at a minimum include a one hour training sessions on Prevention of Sexual Harassment and a one hour training sessions on Equal Opportunity. (Prevention of Sexual Harassment training will be conducted once annually, the session should last a minimum of one hour; and EO training will be conducted once annually, the session should last a minimum of one hour) Prevention of Sexual Harassment and EO training must remain separate and distinct. The training sessions may be conducted back to back, but general EO training can not be substituted for Prevention of Sexual Harassment training. Training must stay contemporary. There are times when different issues will be of local/ARNG-wide importance and mandate special attention by unit commanders. Unit training will be interactive, discussion based and will focus on:

- (a) ARNG and local command policies on EO, affirmative actions, and POSH.
- (b) Objectives of the ARNG EO Program.
- (c) Objectives of affirmative actions and AAPs.
- (d) Behavioral characteristics and other indicators of EO problems: what are appropriate and acceptable behaviors that lead to cohesion and teamwork; what will not be tolerated as that which undermines the mission.
- (e) The impact of individual and institutional discrimination on mission accomplishment.
- (f) Identifying, dealing with, preventing, and eliminating racial and ethnic discrimination and sexual harassment.
- (g) Legal and administrative consequences applicable to individuals participating in acts of discrimination and sexual harassment.
- (h) Individual responsibilities (of both males and females) concerning equal opportunity and prevention of sexual harassment (e.g., identify inappropriate behaviors; develop techniques in dealing with sexual harassment; develop assertiveness skills; submit complaints in the event the situation cannot be handled on-the-spot or one-on-one; report the incident to chain of command).
- (i) The importance of honest and open interpersonal communications in promoting a healthy unit climate.
- (j) Unit climate assessment: what it is; what it is used for; what makes it important; how it is done; what its results mean and what to do about various results.
- (k) Review of actual unit climate assessment findings and amplification of issues raised. If appropriate, the Commander will discuss issues that surface from assessment and develop an action plan to improve unit climate with unit members.

(2) The chain of command and other leaders (commander, command sergeant major, first sergeant, and others) will be present and participate in unit EO sessions.

(3) Training will be documented on the unit schedule and attendance accounting for who attended the training, when it was done, and what was covered in the session.

b. Commanders at all levels of the ARNG will establish and maintain a viable Consideration of Others Program.

(1) The Consideration of Others Program is a human relations training tool that is broader in scope than the training requirements mentioned in this regulation; however, the Consideration of Others Program may be used as the vehicle to address the training requirements outlined above. Decentralized execution following initial facilitator instructor training (HR/EO, EOAs and EORs will assist the Commander in facilitator training) will enable commanders to address issues of human relations on a continuous basis with little or no disruption to regular scheduled training. The Consideration of Others Program is designed to be executed at the squad/section/platoon level. Commanders should address the Consideration of Others requirement on the unit training schedule and allow execution on an opportunity basis by the squad/section/platoon leader with feedback on execution through the chain of command to the Commander. The Consideration of Others Program will be:

- (a) Small group interactive.
- (b) Competed down to squad level.
- (c) Focus on dilemma discussion topics.
- (d) Focused on topics including local, regional, or national importance.
- (e) Focused on contemporary topics and issues.
- (f) Executed by facilitators selected by the Commander based on skill and ability to handle contentious issues.

(2) The HR/EO, through EOAs and EORs, are responsible for collecting data on execution of the Consideration of Others Program. To aid in program execution, a dilemma discussion guide is used to discuss issues on human relations. HR/EOs may request a dilemma discussion guide through NGB-EO, 1411 Jefferson Davis Highway, Arlington, VA 22202-3231.

c. Equal opportunity representatives are soldiers in the grade of E-5 or above trained to assist commanders in execution of the EO program within their units.

(1) Commanders will assign an EOR at battalion level and at each company/battery/troop level.

(2) EOAs who hold ASI 5T or SQI Q will train EORs, structuring the training to meet local conditions. EORs may also attend the DEOMI Reserve Component Course. Graduates of the DEOMI Reserve Component course will be awarded ASI 5T (Officers) or SQI Q (Enlisted).

d. Minimum criteria for training in professional military education programs follows:

(1) Formal training/professional military instruction is that conducted in ARNG training centers, Army service schools, Reserve officer training courses, USAR schools, Army area schools, State military academies (Officer and NCO), The National Guard Professional Education Center, and individual units. EO training will be identifiable and presented in a manner to adequately address the general guidance listed below for the various skill levels, and which also develops required skills, knowledge, and attitudes as defined in the specific training support package for the programs of instruction. Staff and faculty will be adequately trained to accomplish the objective established.

(2) Training must stay contemporary. There are times when different issues will be of local/ARNG-wide importance and mandate special emphasis with stand-alone training. Training on EO/POSH subjects must remain identifiable and quantifiable in programs of instruction.

e. Education and training on EO matters will be covered in the institutional training programs of the U.S. Army to include:

(1) Initial entry training.

(2) Junior non-commissioned officers training.

(3) Officer basic and warrant officer orientation.

(4) Officer, warrant officer, and non-commissioned officer advanced courses.

(5) Command and General Staff College, Warrant Officer Senior Course, First Sergeants Course, and Sergeants Major Academy.

(6) Senior service schools.

(7) Continuing education:

(a) Will be provided through seminars in EO for general officers, key staff personnel, and technician supervisors on an annual basis as prescribed by the AG. Emphasis will be on contemporary problems in EO, POSH, and other pertinent topics.

(b) A two week senior enlisted EO workshop is available through DEOMI, Patrick AFB, Florida.

(c) A Mobile Training Team is also available through DEOMI.

(d) EO will be a topic in all ARNG schools for full-time support personnel.

2-11. Annual Narrative and Statistical Report on Equal Opportunity Progress/Prevention of Sexual Harassment Training (Appendix D)

The Annual Narrative and Statistical Report on Equal Opportunity Progress/Prevention of Sexual Harassment Training will be forwarded to NGB-EO, ATT: ARNG EO Program Manager, 1411 Jefferson Davis Highway, Arlington, VA 22202-3231, no later than 15 December annually. The information in the report will cover the preceding FY. The report at a minimum will address the following areas (see Appendix D for a sample format and more complete information on report content):

a. Complaint information.

(1) Formal complaints filed.

(2) Formal complaints processed at the Adjutant General level.

b. Command profile.

(1) Comparison of commanders by gender and race.

(2) Command Profile by grade, gender, and race.

- c. Population report.
 - (1) Comparison of ARNG personnel by majority / minority population (2 yr).
 - (2) Comparison of male personnel by race (2 yr).
 - (3) Comparison of female personnel by race (2 yr).
 - (4) Comparison of enlisted personnel by majority / minority population (5 yr).
 - (5) Comparison of male enlisted personnel by race (5 yr).
 - (6) Comparison of female enlisted personnel by race (5 yr).
 - (7) Comparison of enlisted personnel by grade, gender and race (2 yr).
 - (8) Comparison of commissioned officer personnel by majority / minority population (5 yr).
 - (9) Comparison of male commissioned officer personnel by race (5 yr).
 - (10) Comparison of female commissioned officer personnel by race (5 yr).
 - (11) Comparison of commissioned officer personnel by grade, gender and race (2 yr).
 - (12) Comparison of warrant officer personnel by majority / minority population (5 yr).
 - (13) Comparison of male warrant officer personnel by race (5 yr).
 - (14) Comparison of female warrant officer personnel by race (5 yr).
 - (15) Comparison of warrant officer personnel by grade, gender and race (2 yr).
- d. HR/EO - EOA Listing.
- e. EO training activity assessment.
- f. Prevention of sexual harassment training.
- g. Unit assessment.
- h. Affirmative action plan.
 - (1) Goal progress.
 - (2) Goal shortfalls.
 - (3) Affirmative action plan assesment.
- i. Community affairs.
- j. AG's assesment of the human relations climate.

Chapter 3

Attendance at the Defense Equal Opportunity Management Institute

3-1. General

a. Selection. Candidates for training as EOAs will be carefully selected to ensure that only qualified officers and NCOs are chosen. Personnel assigned to EOA positions will either be DEOMI graduates or will apply for DEOMI training within 60 days of assignment. Application for the Reserve Component training to NGB signifies chain of command approval and availability of funds to attend the course regardless of later duty assignments. Both officer and NCO candidates will come from volunteers and command nominees. Application will process through the State Training Officer (POTO), then through NGB-ART-I.

b. Curriculum. The DEOMI curriculum includes a three-week Reserve Component Equal Opportunity Advisors Course in a combination of two phases that are resident and non-resident. Phase I is a correspondence phase, Phase II is a three week residence phase. The 16-week EOA Residence Course is also available to reserve component personnel. HR/EOs may also attend the 6-week resident EO Program Managers Course. Only the 16-week EOA Course and the Reserve Component EO Courses are authorized for awarding ASI 5T for officers or SQI Q for enlisted, to EOAs in the ARNG. Enlisted soldiers assigned as EORs will not attend the resident 16-week EO Advisor Course. The Reserve Component EOA Course is the preferred method for training ARNG soldiers. EOAs must complete both phases within twelve months of assignment to an EOA position. Phase I must be completed prior to admittance into Phase II.

c. Certification. Upon successful completion, DEOMI will certify graduates for award of the appropriate SQI or ASI. AGs will award the appropriate designator to all DEOMI graduates. Both the DEOMI 16-week residence EOA Course and the Reserve Component EOA Course are accredited for limited graduate and undergraduate credit.

d. Removal of EO SQI or ASI. The EO SQI or ASI may be withdrawn from members of the ARNG if approved by NGB-EO.

3-2. Selection Requirements

a. Officer and enlisted personnel who attend DEOMI 16-week resident EOA Course or the Reserve Component EOA Course will meet the following selection requirements:

- (1) Demonstrate outstanding performance of assigned duties and be recommended in writing by an officer in the applicant's chain of command in the rank of major or higher.
- (2) Exhibit stability in personal affairs and not have a history of severe domestic or personal problems, (excluding divorce), chronic indebtedness, excessive use of alcohol, or any use of illegal drugs. Individuals removed for cause from any military position during the 2 years preceding the nomination will need a waiver from NGB-ARP.
- (3) Must not have been punished under the provisions of the UCMJ or a state military code during the 2 years preceding the nomination or have a prior history of frequent UCMJ or military code punishments.
- (4) Must have a minimum of 2 years of service remaining upon completion of the DEOMI Course.
- (5) Must meet ARNG fitness standards.
- (6) Officers must have a minimum of 2 years of college credit.
- (7) Enlisted personnel must be high school graduate or equivalent.
- (8) Must be competitive for further advancement.
- (9) Enlisted must be at a minimum in grade E5 for the Reserve Component Course and in the grade of E7 (E6 promotable acceptable) for the 16 week resident EOA Course.
- (10) Officers must be at a minimum in the grade of O-2.
- (11) Senior enlisted must be advanced noncommissioned officers course graduates or selectees.
- (12) Enlisted must be qualified in their primary MOS.
- (13) Enlisted must receive chain of command evaluation.
- (14) Applicants should be programmed for a minimum of a three (3) year utilization tour as an EOA upon graduation from DEOMI. EOA utilization tours will not exceed six (6) years.
- (15) Applicants must be screened by an EOA or a graduate of the Equal Opportunity Program Management Course.

b. Attendance at the 6-week EO Program Management Course is encouraged for applicants who have significant EO responsibilities; e.g., EO Program Managers, chiefs of staff, G-1s, IGs, JAGs, commanders, or USPFs. Send applications through appropriate chain of command.

Chapter 4 Special Ethnic Observances

4-1. Annual Observances

Annual special ethnic observances are designed to enhance cross-cultural awareness and promote harmony among all uniformed members, their families and the civilian workforce. These activities are extensions of the ARNG's equal opportunity education and training objectives.

4-2. Responsibilities of Key EO Officials

a. Chief, Equal Opportunity Office, National Guard Bureau (NGB-EO) has general staff responsibilities for establishing policy and identifying and outlining the period for each observance.

- b. The Adjutants General will--
- (1) Develop, plan, and conduct annual observances consistent with the timetable in table 4-1 or as suggested by NGB-EO.
 - (2) Program necessary funding to conduct annual observances or activities.
 - (3) Encourage all members of the NG community to contribute and participate in the planning, implementation, and conduct of observance functions.

4-3. Guide to Commanders

a. Specific modifications in the timetable at Table 4-1 will be made and disseminated by NGB-EO when necessary; otherwise, AGs and EO staffs should plan their activities according to dates and periods specified.

b. Expenditure of funds for such activities is permitted within EO program management or education and training funds, according to policies established by the Comptroller General decisions B200017 dated 10 March 1981 and B199387, dated 23 March 1982. These decisions permit expenditure of funds for guest speakers, musical and other artistic entertainment, food exhibits and samples, publications, etc., as long as the intent is to promote cross-cultural harmony and awareness. Commanders will ensure that the projected events amplify contributions to society made by members of the ethnic or racial group being commemorated.

c. Commanders should publicize the cultural or ethnic events in local information media. Timely announcements should be made to ensure that all personnel are aware of the events.

d. Commanders are encouraged to form a standing committee representing the various units, staff activities, and special interest groups in the community to plan appropriate activities well in advance of the date. Appropriate members of such a committee include the EOA, public affairs officer, chaplain, representative from the budget office, recruiting and retention manager, SEEM and other appropriate representatives.

e. Activities should be designed to afford maximum attendance of all uniformed personnel, technician and federal civilian members of the command. Commanders should establish and disseminate policy that ensures that all personnel desiring to participate in observing activities are given reasonable opportunity to do so.

f. A consolidated annual observance, recognizing members of all racial/ethnic groups may be conducted in addition to (but not in lieu of) the observances in Table 4-1, below.

<u>Month</u>	<u>Dates</u>	<u>Observance</u>	<u>Authority/Comment</u>
January	3rd Monday	Martin Luther King Jr's Birthday	PL 98-144, Nov 83
February	1-28	African-American/History Month	Historically (Since the 1920s) 1st Presidential Proclamation, Feb 76
March	1-31	Women's History Month	Presidential Proclamation PL 100-9, Mar 87
April/May	Sunday to Sunday	Days of Remembrance for victims of the Holocaust	PL96-388, Oct 88
May	1-31	Asian Pacific Heritage Month	PL 95-419, 5 Oct 78 1 st Presidential Proclamation, May 91
August	26	Women's Equality Day	Anniversary of 19th Amendment Ratification HJR 808, 22 Jul 71 1 st Presidential Proclamation, Aug 73
September/ October	15 Sep thru 15 Oct	National Hispanic Heritage Month	PL 100-402, Aug 88
November	1-30	National Native American Indian Heritage Month	PL 102-188, Mar 92

**Chapter 5
The National Guard Affirmative Action Plan**

This chapter constitutes instructions for completing the ARNG Affirmative Actions Plan. It provides instruction to develop goals and objectives that support the State, the ARNG, the Army and the DoD EO Program. This publication establishes reporting requirements, suggested affirmative actions (see sample plan: Appendix E) in support of the 10 DoD mandatory AAP categories, and responsibilities for personnel management policies to ensure that all military members are treated with fairness, justice and equity without regard to race, color, religion, gender, or national origin. The planning, execution, monitoring, and reporting of AAP action items is the responsibility of the proponent organization. NGB-EO is the executive agent. Individual plans will be prepared down to brigade or equivalent levels (06 command).

**Section I
General**

5-1. Purpose

The purpose of the ARNG AAP is to identify and establish objectives, responsibilities, and policies that support the ARNG EO Program. The thrust of the ARNG EO Program continues to firmly embed the equal opportunity function within the ARNG's leadership framework. Fairness, justice, and equity for all soldiers, regardless of race, color, national origin, gender, or religion are responsibilities of leadership and functions of command. To accomplish any mission, leaders must ensure that their units are properly trained for the task to be accomplished; and that their soldiers, their equipment, and they themselves are in the proper state of readiness at all times. Soldiers must be committed to accomplishing the mission through the unit cohesion developed as a result of a healthy leadership climate established by command. Leaders at all levels promote the individual readiness of their soldiers by developing competence and confidence in their subordinates. In addition to being mentally, physically, tactically, and technically competent, soldiers must have confidence in themselves, their equipment, their peers, and their leaders. A leadership climate in which all soldiers perceive that they are treated with fairness, justice, and equity is crucial to the development of this confidence with soldiers.

5-2. Scope

The ARNG AAP is a personnel management document; it fulfills a specific DoD requirement that military departments develop and publish comprehensive EO affirmative action planning goals for soldiers. It implements requirements outlined in DoD 1350.2-D and this regulation.

5-3. Racial and Ethnic Designations

To avoid double counting of racial and ethnic group statistics, the following guide is provided to ARNG AAP proponent functional managers.

**Table 5-1
Racial and Ethnic Designations.**

Where Race Equals:	and	Ethnic Code Equals:	Then Report as:
R		8, 7, or 2	American Indian/Alaskan Native.
M, C, N, X, or Z		G, J, K, 5, D, V, 3, E, W, L, or Q	Asian/Pacific Islander.
N		X or Z	Black, not of Hispanic origin.
C		X or Z	White, not of Hispanic origin.
C, N, X, or Z		6, 4, 9, S, or 1	Hispanic.
X or Z		X or Z	Other/Unknown.

Note: The above combined standard categories (REDCAT) will be used to display data on race and ethnicity within the ARNG.

5-4. Policy

- a. The AAP directs positive affirmative action in support of the ARNG policy that provides equal opportunity and treatment for all soldiers regardless of race, color, gender, religion, or national origin. It reflects the high priority afforded these important tasks and the commitment of the Army to achieve its goals.
- b. AGs and commanders are required to--
 - (1) Implement ARNG EO plans, policies, and programs.
 - (2) Develop AAPs down to brigade (0-6 command).
 - (3) Review any complaint received and take appropriate action, as necessary.

5-5. Objectives

Actions directed in this plan are designed to--

- a. Provide the opportunity and encouragement for the growth and effective use of the capabilities of all ARNG soldiers.
- b. Identify trends and develop appropriate actions, eliminate personal and institutional discrimination, and assure opportunities for upward mobility for all qualified soldiers.
- c. Infuse affirmative actions into the traditional management system by placing affirmative action responsibilities into the hands of commanders who in turn implement the action through their functional managers.

5-6. Responsibilities

- a. ARNG staff proponents will--
 - (1) Be proponents of respective actions directed in Chapter 2.
 - (2) Develop individual plans to support their affirmative actions.
- b. Chief, Equal Opportunity Office, National Guard Bureau (NGB-EO) will have staff responsibility for collection, review and roll-up of the ARNG AAP. Additionally, a role-up of the states ANSR will be briefed to the DARNG no later than 15 May annually. A role-up of STARC AAPs will be briefed to the DARNG no later than 15 June based on the five (5) year cyclic AAP reporting requirements of the states.
- c. Adjutants General will--
 - (1) Ensure that AAPs are developed at each STARC installation, and separate unit down to brigade or equivalent level (06 command).
 - (2) Be proponents of state affirmative actions in Chapter 2.
 - (3) Ensure that STARC AAPs are submitted to NGB-EO for review on a five (5) year cyclic requirement, which began on 15 March 2000.

5-7. Reporting requirements

- a. ARNG proponent staff divisions will submit an ANSR on affirmative action progress/short-fall, covering the FY and include recommended AAP revisions to NGB-EO by 15 December of each year.
- b. Adjutant Generals of the states will submit an ANSR on EO progress covering the previous FY to NGB-EO by 15 December of each year as outlined in this regulation. The report submitted to NGB-EO must be signed by state AGs.
- c. NGB-EO will--
 - (1) Coordinate the revision and update of the AAP as required.
 - (2) Submit an annual assessment of AAP progress according to current directives and regulations.

5-8. References

- a. DoD 1350.3-I, The Department of Defense Affirmative Action Planning and Assessment Process.
- b. AR 600-20, Army Command Policy
- c. DA Pamphlet 600-26, Equal Opportunity Plan
- d. DA Pamphlet 600-43, Measuring Changes in Institutional Racial Discrimination in the Army.

Section II

Goal Development and Review and Analysis

5-9. Goal Development

a. Criteria. The basis for goal development is the identification of an affirmative action requirement. In some instances, this requirement is driven by the need to correct the effects of recent past discrimination; or, the requirement is driven by a need to manage, assess, and report on the status of minority and women soldiers, or to impact the masses so all are afforded equal opportunity. In each case, however, affirmative action proponents should ensure that goals are developed from the best available baseline/benchmark data in a logical and consistent manner.

b. Goal development process. The success of this effort will depend on the extent to which proponents for specific affirmative actions actually develop (not merely review) the affirmative actions for which they are responsible. Each accountable level in the chain of command must participate in goal development. Heads of major staff agencies and commanders must interact on a face-to-face basis with their subordinates to ensure that all participants have an understanding of the goal development process. Accountability or ownership of affirmative action goals must rest with the commander and/or staff agency head with the resources and authority to influence goal outcome.

5-10. Goal Revision

Goal design should be based on sound reasoning, consideration of pertinent variables, realistic constraints, and prospects for achievement with affirmative management effort. The acceptability of the standards used to develop AAP goals may change as new information becomes available and/or there is a change in the variables initially considered during goal development. Goal revision will occur routinely following the annual assessment. Proponents may forward any recommendations for goal revision to NGB-EO anytime.

5-11. Review and Analysis

Just as in goal development, successful review, analysis, and reporting of affirmative action must involve heads of staff divisions and commanders and their subordinates. Periodic reviews presented to the AG are particularly effective techniques and set the stage for information exchange, guidance, and follow-up action. Each staff head with affirmative action proponenty addresses specific affirmative action goals. Problems are quickly identified and a plan of action that combines the resources of all interested and responsible staff members is developed.

5-12. Measurement

a. Measurement is an essential element of affirmative action management and will be used for all areas that have quantifiable goals. Actual results achieved will be compared with affirmative action goals. Measurements also provides a basis to--

- (1) Illustrate trends.
- (2) Highlight the magnitude of differences.
- (3) Point to the direction of change.

Data collection provides decision-makers with the management information to assess the status of their affirmative action management efforts, highlights progress, identifies problem areas, and forms a cornerstone for effective communication. This information must not be viewed in a vacuum. Attitude, perception, experience, and management judgement all are also important and must be considered by commanders and managers in assessing equal opportunity progress and identifying problem areas.

b. Measurement techniques.

(1) Representation index. Representation indexes can be used to measure changes in what happens to individuals as a result of normal functioning of the system. They can be used to identify and provide valuable insights of institutional practices that are operating to the disadvantage of minorities or women. The representation index (RI) does not determine causes nor does it imply any intent to discriminate; rather, the RI measures the effects of what is or what has occurred. Its value lies in that it may be used to isolate particular areas that require closer examination.

- (2) Calculation. (See DA Pam 600-43, or sample, Chapter 6).

(3) Other assessment tools.

(a) Subjective assessment. Subjective assessment includes, but is not limited to, interpretation of serious incident reports, inspector generals reports, volume and nature of congressional or gubernatorial complaints, staff visits, perceptual surveys, and feedback received during equal opportunity training sessions.

(b) Other measurement tools. These include, but are not limited to, education and training assessment tools and information generated from other human resource research efforts.

Chapter 6**Representation Index****6-1. General**

The representation index (RI) is a tool to access the impact of unit EO programs. Using the RI should assist commanders in pinpointing specifically where disparities exist and whether or not they are tending to decline, increase, or remain constant. The RI is a tool used by the Commander to measure the changes in what happens to soldiers in the unit as a result of the normal functioning of institutional practices, which produce undesirable trends. This index does not determine causes, it only measures effects. Its value lies in the fact it may be used to single out areas that require further examination. Measurement is an essential element of affirmative action management and will be used to calculate data reported during the Commander's Affirmative Action Plan Brief.

6-2. Calculation

RIs are derived from a comparison of the actual number and the expected number of people in a particular situation; e.g., those being selected, promoted, assigned, etc. The following formula is used to develop the RI:

$$RI = \frac{P \text{ Actual Number}}{\text{Expected Number}} \times 100 - 100 = \% \text{ over- or under- representation}$$

The expected number is the number of people who would be in a particular situation if color was unrelated to the variable under consideration; e.g., selections, promotions, etc. The extent of the difference between the actual number and the expected number is a measure of difference associated with color. A resultant of zero means there is no difference between the individuals on whatever dimension is being considered. If the actual number is greater than the expected number, the result will be a positive percentage, meaning that this group being considered is over-represented on that dimension. If the actual number is less than the expected number, the result is a negative percentage, meaning that this group is underrepresented by the percentage indicated.

6-3. Representation Index Formula

Over-representation and under-representation are both indicators that people are treated differently. By calculating such indicators during different periods of time, one can determine if differences are increasing, remaining the same, or decreasing.

The following results of a hypothetical situation concerning awards illustrate the use of the RI:

a. Step #1. Obtain your unit's average strength. Then determine what percentage each ethnic group you wish to compare comprises of that total population, example:

Table 6-1
Current Year Average Assigned Strength, 1st Half

Cau		Black		Hispanic		Other		Total
M	F	M	F	M	F	M	F	
2650	200	850	100	400	40	110	15	4365
.607%	.046%	.195%	.023%	.092%	.009%	.025%	.003%	

Source: _____

b. Step #2. List the total actions given to each ethnic group compared; e.g., awards.

Table 6-2
Current Year Total Awards, 1st Half

Cau		Black		Hispanic		Other		Total
M	F	M	F	M	F	M	F	
150	16	42	9	23	3	6	1	250

Source: _____

c. Step #3. Display your RI. Listing should include percentages of each ethnic group that makeup the total population, actual number of actions; e.g., awards, expected number of actions that this group should have received considering everything to be equal, and the over/under representation index percentage.

Table 6-3
Representation Index.

	Cau		Black		Hispanic		Others	
	M	F	M	F	M	F	M	F
Percent of Population	60.7	4.6	19.5	2.3	9.2	.9	2.5	.3
Actual Number	150	16	42	9	23	3	6	1
Expected Number	151.75	11.5	48.75	5.75	23	2.25	6.25	75
Representation	-1	39	-14	57	0	33	-4	3

Note: For computing the expected number, multiply the total number of actions by the percentage that a particular ethnic group represents within the total population. For example, assume that the total brigade strength is 4,365. Of this strength, 15 are categorized as other. A total of 250 awards were presented to the entire group, of which one award was received by those categorized as other. To find the expected number, multiply:

$$\begin{aligned}
 250 &= \text{Total number of awards given to all groups} \\
 \underline{x.003} &= \text{Percent categorized as Other of the total population} \\
 0.75 &= \text{Expected number (number which should result if color is unrelated to the variable under consideration)}
 \end{aligned}$$

Note: 33% was derived as follows:

$$\frac{1}{0.75} \times 100 - 100 = 33333 \text{ or } 33\%$$

Another Example: The total brigade strength is 4,365. Of this strength, 2,650 are Caucasian. A total of 250 awards were presented of which 150 were received by Caucasians. To find the expected number, multiply:

$$\begin{aligned}
 259 &= \text{Total number of awards given to all groups} \\
 \underline{X.607} &= \text{Percent categorized as Caucasian of the total population} \\
 151.75 &= \text{Expected Number (number which should result if color is unrelated to the variable under consideration)}
 \end{aligned}$$

Note: -1% was derived as follows:

$$\frac{150}{151.75} \times 100 - 100 = -1.15322 \text{ or } -1\%$$

d. Step: #4. Chart your information on a bar graph and brief the Commander.

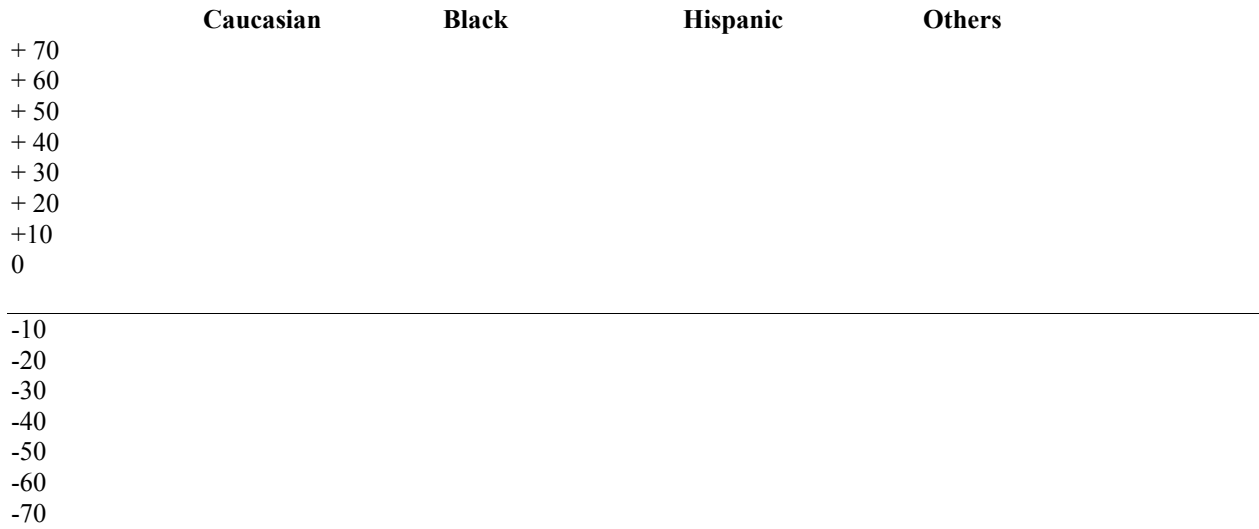


Figure 6-1. Bar Graph Displayed

Legend: Male
Female

Note: The concept and use of the RI is based on an Army Research Institute study conducted under contract by Dr. Peter G. Nordlie, Human Sciences Research, Inc., "Measuring Changes in Institutional Racial Discrimination in the Army, April 1977." Remember, this index does not determine causes: it only measures effects and is used to single out areas that require further examination.

Appendix A
References

Section I
Required Publications

AR 600-20
Equal Opportunity Program in the Army

DoD 1350.2-D
Military Equal Opportunity (MEO) Program

NGR 600-22/ANGI36-3
National Guard Military Discrimination Complaint System

Section II
Related Publications

A related publication is a source of additional information. The user does not have to read it to understand this publication.

DA Pam 600-26
Department of the Army Affirmative Action Plan

DA Training Circular TC 26-6
Commander's Equal Opportunity Handbook

DoD 1350.3-I
Affirmative Action Planning and Assessment Process

Section III
Prescribed Forms

This section contains no entries.

Section IV
Referenced Forms

This section contains no entries.

Appendix B Dates Significant to the Equal Opportunity Program

1 Jan	Emancipation Day (effective date of the Emancipation Proclamation)
15 Jan	Dr. Martin Luther King, Jr.'s birthday
Jan/Feb	Chinese New Year, depending upon lunar cycles
Feb	African-American (Black) History Month
1 Feb	National Freedom Day (adoption of the 13th amendment)
2 Feb	Founding of the Army Nurse Corps
8 Mar	International Women's Day
Mar	Women's History Month
16 Apr	Founding of the Women's Medical "Specialist Corps" (now Medical Specialist Corps)
17 Apr	Samoan Flag Day
5 May	Cinco De Mayo (commemorates Mexican independence from Spain and France)
14 May	Founding of the Women's Auxiliary Corps (Women's Army Corps)
May	Asian Pacific Heritage Month
11 Jun	Kamehameha (honor the King who united the Hawaiian Islands)
25 Jul	Constitution Day (celebrated by the Commonwealth of Puerto Rico)
15 Aug	Korean Independence Day
26 Aug	Women's Equality Day (passage of the 19th (Amendment)
16 Sep	El Crito de Delores (commemorates the beginning of the Mexican revolution against Spain)
17 Sep	Citizens Day (honoring newly acclaimed citizens)
18 Sep	Rosh Hashanah (Jewish New Year)
27 Sep	Yom Kippur
15 Sep - 15 Oct	National Hispanic Heritage Month (honors the contributions made to the history, heritage, and culture of the United States by Hispanic Americans)
Nov	Native American (American Indian/Alaskan Native) Month
2nd Monday in Oct	Columbus Day
8 Nov	President Johnson signed Public Law 90-130 giving equal rights to women in the armed forces.
10 Dec	Rizai Day (Filipino)

Appendix C Suggested Table of Contents for EO Workbook

An EO workbook may be developed to aid in the performance of your duties. The following list is a suggested reference for the HR/EO, EOAs, and EORs. Tailor your workbook to suite the needs of your state or unit.

C-1. AR 600-20 (Army Command Policy).

C-2. NGR 600-21 (Equal Opportunity (EO) Program in The Army National Guard).

C-3. NGR 600-22/ANGI 36-3 (NG Military Discrimination Complaint System).

C-4. DA Pam 600-26 (Army Equal Opportunity Plan).

C-5. Major Command Affirmative Action Plan (revised yearly).

C-6. EO Policy Statement for TAG and every commander down to individual units (revised annually or upon change of command).

C-7. Appointments to EO Council.

C-8. Minutes of Council Meetings.

C-9. Orders appointing Special Emphasis Program Manager.

C-10. Orders appointing Equal Opportunity Adviser and/or Representatives.

Appendix D
Sample Annual Narrative and Statistical Report on Equal Opportunity Progress

D-1. Introduction

a. This is a sample only. The representation of personnel figures are fictitious designed only for use as a guide for completing the ANSR. This report is not in a regulatory format; however, the report depicts the required categories for reporting data. Ensure that the report is tailored to meet the needs of your State.

b. For this sample, majority and minority female personnel are counted within their respective population. Separate charts in this sample show the makeup of female personnel. When shown as a group, depicted as a percentage of female personnel; then, as a percentage of total personnel (see Tables).

c. All percentages are rounded for reporting.

d. As with any type of human resource statistical data, the user is encouraged to identify trends. If trends are identified that require action, recommend appropriate equal opportunity action prior to inaction causing a significant imbalance.

D-2. Complaint Information

a. Total number of formal complaints filed in the preceding year.

Note: A lack of formal complaints may or may not reflect a healthy human relation’s climate.

b. Formal complaints processed at the Adjutant General level.

Table D-1
Formal Complaints Filed

Race	Color	Religion	Gender (not sexual harassment)	Sexual Harassment	National Origin	Total
1	3	1	0	3	2	10

Table D-2
Formal Complaints Processed at The Adjutant General Level

Disposition	Race	Color	Religion	Gender (not sexual harassment)	Sexual Harassment	National Origin	Total
Settled		1					1
Withdrawn							0
Appealed to and pending a FAD from NGB	1	2	1		2		6
FAD with a finding of no discrimination						2	2
FAD with a finding of discrimination					1		1

D-3. Command Profile**Table D-3
Comparison of Commanders by Gender and Race, Years 1999 -- 2000**

Year	Majority				Minority				Total Commanders
	Male		Female		Male		Female		
1999	44	76%	6	10%	5	9%	3	5%	58
2000	39	67%	6	10%	9	16%	4	7%	58

Discuss commander composition as it compares to officer representation in your NG. Discuss trends or highlights. Discuss any actions planned based on the data.

**Table D-4
Command Profile by Grade, Gender and Race**

Command Position	Majority				Minority				Total Command Positions
	Male		Female		Male		Female		
BDE CDR	3	100%	0	0%	0	0%	0	0%	3
BN CDR	9	75%	0	0%	2	17%	1	8%	12
CO CDR/DET CDR	27	63%	6	14%	7	16%	3	7%	43
CSM	4	80%	0	0%	1	20%	0	0%	5
1SGT	34	83%	0	0%	6	15%	1	2%	41

Discuss commander composition as it relates to officer and senior enlisted grade composition. Discuss trends or highlights. Discuss any actions planned based on the data.

D-4. Population Report**Table D-5. Comparison of NGARNG Personnel by Majority / Minority Population, Years 1999 - 2000**

Year	Total Personnel				Total
	Majority		Minority		
	Total	Percentage	Total	Percentage	
1999	6135	65%	3240	35%	9375
2000	6308	67%	3146	33%	9454

Discuss composition of NG personnel as it compares to state demographics. Discuss any highlights or trends. Discuss any actions planned based on the data.

**Table D-6
Comparison of Male Personnel by Race, Years 1999 - 2000**

Total Male Personnel							
Year	Majority			Minority			Total Male Personnel
	Total Majority	Percentage of Male Personnel	Percentage of Total Personnel	Total Minority	Percentage of Male Personnel	Percentage of Total Personnel	
1999	5833	66%	62%	2947	34%	31%	8780
2000	5988	68%	63%	2865	32%	30%	8853

Discuss male representation of NG personnel as it relates to percentages of male membership and to overall force composition. Discuss any highlights or trends. Discuss any actions planned based on the data.

**Table D-7
Comparison of Female Personnel by Race, Years 1999 - 2000**

Total Female Personnel							
Year	Majority			Minority			Total Female Personnel
	Total Majority	Percentage of Female Personnel	Percentage of Total Personnel	Total Minority	Percentage of Female Personnel	Percentage of Total Personnel	
1999	302	51%	3%	293	49%	3%	595
2000	320	53%	3%	281	47%	3%	601

Discuss female representation of NG personnel as it relates to percentages of female membership and to overall force composition. Discuss any highlights or trends. Discuss any actions planned based on the data.

**Table D-8
Comparison of Enlisted Personnel by Majority / Minority Population, Years 1996 - 2000**

Total Enlisted Personnel					
Year	Majority		Minority		Total
	Total	Percentage	Total	Percentage	
1996	4996	62%	3014	38%	8010
1997	5116	61%	3210	39%	8326
1998	5188	61%	3317	39%	8505
1999	5274	63%	3094	37%	8368
2000	5352	63%	3013	36%	8437

Discuss enlisted composition as it relates to NG composition. Discuss any highlights or trends. Discuss any actions planned based on the data.

Table D-9
Comparison of Male Enlisted Personnel by Race, Years 1996-2000

Male Enlisted Personnel							
Year	Majority			Minority			Total Male Personnel
	Total Majority	Percentage of Male Enlisted Personnel	Percentage of Enlisted Personnel	Total	Percentage of Male Enlisted Personnel	Percentage of Enlisted Personnel	
1996	4797	63%	60%	2798	37%	35%	7595
1997	4889	62%	59%	2953	38%	36%	7842
1998	4946	62%	58%	3001	38%	35%	7947
1999	5026	64%	60%	2799	36%	33%	7825
2000	5180	66%	61%	2716	34%	32%	7896

Discuss male enlisted representation as it compares to NG composition. Discuss any highlights or trends. Discuss any actions planned based on the data.

Table D-10
Comparison of Female Enlisted Personnel by Race, Years 1996-2000

Female Enlisted Personnel							
Year	Majority			Minority			Total Female Personnel
	Total Majority	Percentage of Female Enlisted Personnel	Percentage of Enlisted Personnel	Total Minority	Percentage of Female Enlisted Personnel	Percentage of Enlisted Personnel	
1996	199	48%	3%	216	52%	3%	415
1997	227	47%	3%	257	53%	3%	484
1998	242	43%	3%	316	57%	4%	558
1999	248	46%	3%	295	54%	4%	543
2000	244	45%	3%	297	55%	4%	541

Discuss female enlisted representation as it compares to NG composition. Discuss any highlights or trends. Discuss any actions planned based on the data.

**Table D-11
Comparison of Enlisted Personnel by Grade, Gender and Race, Years 1999 - 2000**

Enlisted Personnel by Grade, Gender and Race									
Control Grade Year	Majority				Minority				Total Control Grade
	Male		Female		Male		Female		
E-9/SGM 1999	40	95%	0	0%	2	5%	0	0%	42
E-9/SGM 2000	44	94%	0	0%	3	6%	0	0%	47
E-8/MSG 1999	138	93%	0	0%	3	6%	1	1%	149
E-8/MSG 2000	138	92%	0	0%	11	7%	1	1%	150
E-7/SFC 1999	360	79%	16	4%	73	16%	8	2%	457
E-7/SFC 2000	336	75%	16	4%	86	19%	10	2%	448
E-6/SSG 1999	725	70%	26	2%	275	27%	3	1%	1029
E-6/SSG 2000	747	68%	24	2%	293	27%	31	3%	1095
E-5/SGT 1999	1131	60%	59	3%	653	34%	59	3%	1902
E-5/SGT 2000	1182	60%	59	3%	656	34%	64	3%	1961
E-4/SPC 1999	1262	58%	73	3%	763	35%	79	4%	2177
E-4/SPC 2000	1354	58%	658	3%	808	35%	103	4%	2330
E-1/2/3 1999	1370	53%	74	3%	1023	40%	121	5%	2588
E-1/2/3 2000	1384	58%	78	3%	859	36%	88	4%	2409

Note: Percentage is of total for that particular control grade by year.

Discuss two year enlisted composition data as it relates to rank composition and under or over representation of personnel in the various grades. Discuss any highlights or trends. Discuss any actions planned based on the data.

Table D-12
Comparison of Commissioned Officer Personnel by Majority / Minority Population, Years, 1996 - 2000

Total Commissioned Officer Personnel					
Year	Majority		Minority		Total
	Total	Percentage	Total	Percentage	
1996	616	87%	89	13%	705
1997	668	87%	104	14%	772
1998	699	84%	131	16%	830
1999	703	85%	121	15%	824
2000	695	84%	128	16%	823

Discuss commissioned officer composition as it compares to NG composition. Discuss trends or highlights. Discuss any actions planned based on the data.

Table D-13
Comparison of Male Commissioned Officer Personnel by Race, Years 1996-2000

Male Commissioned Officer Personnel							
Year	Majority			Minority			Total Male Commissioned Officer Personnel
	Total Majority	Percentage of Male Commissioned Personnel	Percentage of Total Commissioned Personnel	Total Minority	Percentage of Male Commissioned Personnel	Percentage of Total Commissioned Personnel	
1996	590	90%	84%	66	10%	9%	656
1997	637	89%	83%	79	11%	10%	716
1998	664	87%	80%	97	13%	12%	761
1999	665	88%	81%	88	12%	11%	753
2000	659	88%	80%	92	12%	11%	751

Discuss male commissioned officer representation as it compares to NG composition. Discuss any highlights or trends. Discuss any actions planned based on the data.

**Table D-14
Comparison of Female Commissioned Officer Personnel by Race, Years 1996-2000**

Female Commissioned Officer Personnel							
Year	Majority			Minority			Total Female Commissioned Officer Personnel
	Total Majority	Percentage of Female Commissioned Personnel	Percentage of Commissioned Personnel	Total Minority	Percentage of Female Commissioned Personnel	Percentage of Commissioned Personnel	
1996	26	53%	4%	23	47%	3%	49
1997	31	55%	4%	25	45%	3%	56
1998	35	51%	4%	34	49%	4%	69
1999	38	54%	5%	33	47%	4%	71
2000	36	50%	4%	36	50%	4%	72

Discuss female commissioned officer representation as it compares to NG composition. Discuss any highlights or trends. Discuss any actions planned based on the data.

Table D-15
Comparison of Commissioned Officers by Grade, Gender and Race, Years 1999 – 2000

Control Grade Year	Majority				Minority				Total Control Grade
	Male		Female		Male		Female		
0-8/MG 1999	1	100%	0	0%	0	0%	0	0%	1
0-8/MG 2000	1	100%	0	0%	0	0%	0	0%	1
0-7/BG 1999	1	50%	0	0%	1	50%	0	0%	2
0-7/BG 2000	1	33%	0	0%	1	33%	1	33%	3
0-6/COL 1999	23	89%	1	4%	2	8%	0	0%	26
0-6/COL 2000	20	77%	2	8%	3	12%	1	4%	26
0-5/LTC 1999	75	86%	1	1%	9	10%	2	2%	87
0-5/LTC 2000	65	82%	3	4%	9	11%	2	3%	79
0-4/MAJ 1999	87	65%	12	9%	23	17%	11	8%	133
0-4/MAJ 2000	91	70%	10	8%	19	15%	11	8%	131
0-3/CPT 1999	172	82%	9	4%	22	10%	8	4%	211
0-3/CPT 2000	170	81%	8	4%	24	11%	9	4%	211
0-2/1LT 1999	156	85%	7	4%	16	9%	5	3%	184
0-2/1LT 2000	180	87%	6	3%	16	8%	6	3%	208
0-1/2LT 1999	150	83%	8	4%	15	8%	7	4%	180
0-1/2LT 2000	131	80%	7	4%	20	12%	6	4%	164

Note: Percentage is of total for that particular control grade by year.

(Table B-15 Continued)

Discuss two year commissioned officer composition data as it relates to rank composition and under or over representation of personnel in the various grades. Discuss any highlights or trends. Discuss any actions planned based on the data.

Table D-16
Comparison of Warrant Officer Personnel by Majority / Minority Population, Years 1996 - 2000

Total Warrant Officer Personnel					
Year	Majority		Minority		Total
	Total	Percentage	Total	Percentage	
1996	142	86%	23	14%	165
1997	146	85%	25	15%	171
1998	151	83%	32	18%	183
1999	153	84%	30	16%	183
2000	162	84%	32	17%	194

Discuss warrant officer composition as it compares to NG composition. Discuss trends or highlights. Discuss any actions planned based on the data.

Table D-17
Comparison of Male Warrant Officer Personnel by Race, Years 1996-2000

Male Warrant Officer Personnel							
Year	Majority			Minority			Total Male Warrant Officer Personnel
	Total Majority	Percentage of Male Warrant Officer Personnel	Percentage of Warrant Officer Personnel	Total Minority	Percentage of Male Warrant Officer Personnel	Percentage of Warrant Officer Personnel	
1996	135	88%	82%	18	12%	11%	153
1997	138	88%	81%	19	12%	11%	157
1998	141	86%	77%	24	15%	13%	165
1999	142	87%	78%	22	13%	12%	164
2000	149	87%	77%	22	13%	11%	171

Discuss male warrant officer representation as it compares to NG composition. Discuss any highlights or trends. Discuss any actions planned based on the data.

Table D-18
Comparison of Female Warrant Officer Personnel by Race, Years 1996-2000

Female Warrant Officer Personnel							
Year	Majority			Minority			Total Female Warrant Officer Personnel
	Total Majority	Percentage of Female Warrant Officer Personnel	Percentage of Warrant Officer Personnel	Total Minority	Percentage of Female Warrant Officer Personnel	Percentage of Warrant Officer Personnel	
1996	7	58%	4%	5	42%	3%	12
1997	8	57%	5%	6	43%	4%	14
1998	10	56%	6%	8	44%	4%	18
1999	11	58%	6%	8	42%	4%	19
2000	13	57%	7%	10	44%	5%	23

Discuss female warrant officer representation as it compares to NG composition. Discuss any highlights or trends. Discuss any actions planned based on the data.

Table D-19
Comparison of Warrant Officers by Grade, Gender and Race, Years 1999 – 2000

Control Grade Year	Majority				Minority				Total Control Grade
	Male		Female		Male		Female		
W-5/CWO5 1999	1	100%	0	0%	0	0%	0	0%	1
W-5/CWO5 2000	1	100%	0	0%	0	0%	0	0%	1
W-4/CWO4 1999	17	74%	2	9%	3	13%	1	4%	23
W-4/CWO4 2000	18	69%	2	8%	4	15%	2	8%	26
W-3/CWO3 1999	55	83%	3	5%	6	9%	3	66%	66
W-3/CWO3 2000	58	83%	4	6%	5	7%	3	4%	70
W-2/CWO2 1999	58	83%	37	4%	7	10%	2	3%	70
W-2/CWO2 2000	60	83%	3	4%	7	10%	2	3%	72
W-1/WO1	11	48%	3	13%	6	26%	3	13%	23

1999									
W-1/WO1 2000	12	48%	4	16%	6	24%	3	12%	25

Note: Percentage is of total for that particular control grade by year.

Discuss two year warrant officer composition data as it relates to rank composition and under or over representation of personnel in the various grades. Discuss any highlights or trends. Discuss any actions planned based on the data.

D-5. HR/EO – EOA LISTING

- a. Alphabetical listing of the HR/EO and all EOAs, include information on:
 - (1) Race.
 - (2) Gender.
 - (3) Unit, to include staffing (TOE or TDA).
- b. Date assigned.
- c. E-mail address.

Sample EOA Listing:

Table D-20.

HR/EO - EOA Listing

	Name	Race	Gender	Unit	Date Assigned	E-mail
HR/EO	Allton, John	C	M	HQ STARC	MMDDYY	xxx.xxx@ngb. ang.af.mil
EOA	Branshaw, Joan	B	F	XX MP BDE	MMDDYY	xxx.xxx@ngb. ang.af.mil
EOA	Caiousain, James	A/I	M	XX DIVARTY	MMDDYY	xxx.xxx@ngb. ang.af.mil

d. Comments. Discuss positive or negative aspects concerning training of the HR/EO - EOAs. Discuss concerns or highlights of the EOA program as applicable to your State.

D-6. EOR Listing

- a. Alphabetical listing of the EORs, include information on:
 - (1) Race.
 - (2) Gender.
 - (3) Unit, to include staffing (TOE or TDA).
- b. Date assigned.

Sample EOR Listing:

Table D-21.

EOA Listing

	Name	Race	Gender	Unit	Date Assigned
EOR	Balton, John	C	M	XX Inf. CO.	MMDDYY
EOR	Crunch, Joan	B	F	XX MP BN.	MMDDYY
EOR	Delego, Brad	A/I	M	Bat. C, XX Art.	MMDDYY

c. Comments. Discuss positive or negative aspects concerning training of the EORs. Discuss concerns or highlights of the EOR program as applicable to your State.

D-7. EO Training Activity Assessment

Discuss the number and nature of training sessions conducted over the last FY. Did units receive mandatory semi-annual contemporary EO training? Discuss the EO training provided at your RTI. Provide the number of commanders and first sergeants who have attended training at the RTI during the last FY. Discuss the Consideration of Others Program in your state. Discuss barriers regarding implementation. Discuss successes.

D-8. Prevention of Sexual Harassment Training

- a. Discuss who was trained. Did your command group receive training? Was your command group directly involved in the training of subordinates?
- b. Discuss how many personnel were trained. How many personnel in leadership positions received training? (See paragraph B-7)
- c. Discuss programs or plans to ensure that all leadership personnel attend prevention of sexual harassment training. Has attendance increased or decreased at prevention of sexual harassment training compared to previous year. Discuss the comparison, as well as concerns and successes.

D-9. Unit Assessment Discuss who conducted internal and external command inspection program/staff assistance visits during the last FY. Discuss the types of unit assessments conducted during the last FY. Are commanders complying with regulatory guidance to conduct a unit assessment within 180 days of taking command and annually after initial assessment? Discuss any areas of importance/concern to include any possible courses of action or action plans to address areas of importance/concern.

D-10. Affirmative Action Plan

- a. Goal progress.
 - (1) Discuss goals in your affirmative action plan that have been realized.
 - (2) Discuss goals that are projected to be realized in the next 12 months.
- b. Goal Shortfalls.
 - (1) Discuss goals that were to be realized in the last 12 months but did not come to realization.
 - (2) Discuss plans to correct shortcomings of goals not realized.
- c. AAP Assessment: Address, at a minimum, the areas listed below. Discuss each separate area, highlight areas of concern and address changing or modifying goals within specific areas.
 - (1) Recruiting/accessions.
 - (2) Composition.
 - (3) Promotions.
 - (4) Professional Military Education (PME).
 - (5) Separations.
 - (6) Retention.
 - (7) Assignments.
 - (8) Discrimination/Sexual Harassment Complaints.
 - (9) Utilization.
 - (10) Discipline.

D-11. Community Affairs Discuss the NG involvement in the community. Discuss organizations that benefit from alliance with NG. Discuss plans for expansion of involvement in the community.

D-12. AG's Assessment of the Overall Human Relations Climate AG's assessment of the overall human relations climate in the state. Discuss issues of local / national importance. Discuss possible courses of action or action plans to address the human relations issues identified in your State.

Appendix E
Personnel - General

SAMPLE AFFIRMATIVE ACTION PLAN FOR ARMY NATIONAL GUARD PERSONNEL

*This is a sample only. The representation of affirmative actions are designed only for use as a guide for completing the Affirmative Action Plan. This report is not in a regulatory format, however, the report depicts the required categories for reporting data. Ensure that the report is tailored to meet the needs of your state. This sample may be used to develop your state regulation and AAP. Your subordinate commands may also use this sample to complete their AAP.

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Chapter 1

General

1-1. Background

a. The Equal Opportunity program in the Army began in the 1960s as a result of existing societal conditions and was developed to promote better relations between races, and ensure equality in treatment. During the next thirty-five years, society made some positive changes aimed at eliminating overt discrimination, but effective commanders found that the existence of equal opportunity improved combat readiness and mission accomplishment. In response, they adopted EO programs as an essential part of their management practice and began relying on their trained EO personnel as human relations' consultants.

b. The EO program continues to change to meet the Army's needs. Because of increased awareness of the negative impact of discriminatory practices, less overt discrimination is visible in the military today. However, overt discrimination has been replaced by a more insidious form of institutional discrimination in which disparate treatment occurs as a result of the normal functioning of a particular command. The realization that such treatment can and does occur, and the awareness that it can be stopped, are the foundations of this Affirmative Action Plan. By taking decisive action to eliminate conditions which allow disparate treatment of minority and female personnel, commanders and key staff personnel can ensure that equal opportunity is truly a reality throughout the Guard.

1-2. Purpose

The purpose of this Affirmative Action Plan (AAP) is to identify and establish specific responsibilities that will provide for the assurance of equal opportunity (EO) through milestones and objectives that can be managed and measured to help ensure EO is the norm within the ARNG. The challenges of combat readiness faced by the ARNG today are greater than at any time in history. These challenges make it imperative that special emphasis be placed on the all-important aspect of human readiness. This AAP addresses the human element in combat readiness. It is essential that the ARNG create and maintain an environment that encourages personal and professional growth regardless of race, color, gender, religion, or national origin.

1-3. Policy

It is the policy of the ARNG to provide an environment free of sexual harassment and ensure EO and fair treatment to all ARNG soldiers without regard to race, color, gender, religion, or national origin. This plan gives credence to and directs positive affirmative actions in support of this policy. It reflects the high priority afforded these important tasks and the commitment to achieve its goal.

1-4. Applicability

Provisions of this plan apply to military personnel assigned to HQ, ARNG and subordinate units.

1-5. References

- a. DoD 1350.2-D, The Department of Defense Military Equal Opportunity Program.
- b. AR 135-200, Active Duty for Training, Annual Training, and Full Time Training Duty of Individual Members.
- c. AR 140-158, Enlisted Personnel Classification, Promotion, and Reduction.
- d. AR 600-9, The Army Weight Control Program.
- e. AR 600-20, Army Command Policy.
- f. AR 611-201, Enlisted Career Management Fields and Military Occupational Specialties.
- g. DA Pamphlet, 600-26, Department of the Army Affirmative Action Plan.
- h. NGR 600-21, Equal Opportunity Program in the ARNG.

1-6. Definitions

See **Appendix A**.

1-7. Objectives

Actions listed within this AAP are designed to:

- a. Provide the opportunity for growth and effective use of the capabilities of NG Personnel and to facilitate the achievement of a positive EO environment.
- b. Provide an environment free of sexual harassment.
- c. Provide representative participation of minority and female personnel in all possible ARNG skill areas.

- d. Identify and correct systemic problems that have a negative effect on equal opportunity by establishing a system to assist in the total assessment of the ARNG EO Program.
- e. Provide the opportunity to assure upward mobility for all soldiers.
- f. Improve the capability to provide a total assessment and review of the ARNG.
- g. Provide assessment, evaluation, analysis, and feedback for new affirmative action directions.
- h. Emphasize the chain of command as the primary channel for correcting discriminatory practices and communication on racial matters and sexual harassment.
- i. Infuse affirmative action into the traditional system by placing affirmative actions responsibilities in the hands of commanders and functional managers at the lowest level of command.

1-8. Responsibilities

- a. The Adjutant General.
 - (1) Initiate and administer equal opportunity programs to assure equal opportunity for all military personnel.
 - (2) Assure that personnel policies with respect to equal opportunity matters are understood at all levels.
 - (3) Conduct equal opportunity training as an essential part of unit activities contributing to unit effectiveness.
 - (4) Establish procedures for the expeditious identification of problems and the processing and resolution of complaints concerning discriminatory practices and policies.
 - (5) Assure that all allegations of discrimination are processed in accordance with the National Guard complaints procedure, as outlined in NGR 600-22/ANGI 36-3.
 - (6) Establish administrative and compliance monitoring procedures for assessing and reporting the status of equal opportunity activities within the command, unit, or activity.
 - (7) Ensure that public affairs officers maintain close working relationships with all local news media and, in particular, those serving minority and women's groups.
 - (8) Assure that the equal opportunity programs for military and civilian personnel complement each other.
 - (9) Actively seek identification of discriminatory practices and initiate aggressive affirmative actions to remove factors contributing to them.
 - (10) Provide staffing of authorized positions and resources to adequately carry out all EO programs.
 - (11) Approve selection of personnel to attend the Defense Equal Opportunity Management Institute (DEOMI).
- b. Commanders at all levels are responsible for:
 - (1) Actively seeking early identification of discriminatory practices and initiating corrective actions to remove factors contributing to them. Corrective actions may be monitored through AAPs.
 - (2) Initiating and conducting programs that promote equal opportunity for inter-personal and inter-group harmony for all military personnel in keeping with established NGB regulations and policies.
 - (3) Conducting EO training consistent with requirements in NGR 600-21 and within the capabilities of the human resources personnel.
 - (4) Monitoring and assessing the execution of EO programs and policies at all levels within their areas of responsibility.
 - (5) Issuing, posting, and updating annually their statement of policy and support of equal opportunity for all military personnel.
 - (6) Ensuring that all allegations of discrimination based on race, color, national origin, sex, religion, or reprisal are properly processed and corrective action taken as appropriate.
 - (7) Providing staffing of authorized positions and resources to carry out the EO program.
 - (8) Ensuring that personnel policies with respect to EO matters are understood at all levels.
 - (9) Establishing procedures for assessing and reporting status of EO activities within the command and monitoring compliance with such procedures.
 - (10) Ensuring that public affairs officers maintain a close working relationship with local news media, to include those serving minority and women's groups.
 - (11) Developing affirmative actions plan goals to be included in the higher headquarters' AAP.
- c. HQ STARC staff responsibility.
 - (1) The Director, of Manpower Management is responsible for the entire operation of the Office of Human Resources and provides guidance, direction, and supervision to the assigned staff. The Director, of Manpower Management will:
 - (a) Develop policy for administration of equal opportunity.
 - (b) Act as manager and principal staff advisor to the TAG on EO matters.

(2) The Chief of Human Resources is the principal assistant to the Commander in the development and supervision of equal opportunity matters. The Chief of Human Resources is the focal point for, but not the sole operator in, equal opportunity matters at staff level. The Chief of Human Resources also advises and assists other staff officers in carrying out their equal opportunity responsibility to key officials and individuals at each level of command in the performance of their day-to-day functions and tasks.

(3) In addition to their normal functions, the following staff sections have special equal opportunity responsibilities.

(a) Directorate of Personnel and Administration will include equal opportunity concepts in all personnel-oriented programs. It also assures that all personnel management, administrative programs and services are conducted in conformance with equal opportunity policies.

(b) Directorate of Security and Training will support EO training, subject to the availability of funding. Specific questions on current equal opportunity doctrine will be referred to the State EO Office.

(c) The Inspector General ensures compliance with EO programs during IG inspections.

(4) HQ STARC EO personnel will accomplish planning, management, staffing and supervising functions as do other staff officers, and:

(a) Advise and assist the Commander, other staff members, and subordinate commanders on EO matters.

(b) Assist the Commander in the development, implementation, and administration of the command EO program.

(c) Develop and publish the command AAP from input received from other staff members and assess progress toward achieving AAP goals.

(d) Maintain liaison with minority women's and civic organizations on EO matters.

(e) Provide available personnel to assist in training unit leaders and conducting other training.

(f) Providing staff guidance to subordinate EO staffs.

1-9. Command Emphasis

Major commanders must ensure the following:

a. The Commander's EO Policy and personal support thereof are known by all members of the command.

b. All officers and noncommissioned officers know what is expected of them individually and professionally in support of the command EO program.

c. EO education and training programs consistent with NGB policy and command needs are regularly provided.

d. Open communication at all levels of the chain of command, especially squad/section/platoon, be stressed in the areas of achievements, discipline, complaints, and perceptions in order to foster unity and a positive human relations' climate within the command.

1-10. Officer Evaluation

Raters, and endorsers or senior raters, must thoroughly evaluate each officer's effectiveness in the execution of the command EO policy and programs. Counseling periods must be used to inform rated individuals of their specific accomplishments or shortcomings in this area. Ratings must reflect the actual performance observed EO program responsibilities. In the development of standards for obtaining objective evaluations on efficiency reports, commanders should consider the following questions:

a. Does the individual simply avoid the problem, or does he/she actively participate in command efforts to create an environment of EO?

b. Does the individual accept the program as an integral part of the chain of command, or does he/she subscribe to the concept that the chain of command and the EO program are opposing forces?

c. Is the individual aware of and does he/she adhere to the principles of the program?

d. Does the individual display or tolerate behavior not conducive to a positive EO environment?

e. Does the individual understand and accept the concept of affirmative action and does he/she take self-initiated actions in support of the command's affirmative action plan?

f. Does the individual set valid standards of performance and behavior for all his/her subordinates?

**Chapter 2
Affirmative Action**

2-1. This chapter contains affirmative action objectives, goals, and milestones and describes actions addressed by staff officers at HQ, STARC. Different formats can be employed in the field when developing affirmative action plans but all plans should include objectives, goals, milestones, and timetables designed to be readable, applicable, and measurable. In addition, the APP will address, at a minimum, the following items:

- (1) Recruiting/Accessions.
- (2) Composition.
- (3) Promotions.
- (4) Professional Military Education (PME).
- (5) Separations.
- (6) Retention.
- (7) Assignment.
- (8) Discrimination/Sexual Harassment Complaints.
- (9) Utilization Of Skills.
- (10) Discipline.

a. The objectives listed in this plan are statements of intent on the part of the ARNG and represent desired goals based on realistic prospects for attainment, subject to revision. These goals are differentiated from a quota in that attainment is not required.

b. Milestones/goals listed are arranged in a timetable format to facilitate management efforts. The Commander and/or staff office who has the resources and authority to control or influence the outcome of specific affirmative actions is/are responsible for goal development and accountability for affirmative actions.

c. The actions identified are based on the following considerations:

- (1) Applicability to the Army National Guard.
- (2) Ability of the command to influence the outcome of selected subjects for affirmative action.
- (3) Impact on combat readiness.
- (4) Reporting requirements from higher headquarters.
- (5) Commander's guidance.

2-2. Subject: EO Policy Statements

Objective: Ensure that the commander's policy on the EO program and complaint procedures are clearly defined and understood throughout the command.

GOAL

MILESTONES (MS)	FY00	FY01	FY02	FY03	FY04
<p>1. Publish separate commander's policy statement on EO and sexual harassment within 60 days following assumption of command.</p> <p>2. Develop and publish EO complaint policies and procedures that ensure the chain of command is the primary problem-solving device within 60 days following assumption of command.</p> <p>3. Ensure that all personnel are aware of complaint and grievance policies by displaying on bulletin boards.</p> <p>4. Develop procedures for registering complaints of discrimination.</p> <p>5. Display Commander's policy statements on bulletin boards. Statements may be displayed in a stack form separated by tabs, in ascending order; local commander's statement will be on top.</p> <p>Proponent: All Commanders</p>					

2-3. Subject: Affirmative Action Plan

Objective: To ensure that there is viable a management tool establishing policies and guidelines for EO programs within the ARNG.

GOAL

MILESTONES (MS)	FY00	FY01	FY02	FY03	FY04
<p>1. Develop and implement comprehensive AAP at HQ, STARC and separate units down to and including brigade or equivalent (O-6 command) level.</p> <p>2. Ensure that appropriate affirmative action goals are established for each subject area over which the commander's staff officers having influence.</p> <p>3. Review/revise annually, if needed.</p> <p>4. Submit AAPs changes and revisions to TAG.</p> <p>Proponent: HR/EO, EOAs</p>					

2-4. Subject: Human Resources Committee

Objective: To create a forum that will provide commanders with an up-to-date picture of the command from an EO perspective and develop recommendations to improve or correct the present situation, as appropriate.

GOAL

MILESTONES (MS)	FY00	FY01	FY02	FY03	FY04
<p>1. Establish a Human Resource Council consisting of staff officers having affirmative action responsibilities. Ensure that subordinate brigade/group commands authorized primary duty EOA staff establish councils and meet twice a year.</p> <p>2. Coordinate staff input to council briefings.</p> <p>3. Brief Commander on the EO status of the command looking at current staff functional responsibilities from an equal opportunity perspective as it impacts upon combat readiness.</p> <p>4. Where evidence of unequal treatment or sexual harassment exists, take action to eliminate causative factors.</p> <p>5. Prepare and submit an Equal Opportunity Assessment using council input as its bases twice each fiscal year.</p> <p>Proponent: HR/EO</p>					

2-5. Subject: Newcomer's Orientation

Objective: Ensure that newly assigned soldiers are oriented on the equal opportunity program as it relates to unit effectiveness.

GOAL

MILESTONES (MS)	FY00	FY01	FY02	FY03	FY04
<p>1. Establish procedure to orient newly assigned officers, warrant officers, and enlisted soldiers on the purpose and location of EO offices and command EO policies. This may be accomplished as part of in processing or briefings.</p> <p>2. Check the effect of orientation to ensure that all soldiers are receiving adequate information on command EO program and adjustment in the unit.</p> <p>Proponent: All Commanders</p>					

2-6. Subject: EO Offices

Objective: To establish and maintain equal opportunity offices in all commands down to and including brigade or equivalent (0-6 command) level.

GOAL

MILESTONES (MS)	FY00	FY01	FY02	FY03	FY04
<p>1. Establish staffed EO office to permit comprehensive planning and monitoring of EO programs.</p> <p>2. Maintain 100 percent authorized EO staffing requirement at units to include HQ, STARC and separate units down to and including brigade or equivalent (0-6 command) level.</p> <p>3. Develop and maintain statistical data on the number of authorized and assigned soldiers filling EOA positions at HQ, STARC and subordinate units.</p> <p>4. Develop and maintain statistical data on the number of additional duty Equal Opportunity Representatives (EORs) assigned to units not authorized full-time EOAs.</p> <p>5. Semi-annually, report the name, race/ethnic origin, rank, and gender of soldiers filling EO positions to include whether school trained or not. Reports shall reach HQ, STARC no later than 15 October for the period covering 1 April thru 30 September and no later than 15 April for the period covering 1 October thru 30 March.</p> <p>6. Ensure that soldiers assigned to EOA positions are qualified. Award of the Skill Qualification Identifier (SQI) or Additional Skill Identifier (ASI) may be obtained only through attendance at DEOMI.</p> <p>7. Monitor the number of EOAs and EORs assigned and formal EO training received during staff visits. Provide recommendations to overcome deficiencies.</p> <p>Proponent: Commanders (0-6 and above)</p>					

2-7. Subject: EOA Training

a. Objective: To establish a program of selection of well-qualified and properly motivated soldiers to attend the DEOMI and ensure their proper utilization subsequent to attendance.

GOAL

MILESTONES (MS)	FY00	FY01	FY02	FY03	FY04
<ol style="list-style-type: none"> 1. Maintain statistical data on training status of soldiers filling EOA staff position. 2. Establish goals on the percentage of EOAs who should be trained to ensure program success. 3. Approve qualified officer and enlisted applicants for attendance at DEOMI who have met the selection criteria. 4. Publish the National Guard/Reserve Course class schedule for attendance at DEOMI. 5. Monitor and report on the number of EOAs who have not been trained. 6. Present a briefing on the number of EOAs trained/untrained at the Commander's Human Resources Council Briefing. <p>Proponent: All Commanders</p>					

b. Objective: To ensure that all nominees selected to attend the DEOMI are motivated and qualified.

GOAL

MILESTONES (MS)	FY00	FY01	FY02	FY03	FY04
<ol style="list-style-type: none"> 1. Establish a method to select nominees for attendance at DEOMI and ensure that prerequisites are met. 2. Ensure that applicants are volunteers, motivated, and met the highest professional and moral standards. 3. Inform applicants that they are required to serve a minimum of 3 years as an EOA after attending DEOMI. 4. Ensure that complete applications for DEOMI arrive at least 90 days in advance to HQ, STARC. <p>Proponent: All Commanders</p>					

2-8. Subject: Boards, Councils, and Committees

Objective: To ensure that minorities and females are considered equally for representation on all boards, councils, and committees.

GOAL

MILESTONES (MS)	FY00	FY01	FY02	FY03	FY04
<ol style="list-style-type: none"> 1. Ensure that minority and female representation are considered in the appointment of all boards, councils, and committees. This initiative is required even when actions involving minorities and females are not being considered. 2. Ensure that composition of selection boards for enlisted soldiers include females and minorities. <p>Proponent: All Commanders</p>					

2-9. Subject: Selection for Key Position and Command Distribution

Objective: To ensure that minorities and females are considered equally in assignments to key positions.

GOAL

MILESTONES (MS)	FY00	FY01	FY02	FY03	FY04
<p>1. Monitor selections for key positions to ensure that minorities and females are equally considered for career development and advancement.</p> <p>2. Collect and report data to the Commander during the Human Resources Council Briefing (HRCB) on the number of brigade, battalion, and company commander positions authorized and filled by race/ethnic origin and gender. Categories are Caucasian, Black, Hispanic, Alaskan Native/American Indian, Asian American/Pacific Islander, Other and Female.</p> <p>3. Collect and report data to the Commander during the HRCB on the number of first sergeant and command sergeant major positions authorized and filled by race, ethnic origin and gender.</p> <p>4. Monitor data for trends and develop affirmative action as appropriate.</p> <p>5. Consult with EOAs for recommendations to overcome deficiencies.</p> <p>Proponent: All Commanders</p>					

2-10. Subject: Career Development/Progression

Objective: Fair representation of minority and female officers

GOAL

MILESTONES (MS)	FY00	FY01	FY02	FY03	FY04
<p>1. Identify minorities and female officers in the local area who are not participating in TPUs and encourage them to join units as vacancies become available.</p> <p>2. Identify minority and female ROTC members in the local area and encourage them to participate in the Simultaneous Membership Program (SMP).</p> <p>3. Ensure that eligible minority and female personnel are considered equally for OCS and WOC programs.</p> <p>4. Semi-annually, report the name, rank, race/ethnic origin, and gender of soldiers requesting to attend OCS or WOC. Report the name, rank, race/ethnic origin, and gender of soldiers approved to attend OCS/WOC to the EOA at HQ, STARC.</p> <p>Proponent: All Commanders</p>					

2-11. Subject: Unit EO Training

Objective: To conduct unit EO training throughout ARNG as directed in NGR 600-21.

GOAL

MILESTONES (MS)	FY00	FY01	FY02	FY03	FY04
<ol style="list-style-type: none"> 1. Develop an EO education and training program to meet the needs of the unit. 2. Ensure that members of the chain of command, to include supervisors, participate in unit training. They will participate as instructors, discussion leaders, or as resource persons on command policies and practices. 3. Complete all unit EO training by 4th quarter of the fiscal year. <p>Proponent: All Commanders</p>					

2-12. Subject: Recruiting and/or Accessions

Objective: Fair representation of minority and women in officers' commissioning programs and accessions.

GOAL

MILESTONES (MS)	FY00	FY01	FY02	FY03	FY04
<ol style="list-style-type: none"> 1. Identify qualified minority and women soldiers for OCS and WOC programs. 2. Ensure that eligible minority and women are considered equally for direct commissioning (Legal, Chaplain, and Medical). 3. Ensure that the enlisted minority and women reflect a fair representation with the demographics of the area. 4. Ensure that the officer population reflects a fair representation with the demographics of the area. <p>Proponent: MILPO/Recruiting and Retention Mgr.</p>					

2-13. Subject: Command Distribution

Objective: Fair representation in the composition of the command; i.e., race and gender, by grade.

GOAL

MILESTONES (MS)	FY00	FY01	FY02	FY03	FY04
<ol style="list-style-type: none"> 1. Collect and maintain statistical data on command profile by race/ethnic origin and gender, and by grade. 2. Implement procedures to reduce the number of ethnic origin and racial group unknown in the Personnel Management File (Other race/ethnic category). 3. Annually provide a Narrative and Statistical Report on the command distribution by race, ethnic origin and gender to NGB-EO. 4. Prepare and present a briefing on the command profile at the State Human Relation/Equal Opportunity Council meeting. <p>Proponent: MILPO, HR/EO</p>					

2-14. Subject: Enlisted and Officer Promotions

Objective: Ensure that minorities and women are promoted on an equal basis to assure representative career development and progression.

GOAL

MILESTONES (MS)	FY00	FY01	FY02	FY03	FY04
<p>1. Develop and maintain statistics on soldiers promoted to E-5 through E-9, W-2 through W-4, and O-2 through O-6 determined by race/ethnic origin and gender.</p> <p>2. Monitor data for trends and develop affirmative action as appropriate.</p> <p>3. Assure that assigned soldiers are informed and understand selection criteria and promotion procedures.</p> <p>4. Annually provide a narrative and statistical report on promotions by grade, race, ethnicity and gender to NGB-EO.</p> <p>Proponent: All Commanders/MILPO/HR-EO.</p>					

2-15. Subject: Professional Military Education and Utilization of Skills

Objective: To ensure minorities and women have an equal opportunity for career progression, training, assignment, and skill development.

GOAL

MILESTONES (MS)	FY00	FY01	FY02	FY03	FY04
<p>1. Ensure that eligible minorities and women are considered/selected for professional military education, career-level schools, C&GSC, NCO schools, and other PME courses.</p> <p>2. Develop procedures to monitor selection rate by race, ethnic origin and gender.</p> <p>3. Identify the OPMS specialties and CMFs in which minorities and women are underrepresented.</p> <p>4. Monitor data for trends and develop affirmative action as appropriate.</p> <p>Proponent: All Commanders</p>					

2-16. Subject: Separations/Discharges

Objective: To ensure the unbiased administration of separations and discharges.

GOAL

MILESTONES (MS)	FY00	FY01	FY02	FY03	FY04
<p>1. Develop and maintain statistics on separations/discharges. Determine by race, ethnic origin and gender what type of separations/discharges were administered.</p> <p>2. Determine if imbalances exist in the administration of separations/discharges by means of representative indexes.</p> <p>3. Review data for trends. If imbalances exist, determine causative factors and appropriate actions as necessary.</p> <p>4. Prepare and present a briefing on separations/discharges at the State Human Relations/Equal Opportunity Council meeting.</p> <p>Proponent: MILPO, HR/EO</p>					

2-17. Subject: Selection for AGR Positions (Assignments)

Objective: To ensure that minorities and women are considered equally in assignments.

GOAL

MILESTONES (MS)	FY00	FY01	FY02	FY03	FY04
<p>1. Monitor selections for AGR positions to ensure that minorities and women are equally considered for career development and advancement (outreach program).</p> <p>2. Collect and report data on the number of AGR positions filled by race, ethnic origin, and gender.</p> <p>3. Monitor data for trends and develop affirmative action as appropriate.</p> <p>4. Provide recommendations to overcome deficiencies to the commander.</p> <p>Proponent: All Commanders, HRO AGR Manager</p>					

2-18. Subject: Retention

Objective: To ensure that equitable opportunities for re-enlisting are provided to and utilized by minority and majority groups.

GOAL

MILESTONES (MS)	FY00	FY01	FY02	FY03	FY04
<p>1. Develop, maintain and report statistics on first term and careerist re-enlistment by race, ethnic origin, and gender to HQ, STARC.</p> <p>2. Monitor data for trends and make recommendations as appropriate.</p> <p>3. Prepare and present a briefing on an analysis of re-enlistment and losses by race, ethnic origin, and gender at the State Human Relations/Equal Opportunity Council meeting.</p> <p>Proponent: All Commanders, Strength Maintenance Personnel</p>					

2-19. Subject: Retention

Objective: Strive to achieve a level of re-enlistment's that reflect a cross-section of eligible minority and women soldiers.

GOAL

MILESTONES (MS)	FY00	FY01	FY02	FY03	FY04
<p>1. Encourage minorities and women to re-enlist in those MOSs in which they are underrepresented.</p> <p>2. Ensure soldiers eligible for reenlistment are made aware of the reenlistment bonus program. Strength maintenance personnel are encouraged to maintain bonus data to keep commanders apprised of Selection Reenlistment Incentive Programs (SRIP).</p> <p>3. Assist soldiers to improve their career potential through programs of study, on-the-job training, and formal schooling.</p> <p>Proponent: All Commanders, Strength Maintenance Personnel</p>					

2-20. Subject: Discrimination Complaint

Objective: To inquire/investigate allegations of discrimination and ensure that corrective actions, if warranted, are appropriate.

GOAL

MILESTONES (MS)	FY00	FY01	FY02	FY03	FY04
<p>1. Maintain and monitor statistics on complaints of discrimination and sexual harassment.</p> <p>2. Review and analyze data for significant trends.</p> <p>3. Provide a narrative and statistical report on discrimination complaints to HQ, STARC.</p> <p>Proponent: All Commanders, HR/EO</p>					

2-21. Subject: Discipline

Objective: To ensure the unbiased administration of Article 15s, Reductions, and Military Justice

GOAL

MILESTONES (MS)	FY00	FY01	FY02	FY03	FY04
<p>1. Develop and maintain statistics on non-judicial punishments, courts-martial (by each type), and reductions. Determine by race/ethnic origin and gender.</p> <p>2. Determine if imbalances exist in the administration of discipline by means of representative indexes.</p> <p>3. Review data for trends. If imbalances exist, determine causative factors and appropriate action, as necessary.</p> <p>4. Prepare and present a briefing on discipline at the State Human Relations Equal Opportunity Council meeting.</p> <p>5. Report data on disciplinary actions by race, ethnic origin and gender in the Annual Narrative Report to HQ, STARC.</p> <p>Proponent: All commanders, EOAs, HR/EO</p>					

Glossary

Section I

Abbreviations

This section contains no entries

Section II

Terms

Affirmation Actions. Planned positive actions by ARNG activities directed toward ensuring that all soldiers and their families are afforded equal opportunity in the ARNG. Affirmative actions include identifying opportunities for all qualified members and encouraging interest in these opportunities. Affirmative actions are processes, activities, and systems designed to prevent, identify, and eliminate unlawful discriminatory treatment as it affects the recruitment, training, assignment, utilization, promotion and retention of all military personnel.

Affirmative Action Plan (AAP). A personnel management document that consists of statements of attainable goals and timetables. This document is required of all Army organizations, commands, agencies, and activities down to brigade (06 equivalent) level. It is designed to achieve equal opportunity for all military personnel. Affirmative action plan will concern conditions where--

- (1) Affirmative action is needed.
- (2) Practical strategies to remedy the conditions are available and explained.
- (3) The end-conditions sought are clearly expressed.

Complainant. An applicant for membership in the ARNG or ANG, an ARNG or ANG military member or former military member under Title 32 U.S.C. or beneficiary of services, programs, or activities of the ARNG or ANG who submits a complaint of discrimination.

Discrimination. An act based on prejudice.

Equal Opportunity (EO). Equal evaluation, consideration, and treatment based upon merit, fitness, and capability irrespective of race, color, religion, gender, or national origin.

Equal Opportunity Adviser (EOA). Officers or NCOs serving in primary duty equal opportunity positions at HQ STARC and separate units down to and including brigade or equivalent (0-6 command) level.

Equal Opportunity Program. Efforts by each Army National Guard component to ensure equality of opportunity for all soldiers by

- (1) Promoting teamwork.
- (2) Eliminating illegal discrimination.
- (3) Correcting structural deficiencies.
- (4) Promoting attitudes supportive of Army objectives.
- (5) Assuring upward mobility of all qualified soldiers.
- (6) Eliminating personal and institutional discrimination.

Equal Opportunity Representative (EOR). Collateral duty unit soldiers trained to assist commanders to carry out the EO program within units, EOR's are appointed at units of 0-5 commands and below.

Ethnic Observances. Events, activities, or occasions set aside annually to recognize the achievements and contributions made by members of specific racial or ethnic groups in our society.

Goal. An objective or planning target one strives to attain. It is based on realistic prospects for attainment and is subject to revision.

Human Relations/Equal Opportunity Officer (HR/EO). An officer serving in a primary duty equal opportunity position at HQ STARC. Responsible for managing the Adjutants General EO program in their state.

Human Resources Council Panel. A forum comprised of commanders and selected officers who semi-annually report on EO responsibilities in their functional areas to the commander. It provides an up-to-date picture of the command from an EO perspective.

Illegal discrimination. Any action based on race, color, religion, gender, or national origin, that unlawfully or unjustly results in denying the individual an equal opportunity for treatment and/or career advancement. Note that within the military, some appointments, assignments, and other personnel actions have statutory or regulatory restrictions due to gender, age, or handicap. Actions based on these statutory or regulatory requirements do not constitute illegal discrimination.

Institutional discrimination. Different treatment of individuals in an organization which--

- (1) Occurs based on race, color, religion, gender, or national origin.
- (2) Results from the normal functioning of the organization.
- (3) Operates to the consistent disadvantage of a particular group.

Key Positions. For narrative and statistical reporting purposes "Key Positions" refer to commander, command sergeant major, and first sergeant positions.

Minority group. Any group distinguished from the general population (majority) in terms of race, color, religion, gender, or national origin.

Objective. The general end to be attained with the accomplishment of supporting goals.

Racial Group. Any collection of human beings defined as alike due to certain selected physical attributes and labeled as such.

Racism. A belief that race is the primary determinant of human traits and capacities and that racial differences produce an inherent superiority of a particular race.

Reprisal. Any act of reprisal, restraint, interference, or coercion taken against an individual, or taking (or threatening to take) an unfavorable personnel action, or withholding (or threatening to withhold) a favorable personnel action for having engaged in a protected equal opportunity activity, e.g., for having filed a complaint of discrimination, for preparing to file a complaint of discrimination, for having testified as a witness in a discrimination complaint investigation, for informing officials within the chain of command or NGB of perceived discrimination, or any other protected communications related to equal opportunity matters.

Sexual harassment. Sexual harassment is a form of gender discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when--

- (1) 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; or
- (2) Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person; or
- (3) Such conduct interferes with an individual's performance or creates an intimidating, hostile, or offensive environment.
- (4) Any military member or civilian employee who makes deliberate or repeated unwelcome verbal comments, gestures, physical contact of a sexual nature or creates a sexually harassing environment by displaying pictures, objects, or uses any other media of a sexual nature, is committing sexual harassment.

Sexism. Systematic sets of beliefs that gender differences between groups are associated with the presence or absence of certain socially relevant abilities or characteristics.

Section III

Special Abbreviations and Terms

This section contains no entries