

IN A DEPLOYED/JOINT ENVIRONMENT

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

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

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

<p align="center">ACTIVE GUARD/RESERVE (AGR) Title 10 / Troop Program Unit (TPU) AR 600-20 Army Command Policy Chapter 6, 7 & App D</p>	<p align="center">ACTIVE GUARD/RESERVE (AGR) Title 32 NGR 600-22 National Guard Military Discrimination Complaint System Chapter 1 & 2</p>	<p align="center">TRADITIONAL M-DAY NGR 600-22 National Guard Military Discrimination Complaint System Chapter 1 & 2</p>
<p align="center">AGR Title 10 USC Status Army Reserve (TPU)</p>	<p align="center">State Controlled AGR Title 32 USC Status Recipient of National Guard Services Beneficiaries of NG under Title VI Civil Rights Act 1964</p>	<p align="center">State Controlled IADT, AT, FTS (Title 32) Applicants for Membership Recipient of National Guard Services Beneficiaries of NG under Title VI Civil Rights Act 1964</p>
	<p align="center">ADR OR CONFLICT RESOLUTION</p>	<p align="center">ADR OR CONFLICT RESOLUTION</p>
	<p align="center">Must be offered and may be implemented at any time</p>	<p align="center">Must be offered and may be implemented at any time</p>
<p align="center">INFORMAL COMPLAINT</p>	<p align="center">INFORMAL COMPLAINT</p>	<p align="center">INFORMAL COMPLAINT</p>
<ul style="list-style-type: none"> • Commander can conduct an inquiry • Documentation on Memorandum For Record (MFR) 	<ul style="list-style-type: none"> • In writing on NGB Form 333, Jul 00 • Complainant will check and initial "Informal" box only • No Case Number assigned • Military Equal Opportunity (MEO) or Equal Opportunity Advisor (HR/EO) 	<ul style="list-style-type: none"> • In writing on NGB Form 333, Jul 00 • Complainant will check and initial "Informal" box only • No Case Number assigned • Military Equal Opportunity (MEO) or Equal Opportunity Advisor (HR/EO)
	<ul style="list-style-type: none"> • May be brought to the attention of any member of the chain of command at the lowest level of command where a remedy or resolution is possible, or the EOR or EOA at that level • Supervisors at the lower level have 14 calendar days to resolve the complaint. If unresolved after 14 days: Complainant may withdraw complaint or it can become formal • Regardless of the level at which an informal complaint is filed, the commander at that level shall have 30 calendar days or through the next drill period to resolve the complaint to the satisfaction of the complainant 	<ul style="list-style-type: none"> • May be brought to the attention of any member of the chain of command at the lowest level of command where a remedy or resolution is possible, or the EOR or EOA at that level • Commander at the lower level will have 30 calendar days (or through the following drill weekend) to resolve the complaint. If unresolved after 30 days, or through the next drill: Complainant may withdraw complaint or it can become formal • Regardless of the level at which an informal complaint is filed, the commander at that level shall have 30 calendar days or through the next drill period to resolve the complaint to the satisfaction of the complainant

ACTIVE GUARD/RESERVE (AGR) Title 10 / TPU AR 600-20	ACTIVE GUARD/RESERVE (AGR) Title 32 NGR 600-22	TRADITIONAL M-DAY NGR 600-22
	Notification Procedures	Notification Procedures
	<ul style="list-style-type: none"> • Complaint MUST be filed 180 days from date of alleged discrimination • Full-time supervisory chain will process full-time personnel discrimination complaints on behalf of and in coordination with the military commander at each level of the chain if unresolved after 14 days • If unresolved at one level, and forwarded to the next level, the complainant will be provided a copy of the inquiry and will have 14 days to file an appeal with the next level • Supervisory chain will provide appropriate feedback to the complainant on the status of his/her complaint 	<ul style="list-style-type: none"> • Complaint MUST be filed 180 days from date of alleged discrimination • Chain of command will be the primary channel for resolving discrimination complaints *Individuals will be encouraged to use command channels for redress of grievances • Allegations of discrimination will be referred for processing by the lowest command level • EO personnel will provide appropriate feedback to the complainant on the status of his/her complaint • File with any member of the chain of command at the lowest level of command where a remedy or resolution is possible, or the equal opportunity representative or equal opportunity advisor at that level. If unresolved at one level, and forwarded to the next level, the complainant will be provided a copy of the inquiry and will have 30 days to file an appeal with the next level.
	Procedures For Handling Complaints and Timelines	Procedures For Handling Complaints and Timelines
	<ul style="list-style-type: none"> • EO personnel will assist the complainant in clarifying issues and allegations and documenting the complaint on NGB Form 333 • EO personnel will advice commanders on processing a complaint, and may conduct basic fact findings into allegations of discrimination on behalf of the commander, but will not be used to conduct formal investigations of any complaints in which they may have a role in processing • Even when a complaint is withdrawn - commanders will attempt to eliminate underlying causes of all complaints 	<ul style="list-style-type: none"> • EO personnel will assist the complainant in clarifying issues and allegations and documenting the complaint on NGB Form 333 • EO personnel will advice commanders on processing a complaint, and may conduct basic fact findings into allegations of discrimination on behalf of the commander, but will not be used to conduct formal investigations of any complaints in which they may have a role in processing • Even when a complaint is withdrawn - commanders will attempt to eliminate underlying causes of all complaints
	Final Actions Appeals	Final Actions Appeals
	The only means of appeal of an informal complaint is to file a formal complaint	The only means of appeal of an informal complaint is to file a formal complaint

ACTIVE GUARD/RESERVE (AGR) Title 10 / TPU AR 600-20	ACTIVE GUARD/RESERVE (AGR) Title 32 NGR 600-22	TRADITIONAL M-DAY NGR 600-22
FORMAL COMPLAINT	FORMAL COMPLAINT	FORMAL COMPLAINT
Notification Procedures	Notification Procedures	Notification Procedures
<ul style="list-style-type: none"> Complaint must be filed within 60 calendar days from date of alleged incident using DA Form 7279 Referred to appropriate commander within 3 calendar days of receipt Receiving commander must notify General Court Marshall Convening Authority (GCMCA) using the chain of command within 72 hours (must be documented on MFR) 	Formal complaint filed with next higher commander (Intermediate) <ul style="list-style-type: none"> Intermediate Commander initiates a reprisal protection plan 	Formal complaint filed with next higher commander (Intermediate) <ul style="list-style-type: none"> Intermediate Commander initiates a reprisal protection plan
Procedures For Handling Complaints And Timelines	Procedures For Handling Complaints And Timelines	Procedures For Handling Complaints And Timelines
Intermediate Command Level	Intermediate Supervisory Level	Intermediate Command Level
<ul style="list-style-type: none"> Commander can assign an Investigating Officer (IO) (must be a commissioned or warrant officer) Commander will establish and implement a reprisal prevention plan for the complainant, accused, witness(es) and any key leaders involved in the investigation EOA must input the complaint into the DA Database Investigation must be completed within 14 calendar days (or three MUTA 4 drill periods for Army Reserve TPU Soldiers) Extension can be granted by next higher commander as long as it does not exceed 30 days (or two MUTA 4 drill periods for Army Reserve TPU Soldiers) Additional extensions or extensions exceeding 30 days must be approved by GCMCA 14 Days (or three MUTA 4 periods for Reserve components) for commander to provide feedback to the complainant 	Complete within 14 days <ul style="list-style-type: none"> Procedural review to determine acceptance, dismissal, or referral Complete an inquiry or investigation Attempt resolution and take corrective action as appropriate 	Complete within 60 days <ul style="list-style-type: none"> Procedural review to determine acceptance, dismissal, or referral Complete an inquiry or investigation Attempt resolution and take corrective action as appropriate
Procedures Upon Completion of Investigation	Successive Supervisory Levels	Successive Command Levels
<ul style="list-style-type: none"> EOA review Legal review Commander's decision 	If settled or withdrawn, forward the case file to the State Equal Employment Manager (SEEM), include in case file: <ul style="list-style-type: none"> Complaint Form Appointment letter of IO & Report of Investigation or inquiry Legal review Settlement agreement Any corrective action taken 	If settled or withdrawn, forward the case file to the SEEM, include in case file: <ul style="list-style-type: none"> Complaint Form Appointment letter of IO & Report of Investigation or inquiry Legal review Settlement agreement Any corrective action taken

ACTIVE GUARD/RESERVE (AGR) Title 10 / TPU AR 600-20	ACTIVE GUARD/RESERVE (AGR) Title 32 NGR 600-22	TRADITIONAL M-DAY NGR 600-22
FORMAL COMPLAINT (continued)	FORMAL COMPLAINT (continued)	FORMAL COMPLAINT (continued)
Appeals	Unresolved Complaint	Unresolved Complaint
<ul style="list-style-type: none"> • 7 Days (or at the next MUTA 4 drill period for Reserve components) to appeal • Use DA Form 7279 • 3 Days (or one MUTA 4 drill period for Reserve components) for referral to next higher commander • 14 days (or three MUTA 4 periods for Reserve components) for next higher commander to provide feedback 	<p>A formal complaint that is unresolved at the lowest level of command after 14 days will be automatically appealed to the next supervisory level, unless the complainant, in writing, withdraws the complaint.</p>	<p>A formal complaint that is unresolved at the lowest level of command after 60 days will be automatically appealed to the next command level, unless the complainant, in writing, withdraws the complaint.</p>
Follow-Up Procedures	Investigation Inquiry & Resolution Rules	Investigation Inquiry & Resolution Rules
<ul style="list-style-type: none"> • 30-45 Days (or four to six MUTA 4 drill periods for Reserve components) after final decision • Use DA Form 7279-1 and file with attachments for 2 years 	<ul style="list-style-type: none"> • At each supervisory level in coordination with commander will conduct additional inquiry, if necessary, attempt resolution and/or forward to the next higher echelon. • If no resolution is made, complaint will automatically appeal to next command level when 14 days have expired. 	<ul style="list-style-type: none"> • Will have 30 days to complete a procedural review and attempt resolution with the complainant and/or forward to the next higher echelon. • If no resolution is made, complaint will automatically appeal to next command level when 30 days have expired.
	Conduct Inquiries or Supplemental Inquiries	Conduct Inquiries or Supplemental Inquiries
	<ul style="list-style-type: none"> • Chapter 3, NGR 600-22/ANGI 36-3 Authority to conduct EO Investigation • Not in the scope of a formal AR 15-6 investigation • If investigator believes criminal actions happened, stop interview, consult appointing authority • Resolution • Document • Written • At each supervisory level • By supervisor or unit personnel • Will have 14 days from receipt of the complaint from the subordinate supervisor to complete a procedural review and attempt resolution • EO/MEO personnel advise inquiry officers - do not conduct personally 	<ul style="list-style-type: none"> • Chapter 3, NGR 600-22/ANGI 36-3 Authority to conduct EO Investigation • Not in the scope of a formal AR 15-6 investigation • If investigator believes criminal actions happened, stop interview, consult appointing authority • Resolution • Document • Written • At each command level • By commander or unit personnel • Will have 30 days from receipt of the complaint form subordinate unit to complete a procedural review and attempt resolution • EO/MEO personnel advise inquiry officers - do not conduct personally

ACTIVE GUARD/RESERVE (AGR) Title 10 / TPU AR 600-20	ACTIVE GUARD/RESERVE (AGR) Title 32 NGR 600-22	TRADITIONAL M-DAY NGR 600-22
	Adjutant General	Adjutant General
	90 days to complete the following: <ul style="list-style-type: none"> • Attempt resolution • Order an investigation (if none has not been completed) • Review for legal and administrative compliance • Provide a redacted copy of the report of investigation to complainant • Annotate resolution (if applicable) • Annotate withdrawal • Request a Final Agency Decision for NGB within 8 months of the formal filing of the complaint 	90 days to complete the following: <ul style="list-style-type: none"> • Attempt resolution • Order an investigation (if none has not been completed) • Review for legal and administrative compliance • Provide a redacted copy of the report of investigation to complainant • Annotate resolution (if applicable) • Annotate withdrawal • Request a Final Agency Decision for NGB within 8 months of the formal filing of the complaint
	NGB Reviews Report Of Investigation (ROI)	NGB Reviews Report Of Investigation (ROI)
	<ul style="list-style-type: none"> • Compliance with laws & regulations • Sufficiency of documentation • Adherence to procedures • Adequacy of investigation • Validity of conclusions • Appropriateness of dismissal • Deficiencies - return to AG for correction • No Deficiencies-final decision/admin closure • Notify SEEM of assigned case number upon receipt of complaint file (effective 24 June 2003 Memo) • Notify AG and complainant of decision 	<ul style="list-style-type: none"> • Compliance with laws & regulations • Sufficiency of documentation • Adherence to procedures • Adequacy of Investigation • Validity of conclusions • Appropriateness of dismissal • Deficiencies - return to AG for correction • No Deficiencies-final decision/admin closure • Notify SEEM of assigned case number upon receipt of complaint file (effective 24 June 2003 Memo) • Notify AG and complainant of decision
Basis For Complaint	Additional Notes	
Race, Color, Religion, Gender, National Origin, and Sexual Harassment	<ul style="list-style-type: none"> • Disciplinary action against the individual responsible for substantiated discrimination is within the discretion of the commander and not the right of the complainant to demand as part of a resolution. Punitive action may be appropriate and should be considered by the commander as a means of maintaining good order and discipline; it does nothing in terms of restoring any benefits or privileges lost by complainant as a result of the discrimination. • Anonymous complaints alleging discrimination received by State NG official will not be processed under this regulation. • Any person who knowingly submits a false equal opportunity complaint (a complaint containing information of allegations that the complainant knew to be false) may be subject to judicial or non-judicial punishment. 	