



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
United States Army Intelligence Center and Fort Huachuca
Fort Huachuca, Arizona 85613-6000

ATZS-CG (600-20)

14 February 2002

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: POLICY 107 -- Equal Opportunity (EO) Complaint Procedures

1. The EO complaints processing system addresses complaints that allege unlawful discrimination or unfair treatment on the basis of race, color, religion, gender, national origin, and sexual harassment. Army Regulation (AR) 600-20, Army Command Policy, prescribes Equal Opportunity (EO) and fair treatment for military personnel, family members, and Department of the Army (DA) civilians.
2. Under the provisions of AR 600-20, soldiers, family members, and civilian employees have the right to present EO and sexual harassment complaints to the command without fear of intimidation, reprisal, or harassment. I am committed to fair treatment of all members of this command and the complaint processing system. I expect the same commitment from all members of this command.
3. Soldiers or family members who believe themselves to be a victim of discrimination or sexual harassment should file a complaint through the chain of command, Inspector General (IG), Chaplain, Provost Marshal, Staff Judge Advocate (SJA), Medical Facility, Housing, or at the Military Equal Opportunity (MEO) Office, building 22328. Employment related complaints by civilian personnel alleging discrimination should be handled through the Equal Employment Opportunity Office. I urge soldiers to use their chain of command to resolve complaints and to attempt to resolve at the lowest level possible. However, the alternative agencies listed above are also available for soldiers filing EO/sexual harassment complaints.
4. Complainants have the option of filing a formal or an informal complaint. An informal complaint is any complaint that the complainant does not wish to file in writing. Informal complaints may be resolved directly by the individual, with the help of another person, or the chain of command. Typically, informal issues can be resolved through discussion, problem identification, and clarification of the issues.
5. With the exception of EO complaints filed with the IG, formal EO complaints are filed in writing using a DA Form 7279-R. These complaints must be filed with the chain of command or one of the alternative agencies listed in paragraph 3 above. The complainant swears to the accuracy of the information, provides the names of parties involved, all witnesses, a detailed account of incident(s)/behavior(s), and date(s) of the occurrence(s). The complainant states the basis of the complaint (e.g., unlawful discrimination based on race, color, religion, gender, national origin, or sexual harassment). Confidentiality cannot be guaranteed or promised.

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Complaints filed with the IG will be processed as Inspector General Action Requests in accordance with AR 20-1, Inspector General Activities and Procedures, rather than procedures outlined in AR 600-20.

6. Commanders and alternative agencies will report formal complaints through their chain of command to my office and the MEO Office within 72 hours of receipt. This report will include the information listed in paragraph 5 above.
7. Complainants have 60 calendar days from the date of the alleged incident to file a formal complaint. Complaints received after 60 days will be pursued at the discretion of the commander. Commanders should make the decision to act based on the reason for the delay, availability of witnesses, and whether or not a full and fair investigation can be conducted.
8. If an investigation fails to reveal all relevant facts to substantiate allegations, or actions taken by the command were insufficient to resolve the complaint, the complainant has the right to appeal the action to the next higher command. Subjects can appeal to the next higher commander if relevant facts to prove his or her innocence were not revealed. Appeals must be presented in writing within seven days following notification of results of an investigation.
9. Reprisal is a serious issue and its effects are devastating to unit cohesion, morale, and command climate. Commanders will ensure that soldiers making EO complaints are protected from reprisal or retaliation. Acts or threats of reprisal will be immediately reported to the Department of Defense (DOD) IG at 1-800-424-9098. If allegations of reprisal are made to any agency authorized to receive formal EO complaints, the agency should refer the complaint to the DOD IG. I strongly encourage soldiers and alternative agencies to simultaneously report such threats or acts to the appropriate chain of command as well.
10. For more information about EO complaints and appeal procedures, call the Fort Huachuca EO Hotline at extension 3-2376.
11. The proponent for this policy is the MEO Office, ATZS-ME, extension 3-5305.
12. This memorandum supersedes policy memorandum, USAIC&FH, ATZS-CG, 12 December 1999, subject: Equal Opportunity (EO) Complaint Procedures.

///original signed///
JAMES A. MARKS
Brigadier General, USA
Commanding

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