



DEPARTMENT OF THE ARMY
HEADQUARTERS, 2D INFANTRY DIVISION
UNIT #15041
APO AP 96258-5041

EAID-CG

27 JUL 2015

MEMORANDUM FOR All 2d Infantry Division Assigned Soldiers

SUBJECT: Policy Letter # 12-2, Equal Opportunity (EO) Complaint Procedures

1. This policy letter supersedes previous 2ID Policy Letter #12-2 (Equal Opportunity Complaint Procedures), dated 7 May 2015. It remains in effect until rescinded or superseded.

2. References:

- a. Department of Defense Directive 1020.02E, dated 8 June 2015.
- b. AR 600-20, Army Command Policy, dated 6 November 2014.
- c. Eighth Army Command Policy Letter #14, Equal Opportunity (EO) Complaint Procedures, 9 December 2013.

3. Purpose. Ensure all Soldiers and family members have knowledge of the procedures to file an EO complaint and understand their right to present a complaint without fear of intimidation, reprisal, or harassment. This policy letter supersedes all previous 2ID policy letters on this subject.

4. Background. Commanders at all levels will establish, implement, and inform their commands of the EO complaint procedures in accordance with AR 600-20, Chapter 6 and Appendix C. These procedures explain, in detail, how Soldiers and family members can present a complaint to the chain of command or supporting agency.

5. Discussion. Any individual who believes they were discriminated against based on race, color, national origin, gender, religion, or sexual orientation has the right to present their concerns to the chain of command. Individuals may also file informal complaints alleging a hostile work environment and/or offensive behavior that occurs on or off post during duty and non-duty hours. Complaints of discrimination can be submitted either informally or formally.

a. An informal complaint is any complaint that a complainant does not wish to file in writing. In resolving an informal complaint, members of the command must ensure that the complaint is taken seriously, handled fairly and with sensitivity. Informal complaints may be resolved without the knowledge or direct involvement of the commander. There are no time lines for resolving an informal complaint; however, the complaint will be resolved as quickly as possible.

b. A formal complaint is one that a complainant files in writing and swears to the accuracy (sworn statement) of the information. Formal complaints require specific actions, are subject to timelines, and require documentation of the actions taken. A formal EO complaint will be filed with the Equal Opportunity Advisor using DA Form 7279 (Equal Opportunity Complaint Form). Individuals have 60 calendar days to file a formal complaint from the time that the incident

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occurred. However, leaders and commanders are encouraged to investigate all formal complaints, even if the 60 days have expired.

(1) Upon receipt of the complaint, the commander will either conduct an investigation personally or appoint an investigating officer in accordance with the provisions of AR 15-6. Depending on the circumstances of the complaint, the commander may deem it necessary to ask the next higher level of command to appoint the investigating officer. After receipt of the complaint, the commander to whom the complaint was given has 14 calendar days in which to conduct an investigation.

(2) All formal complaints will be reported to the first General Courts-Martial Convening Authority (GCMCA) within three calendar days. Additionally, the commander will provide a progress report to the GCMCA 21 days after that date on which the investigation began, and 14 days thereafter until completion.

(3) The commander will establish and implement a plan to protect the complainant, any named witnesses, and the subject from acts of reprisal. The plan will include, at a minimum, specified meetings and discussions with the complainant, subject, named witnesses, and selected members of the chain of command and coworkers.

c. All complaints should be handled by the lowest level of the chain of command. However, there will be times when an individual may feel uncomfortable submitting the complaint directly to the chain of command. In such cases, the individual may submit the complaint to the Equal Opportunity Advisor or another support agency. Agencies available to address and process complaints are any brigade or higher Army Equal Opportunity Advisor (EOA), Inspector General (IG), Chaplain, Provost Marshal, Staff Judge Advocate, a higher echelon of the command, and medical agency personnel. Leaders will not preclude or hinder individuals from using these channels for complaint resolution.

6. Proponent. The proponent for this policy is the 2d Infantry Division Equal Opportunity Office. Points of contact are the 2ID Equal Opportunity Program Manager, at commercial 010-4765-4952 or DSN 732-8815 or the 2ID Senior EO Advisor, DSN 732-6856.



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Commanding

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