EQUAL OPPORTUNITY COMPLAINT PROCEDURES

EQUAL OPPORTUNITY COMPLAINT FORM

For use of this form, see AR 600-20; the proponent agency is DCSPER

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 3013, Secretary of the Army: Army Regulation 600-20, Army Command Policy and E.O. 9397 *(SSN)*

PRINCIPAL PURPOSE: To provide a means for filing complaint based on discrimination due to race, color, religion, or national origin.

ROUTINE USES: None

DISCLOSURE: Voluntary; However, failure to provide all the requested information could lead to rejection of complaint for inadequate data.

1. NAME	2. RANK	3. SSN	4. UNIT
5. RACE/ETHNIC GROUP		6. GENDER	7. DATE *(YYYY/MM/DD)*

PART I - COMPLAINT

8a. **NATURE OF COMPLAINT.** *(Give, in as much detail as possible, the basis for your complaint; describe the incident/behavior(s) and date(s) of the occurrence(s); the names of parties involved, witnesses, and to whom it may have been previously reported; plus, any additional information that would be helpful in resolving your complaint. Attach additional sheets, as needed.)*

8b. **REQUESTED REMEDY.** *(What do you think the final outcome should be?)*

9a. **AFFIDAVIT.**

I, _____ have read or have had read to me this statement which begins on this page *(page 1)* and ends on page _____. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections. I made the statement without threat of punishment, and without coercion, unlawful influence, or unlawful inducement.

_____
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this

_____ day of _____ , _____ at _____ .

_____ *(Signature of Person Administering Oath)*

_____ *(Typed/Printed Name of Person Administering Oath)*

9b. **AGENCY RECEIVING COMPLAINT.**

I acknowledge receipt of this complaint from _____ *(name/rank)*

of _____ *(unit)* on _____ *(date).*

I understand I have 3 calendar days *(next drill period for reserve soldiers)* in which to refer this complaint to the appropriate commander of the complainant.

9c. NAME	9d. GRADE	9e. DATE *(YYYY/MM/DD)*
9f. AGENCY	9g. SIGNATURE	

10a. **ACKNOWLEDGEMENT.**

I acknowledge receipt of this complaint, on behalf of *(complainant's name)* _____ , submitted to me by *(name, rank, alternative agency)* _____

_____

on _____ . I understand I have 14 calendar days *(3 weekend drill periods for* Reserve components) in which to initiate an investigation into the complaint, implement a plan to prevent reprisal, complete the investigation, and inform the complainant of the results of that investigation. All formal complaints will be reported within 72 hours to the first GCMCA in the chain of command.

10b. NAME	10c. GRADE	10d. DATE *(YYYY/MM/DD)*
10e. ORGANIZATION	10f. SIGNATURE	

PART II - RESULTS OF INVESTIGATION

11a. I *(name of commander)* _____ reviewed the report of investigation into your allegations. I ☐ concur ☐ nonconcur with the findings of the investigating officer. I find that your allegations are:

☐ substantiated ☐ unsubstantiated. I base my decision on the following points:

11b. SIGNATURE OF COMMANDER	11c. DATE *(YYYY/MM/DD)*

PART III - ACTIONS TO RESOLVE COMPLAINT

12a. The command has done *(or will do)* the following actions to resolve this complaint and continue to prevent acts of reprisal:

12b. ADVISEMENT TO COMPLAINANT: You have the right to appeal these actions to resolve your complaint. You will have 7 days *(next weekend drill for Reserve components)* to submit your appeal in writing. If you elect not to appeal, your case is considered closed. If you decide to appeal, state the basis of, or grounds for, your appeal in the space below. I will refer your appeal to the appellate authority, who will review your case and provide you feedback when that review is completed.

12c. SIGNATURE OF COMMANDER	12d. DATE *(YYYY/MM/DD)*

12e. ACKNOWLEDGEMENT BY THE COMPLAINANT AND SUBJECT(S) OF THE COMPLAINT OF FINDINGS, FEEDBACK, AND APPEALS OPTIONS

_____ _____
(Signature of Complainant) *(Date)*

_____ _____
(Signature of Subject(s) of Complaint) *(Date)*

FOR ADDITIONAL SUBJECT(S) OF COMPLAINT, USE A BLANK SHEET OF PAPER.

PART IV - APPEAL

13a. I elect to appeal the outcome of my complaint for the following reasons

☐ Continuation sheet*(s)* is attached ☐ Continuation sheet*(s)* is not attached

13b. COMPLAINANT'S SIGNATURE	13c. DATE *(YYYY/MM/DD)*

13d. I have reviewed the complaint file, the investigative findings, and other information regarding this case. My findings are:

13e. SIGNATURE OF APPELLATE AUTHORITY	13f. DATE *(YYYY/MM/DD)*

13g. I acknowledge being counseled concerning the outcome of this appeal.

13h. SIGNATURE OF COMPLAINANT	13i. DATE *(YYYY/MM/DD)*

Evans Army Community Hospital

Fort Carson, CO 80913

Equal Opportunity / Sexual Harassment Complaint Process

The below chart is the complaint process for Military Complaintants. For Information on the Civilian Complaint Process refer to AR 690-600 or call (719)526 4413

Senior Eqaul Opportunity Leader
(719)526-7102 or your immediate
EOL/Ssupervisor/NCOIC

(719) 526-9468 Military Staff

(719) 526-4413 Civilian Staff

If you are the Victim

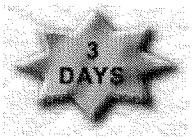
Make an informal complaint. Report inappropriate behavior without initiating a full investigation. This may be most appropriate for minor infractions when the victim simply wants the behavior stopped.

Call the Equal Opportunity Hot Line at your installation to clarify whether an incident or behavior qualifies as sexual harassment or discrimination.

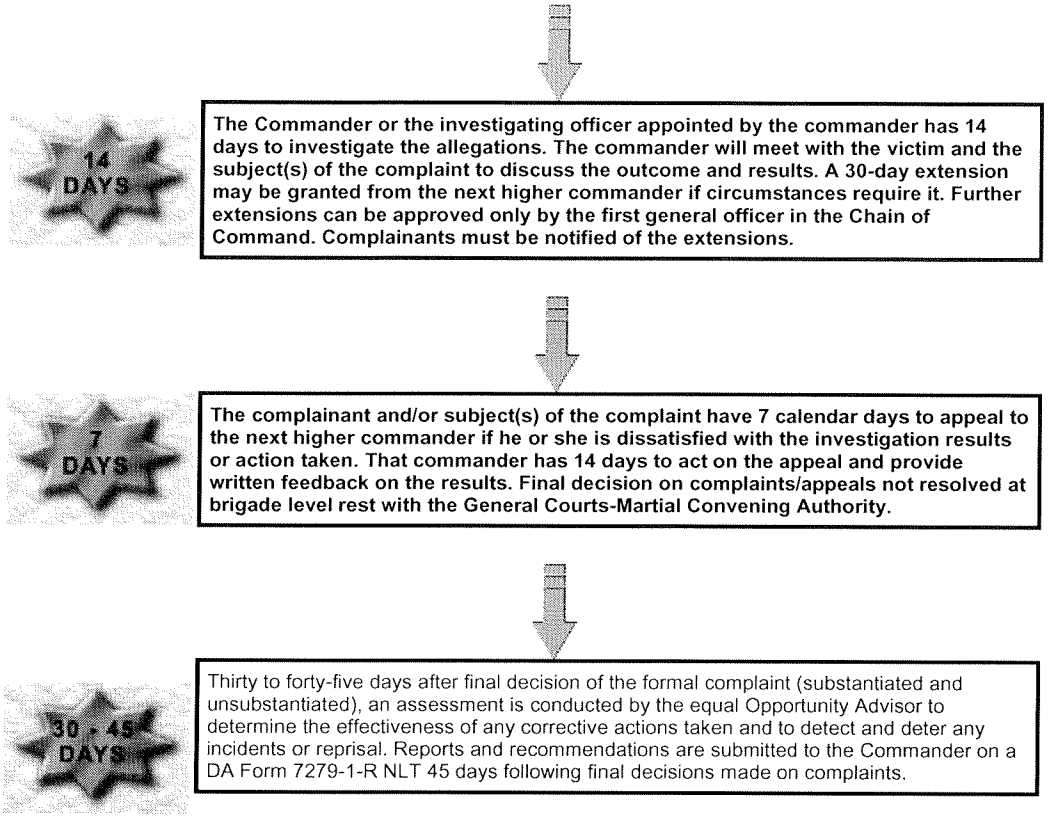
If Behavior Persists

File a formal written complaint on DA Form 7279-R with any of the agencies shown below. Complaints must be filed within 60 days of the incident. Complaints made after 60 days may be pursued at the commander's discretion.

CHAIN OF COMMAND	EQUAL OPPORTUNITY ADVISOR	INSPECTOR GENERAL	HOUSING REFERRAL OFFICE	JUDGE ADVOCATE GENERAL	MILITARY POLICE OR CRIMINAL INESTIGATOR	CHAPLAIN	MEDICAL AGENCY

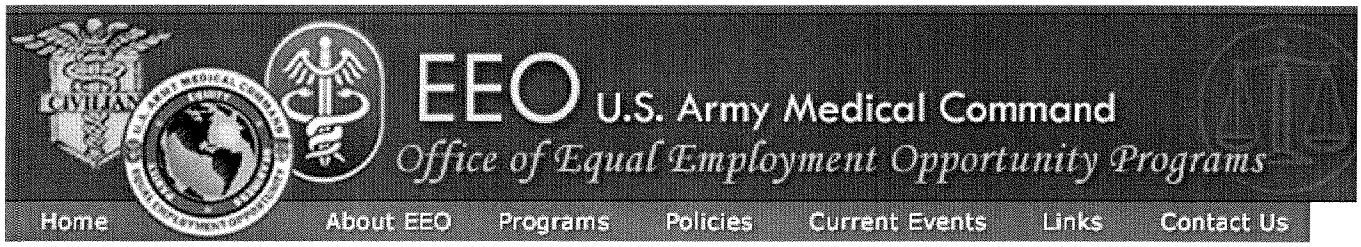


Complaints, except those filed with the IG must be acted upon within 3 calendar days. Complaints filed with an agency against a member of the Chain of Command will be referred to the next higher commander in the chain. All formal complaints will be reported within 72 hours to the first General Courts-Martial Convening Authority (GCMCA) in the Chain of Command. Provide a progress report to the GCMCA 20 days after the date on which the investigation commenced and 14 days thereafter until completion.



Last Updated 1 Oct 2003

E-Mail Webmaster @



- Discrimination Complaints Procedure
- Special Emphasis Program
- Affirmative Employment Program
- Minority College Relations Program
- Community Outreach

EEO PROGRAMS - Discrimination Complaints Procedure

Stages of Filing a Complaint - Back to main page

Basis for Filing a Complaint

- Race
- Color
- Religion
- Sex
- National Origin
- Age
- Disability (physical or mental)
- Reprisal for Title VII Activity

Note: Aggrieved (person initiating the complaint) must identify an issue relating to a term, condition, or benefit of employment.

Informal Complaint Stage

Aggrieved:

Presents matter to an EEO counselor within 45 days of an issue, relating to a term, condition or benefit of employment.

Options Available:

1. Traditional Counseling
   - Assigned EEO Counselor
   - Inquires into allegations
   - Interviews witnesses
   - Addresses possible resolution of complaint issues
2. Alternate Dispute Resolution (ADR)
   - Mediation is the preferred ADR method in Army
   - May be offered by the servicing EEO Officer

Note: Complaint can be settled at any step of the EEO complaint process.

Formal Complaint Stage

EEO Officer

- Accepts or dismisses complaint

- If accepted,

Department of Defense Office of Complaints Investigations (DoDOCI)

- Fact finding conference – findings provided to complainant
- Options open to complainant

Complainant may request:

- Hearing—EEOC Administrative Judge (Army accepts or appeals)
- Final Agency Decision (EEO Compliance and Complaints Review Office) or
- Does nothing (Army still renders a decision)

If complainant not satisfied:

- Appeal to EEO Commission
- Litigate in Federal Court

Classes Defined

RACE - Class or group with common characteristics, interests, appearance, or habits derived from a common ancestor.

COLOR - Separate identifiable type of discrimination because of the color of an individual's skin; can occur in conjunction with race discrimination.

RELIGION - Involves violation of fundamental precept of individual's religion; adverse treatment due to religious beliefs which can be traditional, non-traditional, or non-belief.

SEX - An individual's gender; sexual harassment focuses on the sexuality of another person.

NATIONAL ORIGIN - An individual's or their ancestor's country of origin; possessing the physical, cultural or linguistic characteristics of a particular national origin group.

AGE - Individuals over the age of 40.

DISABLED PERSON - An individual who has a physical or mental impairment th substantially limits one or more major life activities or is regarded as having such impairment.

REPRISAL - Act(s) which penalizes a person in the work environment for engaging in protected civil rights activity or for opposing practices made unlawful by discrimination laws.

Investigating Discrimination

1. Complainant must establish a prima facie case.
2. Employer must give legitimate nondiscriminatory reason for actions.
3. Complainant must prove employer's reasons are a pretext to conceal

discrimination.

Note: Burden of proof lies with the complainant.

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