



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY

U.S. ARMY SPACE COMMAND
350 Vandenberg Street
Peterson AFB, Colorado 80914-4919

SMDC-AR-ZA

17 October 2002

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Policy Memorandum I-10, Equal Opportunity Complaint Procedures

1. It is my policy that every soldier, and their family members be able to work, and live in an environment that is fair and equitable for all personnel, that is absolutely free from discrimination and harassment, and that allows every member to rise to the highest level of responsibility based on merit, fitness capability. It is the responsibility of every member of Army Space Forces to ensure the existence of this environment within his or her work area. Our Equal Opportunity Program continues to assist command personnel at all levels in carrying out this policy.
2. The ARSPACE Equal Opportunity Program provides an informal, and formal complaint process IAW AR 600-20. If you believe that you may have been discriminated against on one or more of the following 'bases' **RACE, COLOR, RELIGION, GENDER, NATIONAL ORIGIN**, discuss the concern with an Equal Opportunity Representative (EOR). The EOR will facilitate an informal resolution between the parties involved when possible.
3. A soldier or family member may file a formal complaint by submitting a sworn statement on a DA Form 7279-2 (Equal Opportunity Complaint Form). Complainant will identify the alleged concern, provide the names of the parties involved and witnesses, describe the incident(s), behavior(s), and specify the date(s) of the occurrence. The complainant will also state the EO basis of the complaint (e.g., discrimination based upon **race, color, gender, religion, or national origin**). Soldiers and family members have 60 calendar days from the date of the alleged incident in which to file a formal complaint.
4. Processing of Equal Opportunity complaints through the chain of command is strongly encouraged, but should the complainant feel uncomfortable in filing a complaint with his/her unit chain of command, or should the complaint be against a member of the chain of command, the following is a list of alternative agencies through which a complaint may be processed:

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Higher echelon in the chain of command
Equal Opportunity Advisor
Inspector General
Chaplain
Provost Marshal/Criminal INVESTIGATION Command (CID)
Medical Agencies
Staff Judge Advocate
Housing referral office

5. Actions of the Commander:

a. Upon receipt of a complaint, the commander will ensure that the soldier or family member has sworn to the complaint. All formal complaints will be reported within 72 hours to the first General Courts-Martial Convening Authority (GCMCA) in the chain of command. The command will provide a progress report to the GCMCA authority 20 days after the date on which the investigation commenced and 14 days thereafter until completion. The command will either conduct an investigation personally or immediately appoint an investigating officer according to the provisions of AR 15-6. Should such evidence exist, the Commander must refer the case to the next senior commander in the chain of command to appoint the investigating Officer.

b. Complainant, any named witnesses, and the alleged perpetrator *will be protected from acts of reprisal*. The plan will include, as a minimum, specified meetings and discussions with the complainant, alleged perpetrator, named witnesses, and selected members of the chain of command and coworkers.

c. The Commander who appointed the AR 15-6 investigation will review the facts as determined by the commander's inquiry and by the investigation. If the Command believes further investigation is not necessary, he/she may take appropriate action against the alleged perpetrator at that time.

6. Action by the Investigating Officer (IO).

a. The Investigating officer will meet with the servicing Staff Judge Advocate or legal advisor to review how the conduct of the investigation should be conducted under AR 15-6 and AR 600-20.

b. The investigating officer will meet with the unit's Equal Opportunity Advisor (EOA) prior to conducting the investigation. The EOA will assist the IO

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in the development of questions to be addressed to the complainant, the alleged perpetrator, and any witnesses or third parties.

c. The investigating officer must interview every individual who may have first-hand knowledge of the facts surrounding the validity of the allegations. The IO must also interview everyone who can substantiate the relationship or corroborate the relationship between the complainant and the alleged perpetrator.

d. The Investigating Officer will obtain a list of witnesses from both the complainant and alleged perpetrator at the outset of the investigation. The investigating officer will provide a written report to the commander of the results of the investigation.

7. Final Decision Authority: Complaints that are not resolved at brigade level may be appealed to the General Court-Martial Convening Authority. The only exception to this is where organizations have Memorandums of Understanding or Memorandums of Support that delegate that UCMJ authority to a local commander. Decisions at this level are final.

8. File this policy in your policy notebook as required reading for all personnel.



DAVID W. SHAFFER
COL, AV
Commander, Army Space Forces

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