



DEPARTMENT OF THE ARMY
HEADQUARTERS, 3RD BATTALION, 2ND AIR DEFENSE ARTILLERY REGIMENT
3906 MOW-WAY ROAD
FORT SILL, OKLAHOMA 73503

AFVL-RTB-BC

8 June 2021

MEMORANDUM FOR All Soldiers Assigned/Attached to the 3-2 ADA Battalion

SUBJECT: Policy Letter #3 – Equal Opportunity Complaint Procedures

1. References:

- a. AR 600-20, Army Command Policy, dated 24 July 2020.
- b. DoD Directive 1020.02E, "Diversity Management and Equal Opportunity in the DoD", dated 29 November 2016.
- c. Army Directive 2015-39, Inclusion of Sexual Orientation in the Military Equal Opportunity Program, dated 14 October 2015.
- d. Directive-type Memorandum (DTM)-19-004 – Military Service by Transgender Persons and Person with Gender Dysphoria.

2. The complaint process plays a major part in ensuring the success of EO Program. The chain of command must show trust, and encourage Soldiers and Family Members to use the chain of command to solve grievances. Commanders, with the assistance of Officers and Non-Commissioned Officers, will ensure their Soldiers are fully aware of the procedures to redress any complaints, including those potentially against the chain of command. The chain of command will treat all complaints as valid until proven otherwise and the complainant will be kept informed of all actions.

3. Discussion. Any individual who believes they have been discriminated against or treated unfairly based on race, color, sex (gender identity), religion, national origin, or sexual orientation has the right to file an EO complaint. Complaints of discrimination can be submitted 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, the members of the chain of command must ensure the complaint is taken seriously, handled fairly, and with sensitivity. There are no timelines 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 timeliness, and require documentation of the actions taken. A

formal EO complaint will be filed with Brigade 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 occurred. However, Leaders and Commanders must investigate 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 was given the complaint 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 3 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 directly to the EOA or another support agency. Agencies available to address and process complaints are any Brigade or higher Army Equal Opportunity Advisor, Inspector General, Chaplain, Provost Marshall, 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.

4. Leaders will perpetually monitor their units to ensure that a proper EO climate, where everyone is treated with dignity and respect, is sustained. To ensure a culture of equal opportunity and treatment free of discrimination, it is the responsibility of all members of this command to enforce EO policies.

5. The undersigned will be notified within 24 hours of a formal EO complaint being filed within the Battalion.

6. A copy of this policy will be permanently posted on unit bulletin boards and the Battalion EO bulletin board. Unit Commanders will ensure each Soldier is briefed on the provisions and conditions of this policy during the Soldier's initial unit orientation.

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CHRISTOPHER T. MAJORS
LTC, AD
Commanding