



DEPARTMENT OF THE ARMY
HEADQUARTERS, 4TH INFANTRY DIVISION AND FORT CARSON
6105 WETZEL AVENUE, BLDG 1435
FORT CARSON, COLORADO 80913-4289

AFYB-CG

13-10-2017

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Commanding General's Policy on the Equal Opportunity Program Complaint Process

1. Reference:

- a. Army Regulation (AR) 600-20, Army Command Policy, Chapter 6, 6 November 2014.
- b. Army Directive (AD) 2015-39, Inclusion of Sexual Orientation in the Military Equal Opportunity Program, 14 October 2015.
- c. AD 2016-35, Army Policy on Military Service of Transgender Soldiers, 7 October 2016.
- d. FORSCOM Commanding General Policy Memo 4, Equal Opportunity (EO) Complaint Process, 14 March 2017.
- e. III Corps Commanding General's Policy Letter # 14, Equal Opportunity (EO) Program and Complaint Procedures, 5 June 2017.

2. Applicability.

- a. This policy applies to all military personnel, active or reserve, assigned or attached to 4th Infantry Division and Fort Carson units, tenant activities, regardless of location, as well as their Family members.
- b. This policy applies both on and off post, and during duty and non-duty hours. It further applies to working, living, and recreational environments including on and off-post housing and online.
- c. Civilian Employees' protections are governed by the Army's Equal Opportunity Employment Program. For the complaint process, they should refer to the Garrison Commander's Policy Letter #4, Right to File a Discrimination Complaint and Commitment to Alternative Dispute Resolution. The garrison policy can be found at http://www.carson.army.mil/EO/sub_pages/policies.html.

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3. Purpose. This policy informs all military personnel and Family Members of their right to file equal opportunity complaints.

4. Policy.

a. If a service member or Family member feels discriminated against based on race, color, religion, national origin, sex (including gender identity), or sexual orientation, he or she should not hesitate to report the issue to the unit chain of command, or alternately to someone in a higher echelon of the complainant's chain of command; EO Leader (EOL), EO Advisor (EOA); Inspector General; Chaplain; Provost Marshal; medical agency personnel; Staff Judge Advocate; or Chief, Community Housing Referral and Relocation Services Office. Military personnel and Family Members with complaints of EO discrimination will be addressed IAW AR 600-20 Chapter 6 and Appendix C. EO complaints may be filed either informally or formally.

(1) An informal complaint is any complaint that a Soldier or Family member does not wish to file in writing. Informal complaints may be resolved directly by the individual, with help from another unit member, the commander, or any other person in the complainant's chain of command. Typically, those issues that can be taken care of informally are resolved at the lowest level possible through discussion, problem identification, and clarification of the issues. The commander retains the option to initiate a unit-level inquiry and/or Army Regulation (AR) 15-6 investigation.

(2) A formal complaint is one that a complainant files in writing on a DA Form 7279 and swears to the accuracy of the information. An Equal Opportunity Advisor (EOA) assists complainants to initiate all formal complaints.

b. Soldiers have 60 calendar days from the alleged incident in which to file a formal complaint. If a complaint is received after 60 calendar days, the commander may conduct an investigation into the allegations or appoint an investigating officer. Formal complaints are subject to timelines outlined in AR 600-20, Appendix C, Paragraphs C-2, C-4, C-5, C-7, and C8.

c. The commander receiving a formal complaint will establish a plan to protect the complainant, any named witnesses, and the subject from acts of reprisal. The commander may either personally investigate the formal complaint or appoint an investigating officer as per AR 15-6. After receiving a formal complaint, commanders must notify the General Courts Martial Convening Authority (GCMCA) in the chain of command within three calendar days and meet all timeline and action requirements in accordance with AR 600-20.

d. We must protect all service members and Family members from intimidation, reprisal, or harassment for filing EO complaints. No person may take or threaten to take unfavorable personnel action, or withhold or threaten to withhold a favorable personnel


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action, in reprisal against any person for filing a complaint. If an allegation of reprisal is made known to any agency authorized to receive complaints, the agency will refer the complaint to the Inspector General. Individuals are responsible for advising the command of the specifics of the complaint and providing the command an opportunity to take appropriate action to rectify/resolve the issue.

5. Proponent. The 4th Infantry Division Equal Opportunity Office (EO) is the proponent for this program and can be contacted at (719) 526-4305/4304. The Fort Carson Equal Employment Opportunity (EEO) Office can be contacted at (719) 526-9673/5818.

6. Expiration. This policy will remain in effect until superseded or rescinded.



RANDY A. GEORGE
Major General, USA
Commanding

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