



DEPARTMENT OF THE ARMY  
HEADQUARTERS, U. S. ARMY EUROPE REGIONAL MEDICAL COMMAND  
CMR 442  
APO AE 09042

REPLY TO  
ATTENTION OF:

MCEU-EO

26 September 2002

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: ERMC Command Policy Letter 10, Equal Opportunity Discrimination Complaint Procedures

1. References:

- a. AR 15-6, Procedures for Investigating Officers and Boards of Officers.
- b. AR 600-20, Army Command Policy.

2. Department/Division/Activity Chiefs, all officers, supervisors, and noncommissioned officers are responsible for achieving Equal Opportunity (EO) objectives and play a critical role to this end. Commanders and supervisors are both responsible and accountable for addressing policies, procedures and practices that intentionally or unintentionally contribute to discrimination based on race, color, gender, religion, or national origin. The chain of command has primary responsibility for processing complaints of discrimination. The EO Office is responsible for assisting complainants, advising commanders and supervisors on procedures, and monitoring the processing of complaints to their resolution.

3. There are two types of complaints: informal and formal.

a. An informal complaint is any complaint that a soldier or family member wishes to have solved at the lowest possible level. Informal complaints can be solved by confronting the offender. If necessary, this can be done through a mediator from the complainant's chain of command, another unit, or an alternate agency.

b. A formal complaint is any complaint which soldiers or family members wish to file in writing (DA Form 7279-R). A sworn statement will be required when filing a formal complaint. The commander has two options upon receiving a formal complaint, either to personally investigate or appoint an investigating officer (I/O) per AR 15-6. Procedures outlined in AR 600-20 and AR 15-6 will be followed by the investigating officer, or commander should he /she elect to personally conduct the investigation. If any conflict between the two regulations exists, i.e., timelines, AR 600-20 takes precedence.

\*This memorandum supersedes ERMC Policy #600-11-18(01), dtd 13 Jun 01.

4. Ensure individuals are afforded the opportunity to present discrimination complaints to the following:

- a. Chain of Command
- b. Higher echelon
- c. Equal Opportunity Office (EOA)
- d. Inspector General Office (IG)
- e. Chaplain
- f. Medical Agencies, i.e. Family Advocacy
- g. Housing Referral Office (HRO)

5. Timeliness for filing, processing, and/or appealing complaints.

a. Filing a complaint:

- (1) Informal complaints have no time limitations.
- (2) Formal complaints must be filed 60 calendar days from date of incident.

b. Processing a complaint: The commander will notify the GCMA within 72 hours after receiving a formal complaint. The commander will develop a reprisal plan for protection of all parties involved in the complaint process to include witnesses IAW AR 600-20, Appendix E, para E-4. The commander has 14 calendar days in which to conduct an investigation, appoint a 15-6 officer or 72 hours to refer the case to a higher echelon commander after a complaint is filed. If the commander elects to appoint a 15-6 investigating officer, the commander will ensure the investigating officer meets with the Brigade Equal Opportunity Advisor and the Office of the Command Judge Advocate prior to opening and closing the investigation. The commander will notify the GMCA on the case status 20 days after the receipt of a formal complaint and every 14 days thereafter until case completion. The commander shall provide periodic feedback to the complainant and the alleged perpetrator throughout the complaint process. The complainant and the alleged perpetrator will receive written feedback from the commander within 14 days after acknowledgement of the complaint.

c. Appeals process: If the complainant perceives the investigation failed to reveal all relevant facts to substantiate the allegations, actions taken by the commander on his or her behalf were insufficient to resolve the complaint, the complainant has the right to appeal. If subject(s) of the complaint perceive the investigation has failed to reveal all relevant facts to prove his or her innocence. He or she has the right to appeal to the next higher commander in his or her chain of command within 7 calendar days after written feedback is given to complainant/accused.

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innocence. He or she has the right to appeal to the next higher commander in his or her chain of command within 7 calendar days after written feedback is given to complainant/accused.

6. Discrimination is a command issue. However, all personnel within the ERMC should accept the responsibility of ensuring responsive management and awareness of possible Equal Opportunity concerns. Report all inappropriate behavior immediately through their chain of command. Should this course of action be impossible, the complainant should seek assistance from the Equal Opportunity Office.

NOTE: All complaints will be handled in a confidential manner. They will be covered with a 'personal in nature' cover sheet and hand carried.

7. A copy of this letter will be posted and available in work or activity area and read by incoming officer and enlisted personnel.



ELDER GRANGER  
Brigadier General, USA  
Commanding

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