



DEPARTMENT OF THE ARMY
US ARMY INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, UNITED STATES ARMY GARRISON YONGSAN
UNIT #15333
APO AP 96205-5333

IMYN-ZA

7 NOV. 2016.

UNITED STATES ARMY GARRISON YONGSAN (USAG-Y) POLICY LETTER # 10

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: The Right of Individuals to File Complaints of Discrimination and the Use of Alternative Dispute Resolution

1. **REFERENCES:**

- a. Army Directive (AD) 2015-40, Implementation Procedures for Anti-Harassment Policy, 30 October 2015.
- b. Army Regulation (AR) 690-12, Equal Employment Opportunity (EEO) and Affirmative Action, 4 March 1988.
- c. AR 690-600, Equal Employment Opportunity Discrimination complaints, 9 February 2004.
- d. 29 Code of Federal Regulations, Part 1614, Federal Sector Equal Employment Opportunity.

2. **APPLICABILITY:** This policy applies to Army civilian employees, applicants for employment, former employees and certain contractor personnel serviced by the USAG-Y Equal Employment Opportunity Office.

3. Anyone who believes he or she has been discriminated against because of race, color, religion, sex, national origin, age (40+), physical/mental disability, genetic information, and/or reprisal in an employment matter, may file a complaint of discrimination.

4. We must work to resolve complaints, promptly and fairly. I am personally committed to and support the enforcement of EEO principles.

5. The Department of Army preferred method of Alternative Dispute Resolution (ADR) is mediation. The use of ADR is not appropriate in every case. The commander or Deputy Garrison Commander determines whether or not it is appropriate to offer ADR to

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an aggrieved individual based on recommendation from the USAG-Y EEO Director. Managers and supervisors will generally participate in ADR, if requested by an aggrieved employee.

6. USAG-Y is firmly committed to the use of alternative methods for resolving disputes where appropriate and feasible. The purpose of ADR is to offer disputing parties an opportunity to openly express their positions and interests in resolving disputes in a mutually satisfactory fashion. The ADR process, when utilized at the earliest stage, helps restore working relationships and serves as a preventive measure against future disputes. If mediation is not offered, the aggrieved have the option of processing his/her EEO allegations through traditional EEO counseling.

7. Leaders ensure everyone cooperates fully with individuals who are processing EEO complaints. These include, but are not limited to, ADR mediators, EEO Counselors, EEO staff, investigators, and EEOC administrative judges. These individuals must remain free from restraint, interference, harassment, coercion, discrimination, or reprisal in connection with the performance of these duties.

8. **PROCEDURES:**

a. The matter(s) are presented to an EEO official within 45 calendar days of: the date the event occurred, the effective date of the personnel action; or the date the Aggrieved knew or reasonably should have known of the event or personnel action.

b. The individual presents the matter(s) to an EEO official for the purpose of making an initial determination as to the proper venue and advises the individual on various matters, including the availability of ADR. When ADR is offered, the individual chooses between ADR and the traditional counseling process.

c. Mediation and traditional counseling are designed to foster early resolution of EEO allegations. In the event of unsuccessful resolution, a formal complaint is filed within 15 calendar days from the receipt date of the Notice of Right to File a Formal Complaint of Discrimination memorandum. The complaint contains a statement signed by the Complainant or his/her attorney describing in detail the actions, practices, or issues giving rise to the complaint.

9. This policy is effective immediately remains in effect until rescinded or superseded.

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10. The point of contact is Anna M. Revere, EEO Director, USAG Yongsan and Area II, DSN (315) 738-4085, anna.m.revere.civ@mail.mil.



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