



DEPARTMENT OF THE ARMY
INSTALLATION MANAGEMENT COMMAND PACIFIC
HEADQUARTERS, UNITED STATES ARMY GARRISON HUMPHREYS
UNIT #15228
APO AP 96271-5228

OCT 11 2017

IMHM-EE

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Command Policy #102, Complaint Procedures and Alternative Dispute Resolution (ADR)

1. References.

- a. 29 CFR 1614.105-106, Pre-complaint and Individual complaints, 25 July 2012.
- b. EEO Management Directive (MD) 110, 5 August 2015.
- c. AR 690-600, Equal Employment Opportunity Discrimination Complaints, 9 February 2004.
- d. AR 690-12, Equal Employment Opportunity and Diversity, 22 December 2016.

2. Purpose. To establish policy and procedures for the U.S. Army Garrison Humphreys complaint procedures and the Alternative Dispute Resolution (ADR) Program.

3. Applicability. Applies to all current and former Army appropriated and non-appropriated fund civilian employees, applicants for employment, and certain Army contractors.

4. Policy. All applicable employees are covered by AR 690-600 (Equal Employment Opportunity Discrimination Complaints); and are entitled to initiate a complaint of alleged discrimination if they believe they have been discriminated against based on race, color, religion, sex, national origin, age (40+), physical/mental disability, genetic information, and reprisal for engaging in protected EEO activity.

5. Procedures.

a. Employee can initiate the EEO complaint process by contacting an EEO officer, specialist, assistant, or counselor. The matter(s) must be presented within 45 calendar days from:

- (1) The date of the alleged discriminatory event or practice.
- (2) The effective date of the personnel action.
- (3) The date that the aggrieved became aware, or reasonably should have become aware, of the discriminatory event or action.

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b. After the issue(s) has been presented, the EEO official will start the precomplaint process (traditional counseling) or offer ADR (mediation), if appropriate.

c. The preferred method of ADR throughout the Army is mediation. Mediation is a voluntary and confidential process where a neutral third party (mediator) helps employees and supervisors reach a resolution. Mediators must be certified and have no official, financial, or personal interest in the issue at controversy or in the outcome of the dispute. Employees will not serve as mediators within their organization. In the event there is a cost to obtain a mediator, funding will be the responsibility of the organization where the complaint/dispute originated.

d. The complaint process and ADR are designed to reach a resolution concerning the allegations. If resolution is not reached, a formal complaint may be filed within 15 calendar days from the date of receipt of the Notice of Right to File a Discrimination Complaint. The complaint must contain a statement by the complainant or his/her representative, describing the actions, practices, or issues giving rise to the complaint.

6. Responsibilities.

a. Responsibility and authority for the ADR program rests primarily with the EEO Office. Since all EEO complaints may not be appropriate for ADR, representatives from EEO, CPAC, and Legal Office will review the allegations of discrimination and make a determination as to whether the claim could be resolved through the ADR process. Once ADR is offered and the aggrieved elects in writing to participate, it is considered that both parties have knowingly and voluntarily entered into the ADR process.

b. Supervisors, managers and employees have the responsibility to resolve workplace disputes to enhance productivity and promote work relationships. U.S. civilians may request conflict resolution services from the EEO office to resolve non-EEO work related issues between co-workers when these issues adversely affect an organization's mission accomplishment or morale.

7. POC is the EEO Manager at 753-6482.



SCOTT W. MUELLER
COL, AR
Commanding

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EEO Complaint Process

