DEPARTMENT OF THE ARMY
HEADQUARTERS, U.S. ARMY MATERIEL COMMAND
5001 EISENHOWER AVENUE, ALEXANDRIA, VA 22333 - 0001

REPLY TO
ATTENTION OF

AMCEE

01-05-EE
17 December 2001

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Right to File a Discrimination Complaint Policy Statement

1. All Army civilian employees, former employees, or applicants for employment covered by AR 690-600 are entitled to initiate a complaint of alleged discrimination when they believe that they have been discriminated against because of race, color, religion, sex, national origin, age (40+), physical/mental disability and/or reprisal in an employment matter, including Equal Pay Act (EPA) complaints subject to the control of the Army, may file an individual complaint of discrimination. Alternatively, an attorney may file the complaint for the complainant if designated in writing.

2. Before a formal complaint can be filed, the individual must first present the matter(s) to an EEO Official for the purpose of seeking information on the process. A determination will be made as to the proper venue for an individual to use to address his or her concern and the assignment of an EEO Counselor, if appropriate. The matter(s) must be presented within 45 calendar days from the date of the event giving rise to the complaint, or if a personnel action, within 45 calendar days of its effective date. An EEO Counselor will be assigned to conduct an informal inquiry into the matter after initial contact with the EEO Office.

3. Mediation, the Alternative Dispute Resolution (ADR) process preferred by the Department of the Army, is a method by which an objective and impartial person (the trained mediator) facilitates communication between the aggrieved person and management, and assists them in resolving their own problem(s) or dispute(s). AMC has developed its own ADR program. It is called Resolving Employment Disputes Swiftly (REDS). If you choose to participate in REDS, the informal period will be extended an additional 60 calendar days to accomplish mediation. If additional issues not initially recorded on the Initial Contact (Intake) and/or Counseling Session are presented by you during mediation, those issues must be recorded on an Addendum to the Initial Contact and/or Counseling Session, both you and the mediator must sign the addendum. If mediation is successful, the participants will sign a negotiated settlement agreement. If mediation is not successful or if some issues remain unresolved after mediation, you will be given a Notice of Right to File a Formal Complaint of Discrimination. You may file a formal complaint only on those issues addressed during mediation.

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4. The EEO Counselor's inquiry is designed to reach a resolution of the aggrieved person's allegations. If resolution is not reached, a formal complaint must 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 signed by the complainant, or his or her attorney, describing in detail the actions, practices, or issues giving rise to the complaint.

5. All Army personnel will fully cooperate with and support the EEO Counselor in the performance of his or her duties. The EEO Counselor will be free of restraint, interference, harassment, coercion, discrimination, or reprisal in connection with the performance of his or her counselor duties.

6. The U. S. Army Materiel Command is dedicated to the principle that people are our most valuable asset and are entitled to work in an environment free of unlawful discrimination. With this tenet in mind, our position with regards to the complaint process is to protect the integrity of the process and preserve the rights of the individual.

7. If you need more information regarding the discrimination complaint process or want to discuss an employment issue(s), contact the Director, Office of Equal Opportunity at (703) 617-9003 or DSN 767-9003. The Headquarters Office of Equal Opportunity is located in room 9N32.

PAUL J. KERN
General, USA
Commanding

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