



DEPARTMENT OF THE ARMY
3RD INFANTRY DIVISION SUSTAINMENT BRIGADE
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AFZP-VS-CDR

9 June 2021

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Brigade Policy Letter Number 02 – Military Equal Opportunity (MEO) Policy and Complaint Procedures

1. Reference. AR 600-20, Army Command Policy, 24 July 2020.
2. Purpose. To ensure every Provider Soldier and Family member has an opportunity to reach his or her potential free of unlawful discrimination or offensive behavior as well as ensure they have knowledge of the procedures to file an Equal Opportunity (EO) complaint based on race, color, gender, religion, national origin or sexual orientation. Department of Army (DA) Civilians are protected under my Equal Employment Opportunity (EEO) policy, which provides for equal opportunity in employment for DA Civilians and prohibits discrimination in employment because of race, color, religion, sex, national origin, age, disability, genetic information, or reprisal.
3. Policy. People are our greatest resource, and I depend on my leadership teams to create an environment where everyone is treated with dignity and respect. I fully support the MEO program and direct the same level of support from my subordinate commanders and leaders at all levels. Commanders at all levels are the EO officers for their commands, and shall be personally responsible and accountable for the EO climate within their units. Commanders shall familiarize themselves with their responsibilities for EO as detailed in AR 600-20, chapter 6.
4. Background. The MEO program is a leadership issue, based on fair, equal treatment, and respect for all. The Army's MEO is clear and simple - no form of discrimination or harassment will be condoned. Consistent with AR 600-20, paragraph 6-1, the 3ID MEO program formulates, directs, and sustains a comprehensive effort to maximize human potential and to ensure fair treatment for all persons based solely on merit, fitness, and capability in support of readiness.
5. Discussion. Consistent with AR 600-20, paragraph 6-2, 3ID Sustainment Brigade will foster and maintain positive command climates. A positive command climate is an environment free from personal, social, or institutional barriers that prevent Soldiers from rising to the highest level of responsibility for which they are qualified. This policy applies both on and off post, during duty and non-duty hours. This policy also applies to working, living, and recreational environments (including both on and off-post housing).

6. **Complaint Types and Procedures:** A Provider Soldier or Family member who believes that he or she is discriminated against based on race, color, sex (including gender identity or pregnancy), religion, national origin or sexual orientation has the right and responsibility to present that concern to the chain of command. You are encouraged to file a report without fear of reprisal or retaliation. Any act of reprisal, retaliation, or attempts to discourage the filing of an MEO complaint will not be tolerated and is prohibited. IAW AR 600-20, paragraph 6-6b, Personnel may file either an informal complaint, a formal complaint, or an anonymous complaint.

a. An informal complaint is one that a Soldier, cadet, or Family member does not wish to file in writing. Informal complaints may be resolved directly by the complainant addressing the offending party, a peer, or another person in or outside the complainant's chain of command or NCO chain of command, or the MEO professional. Those issues that can be taken care of informally might be resolved through problem identification and clarification of issues, discussion, recognition of inappropriate or misleading behavior, and a willingness to change. When practical, an informal complaint should be resolved within 60 calendar days.

b. A formal complaint is one that a complainant files in writing and swears to the accuracy of the information. Formal complaints require specific actions, are subject to timelines, and require documentation of the actions taken. MEO and harassment complaints are received by MEO professionals (Division or Brigade MEO advisors) commanders. Complaints cannot be received by EOLs.

c. An anonymous complaint is a complaint where the complainant remains unidentified may be handled as either an informal or a formal complaint. The commander will determine if sufficient information is provided to proceed as either an informal or formal complaint. The commander will be identified as the complainant on the Equal Opportunity and Harassment Complaint Form. If the complaint is processed as an informal complaint, the commander will determine if informing the entire command or part of the organization of the actions taken is appropriate. If during the informal or formal process of an anonymous complaint the identity of the actual complainant is revealed, the complainant will be edited and the actual complainant will be provided the requisite follow-up actions.

7. **Military Equal Opportunity and Harassment 24 Hour Hotline.** IAW AR 600-20, paragraph 6-6j., our 3rd Infantry Division Sustainment Brigade MEO and Harassment local hotline provides 24/7 information on MEO and Harassment policies, procedures on how and where to file complaints, and the behaviors that constitute discrimination and harassment. Additionally, I have charged that the 24 Hour Hotline calls are only answered by the MEO professional. Contact the 24 Hour Hotline at 912-259-0484.

8. Army Heritage Month: IAW AR 600-20, Appendix D-6, Army Heritage Month celebrations occur during the month of June (Annually) in order to promote the Army Values, unit cohesion, teamwork, and Esprit de Corps, as-well-as, foster a culture of equity and inclusion. Commanders will support all personnel desiring to participate in the Army Heritage Month Activities by giving them a reasonable opportunity to participate. If you wish to participate in the Army Heritage Month you should contact Brigade Military Equal Opportunity Advisor.

9. Key Terms. The following terms are included to clarify the bases of discrimination and provide the regulatory definitions of frequently used terms in regard to MEO.

a. *Discrimination* – IAW AR 600-20, Glossary, Section II, The act, policy, or procedure that arbitrarily denies EO or EEO because of race, color, sex (including gender identity), national origin, religion, or sexual orientation to an individual or group of individuals.

b. *Discrimination types* – The following definition of discrimination types apply to the Military Equal Opportunity program.

1. *Color Discrimination*. Occurs when an individual is treated differently based on the lightness, darkness or toner color characteristics of the person. This type of discrimination can occur with race discrimination. Color discrimination can occur between persons of different races or ethnicities. It can also occur when members of the same race treat each other differently because of the lightness or darkness of their skin.

2. *Sex Discrimination*. Occurs when an individual is deprived of an opportunity because of their sex (including gender identity and pregnancy) or when decision are made based on stereotypes and assumptions about abilities, traits, or performance of individual on the basis of sex.

3. *Racial Discrimination*. Occurs when an individual is treated differently because of their racial group, racial characteristics (for example, hair texture, color, facial features), or because of their relationship or association with someone of a particular race. Racial discrimination applies regardless of whether the discrimination is directed at Whites, Blacks or African Americans, Asians or Pacific Islanders, Hispanics or Latinos, Native Americans, American Indian or Alaska Natives, multi-racial individuals, or other ethnicities.

4. *Religious Discrimination*. Occurs when an individual is treated more or less favorable because of their religious beliefs or practices – except to the extent a religious accommodation is warranted. For example, imposing stricter promotion requirements for a person of a certain religion or imposing more or different work requirements on an

individual because of their religious beliefs or practices, or forcing an individual to participate – or not participate – in a religious activity.

5. National Origin Discrimination. Occurs when an individual is treated less favorably because of their origin, ethnicity or accent because it is believed they are a particular nationality.

6. Sexual Orientation Discrimination. One's emotional or physical attraction to the same and/or opposite sex (homosexuality, bisexuality, or heterosexuality). Complaints may be based on actual or perceived sexual orientation, as well as association with an individual or affinity group associated with a particular sexual orientation.

c. *Hazing* – IAW AR 600-20, paragraph 4-19.a.1, a form of harassment that includes conduct through which Soldiers or DA Civilian employees (who haze Soldiers), without a proper military authority or other government purpose but with a nexus to military service, physically or psychologically injures or creates a risk of physical or psychological injury to Soldiers for the purpose of: initiation into, admission into, affiliation with, change in status or position within, or a condition for continued membership in any military or DA Civilian organization. Hazing can be conducted through the use of electronic devices or communications, and by other means including social media, as well as in person.

d. *Bullying* – IAW AR 600-20, paragraph 4-19.a.2, a form of harassment that includes acts of aggression by Soldiers or DA Civilian employees, with a nexus to military service, with the intent of harming a Soldier either physically or psychologically, without proper military authority or other governmental purpose. Bullying is the exposure of an individual or group to physical and/or emotional aggression with the intent to cause distress or harm. Bullying may involve the singling out of an individual from his or her coworkers, or unit, for ridicule because he or she is considered different or weak. It often is indirect or subtle in nature and involves an imbalance of power between the aggressor and the victim. Bullying can be conducted through the use of electronic devices or communications, and by other means including social media, as well as in person.

e. *Retaliation* – IAW AR 600-20, Glossary, Section II, Any person subject to the UCMJ who wrongfully takes or threatens to take an adverse personnel action, or wrongfully withholds or threatens to withhold a favorable personnel action with the intent to discourage or retaliate against any person for reporting or planning to report a criminal offense, or making, or planning to make a protected communication. (See Article 132, UCMJ (2019)).

f. *Reprisal* – IAW AR 600-20, Glossary, Section II, Taking or threatening to take an unfavorable personnel action, or withholding or threatening to withhold a favorable personnel action, or any other act of retaliation, against a Soldier or Family member, for making or preparing a formal MEO complaint, a DA Civilian for engagement in activity in opposition to perceived discrimination; or against an alleged subject under investigation.

g. *Gender Identity* – IAW AR 600-20, Glossary, Section II, the internal perception, experience, or sense of being male or female. Includes how a person labels themselves based on how much they align or do not align with what they understand their options for gender to be. Common identity labels include man, woman, trans or transsexual, and gender fluid, among others. Gender identity may or may not align with one's physical anatomy.

h. *Transgender* – IAW AR 600-20, Glossary, Section II, a person who lives as a member of a gender other than that expected based on their sex assigned at birth. May also be used as an umbrella term to cover and describe a range of identities that transgress socially defined gender norms.

10. *Expiration Date*. This policy is effective immediately and remain in effect until suspended, revoked, or superseded.

11. *Proponent*. The 3rd Infantry Division Sustainment Brigade MEO office is the proponent staff agency for this policy memorandum. Questions concerning this policy should be directed to the 3IDSB MEO office at 912-259-0484.



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Commanding

DISTRIBUTION:

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