



DEPARTMENT OF THE ARMY
INSTALLATION MANAGEMENT COMMAND
JOINT BASE LEWIS MCCHORD YAKIMA TRAINING CENTER
970 FIRING CENTER ROAD
YAKIMA, WA 98901-9399

IMLM-YTC-ZA

20 June 2020

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Yakima Training Center (YTC) Policy Statement #5, Commander's Policy on Equal Employment Opportunity Complaint Procedures

1. Reference, Memorandum, JBLM, IMLM-EE, 16 NOV 2015, subject: Procedures for Filing an Equal Employment Opportunity (EEO) Discrimination Complaint – For Joint Base Lewis-McChord and Army Civilians (Enclosure).
2. All employees at YTC are required to read, understand and comply with the referenced JBLM policy regarding procedures for filing EEO complaints.
3. Point of contact for this policy is Deputy to the Garrison Commander.

Encl
JBLM Policy, dated 16 NOV 15


LUKE A. WITTMER
LTC, SF
Commanding

This policy statement supersedes Policy Statement 5 dated 11 July 2018.



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
HEADQUARTERS, JOINT BASE LEWIS-MCCHORD
1010 LIGGETT AVENUE, BOX 339500, MAIL STOP 1AA
JOINT BASE LEWIS-MCCHORD, WA 96433-9500

*JBLM PS #8

INLM-EE

POLICY STATEMENT # 8

NOV 16 2015

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Procedures for Filing an Equal Employment Opportunity (EEO)
Discrimination Complaint - For Joint Base Lewis-McChord Air Force and Army Civilians

1. References.

- a. AR 690-600, Equal Employment Opportunity Discrimination Complaints, 9 February 2004.
- b. AFI 36-2706, Equal Opportunity Program Military and Civilian, 5 October 2010; C1, 5 October 2011.
- c. Equal Employment Opportunity Commission (EEOC) Management Directive MD 110, 5 August 2015.
- d. 29 CFR 1614.105, Pre-complaint Processing.

2. The purpose of this memorandum is to disseminate to the civilian workforce guidance regarding the procedures to file an EEO discrimination complaint.

3. Individuals who believe they have been subjected to discrimination because of race, color, religion, sex (gender or sexual harassment), age, national origin, physical/mental disability, genetic information or reprisal in an employment matter subject to the control of the Army or Air Force, may use the EEO discrimination complaint procedures without fear of coercion, restraint, interference, harassment, intimidation, or reprisal. Complaints of discrimination based on age will be accepted only from employees or job applicants who are at least 40 years old at the time of the alleged discriminatory action or the effective date of the personnel action.

4. In order to file a timely complaint, an aggrieved person must initiate contact with the EEO Office or EEO counselor within 45 calendar days of the date of the matter alleged to be discriminatory or, in the case of a personnel action, within 45 calendar days of the effective date, Title 29 CFR, Section 1614.105, paragraph (a)(1). Failure to make contact with an EEO Counselor within 45 calendar days may result in dismissal of a formal complaint on the basis of untimeliness.

*This policy statement supersedes JBLM PS #8, dtd 17 January 2013

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**SUBJECT: Procedures for Filing an Equal Employment Opportunity (EEO)
Discrimination Complaint - For Joint Base Lewis-McChord Air Force and Army Civilians**

5. Any person who believes he/she has been discriminated against in an employment matter subject to the control of the Army or Air Force may file an EEO discrimination complaint. Complaints will be fully and impartially investigated and adjudicated by appropriate officials. Action will be expeditious at all levels. Complainants, their representatives, and witnesses will be free from restraint, interference, coercion, discrimination, harassment, intimidation or reprisal at all stages of the presentation and processing of a complaint.


6. If you need further information, the points of contact for EEO complaints may be reached at Building 100, Suite 1077, COL Joe Jackson Blvd, McChord Field (253) 982-1285.

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1. EEO Contact Chart
2. Steps in Individual Complaints of Discrimination
3. EEO Process Chart

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DANIEL S. MORGAN
Colonel, IN
Commanding

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SUBJECT: Procedures for Filing an Equal Employment Opportunity (EEO)
Discrimination Complaint - For Joint Base Lewis-McChord Air Force and Army Civilians



Joint Base Lewis McChord
Civilian Equal Employment Opportunity
& Air Force EO



WHAT YOU SHOULD KNOW ABOUT FILING DISCRIMINATION COMPLAINTS

THE LAW PROHIBITS DISCRIMINATION IN EMPLOYMENT MATTERS

Any Air Force or Army civilian employee, former employee, or applicant for employment who believes he/she has been discriminated against based on race, color, sex, sexual harassment, age (40 or older), religion, national origin, genetic information, physical or mental disability, or reprisal* for prior EEO activity should immediately consult with a member of the EEO staff to resolve the matter. [*Reprisal occurs when employees are treated differently because they are, or were, involved in a protected EEO activity; e.g., seeking or participating in EEO counseling, providing testimony in an EEO investigation or at an EEO hearing, filing a discrimination complaint, or speaking out against discriminatory activities.*]

In order to establish timelines in the formal complaint process, the aggrieved must initiate contact with the EEO official within 45 calendar days of the action or practice alleged to be discriminatory; of the effective date of the personnel action; or from when the aggrieved became aware of the alleged discriminatory action or practice. Failure to make contact within 45 calendar days may result in the dismissal of a formal complaint on the basis of untimeliness.

Individuals who feel they have been sexually harassed have an additional venue. In addition to having their complaint processed under the Equal Employment Opportunity Commission, Title 29, Code of Federal Regulations 1614, they can pursue their complaint under Section 1561 of Title 10, United States Code. For the purpose of an EEO related information inquiry or to initiate a complaint, please contact either JBLM EEO office as listed below:

U. S. Army Civilian Employees
JBLM LEWIS MAIN EEO Office:
Bldg 100, COL Joe Jackson Blvd
Suite 1077, 253-982-1285

U. S. Air Force Airmen & Civilian Employees
JBLM McCHORD FIELD EO Office:
Bldg 100, COL Joe Jackson Blvd
Suite 1077, 253-982-1285

POST TO OFFICIAL BULLETIN BOARDS

Enclosure 1

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SUBJECT: Procedures for Filing an Equal Employment Opportunity (EEO)
Discrimination Complaint - For Joint Base Lewis-McChord Air Force and Army Civilians

STEPS IN INDIVIDUAL COMPLAINTS OF DISCRIMINATION

If you are a federal employee or job applicant, the law protects you from discrimination because of your race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information. The law also protects you from retaliation if you oppose employment discrimination, file a complaint of discrimination, or participate in the EEO complaint process (even if the complaint is not yours.)

There are also federal laws and regulations and Executive Orders (which are not enforced by EEOC) that prohibit discrimination on other bases, such as sexual orientation, marital status, parental status, or political affiliation.

If you are a federal employee or job applicant and you believe that a federal agency has discriminated against you, you have a right to file a complaint. You can contact an EEO Counselor by calling the office responsible for the agency's EEO complaints program.

EEO Counselor

The first step is to contact an EEO Counselor at the agency where you work or where you applied for a job. Generally, you must contact the EEO Counselor within 45 calendar days from the day the discrimination occurred.

In most cases the EEO Counselor will give you the choice of participating either in EEO counseling or in an alternative dispute resolution (ADR) program, such as a mediation program.

If you do not settle the dispute during counseling or through ADR, you can file a formal discrimination complaint against the agency with the agency's EEO Office. You must file within 15 calendar days from the day you receive notice from your EEO Counselor about how to file.

Filing a Formal Complaint

Once you have filed a formal complaint, the agency will review the complaint and decide whether or not the case should be dismissed for a procedural reason (for example, your claim was filed too late).

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If the agency doesn't dismiss the complaint, it will conduct an investigation. The agency has 180 calendar days from the day you filed your complaint to finish the investigation.

When the investigation is finished, the agency will issue a notice giving you two choices: either request a hearing before an EEOC Administrative Judge or ask the agency to issue a decision as to whether the discrimination occurred.

Agency Issues a Decision (Final Action)

If you ask the agency to issue a decision and no discrimination is found, or if you disagree with some part of the decision, you can appeal the decision to EEOC or challenge it in federal district court.

Requesting a Hearing

If you want to ask for a hearing, you must make your request in writing within 30 calendar days from the day you receive the notice from the agency about your hearing rights. If you request a hearing, an EEOC Administrative Judge will conduct the hearing, make a decision, and order relief if discrimination is found.

Once the agency receives the Administrative Judge's decision, the agency will issue what is called a final order which will tell you whether the agency agrees with the Administrative Judge and if it will grant any relief the judge ordered. The agency will have 40 calendar days to issue the final order. It will also contain information about your right to appeal to EEOC, your right to file a civil action in federal district court, and the deadline for filing both an appeal and a civil action.

Filing an Appeal of the Agency's Final Order

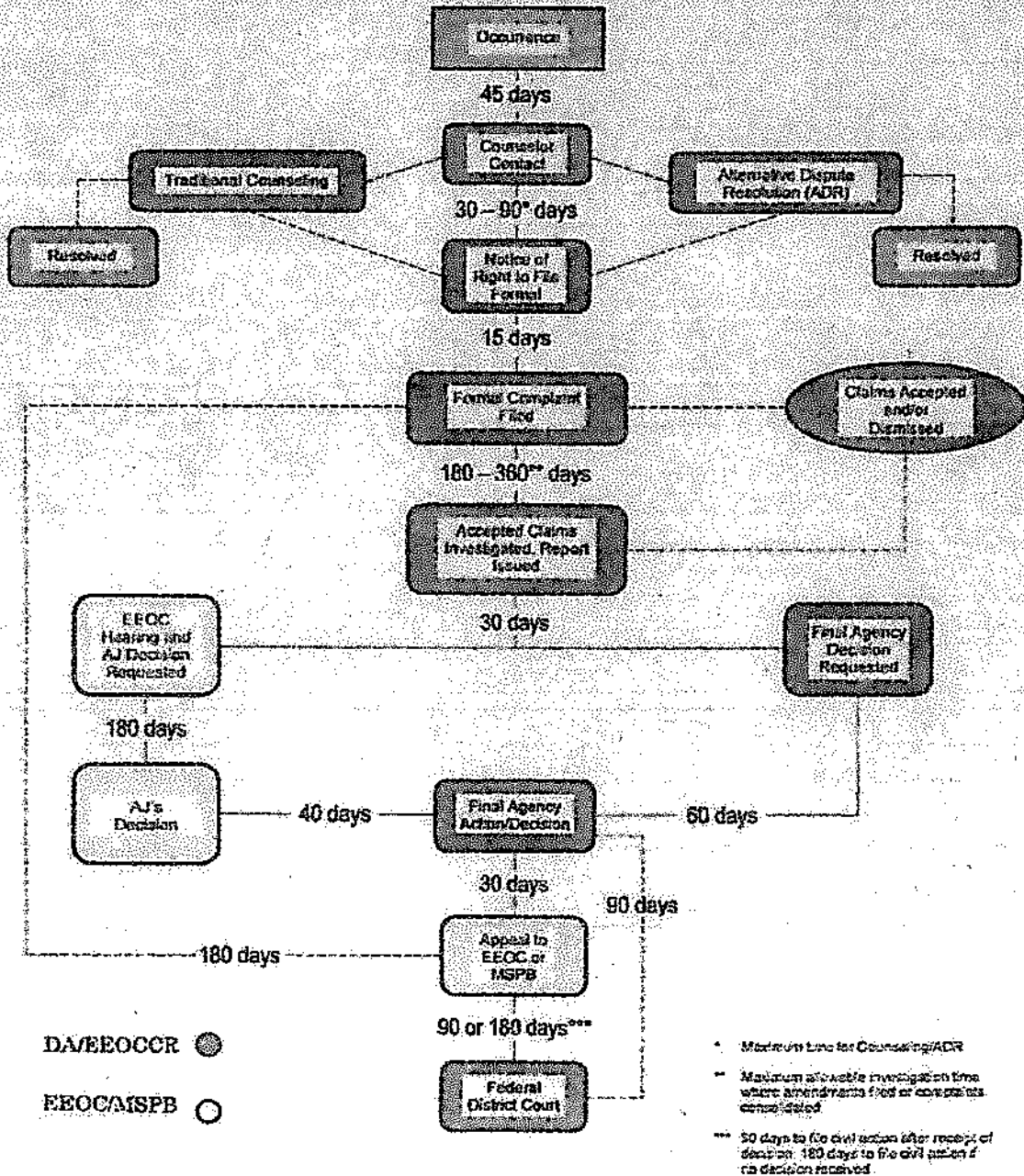
You have the right to appeal an agency's final order (including a final order dismissing your complaint) to EEOC Office of Federal Operations. You must file your appeal no later than 30 calendar days after you receive the final order.

EEOC appellate attorneys will review the entire file, including the agency's investigation, the decision of the Administrative Judge, the transcript of what was said at the hearing (if there was a hearing), and any appeal statements.

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OVERVIEW OF EEO COMPLAINT PROCESS



Enclosure 3