



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

IMYN-ZA

09 OCT. 2018

UNITED STATES ARMY GARRISON YONGSAN - CASEY 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 Regulation (AR) 690-12, Equal Employment Opportunity (EEO) and Affirmative Action, 22 Dec 2016.

b. Army Regulation 690-600, Equal Employment Opportunity Discrimination Complaints, 9 February 2004.

c. Department of the Army Memorandum on Procedures for Providing Reasonable Accommodation for Individuals with Disabilities, 19 March 2009.

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 Yongsan-Casey EEO Offices.

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, upon occurrence. I am personally committed 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 USAG Yongsan-Casey ADR Team will determine, on a case-by-case basis, the appropriateness to offer ADR to an aggrieved individual. Managers and supervisors will generally participate in ADR, if requested by an aggrieved employee, and subsequently determined appropriate for mediation by the commander or his designee.

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6. USAG Yongsan-Casey is firmly committed to the use of alternative methods for resolving disputes were 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, can help restore working relationships and may serve as a preventive measure against future disputes. If mediation is not offered the aggrieved will have the option of processing his/her EEO allegations through traditional EEO counseling.

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

8. Procedures:

a. The matter(s) must be 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 must present the matter(s) to an EEO official for the purpose of making an initial determination as to the proper venue and to advise the individual on various matters, including the availability of ADR. When ADR is offered, the individual may choose 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 may be filed within 15 calendar days from the receipt date of the Notice of Right to File a Formal Complaint of Discrimination memorandum. The complaint must contain a statement signed by the complainant or his/her attorney describing in detail the actions, practices, or issues giving rise to the complaint.

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9. Point of contact is the USAG Yongsan-Casey, EEO Manager, Mr. Adam Morrison at DSN: 315-730-3922 or commercial: 0503-330-3922 or email: adam.l.morrison.civ@mail.mil.



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