



DEPARTMENT OF THE NAVY
NAVAL MEDICAL RESEARCH CENTER DETACHMENT

LIMA, PERU
UNIT NUMBER 3800
APO AA 34041 - 3800

IN REPLY REFER TO

NMRCDINST 5354.1B
15 Jan 2003

NMRCD INSTRUCTION 5354.1B

From: Officer-in-Charge
To: Distribution List No. 2

Subj: NMRCD COMMAND MANAGED EQUAL OPPORTUNITY PROGRAM

Ref: (a) OPNAVINST 5354.1E
(b) OPNAVINST 5354.3D
(c) SECNAVINST 5350.16
(d) SECNAVINST 5354.1

Encl: (1) Responsibilities of the Coordinator for the NMRCD
Command Managed Equal Opportunity Program
(2) Discrimination Complaints Procedures for Military
Personnel

1. Purpose. To promulgate the guidance and policy of NMRCD's Command Managed Equal Opportunity Program (CMEO) in accordance with references (a) through (d).

2. Cancellation. NAMRIDINST 5354.1A

3. Applicability.

a. The provisions of this instruction apply to all NMRCD military personnel. The scope of this instruction also extends to civilian personnel and to dependents of military personnel where applicable.

b. Portions of this instruction are meant to support and amplify provisions for military personnel found in references (a) through (d).

4. Discussion. The Race Relations Education Program (Phase I) was implemented in early 1971. The program consisted of Upward, Executive, and Flag Seminars designed to create a racial awareness that would bring into focus the debilitating effects of individual and institutional racism. Building on the increased awareness created by Phase I, the Navy officially launched the Equal Opportunity (EO) Program, Phase II, in the fall of 1974. The Phase II EO Program focused on Affirmative Action. Reference (a) directs Navy-wide implementation of CMEO as mandated by reference (b). CMEO is designed as an equal opportunity management system responsive to higher authority while at the same time primarily controlled at the command level. It has the flexibility to respond to command-specific needs and draw on external resources as necessary. CMEO does not constitute a change in direction from the basic philosophy and design of Phase II. CMEO is the

redefinition of the self-sustaining aspects of Phase II and the reestablishment of the minimum program criteria. CMEO is a special item in all command inspections conducted by the COMNAVMEDCOM Inspector General.

5. Definition of Terms.

a. Detachment EO Coordinator. An Officer appointed in writing by the OIC to coordinate the EO Program and to serve as a point of contract for all EO matters within the Detachment.

b. Command Specific Demographic Data. Previously referred to as Equal Opportunity Quality Indicators (EOQIs). Detachment specific data which must be maintained in at least the areas of retention, advancement, and discipline, broken down by race, sex, rating, grade, and department.

6. Responsibilities.

a. Officer-in-Charge will:

(1) Ensure that a Coordinator for the NMRCD Command Equal Opportunity Program is appointed in writing. The Coordinator is responsible for overseeing the implementation of this instruction and is the key person for the coordination of all equal opportunity activities at this detachment. Enclosure (1) provides specific guidance and responsibilities of the EO Coordinator.

b. NMRCD Command Equal Opportunity Coordinator will:

(1) Be responsible for the promulgation by instruction of NMRCD procedures for the submission and processing of discrimination and sexual harassment complaints, which shall be in accordance with references (c) and (d) and enclosures (1) and (2).

(2) Ensure the prominent and permanent display of the poster "Navy Procedures for Processing Discrimination Complaints/Grievances for Military Personnel" as required by reference (d).

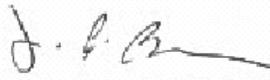
(3) Collect and maintain the Demographic Data as outlined by paragraph 4b.

(4) Be responsible for teaching the "Navy Rights and Responsibilities Workshop". The training is required for all military and will address the following subjects:

15 Jan 2003

- (a) Naval Citizenship
- (b) Communications
- (c) Rights, Responsibilities, and Privileges
- (d) Pertinent Navy Instructions
- (e) Authority of Officers and Petty Officers
- (f) Stereotyping
- (g) Barriers (race, sex, culture)
- (h) Grievances and Redress

7. Action. All military personnel shall ensure complete cooperation in the implementation and maintenance of the NMRCD Command Managed Equal Opportunity Program.


J. P. BURANS

THE COORDINATOR FOR NMRCD COMMAND MANAGED EQUAL OPPORTUNITY PROGRAM

1. General. The Coordinator for the NMRCD CMEO Program is responsible for spearheading the NMRCD CMEO Program and developing, administering and evaluating the provisions of this directive. The Coordinator serves as the principal advisor to the OIC on equal opportunity matters and keeps the Administrative Officer informed of equal opportunity matters within the scope of reference (a) that effect the mission and administration of NMRCD.

2. Responsibilities.

a. Advises in the developing of NMRCD policy instructions and notices on all aspects of equal opportunity.

b. Devises methods for monitoring progress of military minorities and women, and coordinate the efforts of others in monitoring actions.

c. Processes discrimination complaints and keeps informed concerning the status of discrimination complaints in process. Takes action to expedite complaint processing as outlined in enclosure (2).

d. Collects and tabulate NMRCD Specific Demograph Data and to make appropriate recommendations to correct any deficiencies.

e. Coordinates administrative personnel actions in support of Equal Opportunity Program which can only succeed if insensitive practices (i.e., racism, sexism) are identified, weighed and corrected within the Detachment. Recommend disciplinary action as appropriate against any official, military or civilian, who has committed an act of either direct or indirect arbitrary discrimination bases on race, creed, color, sex age, or national origin. Where appropriate, the Coordinator for the NMRCD CMEO Program shall assist in the counseling of personnel in accordance with references (a) and (b).

f. Prepares and/or coordinates the development of required reports on equal opportunity to higher headquarters.

DISCRIMINATION COMPLAINTS PROCEDURES FOR MILITARY PERSONNEL

1. General. OIC's principal guidelines:

a. All discrimination complaints will be effectively investigated, reviewed, and acted upon.

b. Persons in the chain of command shall ensure that previous disciplinary action or poor judgment on the part of the complainant in no way invalidates or prejudices the discrimination complaint.

c. Persons in the chain of command shall make it clear to their personnel that filing a complaint of discriminatory treatment will not place the complainant in danger of reprisal.

d. The Detachment will take appropriate actions with any officer or enlisted member, regardless of rank, who is found guilty of taking retaliatory action against an individual for filing a discrimination complaint.

e. Intentional filing of false discrimination complaints for purposes such as harassment and embarrassment of officer or enlisted personnel is just as reprehensible as discrimination itself and will not be tolerated.

f. The Coordinator shall oversee the processing of discrimination complaints.

2. Discrimination Complaint Procedures.

a. Special Request. When the complaint cannot be immediately resolved between the persons involved or with the help of the immediate supervisors between the persons involved or with the help of the immediate supervisor, the first course of action for a complaint is to submit a Special Request Chit. A complaint is written and attached to a Special Request Chit and submitted through the chain of command. This must be done within five working days after the incident occurs. No special format for a discrimination complaint is prescribed, however, it should be comprehensive and factual.

(1) The Special Request Chit shall be forwarded via the chain of command to the Department Head with comments.

(2) The Department Head, with the assistance of the CMEO, shall attempt resolution of the complaint.

Enclosure (2)

(3) If unable to resolve at Department level, forward chit via the Coordinator for OIC's Request Mast consideration.

(4) If resolved at the Department level, forward chit via the Coordinator for OIC's information.

(5) The chit shall be annotated with the resolution.

b. Captain's Request Mast. Military staff members have the right to speak with the OIC to voice a complaint or obtain assistance in resolving a problem. This procedure should be followed if the first procedure fails or if the problem is crucial and demands immediate action. When mast is requested, each person in the chain of command has the responsibility to forward the request--regardless of whether or not the request is approved (Article 1107 of U.S. Navy Regulations).

(1) If required, the OIC shall convene a formal request mast within 5 days and attempt resolution of the complaint. If unable to find a satisfactory solution, the OIC may appoint a nonpartisan member to conduct an informal investigation of the complaint. If an informal investigation is ordered, it normally will be completed in 10 working days.

(2) It is the responsibility of the Detachment to inform the complainant of his/her right to initiate a complaint of wrongs, (Article 138 of the UCMJ), if the findings/results of the investigative is also responsible to direct or appoint an officer to assist in the preparation of the complaint.

c. Formal Complaint Via Chain of Command. Any person in the naval service may file a report of oppression or misconduct against any supervisor. The complaint shall be in writing and addressed to the member's immediate OIC unless the immediate OIC or his superior is the officer being reported on. In that event, the report is forwarded via the OIC and/or the OIC's superior to the superior who exercises general courts martial jurisdiction over the OIC or the OIC's superior (Article 1106, U.S. Navy Regulations and Manual of the Judge Advocate General, Chap. XI, provides detailed information).

d. Formal Complaint. Any member of the Armed Forces who believes himself/herself wronged by his/her OIC, and who, upon due application to the OIC, is refused redress, may complain to any superior commissioned officer, who shall forward the complaint to the officer exercising general courts-martial jurisdiction over the officer against whom it is made. Additional information and the basis for this procedure are covered by Article 138 of the UCMJ and Manual of the Judge Advocate General, Chap. XI.

Enclosure (2)

15 Jan 2003

e. Corresponding with Members of Congress. Corresponding with members of Congress is authorized under Article 1148 of the U.S. Navy Regulations. A congressional letter may be submitted directly to any member of the U.S. Congress at anytime unless this communication is unlawful or violates a security regulation. This procedure should be followed as a last resort when recourse through the chain of command fails.

Enclosure (2)