



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
**HEADQUARTERS, 21ST THEATER SUPPORT COMMAND**  
**UNIT 23203**  
**APO AE 09263**

AEREO

15 September 2003

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: 21st Theater Support Command Policy Letter 3, Equal Opportunity/Sexual Harassment Complaint Processing Procedures

1. References:

- a. Army Regulation 600-20, Army Command Policy, 13 May 2003.
- b. Army in Europe Policy Letter 26, Processing Equal Opportunity Complaints, 4 May 2003.

2. Soldiers, civilians, and family members who believe they have been discriminated against or sexually harassed have the right to file a complaint. Our soldiers, civilians, and their families have the additional right to thorough and expedient investigations of their grievances when they perceive an injustice or incident of unfair treatment or sexual harassment.

3. The chain of command has primary responsibility for processing complaints of discrimination or sexual harassment. Although using the chain of command is strongly encouraged, it will not serve as the only channel available to the complainant. Should the complainant feel uncomfortable in filing a complaint with their chain of command, or should the complaint be against a member of the chain of command, there are alternate channels available. These alternate channels include higher echelons in the chain of command (to include myself under my Open Door Policy), the Equal Opportunity Advisor, Inspector General, Chaplain, Provost Marshal, Criminal Investigation Division, Staff Judge Advocate, or Housing Referral Office.

4. This command will process all complaints in accordance with AR 600-20 and as outlined in my enclosure. All leaders will ensure that our soldiers, civilians, and family members are fully aware of the procedures for having their complaint heard.

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5. FIRST IN SUPPORT!

Encl  
as

  
BENNIE E. WILLIAMS  
Major General, USA  
Commanding

DISTRIBUTION:  
A (21st TSC Cir 25-30)

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1. PURPOSE: To provide guidelines on complaint procedures.

2. ISSUES:

a. INFORMAL COMPLAINT: An informal complaint is any complaint that a soldier, civilian, or family member does not wish to file in writing. The individual, another unit member, or a person in the complainant's chain of command may resolve these complaints. Informal complaints are not subject to timelines and are not reportable.

b. FORMAL COMPLAINT:

(1) Sworn Statement. The complainant will submit a sworn statement on a DA Form 7279-R (Equal Opportunity Complaint Form). The commander or any commissioned officer is authorized to administer the oath.

(2) Written Feedback. The complainant will receive written feedback from the commander on DA Form 7279-R, Parts II and III. Written feedback may state that appropriate action is being considered but will not delineate specific actions. The commander should meet with the complainant to present orally previous written feedback and discuss the findings of the investigations and actions taken to resolve the issue.

(3) Alternative Agencies. Although using the chain of command is strongly encouraged, it will not serve as the only channel available to the complainant. Should the complainant feel uncomfortable in filing a complaint with his/her chain of command, or should the complaint be against a member of the chain of command, the below listed agencies serve as alternate channels available to the complainant.

- (a) Higher echelon in the chain of command
- (b) Equal Opportunity Advisor (EOA)
- (c) Inspector General
- (d) Chaplain
- (e) Provost Marshal/Criminal Investigation Command
- (f) Medical Agencies

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(g) Staff Judge Advocate

(h) Housing Referral Office

(4) Timelines. The complainant has 60 calendar days from the date of the alleged incident to file a complaint. If a complaint is received after 60 calendar days, the commander may conduct an investigation into the allegations. In deciding whether to conduct an investigation, the commander should consider the reason for the delay, the availability of witnesses, and whether a full and fair inquiry or investigation can be conducted.

(a) If the receiving agency decides not to investigate but to refer to another agency or, with the consent of the complainant, back to the appropriate commander, the referral must be made within 3 calendar days.

(b) The commander has 14 calendar days from the date of receipt to conduct an investigation or to refer the case to a higher echelon.

(c) The commander may obtain an extension of up to 30 calendar days in writing from the next higher commander.

(d) Additional extensions must be approved in writing by the first general officer in the chain of command.

(5) Appeals. After the investigation findings are provided to the complainant, he or she may file an appeal in writing on the DA Form 7279-R, Part IV. Appeals must be submitted within 7 calendar days to the next higher commander in the chain of command. The Commander, 21st TSC, is the final appeal authority for this command.

(6) Final Disposition. The first echelon of command authority at which an EOA is authorized will file the complaint. Complaints will be retained on file for 2 years from date of final decision on the case.

(7) Follow-up Assessments. A follow-up assessment on all formal complaints will be conducted and recorded on DA Form 7279-1-R (Equal Opportunity Complaint Resolution Assessment). Equal Opportunity Advisors will conduct assessments for all substantiated and unsubstantiated formal complaints. This assessment will be conducted

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30-45 calendar days after final decision on the complaint. This assessment will be filed with the original complaint and maintained for 2 years.

(8) Complaint and Assessment Forms. The DA Form 7279-R and DA Form 7279-1-R will be locally reproduced. The DA Form 7279-R is located in AR 600-20 dated 13 May 2003. Authorized EOAs can provide DA Form 7279-1-R.

**Enclosure**