



REPLY TO  
ATTENTION OF

DEPARTMENTS OF THE ARMY AND THE AIR FORCE  
JOINT FORCE HEADQUARTERS - VIRGINIA  
5901 BEULAH ROAD  
SANDSTON, VIRGINIA 23150

NGVA-ZA

10 November 2015

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Command Policy 15-025, Processing Military Equal Opportunity Complaints

1. I am fully committed to the Equal Opportunity process. It is incumbent upon all Commanders to ensure that complaints of discrimination are processed in accordance with National Guard Regulation 600-22/ANGI 36-3. Equal Opportunity is the right of every member of the Virginia National Guard and is an important part of our organizational priorities.
2. Complaints of discrimination filed by Active Guard and Reserves (AGR) Soldiers and Soldiers who are Active Duty Operational Support (ADOS) must be filed within 180 days from the date of the alleged discrimination or when the complainant became reasonably aware of the alleged discrimination. Full-time personnel on behalf of and in coordination with the commander will process the complaint. Commanders will have 14 days from receipt to process an informal discrimination complaint and attempt to resolve the complaint. If the complaint is not resolved, the complainant can withdraw the complaint or file a formal complaint by signing the NGB form 333, checking and initialing the formal box.
3. If the complainant decides to file a formal complaint, it will be filed with the next higher commander. The commander must request an NGB complainant number from the State Equal Employment Manager (SEEM) within 72 hours of receipt of the formal complaint and initiate a reprisal prevention plan. The commander will have 14 days to process the complaint. The process includes completing a procedural review to determine acceptance, dismissal or referral. Commanders will complete an inquiry or investigation, an SJA legal review, attempt resolution and take corrective action as appropriate.
4. At each level, the commander will conduct an additional inquiry and, if necessary, attempt resolution and/or forward to the next echelon if no resolution is made. Complaints will automatically be appealed to the next command level when 14 days have expired. If the complaint remains unresolved, it would continue to go to the next higher command until it reaches the Adjutant General for processing.
5. Complaints of discrimination filed by traditional Guardsmen must be filed within 180 days from the date of alleged discrimination or when the complainant became reasonably aware of the alleged discrimination. The chain of command will be the primary channel for resolving complaints. Allegations of discrimination will be referred for processing by the lowest command level. Commanders will have 30 days from receipt, or through the following drill, to process and to try to resolve the complaint. If

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the complaint is not resolved, the complainant can withdraw the complaint or file a formal complaint by signing the NGB form 333, checking and initialing the formal box.

6. If the complainant decides to file a formal complaint, it will be filed with the next higher commander. The commander must request an NGB complainant number from the State Equal Employment Manager (SEEM) within 72 hours of receipt of the formal complaint and initiate a reprisal prevention plan. The commander at the lowest level will have 60 days to process the complaint. They must complete a procedural review to determine acceptance, dismissal or referral. Commanders will complete an inquiry or investigation, an SJA legal review, attempt resolution and take corrective action as appropriate.

7. At each level, the commander will have 30 days or through the next drill, to conduct an additional inquiry and, if necessary, attempt resolution and/or forward to the next echelon if no resolution is made. Complaints will automatically be appealed to the next command level when 30 days have expired. If the complaint remains unresolved, it would continue to go to the next higher command unit it reaches the Adjutant General for processing.

8. It is imperative that commanders at all levels follow the procedures listed above to ensure timely processing of discrimination complaints. Commanders should try to resolve all complaints at the lowest level. Mediation is available to help resolve conflicts at the unit level.

9. Questions regarding this policy may be addressed through the State Equal Employment Manager's office at 804-236-7739.

10. This policy will be permanently displayed on all bulletin boards.

  
TIMOTHY P. WILLIAMS  
Major General, VaARNG  
The Adjutant General

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