



DEPARTMENT OF THE ARMY
UNITED STATES ARMY GARRISON VICENZA
UNIT 31401, BOX 42
APO AE 09630

REPLY TO
ATTENTION OF:

IMVI-ZA

8 January 2014

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Policy Letter 04-2014 - Right to File a Discrimination Complaint and Commitment to Alternative Dispute Resolution (ADR)

1. References:

- a. 29 CFR 1614.102(b)(2): Federal Sector Equal Opportunity, 9 November 1999.
- b. EEOC Management Directive 110, 9 November 1999.
- c. AR 690-600, Equal Employment Opportunity Discrimination Complaints, 9 February 2004.

2. Purpose. To establish the US Army Garrison Vicenza policy on the Right to File a Discrimination Complaint and to endorse the use of ADR.

3. Applicability. Applies to applicants for employment, employed civilians (appropriated and non-appropriated fund), and certain contractor personnel serviced by the USAG Vicenza Equal Employment Opportunity (EEO) Office.

4. Policy. All Army civilian employees, former employees, or applicants for employment covered by AR 690-600 (Equal Employment Opportunity Discrimination Complaints) are entitled to initiate a complaint of alleged discrimination. Anyone who believes that he or she has been discriminated against because of race, color, religion, sex, national origin, age (40+), physical/mental disability, genetics or subjected to reprisal for previous EEO activity, may file an individual complaint of discrimination.

5. Procedures.

- a. Before a complaint can be filed, the individual must first present the matter(s) to an EEO Official. If ADR is offered, the individual may choose between ADR and the traditional pre-complaint counseling process. The matter(s) must be presented within 45 calendar days from one of the following dates: The date of the matter giving rise to the complaint; the effective date of the personnel action; or the date that the aggrieved became aware, or reasonably should have become aware of the discriminatory event or personnel action.

SUBJECT: Policy Letter 04-2014 - Right to File a Discrimination Complaint and Commitment to Alternative Dispute Resolution (ADR)

b. The complaint process and ADR are designed to reach a resolution concerning the allegations. If resolution is not reached, a formal complaint may be filed within 15 calendar days from the date of receipt of the Notice of Right to File a Discrimination Complaint. The complaint must contain a statement signed by the complainant or his/her representative, describing the actions, practices, or issues giving rise to the complaint.

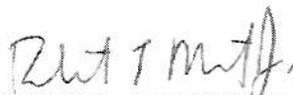
c. The preferred method of ADR throughout the Army is mediation. Mediation is a voluntary and confidential process where a neutral third party (mediator) helps employees and supervisors reach a resolution. Mediators must be certified and have no official, financial, or personal interest in the issue at controversy or in the outcome of the dispute. Employees will not serve as mediators within their organization. In the event there is a cost to obtain a mediator, funding will be the responsibility of the organization where the complaint/dispute originated.

6. Responsibilities.

a. Responsibility and authority for the ADR program rests primarily with the EEO Office. Since all EEO complaints may not be appropriate for ADR, representatives from EEO, CPAC, and Legal will review the allegations of discrimination and make a determination as to whether the claim could be resolved through the ADR process. Once ADR is offered and the aggrieved elects in writing to participate, it is considered that both parties have knowingly and voluntarily entered into the ADR process.

b. Supervisors, managers and employees have the responsibility to resolve workplace disputes to enhance productivity and promote work relationships. US civilians may request conflict resolution services from the EEO Office to resolve non-EEO work related issues between co-workers when these issues adversely affect an organization's mission accomplishment or morale.

7. Point of contact for the ADR Program is the EEO Officer at DSN 314-634-7084.


ROBERT L. MENIST, JR.
COL, IN
Commanding

DISTRIBUTION: Electronic