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Personnel

**MILITARY EQUAL OPPORTUNITY AND
TREATMENT PROGRAM**

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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This Air Force Instruction (AFI) gives the requirements of the Air Force Equal Opportunity and Treatment (EOT) program. It applies to all military personnel subject to the Uniform Code of Military Justice (UCMJ), Reserve Officer Training Corps (ROTC), Air Force Reserve, and all Air Force civilian personnel subject to administrative and or disciplinary action under applicable directives or implementing instructions governing civilian disciplinary or adverse actions. Air National Guard (ANG) personnel are not subject to the UCMJ unless on Federal active duty status under Title 10, United States Code (U.S.C.). It implements Air Force Policy Directive (AFPD) 36-27, *Social Actions*, 3 September 1993; Department of Defense (DoD) Directive 1325.6, *Guidelines for Handling Dissident and Protest Activities Among Members of the Armed Forces*, 12 September 1969, with Changes 1 and 2; DoD Directive 1350.2, *Department of Defense Military Equal Opportunity (MEO) Program*, 18 August 1995; DoD Instruction 1350.3, *Affirmative Action Planning and Assessment Process*, 29 February 1988; and DoD Directive 1300.17, *Accommodations of Religious Practices Within the Military Services*, 17 October 1988.

The Privacy Act of 1974 applies to this instruction. Each form that is subject to the provisions of AFI 37-132 must contain a Privacy Act Statement, either in the form itself or attached to it. The authorities to collect personal information and maintain the records listed in this instruction are Title 42, U.S.C., Section 290 ee-3, et seq., and Executive Orders 9397 and 11478. **Attachment 1** contains a glossary of references, abbreviations, acronyms, and terms.

SUMMARY OF REVISIONS

This AFI contains Equal Opportunity and Treatment (EOT) program information taken from AFI 36-2701, *Social Actions Program*, chapters 1, 2, 3, and 7 with the following changes: expands the EOT program objectives (paragraph **1.1.**); requires documentation in performance reports for serious or repeated EOT violations (paragraph **1.1.4.**); explains HQ USAF/DP responsibilities (paragraph **1.4.**); updates HQ USAF/DPCH responsibilities (paragraph **1.5.1.**); explains various Air Force organization's responsibilities to the Defense Equal Opportunity Management Institute (DEOMI) (paragraphs **1.11.** and

1.12.); changes the requirements for Social Actions instructors; provides procedures for adding films to the audiovisual list of Air Force-approved films (paragraph 2.8.1.); modifies use of volunteers (paragraph 2.19.); reduces observation period for retrainees to 20 duty days (paragraph 2.20.3.); expands informal assistance (paragraph 2.22.); renames Unit Orientation Briefing to Newcomers Orientation Briefing and expands the training requirement to 1 hour (Table 2.2.); replaces and renames staff assistance visit program to the unit climate assessment program and deletes substance abuse assessment (paragraph 3.1.); modifies procedures for including civilians in the unit climate assessment program (paragraph 3.2.2.); explains the Wing Climate Assessment report and Wing Climate Assessment Committee (WCAC) (paragraph 3.5.); deletes chief, Social Actions substance abuse responsibilities (paragraph 4.2.); updates responsibility of geographically separated unit (GSU) commanders (paragraph 4.3.); encourages the use of informal resolution before formal complaints (paragraph 4.9.1.); clarifies complaints involving DoD contractors (paragraph 4.10.); changes approval authority for withdrawing formal complaints from the Installation Commander to the Chief, Social Actions (paragraph 4.17.2.); expands complaint clarification processing time to 20 dutydays (paragraph 4.19.1.); clarifies guidance on EOT Inquiry Assistance (paragraph 4.23.); clarifies appeals for administrative findings of unlawful discrimination or no unlawful discrimination (paragraph 4.25.); explains that commanders can administer appropriate disciplinary action while an appeal is pending (paragraph 4.25.3.); includes guidance on Article 31, Rights of Advisement (paragraph 4.28.); explains the use of feedback in complaint clarifications (paragraph 4.29.); includes guidance for mediation (paragraph 4.32.); includes guidance on accommodation of religious practices (paragraph 4.40.); changes from 6 months to 60 days the time limit to file a complaint (Table 4.1.); updates guidance on IG referrals; changes definition of senior official from O-6 (colonel) to an O-7 (brigadier general) (Attachment 1); adds more terms and updates the definitions of existing terms (Attachment 1); deletes age as a category of “unlawful discrimination” (Attachment 1); and deletes ethnic group as a basis for filing a complaint (Attachment 1). A | indicates revision from the previous edition

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Chapter 1

ORGANIZATION ACTIONS

| Section 1A—General Information

1.1. Program Objectives. The primary objective of the EOT program is to improve mission effectiveness by promoting an environment free from personal, social, or institutional barriers that prevent Air Force members from rising to the highest level of responsibility possible based on their individual merit, fitness, and capability. The EOT program:

1.1.1. Is a function of leadership and command based on fairness, equity, and justice.

1.1.2. Seeks to eliminate unlawful discrimination against military personnel based on race, color, religion, sex, or national origin. Unlawful discrimination and sexual harassment are contrary to good order and discipline and counterproductive to combat readiness and mission accomplishment. Unlawful discrimination against Air Force personnel or their family members, on or off base, will not be tolerated.

1.1.3. Encourages members to use the chain of command to identify and correct unlawful discriminatory practices. This includes processing and resolving complaints of unlawful discrimination and sexual harassment. The chain of command is responsible for creating an environment free from unlawful discrimination and sexual harassment.

1.1.4. Ensures rating and reviewing officials evaluate compliance with DoD and Air Force directives prohibiting unlawful discrimination and sexual harassment and document serious and repeated deviations from such directives in performance reports. Membership in groups espousing supremacist causes or advocating unlawful discrimination must be considered in evaluating and assigning members. (See AFI 51-903, Dissident and Protest Activities.)

1.2. Organizations That Discriminate. Military members and their family members must not be arbitrarily denied access to on or off base facilities in the United States or overseas. Organizations that deny personnel access because of their race, color, religion, sex, or national origin, or which otherwise in the judgment of the installation commander engage in de facto discrimination, will be denied use of military facilities or resources.

1.3. Off-base Discrimination. Commanders must impose "off-limits" sanctions using the procedures in AFI 31-213, Armed Forces Disciplinary Control Boards and Off-Installation Liaison and Operations. Sanctions are imposed when there is substantive information indicating that an establishment or area frequented by their personnel presents conditions which adversely affect the health, safety, welfare, morale, or morals of such personnel. Efforts to combat unlawful discrimination must continue despite pending results of suits initiated under the Civil Rights Act of 1964 and 1991, Titles II, III, and IV as amended (Title 42, U.S.C., chapters 20 and 21 et. seq.).

Section 1B—Office of the Deputy Chief of Staff Personnel

| 1.4. Air Force Deputy Chief of Staff for Personnel (HQ USAF/DP):

1.4.1. Exercises overall responsibility for managing the EOT and Human Relations education (HRE) programs.

1.4.2. Formulates and oversees periodic mandatory EOT and HRE and training programs for all Air Force members and civilian employees. Such training is mandatory for pre-commissioning programs, initial entry training, and all levels of professional military education (PME). Training programs will include comprehensive material on:

Leadership roles and responsibilities for the EOT program.

Complaint processing.

Legal implications.

Reprisal prevention and detection.

Climate assessment methodologies.

Equal Employment Opportunity (EEO) systems.

1.4.3. Monitors the Military Equal Opportunity Assessment Program (MEOA). MEOA provides an overall assessment of each DoD Component's AAPs and EOT Programs.

1.4.4. Establishes the Affirmative Action Plan (AAP) at the Air Force level (to include the Reserve components). The program is designed to identify and resolve EOT problems through formulating, maintaining, and reviewing AAPs with established objectives and milestones. This includes accountability in personnel management, consistent with DoD Instruction 1350.3.

1.5. Air Force Human Resources Development Division (HQ USAF/DPCH):

1.5.1. Formulates, coordinates, executes, revises, and disseminates EOT and human relations education (HRE) policies.

1.5.2. Manages programming and implementation of Air Force Military Equal Opportunity (MEO) budgets.

1.5.3. Communicates with other Air Force, DoD, and civilian agencies that have collateral equal opportunity responsibilities and interests.

1.5.4. Provides policy guidance and clarification for MAJCOM Assistants for Social Actions and field operating agencies (FOA).

1.5.5. Convenes and attends conferences and other professional forums that address EOT issues, and determines appropriate Air Force representation at these events.

1.5.6. Coordinates and serves as the focal point for all requests from Defense Equal Opportunity Management Institute (DEOMI) and approves all retraining waiver requests:

1.5.6.1. Manages the Air Force programs and funds all operational expenses of DEOMI, except for the pay, allowances, and travel costs of military and civilian members of other DoD components.

1.5.6.2. Reviews and approves all nomination packages for Air Force members selected for assignment to DEOMI.

1.5.6.3. Establishes the grade requirement for attendance at DEOMI as E-5 or above and ensures all personnel nominated for attendance at DEOMI meet the prerequisites established in AFMAN 36-2108, Airman Classification.

1.5.6.4. Approves all grade waivers for retraining applicants.

1.5.7. Ensures all personnel who perform EOT duties and personnel filling Chief of Social Actions positions have completed the DEOMI 16-week resident course. (The three-phase Reserve Component (USAF/ANG) EO Officer Managers Course and the 2-week EO Program Managers Course are not authorized in lieu of the active duty 16-week resident course without the advance coordination and approval of HQ AFPC/DPSFS, AFPOA/DPW, HQ USAF/DPCX, and HQ USAF/DPCH.)

1.5.8. Serves as focal point for manpower, personnel issues, and career field management.

1.5.9. Assigns staff to handle EOT-related complaints and Congressional and high-level inquiries pertaining to policy on EOT.

1.6. Air Force Personnel Center, Field Activities Division, Social Actions Branch (HQ AFPC/DPSFS):

1.6.1. Oversees the development, implementation, and management of Social Actions program operations to support established polices.

1.6.2. Administers the Air Force EOT Complaint Data Collection Program.

1.6.3. Provides operational guidance to MAJCOM Assistants for Social Actions and installations.

1.6.4. Develops procedures for managing and documenting Social Actions activities.

1.6.5. Disseminates EOT information.

1.6.6. Assigns staff to handle complaints and Congressional and high-level inquiries that pertain to EOT.

1.6.7. Responds to suggestions when they affect EOT operational procedures.

1.6.8. Reviews inspection reports and other evaluations and assists as necessary.

1.6.9. Maintains a Military Equal Opportunity and Sexual Harassment Information line for Air Force members, their family members, retirees, and civilian employees. Military Equal Opportunity and Sexual Harassment Information line should provide information on what kinds of behavior constitute unlawful discrimination and sexual harassment, and how and where to file a complaint. Military Equal Opportunity and Sexual Harassment Information line personnel will be fully trained to address situations concerning National Guard and Reserve personnel.

1.6.10. Convenes and attends conferences and other professional forums that address EOT issues.

1.6.11. Develops, reviews, and updates all EOT educational objectives, materials, and programs.

1.6.12. Analyzes current and future base-level and MAJCOM operational needs.

1.6.13. Conducts Social Actions Awards selection panels.

1.6.14. Distributes Affirmative Action Plan (AAP) analysis or summaries to MAJCOM commanders who will distribute them to their base installation commanders to compare Air Force progress with their respective level of command. Provides copies to the MAJCOM Assistant for Social Actions for distribution to base level Social Actions offices.

Section 1C—Headquarters, United States Air Force**1.7. Judge Advocate General of the Air Force (HQ USAF/JA):**

- 1.7.1. Provides legal opinions, instructions and guidance concerning EOT programs.
- 1.7.2. Provides guidance on EOT policies and procedures to Air Force legal officers.

1.8. Air Force Chief of Security Police (HQ USAF/ SP):

- 1.8.1. Develops policies and procedures for security police who may be involved in equal opportunity and treatment incident control and investigation. See AFI 71-101, Criminal Investigations, Counter-Intelligence and Protective Service for Air Force Office of Special Investigation (AFOSI) and Security Police investigative responsibilities.
- 1.8.2. Coordinates with other military services and local investigative and law enforcement agencies on EOT matters.

Section 1D—Major Commands (MAJCOM)**1.9. MAJCOM Director of Personnel (DP).**

- 1.9.1. Is responsible for implementation and oversight of MAJCOM MEO programs.
- 1.9.2. Ensures installations provide mandatory education and training in EOT and Human Relations on a recurring basis and at all levels of PME for all Air Force members and civilian employees, including general officers. (See **Table 2.2.** for education requirements.)

1.10. MAJCOM Assistant for Social Actions.

- 1.10.1. Monitors all MAJCOM Social Actions elements for Air Force policy compliance. AFD 36-27, paragraphs 1.6 and A1.2 outline guidance for “measuring compliance with policy.”
- 1.10.2. Provides assistance and guidance to base-level Social Actions offices.
- 1.10.3. Develops command-wide EOT guidance, programs, and procedures for the field.
- 1.10.4. Identifies problem areas by analyzing trends. Advises base level offices of corrective and preventive actions on EOT matters.
- 1.10.5. Provides base Social Actions personnel with on-going formal training and guidance in appropriate specialties. Determines and requests MAJCOM Assistants for Social Actions requirements for training according to Air Force Catalog (AFCAT) 36-2223, US Air force Formal Schools and, when applicable, sends them to HQ USAF/DPCH.
- 1.10.6. Provides quality assessments and self-inspection items on an annual or as-needed basis to Social Actions offices within their respective MAJCOM. As a minimum, assess the following processes:
 - Human Relations Education.
 - EOT complaints.
 - Customer satisfaction.
 - The unit climate assessment.

- AF Form 1271, Social Actions Record of Assistance.
- EOT incidents.
- Semi-annual wing climate assessment.

1.11. Air Force Space Command (AFSPC). Provides administrative, logistical, and other appropriate support for Air Force military and civilian staff members at DEOMI.

1.12. Air Education and Training Command (AETC). Budgets and finances the travel and per diem costs of Air Force students who attend DEOMI.

Section 1E—Other Agencies

1.13. Air Force Operations Support Center (AFOSC). AFOSC provides HQ USAF/DPCH with copies of Operations Event/Incident Report (OPREP-3) reports relating to EOT incidents.

1.14. National Guard Bureau (NGB). The Director, Equal Opportunity Directorate (NGB-EO):

- 1.14.1. Develops and monitors EOT plans, policy, and programs that apply to the ANG.
- 1.14.2. Establishes and administers the ANG Discrimination Complaint System and develops policies and procedures for processing, managing, and adjudicating unlawful discrimination complaints.
- 1.14.3. Controls attendance of ANG personnel at DEOMI, manages ANG quotas for DEOMI training, and approves and funds ANG adjunct faculty for DEOMI.

1.15. Air Force Reserve. The Chief of Personnel Division, Office of Air Force Reserve (HQ USAF/REP):

- 1.15.1. Develops and monitors EOT plans, policies, and programs that apply to the Air Force Reserve.
- 1.15.2. Ensures off-duty or non-duty behavior that affects the military workplace is covered by the unlawful discrimination and sexual harassment prevention programs, emphasizing the principle of “full-time values - part-time careers.” An example of off-duty behavior that impacts the workplace is quid pro quo sexual harassment, i.e., submission to off-duty sexual advances or requests for sexual favors is made either explicitly or implicitly a term or condition of a reservist’s job.

1.16. Defense Equal Opportunity Management Institute (DEOMI). DEOMI’s mission is to enhance combat and operational readiness through improved leadership by functioning as the DoD center of excellence in all facets of EOT and human relations education and training. DEOMI:

- 1.16.1. Provides basic skill training to Social Actions chiefs and EOT technicians. Technicians are awarded the AFSC 3S131 upon completion of the basic skill training.
- 1.16.2. Performs EOT and human relations research and acts as a clearing house to monitor and disseminate research findings on EOT and human relations.
- 1.16.3. Serves as the focal point for administering the Military Equal Opportunity Climate Survey (MEOCS) program.

Chapter 2

BASE SOCIAL ACTIONS OFFICE

Section 2A—General Information

2.1. EOT/HRE Program Objective. To improve mission effectiveness by assisting commanders at all levels in conducting programs for EOT/HRE.

2.2. Scope and Limitations:

2.2.1. Social Actions personnel must inform commanders of problems that may adversely affect members' behavior, health, duty performance, or the mission.

2.3. Publicizing Programs. The Social Actions staff must ensure Installation and Air Force EOT policy memorandums, along with the location and telephone number of the Social Actions office are posted in heavily trafficked areas. The areas should include, but not necessarily limited to, the Military Personnel Flight (MPF), commissary, base exchange, unit orderly rooms, and MWR facilities.

2.4. Developing a Referral Guide. The Social Actions staff and the Family Support Center (FSC) develop a referral guide by identifying on- and off-base Social Actions resources. If the base does not have a FSC, then the Social Actions Office alone develops a referral listing (updated annually). The Social Actions staff:

2.4.1. Provides a copy of this guide to all personnel at the Key Personnel Briefing (KPB).

2.4.2. Provides updated guides to all unit commanders and first sergeants.

2.5. Setting Up Social Actions Office Facilities. Locate Social Actions facilities centrally in one building that is accessible to all base personnel. Facilities should present a professional setting and must include:

2.5.1. Private consultation areas.

2.5.2. Classrooms for HRE.

2.5.3. Space for normal office operations (AFI 32-1024, Standard Facility Requirements).

2.6. Responding to Congressional and Other High-Level Inquiries. When responding to congressional and other inquiries under AFI 90-401, Air Force Relations with Congress that relate to EOT, coordinate responses with the MAJCOM Assistant for Social Actions and HQ USAF/DPCH as appropriate.

2.7. Establishing Unit Continuity Files. Base Social Actions Offices:

2.7.1. Establish a continuity file for each unit that has more than 50 military people. Each continuity file contains:

- Reports from the last two UCA visits.
- Documented KPBs.
- Data on EOT trends.

- AF Form 3969, Commander's Unit Climate Assessment Critique.

2.7.2. Mark UCA reports and trend data FOR OFFICIAL USE ONLY (FOUO).

2.7.3. Maintain and dispose of documentation in accordance with AFI 37-139, Disposition of Air Force Records--Records Disposition Schedule.

2.8. Using Audiovisual Materials. Social Actions Offices may show films and videos listed only on the audiovisual list of Air Force-approved films. Requests for film listings are made from the Defense Audio Visual Information System (DAVIS) through the Visual Information Manager:

2.8.1. To add a new film to the list, preview the film, then send a request memorandum to MAJCOM Assistant for Social Actions who will concur or nonconcur with the request, and forward it to HQ AFPC/DPSFS for final approval. Include in the request memorandum:

- The name of the film.
- The address of the film's distributor.
- The cost of the film.
- How you will use the film.

2.8.2. If approved, HQ AFPC/DPSFS will add the film to the audiovisual list of Air Force-approved films.

2.9. Armed Forces Disciplinary Control Board (AFDCB). An EOT staff representative will serve as a member of the Armed Forces Disciplinary Control Board (AFDCB). The AFDCB handles reports of off-base discriminatory practices adversely affecting members of the Air Force or their families. See AFI 31-213, Armed Forces Disciplinary Control Boards and Off-Installation Liaison and Operations, for detailed guidance.

2.10. Command Post. The Operations Support Center (command post) includes Social Actions in its incident reporting checklist. All EOT incidents categorized as major incidents under the criteria of paragraph 4.6.6 of this instruction and AFMAN 10-206, Operational Reporting, must be reported to higher headquarters through the Event and Incident reports (OPREP 3), RCS: HAF-XOO(AR)7118; JCS Publication volume 2, part 3, JCS Publication 25 and AFMAN 10-206.

Section 2B—Privacy Act and FOIA.

2.11. Privacy Act of 1974 and Freedom of Information Act (FOIA).

2.11.1. The Chief of Social Actions will review and serve as the “disclosure authority,” as defined in AFI 37-131, Air Force Freedom of Information Act Program, for all social actions records which are determined to be responsive to a specific FOIA request. The Chief of Social Actions will provide the “denial authority” with a denial recommendation for those records to be denied in whole or in part as a result of a specific FOIA or Privacy Act request.

2.11.2. For guidance on responding to FOIA requests and disclosure of records, see, AFI 37-131 Air Force Freedom of Information Act Program and AFI 37-132, Air Force Privacy Act Program.

2.11.3. Under the Privacy Act of 1974, whenever individuals are requested to provide personal information for inclusion in a Social Actions record, such as their name or SSN, they must be informed of the following (see AFI 37-132):

- What law conveys authority for soliciting personal information.
- Whether disclosing that information is mandatory or voluntary.
- What is the principle purpose of collecting the information.
- What the information is routinely used for. Include only uses outside DoD with name of agency or activity and reason.
- What effects, if any, individuals can expect if they do not provide it.

2.12. Reviewing FOIA Requests. Coordinate all FOIA requests for Social Actions records with the local FOIA Office and the local SJA.

2.13. Using Computers. Establish procedures to protect information stored on computer hard drives and in network drives. Dispose of data from computer hardware and software that are established or maintained under this instruction according to AFI 37-139, Disposition of Air Force Records--Records Disposition Schedule.

2.14. Disposing Records. Dispose records that are established or maintained under this instruction according to AFI 37-139.

Section 2C—Special Procedures and Supplements

2.15. Procedures During Contingencies, Hostilities, and War:

2.15.1. At the discretion of the Installation Commander (IC), EOT staff functions focus on preventing EOT incidents and resolving complaints at bases directly involved in combat operations.

2.15.2. EOT personnel at all USAF locations focus on education and identifying and reporting to commanders acts, behaviors, or practices of unlawful discrimination which may undermine unit cohesiveness and mission capability.

2.16. MAJCOM Supplements to This Instruction:

2.16.1. Process supplements according to AFI 37-160, volume 1, The Air Force Publications and Forms Management Programs--Developing and Processing Publications.

2.16.2. Send supplements to HQ AFPC/DPSFS for review and approval with a copy to HQ USAF/DPCH.

2.16.3. HQ AFPC/DPSFS and HQ USAF/DPCH will review and approve MAJCOM Assistant for Social Actions supplements to this AFI.

2.17. Base-level Supplements. Send supplements to the MAJCOM Assistant for Social Actions for review and approval before publication

Section 2D—Managing Personnel

2.18. Establishing an On-Call Roster. The Chief of Social Actions establishes and distributes an on-call roster of Social Actions personnel who are available outside normal duty hours to respond in an emergency to the command post, security police, emergency room, and Geographically Separated Unit (GSU) commanders.

2.19. Using Volunteers. The Chief of Social Actions may use volunteers to assist in Social Actions programs, but must screen all potential volunteers to ensure they have not committed substantiated acts of unlawful discrimination and that their integrity, motives, and maturity are appropriate for such duties.

2.19.1. Volunteers may be active duty military, civilian, retired, or family members.

2.19.2. Volunteers may assist in all phases of the EOT program except for:

- Conducting EOT/HRE classroom instruction.
- Analyzing Unit Climate Assessment (UCA) survey and interview data.
- Processing EOT incidents, complaints, complaint clarification, or inquiry.
- Conducting one-on-one interviews.

2.20. Recruiting Social Actions Retrainees. Chief of Social Actions:

2.20.1. May recruit local personnel to retrain for Social Actions service.

2.20.2. Interviews retraining applicants.

2.20.3. Establishes and documents an observation period consisting of a minimum of 20 duty days of part-time duty in Social Actions before making a recommendation concerning retraining.

2.20.4. Makes a written recommendation concerning retraining to the individual's unit commander supported by considerations of:

A review of the member's military records.

The candidate's interview with the Chief of Social Actions.

The observation period.

The candidate's communication skills both written and verbal.

The unit commander's recommendation.

Any other relevant factors.

Section 2E—Social Actions Education

2.21. Responsibilities:

2.21.1. HQ AFPC/DPSFS develops, reviews, and updates all EOT educational objectives, materials, and programs.

2.21.2. DEOMI-trained Social Actions instructors will conduct education to meet the requirements listed in **Table 2.2.**, rules 6-11.

2.21.3. Instructors:

- Develop and maintain personalized lesson plans that are tailored to Air Force and the installation's EOT objectives.
- Get written approval for all lesson plans from the Chief of Social Actions before implementing them.

2.21.4. Chief of Social Actions:

- Evaluates (in writing) an entire education class of each instructor and keeps the evaluations on file.
- During the KPB, gives the IC and other key personnel an assessment of local EOT issues and their impact on mission effectiveness (**Table 2.2.**, rule 9).
- Ensures HRE classes are updated into the Personnel Data System (PDS) using established data elements (DIN codes) for HRE.

2.21.5. ICs approve all recurring locally developed programs before they are implemented.

2.21.6. The MPF will schedule military personnel requiring HRE as part of the INTRO process. Social Actions will schedule special seminars or other training requirements directly with the squadrons or other organizations.

2.21.7. The Civilian Personnel Flight (CPF) will schedule civilian personnel for HRE. Social Actions will provide the CPF with class dates, times, location, and number of available slots. At the conclusion of each class, Social Actions will forward the civilian attendance roster to the CPF with the names of civilian attendees for the purpose of updating civilian personnel training records.

Section 2F—Informal Assistance

2.22. Conducting Assistance. Informal assistance may include referrals, conflict resolution, and general EOT program information. EOT technicians will document any service rendered. Document informal assistance on AF Form 1271, Social Actions Record of Assistance. Document informal complaints on AF Form 1587-1, EOT Informal Complaint Summary. See paragraph **4.14.** for informal complaint process.

Section 2G—Reporting Requirements

2.23. Equal Opportunity and Treatment/Human Relations Education Summary (RCS: HAF-DP (SA)7204):

2.23.1. Base-level Social Actions:

- Completes an AF Form 3018, Equal Opportunity/ Human Relations Education Summary, at the end of each reporting period (1 October to 31 March and 1 April to 30 September).
- Sends the original report plus one copy to the MAJCOM Assistant for Social Actions within 10 calendar days of the close-out date.

2.23.2. The MAJCOM Assistant for Social Actions forwards a consolidated AF Form 3018 and a copy of each installation's report to arrive at HQ AFPC/DPSFS no later than the 25th of the month following the reporting period. MAJCOM Assistants for Social Actions will ensure the following information is included with the report:

- An assessment of the command's human relations climate.

- A summary of the command's EOT program, including a description of innovations, achievements, and a discussion of problems, solutions, and lessons learned. (State whether or not HQ USAF/DPCH or HQ AFPC/DPSFS assistance is needed.)
- MAJCOM Social Actions policy guidance issued during the previous 6 months.
- Recommendations for improving the Air Force EOT program.

2.23.3. This report is designated emergency status code C-2. Continue reporting during emergency conditions by normal precedence. Submit data requirements in this category as required or as soon as possible after submission of priority reports.

Table 2.1. Handling Requests for EOT Case File.

| R U L E | A | B | C |
|------------------|--|--|--|
| 1 | If the requester is The complainant | and the requester makes a (see note 1) functional request or writ- ten FOIA request | then Release a copy of the case file, excluding personal information other than that of the requester (such as SSN, home addresses, and phone numbers), after coordinating the release of information through the legal office and the FOIA office. (See note 1). Do not release witness statements, conclusions, and recommendations listed in the complaint clarification letter, legal review, and commander's management actions under FOIA. See AFI 37-131 for the proper exemptions to apply in denying the materials listed. A denial or partial denial of any responsive document will result in a functional request automatically |
| 2 | The alleged offender | functional request or writ- ten FOIA request | being processed as a FOIA request. See AFI 37-131, para 15.2. Ensure “witness statements” are included as part of the information that will not be released. In all cases, consultation and coordination with the base FOIA and legal offices are recommended prior to release of information. |
| 3 | A witness or third party | functional request - or writ- ten FOIA | |
| 4 | SJA, commander, or first sergeant (see note 2) | written request for material needed to perform his or her duties (must have demonstrated a need to know) | Release to requester, and mark material as “FOUO.” |

NOTES:

1. Do not release clarification information when there is an on-going IG inquiry or investigation. All IG inquiries and investigations information will be determined for release by IG.
2. If requesters are not the SJA, commanders, first sergeants, or senior enlisted advisors (SEA), then absolutely without exception they cannot receive verbal or written information on any inactive or active case without filing a request through FOIA channels.

Table 2.2. Education Requirements.

| R U L E | A | B | C | D |
|------------------|---|--|--|--|
| | If the individual is (see note 1) | then the curriculum package to use is (see notes 2, and 3) | and the training is required | and the minimum required length of training is |
| 1 | Officer's Orientation Course attendee | AFOOC Lesson Plan | during initial military training or attendance | (see note 3). |
| 2 | ROTC attendee | AFROTC Lesson Plan (see note 5) | during initial military training or attendance | (see notes 3 and 4). |
| 3 | Basic military trainee | 737 Military Training Group Education Lesson Plan | during initial military training or attendance | (see note 3). |
| 4 | OTS trainee | OTS Lesson Plan (see note 5) | during initial military training or attendance | (see note 3). |
| 5 | USAFA cadet | USAFA Education Lesson Plan | within 30 duty days of arrival | 2 hours. |
| 6 | a military member or DoD civilian employee on his or her first permanent duty assignment (see note 6) | First Duty Station Orientation (see note 7) | within 30 duty days of arrival (see note 8) | EOT: 5 hours. |
| 7 | a military member or civilian employee upon a second or subsequent permanent change of station | Newcomers Orientation Briefing (see note 9) | within 30 duty days of arrival | 1 hour. |

| R U L E | A | B | C | D |
|------------------|---|--|--|--|
| 8 | If the individual is (see note 1) a military member or DoD civilian employee at an overseas duty station as a second or subsequent duty assignment(see note 10) | then the curriculum package to use is(see notes 2, and 3) Overseas Orientation Briefing | and the training is required within 30 duty days of arrival | and the minimum required length of training is Social Actions: 1.5 hours (see note 11). |
| 9 | wing commander, group commander, squadron commander, section commander, senior enlisted advisor and first sergeants | Key Personnel Briefing | within 30 duty days of or appointment to position | 1 hour. |
| 10 | an Airman Leadership School student | Lesson Plan elements from NCO PME curriculumAFI 36-2301, Professional Military Education | during course attendance | 2 hours. |
| 11 | Major Command NCO Academy student | Lesson Plan elements from NCO PME curriculumAFI 36-2301 | during course attendance | 2 hours. |
| 12 | an Air University student attending PME course: Senior NCO Academy (SNCOA), Squadron Officers School (SOS), Air Command and Staff College (ACSC), Air War College (AWC) | Lesson plan elements in basic course curricula | during PME attendance | (see note 3). |

NOTES:

1. Other interested individuals, such as DoD spouses and Air Force civilian employees, may attend on a space-available basis.

2. Social Actions instructors may use only lesson plans that the Chief of Social Actions approves in writing.
3. Lesson plans, objectives, and length of training must comply with the Air Force EO program guidelines..
4. The base Social Actions Office conducts Reserve Officer Training Corp (ROTC) education during summer encampment. The optimum class size is between 15 and 20 students.
5. Emphasizes:
 - Roles and responsibilities of junior leaders related to the Air Force EOT program.
 - Air Force policy against unlawful discrimination and sexual harassment.
 - Resolution processes for addressing allegations of unlawful discrimination.
6. At a minimum, First Duty Station Orientation must cover:
 - Air Force policy as described in AFD 36-27.
 - Responsibilities of Air Force personnel.
 - Location and responsibilities of the Social Actions Office.
7. Class size is normally about 25.
8. Members should, if possible, receive education before arriving at GSUs.
9. Social Actions provides this briefing to base newcomers. Social Actions will provide the date, time, and location for all newcomers orientation briefings to the MPF and CPF. The MPF and CPF will schedule military and civilian members, respectively, for class attendance. As a minimum, the briefing must cover:
 - Air Force, MAJCOM, and local policies.
 - Local trends.
 - On- and off-base human relations climate.
 - Individual, supervisor, and manager's roles and responsibilities.
10. As required by MAJCOMs incorporates EOT policy, and intercultural relations education as part of the installation's local orientation program. If not required, rule 9 applies.
11. Course length varies with local requirements and emphasis.

Chapter 3

SOCIAL ACTIONS ASSESSMENT PROGRAMS

| Section 3A—Unit Climate Assessment (UCA) Program

3.1. Purpose and Scope:

3.1.1. The UCA helps commanders at all levels assess their organization's EOT climate. A UCA identifies positive and negative factors that affect mission accomplishment and proposes corrective actions, when appropriate.

3.1.2. Conduct UCAs on a regularly scheduled basis for each unit with 50 or more military personnel assigned. Tailor the UCA to meet the needs of the commander. Conduct assessments:

- 6 months after assumption of command.
- Upon a commander's request.
- At least every 2 years.

3.1.3. Commanders will be apprised of the various instruments and methods to assess their unit's human relations climate. EOT personnel will advise commanders of these services at KPBs and upon request. EOT personnel should promote the UCA program and ensure commanders understand the positive benefits of these assessments as they relate to unit readiness.

3.1.4. The following survey instruments are available for use by commanders to evaluate their unit's human relations climate:

- Air Force-approved UCA Survey.
- Air Force Organizational Climate Survey (OCS).
- The DoD MEOCS

3.1.5. EOT personnel will:

- Assist commanders in the distribution and collection of surveys.
- Compile and analyze survey data results (Air Force survey).
- Conduct personal interviews.
- Consolidate interview findings.
- Prepare final unit outbriefs and written reports.
- Provide assistance to commanders desiring to use or administer the MEOCS.

3.1.6. The EOT staff furnishes the UCA report to the commander. The commander reviews and evaluates the report and determines what action, if any, is appropriate. UCA reports are the property of the requesting commander, protected to the maximum extent permitted under the FOIA. Requests for UCA reports from the IC, SJA, or other Air Force or DoD agency in the performance of official duties are official requests and are not considered a FOIA request, or processed in accordance with AFI 37-131.

3.1.7. AF Form 3969, Commander's Unit Climate Assessment Critique (CUCAC), is used to assess the quality of the UCA process in helping commanders determine the health and functioning effectiveness of their organizations:

3.1.7.1. At the conclusion of the UCA visit, the commander will complete the form and return it to the EOT Staff. The EOT staff will file it in the unit's continuity folder attached to the UCA final report.

3.2. Interviews of Civilian Personnel Flight (CPF):

3.2.1. A written request from the commander is required to conduct surveys or interviews of civilian employees as part of a UCA. The written request must be maintained in the unit continuity folder.

3.2.2. EOT personnel must coordinate in advance all requests to conduct surveys or interviews of civilian employees with the CPF. The CPF will provide necessary notifications to local union representatives prior to conducting such surveys or interviews. The CPF will, as appropriate, assist in administering surveys and interviews of civilian employees.

3.3. Social Actions UCA Report. File a copy of each UCA report in the unit's continuity folder.

Section 3B—"Out and About" Climate Assessment

3.4. Purpose. To gather information on EOT and quality of life issues for the wing, unit or appropriate agency chief. Document "out and About" assessments on AF Form 1271.

Section 3C—Installation EOT Climate Assessment

3.5. Wing Climate Assessment Committee:

3.5.1. Purpose. The Wing Climate Assessment Committee (WCAC) provides the IC and subordinate and tenant unit commanders with an assessment of the base EOT climate at least twice a year

3.5.2. A Wing Climate Assessment Committee will be held, at the direction of the IC. The committee will meet at least twice a year covering the periods October to March and April to September. The committee's agenda will include reviewing semi-annual statistics and trends and developing counter measures to neutralize any identified threat to good human relations. The IC will ensure minutes of the WCAC are documented and will be maintained by the EOT office. The minutes will serve as a source document to support requests for climate assessment analysis. The IC assigns duties to WCAC members and chairs the committee. The following organizations will provide representatives:

- Equal Employment Opportunity Office.
- MPF.
- Housing Referral Office.
- Chaplain.
- Social Actions.
- Family Support Center.
- Public Affairs.
- Security Police.

- Judge Advocate.
- Civilian Personnel.
- Services.
- AFOSI.
- Senior Enlisted Advisor.
- Other members deemed appropriate by the IC.

3.5.3. As a minimum, the WCAC will provide the IC with:

- An analysis of UCAs conducted within the report period.
- Number of unlawful discrimination complaints and EOT incident reports.
- Information that may impact the EOT climate, such as equity in:
 - Promotions.
 - Involuntary separations.
 - Unfavorable Information Files.
 - Discipline (Article 15s and courts-martial).
 - Awards and Decorations

3.5.4. The installation commander may also request an installation-wide climate assessment. EOT personnel may use current data (3 - 6 months) from previous unit UCAs or administer an installation-wide assessment.

Chapter 4

EQUAL OPPORTUNITY AND TREATMENT (EOT) PROGRAM

Section 4A—Installation

4.1. Installation Commander (IC):

- 4.1.1. Provides for an environment that is free from unlawful discrimination and sexual harassment.
- 4.1.2. Develops policies to prevent unlawful discrimination and sexual harassment, and ensures those policies are prominently posted in locations and areas frequented by the base population.
- 4.1.3. Ensures personnel attend HRE as required.
- 4.1.4. Reviews all closed EOT cases on a monthly basis.
- 4.1.5. Acts to repeal any instruction or change any practice, including reprisal, that does not support equal opportunity policy.
- 4.1.6. Directs the assessment of the base human relations climate.
- 4.1.7. Ensures appropriate disciplinary and corrective actions are taken if unlawful discrimination or reprisal is substantiated.
- 4.1.8. Ensures rating and reviewing officials evaluate compliance with directives prohibiting unlawful discrimination and sexual harassment and document serious or repeated deviations.
- 4.1.9. Decides first level appeals of formal complaints of discrimination.

4.2. Chief, Social Actions:

- 4.2.1. Serves as the commander's staff officer for the EOT program.
 - 4.2.1.1. Provides central point at installation level to receive formal and informal complaints of unlawful discrimination and maintains a staff of fully qualified and trained EOT counselors.
- 4.2.2. Promotes EOT to senior leadership on the installation and to the base population.
- 4.2.3. Manages budget, manpower, and resource issues for Social Actions.
- 4.2.4. Ensures only DEOMI-qualified graduates conduct base-level EOT/HRE instruction programs.
- 4.2.5. Helps GSUs with Social Actions-related issues as outlined in the local host-tenant agreement.
- 4.2.6. Oversees the Social Actions staff.
- 4.2.7. Evaluates the EOT Social Actions office at least twice a year using the compliance measure provided by the MAJCOM Assistant for Social Actions.
- 4.2.8. Evaluates, in writing, base-level Social Actions education programs at least once a year.

4.3. Geographically Separated Unit (GSU) Commanders:

- 4.3.1. Provide for an environment that is free from unlawful discrimination and sexual harassment.

4.3.2. Direct the assessment of GSU's human relations climate. UCAs are conducted for all units with 50 or more assigned military personnel every 24 months or more frequently upon request by the GSU commander. The host Social Actions office will perform UCAs for GSUs.

4.3.3. Ensure unit members are able to present EOT complaints without fear of reprisal. The host Social Actions office will provide complaint processing assistance for GSU commanders. The services to be provided by the host Social Actions office should be outlined in a Host/Tenant Support Agreement per AFI 25-201, Support Agreements Procedures.

4.3.4. Ensure assigned personnel attend HRE as required. The host Social Actions office will provide training as requested by the GSU commander.

4.3.5. Ensure appropriate disciplinary and corrective actions are taken if unlawful discrimination or reprisal is substantiated.

4.3.6. Ensure rating and reviewing officials evaluate compliance with directives prohibiting unlawful discrimination and sexual harassment and document serious or repeated deviations.

4.3.7. Appoint officers or noncommissioned officers (NCOs) with the rank of TSgt or above to perform EOT-related duties outlined in this instruction:

- Individuals selected to perform EOT-related duties must be mature, responsible, and not be assigned as members of the Inspector General (IG) staff.
- The host Social Actions office will develop training plans and provide training for GSU personnel selected to perform EOT-related duties. As a minimum, such training will consist of the following: conducting UCAs, reporting EOT incidents, handling initial complaint interviews, and limited fact-finding as deemed appropriate by the GSU commander.

Section 4B—Responsibilities

4.4. EOT Specialists:

4.4.1. Conduct and process complaint and incident clarifications.

4.4.2. Maintain close liaison with on- and off-base agencies, establishments, advisory councils, and special emphasis groups. Serves as advisor for special observances.

4.4.3. Conduct HRE, including KPBs.

4.4.4. Gather and evaluate EOT-related data from SP, IG, HC, MPF, and other agencies for trend analysis, including security police blotters, incident reports, and MWRS logs.

4.4.5. Provide assistance to IG inquiry officers.

4.4.6. Prepare 7204 Reports and other higher headquarters reports.

4.4.7. Conduct clarifications for off-base housing complaints when installations are not serviced by a Housing Referral Office.

4.4.8. Conduct Social Actions unit and wing climate assessment visits.

4.4.9. Provide guidance and referral assistance related to the EOT/HRE programs.

4.4.10. Assist the IC in developing EOT (including sexual harassment) policy statements for their base.

4.4.11. Apprise unit commanders of observed discriminatory circumstances when no complaint has been submitted.

4.4.12. Apprise unit commanders of formal complaints lodged against members of their units. (EXCEPTION: Refer complaints against senior officials directly to the IG. See **Attachment 1** for definition of the term senior official.

4.4.13. Provide counseling, information, referral, and other assistance to members who have experienced unlawful discrimination or sexual harassment.

4.5. Unit Commanders:

4.5.1. Inform unit members of their right to file EOT complaints without fear of reprisal.

4.5.2. Inform members through briefings and EOT policy memorandums that unlawful discrimination and sexual harassment will not be tolerated and that appropriate disciplinary and corrective action will be taken if unlawful discrimination or reprisal is substantiated

4.5.3. As a minimum, provide Social Actions the demographics of participants and action taken on all EOT allegations handled within the unit. Social Actions will report this information as complaints worked by the Unit or CC in the remarks section of AF Form 3018.

4.5.4. Investigate allegations of unlawful discrimination

4.5.5. Take action to end unlawful discrimination.

4.5.6. In a fair, impartial, and prompt manner enforce EOT policy.

4.5.7. Ensure rating and evaluating officials evaluate compliance with EOT directives and document repeated or serious violations.

4.5.8. Conduct periodic climate assessments.

Section 4C—Reporting and Clarifying EOT Incidents

4.6. EOT Incidents. An EOT incident is an overt act, occurring on or off base, directed toward an individual, group or institution which is motivated by or has overtones based on color, national origin, race, religion, or sex.

4.6.1. Categories of incidents. An EOT incident will be classified as either a minor, serious, or major incident as follows:

4.6.1.1. Minor incidents include any of the following:

- An incident involving fewer than 10 active participants.
- Simple assault.
- An act resulting in minor physical injury requiring less than 2 days of medical care.
- Vandalism of less than \$300 that includes discriminatory anti-Semitic, racial, supremacist activity, discriminatory epithets, signs, or symbols.

4.6.1.2. Serious incidents include any of the following:

- An incident involving 10 to 20 active participants.
- Aggravated assault.

- An act resulting in physical injuries requiring medical confinement of 2 to 5 days.
- Vandalism of \$300 to \$1,000 that includes anti-Semitic, racial, and supremacist group activity, discriminatory epithets, signs, or symbols.

4.6.1.3. Major incidents include any of the following:

- An incident involving more than 20 active participants.
- An act that results in a death.
- Arson.
- Vandalism in excess of \$1,000 that includes anti-Semitic, racial, supremacist group activity, discriminatory epithets, signs, or symbols.
- An act resulting in physical injuries requiring medical confinement for more than 5 days.
- The activities of groups supporting supremacist causes, advocating unlawful discrimination, or otherwise advocating the use of force or violence to deprive individuals of their civil rights when such activities constitute an immediate danger to the loyalty, discipline or morale of Air Force personnel.

4.7. Incident Clarification:

4.7.1. The Chief of Social Actions and EOT staff respond to and clarify EOT incidents. With the concurrence of the IC, the Chief of Social Actions classifies incidents according to the criteria of paragraph 4.6.1. of this instruction. The EOT incident clarification process:

- Determines the facts and cause of EOT incidents.
- Assesses the severity of EOT incidents to morale, good order, discipline, and unit effectiveness.
- Develops recommendations for the Chief of Social Actions and the IC concerning the classification of the incident and any appropriate corrective action.

4.7.2. Information from other investigative agencies may be used to accomplish the clarification. EOT personnel should avoid overlapping on-going investigation being conducted by other agencies.

4.8. Higher Headquarters Reporting Requirements:

4.8.1. Minor Incidents. Report all minor incidents to the MAJCOM Assistant for Social Actions via routine message within 72 hours after notification.

4.8.2. Serious Incidents. Report incidents categorized as serious by priority message to MAJCOM Assistants for Social Actions within 72 hours of Social Actions notification. Send copies of the message to HQ USAF/DPCH and HQ AFPC/DPSFS.

4.8.3. Major Incidents. Report incidents categorized as major through the Event/Incident Reports (OPREP-3), RCS: HAF-XOO(AR)7118; JCS Publication 6 volume II, part 3; JCS Publication 25; and AFMAN 10-206. Also, report incidents categorized as major by priority message to MAJCOM Assistants for Social Actions within 24 hours of Social Actions notification. Send copies to HQ USAF/DPCH and HQ AFPC/DPSFS:

- 4.8.3.1. Event and Incident Reports are designated emergency status code C-2. At the discretion of ICs, continue reporting during emergency conditions, normal precedence. Submit data requirements in this category as prescribed or as soon as possible after submission of priority reports.

4.8.4. Follow-up Message. Send follow-up messages to the MAJCOM Assistant for Social Actions every 30 calendar days until final action is taken.

| Section 4D—EOT Complaints

4.9. Purpose of the EOT Complaint Process. The EOT complaint process is a means for military members to present allegations of unlawful discrimination and sexual harassment to the offending party, someone in a position of authority, or both. See **Table 4.1.** for complaint processing responsibilities:

4.9.1. When appropriate, complainants should be encouraged to resolve complaints informally before filing formal complaints within supervisory and chain of command.

4.9.2. Encourage early reporting of problems at the lowest level and promote fair resolution.

4.10. Lodging Equal Employment Opportunity (EEO) Complaints. When the complainant is a civil service employee, document allegations of unlawful discrimination on AF Form 1587, EOT Complaint Summary, and refer it to the EEO officer regardless of the status of the alleged offender (military member or civil service employee). See AFI 36-1201, Discrimination Complaints, for guidance.

4.10.1. Refer noncompliance of Air Force equal opportunity standards involving DoD contractor personnel to the appropriate agency for resolution, (i.e., EEOC, Dept. of Labor, etc.). Coordinate the AF Form 1587 through the local contracting officer, SJA, and the commander responsible for the Social Actions program.

4.11. Immediate Referral:

4.11.1. All complaints involving allegations of suspected criminal activity, such as assault, sexual assault, rape, child abuse or molestation, or incest shall be immediately coordinated with the servicing Staff Judge Advocate and referred, as appropriate, to the Air Force Office of Special Investigations or the Security Police.

4.11.2. All complaints involving allegations of homosexual conduct shall be immediately referred to the subject's military commander for appropriate action. See AFI 36-3206, Administrative Discharge Procedures for Commissioned Officers, Atch 2, and AFI 36-3208, Administrative Separation of Airmen, Atch 2. Such complaints are not within the purview of the Air force Military Equal Opportunity and Treatment Program.

4.11.3. All complaints of unlawful discrimination that are not within the authority of the EOT complaints process will be immediately referred to the appropriate agency authorized to resolve such complaints, e.g., Army and Air Force Exchange Services, Nonappropriated Fund, or Housing Referral Office. Commanders may serve as a referral service for addressing allegations of unlawful discrimination.

4.12. Cases Involving Senior Officials (0-7 and above), Colonels and Colonels Select:

4.12.1. There are special reporting and complaint processing requirements for EOT complaints involving senior officials, colonels, and colonels select.

4.12.1.1. ICs will notify SAF/IGS of complaints involving senior officials.

4.12.1.2. ICs will notify MAJCOM IGQs and DP SAF/IGQ of EOT complaints involving colonels or colonels select.

4.12.2. Social Actions will refer all EOT complaint involving senior officials to SAF/IGS. See **Table 4.1.**, rule 3.

4.12.3. Social Actions will handle EOT complaints involving colonels and colonels select.

4.12.3.1. Base level EOT technicians should consult their MAJCOM Assistant for Social Actions prior to conducting complaint clarifications in cases involving colonels and colonels select to determine the most appropriate complaint resolution avenue (i.e., clarification, inquiry, or investigation).

4.13. Complaints Processing Procedures - Joint Service and Department of Defense Activities. The following guidance applies to Joint Service duty or DoD activities:

4.13.1. Each agency will establish a memorandum of agreement and understanding with the host military service responsible for implementing and administering MEO programs.

4.13.2. Military personnel are encouraged to resolve complaints informally at the lowest level in the chain of command.

4.13.3. Commanders and agency heads should be aware some service members may know of or be more comfortable using their parent Service's complaint system only.

4.13.4. These individuals should be afforded the benefit of using their Service's EOT complaint and counseling systems to ensure DoD standards on handling complaints are met for each member.

4.13.5. Where practical, DoD and Joint Service agencies should establish and appoint a DEOMI-qualified EOT technician to assist in the EOT complaint process and prepare initial reports for the commanders' review and disposition.

4.13.6. Ensure DoD and the service EOT policies and programs are publicized, prominently displayed, understood, and executed throughout the organization.

4.13.7. Establish an EOT program that complies with the guidelines of DoD Directive 1350.2 and this instruction, which reflects the standards, values, and principles of existing service programs, resources, and counseling programs.

4.13.8. If after 5 duty days, an informal resolution has not been accomplished, the host Service or agency should advise the complainant that he or she has the option to either refer the matter to the host EOT office or to the complainant's service's EOT complaint and counseling system.

4.14. Informal Complaint Process:

4.14.1. EOT offices must publish and publicize Air Force and local procedures for filing informal and formal complaints of unlawful discrimination and sexual harassment.

4.14.2. Use AF Form 1587-1, EOT Informal Complaint Summary, to document informal complaints. The principle purpose of the form is to collect and record essential informal data regarding unlawful discrimination and sexual harassment.

4.14.3. Military members:

4.14.3.1. Have several options available to assist them in informally resolving unlawful discrimination or sexual harassment complaints prior to filing a formal complaint.

4.14.3.2. May orally address or prepare written correspondence to the alleged offender advising him or her of the inappropriate behavior with a clear message that continued behavior may or will result in possible formal complaint action.

4.14.3.3. Request intervention by a co-worker.

4.14.3.4. Are encouraged to use the chain of command (i.e., request assistance from their supervisor, first sergeant, or commander) to informally resolve unlawful discrimination and sexual harassment complaints.

4.14.3.5. Use the mediation process to mutually resolve disputes. (See **Section 4E--** Mediation)

4.14.3.6. May lodge and document informal complaints of unlawful discrimination or sexual harassment with the Social Actions office. The informal resolution process is for individuals who elect not to file a formal complaint. The EOT staff must document such allegations on AF Form 1587-1. Individuals who decline to file a formal complaint and decide to use the chain of command, or other informal resolution process will be advised that their visit will be documented and followed up. The complainant's signature is not required on AF Form 1587-1.

4.14.4. The EOT staff may assist complainants with summarizing allegations of unlawful discrimination or sexual harassment and will conduct follow-ups on informal complaints within 5 duty days.

4.14.5. Air Force military members who reasonably believe an unfavorable personnel action (including the withholding of a favorable action) was taken or threatened in reprisal may file a complaint with the Air Force IG (or subordinate level IG) in accordance with AFI 90-301, Inspector General Complaints, chapter 3.(See **Attachment 1** for a definition of reprisal)

4.15. Allegations Other Than Unlawful Discrimination. If the complainant does not allege unlawful discrimination, then document the visit and time on AF Form 1271. Refer the member to the appropriate agency, if applicable, and follow up the case. Follow-up will occur within 5 duty days.

4.16. Documenting Complaints. Document the complaint on AF Form 1587. Clearly and concisely describe the complainant's concerns and specific allegations. Allegations should be detailed, citing the people involved, describing the alleged discriminatory behaviors, including the date and time, and location of alleged discriminatory behaviors. When an allegation of unlawful discrimination comes from an anonymous source, document it on AF Form 1587 and apprise the appropriate commander or agency. The EOT technician should code the case "E" or "R" and take appropriate actions.

4.17. Filing or Withdrawing Formal Complaints:

4.17.1. If an allegation of unlawful discrimination or sexual harassment is submitted to the EOT office more than 60 days after the alleged offense, the complainant must provide sufficient justification or extenuating circumstances to the EOT staff for review and subsequent approval by the IC.

4.17.2. Individuals wishing to withdraw a complaint (AF Form 1587) must receive Chief of Social Actions' approval.

4.18. Clarifying Complaints. The purpose of a complaint clarification is to determine whether a formal EOT complaint is supported by a preponderance of the credible evidence. (See **Attachment 1** for a definition of the term Preponderance of Evidence.)

4.18.1. A complaint clarification must be completed for all “E” (EOT complaint code) unlawful discrimination complaints.

4.18.2. The complaint clarification process includes interviewing or taking statements from persons (complainants, potential witnesses, and alleged offenders) who may have information relevant to the complaint and gathering data from records or reports (where appropriate). (See paragraph **4.28.** for guidance concerning rights advisements.)

4.18.3. If a clarification results in a determination that a preponderance of the evidence indicates an alleged EOT violation has in fact occurred, the case must be forwarded through the servicing SJA to the commander concerned for appropriate action. A case forwarded for SJA review and command action must contain information sufficient to enable the commander to both independently determine, to his or her satisfaction, the facts surrounding the alleged EOT violation and take appropriate action.

4.19. Clarification Process:

4.19.1. Process all complaint clarifications within 20 duty days.

- 9 duty days for Social Actions clarification.
- 6 duty days for legal review.
- 5 duty days for unit commander to outline intended action (follow up in 30 days).

4.19.2. Social Actions keeps complainant informed of status at each step of the process.

4.20. Requesting Extensions. If Social Actions, the SJA, or the commander cannot meet the allotted timelines outlined above, the Chief of Social Actions may verbally grant separate extensions of no more than 5 days each for the complaint clarification, legal review, or command action (total extensions may not exceed 15 duty days). Social Actions will document all reasons for the extension and brief the complainant. The memorandum will be made a part of the case file. Following the initial extensions, the Chief of Social Actions will apprise the IC every 14 duty days of the status of the case. The IC will also be apprised of all additional and subsequent requests for extensions.

4.21. IG Inquiries and Investigation. When the complaint clarification results in inconclusive findings, EOT personnel may request the IC or appointing authority to direct an IG investigation into the unresolved EOT allegations. All such requests must be coordinated with the appointing authority’s staff judge advocate. If an investigation is directed, the IG will provide Social Actions a summary statement of findings regarding its outcome, conclusions, and recommendations. If a commander-directed inquiry is directed, the commander responsible for the inquiry will provide Social Actions a summary statement of findings regarding its outcome, conclusions, and recommendations.

4.21.1. Social Actions will provide any necessary assistance to the IO throughout the IG investigation. (See paragraph **4.24.** for further guidance.)

4.22. Briefing the Alleged Offender. The unit commander must brief the alleged offenders on the nature and details of any complaints against him or her. The unit commander must debrief the alleged offender on the outcome of the complaint and advise the alleged offender of his or her right to appeal the findings

of a formal complaint of discrimination. The commander should protect the complainant's identity whenever possible and should caution the alleged offender against reprisal or other retaliatory actions. (See paragraph 4.25.2.)

4.23. Equal Opportunity (EO) Inquiry or Investigation Assistance. EOT Personnel:

4.23.1. Provide the Inquiry or Investigating Officer (IO) with information on the EOT staff's role in assisting IOs conducting inquiries or investigations into allegations of unlawful discrimination or sexual harassment

4.23.2. Provide subject matter expertise (SME), advice and assistance to the IO during all phases of the inquiry process.

4.23.3. Ensure compliance with the appropriate DoD directives, Air Force policy directives, instructions, and manuals governing the equal opportunity program.

4.23.4. Determine whether the allegations are under the EOT purview; i.e., race, color, religion, national origin, or sex. Further, specify whether the allegations involve unlawful personal or institutional discrimination.

4.23.5. Review the Report of Inquiry (ROI) to ensure key facts and supporting documentation submitted by the complainants, alleged offenders, witnesses, and statements and official documents are included as part of the official Air Force record.

4.23.6. Ensure the IO addresses all allegations involving unlawful discrimination (racism, sexism, etc.) sexual harassment, prejudice, subtle discriminatory behavior, preferential treatment, trends, and reprisal in the ROI.

4.23.7. Ensure all relevant exhibits and documents are reviewed and included in the ROI.

4.23.8. Ensure any previous attempts to resolve the allegations and incidents of unlawful discrimination are included in the ROI 4 (i.e., chain of command, mediation, etc.).

4.23.9. At the conclusion of the inquiry or investigation, ensure all allegations have been thoroughly addressed and documented in the ROI.

4.23.10. When appropriate, document equal opportunity involvement on AF Form 1587. The Chief of Social Actions will ensure EOT involvement is recorded during the review and assessment of the case. If no AF Form 1587 exists, establish a memo for record to document the assistance, outcome of the case, and actual time spent providing assistance.

4.23.11. When EOT-related inquiries or investigations are directed by the appointing authority or higher headquarters, the IG or appointing authority will request assistance from the appropriate level EOT office.

4.23.12. The IC appointment letter will include a Social Actions point of contact to assist the IO during the inquiry and investigation. The Social Actions representative will provide assistance to the IO throughout the inquiry process.

4.24. Resolving Differences Over Cases. The EOT staff will forward the case to the IC when there is a significant disagreement regarding the violation of EOT policy.

4.25. Military Equal Opportunity Appeal Process:

- 4.25.1. The sole mechanism for appealing the disposition of an informal complaint of discrimination is to file a formal complaint.
- 4.25.2. Both the complainant and the subjects of a formal complaint of discrimination may appeal a findings of discrimination or no discrimination.
- 4.25.3. The administrative appeal process is not applicable to findings rendered pursuant to command action under the UCMJ. When a commander initiates or has previously initiated action under the UCMJ, that action takes precedence over any ongoing or contemplated appeal. In such circumstances, the applicable UCMJ appellate processes are the exclusive method of appeal. Commanders are not required to withhold appropriate command action while an appeal is pending under this section.
- 4.25.4. Decisions on appeals will be based on written EOT case files and any additional written matters submitted with the appeal.
- 4.25.5. All appeals are to be in writing and will usually consist of no more than three single-spaced typewritten pages. Supporting documents may be attached to the written appeal.
- 4.25.6. Installation commanders, MAJCOM/DPs, AF/DP and SAF/MIB are authorized to decide appeals of formal complaints of discrimination. Appeals must be submitted through the local Social Actions office to the lowest appropriate level of command authorized to decide the appeal, e.g. to the IC for appeals of installation-level complaints. Social Actions will ensure the Appeal Authority receives a complete copy of the case file concerning the original formal complaint of discrimination, the written appeal, and recommendations from the Chief of Social Actions concerning the disposition of the appeal. The appeal will be forwarded through the Appeal Authority's servicing Staff Judge Advocate for a legal review prior to action on the appeal.
- 4.25.7. Appeal authorities may sustain or overrule any finding below or remand the matter for further fact finding.
- 4.25.8. Appeal authorities will issue written determinations briefly reporting the action taken on the appeal and the reasons supporting that action. Written appeal determinations will be delivered through the local Social Actions office and a copy maintained in the case file. If an appeal results in a complaint being referred for further fact finding, the member who filed the appeal will be apprised of this fact and informed of the anticipated date of further action.
- 4.25.9. Members dissatisfied with the action on their appeal will have 5 duty days from receipt of an appeal determination to appeal to the next higher level of command. Appeals to the next higher level of command will be submitted through the local Social Actions office. The 5 duty day time limit may be waived upon a written showing of good cause.
- 4.25.10. SAF/MIB is the final review and appeal level for findings of formal complaints of unlawful discrimination and sexual harassment.
- 4.25.11. The appeals process is applicable only to formal complaints of unlawful discrimination or sexual harassment filed by military members.
- 4.25.12. Complainants may not use the IG system simply because they are dissatisfied with the outcome of an appeal. The IG system is not an available channel of review unless there was an abuse or misuse of the established process for appealing formal complaints of discrimination.

4.26. Follow-up Action. If unlawful discrimination was substantiated, contact the complainant within 30 calendar days after the complainant signed AF Form 1587 to determine if unlawful discrimination has ceased. Also, determine if the complainant has experienced reprisal or negative repercussions as a result of the complaint.

4.27. Reprisals. Social Actions personnel will refer military members to the IG when they claim they were subjected to reprisal as a result of filing a complaint:

4.27.1. Any military member alleging reprisal actions will be advised of the provision of AFI 90-301, paragraph 3.3 and attachment 4, and immediately referred to the IG.

4.27.2. To deal effectively with reprisals in the Reserve and Air National Guard, follow up on sexual harassment and unlawful discrimination cases which should be extended 1 year following conflict resolution.

4.28. Rights Advisement During EOT Complaint Clarifications:

4.28.1. Military members reasonably suspected of committing an offense under the Uniformed Code of Military Justice (UCMJ) must be advised of their rights against self-incrimination under Article 31 before being interviewed. If during the course of an interview, a member not initially suspected of an offense makes an incriminating statement, the interview must be stopped at that point and the member advised of his or her rights against self-incrimination.

4.28.2. The determination of whether there is sufficient reason to suspect a member of a UCMJ offense as a result of a complaint of unlawful discrimination or sexual harassment is a legal issue dependent upon the unique facts and circumstances surrounding the complaint. In all cases, interviews which may require rights advisements need to be coordinated in advance with the servicing SJA. The requirement to coordinate with the servicing SJA applies equally to situations where a rights advisement is first required because of a self-incriminatory statement made during the course of an interview.

4.28.3. If after a rights advisement the member being interviewed declines to make a statement or requests legal counsel, the interview must be terminated.

4.28.4. A member of equal or higher rank to the member being interviewed should, if practicable, participate in interviews requiring Article 31 rights advisements.

4.28.5. For individuals subject to the UCMJ, use the following advisement of rights:

“I am (name and grade as applicable). I am investigating the alleged offense(s) of _____ of which you are suspected. I advise you that under Article 31 of the UCMJ, you have the right to remain silent, that is, say nothing at all. Any statement you make, oral or written, may be used as evidence against you in a trial by court-martial or in other judicial or administrative proceedings. You have the right to consult a lawyer and to have a lawyer present during this interview. You have the right to military counsel free of charge. In addition to military counsel, you are entitled to a civilian lawyer of your choosing, at your own expense. You may request a lawyer at any time during this interview. If you decide to answer questions, you may stop the questioning at any time.”

4.28.6. After the appropriate rights advisement has been given, and to ensure any waiver of rights is knowing and voluntary, the following questions must be asked and answered:

- Do you understand your rights?

- Do you want a lawyer?
- Do you wish to exercise your right to remain silent?
- Do you want to make a statement voluntarily and of your own free will? If the individual waives their rights, proceed with the interview.

4.28.7. Interviews of individuals not subject to the UCMJ who are reasonably suspected of committing a criminal offense must be coordinated in advance with the servicing SJA. If after coordination with the servicing SJA it is determined that it is appropriate to conduct an interview. If after coordination with the servicing SJA it is determined that it is appropriate to conduct an interview, inform the individual his or her cooperation in the interview is strictly voluntary and he or she is free to leave at any time. If the individual declines to answer questions or requests to leave at any time, the interview must be terminated and the individual allowed to leave.

4.29. Complaint Feedback. Provide the complainant with information about both the current status, and if completed, closure of the complaint. Ensure the complainant is informed of his or her right to appeal the findings of a formal complaint of discriminations (See paragraph 4.25.2.). The office may release the name of the investigating officer, projected completion date, and which allegations, if any, were substantiated. If requested, the complainant may be provided with a summary of the investigating officer's final report; however, that summary must protect the privacy interests and the Privacy Act rights of those named in the report. If requested under FOIA, withhold those portions of the report necessary to comply with the Privacy Act of 1974 (information derived from a system of records and protected by the Privacy Act) and those not releasable under FOIA (information release of which would constitute an unwarranted invasion of personal privacy). Specifically, remove personal information such as social security account numbers, protect the identities of witnesses with appropriate redactions of witness statements, protect the conclusions and recommendations of the investigating officer and staff personnel reviewing the report, and withhold the entire report of command actions taken as a result of the report. Information about the specific adverse administrative or non-judicial actions taken against an individual because of the results of an investigation is generally not disclosed unless such information becomes a matter of public record (admitted in open court-martial proceedings) or is required pursuant to statute such as when application of Exemption 6 of FOIA requires release because of the paramount public interest in the information (a rare occurrence).

4.30. Procedures for Air National Guard (ANG) Personnel:

4.30.1. Complaints During Active Duty. Follow the complaint procedures in this instruction for members on active duty including active duty training and active duty special work under Title 10, U.S.C., Section 12301:

4.30.1.1. ANG personnel may file a complaint based on unlawful discrimination that occurred while they were on Federal active duty even after their release from active duty.

4.30.1.2. File complaints with the State Equal Employment Manager (SEEM) within 180 calendar days of when the alleged unlawful discrimination took place or when the complainant became aware of the alleged unlawful discrimination. File the complaint on AF Form 1587.

4.30.1.3. The SEEM forwards the complaint to the appropriate active duty MAJCOM assistant for Social Actions or IC with a copy to NGB-EO.

4.30.1.4. After processing the complaint, the MAJCOM or IC notifies the complainant, the Adjutant General of the complainant's state, and NGB-EO of the outcome and whether unlawful discrimination was confirmed.

4.30.2. Complaints Outside of Active Duty. When not on active duty, ANG personnel follow the complaint procedures of NGB (AF) 30-3.

4.31. Procedures for Family Members:

4.31.1. The base level EOT office may accept formal complaints of unlawful discrimination or sexual harassment from military family members (if not related to DoD civilian employment). If the complainant is not satisfied with the resolution or disposition of the complaint, the complainant must be advised no formal Air Force appeal channels are available.

4.31.2. Family members filing formal complaints based on employment or personnel actions by another agency (CPF, MWR, NAF, HRO, AAFES, etc.) will be referred to the appropriate agency for resolution.

| Section 4E—Mediation

4.32. Overview of Mediation. . The prompt and fair resolution of EOT complaints enhances morale, combat readiness and mission accomplishment. With the consent of the disputants, mediation may be used to resolve certain complaints of discrimination in a fair, impartial and timely manner. Mediation is intended to facilitate communications between the disputants, in an appropriate setting, and lead to the early resolution of informal EOT complaints to the satisfaction of the disputants.

4.32.1. The Air Force processes fairly, impartially, and in a timely manner all unlawful discrimination complaints.

4.32.2. The Air Force will resolve military EOT disputes as early as possible.

4.32.3. Alternative Dispute Resolution (ADR) (mediation) will be used to resolve complaints, whenever possible, with the consent of the disputants.

4.32.4. Deputy Chief of Staff Personnel (USAF/DP) develops, coordinates, and executes personnel policy and approves the central guidance for the management of the dispute resolution program.

4.33. Minimum Training Requirement:

4.33.1. DEOMI-trained EOT personnel will attend the approved USAF mediation training course. Completion of the approved USAF 3-day training course and certification are prerequisite to conducting EOT mediations.

4.33.2. Mediation is not appropriate to resolve all types of conflicts. EO technicians (mediators) should be aware of the different types of ADR and the conditions under which each is most effective. EO technicians will apprise disputants of the grievance channels and available options to resolve their concerns.

4.34. EO Technicians:

4.34.1. Explain to the disputants that mediation is an alternative informal process to resolve concerns or allegations of unlawful discrimination.

4.34.2. May not participate in formal cases, clarifications, inquiries, or inquiry assistance when they have been a party to, or acted as mediator in a previous case involving the disputants. Immediately elevate the case (i.e., to the EOT NCOIC, Chief, Social Actions, etc). Advise the parties' commanders have the inherent authority/responsibility to take appropriate administrative or disciplinary action in cases involving EOT violations.

4.34.3. Advise disputants that commanders may recommend the involved parties use the mediation process.

4.34.4. Ensure mediations are conducted immediately to resolve unlawful discrimination complaints and to reach an early resolution.

4.34.5. Conduct mediation in a facility that offers an atmosphere of privacy for individual counseling. Ensure private counseling areas are available.

4.34.6. Ensure all agreements and settlements are coordinated and reviewed by the base legal office (SJA) for legal sufficiency.

4.34.7. Ensure information received by the mediator during private sessions and caucuses or joint sessions with the disputants will not be revealed to outside parties. Mediation records, documentation, or information may be discussed or released only to other EOT staff personnel, investigative personnel, Staff Judge Advocates, commanders, or first sergeants to the extent the materials are needed to perform their official duties. Requests for information should be handled in accordance with **Table 2.1**.

4.34.8. Ensure information received in caucus is not revealed during joint session without prior permission from either party from whom the information was obtained.

4.34.9. Ensure issues not appropriate for mediation are referred to the responsible agency. UCMJ violations should not be mediated. If a member reports a UCMJ violation, EOT personnel should call the appropriate investigative agency either the Security Police or Air Force Office of Special Investigations and have the member report the incident in their presence. Contested EPR/OPR ratings are not appropriate for mediation with one exception-- discriminatory practices allegedly affecting such ratings may be mediated.

4.34.10. Advise the disputants that mediation does not prohibit the complainant from filing a formal complaint within the allotted time (60 days). If the agreement is broken, the complainant may file a formal complaint of unlawful discrimination as established in this instruction.

4.35. Case File Maintenance:

4.35.1. Mediation is an informal process and will be recorded on AF Form 1587-1.

4.35.2. Apprise the disputants all notes taken during the mediation process will be destroyed (regardless of the outcome) upon final agreement. Destroy all notes including those taken by the mediator.

4.35.3. Maintain a copy of the final agreement on file in the Social Actions office, and ensure the final agreement only addresses the resolution of the complaint. Do not include allegations and offenses in the final general agreement. Mark these documents FOUO.

4.35.4. Establish and maintain cases files using the following numbering format: Case No. M5-020-001 (e.g., M=Mediation, 5=FY, 020=case number used consecutively, 001=month). Number

case files consecutively following the guidance provided for documentation EOT (E) and Referral complaint.

4.35.5. Maintain case files in accordance with **Table 2.1.** under FOIA.

4.36. Reporting and Documentation. Report mediation cases of AF Form 3018, section III, under the Complaints/Assistance section in the "Other". Report the number of "M" cases processed and closed during the reporting period.

4.36.1. Prepare and initial final agreements which may be hand written and signed by the concerned parties (mediator, complainant, and alleged offender) to expedite timely resolution. Formal official typed agreements will be accomplished and prepared for the disputants within 2 duty days, prior to legal review. All parties will sign the official documents.

4.36.2. Prepare sufficient copies of agreement for all parties, maintain a copy in the EOT office, and forward a copy to SJA for legal review. SJA will determine legal sufficiency.

4.36.3. Terminate the mediation process when cases reach an impasse or deadlock and cannot be resolved to the satisfaction of the disputants. Advise the disputants of alternative grievance procedures.

4.37. Follow-up. Follow-up on mediation cases at a minimum of every 5 days during the 1st month after the complaint to ensure reprisal does not occur and the parties are adhering to the agreement.

4.38. Commander Advisement. When appropriate, advise commanders of the outcome of mediation cases.

4.39. Disposition. Case files will be maintained for a 2-year period unless otherwise established under USAF disposition rules and instructions.

| Section 4F—Accommodation of Religious Practices

4.40. Religious Accommodation:

4.40.1. Religious accommodation is based on the constitutional right of the free exercise of religion in accordance with DoD policy.

4.40.2. Commanders should approve requests for accommodation of religious practices when accommodation will not have an adverse impact on military readiness, unit cohesion, standards, or discipline.

4.40.3. Commanders are expected to respect the religious beliefs and practices of Air Force members in a manner that is consistent and fair to all.

4.40.4. Support of religious accommodation practices does not necessarily reflect agreement or belief in such practices by a commander, chaplain, unit, or the Air Force.

4.41. General Guidelines of Accommodation. Nothing in these guidelines will be interpreted as requiring a specific form of accommodation in individual circumstances:

4.41.1. The lowest level of command should resolve conflicts of accommodating religious practices such as, but not limited to, worship opportunities, dietary practices, medical practices, Sabbath observance, and wear of religious apparel.

4.41.2. Accommodating religious practices of military members should not have an adverse impact on military readiness, individual or unit readiness, unit cohesion, health, safety standards, or discipline.

4.41.3. As a matter of command discretion, commanders will not usually schedule training exercises on major religious holy days. Commanders should consider such factors as the location of training, the threat, and the impact on individual or unit readiness, unit cohesion, discipline, health, and safety standards in scheduling training.

4.41.4. Accommodation of religious practices cannot be guaranteed and is subject to change if circumstances warrant.

4.42. General Procedures:

4.42.1. The military member initiates the request for accommodation at the lowest level:

4.42.1.1. The requester may be required to submit the request for accommodation in writing.

4.42.1.2. The requester may seek the advice of a military chaplain.

4.42.2. The senior chaplain serves as advisor to the commander concerning requests for accommodation.

4.42.3. The unit commander should consider the following factors when considering a request for accommodation of religious practices:

4.42.3.1. The importance of military requirements in terms of individual and unit readiness, health and safety, discipline, morale, and cohesion.

4.42.3.2. The religious importance of the accommodation to the requester.

4.42.3.3. The cumulative impact of repeated accommodations of a similar nature.

4.42.3.4. Alternative means available to meet the requested accommodation.

4.42.3.5. Previous treatment of the same or similar requests.

4.42.4. When the accommodation of religious practices is not in the best interest of the unit and continued conflict between the unit's requirements and the individual's religious practices is apparent, other options may be considered. These include, but are not limited to, reassignment, reclassification, and separation.

4.42.5. Commanders may refer unusual or difficult questions about requested accommodations through the chain of command to AF/HC and/or AF/DP.

4.43. Forms Prescribed. AF Form 1271, Social Actions Record of Assistance; AF Form 1587, EOT Complaint Summary; AF Form 1587-1, EOT Informal Complaint Summary; AF Form 3018, Equal Opportunity/Human Relations Education Summary, and AF Form 3969, Commander's Unit Climate Assessment Critique.

Table 4.1. Social Actions Formal Complaints Processing Responsibilities.

| R U L E | A | B |
|------------------|--|--|
| | If the complainant or complaint | then |
| 1 | Alleges unlawful discrimination that involves criminal activity such as assault, sexual assault, rape, or child abuse. | Immediately coordinate the allegation of criminal activity with the servicing Staff Judge Advocate and refer the complainant, as appropriate, to the Air Force Office of Special Investigations or the Security Police (see note 1). |
| 2 | Alleges unlawful discrimination that involves homosexual conduct. | Immediately refer the complaint to the subject's military commander for appropriate action under AFI 36-3206, Administrative Discharge Procedures for Commissioned Officers, atch 2, or AFI 36-3208, Administrative Separation of Airmen, atch 4 (see note 1). |
| 3 | Alleges unlawful discrimination and the complainant elects to have the complaint worked by Social Actions. (Complainants have the option to use the informal complaint process including mediation.) | Inform the appropriate commanders and clarify the complaint. Commander will notify subject of the clarification. The commander must be careful to protect the identity of complainant. Document all actions on AF Form 1587 (see note 2). |
| 4 | Is referred by the commander | The complainant must sign the AF Form 1587. |
| 5 | Alleges unlawful discrimination by a senior official | Document actions on AF Form 1587, code the case "R" and refer it to the IG. |
| 6 | Alleges unlawful discrimination against an Air Force or subordinate command-level policy or directive | Document allegations on AF Form 1587, code "R". Send the complaint to HQ USAF/DPCH via MAJCOM Assistant for Social Actions. |
| 7 | Alleges unlawful discrimination against an off-base establishment other than a landlord or realtor | Process through the EOT office. Request review by SJA and IC. Consider the impact on Status of Forces Agreement in foreign countries. Work through the base community council or Armed Forces Disciplinary Control Board, if appropriate. Document all allegations of unlawful discrimination on AF Form 1587 and code "E" or "R", whichever is appropriate. |

| R U L E | A | B |
|------------------|---|---|
| | If the complainant or complaint | then |
| 8 | Is submitted more than 60 days after the alleged offense occurred | Request the complainant provide sufficient justification or extenuating circumstances suitable for IC review. Forward the justification as an attachment to a memorandum to the IC. |
| 9 | Is anonymous | If appropriate, conduct complaint clarification, document on AF Form 1587, and notify the IC. |
| 10 | Is not supported by a complaint clarification and SJA concurs | Advise the complainant and commander of the outcome. |
| 11 | Is not supported by a clarification but the complaint revealed management deficiencies or unfair management practices | Refer to commander for appropriate corrective action. |
| H12 | Is supported by a clarification (preponderance of evidence) and SJA concurs | Refer to commander for appropriate action and ask that he or she apprise Social Actions of action taken within 5 duty days. Apprise commanders that serious or repeated violations of EOT directives should be documented in the individual's performance report. |
| 13 | Is inconclusive | EOT personnel may ask the IC to direct an IG inquiry or investigation into a formal EOT complaint (see note 3). |
| 14 | Is a civilian | Refer to EEO representative for guidance. |

NOTES:

1. Such complaints are not within the purview of the EOT Program.
2. Consultation with the SJA is required before interviewing any military member or individual reasonably suspected of committing a criminal offense. (See paragraph 4.29. for further guidance.)
3. Requests for formal IG investigations must be coordinated through the IC's SJA. The decision to direct an IG inquiry into a formal EOT complaint rests solely with the IC.

MICHAEL D. McGINTY, Lt General, USAF
DCS/Personnel

Attachment 1

GLOSSARY OF REFERENCES, ABBREVIATIONS, ACRONYMS, AND TERMS

References

Title 10, U.S.C., sections 67d and 8013

42 U.S.C. 290 ee-3 and 290 dd-3

Executive Orders 9397 and 11478

DoD Directives 1300.17, 17 October 1988; 1325.6, 12 September 1969; 1350.2, 29 April 1987; 1350.3, 29 February 1988; and 7050.6, August 1995

Abbreviations and Acronyms

ACSC—Air Command and Staff College

ADR—Alternative Dispute Resolution

AFCAT—Air Force Catalog

AFOOC—Air Force Officers Orientation Course

AFOSI—Air Force Office of Special Investigations

AFPD—Air Force Policy Directive

AFROTC—Air Force Reserve Officer Training Corps

ANG—Air National Guard

ANGR—Air National Guard Regulation

APDS—Advanced Personnel Data System

CPF—Civilian Personnel Flight

DEOMI—Defense Equal Opportunity Management Institute

EEO—Equal Employment Opportunity

EOT—Equal Opportunity and Treatment

FOA—Field Operating Agency

FOIA—Freedom of Information Act

GSU—Geographically Separated Unit

HR—Human Relations

HRE—Human Relations Education

HRO—Housing Referral Office

IC—Installation Commander

IG—Inspector General

KPB—Key Personnel Briefing
MAJCOM—Major Command
MEO—Military Equal Opportunity
MEOA—Military Equal Opportunity Assessment
MEOCS—Military Equal Opportunity Climate Survey
MPF—Military Personnel Flight
NAF—Nonappropriated Fund
NCO—Noncommissioned Officer
NGB—National Guard Bureau
NGB-EO—National Guard Bureau-Directorate for Equal Opportunity
OPR—Office of Primary Responsibility
OPREP-3—Operations Event/Incident Reports
OTS—Officer Training School
PME—Professional Military Education
SEEM—State Equal Employment Manager
SJA—Staff Judge Advocate
SNCOA—Senior Noncommissioned Officer Academy
SOS—Squadron Officer School
SP—Security Police
TDY—Temporary Duty Assignment
UCA—Unit Climate Assessment
UCMJ—Uniform Code of Military Justice
U.S.C.—United States Code
WCAC—Wing Climate Assessment Committee

Terms

Affirmative Action—Methods used to achieve the objectives of the MEO program. Processes, activities, and systems designed to prevent, identify, and eliminate unlawful discriminatory treatment as it affects the recruitment, training, assignment, utilization, promotion, and retention of military personnel.

Appointing Authority—Any commander at wing level or above or other designated authority authorized to direct an IG inquiry or investigation.

Chain of Command—Chain of command begins with any commander who may impose or consider the appeal of the imposition of nonjudicial punishment over a complaint pursuant to the UCMJ, the Manual for Courts-Martial, or AFI 51-202, and includes any superior commander vested with either special or general court-martial convening authority over the complainant as a result of assignment or attachment to

that commander's command.

Climate Assessment—Actions taken to evaluate the human relations climate within any level of command.

Complainant—A service member who submits allegations of unlawful discrimination.

Complaint—An allegation of unlawful discrimination based on race, color, national origin, religion, or sex.

- **Formal Complaint**--Allegation of unlawful discrimination or sexual harassment that is submitted in writing on AF Form 1587 to the authority designated for receipt of such complaints in Service implementing regulations (i.e., Social Actions).
- **Informal Complaint**--Allegation of unlawful discrimination or sexual harassment, made either orally or in writing, that is not submitted as a formal complaint.

Complaint Clarification—A process of gathering information for the commander or individual who has jurisdiction over the alleged offender. The clarification helps the commander to determine whether a "preponderance of evidence" exists that unlawful discrimination has occurred.

Congressional Inquiries—Complaints addressed to members of Congress, senators, or congressional staffers.

DoD Military Equal Opportunity (MEO) Program—The DoD-wide military program of EOT that is accomplished through efforts by the DoD Components. It provides an environment in which Service members are ensured an opportunity to rise to the highest level of responsibility possible in the military profession, dependent only on merit, fitness, and capability.

EOT Incident—An overt act, directed toward an individual, group, or institution, that is motivated by or has overtones of unlawful discrimination on the basis of age, color, national origin, race, religion, or sex.

EOT Incident Clarification—A process of gathering information for the appropriate commander to determine whether unlawful discrimination occurred; and if the incident negatively affected the base human relations climate and meets the reporting criteria of an EOT incident.

Equal Opportunity (EO)—The right of all persons to participate in, and benefit from, programs and activities for which they are qualified. These programs and activities shall be free from social, personal, or institutional barriers that prevent people from rising to the highest level of responsibility possible. Persons shall be evaluated on individual merit, fitness, and capability, regardless of race, color, sex, national origin, or religion.

Ethnic and Racial Categories—The basic racial and ethnic categories for DoD reporting are defined as follows:

- **American Indian or Alaskan Native**--A person having origins in the original peoples of North America.
- **Asian or Pacific Islander**--A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes China, India, Japan, Korea, the Philippine Islands, and Somoa.
- **Black (Not of Hispanic Origin)**--A person having origins in any of the original peoples of Africa.
- **Hispanic**--A person having origins in any of the original peoples of Mexico, Puerto Rico, Cuba, Central or South America, or of other Spanish cultures, regardless of race.

- White (Not of Hispanic Origin)--A person having origins in any of the original peoples of Europe, North Africa, or the Middle East.

Equal Opportunity (EO) Climate Assessment—Determining the "health" and functioning effectiveness of an organization by examining such factors as morale, teamwork, and communication. This is accomplished through some or all of the following: group or individual interviews, observations, surveys, questionnaires, and reviews of records and reports.

Inconclusive—A finding that results when, at the conclusion of an inquiry or investigation, there is insufficient evidence to make a determination whether the allegation of unlawful discrimination did or did not occur.

Inquiry—The process of gathering the facts surrounding an allegation by checking records, reviewing applicable directives, examining material evidence, and interviewing persons who may have direct knowledge of the facts.

Legal Sufficiency Review—A review of an investigation into a formal complaint of unlawful discrimination or sexual harassment to determine whether:

- The investigation complies with all applicable legal and administrative requirements;
- The investigation adequately addresses the matters complained of;
- The evidence supports the findings of the investigating officer or board;
- The conclusions and recommendations of the investigating officer or board are consistent with the findings; and,
- Any errors or irregularities exist, and, if so, their legal effect, if any.

Military Equal Opportunity Assessment (MEOA)—The report to DoD authorities providing an overall assessment of the Air Force's Affirmative Action Plans and equal opportunity programs. It helps authorities plan adjustments to the EOT program and dedicate resources to address EOT programs.

Military Equal Opportunity and Treatment Program—The Air Force name for the DoD EO program.

National Origin—An individual's or ancestor's place of origin. Also applies to a person who has the physical, cultural, or linguistic characteristics of a national group.

Preponderance of Evidence—Evidence which is of greater weight or which is more credible and convincing to the mind than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not. The weight of the evidence supporting a particular fact is not to be determined by the sheer number of witnesses or volume of evidentiary matter presented, but rather by that evidence which best accords with reason and probability. The opportunity for knowledge, information possessed, and manner of testifying are all relevant factors in determining the weight to be accorded to the evidence.

Protected Disclosure (or Protected Communication)—A lawful communication in which a member of the Armed Forces communicates information the member reasonably believes evidences a violation of law or regulation including sexual harassment or unlawful discrimination, mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, when such communication is made to:

- A Member of Congress or an Inspector General, or any member of a DoD audit, inspection, investigation, or law enforcement organization, or any other person or organization designated pursuant

to component regulations or other established administrative procedures to receive such communications. This includes: IGs, Air Force FWA monitors, Social Actions personnel, and designated individuals of a member's chain of command (see definition for chain of command).

- Protected disclosure also includes circumstances where the military member was preparing a lawful communication or complaint that was not actually delivered, where the member did not actually communicate or complain but was believed to have done so, or cooperated with or otherwise assisted an IG, member of Congress, or a member of a DoD audit, inspection, investigation, or law enforcement organization by providing information that the military member reasonably believed evidenced wrongdoing.

Race—A division of human beings identified by the possession of traits that are transmissible by descent and that are sufficient to characterize persons possessing these traits as a distinctive human genotype.

Religion—A personal set or institutionalized system of attitudes, moral or ethical beliefs, and practices that are held with the strength of traditional religious views, characterized by ardor and faith, and generally evidenced through specific religious observances.

Reprisal—Taking or threatening to take an unfavorable personnel action or withholding or threatening to withhold a favorable personnel action, or any other act of retaliation against a military member for making or preparing to make a protected communication.

Senior Official—Active duty, retired, Reserve, or Air National Guard military officers in grades O-7 (brigadier general) and above, current and former civilians above the grade of general schedule (GS) or general manager (GM) 15, current or former members of the Senior Executive Service (SES), and current and former Air Force civilian Presidential appointees.

Sexual Harassment—A form of sex discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission of such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career or (quid pro quo harassment).
- Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person, or (quid pro quo harassment).
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.
- This definition emphasizes that workplace conduct, to be actionable as "abusive work environment" harassment, need not result in concrete psychological harm to the victim, but rather need only be so severe or pervasive that a reasonable person would perceive, and the victim does perceive, the work environment as hostile or offensive. ("Workplace" is an expansive term for military members and may include conduct on or off duty, 24 hours a day.) Any person in a supervisory or command position who uses or condones any form of sexual behavior to control, influence, or affect the career, pay, or job of a military member or civilian employee is engaging in sexual harassment. Similarly, any military member or civilian employee who makes deliberate or repeated unwelcome verbal comments, gestures, or physical contact of a sexual nature in the workplace is also engaging in sexual harassment.

Substantiated—A substantiated finding occurs when a preponderance of the evidence supports (more likely to have occurred than not occurred) the complainant's allegation or a wrong or violation of law, regulation, or Air Force policy or standards. The facts (from documentation and testimony) indicate the

complainant was wronged or a violation occurred.

Substantiated Equal Opportunity and Treatment (EOT) Complaint—A complaint where the preponderance of the evidence (more likely to have occurred than not occurred) indicates unlawful discrimination based on race, color, age, religion, sex, national origin, or sexual harassment.

Third Party—A person or organization that complains on behalf of an individual. Care should be taken not to disclose personal information or other information not releasable to the public when responding to a third party complainant. In order to release specifics concerning the case, a consent to release statement may be required by the individual upon whose behalf the complaint was made. Consult with your local SJA.

Unlawful Discrimination—Includes discrimination on the basis of color, national origin, race, religion, or sex that is not otherwise authorized by law or regulation.

Wing Climate Assessment Committee (WCAC)—A committee of key base personnel and commanders that reviews and recommends actions to neutralize human relations issues on the installation's mission.