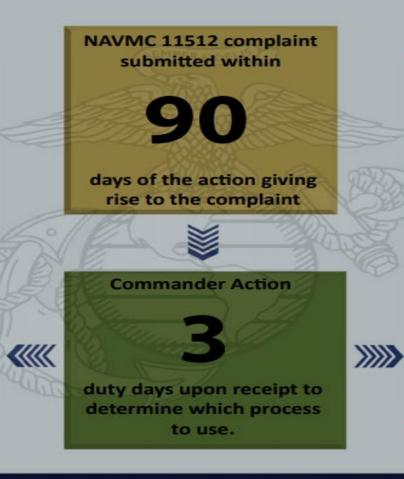


#### MILITARY EQUAL OPPORTUNITY COMPLAINT PROCESS

MCO 5354.1F "Prohibited Activities and Conduct Prevention and Response" For more information visit, https://www.manpower.usmc.mil/webcenter/portal/PACToolkit

#### **CONFLICT MANAGEMENT**

- Attempt resolution = 30 days
- Resolution = case closed
- No resolution = Option to request formal resolution



#### **FORMAL RESOLUTION**

- Initiate Command Investigation
- Investigation of Non-Sexual Harassment issues = 30 days
- Sexual Harassment investigation = 14 days
- Legal Review = 10 days
- Disposition Decision = 6 days
- Notifications of outcome = 3 days

Complainants receive periodic status updates throughout the process. Appeal options available to complainant and alleged offender upon completion of investigation.



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#### NAVMC 11512 Complaint

submitted within **90** days of action given rise to complaint



# Commander Action

**3** Duty Days

Determine which process to use



**EOA Available to Commanders for Advice, Guidance, Information** 



SJA/CJA primary source of legal advice to Commanders.

#### **Dismiss Complaint**

In consultation with EOA and SJA **Basis:** MCO 5354.1F, Chap 3, Para 16

#### **Complete NAVMC 11512:**

Block 10 - Dismissal basis

Block 11 - Provide detailed justification
for dismissal decision
Provide copy to Complainant
Retain on File, 2 years

No DASH Reporting Req.



# Conflict Management

Attempt resolution = **30** days Resolution = Case Closed No resolution = Option to Req. Formal Resolution

#### **Complete NAVMC 11512:**

Block 10 – Conflict Management
Block 11a-11b – Accurate account of
actions taken to resolve complaint
Blocks 11c-11f - Complainant &
Commander sign
Retain on File, 2 years

#### **Formal Resolution**

Accept for further Inquiry/Investigation Appoint IO; Direct IO to consult with EOA/SJA

#### **Complete NAVMC 11512:**

Block 10 – Accepted w/ DASH# Complete NAVMC 11513:

Blocks 1-7 w/ DASH #
Block 8 – Notify Subject

#### **DASH Reporting Req.**

Within **3** Duty Days. Notification to GCMCA.

#### PI/CI Completed

EOA Advisory Opinion (3 days)

SJA Legal Sufficiency Review (7 days)

Cmdr Substantiate/Unsubstantiated Complaint (6 days)

Within **3** Duty Days

Complete NAVMC 11512:

**Block 11a-11d –** Disposition Decision

**Block 11f** – Notify Complainant

**Complete NAVMC 11513:** 

**Block 9 – Notify Subject** 

**No DASH Reporting Req.** Exception: If Conflict Management is conducted following a PI/CI OR Conflict Management results in No Resolution & Acceptance of Formal Resolution



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# FORMAL RESOLUTION APPEAL OF ADMINISTRATIVE FINDINGS

# Commander's Disposition Decision.

Update: NAVMC 11512 NAVMC 11513



Within **3** Duty Days: Subject/Complainant Notified of Disposition.

# Upon Request: Subject/Complainant Opportunity for Supervised Review of CA's decision, complete CI w/ enclosures & endorsements.

\*Commanders are not the release authority for MCIO investigations\*

# Either party may appeal the Convening Authority's administrative findings on following bases:

- Any legal or equitable grounds based upon a good faith belief that exiting DoD or DoN regulations were incorrectly applied in the case
- Facts were ignored or weighed incorrectly
- Remedial Action ordered by a Commander was insufficient under the circumstances
- Any other good faith basis

#### Appeal?

#### Yes:

Written appeal of administrative findings submitted within **30** calendar days.

#### No:

Update: NAVMC 11513,

Block 10

#### **GCMCA Review:**

Endorse CI, addressing appeal.
Update: NAVMC 11512, Block 13
NAVMC 11513, Block 10

#### **Appeal to SECNAV:**

Cases related to:
Prohibited Discrimination &
Sexual Harassment Only

#### **GCMCA Review:**

All PAC investigations to 1<sup>st</sup> GCMCA for review. Final endorsement & close out.