



UNITED STATES MARINE CORPS
MARINE CORPS INSTALLATIONS EAST-MARINE CORPS BASE
PSC BOX 20005
CAMP LEJEUNE NC 28542-0005

5354
EO
9 SEP 2015

COMMANDING GENERAL'S POLICY LETTER 007-15

From: Commanding General, Marine Corps Installations East-
Marine Corps Base, Camp Lejeune
To: All Commanders, Marine Corps Installations East-Marine
Corps Base, Camp Lejeune
Subj: APPEAL PROCESS FOR FORMAL EQUAL OPPORTUNITY AND SEXUAL
HARASSMENT COMPLAINTS
Ref: (a) DOD Directive 1350.2, "Military Equal Opportunity
Program" of August 18, 1995
(b) SECNAVINST 5350.16A, "Equal Opportunity (EO) with the
Department of the Navy (DON)"
(c) NAVMC Directive 1700.23F, "Request Mast Procedures"
Encl: (1) APPENDIX I of MPE Pub 1A (Military Formal Complaints
Timetable)

1. Purpose. To establish policy and procedures for reporting appeals of formal Equal Opportunity (EO) and Sexual Harassment complaints to the Commanding General (CG), Marine Corps Installations East-Marine Corps Base, Camp Lejeune (MCIEAST-MCB CAMLEJ) in accordance with references (a) and (b) and enclosure (1).

2. Background. In accordance with references (a) and (b), and recent changes to the Military EO Program, it is necessary to establish a policy that clearly identifies the procedures for filing appeals to formal EO and sexual harassment complaints.

3. Action

a. Individual Seeking Appeal. Submit a request for appeal using the request mast process per reference (c), or the appropriate complaint form. Include all relevant documents that may assist the appellate authority in reaching their decision.

b. Commanders. Provide directed annual training as a part of your command's leadership training to ensure that Marines and Sailors are aware of the contents of reference (b).

Subj: APPEAL PROCESS FOR FORMAL EQUAL OPPORTUNITY AND SEXUAL
HARASSMENT COMPLAINTS

4. Appeal Procedures. There are two levels of appeal; neither is automatic. Either the complainant or the subject of the complaint must affirmatively request the appeal.

a. The first appeal of a decision on a formal complaint will be to the CG MCIEAST-MCB CAMLEJ except in instances where Subordinate Commanders have General Court-Martial Convening Authority (GCMCA), then those commanders will receive the appeal.

(1) The complainant or subject of the complaint should request the appeal within seven days of notification of the final disposition from the Subordinate Commander using the complaint processing form.

(2) An appeal may be submitted on any legal or equitable grounds based upon a perception that existing Department of Defense or Department of the Navy regulations were incorrectly applied in the particular case, that facts were ignored or weighed incorrectly, that remedial action ordered by a commander was insufficient under the circumstances, or any other good faith basis.

(3) The appeal procedure should not be adversarial in nature, nor must it require personal appearances or hearing rights. Once the CG, or Subordinate Commander with GCMCA has reviewed the appeal documents, the ruling or finding by the lower level authority may be sustained, overruled, or remanded for further inquiry.

b. If a further appeal is requested, the final resolution of an appeal on a formal complaint will rest with the Secretary of the Navy (SECNAV) or his designee.

(1) The CG or Subordinate Commander with GCMCA will forward the complaint and all documents pertinent to the complaint to the SECNAV. This action will be conducted via the Office of the Judge Advocate General, for final review within 30 days of the appellate authority (CG or GCMCA) making a decision on the initial appeal.

(2) An appeal requested after 30 days, may be returned as untimely, unless unusual circumstances justify the delay.

c. Both the initial and the final appellate authority may determine whether the initial complaint and/or the appeal were

Subj: APPEAL PROCESS FOR FORMAL EQUAL OPPORUNITY AND SEXUAL
HARASSMENT COMPLAINTS

made in good faith, and if not, to take appropriate corrective measures, including punitive ones.

d. To avoid delaying or impeding the prompt and effective resolution of complaints, commanders are not required to withhold appropriate administrative action while an appeal is pending.

e. Commanders will ensure their command climate does not tolerate acts of reprisal, intimidation, or further acts of discrimination in response to the filing of a formal EO or sexual harassment complaint or appeal, and will take immediate action to stop, identify, and prevent all forms of reprisal within their command.

5. Point of contact is the MCIEAST-MCB CAMLEJ EOA at (910) 451-5372.

A handwritten signature in black ink, appearing to read 'T. D. Weidley', written in a cursive style.

T. D. WEIDLEY

APPENDIX I

MILITARY FORMAL COMPLAINTS TIMETABLE

EVENT	
1. All formal complaints should be filed (registered) by the person making the allegation.	60 days
2. The command must initiate an investigation into the allegation(s) and a detailed description of the allegations(s) shall be forwarded in writing via the chain of command to the first officer in the chain of command who has general court-martial convening authority (GCMCA). This report must include the name of the assigned investigator.	3 days
3. The commander shall inform the complainant when the investigation has commenced and make every effort to ensure the investigation is complete. If the investigation and required reviews are not completed, the command will submit a written request for an extension from the Commanding General with GCMCA. The request must report on the progress made to complete the investigation and the purpose for the extension. The Commanding General can authorize only 30 days of extension. If an investigation cannot be completed after a 30-day extension the command must contact CMC (MPE).	14 days
4. After commencement of the investigation, Commanders are required to submit an initial DASH report through the command EOA. The report will include the name of the investigator and date assigned.	20 days
5. The commander has 6 days upon completion of the investigation and review to forward a final written report containing the results of the investigation, as well as any action taken, to the next superior officer in the chain of command with GCMCA. Submit final DASH report.	6 days
6. Throughout the investigation, updates and feedback will be provided to the complainant every 14 days.	Every 14 days