



UNITED STATES MARINE CORPS

MARINE CORPS BASE
PSC BOX 20004
CAMP LEJEUNE NC 28542-0004

IN REPLY REFER TO:

5354

CO

From: Commanding Officer, Marine Corps Base, Camp Lejeune
To: File

Subj: DISPOSITION OF ALLEGED EQUAL OPPORTUNITY COMPLAINT

Ref: (a) MCO P5354.1D
(b) MCO 1000.9A
(c) MCO 1700.23F
(d) NAVDIR 1700.23F

Encl: (1) LtCol TIPTOP's Cmd Invest 5800 AAA of 21 Oct 10
(2) LCpl SMUCKATELLE EO Complaint Satisfaction Statement

1. This reports action taken in response to a formal Equal Opportunity complaint made by Lance Corporal (LCpl) Gotgetem Smuckately to the Commanding Officer, Headquarters and Support Battalion on 9 July 2010. LCpl Smuckately alleged that she was sexually harassed by Sergeant (Sgt) Seeiam A Idiot, a Civilian Police Officer. LCpl Smuckately also alleged gender discrimination within the Provost Marshal's Office (PMO).

2. On 29 September 2010, a formal command investigation was convened and the final investigative report was submitted on 21 October 2010. The following findings were made regarding the allegation by LCpl Smuckately:

a. Allegation of Sexual Harassment by Sgt Idiot -
Substantiated

b. Allegation of Gender Discrimination within the PMO -
Unsubstantiated

3. The enclosures are included for review.

4. This case did not comply with the Equal Opportunity Formal Complaint timelines established by Chapter 5, paragraph 5006 of reference (a). Reference (a) requires an investigation to be convened within 72 hours after a formal complaint is made. Although an investigation was initiated by the PMO after the allegation was made, the investigation did not incorporate LCpl Smuckately's formal complaint.

5. Sgt Idiot resigned from his Civilian Police Officer position on 10 August 2010.

6. Per enclosure (2), LCpl Smuckately acknowledges that she was briefed on the outcome of the investigation. LCpl Smuckately expressed satisfaction with the EO process, but dissatisfaction that Sgt Idiot resigned without reprimand. Per discussion with Civilian Human Resources Office-East, civil service rules do not allow for a reprimand to be issued after an employee resigns.

7. The Marine Corps Base, Camp Lejeune Equal Opportunity Advisor has contacted the command Equal Opportunity Representatives to ensure the command is fully aware of how to process an EO complaint with the timelines.

T. L. PIDPIPPER

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