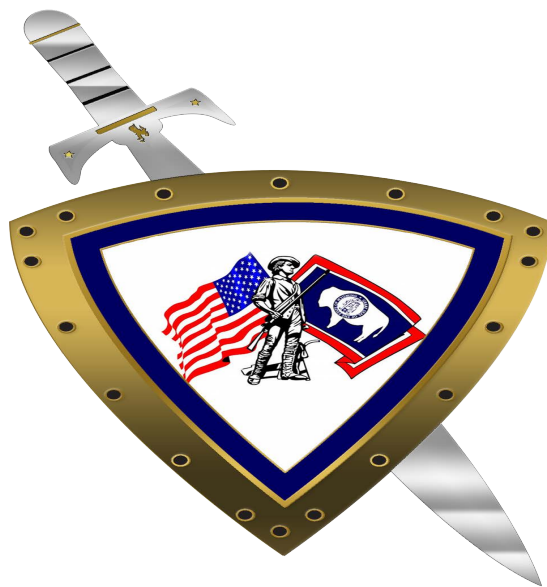


# EQUAL EMPLOYMENT OPPORTUNITY OFFICE INFORMATION PACKET

WY MIL DEPT

2021



# HOW TO FILE AN EEO COMPLAINT

- The Department of Army (DA) is an equal opportunity employer. If you are an employee or applicant for employment and feel that you have been discriminated against, you may have the right to file a complaint of discrimination with the Department.
- Complaints can be filed on the bases of: race, color, national origin, sex, age, religion, disability, protected genetic information, or reprisal. Complaints of discrimination based on sexual orientation or parental status, although not covered by the laws prohibiting discrimination, may be filed and will be handled under special Department procedures.
- If you believe that you have been subjected to unlawful discrimination, **you MUST contact an EEO counselor within 45 days of the alleged discriminatory activity** to preserve your rights. If you are not aware of whom the EEO counselors are, you should contact the
- The role of the EEO counselor is to resolve disputes between aggrieved persons and management. The counselor is a neutral participant in this process, and is not an advocate for either side. The counselor will inquire into the facts and circumstances and attempt to find a resolution that is satisfactory to both parties.
- The counseling process should not exceed 30 days; however, you may agree to extend counseling for up to an additional 60 days. If no resolution is achieved during that time, the counselor will provide you with a **Notice of Right to File** a Discrimination Complaint. The formal complaint **MUST** be filed with the appropriate office within 15 days of receipt of that notice with the appropriate office. The address of the office to which you should send your formal complaint will be indicated on the **Notice of Right to File**, and a complaint form will be provided by the counselor.
- Once a formal complaint has been filed, an investigation may be conducted. Upon completion of the investigation, you may be entitled to:
  - a hearing before an Equal Employment Opportunity Commission administrative judge, or
  - a Final Agency Decision.

If you believe you have been discriminated against and wish to pursue the EEO process, you are entitled to seek EEO counseling and should contact the WY MIL DEPT SEEM / EEO Office at 307-772-5245 307-274-0231 or [charles.a.olivas.mil@mail.mil](mailto:charles.a.olivas.mil@mail.mil)



# ANTI-HARASSMENT POLICY

Pursuant to the Department of Army's and Air Force (DA, AFI ) Anti-Harassment Directive for Anti-Harassment, it is WY MIL DEPT policy to maintain a work environment free from harassment.

All WY MIL DEPT employees are responsible for keeping their workplace free from prohibited discrimination and harassment based on race, color, religion, sex, national origin, age, disability, genetic information, sexual orientation, marital status, parental status, political affiliation, or retaliation. WY MIL DEPT employees are expected to avoid any behavior or conduct that could reasonably be considered as harassment. No employee is exempt from these requirements.

Examples of prohibited behavior include:

- Sexual, racial, or ethnic jokes, epithets, or stereotyping
- Suggestive or lewd remarks
- Offensive email, instant messages, texts, or social media posts
- Other unwelcome conduct based on an individual's protected status (listed above).

## REPORTING PROCEDURES

Supervisors and managers are required to take prompt, effective and corrective action upon being notified of an allegation of harassment. Any person who believes they have been subjected to or witnessed harassment that violates this policy may report the matter promptly to a first or second-line supervisor, another management official or the WY MIL DEPT / Equal Employment Opportunity (EEO) Office.

All allegations of harassment filed with the WY MIL DEPT SEEM / EEO Office are investigated by a neutral fact-finder, and prompt corrective action is taken when warranted.

**In cases of alleged severe and pervasive harassing conduct, the management official must consult with the agency's attorney/ labor counselor and EEO and Labor Relation specialist within 1 business day regarding recommendations on appropriate corrective action.**

## EEO COMPLAINTS

If an employee wishes to raise an allegation of harassment through the EEO complaint process, the matter must be raised with the EEO office within **45 calendar days** of the alleged harassment or discrimination.

## RETALIATION

WY MIL DEPT does not tolerate retaliation against any individual for reporting harassment or assisting another individual in reporting harassment, for providing information related to such a report, for filing an EEO complaint, or for opposing conduct that they believe is unlawfully discriminatory or harassing.



# REASONABLE ACCOMMODATIONS

## ***What is a Reasonable Accommodation?***

Reasonable Accommodation is any change in the work environment or in the way things are customarily done that would enable a qualified individual with a disability to enjoy equal employment opportunities.

## ***Who should I contact to request a Reasonable Accommodation?***

You (or someone on your behalf) may initiate a reasonable accommodation with your supervisor or by contacting either of the office below.

- For Accommodations, such as sign language interpreters, adjustable workstations, flexible schedules, contact:
- SEEM  
1SG Charles Olivas
- 307-772-5245 desk
- 307-274-0231 cell
- HELP LINE at
- 307-772-5555



*Under the Rehabilitation Act, medical information obtained in connection with the reasonable accommodation process must be kept confidential.*

## **To Request a Reasonable Accommodation**

1. Requestor: Please complete request for accommodation and digitally sign (if available) the form.
2. Please return completed form to SEEM Office / Disability Program Manager
3. Deciding Official: SEEM Office WY MIL DEPT

# EEO CONTACTS

The State Equal Employment Manager , SEEM Office works to ensure all employees work in an environment that is free from any form of discrimination. If you believe you have been subjected to unlawful discrimination you may have the right to file an EEO complaint. For more information, please contact us.

Director EEO Office

Program Manager Formal Complaints

EEO Specialist/Intake Manager

Disability Program Manager



**DISCRIMINATION IS PROHIBITED ON THE BASIS OF RACE, COLOR, RELIGION, SEX, (Gender and Pregnancy), NATIONAL ORIGIN, AGE (40+), PHYSICAL/MENTAL DISABILITY, REPRISAL (for Opposition and Participation) AND GENETIC (GINA) INFORMATION**

Employees, former employees or applicants for employment at WY MIL DEPT who believe that they have been discriminated against, may initiate a complaint with the Equal Employment Opportunity Office.

Complaints must be initiated in a timely manner. This notification must happen within 45 calendar days of:

- The date of the incident giving rise to the complaint.
- The effective date of the personnel action giving rise to the complaint.
- The date the aggrieved became aware of or should reasonably become aware of the alleged discriminatory action or practice.

There are two stages to an EEO discrimination complaint: pre-complaint and formal. All complaints must begin at the pre-complaint stage before progressing to the formal stage.

The aggrieved individual may be offered an opportunity to participate in mediation. Mediation is a form of Alternative Dispute Resolution (ADR). A mediator (neutral, objective third party) brings the aggrieved and management together in an attempt to reach a mutually satisfactory solution to the employment matter.

Individuals who believe they have been sexually harassed have an additional venue. In addition to having their complaint processed under the Equal Employment Opportunity Commission, Title 29, Code of Federal Regulations 1614.

# Two Prongs of Discrimination

## THE CLAIM

What Happened:  
Actions by which the aggrieved believes they have been harmed as:  
non-selection for promotion, disciplinary action, harassment, not accommodated, etc.



## THE BASIS

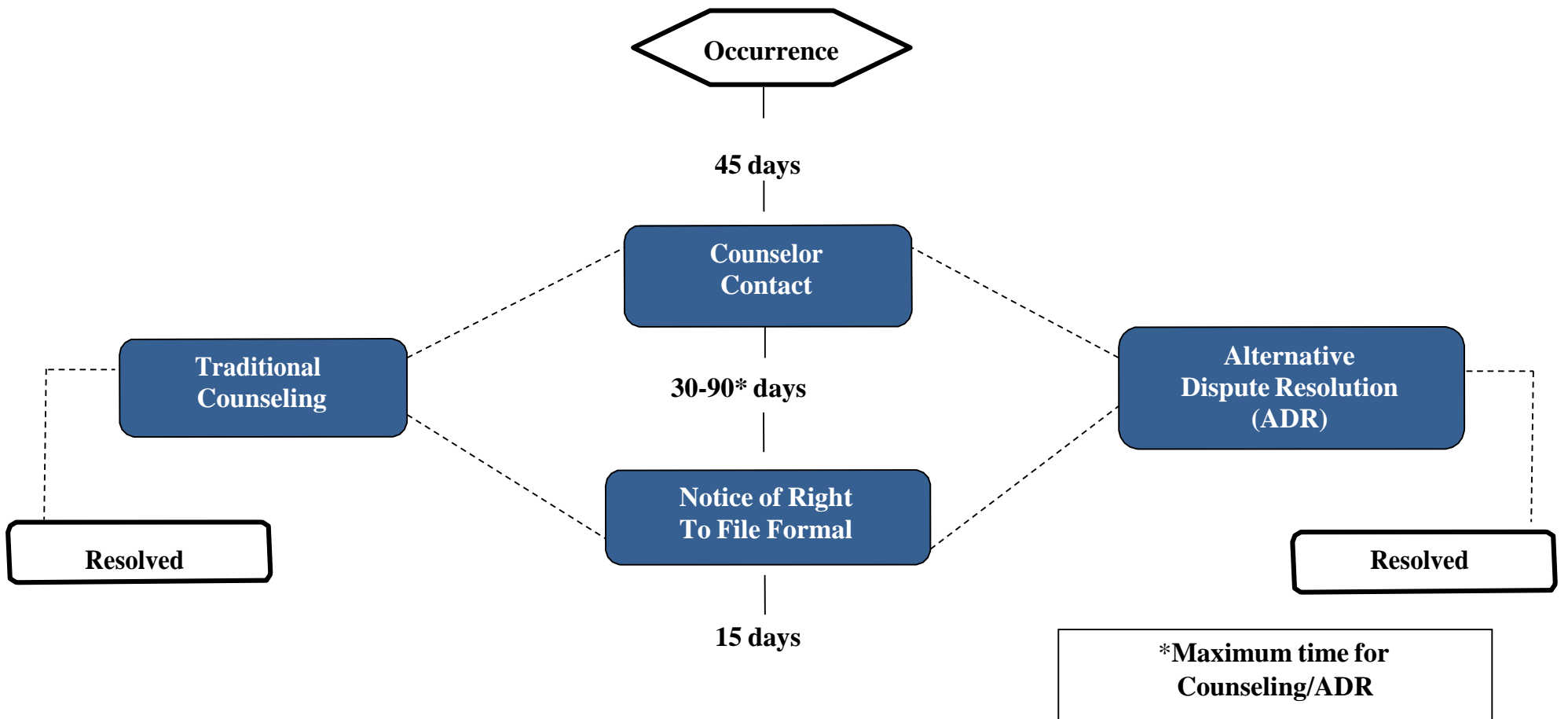
Why it Happened:  
Denial of employment opportunity based on race, sex, color, religion, national origin, physical or mental disability, age (40 +), genetic information or reprisal for EEO activity.

## ADDITIONAL RESOURCES

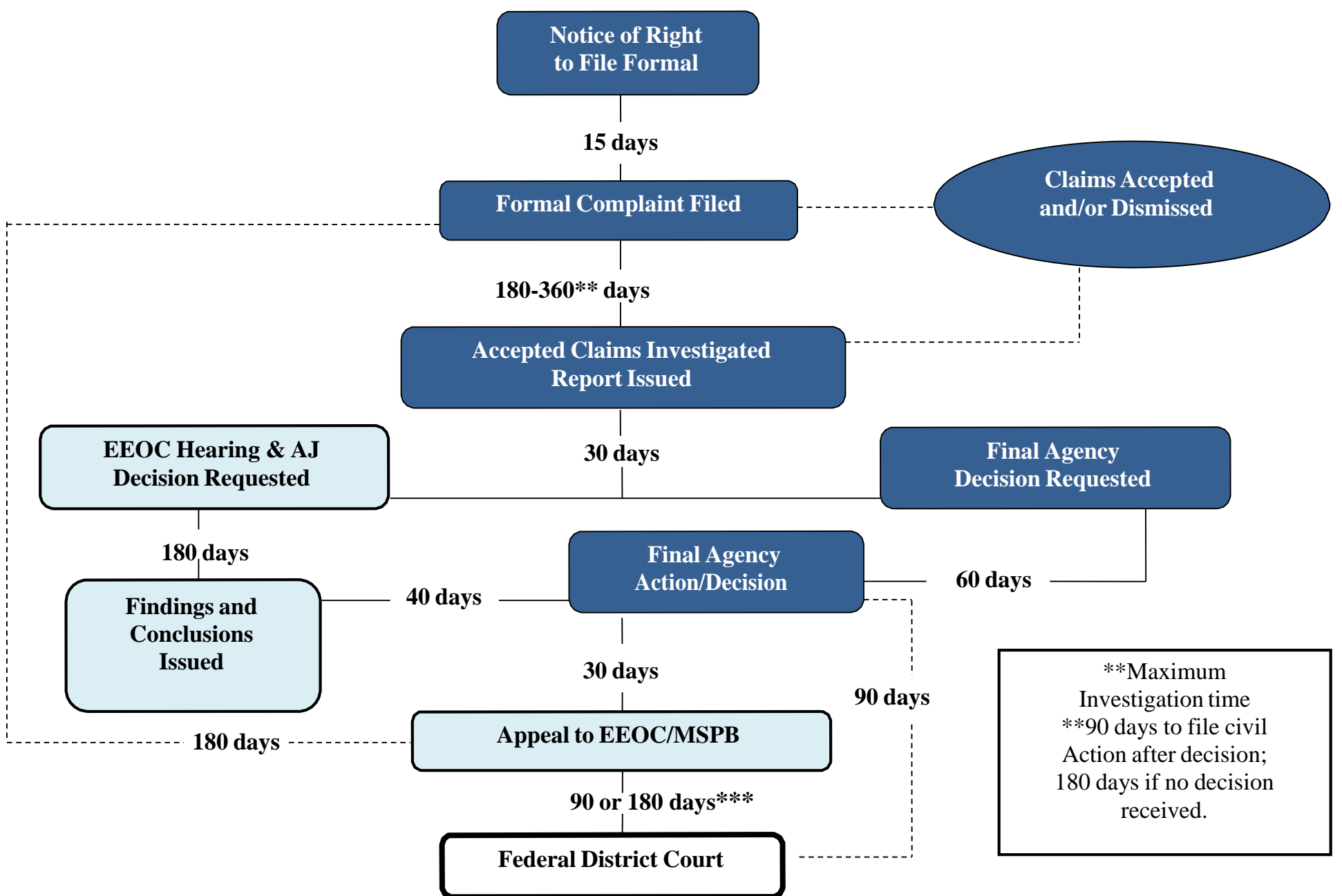
- **EEOC Fact Sheets:** <https://www.eeoc.gov/eeoc/publications/index.cfm>
- **Job Accommodation Network (JAN):** ([www.jan.wvu.edu](http://www.jan.wvu.edu)); JAN is a free service of ODEP that provides productivity tools and strategies for hiring, accommodating, and retaining employees with disabilities: <http://www.jan.wvu.edu/empl/index.htm>
- **Office of Disability Employment Policy:** <https://www.dol.gov/odep/>
- **Disability Info.gov:** <http://www.disabilityinfo.gov/digov-public/public/DisplayPage.do?parentFolderId=11>
- **US Equal Employment Opportunity Commission:** <https://www.eeoc.gov/>
- **Merit Systems Board:** <https://www.mspb.gov/>

# WY MIL DEPT Equal Employment Opportunity

## (EEO) Pre – Complaint Process



## Formal Complaint Process



EEO Counselor

Intake Coordinator

EEO Officer

Complaints Manager

Disability Program Manager