



**DEPARTMENT OF THE NAVY**  
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FASOTRASRUPAC 12700.1A  
N14

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FASOTRAGRUPAC INSTRUCTION 12700.1A

Subj: FASOTRAGRUPAC EQUAL EMPLOYMENT OPPORTUNITY (EEO) PROGRAM  
AND GRIEVANCE PROCESS

Encl: (1) Procedure for Filing a Complaint

1. Purpose. To state the policy of Equal Employment Opportunity (EEO) and reinforce and strengthen the affirmative action program. To provide guidance in filing a complaint under the EEO program.

2. Cancellation. FASOTRAGRUPACINST 12700.1; FASOTRAGRUPACINST 12770.1

3. Background. Support of the Department of the Navy EEO policy and achievement of its objectives is an inherent responsibility of each supervisor and manager, both military and civilian. The goal of the Commanding Officer is equal opportunity for all employees.

4. Policy. The Commanding Officer is firmly committed to the Secretary of the Navy's policy of prohibiting discrimination on the basis of race, color, religion, sex, national origin, age, mental or physical disability or reprisal for EEO involvement. The scope of the command commitment, however, is beyond prohibiting discrimination. It extends to intensifying efforts to place qualified women and minorities in positions of job advancement. We must make improvements in such areas as Hispanic employment in all occupations, women in nontraditional occupations, and minorities and women in all occupations and grades where under representation exists.

5. Responsibility. The obligation to support the equal opportunity program and to carry out a successful affirmative employment plan is shared by all personnel, both military and civilian, but especially by managers and supervisors who continue to provide organizational leadership. Such individuals have significant responsibilities which require decisions and actions consistent with the principles and intent of the Navy's EEO program. The effectiveness of such support has been incorporated in the evaluation of supervisory job performance.

6. Organization

a. Equal Employment Opportunity Officer (EEOO). The EEOO for FASOTRAGRUPAC is the Commanding Officer.

b. Deputy Equal Employment Opportunity Officer (DEEOO). The DEEOO is located at the Dispute Resolution Center (DRC), Navy Region Southwest and is the principal advisor to the Commanding Officer on EEO matters including the grievance process. The DEEOO shall spearhead the Equal Employment Opportunity Program for the command and shall offer advice and guidance to the Commanding Officer on policy matters affecting the entire command.

c. Affirmative Employment Plan (AEP). FASOTRAGRUPAC San Diego shall participate in the AEP established for the southwest region. Other detachments shall participate in the AEP established by their respective regions.

d. Alternate Dispute Resolution (ADR). The ADR techniques should be used as an alternative to formal administrative procedures to the maximum extent practicable. The techniques include a broad range of approaches for dealing with conflict and seeking solutions satisfactory to all parties. These techniques include, but are not limited to, problem solving, mediation, facilitation, conciliation, early-neutral evaluation, fact-finding, settlement conferences, peer review and arbitration.

e. Personnel Management Advisors (PMA). FASOTRAGRUPAC San Diego shall utilize the PMA at the Human Resources Office (HRO), NAS North Island as the starting point for receiving and resolving workplace disputes. Other detachments utilize the PMAs at the host activity.

7. Enclosure (1) contains basic procedures for filing a complaint.

  
F. M. GALLIE

Distribution:  
FASOTRAGRUPACINST 5216.3A

Procedures for Filing a Complaint

1. Who may file: Any employee, previous employee or applicant for employment who believes that he or she has been discriminated against by the agency.
2. Basis for complaint: The aforementioned employee who believes he or she has been discriminated against on the basis of race, color, religion, sex, national origin, age (40 years of age or over), mental or physical disability, or reprisal for EEO involvement may file a complaint.
3. Initiating the pre-complaint: The employee initiates timely contact with (HRO) site office personnel within 45 days of the alleged discriminatory act.
  - a. The personnel assistant at HRO will initiate a dispute resolution worksheet to identify the employee and document all the necessary information, such as job title/pay plan/grade level, telephone numbers, supervisor, and the specifics of the situation. The information is forwarded to a PMA at HRO.
  - b. The PMA will conduct an interview with the employee to discuss the employee's concerns and to assist in the identification of the best method to resolve the problem. The PMA will do the following:
    - (1) At the initial counseling session the PMA will inform the individual orally and in writing of his or her rights and responsibilities in the EEO process.
    - (2) The PMA will also be required to advise the employee that he or she may choose between participation in the ADR program offered by the agency and the traditional counseling activities provided for in the current regulation. If the PMA cannot resolve the dispute within a set number of days, the employee will be given information on the right to proceed in a complaint or grievance process.
  - c. Once the employee makes the decision on the course of action, the PMA will forward the dispute resolution worksheet and all pertinent information to a Dispute Resolution Specialist (DRS). The DRS will discuss with the employee about either proceeding with mediation or initiating the discrimination complaint process, or initiating the grievance process.

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d. If the employee decides to pursue the mediation process the DRS will contact the responding party. Normally the responding party is a management official, but could be an employee. If all parties are agreeable to an ADR, then mediation, facilitation or other appropriate ADR technique will be scheduled once a mutually agreeable date and location has been established.

e. If the employee decides to pursue the discrimination complaint process, the DRS will complete fact finding in regards to the issues the employee has disclosed. The DRS has 30 days to complete the fact finding and give the employee a final interview. After the final interview, if the employee is not satisfied with the outcome of the fact finding, a formal complaint can be initiated with the DRC.

4. Formal complaint. The employee has 15 days to file a formal complaint with the DRC.

Enclosure (1)