



DEPARTMENT OF THE NAVY  
COMMANDER  
TRAINING AIR WING FIVE  
7480 USS ENTERPRISE STREET SUITE 205  
MILTON, FLORIDA 32570-6D17

IN REPLY REFER TO

COMTRAWINGFIVEINST 5354.8C  
Code 00E  
26 Jan 06

COMTRAWING FIVE INSTRUCTION 5354.8C

Subj: COMMAND MANAGED EQUAL OPPORTUNITY (CMEO) PROGRAM

Ref: (a) OPNAVINST 5354.1E  
(b) SECNAVINST 5300.26D  
(c) JAGMAN Chapter 3

Encl: (1) U.S. Navy Grievance/Redress Procedures

1. Purpose. To provide guidelines for the Command Managed Equal Opportunity (CMEO) Program for Training Air Wing (TRAWING) FIVE, per reference (a).

2. Cancellation. COMTRAWINGFIVEINST 5354.8B.

3. Background. The Navy and this command are committed to equal opportunity. It is an inseparable part of sound leadership. The CMEO Program reemphasizes the chain of command as the medium for identifying and resolving equal opportunity issues within the command. Education and training to promote understanding of the various cultural and ethnic differences and sexual equality within the Navy is a command responsibility. Reference (a) directs each command to: establish a Command Assessment Team (CAT), monitor internal practices, and take prompt action through Management Action Planning (MAP) to counter discrimination.

4. Information. The objectives of the CMEO Program are to contribute to the achievement of equal opportunity in military justice, professional training and advancement, duty assignment, quality of life, morale, communications, award recognition, and performance evaluations.

5. Policy

a. The Commander, Training Air Wing FIVE (CTW-5) fully supports the policies, direction, and guidance provided by references (a) and (b). Merit, ability, performance, and potential are the only factors that should affect individual promotion, training, job assignments, and other actions. All personnel assigned to this command are directed to comply with the spirit and the intent of this instruction. The chain of command will process Sexual Harassment (SH) complaints

and equal opportunity requests immediately per reference (a), and as detailed in enclosure (1). Policies and procedures on DoN Civilian Discrimination Complaints Program are issued as a separate instruction by Deputy Assistant Secretary of the Navy for Civilian Personnel/Equal Employment Opportunity (DASN CP/EEO). SH policy for civilian personnel is outlined in reference (b). Civilian employees who raise allegations of discrimination shall be referred to the appropriate servicing human resources officer (HRO). Civilian personnel policy instructions concerning EEO and SH have applicability to Navy commands/staffs employing U.S. civilian personnel and to all civilian employees, the commanding officer (CO), and all military managers and supervisors of civilian personnel.

b. To ensure heightened command awareness, CTW-5 has initiated an innovative approach in the area of CMEO training. In order to accentuate the importance of the CMEO climate within the command, each arriving instructor and student will attend an extensive training session on Ethics as a part of indoctrination. This training emphasizes the Wing's policy as it relates to the responsibility of all personnel, and the goals of the Navy to maintain an excellent command climate.

(1) Training will be provided to all command members in sexual harassment recognition/prevention and grievance procedures.

(2) Refresher Ethics Training will be provided to all command members annually.

#### 6. Responsibilities/Action

a. The Commander, Training Air Wing FIVE is ultimately responsible for the overall equal opportunity climate of the command, compliance with Navy policies, and resolution of all cases of conflict and tension due to discrimination of any sort. CTW-5 shall stay abreast of human relations matters within the command by establishing and maintaining effective channels of communication at all levels.

b. The Chief Staff Officer (CSO) will chair the Command Assessment Team.

c. Command Managed Equal Opportunity (CMEO) Officer will be designated in writing by CTW-5 and will report to the Commodore via the CSO in all matters concerning equal opportunity issues within the command. The CMEO Officer will:

(1) Serve as the Primary Advisor to the CSO in all matters concerning equal opportunity within the command.

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(2) Continuously review all instructions from higher authority, ensure command instructions and programs are in compliance with the requirements of these directives, and keep the CTW-5 and CSO apprised of program requirements.

(3) Ensure documentation is generated and records maintained for all CMEO activities.

(4) Serve as the point of contact/advisor for the processing of complaints and the filing of grievances.

(5) Provide EO counseling and advice to command members.

(6) Assist the CTW-5 by ensuring the equal opportunity policies and programs of the command are widely disseminated and known at the lowest levels of the chain of command through training and any other methods deemed necessary.

(7) Ensure SITREPs are submitted with established timelines.

(8) Function as the single point of contact when practicable for EO issues, to include SH and discrimination, at the command. They shall report EO matters to the Commodore via the CSO, when applicable.

(9) Serve as the coordinator for the command climate assessment.

(10) Ensure the poster, "Navy Procedures for Processing Sexual Harassment/Discrimination Complaints for Military Personnel," S/N 0500-LP-022-7460, is permanently and prominently displayed in the command. Ensure the command POC for EO issues is listed at the same location as the poster.

(11) Screen prospective Equal Opportunity Advisors (EOAs) Navy Enlisted Classification (NEC) 9515 candidates.

d. The Command Assessment Team (CAT) will be composed of the CMEO Officer and other military and civilian personnel. The CTW-5 shall designate all team members in writing. The CAT shall:

(1) Conduct annual command assessments.

(2) Generate and implement Plans of Action and Milestones (POA&Ms) as part of the Management Action Plan (MAP) to deal with problem areas identified by the CAT.

(3) Per reference (a), meet quarterly to review the POA&Ms, review command records, and monitor the composition of command boards/committees.

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(4) Brief the CTW-5 on the results of the command assessment and provide recommendations to improve the command climate.

e. All members of the command, military and civilian, are encouraged to speak out against factual discrimination treatment. Enclosure (1) provides an outline of the proper procedures for handling grievances. Reprisals taken by any member of the command against any person(s) filing legitimate grievances will not be tolerated. However, the intentional filing of false discrimination complaints against any officer, enlisted, or civilian personnel is equally intolerable. Personnel must be clearly informed of their right to report any perceived existence of discrimination and the established means by which to submit such a complaint. The chain of command has a responsibility to process properly and promptly all complaints/grievances by individuals who exercise this right. All personnel in supervisory positions shall make themselves familiar with the requirements of reference (a), and take action as necessary to ensure compliance with its spirit and intent.

7. Reports. None required.



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Distribution:  
COMTRAWINGFIVEINST 5216.1N  
List I(a,b), II, III(a)

U.S. NAVY GRIEVANCE/REDRESS PROCEDURES

1. Discrimination Complaints/Grievances. One of the most important aspects of the Equal Opportunity Program and one which requires constant attention on the part of the CTW-5 is the process whereby complaints of discrimination are considered and acted upon by the chain of command. Taking firm, positive action in cases of valid complaints lends credibility to the command's commitment to justice and equality of treatment for all personnel. The chain of command must be responsive to any individual who exercises his/her right to report a perceived discrimination.

2. Servicemembers' Rights and Responsibilities. Individuals who perceive that they have been discriminated against and/or harassed shall attempt to resolve the complaint at the lowest level possible and fully use the chain of command.

a. Servicemembers have the right to present any legitimate grievance to the command without fear of intimidation, reprisal, or harassment.

b. Servicemembers have the right to be educated on the Navy's Grievance Procedures and on the procedures for appealing decisions.

c. Servicemembers have the right to communicate with the CTW-5 concerning their complaint/grievance.

d. Servicemembers have the responsibility to advise the command of the specifics of discrimination complaints and to afford the command an opportunity to rectify, remedy, or take appropriate action before the complaint/grievance becomes a formal one, which is then brought to the attention of higher authorities.

e. Servicemembers have the responsibility to submit only legitimate complaints and to exercise caution against immature or reckless charges.

3. Complaints/Grievance Procedures. The procedures an individual must follow to present a complaint/grievance are divided into two categories, informal and formal.

a. Informal Grievance Procedures. This is the first step in resolving a complaint and should be started at the lowest possible level.

(1) A person making a complaint should first attempt to resolve the complaint/grievance with the person or persons involved. Assistance of the immediate superior in resolving the complaint may be requested as the circumstances require. Requests are normally done

orally but may be done in writing. If the object of the complaint is the complainant's immediate superior, the complaint should be submitted to the next senior in the chain of command.

(2) If the complaint cannot be resolved between complainant and the person(s) involved, or with the help of the immediate superior(s), then a request should be submitted in a timely manner, either in writing or orally, to the CTW-5 for a request mast.

(3) If the CTW-5's resolution of the informal complaint is considered unjust, formal procedures for redress (relief) should be used. In all cases, it is the responsibility of the CTW-5 to inform the complainant of his/her right to submit a formal complaint and the method for making the submission.

(4) The CMEO Officer will assist in resolving sexual harassment and equal opportunity complaints. The CMEO Officer will be available for assistance in determining the need for a grievance, the proper methods of submission, and will be consulted prior to submission of a formal complaint. Additionally, the CMEO Officer will be responsible for the proper submission and processing of all applicable paperwork and documentation. Request chits of this nature will be processed through the CTW-5 within three working days of submission.

b. Formal Grievance Procedures

(1) If a grievance should exist against a superior in the same command other than with CTW-5, then a formal complaint per U.S. Naval Regulations Article 1150, will be submitted against that superior to the CTW-5. If the complainant considers the CTW-5's resolution unjust, he/she may submit a Uniformed Code of Military Justice (UCMJ) Article 138, "Complaint of Wrong." Routing procedures are contained in reference (c). Individuals should be advised of their entitlement to the military legal counsel for assistance in submitting this complaint. The CMEO Officer will obtain the assistance of the Legal Officer at this point in the process.

(2) If the grievance/discrimination complaint is against a superior in another chain of command, submit the complaint to the CTW-5. The CTW-5 will forward the complaint to the superior of the individual against whom the complaint is brought via his/her chain of command, to the officer exercising general court-martial jurisdiction over the individual. After review and action by the appropriate authority, a report of proceedings is forwarded to the Secretary of the Navy (Judge Advocate General) for review and final action.

(3) If the grievance/discrimination complaint is against the CTW-5, a UCMJ Article 138 complaint will be submitted via the chain of command to the person exercising general court-martial authority over the CTW-5. The complaint will be reviewed and a report of proceedings will be forwarded to the Secretary of the Navy (Judge Advocate General) for review and final action.

4. Command Responsibilities. In processing equal opportunity and sexual harassment complaints/grievances, the chain of command shall:

a. Use careful judgment and discretion in deciding upon the procedures by which complaints can be most effectively investigated, reviewed, and acted upon.

b. Ensure previous disciplinary action or poor judgment on the part of the complainant in no way invalidates or prejudices a discrimination complaint.

c. Document all reports of sexual harassment and discrimination complaints.

d. Ensure prompt and appropriate action is taken.

e. Prevent backlash or reprisal against complaints or witnesses.

f. Provide feedback to complainants within a reasonable time.

g. Inform individuals of the right to submit a formal complaint and the method for making this submission.

h. Inform the individual of his/her entitlement to obtain legal military counsel for assistance in the processing of a formal grievance.

i. Publicize to all members of the command the assistance available in complaint processing.

5. Prevention of Reprisal. The grievance system requires the trust and confidence of the personnel who must use that system. Personnel must not be afraid to use the system for fear of reprisals. Any act of reprisal will be dealt with swiftly and severely by the CTW-5.

a. Forms of Reprisals. Reprisals against a person submitting a grievance may be overt or subtle in nature. Examples include a reduction in fitness report/evaluation marks, inequity in watchstanding duties, or increased workload/watchstanding assignments. The severest form of reprisal is the withholding of recommendations for advancement, retention, or specialized programs.

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b. Prevention. The policy of the CTW-5 is zero tolerance for reprisals in any form. When reprisals are reported, prompt action will be taken by the CMEO Officer and Legal Officer to determine the validity of such reports. They will report their findings to the CTW-5, who will take prompt disciplinary action against violators when appropriate. The CMEO Officer will act as a personal advocate for the complainant to ensure no reprisals are taken. Supervisors are to be held accountable for regularly documenting performance, especially in the case of declining performance, by maintaining personal counseling records, submitting special evaluations, and taking other remedial actions as necessary.