



## DEPARTMENT OF THE NAVY

COMMANDING OFFICER  
TRARON EIGHT SIX  
390 SAN CARLOS RD SUITE G  
PENSACOLA FLORIDA 32508-5503

IN REPLY REFER TO:

TRARONEIGHTSIXINST 5354.2G

CMEO

SEP 23 2011

TRARON EIGHT SIX INSTRUCTION 5354.2G

From: Commanding Officer, Training Squadron EIGHT SIX

Subj: COMMAND MANAGED EQUAL OPPORTUNITY (CMEO)

Ref: (a) OPNAVINST 5354.1F  
(b) OPNAVINST 5370.2C  
(c) COMTRAWINGSIXINST 5370.1E  
(d) CNATRAININST 5370.2B  
(e) U.S. Navy Regulations  
(f) Uniform Code of Military Justice

Encl: (1) Commanding Officer, Training Squadron EIGHT SIX  
Policy Statement on Equal Opportunity, Sexual  
Harassment and Hazing  
(2) Navy Equal Opportunity (EO) Formal Complaint Form

1. Purpose. To establish the Command Managed Equal Opportunity (CMEO) program per reference (a), provide guidelines for the Training Squadron EIGHT SIX Command Assessment Team (CAT), and outline CAT's membership, mission, and functions. To implement the policy and guidelines as set forth in references (b) through (c) on fraternization and establish policy on staff/student military relationships. To ensure compliance with command policies established in enclosure (1). To promulgate recommended procedures for pursuing the resolution of grievances, discrimination complaints, recommendations, or requests. This instruction is a complete revision and should be read in its entirety.

2. Cancellation. TRARONEIGHTSIXINST 5354.2F

3. Background

a. The policy of the military is that each member be afforded equal and fair treatment and be assured the opportunity to rise to as high a level of responsibility as possible, dependent only on the individual's talent and diligence. CMEO provides a means of improved awareness, education, training, communications, and grievance redress procedures.

b. Throughout military history, custom and tradition have defined the bounds of acceptable personal relationships among its members. Proper interaction among staff, students, and enlisted members has always been encouraged, however unduly familiar personal relationships are contrary to good order and discipline. This also holds true for senior-subordinate relationships, whether those involved are officer or enlisted personnel. Due to the nature of its mission, a training command must consider the instructor-student relationship tantamount to that of the senior/subordinate. The Navy's fraternization policy, promulgated in references (b) through (e), is intended to define the acceptable bounds of personal relationships within the framework of the military.

c. References (e) and (f) provide general guidelines for naval personnel to follow in order to bring a grievance to the attention of their chain of command. Reference (a) charges the Commanding Officer with investigating, reviewing, and resolving discrimination/grievance complaints.

#### 4. Information

a. Reference (c) specifically prohibits fraternization. Personal relationships between instructor and student that do not respect differences in grade, rank, or student/instructor roles are prohibited. Such relationships are prejudicial to good order and discipline and violate long-standing traditions of the military.

b. When prejudicial to good order and discipline or of a nature to bring discredit to the military, personal relationships between officer members or between enlisted members that are unduly familiar and do not respect differences in grade or rank are prohibited. Prejudice to good order and discipline or discredit to the military may result from, but is not limited to, circumstances which:

- (1) call into question a senior's objectivity;
- (2) result in actual or apparent preferential treatment;
- (3) undermine the authority of a senior; or
- (4) compromise the chain of command.

c. If mitigating circumstances exist, it is the responsibility of the service members involved to consult their

Department Head/Personal Advisor/Wing Leader who shall determine if the circumstances constitute violation of policy and provide guidance to the members as to the bounds of acceptable conduct.

5. Objective. Promote equal opportunity, eliminate discrimination, and prevent fraternization and sexual harassment through training, education, command assessment, and management actions.

6. Responsibilities

a. Commanding Officer

(1) Appoint, in writing, a CMEO Manager to manage the CMEO program and liaise with the CTW-6 Equal Opportunity Assistant (EOA).

(2) Commanding Officer will investigate, review, and resolve discrimination/grievance complaints per reference (a).

b. Executive Officer

(1) Provide advice to Department Heads on the fraternization policy when requested.

(2) Ensure all hands are trained in the requirements of the references and this instruction at all initial and annual Navy Rights and Responsibilities Workshops.

c. Command Managed Equal Opportunity Manager

(1) Establish a Command Assessment Team (CAT) to conduct assessments as required and a Command Training Team (CTT) to monitor and/or provide necessary Equal Opportunity (EO) training.

(2) Prepare Management Action Planning to address problems identified by Command Equal Opportunity Assessment per reference (a).

(3) Publish command policies and procedures for the CMEO program.

d. Training Officers will ensure the fraternization policy is covered annually during General Military Training.

e. All personnel, regular and reserve, will comply with policy as set forth in references (b) through (e) and this instruction. Violation of this instruction may result in punitive action. All hands are charged with immediately reporting suspected violations of the Navy's fraternization policy, utilizing the chain of command.

7. Service member's 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. Service members have the right to present any legitimate grievances to the command without fear of intimidation, reprisal, or harassment.

b. Service members have the right to be educated on Navy's Grievance Procedure and on procedures for appealing decisions.

c. Service members have the right to communicate with the Commanding Officer concerning their complaint/grievance.

d. Service members have the responsibility to advise the command of the specifics of discrimination complaints and to provide the command an opportunity to rectify, remedy, or take appropriate action before the complaint/grievance becomes a formal one to be brought to the attention of higher authorities.

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

8. Mission of the CAT Team. As directed by reference (a), the CAT is tasked to assist all members of Training Squadron EIGHT SIX in human relations matters. The CAT is an investigative and advisory body. As an active group supporting the chain of command in assessing problem areas and identifying potential tensions, the team shall be a forum for the surfacing and frank discussion of real or imagined grievances. However, all problem solving actions must be conducted by the proper chain of command.

a. The Team as an Investigative Body. The CAT shall, when directed by the Commanding Officer, examine and investigate incidents and situations where tension, dissension, or discrimination may exist. In its investigative report to the Commanding Officer, the team will propose corrective action or

offer a method for handling the problem. In no case shall a determination of guilt, innocence, or culpability be made or implied in a report submitted by the CAT.

b. The Team as an Advisory Board. The CAT is available to every member of Training Squadron EIGHT SIX for advice on the handling of military/civilian problems and complaints of discrimination. However, the CAT shall not initiate any corrective actions, for that is the prerogative and responsibility of individuals in the chain of command. In addition, the team will monitor this command's management action planning and suggest methods of enhancing its effectiveness.

c. Membership of the Team. The CAT shall be comprised of individuals from the command trained to plan and conduct a command assessment as well as analyze the data collected. The following individuals will normally be assigned to the team:

(1) The Executive Officer will be the senior member and chairman of the CAT.

(2) Mandatory membership will also include at least the Administrative Officer, CMEO, Legal Officer, and one other Department Head.

(3) Anytime there are women in the command, at least one member of the council will be a woman.

(4) Other guidelines, as outlined in Section III of reference (a), will be followed as closely as practical.

d. Advisors to the Team. Because of the diversity of the problems before the team and because of the experience, training, or billets that some staff members hold in problem solving/human relation areas, certain squadron personnel may be designated as "Advisors to the Team." An "Advisor to the Team" shall be considered a fully qualified member of the CAT, with all voting rights and privileges for a particular case. Some of the individuals, who may be designated, in connection with particular cases, are the: Drug and Alcohol Program Advisor, Casualty Assistance Call Officer, and Senior Watch Officer. This list is not all-inclusive, and the team may appoint any qualified member of VT-86 to be an "Advisor to the Team."

9. Annual Equal Opportunity Command Assessments. Annual Equal Opportunity Command Assessments will be conducted per reference (a). The results of this assessment will be due to the

Commanding Officer no later than 25 September and will include the following data:

- a. Command Demographics Data Sheets.
  - b. Equal Opportunity Command Assessments will provide information on racial/ethnic composition and will cover questions regarding retention, discipline (military justice), grievance procedures, drug and alcohol abuse perceptions, promotion, and training. All Training Squadron EIGHT SIX personnel, (instructors, students, foreign military, and civilians) shall have an opportunity to participate in the assessment.
  - c. Equal Opportunity Quality Indicator Data Reduction Sheets.
  - d. Interview Data Sheets.
  - e. Observation Data Sheets.
  - f. Data matrix.
  - g. Assessment findings and recommendations.
10. Minutes. The minutes of advisory meetings shall be forwarded promptly to the Commanding Officer and after his endorsement posted on a prominent bulletin board and forwarded to Commander, Training Air Wing SIX. Minutes of investigative meetings shall not be posted, but forwarded promptly to the Commanding Officer.
11. 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 level possible.
    - (1) A complainant should first attempt to resolve the complaint/grievance with the person or persons involved. Assistance of the immediate supervisor in resolving the complaint may be requested as the circumstances require. Requests are normally done orally but may be requested in writing. If the object of the complaint is the complainant's

immediate supervisor, present the complaint to the next senior in the chain of command.

(2) If the complaint cannot be resolved between complainant and the persons involved or with the help of immediate supervisors, then submit a request either in writing or orally in a timely manner for a Commanding Officer request mast. Reference (e), NAVREGS Art. 1107, states the right to present a legitimate discrimination complaint to the Commanding Officer at a proper time and place. This includes discrimination or sexual harassment complaints.

(3) If the resolution of the informal complaint is considered unjust, use the formal procedures for redress (relief). In all cases, it is the responsibility of the commander to inform the complaint of his/her right to submit a formal complaint and the method for making the submission.

(4) Shore commanders are required to assign a person (CMEO) to assist in resolving sexual harassment and EO complaints. The CMEO is available for assistance in determining the need for a grievance, the proper method of submission, and should be consulted prior to submitting a formal complaint.

#### b. Formal Grievance Procedures

(1) If the informal grievance process does not resolve an issue, service members may initiate the formal grievance process by using the Navy Equal Opportunity (EO) Formal Complaint Form 5354/2 (enclosure 2). The completed form should be submitted to the Commanding Officer via the chain of command. The formal grievance will be handled per reference (a).

(2) If the grievance is against a superior in the same command, other than the Commanding Officer, submit a formal complaint, NAVREGS Art. 1150, against that superior to the Commanding Officer. If complainant considers the Commanding Officer's resolution unjust, submit a UCMJ Art. 138, "Complaint of Wrong," against the Commanding Officer. Procedures are contained in Chapter 11, Manual of the Judge Advocate General (JAGMAN). Individuals should be advised of their entitlement to military legal counsel for assistance in submitting this complaint.

(3) If the grievance/discrimination complaint is against a superior in another chain of command, submit the complaint to the Commanding Officer. The Commanding Officer

will forward the complaint to the superior of the individual against whom the complaint is brought via his/her chain of command or to the officer exercising general court-martial jurisdiction over the individual.

(4) If the grievance/discrimination complaint is against complainant's Commanding Officer, submit a UCMJ Art. 138 complaint. The complaint of wrong should be submitted via the chain of command to the person exercising General Courts Martial jurisdiction over the Commanding Officer.

(5) Congressional letter. Article 1155 of reference (e) states that any service members may communicate with a member of the United States Congress, unless such communication is unlawful or violates a security regulation. This procedure is a last resort to be used when the chain of command fails to handle the problem satisfactorily. Extreme discretion is advised in using this avenue for pursuing grievances. Congressional letters may be submitted through the chain of command.

## 12. Discrimination Complaints

a. Individual complaints of discrimination within the Navy should be brought to the attention of the command via the grievance procedures discussed.

b. Complaints of discrimination shall not be met with reprisal; any reprisal shall be regarded as grounds for a further complaint and will be acted upon promptly.

  
B. S. HORSTMAN

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