

OHIO MILITARY RESERVE



Regulation 600-21

EQUAL OPPORTUNITY (EO) PROGRAM

Headquarters, Ohio Military Reserve
Office of the Assistant Chief of Staff,
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1000 Lawrence Road
Camp Perry Training Site
Port Clinton, Ohio
43452-9578

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Equal Opportunity Program

By Order of the Governor:

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Summary. This Regulation explains the need for equal opportunity within the OHMR; outlines organizations and responsibilities; defines fundamentals; and establishes procedures for the development, implementation and management of the OHMR Equal Opportunity (EO) program.

It implements the policies of DOD directive 1350.2 and NGR (AR) 600-21.

Supersedes. This regulation supersedes OHMR-R 600-21, 03 February 1997.

Applicability. This regulation applies to all components, elements, detachments, units and personnel of the Ohio Military Reserve.

Supplementation. Supplementation of this regulation and establishment of command and local policies are prohibited.

Suggested Improvements. Suggested improvements which may be considered for this regulation should be forwarded in writing to the proponent agency of this regulation, the Office of the Equal Opportunity Officer, OHMR-EEO, Camp Perry Training Site, 1000 Lawrence Avenue, Port Clinton, Ohio 43452-9578.

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Section 1 General

1-1. Purpose. The regulation contains policy guidance for equal opportunity applications, and compliance review procedures for the Ohio Military Reserve. It implements the Army National

Guard Equal Opportunity/Affirmative Action Plan and provides information concerning the sources.

1-2. Scope. The Equal Opportunity/Affirmative Action Plan provides detailed information and identifies those areas that insure maximum op

portunity and participation by minority group personnel in the Ohio Military Reserve.

1-3. Objectives. The objectives of Equal Opportunity/Affirmative Action Plan (OHMR 600-21) are to:

a. Provide the Ohio Military Reserve with guidelines for maintaining and executing equal opportunity actions.

b. Assess compliance with equal opportunity directives by the brigade commanders and improve enforcement procedures.

Section 2

Responsibility

2-1. Ohio Military Reserve (OHMR). The Ohio Military is responsible for implementation of the Equal Opportunity and Affirmative Action Plan within the guidelines established herein, applicable to OHMR.

2-2. State Adjutant General. The State Adjutant General is responsible for:

a. Establishing State Equal Opportunity/Affirmative Action Plan within the guidelines established herein.

b. Insuring implementation of State Affirmative action Plan at all levels of command.

c. Compiling and reporting data required to monitor the progress of Equal Opportunity programs within units of the Ohio Military Reserve under its jurisdiction.

d. Establishing objectives and goals by which Corps-wide progress in Equal Opportunity may be measured.

e. Assessing subordinate command compliance with equal opportunity/affirmative action directives and improving enforcement procedures.

2-3. Commanders. OHMR commanders will ensure that the policies of the Adjutant General and of this regulation are adhered to in their organizations. Commanders at all levels will:

a. Act promptly to prevent or correct situations that may rise to complaints of discrimination. They will ensure that subordinate commanders and leaders refrain from actions or comments that might be viewed as discriminatory.

b. The procedures, as set forth in this regulation, will be prominently displayed for obtaining redress of complaints, including those against members of the chain of command. These procedures will be in writing and will be prominently displayed where all unit members will have access to them.

c. Conduct informal inquiries whenever an allegation of discrimination is brought to their attention. If the inquiry determines that the complaint has merit, commanders will resolve the complaint at the lowest appropriate level.

2-4. Equal Opportunity Advisors (EOA). OHMR EOAs will advise commanders regarding issues, merits, validity, and processing of discrimination complaints. Personnel appointed as EOAs must meet the selection criteria indicated in NGR (AR) 600-21. They are the proponent officers to prepare the Affirmative Action plan for brigades or O-6 equivalent levels. As senior EOAs and the overall coordinators of brigade or O-6 equivalent level EO programs, they develop a working relationship with battalion and company commanders. EOAs will keep OHMR Equal Opportunity Officer informed of EO matters.

Section 3

Policy and Guidance

3-1. Policy.

a. The fair, equitable, and nondiscriminatory treatment of all members of the Ohio Military Reserve maintains and improves morale and productivity, fosters unit cohesion and readiness, and increases the effectiveness of the OHMR. It is the policy of the Ohio Military Reserve to provide equal opportunity for OHMR personnel or applicants for membership in the Ohio Military Reserve; they will not be subjected to illegal discrimination because of race, color, religion, gender(to include sexual harassment), national origin, age(within the age limitations of the OHMR regulations), physical/mental handicap or reprisal resulting from the use of this regulation to resolve grievances.

b. Soldiers will not be accessed, classified, trained, assigned, promoted, or be otherwise managed on the basis of race, color, religion, gender, national origin or reprisal, except-

(1) As the direct combat probability coding policy might apply

(2) As necessary to support established affirmative action goals.

c. The OHMR will operate a discrimination complaint processing system designed to reflect the policies stated herein and to provide a just and, effective avenue of redress to aggrieved persons in accordance with applicable laws and regulations. Personnel who feel that they have been subjected to illegal discrimination will be permitted to participate in this complaint process. They will not be discouraged from participation due to fear of reprisal.

d. Commanders are held responsible for insuring equal opportunity within their units. Commanders will:

(1) Implement, monitor and support equal opportunity policies and programs.

(2) Investigate all complaints or grievances and take action as required in accordance with the provisions of the regulation. To-wit:

(a) A written complaint of discrimination may be filed not later than 180 days from the date of alleged discrimination either with the brigade commander having jurisdiction over the personnel where the act of discrimination is alleged to have occurred or direct to the Equal Opportunity Officer OHMR.

(b) The unit commander will attach comments and explain what action taken to resolve the matter and will forward to the Equal Opportunity Officer, OHMR.

(c) Brigade Commanders will take appropriate action to resolve the complaint. If the complaint is resolved to the satisfaction of the complainant, no further action is required. In the event the complaint cannot be resolved to the satisfaction of the complainant at brigade level, the complaint, together with all comments, will be forwarded to the Equal Opportunity Officer,

(d) An authorized representative of Ohio Military Reserve will conduct a prompt investigation into the circumstances under which the alleged act of discrimination occurred, and other factors relevant to a discrimination of whether the brigade commander has failed to act in good faith. The investigation officer will render a written report to include findings and recommendations directly to Ohio Military Reserve Commanding General or the commander's delegate.

(e) If an investigation indicates discrimination in violation of regulations, the matter may be resolved, if possible by informal means, or by action by the Ohio Military Reserve Commander. If the facts disclosed by an investigation do warrant action, Ohio Military Reserve Commander will so inform the brigade commander and the complainant, if any, in writing.

3-2. Concept. The Ohio Military Reserve Equal Opportunity/Affirmative Action Plan is predicated on the following philosophy;

a. Affirmative Action is a concept that is a step beyond nondiscrimination. It requires positive and planned actions to correct deficiencies and inequities.

b. Numerical goals or objectives are planning targets to measure progress towards achieving desired results. Goals are not ceilings,

nor are they base figures to be achieved at the expense of requisite qualifications.

c. Equal Opportunity and Affirmative Actions are complementary. Equal opportunity actions are designed to correct structural deficiencies, to eliminate discriminatory practices, and to provide all personnel with opportunities for upward mobility and full career development.

3-3. Design. The OHMR EO/AAP is designed to focus the resources and managerial ability of the Ohio Military Reserve on the equal opportunity and non-discriminatory environment.

3-4. Objectives. Actions listed in this plan:

a. Provide the opportunity for career development and maximum effective use of individual skills and recognition of potential abilities of all service personnel.

b. Correct structural imbalances to provide meaningful participation for minority service personnel in the Ohio Military Reserve.

3-5. Equal Opportunity Program. The OHMR will set forth and enforce the conditions outlining and enforcing the conditions under which the participation, consideration, treatment, and potential for success of members of the OHMR is based upon individual merit, fitness, achievement, and ability without regard to race, color, religion, national origin, or illegal considerations of gender, age, physical or mental handicap.

3-6. Affirmative Actions Plan. Additionally, the Ohio Military Reserve is responsible for insuring that each brigade shall implement this regulation as its plan, tailored to the environment of local conditions.

3-7. Special Interest Area. Equal Opportunity/Affirmative Action is all area of special interest by the Equal Opportunity Officer. OHMR and is included as an area of special interest by Ohio Military Reserve Commander.

3-8. Definitions. For the purpose of this plan, the following definitions pertain:

a. Minority members are defined as Negro, Spanish-American, Native American, Oriental-American, Hawaiian, Eskimo, Aleut, Filipino and others as may be required for identification.

b. The total community referred to in this plan means metropolitan entities such as Columbus, OH or geographical boundaries representing "Area of Influence" that are within a 50-mile radius or 90 minutes travel time from armories.

c. Females unless otherwise identified as minority group females, refer to all females without regard to race, creed, color or national origin.

3-9. Sexual harassment. Sexual harassment is a form of sex discrimination. It violates acceptable standards of integrity and impartiality required of all OHMR personnel, and interferes with mission accomplishment and unit cohesion. Acts that constitute sexual harassment may also be punishable under civil and military law as criminal acts of a sexual nature and should be treated as such.

a. Sexual harassment is not limited to the work-place, but also can occur in the work related environment and violates standards of integrity and impartiality required of all military personnel. It interferes with mission accomplishment and unit cohesion. Such behavior by

members of OHMR will not be tolerated.

b. Any person in a supervisory or command position who uses or condones implicit or explicit sexual behavior to control, influence, or affect the career, or position of OHMR members is engaging in sexual harassment. A commander who fails to take corrective action when sexual harassment is reported to him or her is condoning sexual harassment.

3-10. References

a. DOD Directive 1100.15 (Department of Defense Equal Opportunity Program).

b. DOD Directive 1350.2 (The Department of Defense Military Equal Opportunity Program).

c. AR 600-20 (Army Command Policy).

d. NGR(AR)600-21 (National Guard Regulation dated 1 October 1995).