

ONI INSTRUCTION 5354.3

Subj: OFFICE OF NAVAL INTELLIGENCE (ONI) COMMAND MANAGED EQUAL
OPPORTUNITY (CMEO) PROGRAM

Ref: (a) OPNAVINST 5354.1D
(b) OPNAVINST 5354.3D
(c) SECNAVINST 5300.26C
(d) SECNAVINST 1300.12B
(e) ONIINST 5354.2

Encl: (1) Implementation of the Command Managed Equal
Opportunity Program
(2) Navy Grievance Procedures
(3) Prevention of Discrimination and Sexual Harassment
(4) Discrimination/Sexual Harassment Incident Quarterly
Report
(5) CMEO Program Inspection Checklist

1. Purpose. To affirm the commitment of ONI to the principles of the Navy Equal Opportunity (EO) Program and to establish policy and provide guidance for effective management and implementation of CMEO within ONI, per references (a) and (b).

2. Applicability and Scope. The provisions of this instruction are applicable to all active duty Navy and Naval Reserve personnel and assigned civilian employees. (Note: Civilian Equal Employment Opportunity (EEO) policies and guidance are provided in separate instructions issued by the Office of Civilian Personnel Management and the Equal Employment Opportunity Commission.)

3. Discussion. A command environment in which equal opportunity exists for all members is essential to attaining and maintaining a high state of morale, discipline, readiness, and military effectiveness. CMEO is the Commander's tool for prevention of discrimination and ensuring these goals are attained (enclosure (1) pertains). Command monitoring of internal practices, as well as awareness of the EO climate in the civilian community, enable the Commander, directorate heads, and supervisors to take prompt positive action to counter discrimination or other inappropriate practices. Education to promote an understanding of cultural and ethnic differences and to prevent discrimination and sexual harassment (SH) is a command responsibility.

4. Policy. As stated in reference (b), the Department of the Navy (DON) policy is to provide equitable treatment and equal opportunity to all Navy members.

a. This policy shall apply without regard to race, ethnicity, religion, gender, or national origin within constraints of the law.

b. ONI is committed to ensuring that an equitable assignment

process and leadership opportunity exists for all qualified personnel; providing equitable EO training; ensuring equal opportunity for promotion and advancement; permitting discrimination neither in the administration of justice nor in the involuntary separation of personnel; effectively monitoring the EO climate; and ensuring discrimination complaint procedures are processed in a timely and effective manner.

5. Responsibilities

a. Commander, Office of Naval Intelligence (COMONI) will:

(1) Provide overall direction, guidance, and leadership for the ONI CMEO Program.

(2) Monitor EO status within the command.

(3) Provide CMEO waivers as necessary.

(4) Ensure a command assessment is conducted annually, and within 6 months following a change of command.

b. Deputy Commander and Chief of Staff will:

(1) Ensure equal treatment for all personnel.

(2) Continuously review the disposition of all "Report and Disposition of Offense" charges to ensure that racial, religious, ethnic, cultural, or gender bias has not been a factor in any phase of the process.

(3) Ensure all personnel are knowledgeable of their right to submit an informal or formal complaint/grievance, the methods for submission, and their entitlement to legal counsel. Enclosure (2) pertains.

(4) Designate the program coordinator for CMEO within ONI.

(5) Evaluate the equal opportunity climate of ONI on an ongoing basis.

(6) Annually review and update ONI CMEO requirements based on the ongoing assessment and associated reports.

(7) Take appropriate actions to develop, implement, and monitor objectives and actions assigned in references (a) through (d).

(8) Ensure local directives are developed and implemented as required.

(9) Conduct a formal review and assess the command's EO climate annually and submit assessment findings and recommendations.

(10) Provide information as directed by reference (b) for

assessing progress towards achieving equal opportunity goals.

(11) Report all discrimination and sexual harassment incidents, using enclosures (3) and (4), as required by reference (a).

(12) Promote a positive EO climate within the command through personal example, command policy statements on EO, and positive leadership practices.

(13) Appoint Command Training Team (CTT) members. In conjunction with the Executive Director, designate EO/EEEO Committee Command Assessment Team (CAT) members.

c. Equal Opportunity Assistant (EOA) will:

(1) Advise COMONI on all matters related to EO policy and on command compliance.

(2) Assist with the processing of EO/SH complaints.

(3) Review formal EO/SH complaints and provide recommendations for command endorsement and action.

(4) Provide briefings on EO matters.

(5) Assist in EO policy formulation.

(6) Assist the ONI Inspector General (IG) inspection team in conducting spot checks and command inspections using enclosure (5).

(7) Monitor CMEEO status by conducting random spot checks and evaluating annual command assessment results.

(8) Coordinate reporting of formally resolved sexual harassment and discrimination incidents using the Discrimination and Sexual Harassment Database.

(9) Provide training to the CAT and CTT.

(10) Coordinate provision of Navy Rights and Responsibilities (NR&R) Workshops for military personnel at ONI.

(11) Counsel personnel on both formal and informal procedures for resolving EO/SH complaints.

(12) Maintain demographic data (race, gender, rank, rating, designator, and branch) of military personnel in the areas of retention, discipline, separation, training, advancement, and recognition.

(13) Ensure appropriate service record entries are made for ONI personnel assigned to the CAT and CTT, and for personnel participating in NR&R Workshops.

d. Command Assessment Team will:

(1) Conduct regular analyses and assessments of the EO climate at ONI in accordance with references (a) and (e) and this instruction.

(2) In the normal course of their jobs, maintain alertness to the command climate and bring any issues of concern to the EO/EEO Committee (reference (e) pertains).

e. Command Training Team will:

(1) Conduct NR&R Workshops as specified in reference (a).

(2) Provide the EOA with the information necessary for proper service record documentation of NR&R Workshop attendance and maintain the ONI master list of NR&R Workshop attendance.

f. Directorate Heads will:

(1) Provide overall guidance and leadership for CMEO within their directorates.

(2) Nominate members of the directorate to the CTT and EEO/EO Committee CAT.

6. Action

a. COMONI and all ONI personnel will aggressively support the EO program by implementing procedures set forth in reference (a).

b. ONI will conduct CMEO training for all officers and enlisted personnel. This can be accomplished with qualified CTTs, EOAs, or with the assistance of geographical Fleet Training Centers. Reference (a) and this instruction provide specific requirements for CMEO training.

c. COMONI will designate, in writing, an officer or chief petty officer as the CMEO Officer. This individual will assist the Executive Officer (XO) in carrying out the duties and responsibilities of the CAT and coordinating the training conducted by the CTT. The CMEO will work closely with the Command Master Chief (CMC), Command Career Counselor (CCC), Drug and Alcohol Program Advisor (DAPA), and Staff Judge Advocate (SJA), when applicable. On matters of a routine or day-to-day basis, the CMEO Officer will report to COMONI and Deputy Commander through the XO.

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ONIINST 5354.3

IMPLEMENTATION OF THE COMMAND MANAGED EQUAL OPPORTUNITY PROGRAM

1. Introduction and Overview. Command Managed Equal Opportunity (CMEO) is a self-sustaining program to assist individual commands in the active support of equal opportunity. The focus is on prevention of incidents. Commands should pro-actively assess themselves as often as necessary, problem-solve, and develop individualized plans of action to correct deficiencies.

a. Information forms the basis for all management actions. Therefore, CMEO is directed toward increasing the availability of valid, command-specific information that will enable the chain of command to understand EO conditions at the command, command practices, individual behaviors, and how these factors may serve as constraints or barriers to equal opportunity attainment.

b. Any required policy statements, such as sexual harassment (SH), should be combined with similar policy statements required by civilian personnel EEO regulations in order to minimize the number of official issuances.

2. Purpose of CMEO. The purpose of CMEO is to reemphasize the chain of command as the medium for identifying and resolving command EO issues. CMEO has two basic goals:

a. To attain improved mission readiness and effectiveness through the optimum utilization of all personnel.

b. To promote management actions that will establish and maintain EO in the command consistent with existing rules, regulations, and directives.

3. CMEO Administration. As a "command managed" system, CMEO is administered by the following command appointed personnel:

a. Command Training Team (CTT). Every command with 50 or more permanently assigned military personnel is required to have a CTT to present command specific training, Navy Rights and Responsibilities Workshops, annual sexual harassment training, and other EO training as may be required. The CTT leader must be a division officer or a department head.

(1) Qualification requirements for CTT members (waivers may be granted by COMONI):

(a) Paygrade E-6 or above.

(b) Have at least 18 months remaining onboard when assigned to CTT.

(c) Present a sharp military appearance and have passed most recent Physical Readiness Test (PRT).

(d) No non-judicial punishment (NJP) within past 24 months.

(e) Possess good communication and team building skills, as determined by CTT leader and CMEO Officer.

(2) CTT members shall be appointed in writing by the Commander and must attend formal CTT Indoctrination (CTTI) through a Commander, Naval Education and Training (CNET) CMEO training site or through individual training by an EOA (NEC 9515). Training must be documented in the service record and must be repeated if the individual has not performed on the CTT during the past 24 months or more.

(3) The maximum size of the CTT is at command discretion. Minimum requirements based on the size of the command are: 2 for the first 50 to 100 personnel, 3 for 101-201; 4 for 201-300, and 5 for 301 and over.

b. Command Assessment Team (CAT). Every command, regardless of size, is required to conduct an annual command assessment. The XO will head the CAT. Membership will include the CMC, CCC, Admin Officer, SJA, CMEO Officer, CTT Leader, and at least one designated department head. Additional membership should reflect command demographics (paygrade, gender, race, ethnicity, and organizational level). At ONI, the CAT will be comprised of both military and civilian personnel (civilians must complete CAT Indoctrination (CATI)).

(1) Qualification requirements for CAT members:

(a) Military personnel must have at least 18 months remaining onboard when assigned to CAT, must present a sharp military appearance, have passed most recent PRT, and have no NJP within the past 24 months.

(b) All members must possess good communication and team building skills, as determined by CAT Leader and CMEO Officer.

(2) CAT members shall be appointed in writing by the Commander and must attend formal CATI through a CNET CMEO training site or through individual training by an EOA (NEC 9515). Training must be documented in the service record and must be repeated if the individual has not participated in conducting an assessment in over 24 months.

(3) Waiver of any of the above qualification requirements may be granted by COMONI. Waiver requests must contain member's full name, social security number, report date, planned rotation date, reason for waiver, and directorate head endorsement.

4. CMEO Process. Command EO assessments are to be conducted within 6 months following change of command and annually thereafter. Section III of reference (a) describes the system by which commands assess themselves, problem-solve, and determine required actions. Enclosure (4) describes implementation within ONI as a supplement to reference (a). At the command level, CMEO consists of the following:

- Collection and maintenance of demographic data
- Command Assessment Capability
- Command Training Capability
- Action Planning
- Inspections

a. Collection and Maintenance of Demographic Data. At a minimum, demographic data shall be maintained on the retention, advancement, and discipline of military members. Required data fields include race, gender, rank, designator, rating, division and department, or other appropriate work unit. Demographic data shall be aggregated no less than annually. The capability to aggregate the data at other intervals as required by the CAT or CTT shall be maintained.

b. Assessment. The CAT is to record command demographics by race/ethnicity/gender/paygrade and compile data on retention, discipline, and advancement; conduct an attitudinal survey (using CATSYS 4.0 or latest version) of a representative sample of the command; and hold interviews and record observations in order to form a full picture of the EO climate aboard the command. The findings of the assessment and analysis shall be provided to COMONI. These reports of findings shall also be available for review during inspection of local CMEO implementation. Assessments may be conducted more frequently based on command requirements or as circumstances dictate.

c. Analysis. Statistical data assembled by the CAT is examined to determine if racial or gender differences exist between any subgroups in the command, and establish whether or not those differences correlate to institutional or individual practices that erect barriers to the EO goals stated above. It may also be beneficial to analyze data by other criteria such as department/division or by paygrade to help pinpoint areas of concern. Command leadership should be involved as appropriate to assist the CAT in analysis of command assessment data.

d. Action Planning. The CAT and any additional personnel appointed to analyze command assessment data will prepare a plan of actions and milestones (POA&M) to apply corrective measures to the areas of concern. Once the POA&M has been formulated, COMONI will be briefed on the results and recommended actions. Based on these POA&M(s), the CTT will present a recommendation to COMONI on what to prepare for the annual command specific training (CST).

e. Command Training

(1) CMEO training consists of annual CST and the NR&R Workshop, given to each newly reporting command member as a part of command indoctrination. The annual CST emphasizes initiatives the command is taking to improve attainment of CMEO goals. It need not involve all hands at the same time and may be tailored to the various leadership levels in the command, specifically delineating the role of each in implementing POA&Ms resulting from the assessment.

(2) NR&R training should be given as part of the command indoctrination and must be provided to all personnel within 90 days of reporting to a new permanent duty station. Personnel having received NR&R training during a previous tour of duty are not exempt from receiving the training when assigned to ONI.

(3) The CTT is tasked to provide both CST and NR&R workshops. The CTT also conducts annual required sexual harassment training, which may be given in conjunction with CST. It is recommended that civilian supervisors of military personnel also receive NR&R training. Completion of NR&R workshops shall be documented in military service records.

f. Inspection. Inspection and evaluation of CMEO at ONI shall be conducted following the guidelines of reference (a) and applicable ONI IG guidelines (enclosure (5) pertains).

Enclosure (1)

ONIINST 5354.3

NAVY GRIEVANCE PROCEDURES

1. Complaints. One of the most important aspects of the Equal Opportunity Program, and one that requires constant attention, is that discrimination and sexual harassment complaints be considered and acted upon by the chain of command. A complaint is nothing more than bringing to the attention of proper authority the known, suspected, or probable commission of an offense under the Uniform Code of Military Justice (UCMJ), or violation of a civil law (or other inappropriate conduct). A complaint may be made orally or in writing. Any person may initiate a complaint; military or civilian, officer or enlisted.

2. Servicemembers' Rights and Responsibilities. Individuals who perceive they have been discriminated against and/or sexually harassed will 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 procedures for appealing decisions.

c. Servicemembers have the right to communicate with COMONI concerning their complaint or grievance.

d. Servicemembers 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 or grievance becomes a formal one, which then must be brought to the attention of higher authorities.

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

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

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

(1) Individuals should first attempt to resolve complaints with the person or persons involved. It is recommended that the IRS be used to resolve the conflict unless the behavior involved is clearly criminal in nature. Assistance of the immediate supervisor in resolving the complaint may be requested, as the circumstances require. If the object of the complaint is the complainant's immediate supervisor, present the complaint to the next senior in the chain of command. The IRS skills booklet (NAVPERS 15620) for resolving conflict provides step by step guidance for resolving not only sexual harassment issues but conflicts of any nature in the workplace.

(2) If the issue cannot be resolved between the complainant and persons involved, or with the help of immediate supervisors, then a request should be submitted in a timely manner for Request Mast.

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

(4) ONI is required to assign a person to assist in resolving sexual harassment and equal opportunity complaints. This individual is available for assistance in determining the need for the grievance, the proper method of submission, and should be consulted prior to submitting a formal complaint.

b. Formal Grievance Procedures

(1) If the grievance is against a superior other than the Commander, a formal complaint (NAVREGS Article 1150) should be submitted against that superior to the Commander. If complainant considers the Commander's resolution unjust, a UCMJ Article 138

"Complaint of Wrong" may be submitted against him or her. 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.

(2) If the grievance is against a superior in another command, the complaint should be submitted to the Commander. He or she will then forward the complaint to the superior of the individual against whom the complaint was brought, via the chain of command, to the officer exercising general courts-martial jurisdiction over the subject of the complaint. After review and action by the appropriate authority, a report of proceedings will be forwarded to the Secretary of the Navy (SECNAV) (Judge Advocate General) for review and final action by the SECNAV.

(3) If the grievance is against COMONI, a UCMJ Article 138 complaint should be submitted. The complaint of wrong should be submitted via the chain of command to the person exercising general court-martial jurisdiction over the Commander. The complaint is reviewed and a report of proceedings forwarded to the SECNAV (Judge Advocate General) for review and final action by SECNAV.

4. Complaints/Grievances Related to Discharge and Records. Servicemembers who wish correction of service records or a change in discharge classification should write to the Board for Correction of Naval Records or the Naval Council of Personnel Boards (Attn: Naval Discharge Review Board), Department of the Navy, Washington, DC 20370. These boards will supply forms and instructions necessary to apply for redress.

5. Grievance Poster. The grievance poster, which publicizes the Navy's sexual harassment/discrimination complaint procedures, will be prominently displayed on a permanent basis at every command.

6. COMONI Responsibilities. In processing equal opportunity and sexual harassment complaints, all incidents must be investigated and action taken to resolve the incident at the lowest appropriate level. All incidents will be resolved promptly and with sensitivity. Confidentiality will be maintained to the extent possible. Feedback will be provided to all affected individuals consistent with the requirements of the Privacy Act. Reprisals against complainants or witnesses will not be tolerated.

a. Inform individuals of the informal complaint resolution procedure, the right to submit formal complaints, and the method for submitting formal complaints.

b. Provide to all members, information on obtaining legal military counsel for assisting in submission of formal complaints and any other assistance available from the local shore command.

c. Except in cases of major criminal offenses (which must be referred to the Naval Criminal Investigative Service),

individuals should be encouraged to use the IRS.

d. If the complaint cannot be resolved using the IRS, it is mandatory for the Commander to take prompt action in determining the disposition, consistent with the interests of justice and discipline. Disposition must be based upon an investigation sufficient for an intelligent decision. A preliminary investigation should be initiated to develop enough information as to facts and circumstances to allow a full assessment of the conduct which precipitated the complaint. The command must ensure that previous disciplinary action or poor judgment on the part of the complainant in no way invalidates or prejudices a discrimination or harassment complaint. It is permissible for the Commander to dismiss a complaint as unfounded after adequate inquiry. It is never permissible to fail to adequately investigate a complaint.

e. Ensure the complaint has received a disposition. Options may range from taking no action (e.g., groundless allegations) to counseling, admonition, reprimand, disapproval, criticism, censure, reproach, rebuke, extra military instruction, administrative withholding of privileges, adverse entries in performance ratings, downgrading or revocation of security clearances, detachment for cause, separation processing, NJP, or criminal prosecution of the accused.

f. Provide feedback within a reasonable time to all affected individuals consistent with the requirements of individual privacy rights.

g. Preclude backlash or reprisal. No individual may take or condone reprisals against a person who provides information on an incident of alleged discrimination or sexual harassment. A reprisal is the wrongful threatening or taking of either unfavorable action against another or withholding favorable action from another solely in response to a report of alleged discrimination or sexual harassment. Reprisal can be overt or subtle; reduction of performance marks "out of the blue," otherwise unwarranted psychiatric evaluations, inequity in duty assignments, increased workload/watchstanding, or not recommending personnel for advancement, retention, or special programs. When reprisals are reported, commands must aggressively determine the validity of such reports and take prompt disciplinary action against violators when appropriate. Prevention methods to assist commanding officers in maintaining an environment free of reprisals include:

(1) Regularly emphasizing the positive aspects of bringing to the command's attention acts of undesirable behavior.

(2) Clearly and strongly publicizing command policy statements against acts of reprisal and the punishment that violators will receive.

(3) Once a complaint or grievance has been initiated, actively following the individual's performance and evaluation to ensure no reprisals are taken.

(4) Holding supervisors 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.

(5) In extreme situations, the Commander may consider temporarily assigning the complainant to another command until the issue is resolved.

7. IG Hotline. Complaints of discrimination or sexual harassment may be reported through the Inspector General's "Fraud, Waste, and Abuse Hotline." This alternate means of reporting may be used if the complainant is not reasonably satisfied that the complaint has been or will be properly resolved by chain of command. The number to call is DSN 288-6743, commercial (202) 433-6743, or toll free 1-800-522-3451. The ONI IG's Hotline number is DSN 659-3030, or commercial (301) 669-3030.

Enclosure (2)

ONIINST 5354.3

PREVENTION OF DISCRIMINATION AND SEXUAL HARASSMENT

1. ONI is committed to maintaining a work environment free from discriminatory practices and inappropriate behavior. Strong leadership is the foundation of ONI's determination to eliminate sexual harassment.

2. Discrimination is defined as: an act, policy, or procedure that arbitrarily denies equal treatment to an individual or a group of individuals because of handicap, race, color, religion, gender, age, national origin, or ethnicity.

3. Sexual harassment is a form of discrimination that involves unwelcome sexual advances, requests for sexual favors, and other physical or verbal conduct of a sexual nature when:

a. Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career; or

b. Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person; or

c. Such conduct interferes with an individual's performance or creates an intimidating, hostile, or offensive environment.

4. The above definition emphasizes that to be actionable as a "hostile or offensive environment," harassment need not result in

concrete psychological harm to the victim, but rather need only be so severe or pervasive that a reasonable person would perceive, and the victim does perceive, the work environment as hostile or abusive. The term "work environment" is an expansive term for military members and may include conduct on or off duty, 24 hours a day.

5. Any person in a supervisory or command position who uses or condones implicit or explicit sexual behavior to control, influence, or affect the career, pay, or job of a military or civilian employee is engaging in sexual harassment. Similarly, any military or civilian employee who makes deliberate or repeated unwelcome verbal comments, gestures, or physical contact of a sexual nature is also engaging in sexual harassment.

6. A positive work environment requires that behavior be professional and conducive to maximizing efficiency and proficiency. Sexual harassment and discrimination undermines the integrity of the employment relationship, debilitates morale, and interferes with the work productivity of an organization. ONI's objective is, and will continue to be, to provide a work environment free of unlawful and unacceptable conduct.

7. ONI will provide annual all hands training to ensure those personnel know what sexual harassment is, what it is not, and what the consequences of such behavior will be. This training may be accomplished as part of the annual command specific training. ONI will also provide training and make all hands aware of the Informal Resolution System (IRS) adopted by DON as a means of resolving sexual harassment complaints at the lowest level of the chain of command; provide an IRS skills booklet (NAVPERS 15620) to each member of the command; prominently display IRS posters to emphasize system use; incorporate books and videotapes in the IRS Training Information Resource (TIR) Library to augment annual training; and ensure personnel are also aware of formal avenues for seeking redress and actions that will be taken against personnel violating sexual harassment and discrimination policies.

8. All supervisory personnel will:

a. Ensure assigned personnel are familiar with SECNAV and ONI policies on sexual harassment and discrimination.

b. Take prompt and decisive action to investigate all complaints of sexual harassment and discrimination, resolve the problem at the lowest possible level, or take formal disciplinary and/or administrative action if necessary.

c. Provide timely feedback on actions taken to the individual lodging the complaint. Ensure the individual complainant is protected against any form of reprisal.

d. Report complaints that reach a formal level of resolution (whether substantiated or not) to ONI EOA as required by reference (a). All formal complaints (substantiated or unsubstantiated) submitted on NAVPERS 5354/2 Formal Complaint

(7) NAVPERS 5354/2 Navy Equal Opportunity
Sexual Harassment Formal Complaint
Form. _____

- b. Has COMONI clearly and strongly stated his or her policies on EO in writing, including:
 - (1) Prevention of Sexual Harassment
 - (2) Reprisals against individuals submitting grievances
 - (3) Fraternalization
- c. Has COMONI ensured all hands have received Informal Resolution System (IRS) skills training?
- d. Is command policy current with DOD, SECNAV, and OPNAV directives and understood throughout the command?
- e. Has the CMEO Officer completed the required (CAT/CTT) training prior to assuming the duty?
- f. Has a CMEO Officer been designated in writing by the CO? (Will be an E-7 - E-9 or O-3 and above)
- g. Are minorities and women being included in the composition of all boards, councils, and committees?
- h. Are command personnel aware of their responsibilities in support of the Navy's EO program and policies?
- i. Does the command acknowledge ethnic observances?
- j. Has the Navy's new Grievance Procedure Poster been prominently displayed and has emphasis been placed on solving problems through the chain of command?
- k. Is the Navy EO/Sexual Harassment Formal Complaint Form readily available to command personnel?
- l. Are command personnel aware of the avenues of formal complaint?
- m. Are command personnel apprised of their

rights and responsibilities regarding submission of a formal complaint?

- n. Does the command maintain data and disposition files of discrimination/sexual harassment complaints?
 - o. Is the command making required quarterly reports of incidents of sexual harassment/discrimination that reach level of resolution?
 - p. Are annual assessment results and POA&Ms, forwarded to COMONI for review?
 - q. Are posters displayed so all hands are aware of Sexual Harassment/Discrimination complaint procedures, EO/SH Complaint Line, and IRS System?
 - r. Are complaints being followed up to ensure resolution?
 - s. Are discrimination and sexual harassment cases not resolved within 20 days being reported to CNO via SITREP and follow-on SITREPS?
 - t. Are steps such as those outlined in the EO Manual being taken to prevent racial or other incidents?
 - u. Is the command familiar with the proper procedures for reporting incidents?
 - v. Is there an officer or senior enlisted person designated to assist individuals in resolving discrimination/sexual harassment problems?
3. Command Managed Equal Opportunity (CMEO)
- a. Command Training Team (CTT)
 - (1) Is CTT size commensurate with the number of personnel assigned to the command?
(2/50-100; 3/101-200; 4/201-300; 5/301 and above)
 - (2) Does the CTT have at least two or more members of pay grade E-6 or above?
 - (3) Are CTT members formally trained?
Is the training documented in service record?

- (4) Is the command ensuring personnel with PRDs of less than 18 months are not assigned to CTT?
- (5) Has required repeat training occurred for members who have not performed in the capacity of a CTT member in excess of 24 months?
- (6) Is CTT leader a division officer or department head?

b. Navy Rights and Responsibilities (NR&R Workshop)

- (1) Is the command conducting NR&R for all newly reporting personnel within 90 days of reporting?
- (2) Are all NR&R subjects presented as outlined in CNET-developed lesson plans?
- (3) Is NR&R workshop training documented in member's service record?
- (4) Are NR&R critique sheets used?
- (5) Is the command conducting the annual "command-specific EO training" for all hands?
 - (a) Date last held?
 - (b) What topics were covered?
 - (c) Does training include sexual harassment (YES / NO)
 - (d) Is there a muster/roster of those attending? (YES / NO)
 - (e) Is training documented in service records? (YES / NO)

c. Command Assessment Team (CAT)

- (1) Does minimum CAT membership include:
 - Executive Officer
 - Department Head
 - CMC
 - Command Career Counselor
 - CMEO Officer (or EOA)
 - CTT Leader
 - Staff Judge Advocate
 - Administrative/Personnel Officer
 - Cross section of command by race, paygrade,

and gender

- (2) Are all CAT members formally trained?
- (3) Is the training documented in service records?
- (4) Have all CAT members completed the required correspondence course within 3 months of assignment?
- (5) Does CAT membership, at a minimum, meet quarterly?
- (6) Is the command assessment conducted annually?
- (7) Are the results of command assessments retained for 36 months?

Dates completed:

- (8) Are the following items filed as part of the command assessment package?
 - Demographic Data Reduction Sheets
 - Surveys (utilizing CATSYS 4.0)
 - Survey Data Reduction Sheets
 - Interview Data Reduction Sheets
 - Data Matrix (records, reports, survey, interviews)
 - Assessment Findings and Recommendations
 - Civilian Assessment
- (9) Has command conducted a command assessment within 6 months of change of command (if applicable)?
- (10) Are command personnel regularly debriefed on the status of command assessment action items (e.g. Captain's Call, Quarters, Plan of the Day, etc.)

d. Plan of Action and Milestones (POA&M)

- (1) Is a POA&M developed for each issue identified in CAT's findings and recommendations?
- (2) Is the command conducting follow-up action on POA&M action items?

4. Career Development

- a. Are minorities and women provided equal opportunity for assignments?

- b. Have qualified personnel been identified, encouraged, and counseled to apply for commissions?
- c. Are assignments and collateral duties on the basis of talent and ability?
- d. Are evaluations and fitness reports being written on the basis of achievement and without regard to race, religion, gender, color, or national origin?
- e. Is the servicemember's support of EO considered when evaluated? Are servicemembers aware this is an important area of evaluation?
- f. Are supervisors participating in unit EO training as instructors, discussion leaders, or as resources for answering questions?
- g. Have educationally deficient personnel been identified and counseled?
- h. Is the command working with the local education institutions to make educational opportunities available to personnel?
- i. Are Navy role models invited to the command to speak and set the example for junior personnel?

5. Discipline

- a. Is data on administration of discipline and discharges monitored by race, religion, ethnicity, and gender?
- b. If bias has been determined to exist in the NJP process, have steps been taken to correct the process?

6. Discrimination and Sexual Harassment (DASH) Reports

- a. Is the DASH system being used to report incidents?
- b. Are DASH reports being forwarded in accordance with the OPNAVINST 5354.1 series?
- c. Are continuation reports being properly identified in subsequent reports of same incidents?
- d. Are quarterly reports on formal

complaints forwarded as required?
(negative reports required)

7. Sexual Assault Victim Intervention (SAVI) /
Rape and Sexual Assault (RASA)

- a. Are all command sexual assaults reported to the SAVI/RASA data collection coordinator (ONI-OCEOA)?
- b. Are all command sexual assaults reported quarterly by 31 March, 30 June, 30 September, and 31 December to BUPERS, PERS-66 in accordance with OPNAVINST 1752.1 series?

Enclosure (5)