

Hill Air Force Base Equal Opportunity Newsletter

New EO Director Introduction

Team Hill-

I hope this newsletter finds you well and healthy as we continue to work through the COVID pandemic. I wanted to take this time to introduce myself as the new Hill AFB EO Director.

My name is Samantha Morrison and many of you may know me from my time in the 75 FSS Civilian Personnel Office. I have spent the last 15 years of my Air Force career in various areas of the Personnel community, across two MAJCOMs, three bases and two year-long deployments to Afghanistan. Included in my Personnel experience, I have a background as a Disability Program Manager, Installation Reasonable Accommodations Manager, Installation Special Emphasis Program Manager, and Affirmative Employment Manager.

As I transition to the EO Office I

want to share information with you to ensure everyone on Hill AFB (military, Appropriated Fund civilians and Non-Appropriated Fund civilians, at all levels) are aware of what services our office provides and how the EO process works.

Inside this newsletter you will find information on the Federal EO program, all statutes and regulations guiding the EO process. There are definitions and timelines that are important to understand as well as frequently asked questions (FAQs).

The Hill AFB EO Office is open Monday thru Friday from 0800-1600. Our office will be minimally manned Thursdays from 1400-1600 for internal training however there will always be a Specialist available to assist either in person or via phone.

If you work swing or night shift and need to speak with our office

please contact us and we will be flexible to accommodate your schedule.

On the last page, you will find the EO Staff assignments and contact information. The EO Specialist assigned to your organization is your first POC for any EO questions or concerns. If you choose to file a complaint, please note it may be assigned to any EO Specialist.

Lastly, I would like to invite you to be a part of our EO team. We are recruiting military and civilians to become certified mediators. Please see the application details on page 4.

If you have questions on the EO Program, please feel free to email me at samantha.morrison@us.af.mil and I will work to provide you timely and accurate information. I look forward to working with you in this new capacity.

Federal EO Program

The President of the United States is the top executive office in charge of Equal Employment Opportunity. The President appoints the members of the Equal Employment Opportunity Commission (EEOC) who has primary responsibility for guiding Federal agencies' EO programs.

Each agency is responsible for establishing and implementing their own Equal Employment

Programs and complaint processing procedures consistent with applicable Federal laws and statutes.

The Hill AFB EO Program is controlled by the 75 ABW Installation Commander who appoints the EO Director. The EO Director is directly responsible for executing, managing, and maintaining the integrity of the agency EO process.

The objective of the Hill AFB EO Office is to provide fair and non-discriminatory equal opportunity assistance for all civilian and military agency employees and external applicants, regardless of race, color, national origin, sex, disability (mental or physical), age (over 40), religion, GINA, or reprisal in compliance with EEOC guidelines and Air Force policy.

Special points of interest:

- > Equal Opportunity Program
- > Summary of Regulations and Statutory Provisions
- > Civilian Complaint Process
- > Sexual Harassment
- > Frequently Asked Questions
- > EO Office Location and Contact Information

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FAQs

Who can file an EO Complaint?

Military, civilians, including Non-Appropriate Funded employees, outside applicants, some tenants and contractors of Hill AFB (check with an EO Specialist) alleging discrimination based on their race, color, national origin, sex, age, disability, religion, GINA or reprisal may initiate an informal EO complaint by contacting the EO Office.

What are the responsibilities of an EO Specialist?

Specialists are responsible to advise the complainant about the EO complaint process and possible election requirements IAW regulations. Specialists will either conduct a limited inquiry into the allegations and issues or refer the complainant to the Negotiated and Dispute Resolution (NDR) process if the complainants elects to pursue NDR. Specialists must remain neutral and follow the EO processes. They do not find fault and are not to advocate for employees or management.

Summary of Regulations & Statutory Provisions

The EO Program is governed by the provisions of [Chapter 29 Code of Federal Regulations \(CFR\) 1614](#), EEOC Management Directive 110 ([MD-110](#)), [AFI 36-2710](#), [Equal Opportunity Program](#).

Enforced Statutes that prohibit discrimination are [Title VII of the 1964 Civil Rights Act](#), as amended; the [Rehabilitation Act of 1973](#); [Americans with Disabilities Act \(ADA\)](#); [Equal Pay Act](#); and the [Age Discrimination Employment Act of 1967 \(ADEA\)](#).

The Notification of Federal Employee Antidiscrimination and Retaliation Action of 2002 ([No FEAR Act](#)) prohibits retaliation.

It also requires training for the entire workforce every two years. Training at Hill AFB is computer based training (CBT).

The No FEAR Act provides federal agencies with the right where discrimination is substantiated to discipline a Federal employee who has engaged in discriminatory or retaliatory conduct.

This act also requires detailed reporting by the EO Office to report complainant activity and in particular findings of discrimination.

To access the hyperlinks, you will need to right click, copy the hyperlink, open a web browser and paste the link into the browser.

Civilian Complaint Process and Important Definitions

Below are important definitions and timelines that must be adhered to if you have the need to file an EO Complaint.

Civilian Complaint Time Limits

To satisfy regulatory requirements, civilian employees must make contact with an EO Specialist within 45 calendar days (weekends and holidays included) from the date of alleged discriminatory incident or effective date of the adverse personnel action or date when you first became aware of the alleged incident. EO class action complaints should be presented directly to the EO Director within 45 calendar days of the date of the alleged discrimination.

Personal Representative

The EO Specialists are neutral; therefore, they are not representatives of the employee (either on or off duty). Employees are entitled to a personal representative of their choice at any time during the EO process, designation must be in writing.

Anonymity

During the informal stage of the process, employees can elect to remain anonymous. This means the EO Specialist will not use your name. If the complaint is elevated to the formal stage of the process, anonymity is waived.

Official Time

Complainants are entitled to a reasonable amount of official time to prepare the complaint and to respond to agency requests for information.

“Reasonable” is defined as whatever is appropriate, under the particular circumstances of the complaint, in order to allow a complete preparation of the relevant information associated with the complaint and to respond to each request for information. Each complaint may vary due to the complexity. Employees are required to obtain approval from their supervisor for official time.

There are two stages to the agency administrative EO process, informal and formal.

Civilian Informal Process

During the informal stage, the complainant has two options. They can elect traditional counseling or NDR. In traditional counseling, the EO Specialist has 30 calendar days to complete a limited inquiry into the claim and try to resolve it at the lowest level. If the complainant selects NDR instead, the timeline for completion is extended to 90 calendar days.

During traditional counseling, the EO Specialist assigned will discuss the employee’s rights and responsibilities IAW regulations and policy.

If an employee elects to proceed with the filing of an informal EO complaint, appropriate documents are signed. The employee submits a written statement with documented dates of the alleged discriminatory incident along with a written remedy to his/her



Complaint Process and Important Definitions, continued

complaint and/or any supporting information to the EO Specialist for input into the complaint file.

It is important to note, EO Specialists are not investigators. They will conduct a limited inquiry into the claim and try to resolve it at the lowest level. If the claim is unable to be resolved, the complainant will be given a Notice of Right to File Formal. If accepted, the case will be assigned to an investigator outside of Hill AFB for a thorough investigation and potential hearing.

Negotiated and Dispute Resolution

In cases where NDR is offered, the complainant's decision regarding whether to participate is entirely voluntary.

Mediation is the most widely used method of NDR here at Hill AFB. This is a 3rd party neutral, known as a mediator, aiding the parties involved in trying to resolve the issues. If you are interested in being a mediator at Hill AFB, please see page 4 for more details.

If the dispute is resolved during the NDR process or the EO informal inquiry process, then a legal and binding settlement agreement would be signed by all parties involved and the EO complaint is closed.

If the dispute is not withdrawn or settled during the NDR process or the EO informal inquiry process, a final interview will be scheduled with the EO Specialist and the employee will be given the right to file a formal complaint.

Civilian Formal Process

If the civilian complainant elects to continue to the formal stage of the EO process, he/she must inform their assigned EO Specialist during the final interview of the informal process. Appropriate documents will be signed and submitted to formalize the complaint.

The complaint will be coordinated through the Civilian Personnel Office, Judge Advocate, and Air Force Civilian Appellate Review Office (AFCARD), and sent to the Investigation Resolution Division (IRD) for either mediation or investigation.

Sexual Harassment

If sexual harassment is reported, investigated and substantiated, swift and severe action can be taken. Supervisors are mandatory reporters when it comes to sexual harassment. Immediately contact the 75ABW/JA, 75 ABW/EO and your assigned Employee Relations Specialists (ERS) in 75 FSS/FSCA for strict timelines and guidance. Supervisors are responsible to ensure all employees work in an environment free from unsolicited and unwelcome sexual overtures.

Definition of Sexual Harassment

Sexual Harassment is defined per [10 U.S.C. 1561](#) and [DoDI 1020.03](#). "Sexual harassment involves unwelcome sexual advances, requests for sexual favors, and deliberate or repeated offensive comments or gestures of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career; (2)

submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person; or (3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive environment; **and** is so severe or pervasive that a reasonable person would perceive, and the victim does perceive, the environment as hostile or offensive.

Use or condonation, by any person in a supervisory or command position, of any form of sexual behavior to control, influence, or affect the career, pay, or job of a member of the Armed Forces is prohibited. Any deliberate or repeated unwelcome verbal comments or gestures of a sexual nature by any member of the Armed Forces or civilian employee of the Department of Defense is prohibited. There is no requirement for concrete psychological harm to the complainant for behavior to constitute sexual harassment. Behavior is sufficient to constitute sexual harassment if it is so severe or pervasive that a reasonable person would perceive, and the complainant does perceive, the environment as hostile or offensive. Sexual harassment can occur through electronic communications, including social media, other forms of communication, and in person."

Sexual harassment consequences are very serious and the Air Force and Hill AFB Commander's written policy is **Zero Tolerance**.

FAQs

If I file a complaint, am I obligated to proceed with the entire process?

A complainant can withdraw his/her complaint at anytime during the process. You are not obligated to proceed against your will.

Are females the only ones who can file a sexual harassment complaint?

Absolutely not, the victim as well as the harasser may be a woman or man. The harasser may be a co-worker or another employee, a supervisor, a contractor, or anyone on Hill AFB. The victim does not have to be the person filing the complaint because of the egregious act. It may be filed by anyone affected by the offensive conduct.

Do I need an attorney to represent me?

Every complainant is entitled to designate, in writing, a personal representative of their choice. This could be an attorney, a spouse, friend, co-worker, or Union Representative or you can represent yourself. EO Specialists do not represent the employee or the Agency. They are to remain neutral and therefore cannot serve in the capacity of a personal representative whether on duty or off duty.

75 ABW/EO Staff

EO Director

Ms. Samantha Morrison, 801-777-5455, samantha.morrison@us.af.mil

Capt Kelly Rapp, 801-777-3407, kelly.rapp.2@us.af.mil, EO Administrative Officer

Main Line: 801-777-4856 Main Inbox: 75 ABW.EO@us.af.mil

EO Specialists and Assignments

Mr. Gregory Boykin, Installation NDR Manager, 801-777-4857, gregory.boykin@us.af.mil, services 84 RADES, AFNWC, SCMW, 348 RCS, 368 RCS, 372 RCG, 729 ACS, 372 TRS

Ms. Pamala Jackson, 801-777-3680, pamala.jackson@us.af.mil, services 75 ABW

Mr. Richard Knudson, 801-777-3516, richard.knudson.1@us.af.mil, services 309 CMXG, 309 MMXG, 309 MXSG

TSgt Keedrick Mitchell, 801-777-9878, keedrick.mitchell@us.af.mil, Installation DEOCS Manager, services 00-ALC Staff, 309 AMXG

TSgt Sarah Smith, 801-777-4778, sarah.smith.39@us.af.mil, Installation HRE Training Manager, services 309 AMARG (DEOCS only), 309 EMXG, AFTC, AETC

SSgt Michael Williams, 801-777-4854, michael.williams.181@us.af.mil, services 309 SWEG, 388 FW, AFLCMC

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5731 E. Avenue, Bldg 460
Hill AFB, UT 84056-5704

We are co-located with the SARC office, in between the Club and the Chapel.

Office Hours:

Monday—Friday 0800-1600
Thursdays—low manning 1400 – 1600 however a Specialist will always be available

Hill AFB EO SharePoint:

<https://org2.eis.af.mil/sites/21341/EO/SitePages/Home.aspx>

Air Force Equal Opportunity:

<https://www.af.mil/Equal-Opportunity/>

Next Newsletter Topics:

Military EO Process
DEOCS Information
Out and About Program

How to Become a Mediator

Per AFI 51-1201, *Negotiation and Dispute Resolution Program*, Installation commanders should seek “volunteers” to perform mediation duties, vice “appointing” them. If you are interested in being a mediator for Hill AFB, please read through the following information and the attached Mediation Application. This is open to all military and civilians on Hill AFB.

A recommendation from your first level supervisor will be required, attesting to your fitness to perform such duties, taking into consideration the person’s workload, professional

manner and demeanor, ability to speak and write very well, and innate ability to engage others in conversation.

While on appointment, and when selected to perform a mediation, the individual’s duty should be recognized as an “in-lieu of” duty/responsibilities.

Selected mediators must complete 32 hours of Air Force mandated training, an additional 8 hours of EO specific training and then a minimum of 8 hours of mediation refresher training per fiscal year. Selected mediators need to be available for 2 years and available to complete 1-2

mediations per month.

If you are interested, please complete the attached mediator application, to include supervisory approval and return it to the 75ABW.EO@us.af.mil inbox for consideration. All applications need to be in by COB 30 April 2021. We look forward to adding your expertise to our EO staff.

Further information on this program can be found in [AFI 51-1201, Negotiation and Dispute Resolution Program](#). Please right click on the hyperlink and copy the hyperlink, open a web browser and paste the hyperlink.

