



DEPARTMENT OF THE ARMY

U. S. Army Corps of Engineers  
WASHINGTON, D. C. 20314-1000

REPLY TO  
ATTENTION OF

CEEO (690-700h)

23 July 1992

MEMORANDUM FOR COMMANDERS, MAJOR SUBORDINATE COMMANDS,  
DISTRICT COMMANDERS/DIRECTORS, LABORATORIES AND  
FIELD OPERATING ACTIVITIES

SUBJECT: Determination of Venue--EEO Complaints

1. Reference AR 690-600, Equal Employment Opportunity Discrimination Complaints, Chapter 1; paragraph 1-7, Change of Venue; paragraph 1-8, Complaints involving the Secretary of the Army or Officials of the Secretary of the Army; paragraph 1-10, Complaints involving the U.S. Total Army Personnel Command; and paragraph 1-11, Conflicts of Interest.

2. As indicated in referenced paragraphs, most complaints are processed at the activity where the alleged discrimination occurred. The referenced chapters also provide specific procedures for determining the activity where a complaint will be processed when certain Army officials are identified as responding management officials, or when there are conflicts of interest. Venue for these complaints is, for the most part, easily determined and does not require further clarification. However, for those complaints where the appropriate activity responsible for processing cannot be clearly determined; or where the aggrieved requests or insists that his or her complaint be processed at a higher command level; or where senior level officials are named or otherwise designated as responding management officials, the following procedures will be followed:

a. INITIAL CONTACT BY AGGRIEVED-INFORMATION REQUIRED: When the aggrieved requests that counseling be conducted outside the activity where the alleged discriminatory actions occurred, the local EEO Officer will obtain sufficient information from the aggrieved and from other sources to determine the appropriate venue. Information obtained should be clear and specific as to what were the alleged discriminatory actions; date(s) of occurrence, and what specific actions were taken by individuals named or designated as the responding management official(s) (RMOs). The aggrieved should be informed (1) that merely naming a RMO at a higher command level will not automatically result in the complaint being processed outside the activity where the complaint occurred, and (2) that a final venue determination will be made after completion of counseling.

CEEO (690-700h)

SUBJECT: Determination of Venue--EEO Complaints

b. COORDINATION-PRECOMPLAINT COUNSELING: Based on above required information, provided by the aggrieved and from other sources, the EEO officer will determine whether counseling will be conducted by an EEO Counselor from outside the local activity. If the appropriate venue for counseling is determined to be another USACE activity, the EEO officer will immediately contact the EEO office where counseling will be conducted and coordinate procedures for assigning and funding an EEO counselor. Coordinated procedures will be confirmed in writing and made a part of the complaint record file.

c. OVERSIGHT-COUNSELING PROCESS: The EEO officer with jurisdictional responsibility for the counseling process will provide technical guidance and supervision to the assigned counselor, and will ensure that all regulatory requirements are adhered to, and that a counseling report is prepared. The final counseling report will be reviewed for factual information/documentation, resolution effort, and subsequent determination of venue for formal complaint processing. This venue determination is required whether a formal complaint is filed, or not. Accordingly, if the review discloses that the venue for processing a formal complaint should be at a higher command level, the case file must be transmitted, within 7-calendar days, to the EEO office with jurisdictional responsibility. The aggrieved should also be informed of the venue determination, reasons for the decision, and provided the appropriate EEO Officer's name, address, and telephone number. Transmittal of case files to the EEO office with jurisdictional responsibility is required whether a formal complaint has been filed, or not.

d. JURISDICTION-FORMAL COMPLAINTS: If a formal complaint is filed, the EEO office with jurisdictional responsibility for formal complaint processing will ensure that the complaint is processed in accordance with governing regulations, and that records are maintained on all processing actions. The EEO officer will review the complaint record file and the formal complaint to ensure that the allegations cited therein were counseled. Questions or additional information concerning processing actions should be addressed to the EEO Officer who had oversight responsibility for the counseling process. If there are jurisdictional disputes or concerns related to venue determinations, HQUSACE CEEO will make the final decision.

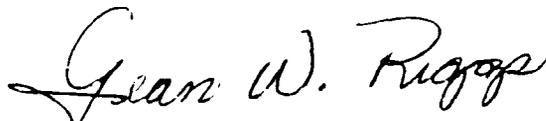
CEEO (690-700h)

SUBJECT: Determination of Venue--EEO Complaints

3. Throughout the informal and formal process, required actions must be coordinated with the appropriate EEO office(s); and this Headquarters must be kept fully informed on processing and related actions.

4. If the above procedures are followed, confusion, misunderstandings, and delays in processing related to venue determinations can be avoided. Additional information or questions may be addressed to Jean Riggs, USACE EEO Complaints Program and Policy Manager, (202) 272-8706.

FOR THE COMMANDER:

  
for ANITA G. GOMEZ-BENNETT  
Chief, Office of Equal  
Employment Opportunity