Office of Diversity Management & Equal Opportunity

Military Equal Opportunity Overview

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Office Of Diversity Management and Equal Opportunity (ODMEO)

Topics

New DoD Instruction

Government Accountability Office Report

FY 2013 National Defense Authorization Act

Military Equal Opportunity (MEO)
New DoD Instruction

Converting legacy directive to stronger, clearer DoD instruction to

- Establish EO policy, regulate DoD MEO Program and assign responsibilities for ensuring DoD-wide compliance with broad program objectives
- Provide for education and training in EO, human relations and sexual harassment prevention
- Prescribe the functions of the Defense Equal Opportunity Management Institute (DEOMI)
- Provide DoD-wide procedures/standards for unlawful discrimination and sexual harassment complaint processing and resolution

Next Steps: Pre-coordination, legal review and formal coordination

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Government Accountability Office (GAO) Report, September 2011, recommended: Strengthen DoD Senior Level Oversight of Sexual Harassment Prevention Program

- Develop strategy for holding leaders accountable
  Action: SecDef memo, May 6; USD(P&R) memo, Jul 31
- Track compliance with command climate requirements
  Action: SecDef memo, May 6
- Issue complaint guidance for joint service environments
  Action: New DoD MEO Instruction (Nov-Dec 2013)
- Establish uniform data elements
  Action: NDAA FY 2013; USD(P&R) memo, Aug 30
- Implement an oversight framework
  Action: New DoD MEO Instruction (Nov-Dec 2013)

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1. Develop strategy for holding leaders accountable

New instruction requires DoD Components to establish, publish, maintain, and enforce procedures for formal and informal complaints of unlawful discrimination or sexual harassment (DoDI 1020.cc, Paragraph 3. Policy)

DoD Component Heads and the Secretaries of the Military Departments held responsible for promoting, supporting, and enforcing the sexual harassment policies and programs (DoDI 1020.cc, Enclosure 4. Responsibilities)

Enhancing Commander Accountability: To enhance accountability and improve insight into subordinate command climate, the USD (P&R) shall require that the results of FY13 National Defense Authorization Act-mandated annual command climate surveys will now also be provided to the next level up in the chain of command. Implement this provision not later than July 31, 2013. (SecDef memo, May 6, 2013, ref prevention of sexual assault).

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2. Track compliance with command climate requirements

New Instruction holds Secretaries of the Military Departments responsible for tracking compliance of military commanders with updated command climate assessment requirements as directed in USD (P&R) memorandum, dated July 25, 2013. (DoDI 1020.cc, Enclosure 4. Responsibilities)

Enhancing Commander Accountability: To further enhance command accountability, the Service chiefs, through their respective Secretaries of the Military Departments, will develop methods to assess the performance of military commanders in establishing command climates of dignity and respect and incorporating SAPR prevention and victim care principles in their commands, and hold them accountable. Report your methods to me through USD (P&R) by November 1, 2013." (Command climates of dignity and respect include the prevention of sexual harassment.) (SecDef memo, May 6, 2013, ref prevention of sexual assault)

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3. Issue complaint guidance for joint service environments

New instruction identifies responsibilities of DoD Component Heads and individuals who oversee or operate in a joint military environment to establish an MEO program that complies with DoD guidelines and reflects standards, values, and principles of existing MEO programs, resources, and counseling services. (DoDI 1020.cc, Enclosure 4. Responsibilities)

New Instruction establishes requirements and standard procedures for processing complaints Department-wide including complaints occurring in Joint Environments. Instruction calls for establishment of toll-free advice lines, identifies procedures proscribed by Public Law for processing sexual harassment complaints, and addresses the appeal process among certain other matters related to complaints. (DoDI 1020.cc, Enclosure 3. Complaints)

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4. Establish uniform data elements

DoDI 1020.cc requires Military Departments to collect, monitor, and report annually on certain elements of their Military Equal Opportunity program to include data on complaints. (DoDI 1020.cc, Enclosure 6. MEO Program Indicators)

The requirement in DoDI 1020.cc is reinforced by the NDAA FY2013 congressional reporting requirement for the Military Departments to collect data and information on substantiated incidents of sexual harassment to be submitted on a fiscal year basis to the DoD Sexual Assault Prevention Response Office (SAPRO) for inclusion in annual SAPRO reports to Congress. (USD (P&R) data call memorandum, dated August 30, 2013, and data collection template identifying the common department-wide data elements for reporting and analysis purposes)

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5. Implement an oversight framework

Proposed DoDI 1020.cc calls for establishment of a senior leadership advisory forum comprised of leaders and managers in the grade of at least senior executive service level or Flag/General Officer, such as the Defense Human Resource Board or its equivalent to provide oversight and an annual review of DoD MEO programs and provide advice and recommendations to the USD (P&R). (DoDI 1020.cc, Paragraph 3. Policy)

DoDI 1020.cc assigns the Director, Office of Diversity Management and Equal Opportunity the responsibility for establishing procedures for senior leader recurring oversight reviews of selected categories of military personnel programs and issuance of data calls that will be used by each Military Service and the National Guard Bureau to establish a framework of recurring analytical reviews. (DoDI 1020.cc, Enclosure 4. Responsibilities)

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FY 2013 National Defense Authorization Act levied DoD sexual harassment and command climate reporting requirements

- Comprehensive policy on prevention of sexual harassment (training, reporting/anonymously, responding/resolving) due March 2014
- Plan for collecting sexual harassment complaint data; submitted to Congress August 2013
- Mandatory command climate assessments guidance issued to Military Services and National Guard Bureau July 2013

Next Steps: Continued collaboration with DEOMI and Service MEO counterparts to produce policy and incorporate in new instruction

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Questions