



UNITED STATES MARINE CORPS
MARINE AIR GROUND TASK FORCE TRAINING COMMAND
MARINE CORPS AIR GROUND COMBAT CENTER
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CCO 5354.3A
EOA

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COMBAT CENTER ORDER 5354.3A

From: Commanding General
To: Distribution List

Subj: MARINE AIR GROUND TASK FORCE TRAINING COMMAND, MARINE CORPS
AIR GROUND COMBAT CENTER PROHIBITED ACTIVITIES AND CONDUCT
PREVENTION AND RESPONSE POLICY

Ref: (a) MCO 5354.1E w/Admin Ch.
(b) MCO 1700.23F
(c) DoD Directive 1350.2, DOD Military Equal Opportunity Program
(d) MCO 3504.2A
(e) CCO 5354.1E
(f) SECNAVISNT 5300.26D
(g) 10 USC 1561

Encl: (1) Command Climate Survey Procedures
(2) Formal Complaint Procedures

1. Situation. The Marine Air Ground Task Force Training Command (MAGTFTC), Marine Corps Air Ground Combat Center (MCAGCC) ability to perform its mission is directly related to the fair and equitable treatment of its uniformed Service members. Reference (a) outlines the Marine Corps policy on prohibited activity and conduct (PAC) prevention and response involving harassment (to include sexual harassment), unlawful discrimination, or abuse (specifically, hazing; bullying; ostracism; retaliation); wrongful distribution or broadcasting of intimate images; and, certain dissident and protest activity (to include supremacist activity). This Combat Center Order and references (a) through (g) establish administrative controls for preventing and responding to PAC allegations by uniformed Service members assigned to MAGTFTC, MCAGCC.

2. Mission. To publish procedures for responding to allegations of PAC and promulgate policies clearly outlining every member's role and responsibility in establishing and maintaining positive command climate.

3. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent

(a) Promote an environment free from personal, social, and institutional barriers that prevent Marines and Sailors from rising to the highest level of achievement possible. Members of this Command shall be evaluated on individual merit, fitness, capability, and performance.

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(b) Every echelon of leadership must establish a culture that values the unique contribution of every Marine, and Sailor in the command, optimizing our capabilities to accomplish assigned missions.

(2) Concept of Operations. This command will make every effort to eradicate unprofessional and unacceptable behavior from our ranks. Any conduct that is fundamentally inconsistent with our core values and ethos will not be tolerated. Engaged leadership is key to eliminating PAC within our organization.

b. Subordinate Element Missions

(1) Commanding Officers (COs)

(a) Comply with all references.

(b) Publish and prominently post written command policy that implements reference (a) and this order. Command policy will be recertified within 90 days of assumption of command. An example template can be provided by the Equal Opportunity Advisor (EOA)/Military Equal Opportunity (MEO) office.

(c) Appoint a Staff Noncommissioned Officer or Officer as Equal Opportunity Representative (EOR) to manage the command's PAC program requirements. EORs will be screened using the criteria outlined in reference (a), Appendix J. It is highly encouraged that commands assign (at a minimum) a primary/lead and alternate/secondary EOR.

(d) Direct and document regular (and no less than annual) comprehensive visual inspections of work spaces in accordance with reference (a) to ensure all spaces under the purview of the commander's authority are free of materials that could be deemed degrading and/or offensive, and/or as contributing to an offensive and/or hostile environment.

(e) Oversee the Defense Equal Opportunity Management Institute (DEOMI) Equal Opportunity Climate Survey (DEOCS) and provide a Corrective Action Plan (CAP) to the CG for review, as established in reference (a). CAPs will consist of, at a minimum, the following elements: Commander's Intent for conducting the DEOCS, commander's analysis of the DEOCS, and a listing of each issue to be addressed along with the action taken for each issue, the status, and the responsible party.

(f) To the furthest extent possible, review the results of each DEOCS and CAP with all members of the command as required per reference (a).

(g) Facilitate appropriate and responsive care and services for those Marines and Sailors adversely impacted by prohibited activities and conduct.

(h) Report and investigate all PAC allegations and suspected violations in accordance with reference (a).

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(i) Protect both complainants and subjects of complaints from reprisal and/or retaliation.

(j) Ensure adherence to processing timeline requirements for all complaints alleging PAC violations, as well as appropriate documentation and accountability consistent with the provisions of reference (a). A sample commander's checklist for PAC complaints has been provided in Appendix L of reference (a).

(k) Per reference (a), ensure substantiated incidents of prohibited activities and conduct under this order are appropriately documented in the subject member's Official Military Personnel File when administrative adjudication of the investigation is complete.

(l) Ensure regular (no less than monthly) updates on all open discrimination and sexual harassment (DASH) cases are provided to the EOA/MEO office.

(2) Command Inspector General (CIG). Notify the MAGTFTC, MCAGCC EOA of all PAC cases received that fall within the guidelines of this Order and the references.

(3) EOA/MEO

(a) Ensure complaints are processed and the appropriate DASH entries are made in accordance with reference (a), and provide guidance and support to commanders with the intent to completely resolve issues in a timely manner and with full regard for complainant's and subject's rights.

(b) Provide monthly updates to the CG in accordance with reference (a).

(c) Track compliance with command climate assessments and conduct CG's inspections as required.

(d) Promote a proactive training program to ensure an adequately trained EOR capability at all O5/O6 levels of command. Coordinate with commands and provide support to local-level leadership Professional Military Education, Lance Corporal's seminars, Corporal's courses, and as requested.

(4) Command EORs

(a) Attend all required equal opportunity training to include the local Equal Opportunity Representative Course and the quarterly sustainment training.

(b) Assist the commander in: establishing local PAC response procedures; assessing command climate; coordinating and conducting required local PAC training; and facilitating submission of required reports /notifications/acknowledgements as required by reference (a).

(c) Serve as unit Survey Administrator for DEOCS assessments.

(d) Serve as command Functional Area Manager for PAC program, ensuring Inspector General Checklist compliance.

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(e) Serve as command liaison for all command climate and complaint processing matters, to include providing required information and update material on all open PAC cases to the EOA/MEO office for inclusion in the DASH case file.

(5) Staff Judge Advocate (SJA). The SJA shall review all received PAC complaint investigations for legal sufficiency.

(6) Assistant Chiefs of Staff, Division Directors, Special Staff Officers, Supervisors and Leaders

(a) Set the example: leaders at all levels shall conduct themselves beyond reproach, and are directed to cultivate and maintain a climate of dignity and respect.

(b) Set the tone: Marine Corps values and standards must be upheld through engagement and clear communication of expectations, as well as transparency within the bounds of privacy.

(c) Foster trust and confidence: encourage the reporting of allegations of PAC violations and respond to complaints of alleged PAC violations with impartiality, fairness, and urgency.

c. Coordinating Instructions

(1) Training and Prevention. All MAGTF/TC, MCAGCC military personnel will receive training promulgating the intent and implementation of reference (a). Topics covered include: recognizing indicators of PAC and defining actions constituting violation; the effects of PAC on the individual Marine and the unit; avenues to reporting prohibited activities and conduct.

(a) Training will be conducted annually.

(b) Only EOAs and trained EORs will facilitate training, and will only use approved training materials provided by the EOA/MEO office.

(c) The EOA/MEO office will maintain a Training Information Resources (TIR) Library. The TIR Library includes videos, PowerPoints, lesson plans and other materials. Unit EORs will request resources (as required) via the EOA/MEO office when conducting training at their units. Only training materials approved by the EOA/MEO office will be used to conduct PAC training.

(d) Commands will coordinate with EOA/MEO office for support to local level leadership professional military education (e.g. Lance Corporal Seminars and Corporals Courses).

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4. Administration and Logistics

a. Directives issued by this Headquarters are published and distributed electronically. Electronic versions of Combat Center Orders can be found at <https://www.29palms.marines.mil/Staff-Offices/Adjutant-Office/Orders/>.

b. Assistance, clarification, and guidance concerning this order should be directed to the MAGTFTC, MCAGCC EOA.

c. The EOA can be contacted by telephone at (760) 830-4567 or jay.t.anderson@usmc.mil located in Building 1447 Sturgis Road.

5. Command and Signal

a. Command. This order is applicable to all commands under administrative and operational control of MAGTFTC, MCAGCC.

b. Signal. This order is effective the date signed.


R. MARTINEZ
Chief of Staff

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Command Climate Survey Procedures

1. Command Climate Assessments. Per Vol 1, Appendix A of reference (a), the following requirements and timelines apply:

a. Commanders will assess their commands using the DEOMI Organizational DEOCS within 120 calendar days of assumption of command, annually thereafter, and within 90 calendar days prior to change of command. Units that have been granted an extension due to a deployment longer than 6 months will complete a DEOCS within 120 calendar days upon return from deployment.

b. Commanders must ensure all military members administratively attached to their command have the opportunity to participate in the assessment process, and must establish and provide commander's intent to the members of command prior to the conduct of the assessment.

c. Command EORs will administer climate assessments for units with more than 50 personnel. Subordinate units of 50 personnel or less will be surveyed in conjunction with their next-higher element.

d. Upon receiving the DEOCS report results, commanders will identify trends and take appropriate steps to further characterize issues and strengths, opportunities for improvement, and to determine validity of perceptions. Commands are encouraged to consider how written/short answer comments support the numerical data, conduct interviews/sensing sessions/focus groups, and to review the command's records and reports, when developing the CAPS.

e. Commanders will ensure the results of the DEOCS are shared with members of their organization, key leaders are involved, and members know that actions are being taken in response to their feedback.

f. Additionally, a full DEOCS assessment includes a CAP. Commanders will develop a CAP, containing a summary of the commander's intent, a summary of the commander's analysis, and a listing of each issue to be addressed along with the action being taken, status, and responsible party. An example template can be provided by the EOA/MEO office or the unit EORs.

g. The CAP will be provided to the next higher level commander within 30 calendar days of receipt of DEOCS results. Commanders will publically review the CAP with all members of the organization. The CAP must also identify periodic evaluations to assess its effectiveness.

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Formal Complaint Procedures

1. Formal Complaint. Per Vol 3 of reference (a), within three duty days of receiving a report of an allegation of a prohibited activity and conduct, commanders shall:

a. Make a determination to either accept, dismiss, or refer the complaint. Consult the Staff Judge Advocate (SJA) and EOA as needed.

b. Forward a detailed description of the allegations to the MAGTF/TC, MCAGCC CG via the Chief of Staff.

c. Submit all reportable information to the EOA/MEO office.

d. Coordinate for the complainant to visit the supporting EOA/MEO office for initial intake interview and assignment of DASH case file number.

e. Upon the commander's determination to accept a formal complaint, commanders will submit a voice report and OPREP-3 SIR to the Marine Corps Operations Center (MCOC). There is no requirement to submit a report to the MCOC if the complaint is dismissed or referred.

f. If complaint is formally accepted, the commander will commence investigation and assign an investigating officer.

g. In cases alleging sexual harassment, the investigation and review by the EOA/MEO and SJA offices must be complete no later than (NLT) 14 calendar days from commencement of investigation. The commander must reach disposition NLT 20 calendar days from commencement of investigation.

h. In all other cases alleging PAC violations, the investigation and resolution (disposition) must be complete NLT 30 calendar days from the commencement of investigation.

i. If the investigation cannot be completed within the timeline, a report of the progress made will be submitted to the CG and every 14 calendar days thereafter until completion.

j. Monitor the environment for potential reprisal and retaliation by checking on work area climates and ensuring performance assessments document job performance accurately.

2. Required Notifications and Timelines. During the formal complaint process, it is the responsibility of the Commander, utilizing templates provided in Appendixes A through G of reference (a), to ensure all personnel involved are properly notified.

3. Complainant/Offender Notification. Within three duty days of acceptance or dismissal, notify the complainant(s) using Appendixes D or G; if accepted, notify the subject(s) of complaint of the basis and matter identified in the complaint using Appendix E (para. 1 only) of reference (a).

4. Convening Authority (CA) Disposition. Within three duty days of the CA decision (substantiated /unsubstantiated), notify complainant(s) and subject(s) of complaints in writing using Appendixes E (para. 2 only) and F of reference (a).

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5. Appeals. Within five duty days of notification of CA decision, and prior to execution of any administrative/punitive action (e.g. 6105, NJP, etc.), refer complainant(s) and subject(s) to the supporting EOA/MEO office to review/sign appeal acknowledgement statements, see Appendices C and E (para. 3 and 4 only) of reference (a).

a. In accordance with (IAW) reference (c), complainant(s) and/or subject(s) of a complaint may appeal the decision (substantiated/unsubstantiated) of a PAC investigation resulting from a formal complaint.

b. Appeals are not automatic and must be affirmatively requested by either the complainant and/or the subject of a complaint.

c. The complete Report of Investigation will be submitted to the General Court-Martial Convening Authority (GCMCA) for review. In addition, documentation, statements of witnesses, personnel records entries, etc., which may be helpful in resolving an appeal, may be submitted to the appellate authority by the party requesting the appeal.

d. The command will provide the individual appealing the CA decision a copy of the Commander's final decision, articulating the basis for the decision and any corrective action to be taken.

e. There are two levels of appeal. The first appeal of a decision regarding a formal complaint will be to the MAGTFTC, MCAGCC CG via the SJA office and advisement from the supporting EOA/MEO office. This appeal should be submitted within five duty days of complainant/subject notice of the CA decision regarding a formal complaint. If further appeal is requested, final resolution will rest with the Secretary of the Navy (SECNAV) or designee.

6. Requests of Reconsideration of Dismissal. In accordance with reference (a), within five duty days upon notification of dismissal of PAC allegation, a complainant may request reconsideration of dismissal to the Commanding General MAGTFTC, MCAGCC CG via the SJA office with assistance from the supporting EOA/MEO office.

7. GCMCA Notification. Upon completion of the investigation (and appeal, if any), a final report of the investigation must be submitted, including any actions taken, to the MAGTFTC, MCAGCC CG utilizing the format outlined in Appendix H of reference (a).

8. Administrative Closure. Per reference (a), all cases will remain open in the DASH until the unit requests administrative closure via the EOA/MEO office using the template provided in Appendix I. Complaints will be fully resolved (all disposition actions completed) and all administrative requirements fulfilled prior to requesting administrative closure. All documentation regarding a complaint must be provided to the EOA/MEO office for inclusion in the DASH case file prior to closure.

9. PAC violations without a PAC complaint. For situations where a Marine is held accountable either administratively and/or punitively for a PAC violation not resulting from a filed complaint, the commander will notify the EOA/MEO office via endorsed memorandum, detailing the circumstances of the

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Violation and means of resolution and/or adjudication for DASH reporting Purposes. The supporting EOA/MEO will then provide a DASH case number to the command for administrative purposes. Once all administrative actions have been resolved, commanders will request for DASH closure as previously outlined in this order.

10. Reports of Investigation. In accordance with reference (c), the complainant or the offender may request a Report of Investigation regarding a PAC complaint. All requests for such report will be made via the SJA office, or can be submitted via an online Freedom of Information Act (FOIA) request at: <https://foiaonline.gov/foiaonline/action/public/home>.

11. Visual Inspections. Per Vol 1, Appendix B of reference (a), commanders will perform no less than one comprehensive visual inspection of all workspaces, per calendar year, to ensure areas are free of materials that create a degrading, hostile, and/or offensive environment. The results of an inspection shall be documented according to the requirements set forth in Vol. 1, Appendix B.