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1ST MARINE AIRCRAFT WING
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1ST MARINE AIRCRAFT WING BULLETIN 5354

From: Commanding General, 1st Marine Aircraft Wing

To: All Hands

Subj: 1ST MARINE AIRCRAFT WING PROHIBITED ACTIVITIES AND
CONDUCT PREVENTION AND RESPONSE POLICY GUIDANCE

Ref: (a) MCO P5354.1E
(b) JAGINST 5800.7F
(c) PAC IG Checklist

Encl: (1) PAC Complaint Process
(2) DASH Requirements
(3) Monthly PAC Report Template

1. Situation. Reference (a) is the Marine Corps Prohibited Activities and Conduct (PAC) prevention and response policy that outlines the Marine Corps' policy on Equal Opportunity (EO). This order establishes administrative controls for preventing and responding to PAC allegations by personnel assigned to 1st Marine Aircraft Wing (1st MAW).

2. Mission. Marines and Sailors are our most valuable assets. Our combat readiness and ultimate success on the battlefield rely on teamwork and the cohesiveness built on a foundation of mutual trust and respect. All members of the organization are afforded equal treatment and opportunity.

3. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent. We must promote an environment free from personal, social, and institutional barriers that prevent Marines and Sailors from rising to the highest levels of achievement possible. Members of the command shall be evaluated on individual merit, fitness, capability, and performance. Every echelon of leadership must establish a culture that values the unique contributions of every Marine in the command, optimizing our capabilities to accomplish assigned missions.

(2) Concept of Operations. 1st MAW Commanders 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 undermines morale and reduces combat readiness.

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b. Task

(1) Commanding Officer

- (a) Ensure command compliance with references (a), (b) and (c).
- (b) Appoint a Staff Non Commissioned Officer or Officer as Equal Opportunity Representative (EOR) to manage the command's PAC program requirements. EORs will be screened using the EOR selection criteria outlined in Appendix J of reference (a). It is highly encouraged that commands assign (at a minimum) one primary/lead and one alternate/secondary EOR.
- (c) Ensure all allegations of PAC are forwarded to the servicing EO office and Staff Judge Advocate (SJA) in accordance with references (a) and (b).
- (d) Oversee the Defense Equal Opportunity Management Institute (DEOMI) Organizational Climate Survey (DEOCS) assessment process IAW reference (a). Upon completion of analysis, with designated staff, draft the Corrective Action Plan (CAP) to address concerns identified in the climate survey report. All slated O-5 and O-6 level commands shall provide the DEOCS Report and the written CAP to the next higher level commander for review and approval within 30 calendar days of the DEOCS Report being made available.
- (e) Utilize the functional area checklist identified in reference (c) and published by the Inspector General of the Marine Corps to ensure command compliance with Reference (a).
- (f) Ensure regular (no less than monthly) updates on all open DASH cases are provided to the Equal Opportunity Advisor (EOA) office utilizing template in Enclosure 3.

(2) Wing Inspector. Notify the Wing EOA of all PAC cases received that fall within the guidelines of this order and the references.

(3) Wing Staff Judge Advocate

- (a) Ensure all PAC complaint investigations have a legal sufficiency review.
- (b) In accordance with reference (a), the complainant or the offender may request a Report of Investigation (ROI) regarding a PAC complaint. All such requests will be made via the SJA office or can be submitted via an online Freedom of Information Act (FOIA) request at: <https://www.foiaonline.gov/foiaonline/action/public/request>

(4) Equal Opportunity Advisor (EOA)

- (a) Conduct intake interviews for all PAC allegations and notify complainant of their rights and responsibilities as provided for in Appendix A in reference (a). Provide a written complaint analysis with appropriate recommendations to the commander to convene an investigation into the complaint utilizing the format in Appendix B of reference (a).

(b) Obtain Complainant Resolution Statements (CRS) following commander disposition of a complaint in Appendix C of reference (a). If unable to meet with the complainant due to geographical location, EOA will request assistance from servicing EOR or the command to complete the required documents.

(c) Conduct complainant follow-up assessments within 30 to 45 days following final resolution of a complaint. If unable to meet with the complainant due to geographical location, EOA will request assistance from servicing EOR or command to complete the required documents.

(d) Provide monthly Discrimination and Sexual Harassment (DASH) status updates to the Commanding General.

(e) Conduct required EOR training for supported command EORs and provide professional military education to locally sponsored Lance Corporal Seminars, Corporals Courses, command workshops, and prevention and awareness training as requested.

(f) Perform mediation services to assist in resolving issues at the lowest level.

(5) Equal Opportunity Representative (EOR)

(a) Responsible for program management. Serve as command liaison with the EOA. EORs do not serve as advocates for a complainant or subject, nor will they conduct inquiries or PAC command investigations.

(b) Command EORs will administer the Defense Equal Opportunity Management Institute Organizational Command Climate Survey (DEOCS) for units with more than 50 personnel. Subordinate units with 50 or less personnel shall be surveyed with a larger unit in the command. Ensure requirements outlined in reference (b) are met.

(c) Conduct annual PAC training and new join personnel training using approved training material.

(d) Provide all necessary and required information on behalf of the commanding officer, to the EOA to initiate and update DASH reports through final disposition and administrative closure utilizing template in enclosure (2).

(e) Ensure compliance with functional area checklist requirements listed in Inspectors General Checklist. Immediately notify the Commanding Officer of areas of non-compliance.

(f) Provide monthly DASH and command status updates to EOA utilizing the template in enclosure (3).

(g) With assistance of EOA, conduct follow-up interviews with complainants to ensure reprisal acts are not occurring. Ensure follow-up interviews are documented and made part of the official case file.

c. Coordinating Instructions

(1) Required Notifications and Timelines. During the complaint process enclosure (1) will be utilized, it is the responsibility of the commander, utilizing templates in reference (a) (Appendixes A through I, found in 1ST MAW EOA SharePoint: <https://iimef.usmc.mil/ace/staff/ea/SitePages/Home.aspx>) to ensure all personnel involved are properly notified.

(a) Forward the complaint to the first General-Court Martial Convening Authority (GCMCA) in the chain of command with a detailed description of the allegations.

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

(c) Submit all reportable information to the EOA and direct the complainant to report to the supporting EOA for the initial intake interview and assignment of a DASH case file number.

(d) Upon determination to accept a formal complaint, submit a voice report and Operations Event/Incident Report-3 Serious Incident Report to the Marine Corps Operations Center (MCOB). There is no requirement to submit a report to the MCOB if the formal complaint is dismissed or referred.

(e) If accepted, commence an investigation and assign an investigating officer.

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

(g) In all other cases alleging PAC violations, the investigation and review by the EOA, SJA, and convening authority endorsements must be complete NLT 30 calendar days from the commencement of the investigation.

(h) If the investigation cannot be completed within the timeline, extensions must be requested in writing and approved by the first GCMCA in the chain of command, via EOA, with additional progress reports every 14 calendar days thereafter until completion.

(i) Submit all reportable DASH information to the EOA utilizing template in enclosure (2).

(2) Complainant/Offender Notification. Within three business days of acceptance, commanders shall notify complainants and subjects of complaints, in writing utilizing notification of acceptance (Appendix D) and the offender utilizing the Offender Acknowledgment Record (Appendix E) paragraph one only.

(3) Convening Authority Disposition. Within three business days of CA determination, notify complainant(s) and subject(s) of complaints in writing using Appendix C, Complainant

Acknowledgment Record (paragraph 1 only) and Appendix E, Offender Acknowledgment Record (para 2 only).

(4) Requests for reconsideration of dismissal. Within five business days of receipt of notice of dismissal, complainants may request reconsideration of a dismissed complaint to the first GCMCA. If the complainant elects to request reconsideration of dismissal using the complainant endorsement section of Appendix G of Volume 3, the command will forward the package to the GCMCA via the Major Subordinate Command (MSC) SJA office with advisement from the supporting EOA.

(5) Appeals. An appeal must be requested, in writing, within five business days of receipt of notification of the CA's final decision. The complainant and subject of the complaint has the right to appeal the commander's final decision to substantiate or not substantiate an accepted complaint. Complainant(s) can review and sign appeal acknowledgement statements, Appendix C (paragraph 2-4 only). Offender (s) review/sign appeal acknowledgement statements, Appendix E (para 3 and 4). The first appeal will be to the 1st MAW Commanding General via the SJA office with advisement from the supporting EOA.

(6) General Court Martial Convening Authority 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 first GCMCA in the chain of command utilizing the format outlined in Appendix H.

(7) Administrative Closure. Per reference (a), all cases will remain open in the DASH until the unit requests administrative closure via the EOA/Military Equal Opportunity (MEO) office using the template provided in Appendix I.

(8) PAC violations without a PAC complaint. For situations where a Marine is held accountable 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 violation and means of resolution. The supporting EOA will provide a DASH case number to the command for administrative purposes. Once all administrative actions have been resolved, commanders will request for DASH closure in accordance with reference (a).

4. Administration and Logistics. Distribution will be made by electronic copy to 1ST MAW Commands and 1st MAW Principal Staff. Interim changes will be incorporated as necessary. This Bulletin is cancelled within one year of the date signed.

5. Command and Signal. This order is applicable to Marines, civilians, and service members under administrative control of 1ST MAW.


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