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AUTHORITY: 42 U.S.C. 2000e and 29 U.S.C. 621 *et seq.*

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Subpart A—General Provisions

§ 588.1 Purpose.

This regulation prescribes policies and procedures for filing, processing, investigating, and settling Equal Employment Opportunity (EEO) complaints. The processing of all EEO complaints filed by civilian Army employees or applicants for employment will be governed by this regulation. This regulation will be revised to reflect changes made by the EEOC in its regulations and/or through the issuance of new or revised directives.

§ 588.2 Prescribed forms.

The following forms are contained in appendix P to this part.

(a) DA Form 2590-R, Formal Complaint of Discrimination.

(b) DA Form 5492-R, Precomplaint Counseling Data Sheet.

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(c) DA Form 5493-R, Individual Complaint Data Sheet.

(d) DA Form 5494-R, Class Complaint Data Sheet.

(e) DA Form 5495-R, Chronology of Individual EEO Complaint.

(f) DA Form 5496-R, Chronology of Class EEO Complaint.

(g) DA Form 5497-R, Disposition of Complaint of Discrimination.

§ 588.3 Explanation of abbreviations and terms.

Abbreviations and special terms used in this regulation are explained in appendix O.

§ 588.4 Responsibilities.

(a) The Army Director of Equal Employment Opportunity, referred to in 29 CFR 1613.204, will be designated by the Secretary of the Army to set EEO policy. This individual will ensure that—

(1) Army programs conform to this policy.

(2) Adequate resources are available to implement the Army's EEO program.

(3) A system to process EEO complaints exists.

(b) The Director of Equal Employment Opportunity Compliance and Complaints Review Agency (EEOCCRA) will—

(1) Develop Army policy and programs to process discrimination complaints.

(2) Manage and operate the Army discrimination complaint system for individual and class complaints from Army civilian employees and applicants.

(3) Process and prepare final Army decisions on individual and class complaints of discrimination for approval by the Secretary of the Army or his or her designee.

(4) Process requests from the EEOC for case files on complaints that are appealed to EEOC.

(5) Receive and implement appellate decisions rendered by EEOC and process requests for reopening and reconsidering EEOC decisions.

(6) Provide guidance to subordinate Army activities on the discrimination complaint system.

(c) The Administrator of the U.S. Army Civilian Appellate Review Agency (USACARA) will—

(1) Conduct investigations of civilian employee complaints of discrimination.

(2) Prepare reports of findings including recommendations on corrective actions to be taken by the activity.

(d) The Civilian personnel Officer (CPO) will—

(1) Ensure that EEO officers, EEO counselors, and investigators are given appropriate access to personnel records and copies of records relevant to the complaint without an inordinate invasion of privacy.

(2) Perform personnel regulatory reviews and technical support to labor counselors, EEO counselors, and EEO officers.

(e) The Activity Commander responsible for the discrimination complaint program for all serviced and tenant organizations.

(1) Ensure that sufficient resources are available to EEO program official to manage and operate the discrimination program effectively.

(2) Ensure that supervisors and managers understand and meet their responsibilities in the discrimination complaint program.

(3) Stress the need for prompt processing and informal resolution of discrimination complaints.

(4) Ensure that management is adequately represented at all steps in the complaint procedure where representation is authorized.

(5) Make timely recommendations and decisions on complaints of discrimination and awards of attorney fees.

(6) Ensure that Army and EEOC decisions are implemented promptly.

(7) Ensure that the following information is regularly publicized and permanently posted on official bulletin boards, with easy access to all employees and to applicants for employment with the Army:

(i) The name and address of the Army Director of Equal Employment Opportunity.

(ii) The names, addresses, and telephone numbers of the activity EEO officials, including the EEO officer and EEO counselors.

(iii) Where applicable, a list of the organization each counselor services.