



CALIFORNIA MILITARY DEPARTMENT NOTICE

NGCA-JSD-MP
DISTRIBUTION: TA

CMDN 9621.01
1 October 2020

FY 2021 FEDERAL EQUAL EMPLOYMENT OPPORTUNITY POLICY

Reference(s): See Enclosures

1. Purpose. This notification describes the policy and process of the California Military Department's (CMD) Federal Equal Employment Opportunity (EEO) program for Fiscal Year (FY) 2021.

2. Cancellation. This notification replaces CMDN 9620.01, FY 2020 Federal Equal Employment Opportunity Policy, dated 1 October 2019.

3. Applicability. This notification applies to all current and former Title 5 and Title 32 federal employees, to include job applicants for either status.

4. Background.

a. The CMD is committed to providing Equal Employment Opportunity (EEO) for all its federal employees (current and former) plus job applicants. All are protected from unlawful discrimination in accordance with Presidential Executive Orders plus federal laws and regulations. No personnel may unlawfully discriminate against, harass, intimidate, or threaten another person due to his/her protected categories; sexually harass someone; or seek retaliation or reprisal against an individual who engages in a protected discrimination complaint activity. All federal employees and applicants for federal employment have the right to work and advance on the basis of merit, ability, and potential, free from social, personal, or institutional barriers of prejudice and discrimination.

b. The EEO Office is the proponent of the CMD's Federal EEO Program. It is involved in all EEO matters and is the conduit for all EEO discrimination complaints. The office consists of certified agents to provide EEO counseling, training, work force assessments, complaints processing, guidance, and recommendations. All EEO professionals are neutral members during any EEO activities.

5. Action or Procedure. An aggrieved person who believes he/she has been discriminated against on the basis of race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information -- or who believes that he/she has been subjected to sexual harassment or retaliated against for participating in the complaint process -- must consult with an EEO Counselor or contact the EEO Office within 45 calendar days of the alleged incident. He/she may also contact an EEO Counselor or the EEO Office within 45 calendar days of when he/she became aware of a possible discriminatory action or 45 calendar days from the effective date of a personnel action. The 45-day time limit may be extended for reasons outlined in 29 CFR 1614.105(a)(2).

a. Personnel will follow CMDM 9600.01, Federal EEO Discrimination Complaint Process, to file complaints. All complaints are filed directly with the EEO Office and begin at the informal, pre-complaint stage to allow resolution at the lowest level, including voluntary use of the Alternative Dispute Resolution process.

b. The formal complaint stage begins when the pre-complaint stage ends. Upon initiating the formal process, complainants will complete NGB Form 713-5-R, National Guard Bureau Formal Complaint of Discrimination.

c. Point of Contact. EEO Office Helpline: (916) 854-3177 and email: ng.ca.caarng.mbx.eo-eeo@mail.mil.

6. Releasability. This issuance is approved for public release; distribution is unlimited.

7. Effective Date. This notification is effective upon publication and must be reissued on an annual basis.

GRIFFIS.JOHN.EL
LIOT.1014774706

Digitally signed by
GRIFFIS.JOHN.ELLIOT.101477
4706
Date: 2020.10.06 09:17:55
-07'00'

JOHN E. GRIFFIS
COL, SF, CAARNG
Director, Manpower and Personnel

Enclosures:

- A – References
- B – TAG Policy Memorandums

ENCLOSURE A

REFERENCES

- a. Executive Order 13160, Nondiscrimination on the Basis of Race, Sex, Color, National Origin, Disability, Religion, Age, Sexual Orientation, and Status as a Parent in Federally Conducted Education and Training Programs.
- b. Title VII of the Civil Rights Act of 1964.
- c. Title 5, United States Code (USC), Government Organization and Employees.
- d. Title 29, United States Code (USC) § 206 (d), Prohibition of Sex Discrimination.
- e. Title 32, United States Code (USC), National Guard.
- f. Title 29, Code of Federal Regulations (CFR), Part 1614.
- g. EEO-MD-110, Equal Employment Opportunity Management Directive.
- h. DoD Directive 1440.1, The DoD Civilian Equal Employment Opportunity (EEO) Program.
- i. CMDI 9600.01, Anti-Harassment Prevention Policy.
- j. CMDM 9600.02, Federal EEO Discrimination Complaint Process.

ENCLOSURE B

TAG POLICY MEMORANDUMS

- a. Policy Memorandum 2018-02, Equal Employment Opportunity, dated 1 October 2018.
- b. Policy Memorandum 2018-03, Prevention of Sexual Harassment, dated 1 October 2018.
- c. Policy Memorandum 2018-05, Workplace Consideration of Others, dated 1 October 2018.
- d. Policy Memorandum 2018-06, Diversity, dated 1 October 2018.
- e. Policy Memorandum 2018-07, Fair Treatment, dated 1 October 2018.