

PAC COMPLAINT TIMELINE



Submit a NAVMC 11512 Complaint

Submitted within 90 days of action given rise to complaint. Complainant decides preferred resolution method.

Conflict Management (Informal Resolution)

Initiated by EOA within 3 duty days Not permitted for Quid Pro Quo (sexual harassment). EOA opens case in DASH/M-RIT.

Document Outcome on NAVMC 11512

Include accurate account of actions taken to resolve complaint. Commander & Complainant signs acknowledging if the issue Is resolved/unresolved. EOA uploads complaint in DASH/M-RIT. If unresolved in 30 days, Complainant may choose to submit a Formal Complaint.

Anonymous Complaints

Forward to the EOA for documentation. When sufficient information exists. it must be processed via Complaint Resolution.

If insufficient info to Investigate, CO shall document receipt with an MFR. No further action required.

Complaint Resolution (Formal Resolution)

Convening Authority (CA) initiates a command investigation. Sexual Harassment Complaints MUST be forwarded to the Next Higher Level Commander (0-6 or above).

EOA opens case In DASH/M-RIT. Updates are due In database monthly.

Notify GCMCA

within 5 days for Non-SH, within 72 hours for SH. Note: All complaints receive GCMCA Review.



Dismiss

If a relevant basis under MCO 5354.1G, Ch 6 exists, CO may dismiss (e.g., complaint that doesn't allege violation of a law rule or regulation, complainant failure to cooperate, Active Component report received after 90 days, etc.).

Investigation completed within 30 days. SH: 14 days. Extensions may be granted as necessary. Updates on the investigation status provided every 14 days during extension. Report of investigation sent to SJA and EOA.

Appoint Investigation Officer (IO)

outside the chain of command & Notify Subject of complaint via NAVMC 11513.



SJA completes legal sufficiency review

Notify Complainant & Subject

Option for either party to have a supervised review. Within 3 duty days -Complainant notification via NAVMC 11512. Subject notification via NAVMC 11513

Right to Appeal within 30 Days Must be submitted in writing to GCMCA and form specific basis: MCO 5354.IG, Chap 6, para 12 or

Notify Appellant

Second appeal available for: sexual harassment & prohibited discrimination

CO-Disposition Decision, Substantiate/ Unsubstantiate Complaint.

CO endorses investigation & completes NAVMC 11512 for disposition. *NOTE: RCM 306 disposition, DASH case, and Investigation are three separate courses of action that may happen concurrently.

GCMCA Review

Accept Appeal OR Final Endorsement

RCM 306

Disposition action

Investigation

Updated: 20 September 2024

Ch 7, para 4(SH).

Close Case in DASH

For allegations of harassment, sexual harassment, bullying, hazing, and prohibited discrimination. Report allegations of Wrongful Distribution or Broadcast of Intimate Image to NCIS. **CG Review and** Close-out



MARINE CORPS INSTALLATIONS PACIFIC OFFICE OF THE STAFF JUDGE ADVOCATE



MCO 5354.1G • NEW PAC ORDER (MAY 2024) PLACEMAT

1. **Harassment** - Any conduct, whereby a service member knowingly, recklessly, or intentionally and with a nexus to military service, engages in behavior that is unwelcome or offensive **to a reasonable person**, whether oral, written, or physical, that creates an intimidating, hostile, or offensive.

This policy prohibiting harassment is not a "general civility code." Behavior that is rude, ignorant, abrasive, or unkind, but does not adversely affect the work environment, is not harassment.

2. **Bullying** - A form of harassment that includes acts of aggression by a service member or DoD civilian employees, with a nexus to military service, with the intent of harming a service member or DoD civilian employee either physically or psychologically, without a proper military or other governmental purpose.

Service members may be responsible for an act of bullying regardless of victim's consent, grade, or rank. Bullying is prohibited in all circumstances and environments, including off-duty or "unofficial" unit functions and settings.

3. Hazing - A form of harassment that includes conduct through which service members or DoD employees, without a proper military or other governmental purpose, but with a nexus to Military Service, physically or psychologically injure or create a risk of physical or psychological injury to service members for the purpose of initiation into, admission into, affiliation with, change in status or position within, or continued membership in any military or DoD civilian organization.

Service members may be responsible for an act of hazing regardless of victim's consent, grade, or rank.

- 1. **Prohibited Discrimination** Prohibited discrimination is defined in the DoD Military Equal Opportunity Program, DoD 1350.02 w/ CHA-1 and may include any conduct whereby a service member knowingly, recklessly, or intentionally and with a nexus to military service discriminates, including disparate treatment of an individual or group on the basis of race, color, national origin, religion, sex (including pregnancy), gender identity, or sexual orientation that is not otherwise authorized by law or regulation and detracts from military readiness.
 - **a.** This definition excludes justifiable conduct that discriminates based on characteristics (including, but not limited to, age, height, and weight) that serve a proper military or other governmental purpose as set forth in other military policies.
- 2. **Sexual Harassment (SH)** SH is defined and prohibited by paragraph 107a of Part IV of the Manual For Courts Martial (MCM) as a standalone offense under Article 134 of UCMJ, the following are also prohibited and may be addressed as violation of a lawful general order:
 - Any use or condonation, by any person in a supervisory or command position, of any form of sexual behavior to control, influence
 - Affect the career, pay, or job of a member of the armed forces or a civilian employee of the DoD
 - Any deliberate or repeated unwelcome verbal comment
 - Gesture of a sexual nature by any member of the armed forces or civilian employee of the DoD.

NOTE: Allegations of PAC order violations are judged based on a reasonable person standard. *Does not apply to situations that serve a proper military or governmental purpose.*