



South Dakota

**DEPARTMENT OF THE MILITARY
OFFICE OF THE ADJUTANT GENERAL**

2823 West Main Street
Rapid City, South Dakota 57702-8170
(605) 737-6702
FAX: (605) 737-6677



NGSD-TAG

20 October 2022

MEMORANDUM FOR All South Dakota Army and Air National Guard Personnel

SUBJECT: Command Policy on Equal Opportunity and the Prevention of Discrimination and Harassment of South Dakota National Guard Military Personnel, Family members, Retirees, Recruits and Applicants for military tours.

1. References: See enclosure 1.

2. Purpose:

a. Ensure all Military Personnel in Title 32 status in the South Dakota National Guard are afforded equal opportunity and fair treatment based solely on merit, fitness and capability supporting mission readiness.

b. Ensure compliance with all applicable federal, state and local laws, statues and regulations and procedures regarding equal opportunity during military service in the South Dakota National Guard.

c. Ensure commanders and leaders at all levels champion the equal opportunity program and a positive unit climate as a force multiplier towards personnel and unit readiness for all missions.

3. The South Dakota National Guard is committed to developing and maintaining a professional environment where all Soldiers and Airmen can expect to be treated with dignity and respect during their military service. This commitment starts with fostering a policy of equality, offering the broadest competition of opportunities, and ensuring fair and equitable treatment of all Service members, Families, Recruits and Retirees based on merit and focused mission readiness. Our personnel are the force multiplier in this effort.

4. Policy. The South Dakota National Guard will not tolerate, condone, nor permit any kind of unlawful discrimination, harassment (sexual or non-sexual, bullying or hazing), at any time while serving in a military status. This includes when considering actions such as recruitment, retention, discipline, employment, awarding, promotion, training seat selection, leadership assignments, or any administrative type actions or processes in the workplace of **military personnel including Army, Air, AGR/M-Day/Traditional Title 32, former military members, Retirees, military Family members, Recruits/applicants for membership or AGR or other military tours** on the basis of race, color, religion, sex (includes pregnancy, gender identity, sexual harassment or orientation), national origin or reprisal for previous complaint activity or participation in the complaint process.

NGSD-TAG

SUBJECT: Command Policy on Equal Opportunity and the Prevention of Discrimination and Harassment of South Dakota National Guard Military Personnel, Family members, Retirees, Recruits and Applicants for military tours.


Any officer or enlisted Soldier or Airman engaging in or permitting discrimination, harassment, hazing or bullying without taking positive corrective action will be subject to appropriate disciplinary action.

5. Equal Opportunity is a commander's program and thus commanders must endorse and champion the program with their Equal Opportunity Leaders and Advisors. Commanders are the tip of the spear and lead in the effort to prevent discrimination and harassment in our military force. My number one priority is to take excellent care of Soldiers, Airmen and Families, and the prevention of discrimination and harassment is a fundamental part of affirming this commitment. Discrimination and harassment do not fit within our core values, the mission or vision of this organization. Taking care of people is to be embedded in our mission planning and equal opportunity is a part of the process. Leaders will identify and remove social, personal, or institutional barriers preventing anyone from rising to the highest level of their capabilities to include selection and mentorship processes. We are all responsible to provide and maintain an environment fostering mutual respect and dignity by ensuring fair and equitable treatment of all.

6. **All complaints must be presented/filed within 180 days of the alleged discrimination or the date the individual was made aware of the alleged discriminatory event or action. All complaints will be initiated thru the Informal Request for Resolution (IRR) process initially and filed on an NGB Form 333 per SDNG TAG Memorandum, SUBJECT Military Procedures for Discrimination and Harassment Request for Resolution (Complaints) by Military Personnel, Military Family members, Retirees, Recruits and Applicants for all military tours and applicable regulations will be used to process all military equal opportunity complaints.**

7. **This policy will be posted on all unit facility bulletin boards.** Point of contact for this policy and the complaint process is: SDNG EEM, Mrs. Carstin Jerzak at 605-737-6635 or via email: carstin.k.jerzak.civ@army.mil.

Enclosures:
1 – References


JEFFREY P. MARLETTE
MG, SDNG
The Adjutant General

Enclosure 1 - References:

- a. 29 C. F.R; Part 1614.
- b. DOD Directive 5500.11, Nondiscrimination in Federally Assisted Programs, Certified Current as of 21 November 2003.
- c. DOD Directive 1350.2, Department of Defense Military Equal Opportunity (MEO) Program, w/change 2, DTD: 8 June 2015.
- d. DOD Directive 1020.02E, Diversity Management and Equal Opportunity in the DoD, w/change 2, DTD: 1 June 2018.
- e. DOD Instruction 6400.07, Standards for Victim Assistance Services in the Military Community, w/change 2, DTD: 6 July 2018.
- f. DOD Instruction 1350.3, Affirmative Action Planning and Assessment Process, DTD: 29 February 1988.
- g. DOD Instruction 1350.02, DOD Military Equal Opportunity Program, DTD: 4 September 2020.
- h. DOD Instruction 1030.02, Victim and Witness Assistance, DTD: 2 September 2020
- i. DOD Instruction 1020.03, Harassment Prevention and Response in the Armed Forces, w/change 1, DTD: 29 December 2020.
- j. Army Regulation 600-20, Army Command Policy, 24 July 2020. (Excluding chapters 6 and 7).
- k. National Guard Regulation 600-21, Equal Opportunity in the Army National Guard DTD: 22 May 2017
- l. Department of the Air Force Instruction 36-2710, Equal Opportunity Program, 6 April 2022
- m. Chief National Guard Bureau Instruction 9601.01, National Guard Discrimination Complaint Program, DTD: 27 September 2015
- n. Chief National Guard Bureau Manual 9601.01, National Guard Discrimination Complaint Process, DTD: 25 April 2017
- o. Chief National Guard Bureau Instruction 9600.01, Alternative Dispute Resolution Policy and Guidance, DTD: 9 June 2013.
- p. The National Guard Bureau EO Hotline 800-371-0617