



UNITED STATES MARINE CORPS
MARINE CORPS LOGISTICS BASE
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MCLBAO 5354.1
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15 DEC 20

MARINE CORPS LOGISTICS BASE ORDER 5354.1

From: Commanding Officer
To: Distribution List

Subj: MARINE CORPS LOGISTICS BASE ALBANY PROHIBITED ACTIVITIES AND CONDUCT
PREVENTION AND RESPONSE POLICY

Ref: (a) MCO 5354.1E ADMIN CH
(b) JAGINST 5800.7F
(c) PAC IG Checklist

1. Situation. The ability of the Marine Corps Logistics Base (MCLB) Albany team to perform its mission is a direct reflection of the fair and equitable treatment of its members. All personnel will treat others with dignity and respect, reassuring that they are valued members of the Command. This Order implements the references and outlines administrative protocols on preventing and responding to Prohibited Activities and Conduct (PAC) allegations for personnel assigned to MCLB Albany. It outlines individual and command roles and responsibilities and administrative requirements for command climate monitoring.

2. Mission. Upon signature, all MCLB Albany personnel will comply with this order. The PAC Program seeks to ensure fair and equal treatment of all personnel regardless of race, color, sex (to include gender identity), sexual orientation, national origin, and religion. Abuse (Hazing, Bullying, Retaliation and Ostracism), Harassment (to include Sexual Harassment), Wrongful Distribution of Intimate Images, Dissident and Protest Activity (including Supremacist Activity), and Unlawful Discrimination within the U.S. Marine Corps and MCLB Albany are counterproductive and unacceptable. These violations undermine morale, reduce combat readiness, and prevent maximum utilization and development of our most vital asset, our people. MCLB Albany policy is to provide equal treatment and opportunity for all personnel to achieve their full potential based solely upon individual merit, fitness, and ability.

3. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent. To implement an aggressive PAC Program employing proactive measures to deter or reduce MCLB Albany vulnerability to the potentially harmful effects of prohibited activities and conduct. The guiding principles of this plan include improved individual/unit PAC awareness, education and training, command climate assessments, and proper handling of all complaints. Synchronization of installation and tenant commands shall produce the synergy necessary for MCLB Albany to improve its mission readiness.

(2) End State. MCLB Albany will not tolerate harassment; to include sexual harassment, unlawful discrimination, or abuse; specifically hazing,

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bullying, ostracism, and retaliation, wrongful distribution or broadcasting of intimate images, and certain dissident and protest activity; to include supremacist activity.

(3) Concept of Operations. Marine Corps and MCLB Albany policy is to provide equal treatment and the opportunity for all Marines and Sailors to achieve their full potential based solely upon individual merit, fitness, and ability. PAC is a leadership fundamental: taking care of, and knowing, our Marines and Sailors. All MCLB Albany Directors shall make every effort to eradicate all unprofessional and unacceptable behavior from our ranks. The Commanding Officer directs all personnel to:

(a) Facilitate appropriate and responsive care and services for those Marines and Sailors adversely impacted by PAC.

(b) Ensure personnel assigned aboard MCLB Albany foster a climate of dignity, respect, and trust for all.

(c) Utilize the chain of command as the primary and preferred channel to ensure the organizational environment is free of PAC. Ensure individuals are aware of all available reporting avenues.

(d) Ensure those who participate in protected communications are free from reprisal or retaliation.

(e) Use information obtained from both formal and informal climate assessments to make improvements.

(f) Ensure training members of the Command on the content of reference (a) annually.

b. Tasks

(1) Commanding Officer

(a) Ensure command compliance with reference and that all personnel are familiar with this directive and the reference.

(b) Appoint a Staff Noncommissioned Officer or Officer as Equal Opportunity Representative (EOR) in writing to manage the command's PAC program requirements. Screening of EORs will encompass the use of 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) Forward all allegations of PAC to the servicing EO office and Staff Judge Advocate (SJA) in accordance with the references and investigation timelines.

(d) Oversee the Defense Equal Opportunity Management Institute (DEOMI) Organization 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. 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 becoming available.

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(2) Base Inspector General. Notify the EOR of all PAC allegations received that fall within the guidelines of this order and the references.

(3) Staff Judge Advocate. Ensure all PAC compliant investigations undergo a legal sufficiency review.

(4) Adjutant

(a) Submit all Operation Event/Incident Report (OPREP-3) within the required timelines for all PAC allegations.

(b) In accordance with reference (a), the complainant or the offender may request a Report of Investigation (ROI) regarding a PAC complaint. Make all such requests via the Adjutant office or can be submitted via an online Freedom of Information Act (FOIA) request at: <https://www.foiaonline.gov/foiaonline/action/public/request>

(c) Publish the order to the Albany webpage and SharePoint for user access.

(5) Military Personnel Center. Document substantiated incident(s) of PAC outlined in the reference in the subject member's Official Military Personnel File (OMPF).

(6) Military Operations Training Branch

(a) Ensure PAC training is part of the unit's annual training plan.

(b) Document appropriate training codes in the Marine Corps Training Information Management System (MCTIMS).

(7) Equal Opportunity Representative (EOR)

(a) Serve as the program manager and the command liaison with the Equal Opportunity Advisor (EOA).

(b) 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 will survey with a larger unit in the command. Ensure requirements outline in reference (a) are met.

(c) Conduct annual PAC training and new join awareness training using approved training material. Provide monthly updates to the command deck on training completion percentages.

(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.

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

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(f) With assistance of the EOA, conduct follow-up interviews with complainants and subjects to ensure reprisal acts are not occurring. Document follow-up interviews are make part of the official case file.

(g) Develop and maintain desktop procedures.

(h) Inform the command within 30 days of any policy changes from higher headquarters.

(i) Ensure timely submission of required reports.

(j) Read and familiarize yourself with reference (a).

(5) Victim Witness Assistance Program. Advise victims and witnesses involved in PAC allegations of advocacy services and issued a DD Form 2701 as required.

c. Coordinating Instructions

(1) Requests for reconsideration of dismissal. Within five duty days of receipt of notice of dismissal, complainants may request reconsideration of a dismissed complaint to the first General Court Martial Convening Authority (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 first GCMCA over the CA via the Major Subordinate Command (MSC) SJA office with advisement from the supporting EOA.

(2) Appeals. Requesting an appeal must be, in writing, within five duty 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 first GCMCA over the CA via the SJA office with advisement from the supporting EOA.

(3) General Court Martial Convening Authority (GCMCA) 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.

(4) 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.

(5) PAC violations without a PAC complaint. In situations holding an individual 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).

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4. Administration and Logistics. Review and reissue this Order within 90 days of assuming command. Any recommendation for changes will be submit to the EOR for staffing review. Electronic copies of this order will be located on SharePoint at

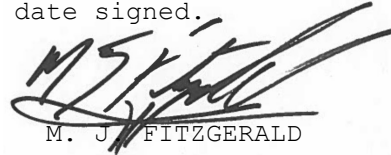
<https://eis.usmc.mil/sites/alby/Adjutant/Lists/OrdersBulletinsPolicies/AllItems.aspx> or MCLB Albany public website at

<https://www.albany.marines.mil/Resources/MCLB-Offices-Staff/Adjutant/>

5. Command and Signal

a. Command. This Order is applicable to all members of MCLB Albany.

b. Signal. This Order is effective the date signed.



M. J. FITZGERALD

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