



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
US ARMY INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, UNITED STATES ARMY GARRISON, FORT POLK
6661 WARRIOR TRAIL, BLDG 350
FORT POLK, LOUISIANA 71459-5339

IMPO-EE

JUL 18 2013

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Garrison Policy Memorandum #3 – Anti-Harassment Policy

1. References:

- a. 10 United States Code (U.S.C.) 1561.
- b. The Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), 1 October 2013.
- c. Equal Employment Opportunity Commission (EEOC) Management Directive (MD) 715, 1 October 2003.
- d. Army Regulation (AR) 690-600, Equal Employment Opportunity Discrimination Complaints, 9 February 2004.

2. As the Garrison Commander, I will not tolerate harassment in the workplace. Leaders and employees must work together to maintain an environment of mutual respect, dignity and equitable treatment.

3. Workplace harassment based on race, color, sex, age, religion, national origin, disability (physical or mental), genetic information or reprisal for prior protected EEO activity is unacceptable, wastes valuable resources and adversely affects retention and morale. Offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance.

4. Sexual harassment is a form of sex discrimination and can include unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when: (a) submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay or career; or (b) submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person; or (c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile or offensive working environment.

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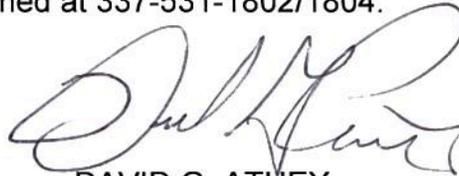
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5. Employees are encouraged to inform the harasser directly that the conduct is unwelcome and must stop. Employees have the right to present a complaint without fear of threats or reprisal, and should report allegations of harassment to their supervisor at an early stage to prevent its escalation. The confidentiality of employees reporting harassment will be safeguarded to the extent it is possible, and both employees and witnesses will be protected from retaliation. Soldiers may report allegations to their supervisor or to the Equal Opportunity (EO) Office. Supervisors and managers will investigate and resolve allegations of harassment promptly, thoroughly and impartially. Supervisors will take appropriate corrective and/or disciplinary action when inappropriate conduct is found to have occurred, and may be disciplined for failure to carry out their responsibilities under this policy.

6. Employees who wish to file a complaint of harassment due to race, color, sex, age, religion, national origin, disability (physical or mental), genetic information or reprisal for prior protected EEO activity must contact the EEO office or counselor within 45 calendar days of the last incident of harassment. Use of the EEO office's Alternate Dispute Resolution (ADR) Program is encouraged in order to resolve disputes at the lowest level possible.

7. All supervisors (both civilian and military who supervise civilian employees) must receive annual EEO training. The training can be taken online via AKO, or via face to face training given by an EEO professional. Commanders and Directors are urged to be proactive and will contact the EEO office to coordinate training.

8. This policy and the Guidelines for Investigating Complaints of Harassment will be posted in areas that house civilian employees, applicants for employment and contract workers. The Fort Polk Equal Employment Opportunity Office is the proponent for this policy and the EEO Manager may be reached at 337-531-1802/1804.



DAVID G. ATHEY
COL, AR
Commanding

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Guidelines for Investigating Complaints of Harassment

Supervisors are responsible for evaluating the substance of the allegations(s) and referring individuals to the appropriate agency or appointing an impartial person outside the employee's office to examine the allegation(s) immediately. The designated person must have the ability to interview and evaluate witnesses and determine their credibility. If allegations are against a first line supervisor, the second line supervisor will appoint a designated person whose grade/rank exceeds the alleged harasser.

At a minimum, an investigating officer should interview the civilian employee making the allegation(s) and their alleged harasser(s) to obtain relevant facts. Third parties who could reasonably be expected to have relevant information should also be interviewed.

A written report should be prepared and provided to the appropriate management official for action, if required. Management officials will coordinate with the Labor attorney and Management Employee Relations representative prior to taking any action based on findings.

If the allegations result in findings of deliberate, substantiated harassment or the actions are found to violate policy or law, immediate and appropriate corrective action must be taken. Appropriate actions might include discipline, training and counseling; monitoring the harasser to stop the harassment and prevent its recurrence; apologies by the harasser; and restoration of leave or correction of any other harm the harassment caused to correct its effects.

Employees, managers and supervisors who have questions about the process may consult their servicing Equal Employment Opportunity Office, Equal Opportunity Advisor, the Installation Legal Office or Civilian Personnel Advisory Center for more information or assistance.

The EEO and EO offices may be contacted at:

Equal Employment Opportunity Office
7090 Alabama Avenue
Building 1454, Suite 117
Fort Polk, Louisiana 71459

EEO: (337) 531-1799/1804/1802
DSN 863-1802

Equal Opportunity Advisor: (337) 531-1911
DSN 863-1911