

Implement the Army's Equal Opportunity  
and Sexual Harassment Policies in a Platoon.

121-050-8031

Conditions

You are a unit/section leader. Personnel include both male and female, and represent different races, colors, religions, and national origins. As a leader, regardless of location, environment, or time of day, you are responsible for ensuring your subordinates comply with the Army's Equal Opportunity (EO) Program. This includes setting the example; interacting with subordinates and the chain of command, Equal Opportunity Representative (EOR), Equal Opportunity Advisor (EOA); and knowledge to identify racism, sexism, prejudice, discrimination, sexual harassment, EO leader responsibilities, inappropriate behavior, and the EO complaint process.

Standards

Comply and implement the Army's EO and sexual harassment policies, identify problems or situations that violate the policies, and take appropriate and expedient action to correct the problem or situation.

Training and Evaluation Guide

Performance Steps

1. Comply with the Army's Equal Opportunity (EO) and Equal Employment Opportunity (EEO) Policies.

- a. Identify the Army's EO policy.
- b. Define the EEO policy.
- c. Identify the Army EO program elements.
  - (1) Describe leader commitment.
  - (2) Explain sequential and progressive training.
  - (3) Define effective and responsive complaint process.
  - (4) Describe affirmative action plan.
  - (5) Explain feedback mechanisms.
- d. Describe related leadership principles that support EO program objectives.
  - (1) Explain military discipline and conduct.
  - (2) Define issues of appropriate behavior.
  - (3) Explain extremist organizations.
  - (4) Explain the Army language policy.
  - (5) Describe accommodating religious practices.
  - (6) Explain women in the Army policy.
  - (7) Define program principles.
    - (a) Explain why leaders are responsible for unit EO.

- (b) Define the promotion of harmony between individuals.
  - (c) Define the need for not compromising discipline.
  - (d) Emphasize fair and equal treatment.
- (8) Explain senior-subordinate relationships.
- e. Define terms and definitions of the Army's EO program.
  - (1) Describe racism.
  - (2) Define sexism.
  - (3) Describe prejudice.
  - (4) Define equal opportunity representative responsibilities.
  - (5) Explain equal opportunity advisor responsibilities.
- 2. Describe unit EO responsibilities.
  - a. Define unit responsibilities.
  - b. Identify Noncommissioned Officer (NCO) support channel responsibilities.
  - c. Define platoon level leader actions to prevent EO issues.
    - (1) Explain set the example.
    - (2) Define integration of EO into welcome counseling.
    - (3) Identify training and education.
    - (4) Define counseling.
  - d. Describe actions to resolve EO violations.
    - (1) Define on-the-spot corrections.
    - (2) Explain EO violation counseling.
    - (3) Describe EO actions on promotion and advancement.
    - (4) Explain decisions concerning awards, training, or schools.
    - (5) Define changes in duties or responsibilities.
    - (6) Explain transfer or reassignment.
    - (7) Define bar to reenlistments.
    - (8) describe separation.
    - (9) Define EO and the Uniform Code of Military Justice (UCMJ).
- 3. Define leader roles and responsibilities in the prevention of sexual harassment.
  - a. Define sexual harassment and related concepts.
    - (1) Define sexual harassment and Army policy.

- (2) Define categories of sexual harassment.
    - (a) Explain Quid Pro Quo.
    - (b) Describe hostile environment.
  - (3) Identify the related elements of sexual harassment.
    - (a) Define impact versus Intent.
    - (b) Explain reasonable person standard.
  - b. Identify behaviors that constitute sexual harassment.
    - (1) Describe nonverbal.
    - (2) Define verbal.
    - (3) Identify printed.
    - (4) Describe physical contact.
    - (5) Define leader liability.
  - c. Describe the impact of sexual harassment on individual victims and unit readiness.
    - (1) Explain impact on unit climate and readiness.
    - (2) Define reactions to sexual harassment.
  - d. Define leader actions to assess a sexual harassment incident.
    - (1) Describe nature of incident.
    - (2) Define frequency of behavior.
    - (3) Explain appropriateness of behavior.
    - (4) Identify rank and position.
    - (5) Define past history.
    - (6) Identify consequences of actions.
    - (7) Explain environment assessment.
  - e. Describe leader actions to prevent sexual harassment.
    - (1) Define prevention planning.
    - (2) Identify leader commitment.
    - (3) Define progressive training.
    - (4) Describe responsive complaint process.
    - (5) Explain administrative/disciplinary actions.
  - f. Apply leader actions to detect incidents of sexual harassment.
4. Describe leader roles and responsibilities for resolving EO complaints.

- a. Explain the EO complaint system.
    - (1) Describe informal complaints.
    - (2) Explain formal complaints.
    - (3) Identify use of alternative agencies.
  - b. Describe the action of commander/alternative agency to resolve complaints.
    - (1) Define inquiry/investigation.
    - (2) Explain timelines.
    - (3) Describe appeals.
  - c. Describe actions to prevent incidents of intimidation, harassment, or reprisal.
    - (1) Define policy against intimidation, harassment, or reprisal.
    - (2) Explain follow-up assessment.
  - d. Describe leader actions to deal with EO issues in the platoon and unit.
    - (1) Explain instilling confidence and showing support.
    - (2) Define knowing and understanding the EO program.
    - (3) Explain taking all complaints seriously.
    - (4) Identify taking immediate action.
    - (5) Define informing the chain of command.
    - (6) Define problem follow-up.
    - (7) Describe reprisals.
    - (8) Explain being proactive.
5. Define the policy on extremist activities and organizations.
- a. Explain policy.
  - b. Define extremist terms and definitions.
  - c. Describe training requirements.

#### Performance Evaluation Guide

#### Evaluation Preparation

Setup: Evaluate this task at the end of equal opportunity training. Provide each soldier a copy of the test.

Brief Soldier: Tell the soldier he or she will be evaluated on their ability to comprehend the Army's EO policy, identify problems or situations that violate the policy, and apply appropriate corrective action to correct the problem or situation.

Performance Measures

Results

- |  |           |              |
|--|-----------|--------------|
| <p>1. Applied the Army's Equal Opportunity (EO) and Equal Employment Opportunity (EEO) Policies.</p> <ul style="list-style-type: none"> <li>a. Army EO policy.</li> <li>b. EEO policy.</li> <li>c. Program elements.</li> <li>d. EO leadership principles.</li> <li>e. Racism.</li> <li>f. Sexism.</li> <li>g. Prejudice.</li> <li>h. EOR responsibilities.</li> <li>i. EOA responsibilities.</li> </ul>   | <p>GO</p> | <p>NO GO</p> |
|  |           |              |
| <p>2. Identified unit equal opportunity actions and responsibilities.</p> <ul style="list-style-type: none"> <li>a. Chain of command.</li> <li>b. NCO support channel.</li> <li>c. Prevention actions.</li> <li>d. Resolving EO violations.</li> </ul>   | <p>GO</p> | <p>NO GO</p> |
|  |           |              |
| <p>3. Defined leader roles and responsibilities in the prevention of sexual harassment.</p> <ul style="list-style-type: none"> <li>a. Sexual harassment policy.</li> <li>b. Categories of sexual harassment.</li> <li>c. Impact versus intent.</li> <li>d. Reasonable person standard.</li> <li>e. Types of sexual harassment behaviors.</li> <li>f. Victim/Unit impact .</li> <li>g. Leader assessment actions.</li> <li>h. Leader prevention actions.</li> </ul> | <p>GO</p> | <p>NO GO</p> |
|  |           |              |
| <p>4. Described leader roles and responsibilities for resolving EO complaints.</p> <ul style="list-style-type: none"> <li>a. Complaint system.</li> <li>b. Alternative agencies.</li> <li>c. Resolving complaints.</li> <li>d. Intimidation, harassment, or reprisal.</li> </ul>   | <p>GO</p> | <p>NO GO</p> |

- e. Program support.
5. Defined the policy on extremist activities and organizations. GO NO GO
- a. Policy.
  - b. Terms and definitions.
  - c. Training requirements.

#### Evaluation Guidance

Score the soldier GO if all performance measures are passed. Score the soldier NO GO if any performance measure is failed. If remedial/refresher training is required, the soldier will be retrained and retested.

#### References

AR 600-20  
AR 670-1  
AR 690-12  
AR 690-600  
DA PAM 350-20  
DA PAM 600-75  
DOD 1350.2  
DOD 7050.6  
MCM 1984  
TC 26-4  
TC 26-6

## APPENDIX B

### PRACTICE EXERCISES & SOLUTIONS

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**Lesson Number/ Title** TSP Number 121-A-8031  
Implement the Army's Equal Opportunity and Sexual Harassment Policies in a Platoon

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**Information** The two Practice Exercises are designed to provide students with the opportunity to demonstrate the principles the learned in this block of instruction. It also gives the instructor the chance to reinforce areas which they observe the students and evaluate their understanding of the subject matter.

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**NOTE:** The instructor may divide the class into groups who work independently and reach conclusion/solutions, or the practice exercises may be handed out and discussed as a single group. This is left to the instructor to determine the best way to conduct, based on class size, time restraints, etc.

**NOTE:** PE # 2 is designed to stimulate thinking on the student's part. After they have read it, initiate discussion by using the suggested discussion questions provided. If instructor prefers, the class may be divided into groups and let the students develop solutions as a group.

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## PRACTICAL EXERCISE # 1

### Leader Actions To Detect And Correct Sexual Harassment Incidents

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**SITUATION A:** SFC Larry Jackson overheard two of his platoon members, SGT Lisa Franks and SGT Adam Wright, laughing quietly, whispering, and flirting with each other. The next time SFC Jackson passed SGT Franks, he winked and said, "How is your love life, sweet thing," and looked her over, all in a joking manner. SGT Franks was angry and offended and told him so.

**QUESTION:** Did SFC Jackson sexually harass SGT Franks?  
Are there other leadership issues or concerns?

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**SITUATION B:** When 1LT Taylor, the Platoon Leader, calls his platoon leadership together for their monthly training planning session, he always asks SSG Carol Roberts, the 3d Squad Leader, to take notes and make coffee. His platoon consists of three other Squad Leaders--SSG Fred Jackson, SSG Kelvin Bridges, and SSG Reginald Gibson.

**QUESTION:** Is 1LT Taylor sexually harassing SSG Roberts?

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**SITUATION C:** Throughout the day, CPT Flowers visits your Platoon CTT Training site to oversee the training of your squad, which consist of three women and eight men. When he passes CPL Monica Williams or SGT Pamela Hays he occasionally pats one of them or gives them a "little pinch" or a hug. He has never said anything really sexual to either of them, and they've never objected to his occasional touches.

**QUESTION:** Is CPT Flowers guilty of sexually harassing your soldiers? What leadership action are required if any?

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**SITUATION D:** CPT Chin really likes his subordinates, and he makes it a point to treat everyone the same. He especially likes to joke and tease in what he feels is a good-natured way. He makes comments like "How's your love life?" and "Don't do anything I wouldn't do", but he has never made any lewd or offensive comments. None of his subordinates has ever objected, and sometimes they even coerce him into telling some of his stories.

**QUESTION:** Is CPT Chin committing acts of sexual harassment?

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**SITUATION E:** Yesterday, SGT Donald Reese went to a luncheon meeting arranged by the platoon sergeant, SFC Mary Carpenter. He expected all the squad leaders to be there, but it was just the two of them. The restaurant was dimly lit, with a very romantic atmosphere. After a few drinks SGT Reese realized that the only business to be discussed was his relationship with SFC Carpenter. Just before suggesting that he take the day off and meet at her house later for a nightcap, she mentions his upcoming Noncommissioned Officers Evaluation Report (NCOER).

**QUESTION:** Is SFC Carpenter sexually harassing CPL Reese?

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**SITUATION F:** SGT Martha Clarke is very much attracted to her platoon sergeant, SFC Danny White. Since they're both single, she asked him over for dinner one Friday evening. After a very pleasant evening and a few too many drinks, they ended up spending the night together. The next day SFC White told SGT Clarke that he thought they should see more of each other since they hit it off so well. Besides, he said, this arrangement can be very beneficial to both of us.

**QUESTION:** Is this a case of sexual harassment? Why or why not?

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## Practical Exercise # 2

### Case Study

#### **BACKGROUND:**

SPC Gessler (female) filed an EO complaint against her platoon sergeant, SFC Robert Webster for sexual harassment. Her complaint centered on the following:

SFC Webster wrestled and horse played with his soldiers, male and female. SFC Webster made sexual innuendoes while rubbing his nipples, pulling up his T-shirt, and placing a coin in his naval. When SPC Gessler told SFC Webster to stop, SFC Webster laughed at her and continued his unwelcome actions. SFC Webster also kicked SPC Gessler on her buttocks and made comments such as "you wished it was my hand." SFC Webster also poked his soldiers in the ribs, knocked soldiers off their chairs, threatened soldiers with bodily harm, and played with a knife in the work place.

Sex was a major topic of discussion, with SFC Webster telling male soldiers to "tone it down" when female soldiers complained about the sexual jokes. Intimidation was a daily tactic used by SFC Webster to keep soldiers under his control. The soldiers believed that they never knew how SFC Webster was going to act on a daily basis. Soldiers (male and female) were reluctant to talk or file a complaint for fear of retaliation.

SPC Gessler allowed this behavior to continue because she wanted to fit in. When SPC Gessler could no longer go along with SFC Webster's behavior, she filed a formal complaint.

#### **ACTION TAKEN:**

When the complaint was filed, the commander was on leave over the Christmas holidays. The acting company commander (SFC Webster's platoon leader) requested an AR 15-6 investigation be initiated by the Battalion Commander. The acting company commander also requested the Investigating Officer (IO) to come from a different unit to maintain impartiality.

Due to the Christmas holidays, a 21 day extension was requested and granted. SPC Gessler was informed of the investigation and was provided with a copy of the results of the investigation and commander's action to resolve the complaint. The IO concluded that SFC Webster had sexually harassed and intimidated soldiers. The IO also concluded that SFC Webster encouraged sexual conversations to intimidate female soldiers or to solicit a response from them.

SFC Webster received a Field Grade Article 15, relieved of his duties, reduced in rank to Sergeant, an administrative flag, and a fine of \$ 1000 which was suspended for 90 days. Due to the flagging, the SFC Webster will reach his Retention Control Point (RCP) in a few months and will not be able to re-enlist. SFC Webster will be able to leave the Army with involuntary separation pay.

**Solutions to Practice Exercise # 1  
(For Instructor Use Only)**

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**SITUATION A:** SFC Larry Jackson overheard two of his platoon members, SGT Lisa Franks and SGT Adam Wright, laughing quietly, whispering, and flirting with each other. The next time SFC Jackson passed SGT Franks, he winked and said, "How is your love life, sweet thing," and looked her over, all in a joking manner. SGT Franks was angry and offended and told him so.

**QUESTION:** Did SFC Jackson sexually harass SGT Franks? Are there other leadership issues or concerns?

**SOLUTION:** Yes, SFC Jackson's behavior was inappropriate and constitutes sexual harassment. Asking personal questions about her 'love life' calling her sweet thing, and 'looking her over' are behaviors which are clearly inappropriate. Other leadership areas of concern are SGT Frank's and SGT Wright's behavior. This type of activity can lead to serious problems and can result in a hostile environment in the office.

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**SITUATION B:** When 1LT Taylor, the Platoon Leader, calls his platoon leadership together for their monthly training planning session, he always asks SSG Carol Roberts, the 3d Squad Leader, to take notes and make coffee. His platoon consists of three other Squad Leaders--SSG Fred Jackson, SSG Kelvin Bridges, and SSG Reginald Gibson.

**QUESTION:** Is 1LT Taylor sexually harassing SSG Roberts?

**SOLUTION:** No, 1LT Taylor is not sexually harassing SSG Roberts. However, he is demonstrating sexist behavior toward SSG Roberts by constantly asking her to take notes, and make coffee. These are things that are stereotypically associated with women's roles as opposed to men's roles.

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**SITUATION C:** Throughout the day, CPT Flowers visits your Platoon CTT Training site to oversee the training of your squad, which consist of three women and eight men. When he passes CPL Monica Williams or SGT Pamela Hays he occasionally pats one of them or gives them a "little pinch" or a hug. He has never said anything really sexual to either of them, and they've never objected to his occasional touches.

**QUESTION:** Is CPT Flowers guilty of sexually harassing your soldiers? What leadership action are required if any?

**SOLUTION:** Yes, CPT Flowers is guilty of sexually harassing CPL Williams and SGT Hays. This constitutes physical sexual harassment. He needs to immediately be counseled that this type of action is inappropriate and that any future violations will be dealt with swiftly and firmly.

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**SITUATION D:** CPT Chin really likes his subordinates, and he makes it a point to treat everyone the same. He especially likes to joke and tease in what he feels is a good-natured way. He makes comments like "How's your love life?" and "Don't do anything I wouldn't do", but he has never made any lewd or offensive comments. None of his subordinates has ever objected, and sometimes they even coerce him into telling some of his stories.

**QUESTION:** Is CPT Chin committing acts of sexual harassment?

**SOLUTION:** CPT Chin's behavior is inappropriate and could very easily be sexual harassment. Questions such as "how's your love life" and "don't do anything I wouldn't do" constitute verbal sexual harassment. The fact that no one objects does not mean that no one is offended. His rank may make some soldiers reluctant to complain out of fear. His actions could be creating a hostile work environment for soldiers.

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**SITUATION E:** Yesterday, SGT Donald Reese went to a luncheon meeting arranged by the platoon sergeant, SFC Mary Carpenter. He expected all the squad leaders to be there, but it was just the two of them. The restaurant was dimly lit, with a very romantic atmosphere. After a few drinks SGT Reese realized that the only business to be discussed was his relationship with SFC Carpenter. Just before suggesting that he take the day off and meet at her house later for a nightcap, she mentions his upcoming Noncommissioned Officers Evaluation Report (NCOER).

**QUESTION:** Is SFC Carpenter sexually harassing CPL Reese?

**SOLUTION:** This type of activity constitutes Quid Pro Quo sexual harassment. His evaluation - therefore his career - are being used to pressure him into a sexual relationship.

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**SITUATION F:** SGT Martha Clarke is very much attracted to her platoon sergeant, SFC Danny White. Since they're both single, she asked him over for dinner one Friday evening. After a very pleasant evening and a few too many drinks, they ended up spending the night together. The next day SFC White told SGT Clarke that he thought they should see more of each other since they hit it off so well. Besides, he said, this arrangement can be very beneficial to both of us.

**QUESTION:** Is this a case of sexual harassment? Why or why not?

**SOLUTION:** This situation may have been only a case of improper senior/subordinate relationship until SFC White said that seeing him could be beneficial to both of them. At that point, SFC White's behavior entered into that domain known as Quid Pro Quo sexual harassment.

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**Solutions to Practice Exercise # 2  
(For Instructor Use Only)**

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**NOTE:** PE # 2 is designed to stimulate thinking on the student's part. Following are Suggested Discussion Questions for Case Study. After they have read it, initiate discussion by using the suggested discussion questions provided. If instructor prefers, the class may be divided into groups and let the students develop solutions as a group.

1. What types (if any) of sexual harassment/EO violations can be identified?  
Physical (wrestling and horse-play, rubbing his nipples, pulling his shirt up, kicking her on buttocks); verbal (threatening, sexual innuendo comments, telling sexual jokes)
  2. Who is the victim? Who is the offender?  
SPC Gessler was a victim, along with the other members of the section under SFC Webster. SFC Webster was the offender
  3. What options were available to anyone who felt they were a victim of inappropriate behavior(s)?  
Seek assistance from the chain of command; File a complaint against SFC Webster
  4. Did the Chain of Command take appropriate response?  
The command took prompt action when notified of the complaint. The acting commander notified higher headquarters and requested appropriate action be initiated.
  5. Based on the information provided, does it appear proper procedures were followed in conducting this inquiry/investigation?  
Yes, based on available information, it appears that proper procedures were followed with regard to the actions of the acting commander.
  6. Does anyone feel the consequences of this investigation were appropriate, not severe enough, or too severe?  
No answer necessary here. It will be the students opinions that generate further discussion on this question.
  7. What actions on the leadership's part might have had a positive influence on preventing this situation?  
If the leadership had been aware of what was going on among their subordinates, they should have immediately intervened and counseled SFC Webster that his actions were unacceptable behavior. They should then have followed up to ensure that SFC Webster was complying. Any further violations should have resulted in his Relief for Cause and removal from the section.
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## TRAINING SUPPORT PACKAGE (TSP)

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<b>TSP Number</b>	121-A-8031
<b>Title</b>	Implement the Army's Equal Opportunity and Sexual Harassment Policies in a Platoon
<b>Task Number /Title</b>	121-050-8031 Implement the Army's Equal Opportunity and Sexual Harassment Policies in a Platoon
<b>Effective Date</b>	17 July 1997
<b>Supersedes TSP</b>	N/A
<b>TSP User(s)</b>	OBC, WOBC, ANCOG
<b>Proponent:</b>	The proponent for this document is Adjutant General School, Soldier Support Institute
<b>Comments/ Recommendations</b>	Send comments and recommendations directly to Soldiers Support Institute, ATTN: ATSG-AGP-EO (Adjutant General School, Equal Opportunity Proponency Office), Bldg 10000, Fort Jackson, SC 29207
<b>Foreign Disclosure Restrictions</b>	The materials contained in this course have been reviewed by the course instructors in coordination with the Fort Jackson Adjutant General School foreign disclosure authority. This course is releasable to military students from all requesting foreign countries without restrictions.

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## PREFACE

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**Purpose**

This instruction provides information about the Army's Equal Opportunity/Equal Employment Opportunity Programs and training in the prevention of sexual harassment. It discusses the platoon level leader's roles and responsibilities toward the Army's policy, their commitment to fair and equal treatment, perceptions, EO/EEO behaviors patterns, the complaint process, and methods to resolve problems.

<b>Task number:</b>	121-050-8031
<b>Task title:</b>	Implement the Army's Equal Opportunity Program and Sexual Harassment Policies in a Platoon
<b>Conditions:</b>	In a class room environment, given student guide and related handouts, and an instructor.
<b>Standard:</b>	Identify the leader's role and obligations to implement the Army's EO/EEO Programs

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**This TSP  
Contains**

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**Implement the Army's Equal Opportunity and  
Sexual Harassment Policies in a Platoon**  
17 July 1997

**SECTION I ADMINISTRATIVE DATA**

**All Courses  
Including  
this Lesson**

COURSE NUMBER(S)	COURSE TITLE(S)
	Officer Basic Course
	Warrant Officer Basic Course
	Advanced NCO Course

**Task(s)  
Taught or  
Supported**

TASK NUMBER	TASK TITLE
121-50-8031	Implement the Army's Equal Opportunity and Sexual Harassment Policies in a Platoon

**Reinforced  
Task(s)**

TASK NUMBER	TASK TITLE
N/A	N/A

**Academic  
Hours**

The Academic hours required to teach this course are as follows:

	PEACETIME HOURS/METHOD	MOBILIZATION HOURS/METHOD
	3 hrs, 40 mins/CO 1 hr/ PE	3 hrs, 40 mins/CO 1 hr/ PE
Test	30 mins/ TE	30 mins/TE
Test Review	15 mins/ TR	15 mins/ TR
Total Hours	5 hrs, 25 mins	5 hrs, 25 mins

**Prerequisite  
Lesson(s)**

LESSON NUMBER	LESSON TITLE
N/A	N/A

**Clearance  
and Access**

There are no clearance or access requirements for this lesson.

**References**

Number	Title	Date	Para No.
AR 690-12	Equal Employment Opportunity	Mar 88	All
AR 600-20	Army Command Policy and procedures	Mar 88	All
AR 690-600	EEO Discrimination	Sep 89	All
DA Pam 350-20	Unit EO Training Guide	Jun 94	All
TC 26-4	Conflict Management	Dec 84	All
TC 26-6	Commander's EO Handbook	Oct 94	All
DA Pam 600-26	Department of the Army Affirmative Action Plan	May90	All
DA Pam 600-75	Accommodating Religious Practices	Aug 95	All
DoDD 1350.2	Processing Religious Accommodation	Aug 95	All
DoDD 7050.6	Military Whistleblower Protection	Aug 95	All
MCM 1984	Manual for Courts Martial	1984	All

**Student Study  
Assignments**

Provide the Handouts to students two days prior to the scheduled class. Students must be prepared to discuss the Handouts during class.

<b>Instructor Requirements</b>	One instructor, familiar with and knowledgeable of current Army Equal Opportunity Program and Affirmative Actions Plans
<b>Additional Personnel Requirements</b>	None. The Installation Equal Opportunity Advisor (EOA) should be available for consultation prior to class.
<b>Equipment Required for Instruction</b>	Overhead Projector, Screen, Whiteboard
<b>Materials Required</b>	Instructor: Equal Opportunity TSP; Transparencies; Student Handouts, Practice Exercises  Students: Student Handouts
<b>Classroom, Training Area, and Range Requirements</b>	One Standard Classroom
<b>Ammunition Requirements</b>	None
<b>Instructional Guidance</b>	The instructor must have knowledge of current equal opportunity issues in both the military and the private sectors to ensure the success of this lesson. Recommend coordination with locally assigned Equal Opportunity Advisor (EOA) to discuss current EO and Sexual Harassment issues and trends. Instructor is required to provide students with copies of student handouts and practice exercises.

**NOTE:** Department of the Army has produced a new film on the subject of sexual harassment dated August 1996. The title of the video is, "Prevention of Sexual Harassment, Level I." The PIN Number is: 710876 and the ICN Number is: TVT-20-1096. This video should be shown to students during this course, preferably in conjunction with this block of instruction. It should be discussed as a means of enhancing the information provided on the subject in this TSP.

<b>Proponent Lesson Plan Approvals</b>	NAME	RANK	POSITION	DATE
	_____	_____	_____	_____
	_____	_____	_____	_____

**SECTION II INTRODUCTION**

Method of instruction: CO  
 Instructor to student ratio: 1:25  
 Time of instruction: 5 minutes  
 Media used: Viewgraphs

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**Motivator**

Platoons, and companies are the levels of the Army in which soldiers spend most of their military careers. Each becomes a tightly knit family where soldiers know one another intimately -- their likes and dislikes, their faults, strengths, their beliefs, and ideas. It is these small groups of soldiers who determine to a large extent whether wars are won or lost.

As Platoon Sergeant or Platoon Leader, you are responsible for providing the strong leadership that develops effective teams, leading to success on the battlefield. Ultimate success in battle will depend largely on the development of cohesive combat ready teams that must be well trained and highly motivated. These soldiers not only share a common belief in the cause for which they fight, but the mutual respect, trust, and confidence required of today's soldiers. Leaders must care and soldiers must know they care. You, as a leader must set the standard, comply with all policies and programs, and ensure your subordinates are prepared to accept and execute leadership responsibilities at a moment's notice.

An essential condition for the Army to accomplish its mission of national defense is the preservation of discipline and order. While it is true that discipline cannot be compromised, it is just as true that discipline and teamwork cannot be achieved in an atmosphere of dissension and distrust.

As leaders, it is your responsibility not only to recognize and manage differences among yourselves, but also to recognize and manage differences among those you lead. It is imperative that you, as military and civilian leaders, recognize and manage diversity so that it does not interfere with the Army's mission effectiveness or ability to fight and win on the battlefield. Your challenge is to execute your leadership duties so as to support and implement the Army's EO/EEO programs.

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**Terminal Learning Objective**

At the completion of this lesson you (the student) will:

**NOTE:** Inform the students of the following terminal learning objective requirements.

<b>Action:</b>	Specify the actions required for individuals and platoon leaders to implement the Army's Equal Opportunity (EO) and Equal Employment Opportunity (EEO) policies.
<b>Conditions:</b>	Given situation, student handouts, access to AR 600-20, AR 600-26, forms, etc. Forms include DA Forms 7279-R and DA Form 7279-1-R. Handouts include Army Policy Memorandum on Equal Opportunity, EO Violations Subject to UCMJ Actions, Definition of Sexual Harassment & Army's Policy on Sexual Harassment, Sexual Harassment Behaviors Subject to UCMJ Actions, Alternative Agencies, Army Equal Opportunity Complaint Process, and Extremist Organizations and Activities.
<b>Standards:</b>	<ol style="list-style-type: none"><li>1. List the key elements, principles, and definitions of the Equal Opportunity (EO) and Equal Employment Opportunity (EEO) program.</li><li>2. Describe the unit chain of command, EOR, and EOA EO responsibilities.</li><li>3. Describe appropriate individual and leader actions that prevents sexual harassment.</li><li>4. Specify appropriate actions that may be taken to resolve EO complaints.</li><li>5. Describe the policy on participation in extremist activities and organizations to include individual and leader responsibilities.</li></ol>

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**Safety Requirements**

None

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**Risk Assessment Level**

Low

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**Environmental Considerations**

None

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**Evaluation**

There will be a performance test for this lesson. In order to receive a GO, students a GO, students must correctly answer 70 percent of the questions.

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**Instructional Lead-in**

The Equal Opportunity training you receive today is part of the continuous, progressive training that you will receive throughout your military career. Each phase of training will build on the last as you acquire greater levels of leadership and responsibility. This phase is designed to raise your level of leadership at the platoon level through awareness about Equal Opportunity issues, yourself and those you lead. At the completion of this training you should have a better understanding about your roles as platoon sergeants or platoon leaders with regard to the Army's EO Program.

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**SECTION III****PRESENTATION**

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**A.** ENABLING LEARNING OBJECTIVE A: Define the Army's Equal Opportunity and Equal Employment Opportunities Policies

<b>Action:</b>	Define with the Army's Equal Opportunity and Equal Employment Opportunities Policies.
<b>Condition:</b>	Given Student Handout # 1, Army Policy Memorandum on Equal Opportunity and access to AR 600-20.
<b>Standards:</b>	1. Define the components of the Army's EO program. 2. Describe the related leadership elements and principles that support EO program objectives. 3. Define racism, sexism, prejudice, EOR's and EOA's.

**1.** Learning Step/Activity 1: Define the Equal Opportunity PoliciesMethod of Instruction: COInstructor to student ratio is: 1:25Time of Instruction: 10 minutesMedia: Viewgraph # 1-1 Thru # 1-2 and Handout # 1

a. **POLICY STATEMENT.** The Army's position on Equal Opportunity is best articulated in the "ARMY POLICY STATEMENT ON EQUAL OPPORTUNITY" signed by the Army Chief of Staff and the Secretary of the Army:

"America's Army serves as the nation's leader in equal opportunity. This success comes from total commitment to the ideals upon which our country was founded. We must continue our strong leadership in this area to ensure equal opportunity for all. To accomplish this, we, the Army's senior leadership, reaffirm our commitment to these principles and will work to ensure that equal opportunity and freedom from sexual harassment are standard in America's Army.

People are the cornerstone of readiness. Sophisticated weapon systems and modern technology are of little value without a dedicated, trained team of professional soldiers and civilians. They must know they will be treated fairly, and with dignity and respect in all aspects of performing the mission. They have a right to expect from their leadership an environment in which their efforts can be fully directed toward mission accomplishment and not detracted by unequal treatment. Leaders are expected to enforce Army standards.

We are justifiably proud of the many accomplishments the Army has made in the field of human rights; however, much remains to be done. Leaders at all levels must continue to ensure the environment in which our soldiers and civilians work and live is free of discriminatory practices. Each individual has a right to compete for advancement based upon abilities and merit, irrespective of race, color, religion, gender, or national origin. Army civilians are further protected against discrimination based on age and physical or mental disability. Leaders at all levels have an obligation to create and maintain an environment with zero tolerance for discrimination and harassment.

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We must continue to demonstrate that America's Army is the equal opportunity leader for the nation and the institution where men and women of diverse backgrounds can achieve their full potential in support of the Army's mission."

**NOTE:** A copy of Army Policy Memorandum on Equal Opportunity is at Handout # 1, Appendix C.

**NOTE:** Show Viewgraph # 1-1

b. **EQUAL OPPORTUNITY POLICY.** The policy of the U.S. Army contained in Chapter 6, AR 600-20 (Army Command Policy) is to provide equal opportunity and treatment for soldiers, civilian employees, and their families without regard to race, color, religion, gender, or national origin and to provide an environment free of sexual harassment. Soldiers are not accessed, classified, trained, assigned, promoted, or otherwise managed on the basis of race, color, religion, gender, or national origin. This policy has the following attributes:

- (1) Applies both on and off post.
- (2) Extends to soldiers, civilian employees, and family members.
- (3) Applies to working, living, and recreational environments.

c. **EQUAL EMPLOYMENT OPPORTUNITY (EEO) POLICY.** Civilian government employees (DA civilians) have the same EO protection as do military personnel. In addition to race, color, religion, gender, or national origin, DA civilians are also protected from discrimination based on disability and age. The EEO complaint process timelines, and other actions, while similar, are processed through the EEO Office. Assistance and guidance for supervisors is available from EEO counselors for resolving complaints or other EO related actions. As leaders, you must always remember that it is as important to act on EO problems from civilian employees as you would from military members.

d. **EO PROGRAM COMPONENTS.** The Army's EO Program strives to ensure fair treatment of all based solely on merit, fitness, and capability, which supports readiness. EO is a responsibility of leadership and a function of command. It is your role, as platoon leaders to ensure you not only set the example when it comes to equal opportunity, but to know and understand its concepts and principles. You are charged with the responsibility to take care of your soldiers or civilians to ensure they are always treated with the dignity and respect they deserve. The EO program consists of six essential components.

**NOTE:** Clarify with the students that when you are talking about a platoon and talking about taking care of soldiers, you are also talking about sections in which civilians may be working.

**NOTE:** Show Viewgraph # 1-2

e. **PROGRAM COMPONENTS.**

- (1) Essential to having a successful EO program a combination of elements must be in place. These elements include a strong commitment by leaders to support the program, sequential and progressive training at all levels, an effective and
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responsive complaint system, affirmative action plans, feed back mechanisms and Equal Opportunity Advisors.

**NOTE:** Use the following discussion points as appropriate to clarify student questions about component areas.

(2) **Leader Commitment.** As the leader whom the soldiers in the platoon have the most direct and continuous contact with, you become the person who your soldiers count on. The soldiers should feel they can count on you for support and assistance when they need help. You are obligated to consistently demonstrate your support and commitment for the Army's EO Program. It is your responsibility to ensure the policy on equal opportunity and sexual harassment is known by all soldiers whom you are responsible for. You must also ensure the use of even handed enforcement for discrimination or sexual harassment violations. The commander's personal policy statement should be presented during initial orientation to all new members of your platoon when they in-process into your unit.

(3) **Sequential and Progressive Training.** Training is the primary method used to teach new skills and prevent inappropriate behavior. Through training and education, the Army seeks to influence and promote an environment that treats everyone with dignity and respect. Training is also the Army's method for improving communications and awareness which is vital to team building and unit cohesion. The Army wants to ensure that soldiers and DA civilians understand not only the consequences of their actions but also feel assured of command intervention to correct EO problems.

(4) **An Effective and Responsive Complaint Process.** A key component of the Army's EO Program is an effective and responsive complaint system. The Army has established a comprehensive complaint system for military personnel. The Army wants to ensure that every soldier and DA Civilian has a readily available system for submitting their grievances without intimidation or threat of reprisal.

(5) **Affirmative Action Plan.** Affirmative Action Plans (AAP) are planned, achievable steps that are designed to prevent, identify, and eliminate unlawful discriminatory treatment of soldiers. These plans also assist in monitoring the progress of meeting the goals of equal opportunity.

(6) **Feedback Mechanisms.** The Army has various methods of obtaining feedback on how well the EO program is working. These methods include tracking the number of complaints, sensing sessions with soldiers, EO surveys and climate assessments. All of these provide feedback to the chain of command and other senior leaders on the effectiveness of the Army's EO programs and policies.

(7) **Equal Opportunity Advisors.** A key component of the Army's EO program is the Equal Opportunity Advisor (EOA). Every unit in the Army from brigade level to major commands are required to have an EOA. The EOA is the individual who receives special training in the area of equal opportunity. Their primary responsibility includes receiving and assisting in processing individual complaints of unlawful discrimination or sexual harassment; assisting commanders in assessing, planning, implementing and evaluating EO action plans; understanding and articulating Army policy concerning equal opportunity.

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2. Learning Step/Activity 2: Describe Related Leadership Elements and Principles that Support EO Program Objectives

Method of Instruction: CO

Instructor to student ratio is: 1:25

Time of Instruction: 10 minutes

Media: Viewgraph # 1-3 thru # 1-4

**RELATED LEADERSHIP ELEMENTS.** In addition to the program components there are seven leadership elements which have special significance to Army leaders.

**NOTE:** Show Viewgraph # 1-3

a. **MILITARY DISCIPLINE AND CONDUCT.** Military discipline is founded on the principles of self-discipline, the professional Army ethic and supporting individual values. You demonstrate your commitment to these values in your leadership, by exhibiting fairness and equity for all soldiers and DA civilians regardless of race, ethnic origin, gender, or religion.

b. **ISSUES OF APPROPRIATE BEHAVIOR.** Members of the military services are subject to a different set of behavioral standards than their civilian counterparts. Within the civilian work environment, the pursuit of a romantic relationship may not receive the same level of scrutiny as it would for those in uniform. When such attractions exist between soldiers of unequal rank and position, you, as leaders, must assess if it is appropriate as it relates to senior-subordinate relationships.

c. **SENIOR-SUBORDINATE RELATIONSHIPS.** This is not an Equal Opportunity Program issue specifically. However, it is often confused with EO and therefore in many people's mind, it becomes an EO issue. While personal relationships between soldiers of different ranks or grades, other than trainees, isn't specifically prohibited, it is important to ensure your behavior never compromises your position or authority. Relationships between soldiers of different ranks that involve, or give the appearance of preferential treatment must be avoided. During your military or civilian career, you will receive training on Army policy regarding senior-subordinate relationships, fraternization, standards of conduct, and the Army ethic. The appropriateness of your conduct as it relates to EO and sexual harassment will always be under close scrutiny, not only by your leaders but also by those you lead.

d. **EXTREMIST ORGANIZATIONS.** Your soldiers must understand that the activities of extremist organizations or similar hate groups are inconsistent with the responsibilities of military service and that active participation is prohibited. As Army leaders, you are sworn not only to uphold the Constitution, but to enforce Army policies regarding organizations that espouse a supremacist cause or right, attempt to create or practice illegal discrimination, or advocate the use of force or violence to deprive individuals or groups of their civil rights. A copy of the policy is included as a handout and students should be informed so that they may read it.

e. **ARMY LANGUAGE POLICY.** All soldiers are required to have sufficient proficiency in English to enlist and must maintain or improve that proficiency to perform their military duties. We are all required to speak English on duty when doing so is clearly necessary to perform military functions, promote safety, or other bonafied reasons to accomplish the mission. Speaking a language other than English on the job

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is in no way totally prohibited. Leaders should not required soldiers speak English for personal communications which are unrelated to the mission. Your sound judgment in such situations and an ability to communicate policy and rationale clearly will promote a healthy EO climate in your unit and ensure that operational communications are understood by everyone.

f. **ACCOMMODATING RELIGIOUS PRACTICES.** The Army places a high value on the rights of soldiers to observe and practice their respective religions. Therefore, the Army's policy is to grant requests for accommodation of religious practices when they have no adverse impact on readiness. However, as you know, such accommodations cannot be guaranteed and must be considered on a case-by-case basis.

g. **REQUESTS FOR RELIGIOUS ACCOMMODATION.** Requests for religious accommodation apply to four general areas: worship, dietary practices, medical practices, and religious dress and appearance. Although such requests are approved or denied by the commander, your challenge as a leader is to assist the commander in finding ways to grant accommodation while maintaining a sense of balance and equity and not arousing perceptions of preferential treatment or discrimination based on religion.

h. **WOMEN IN THE ARMY.** As a result of the Secretary of Defense policy on the assignment of women, as of 1 October 1994, ninety-one percent of all Army career fields and 67 percent of all Army positions became open to women. Women are now authorized in 87 percent of the enlisted military occupational specialties, 97 percent of the warrant officer specialties, and 97 percent of the officer specialties.

**NOTE:** Show Viewgraph 1-4

i. **PRINCIPLES OF THE PROGRAM.** There are five basic principles for an effective and fair Equal Opportunity Program. These principles are:

(1) **Commanders and Leaders are Responsible for Unit EO.** Each commander and leader are responsible for the EO program. Not only must you comply with the EO Program, but you must also ensure that your soldiers or civilian employees know what the policy is and what is expected from them. Enforcing compliance of the policies is one of responsibilities that accompanies leadership.

(2) **Promote Harmony, do not Merely Avoid Disorder.** All leaders need to promote the harmony of their subordinates, not just correcting their deficiencies. Use reasonable and consistent standards for everyone.

(3) **Support Individual and Cultural Diversity.** Regardless of your own background, military and DA civilian personnel must be aware of, and show respect for all religious, cultural, and gender differences of other personnel. Everyone must learn about others and understand how some preconceived and unwarranted prejudices must be overcome. We must all be capable of living and/or working in a common environment within the Army.

(4) **Discipline will not be Compromised.** Discipline can and must be maintained. However, the discipline applied needs to reflect the situation and should not reflect, or be perceived by others as unjustified, or a reflection on race, religion, ethnicity, or gender.

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(5) **Fair and equal Treatment for all Soldiers and Employees is Emphasized.**

The crucial element, in terms of morale and fairness, is not just what the situation is supposed to be - it is what the soldier or employee perceives it to be. You must take steps to ensure not only that soldiers and civilians receive fair and equal treatment, but that they fully realize it is fair treatment.

3. Learning Step/Activity 3: Define Terms and Definitions of the Army's Equal Opportunity Program

Method of Instruction: CO

Instructor to student ratio is: 1:25

Time of Instruction: 10 minutes

Media: Viewgraph # 1-5 Thru 1-9

**NOTE:** Show Viewgraph # 1-5

a. **EO VIOLATIONS.** These are the four basic concepts that define behaviors or actions which violate the Army's EO policies.

**NOTE:** Show Viewgraph # 1-6

b. **RACISM.** Racism is defined as any attitude or action by an individual, group, or institution to subordinate another person or group because of skin color or other physical traits associated with a particular group. During the history of America, this has been true of Blacks, Hispanics, Native Americans, Asians, and other minority groups. As a leader, just being aware of a soldier's race or color, even for decisions about behaviors or other perceptual qualities, is not in and of itself racist. Your behavior is racist when your reaction to such distinctions is to dominate or subordinate an individual or group on the basis of their race, skin color, or other physical traits.

c. **Personal or Individual Racism.** Personal or individual racism refers to a person's prejudicial belief and discriminatory behavior against certain groups because of their race or skin color. Personal or individual racism is motivated by a belief or assumption of superiority or inferiority based on skin color or some other physical trait associated with race. Generally, minorities, who lack power and institutional support, cannot practice racism. They can, however, act out racist behaviors. As leaders, whether military or civilian, your superiority over your subordinates is derived solely from your rank and position, not your race or other physical characteristics.

**NOTE:** Show Viewgraph # 1-7

d. **SEXISM.** Sexism has many similarities to racism. However, it is based on an attitude of superiority or inferiority because of gender differences. Sexism is defined as an attitude, behavior or conditioning that fosters stereotypes of social roles based on sex or gender. Another aspect of sexism is the individual or group belief that the differences between genders allow members of one gender rights and privileges that are not extended to the other gender. A leader of either gender can be sexist. However, the greatest number of complaints about sexist behaviors come from women. Some types of sexist behavior include:

**NOTE:** Show Viewgraph # 1-8

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e. **Sexist Behaviors.** Ignoring women or women's issues: The failure to acknowledge contributions made by women in the organizational discussion of a business or duty performance issue. Other issues may typically include privacy in separate latrine facilities, or special medical requirements.

(1) Exclusionary language: Exclusive use of the pronouns "he" and "his", or the word "guys". The habitual use of such expressions as "this man's Army".

(2) Speaking for women: This is typically a tendency for a male to interject an answer to a question directed at a female, denying the female the opportunity to answer for herself.

(3) Paternalism: This involves the assumption of a role as the "father figure" to a female. A "daddy knows best" attitude. The male attempts to take charge of the female in a fatherly way that is not in keeping with the work environment or any legitimate work relationship between the man and the woman, in the belief that women are the weaker sex, deserving man's care and protection.

**NOTE:** Show Viewgraph # 1-9

f. **PREJUDICE.** Prejudice is a negative attitude or feeling toward certain groups based upon faulty and inflexible generalizations. A leader is prejudiced if he or she holds an unfavorable opinion or feeling formed beforehand without knowledge, thought, or reason. As a leader, you should be on guard against any preconceived opinion or feeling which is favorable or unfavorable toward certain groups. You must also be prepared to combat the existence of such preconceptions among those you lead. Prejudice is a major component of personal racism or sexism which is an over generalization of facts and erroneous beliefs. Prejudice is first developed and manifested with two components: the attitude or thinking component and the emotional or feeling component. Attitudes of superiority and stereotypes are formed at the thinking level by people who believe they are better because of their race or gender. Emotions such as fear, hate, or anxiety caused by close association with other racial or ethnic groups are strong by-products of prejudice at an emotional or feeling level.

g. Another component of prejudice is the behavior associated with acting out the prejudice. As a leader, you must be careful not to act out your prejudices by discriminating against any group or its individual members. The more intense your prejudice is, the more likely your leadership will, either consciously or unconsciously, be affected by it.

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**NOTE:** Conduct a check on learning and summarize the learning activity.

Q. Name the factors involved with the Army's Equal Opportunity Policy?

A. Equal treatment for soldiers, family members, and civilian employees provide an environment free from sexual harassment. It applies to:

On and off post

Soldiers, civilian employees, and family members

Working, living, and recreational environments

**NOTE:** Re-Show Viewgraph # 1-1

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Q. What are seven components which are Related Leadership Elements of the Army's EO Program?

- A. Military Discipline and Conduct
  - Appropriate Behavior
  - Senior-Subordinate Relationships
  - Extremist Organizations
  - Army Language Policy
  - Accommodating Religious Practices
  - Women in the Army

Q. What are the five EO Program Principles?

- A. Commanders and Leaders are responsible for Unit EO
  - Promote Harmony, do not Merely Avoid Disorder
  - Support Individual and Cultural Diversity
  - Discipline will not be Compromised
  - Fair and Equal Treatment for all Soldiers and Employees is Emphasized

**Summary:** During this period of instruction we have provided you, the platoon sergeants and leaders, the foundation of the Army's equal opportunity program. We have defined the components and implementing elements of the Army's EO programs. We have defined the Army's EO policies and described related leadership elements that support EO program objectives. Your understanding of the elements of the Army's EO program is essential to the continued success of your unit's EO climate and mission accomplishment.

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**B.** ENABLING LEARNING OBJECTIVE B: Define Basic Leader EO Actions and Responsibilities

<b>Action:</b>	Define basic leader responsibilities for EO and sexual harassment compliance.
<b>Condition:</b>	Given Student Handout # 2, EO Violations Subject to UCMJ Actions and access to AR 600-20.
<b>Standards:</b>	<ol style="list-style-type: none"><li>1. Describe the responsibilities of unit chain of command and NCO support channel that support leader compliance with EO policies and programs.</li><li>2. Define appropriate leader actions that prevent EO violations.</li><li>3. Describe appropriate leader actions to resolve EO violations.</li></ol>

**NOTE:** Paraphrase the following introduction to meet the target audience.

**LEAD-IN:** As platoon leaders, you are responsible not only for establishing acceptable standards of behavior within your squads, platoons, and sections, but you are also responsible for monitoring constantly to ensure the standards are being maintained. You cannot simply cite a policy, or say that your soldiers will or will not act or behave in certain ways. You must constantly be alert and aware of what is happening. To this end, the Army's EO program calls upon you, as leaders, to perform certain duties and responsibilities in implementing the Army's EO Program. To make the program effective, you and other unit leaders must take a positive, proactive approach in carrying out your EO duties and responsibilities. This requires that you know and understand your EO role as it relates to those of the commander and other members of the chain of command

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1. Learning Step/Activity 1: Describe the Unit EO Responsibilities

Method of instruction: CO

Instructor to student ratio is: 1:25

Time of instruction: 15 minutes

Media: Viewgraph # 2-1

**NOTE:** Show Viewgraph # 2-1

a. **UNIT CHAIN OF COMMAND.** Your commander is ultimately responsible for everything the command does or fails to do. However, the unit chain of command is designed to assist the commander in achieving primary goals and objectives to successfully accomplish the unit's assigned mission. The command channel extends both upward and downward for transmittal of orders and other official communications between senior and subordinate personnel. Equal opportunity is an integral part of unit leadership, and therefore is a responsibility of the chain of command. You, as the platoon sergeants and section leaders are the critical element in the chain of command. You are the leaders who the platoon members rely and count on for assistance and information.

b. **NCO SUPPORT CHANNEL.** The NCO support channel parallels and complements the unit chain of command. The NCO support channel represents a line of communication and supervision from the battalion command sergeant major (CSM) to the unit first sergeant (1SG) and then to other NCOs and enlisted personnel of the unit. The scope of responsibility and authority to accomplish assigned tasks are defined by your commander. The support and commitment of the NCO support channel is essential for implementing and maintaining a viable EO program.

c. **Equal Opportunity Representative (EOR).** EORs assist commanders at battalion-level and below in carrying out the EO program within their units. An EOR is tasked to perform EO duties as a part-time or secondary responsibility. In addition the unit EOR assumes a special relationship with the chain of command and the leadership channels. Soldiers who are appointed as unit EORs receive training on a variety of EO subjects and can advise and assist unit leaders carrying out their EO responsibilities. The EOR EO duties and responsibilities include the following:

- (1) Recognize the detractors from healthy EO climate,
- (2) Assist in conducting unit climate assessments,
- (3) Assist unit leaders in conducting EO training,
- (4) Liaison with other EORs and command/installation EOAs,
- (5) Assist in planning and conducting ethnic observances,
- (6) Serve as an EO resource person.

d. **Equal Opportunity Advisor.** Equal Opportunity Advisors (EOA) are assigned to full time EO duty positions at brigade or higher echelons. They are trained to assist their commanders in developing their EO programs and assessing program effectiveness. In addition they may be called upon to assist unit commanders in identifying and resolving EO problems and developing appropriate training. It is very

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important that you, as leaders, get to not only know who your EOA is, but that you get to know that EOA. You should make the effort to develop a good professional relationship with your EOA. Some of the duties of the EOA will include the following:

- (1) Assess indicators or discrimination,
- (2) Recognize overt and subtle forms of sexual harassment,
- (3) Collect and interpret demographic data,
- (4) Assist in evaluating effectiveness of EO training,
- (5) Process individual EO complaints,
- (6) Conduct inquiries IAW commander's guidance,
- (7) Assist in planning and conducting ethnic observances,
- (8) Conduct unit command climate assessments,
- (9) Assist commander in resolving command EO issues and concerns.

**2.** Learning Step/Activity 2: Define Platoon Level Leaders Actions to Prevent Equal Opportunity Violations

Method of instruction: CO

Instructor to student ratio is: 1:25

Time of instruction: 5 minutes

Media: Viewgraph # 2-2

**NOTE:** Show Viewgraph # 2-2

a. **SET THE EXAMPLE.** As a leader, you are being watched by your subordinates. This is true whether we are talking about members of your platoon or soldiers who work for you in the section. Soldiers will behave as they are directed as long as they see you are behaving the same way. There is an old saying which is very appropriate in this area: "Walk what you talk." This simply means, you must always behave in a manner which matches what you are telling soldiers they must do. This is true more in the equal opportunity field than in other areas. If soldiers hear you telling jokes (or laughing at other soldier's jokes), which are racial, ethnic, religious, or gender related in nature, soldiers will assume it must be OK to tell and laugh at such jokes. As a leader, you are being watched and judged. Ensure your actions and behaviors do not give anyone reason to question your commitment to equal opportunity.

b. **INTEGRATE EO INTO YOUR WELCOMING COUNSELING.** When a new soldier arrives in your section, be proactive. During your initial counseling of a new soldier, ensure you tell them you are a strong supporter of the Army's EO Program and you expect the same of them. This is an excellent time to hand them a copy of the commander's policy letters on EO and Sexual Harassment. Ask them to read the policy letters. Show them where the policy letters are posted in your section. Most important of all, tell them you want them to come to you immediately with any problems what-so-ever concerning equal opportunity.

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c. **TRAINING AND EDUCATION.** As a leader, you should be attuned to the EO climate in your platoon. As you develop your impressions over a period of time, you may decide that training is in order to raise the sensitivity level within your area of responsibility. Your unit training NCO will ensure the semi-annual equal opportunity training is met. However, you can also provide training when you conduct platoon or section training. Your unit EOR can assist you by either giving training, or by providing you with training materials and guidance. The Army also has training videos available on equal opportunity issues which you may wish to show. Your brigade or installation Equal Opportunity Office will also have training materials available for your use.

d. **COUNSELING.** When you conduct your regular counseling sessions with your soldiers, you should always address equal opportunity. If you have observed no problems in this area, you can make a reference to the soldier's adherence and support of the EO Program. If you have observed problems areas since the last counseling, you should make a reference to this in the counseling statement and tell the soldier what he or she must do to improve in this area. In either case, you are putting the soldier 'on notice' that you are observing their behaviors in this area.

3. Learning Step/Activity 3: Describe Actions to Resolve Equal Opportunity Violations

Method of instruction: CO

Instructor to student ratio is: 1:25

Time of instruction: 15 minutes

Media: Viewgraph # 2-3 and Handout # 2

**Lead-in.** In spite of our best efforts, there will sometimes be actions which leaders in the Army must take as a result of soldiers not adhering to the guidelines and policies of the Army's Equal Opportunity Program. As a leader, you should have a clear understanding of what options are available when soldiers violate the policies. It can also serve as a detriment to these behaviors when you explain to soldiers what actions can be taken by leaders and the commander for violations of the EO policy. Some leader actions are discussed below:

**NOTE:** Show Viewgraph # 2-3

a. **ON-THE-SPOT CORRECTIONS.** The easiest, and most effective tool to deal with EO violations which you observe is immediate confrontation of the offender when you observe something that is wrong. Whether this will serve as a final action depends upon the gravity of the offense. For example, suppose you overheard one of your soldiers making a sexist remark toward another soldier. Directly confronting them, clearly explaining what you found offensive, and explaining that this type of behavior constitutes sexism, or perhaps sexual harassment, and will not be tolerated could very well end the issue. You have put them on notice that you are aware of their behavior and will not accept it. If the soldiers learn from this, and change their behavior, you have solved the problem and it might not be necessary to take it any further. However, if the violation is severe, you may want to take more definitive action. For example, blatant discrimination or harassment may warrant a change of duty or responsibility.

b. **COUNSELING - VERBAL AND/OR WRITTEN.** Counseling a soldier for violations of EO policies is another option. This provides the soldier with reinforcement that you find a particular action unacceptable and that you are concerned enough to make a

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record. It demonstrates that he or she is going to be monitored in the future. It also drives home the point that when you are keeping a documented record of their actions and future violations could incur even more serious consequences.

c. **PROMOTIONS AND ADVANCEMENTS.** Promotions and advancements are not a right that soldiers are entitled to simply because they meet the qualifications. Many young soldiers tend to believe promotions are automatic and are going to occur regardless of the soldier's behavior or actions. As leaders, you know this isn't so. You must ensure that soldiers who work for you understand this too. A soldier's behavior and actions should be considered when you decide who to submit for early advancement or recommend to promotion. A soldier who has demonstrated through their behavior they do not support EO, should not be considered for advancement or promotion until the behavior is changed.

d. **DECISIONS CONCERNING AWARDS, TRAINING, OR SCHOOLS.** A soldier who has violated equal opportunity policies - especially more than once - is not a good candidate for an award. Simply PCSing does not automatically mean they should receive an award. If incidents which have resulted in counseling have occurred during a soldier's tour, not giving an award may be an appropriate response. The soldier should certainly be counseled as to why they are not receiving an award. Decisions involving a soldier attending a specific course or school should take into consideration their past performance. This would include his or her job performance and any record of counseling statements. If violations involving equal opportunity are recorded, then this should be a consideration for recommending approval. Of course, this is not to say the soldier hasn't learned and has modified his or her behavior. An incident should never disqualify a soldier, only be taken into consideration along with recent behavior.

e. **CHANGE IN DUTIES OR RESPONSIBILITIES.** If a soldier has committed violations of the Army's equal opportunity policies, and they are in a leadership position or high profile position, it may be appropriate to remove them from that position. For example, if a soldier is a Squad Leader, then perhaps they should be removed from that position. An action like this may or may not involve a Relief for Cause NCOER. Whether it does or not, you should ensure the soldier knows and understands why they are being removed from the position.

f. **TRANSFER OR REASSIGNMENT.** It is possible that a soldier may be transferred to another unit if they are guilty of violating equal opportunity policies. This action should not be taken lightly, and the supervisory chain and the commander must evaluate the situation and make a determination as to whether this is a reasonable action or not.

g. **BAR TO REENLISTMENT.** If a pattern of behavior is established in which a soldier violates equal opportunity policies, then a Bar to Reenlistment may be in order. A Bar to Reenlistment can be an extremely effective tool to modify a soldier's behavior. It strongly points out to the soldier that his or her behavior does not meet the Army's standard and that they may be forced to leave. If a soldier modifies their behavior, a Bar can easily be removed and the soldier allowed to remain in the service of the Army. Any consideration of Bar to Reenlistment initiation should be discussed with the commander and appropriate legal channels.

h. **SEPARATION.** If a soldier's actions are severe enough, then mandating exit from the Army may well be warranted. This can be accomplished in several different manners. Leaving an imposed Bar to Reenlistment in place is the easiest means. If

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the behavior or actions which caused the Bar to be implemented have not changed, then the soldier should be permitted to leave at the end of the current term of service. Another means of forcing a separation might be the result of a courts martial proceedings. This action of course would be under the control of the court martial convening authority at the appropriate level. It is also possible that a combination of actions, including such things as Counseling Statements, Article 15s, and other administrative actions could result in sufficient documentation to warrant separation under one of the chapters in AR 635-200. Any consideration of separation should be discussed with the commander and appropriate legal channels.

i. **EQUAL OPPORTUNITY AND THE UCMJ.** Because EO violations have an impact on readiness and could entail serious consequences, we must approach and carry out the Army's EO program in a spirit of total commitment. As Army leaders, you must ensure that all violations of EO policies are dealt with effectively and fully investigated when appropriate. Less severe acts might be dealt with by training or on-the-spot corrections, while more serious violations may required formal counseling or a recommendation for UCMJ action. Accused persons must have full access to all legal and regulatory protection. Taking these measures will help your soldiers to have trust and confidence in you and the chain of command.

j. The UCMJ provides a number of articles which may be used to deal with EO and sexual harassment violations. Refer students to the Student Handouts for a listing of the UCMJ Articles and actions relevant to EO Violations.

**NOTE:** A copy of some EO violations subject to the UCMJ are provided at Handout # 2.

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**NOTE:** Conduct a check on learning and summarize the learning activity.

- Q. What are some of the unit leadership's EO related duties and responsibilities?  
A. Assist commander to achieve unit goals and objectives,  
Subdivide responsibility and authority,  
Reciprocal commitment between chain and soldiers,  
Communication channel for soldiers to voice concerns.

**NOTE:** If necessary, re-show Viewgraph and review each item.

- Q. As platoon leaders, what are some of the actions you can take to enhance the EO climate?  
A. Set the Example,  
Integrate EO into the Welcome Briefing/Counseling,  
Training and Education,  
Counseling.
- Q. Name some of the administrative actions available to the chain of command and commander when soldiers violate EO polices?  
A. On-the-Spot Corrections,  
Counseling - written and verbal,  
Deny Advancements and Promotions,  
Awards, Training, Schools,  
Change in Duties or Responsibilities,  
Transfers or Reassignment,  
Bar to Reenlistment,  
Separation.
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**Summary:** During this period of instruction we have examined what you, as platoon leaders can do to enhance the overall equal opportunity climate in your platoon. We have also looked at options available to the chain of command to correct or modify soldier's behaviors when they are not conforming to the policies. We have also discussed how important it is to prevent problems before they occur. This is much easier than attempting to correct problems after they develop. It will be the result of your actions, more than any other single factor, that determine the EO climate in your platoon.

It should be clear to you by now that because of the serious consequences and negative impact EO violations have on mission accomplishment, you, as Army leaders, must approach and carry out the Army's EO Program in a spirit of total commitment.

**C. ENABLING LEARNING OBJECTIVE C: Define Leader Roles and Responsibilities in the Prevention of Sexual Harassment**

<b>Action:</b>	Define Leader Roles and Responsibilities in the Prevention of Sexual Harassment.
<b>Conditions:</b>	Given Student Handout # 3, Definition of Sexual Harassment and Army's Policy on Sexual Harassment, Student Handout # 4, Sexual Harassment Behaviors Subject to UCMJ Actions, access to AR 600-20, and situation that simulates real world conditions requiring leader actions.
<b>Standards:</b>	<ol style="list-style-type: none"> <li>1. Describe the Army Sexual Harassment policy to include:             <ol style="list-style-type: none"> <li>a. Definition of sexual harassment.</li> <li>b. Categories of sexual harassment.                 <ol style="list-style-type: none"> <li>(1) Quid Pro Quo</li> <li>(2) Hostile Environment</li> <li>(3) Related elements of sexual harassment.                     <ol style="list-style-type: none"> <li>(a) Impact vs. Intent.</li> <li>(b) Reasonable person standard.</li> </ol> </li> </ol> </li> </ol> </li> <li>2. Identify behaviors that constitute sexual harassment.</li> <li>3. Describe the impact of sexual harassment on individuals and unit readiness.</li> <li>4. Define appropriate leader actions that are necessary to assess a sexual harassment incident.</li> <li>5. Describe appropriate leader actions that support prevention of sexual harassment.</li> <li>6. Apply appropriate leader actions in a simulated real world environment to detect and correct sexual harassment incidents.</li> </ol>

**NOTE:** Paraphrase the following introduction to meet the target audience.

**LEAD-IN.** The elimination of sexual harassment has been a long-standing goal of the Army's EO program. During recent years the issue of sexual harassment has received significant media attention in both government and private sectors. This heightened awareness has intensified national debate on causes and prevention strategies.

Sexual harassment affects everyone. It victimizes males as well as females, can occur at any time, and is not limited to the work place.

The eradication and prevention of sexual harassment is not just a moral imperative, it is a readiness issue. Sexual harassment affects unit cohesion and mission effectiveness and violates acceptable standards of conduct, equality and fair play. It drains our limited resources and destroys unit morale. It detracts from a healthy climate that promotes individual growth and teamwork which is vital to combat readiness. For these reasons sexual harassment cannot and will not be tolerated in the Army.

1. Learning Step/Activity 1: Define the Army's Sexual Harassment Policy and Related Concepts

Method of instruction: CO

Instructor to student ratio is: 1:25

Time of instruction: 20 minutes

Media: Viewgraph # 3-1 thru # 3-6 and Handout # 3

a. **SEXUAL HARASSMENT POLICY & DEFINITION.** "The policy of the United States Army is that sexual harassment is unacceptable conduct and will not be tolerated." This is the opening sentence of the "ARMY POLICY ON SEXUAL HARASSMENT" signed by the Secretary of the Army and the Army Chief of Staff.

**NOTE:** Inform the class that a complete copy of the Army Policy on Sexual Harassment is provided in Handout # 3. This letter may be substituted with other current senior level policy letters as appropriate.

**NOTE:** Show Viewgraph # 3-1

b. **DEFINITION OF SEXUAL HARASSMENT (AR 600-20).** Sexual harassment is defined in AR 600-20 as a form of sex discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

(1) Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career, or

(2) Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person, or

(3) Such conduct has the purpose or effect of unreasonably interfering with an individual's performance or creates an intimidating, hostile, or offensive environment.

c. The definition emphasizes that workplace conduct, to be actionable as "abusive work environment" harassment, need not result in concrete psychological harm to the victim. The conduct need only be so severe or pervasive that a reasonable person would perceive, and the victim does perceive, that the work environment is hostile or abusive. Workplace is an expansive term for military members and may include on or off duty, 24 hours a day.

d. Any person in a supervisory or command position who uses or condones any form of sexual behavior to control, influence, or affect the career, pay, or job of a military member or civilian employee is engaging in sexual harassment. Similarly, any military

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member or civilian employee who make deliberate or repeated unwelcome verbal comments, gestures, or physical contact of a sexual nature in the workplace is also engaging in sexual harassment.

**NOTE:** Show Viewgraph # 3-2

e. **CATEGORIES OF SEXUAL HARASSMENT.** Since 1982, the federal courts have recognized two basic categories of sexual harassment behavior that all Army leaders must be on guard to detect and/or prevent. They are:

(1) Quid Pro Quo.

(2) Hostile Environment.

**NOTE:** Show Viewgraph # 3-3

f. **Quid Pro Quo.** The Latin term "quid pro quo" essentially means "this for that". In relationship to sexual harassment, it refers to a leader or supervisor who places conditions upon a person's career or terms of employment in return for sexual favors, such as: threats of adverse performance evaluations or firing.

g. It can also take the form of promises of career advancement, promotions, and other benefits, should the victim give-in to the sexual advances of the harasser.

**NOTE:** Show Viewgraph # 3-4

h. **Hostile Environment.** A hostile environment occurs when soldiers or civilians are subjected to offensive, unwanted, and unsolicited comments and behaviors of a sexual nature. If the behavior has the potential of unreasonably interfering with their duties or job performance, then the environment is classified as hostile. Leaders should be aware that this form of sexual harassment has been identified as the most prevalent within the military.

i. A hostile environment brings the topic of sex or gender differences into the work place in any one of a number of forms. It normally includes those actions in "the gray areas" or the nonviolent sexual behaviors which are gender based.

j. An example of "hostile environment" in the "old Army" might have been when some soldiers and their leaders used derogatory "feminine" terms in describing unsatisfactory "male" performance. They might have used language that had sexual connotations or was gender based such as jody calls during physical training. This environment would be tolerated and even encouraged the posting of sexually oriented cartoons and pictures in the work and living areas. Telling sexually explicit jokes and sharing sexist attitudes and opinions might have been daily occurrences. As a leader, it is essential that you understand that these behaviors create a hostile environment, **whether or not** women work in or visit the immediate area.

k. **RELATED ELEMENTS OF SEXUAL HARASSMENT.** There are other elements related to defining sexual harassment which must be understood in order to assess the appropriateness of your behavior and the behavior of those you lead. Two important elements that you should be aware of are:

(1) Impact vs Intent.

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(2) Reasonable Person/Woman Standard.

**NOTE:** Show Viewgraph # 3-5

l. **IMPACT VS INTENT.** In addition to the policy definition of sexual harassment, it is vital to have a firm understanding of the concept of "impact Vs intent". What soldiers or leaders may consider to be joking or horseplay must be evaluated on its appropriateness or offensiveness as perceived by the recipient. Assessing whether a behavior is appropriate or offensive is a leadership responsibility and must be done from the perspective of the recipient, not the alleged harasser. An excuse such as "I was only joking" is irrelevant. In the event of a complaint, the leader or supervisor must view the impact of an incident or series of incidents from the complainant's perspective.

m. However, whether or not the victim is emotionally effected and/or willingly submitted to the behavior of the harasser is irrelevant in determining whether sexual harassment occurred. The only relevant question to be answered is "Was the behavior appropriate or inappropriate?" As a leader, you must be willing to ask and seek an answer to that question, not only with regard to your behavior but also regarding the behavior of your subordinates and other leaders whose behaviors you will have occasion to observe.

**NOTE:** Show Viewgraph # 3-6

n. **REASONABLE PERSON STANDARD.** The reasonable person/woman standard is an essential tool for leaders at all levels when determining the appropriateness of an individual's behavior. The reasonable person or reasonable woman standards are used to predict the expected reaction to or impact of perceived offensive behaviors on the recipient. The standard asks "How would a reasonable person under similar circumstances react or be affected by such behavior?" When the complainant is a woman, the evaluation would pose, "How would a reasonable woman be affected or react?" You, as Army leaders must be aware that, because of our socialization, men and women can watch the same behavior, but have a very different perspective about what they saw and what they were feeling.

**NOTE:** Ask students if they recall personal or media debates on the Clarence Thomas Hearing and the Anita Hill involvement, or the Navy's Tail Hook convention; Senator Packwood of Oregon resigning because of sexual harassment allegations; T-shirts that says " what part of NO don't you understand?". Use similar examples to demonstrate how the reasonable person and woman concept is applied.

**2.** Learning Step/Activity 2: Identify Behaviors that Constitute Sexual Harassment

Method of Instruction: CO  
Instructor to student ratio is: 1:25  
Time of instruction: 10 minutes  
Media: Viewgraph # 3-7 thru # 3-12

**NOTE:** Show Viewgraph # 3-7

a. **SEXUAL HARASSMENT BEHAVIORS.** The traditional view of sexual harassment of women involves the belief that harassing behavior is biologically based, that men

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cannot help themselves. Thus sexual harassment is labeled "normal". Harassment, however, is not "normal", nor is it related to sexuality. Rather in many instances, it is a question of power and control.

b. This type of behavior existing in the work or duty area is a major factor in determining a hostile work environment. As an Army leader you will be concerned for the most part with the detection and prevention of four types or categories of sexual harassment behaviors:

**NOTE:** Show Viewgraph # 3-8

c. **VERBAL COMMENTS.** These include telling sexual jokes and using profanity, off color sexual comments, threats; or barking, growling, oinking, and whistling at passersby in describing certain sexual attributes about one's physical appearance.

d. Telling of sexual jokes is one of the toughest forms of harassment you will have to confront. This is not necessarily because of the different perceptions about the offensiveness of the joke, but rather the intent of the person telling the joke is often viewed as being "all in fun" with no deliberate intent to hurt or do harm. Even those who are offended may laugh, rationalizing that tolerating the storyteller is a form of group camaraderie. However, this rarely is the case. Often the opposite reaction occurs creating a lack of respect and a "here we go again" response when the joker approaches.

e. Another form of verbal behavior is using innocent "terms of endearment" such as "honey," "baby," "sweetheart" or "dear" in referring to soldiers or civilian co-workers. This behavior is defined as a form of sexual harassment and is a more or less common in many segments of our society.

**NOTE:** Show Viewgraph # 3-9

f. **NONVERBAL GESTURES.** Examples of nonverbal gestures are leering, ogling (giving the person "the eye" or "once over"), blowing kisses, licking lips, or winking. These should be of special concern to you as leaders, since left unchecked, they can sometimes lead to other more serious or behaviors. Nonverbal forms of sexual harassment may take on a more hostile appearance after the victim has rejected the advances of the harasser.

**NOTE:** Show Viewgraph # 3-10

g. **PRINTED MATERIAL.** Examples of printed materials include sexually oriented notes, letters, faxes or computer mail. Other examples include posting sexual sayings such as bumper stickers, cartoons, posters, calendars, pin-ups or sex-oriented pictures and quotations found on seat covers or sun-visors where people work or meet. As a leader, it is your responsibility to ensure that your personnel work and live in an environment free from such items.

**NOTE:** Show Viewgraph # 3-11

h. **Physical Contact.** Examples of physical contact are touching, patting, hugging, pinching, grabbing, cornering, and kissing. Other examples include playing footsie or kneesie, blocking a passageway, providing unsolicited back and neck rubs, and

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unsolicited adjusting of a person's clothing. It is important to remember that whether or not the receiver of such attention is offended, the behavior is inappropriate in a working environment.

**NOTE:** Although physical contact may be prohibited in a training environments, it is generally not an issue in a professional environment where soldiers and civilians respect and trust one another.

**NOTE:** Show Viewgraph # 3-12

i. **LEADER LIABILITY.** Although a leader may not be held legally liable in a given case, there are at least three reasons why leaders should accept responsibility and be held accountable.

(1) The leader is responsible for ensuring that the environment is safe and clean for everyone.

(2) The leader is responsible for training subordinates to behave appropriately, especially in the work place. This includes modeling and enforcing behaviors that emulate dignity and mutual respect.

(3) The leader is responsible for maintaining a climate of openness and mutual trust for all personnel. This means individuals should feel free in seeking redress of grievances or filing a complaint of discrimination or sexual harassment without fear of reprisals.

**3.** Learning Step/Activity 3: Describe the Impact of Sexual Harassment on Individual Victims and Unit Readiness

Method of instruction: CO

Instructor to student ratio is: 1:25

Time of instruction: 10 minutes

Media: Viewgraph # 3-13 thru # 3-15

a. **IMPACT OF SEXUAL HARASSMENT.** As Army leaders, you must have a sense of how sexual harassment affects the victims as well as the organizations. You must be familiar with the kinds of behaviors victims may use to cope with sexual harassment. A number of variables exist in assessing the impact on, or expected reactions of the victim. Leaders at all levels must understand and be able to explain to their soldiers and civilians the devastating affects sexual harassment can have on a victim and on organizational readiness. Problems due to sexual harassment can manifest themselves in a number of ways. Some are very obvious, while others may be well hidden and not so visible.

**NOTE:** Show Viewgraph # 3-13

b. The first and most obvious impact sexual harassment has on victims is that it interferes with their work performance. A soldier or civilian who has to fend off offensive and repeated sexual attacks does not perform quality work.

c. Another impact of sexual harassment has on the victim is that it creates a hostile environment by creating unreasonable stress in the work place. Sexual harassment

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promotes a negative form of stress that can affect everyone in the work place. Sexual harassment also puts a high degree of fear and anxiety into the work place.

d. When the harassment is "quid pro quo," the fear of loss of job or diminishing career opportunities can undermine a unit's teamwork and morale. The bottom line for commanders and their subordinate leaders is clear: Anyone who is sexually harassed is less productive, and the command climate, as well as mission effectiveness, will likely suffer. Soldiers and civilian employees can only reach their full potential in an environment that fosters dignity and respect. There must be zero tolerance for discrimination or sexual harassment.

e. **VICTIM REACTIONS TO SEXUAL HARASSMENT.** To adequately assess the impact that sexual harassment can have on a victim, you must know the kinds of reactions that victims frequently have to a sexual harassment incident. You must learn to recognize the behavior patterns victims show in attempting to cope with sexual harassment.

**NOTE:** Show Viewgraph # 3-14

f. **DENIAL.** Denial is the most common reaction to a sexual harassment incident. It allows the victim to "write the incident off" as if it did not take place. It provides relief by removing the victim from the incident which keeps the person from feeling negative emotions and the necessity to respond. The incident may occur again, but a victim in complete denial may never acknowledge the existence of the behavior. A person in denial will not admit that the incident ever took place.

g. **RATIONALIZATION.** Rationalization is another reaction that allows the victim to avoid dealing with an emotional incident. It gives the victim a logical way of making personal excuses for his or her behavior as well as for the behavior of others. Comments such as "It wasn't really directed at me" and "I'm not that kind of person" are frequently heard. Another version would be a person dealing with a sense of power: "What can I do?" or "I'm just a private." Sometimes the victim will rationalize to excuse the behavior of the harasser: "Surely he isn't really like that" or "She was just having fun." Rationalizing as well as denial precludes or reduces personal feelings of pain and injustice.

h. Joking about the harassment is another form of rationalization used to release tension and strengthen one's self-esteem. Making fun out of a sexually harassing situation allows the victims to consider the actions of the perpetrator as circumstantial and to negate their own feelings about the incident.

i. **AVOIDANCE.** Avoidance can have a detrimental affect on victims of sexual harassment. Unlike denial and rationalization, the behavior associated with avoidance is easily misinterpreted as abnormal, inappropriate, or bizarre. Victims of sexual harassment will sometimes behave out of character, exhibiting a host of excuses in an attempt to remove themselves from the harasser or, an offensive environment. Claiming illness can keep a soldier on sick-call or in the case of civilians, on sick leave. Depending on the severity of the harassment, avoidance can cause actual physical ailments such as an upset stomach, headaches, or other health problems.

j. Soldiers and civilians who fail to come to work because of sexual harassment increase absenteeism which hinders the Army's ability to accomplish it's mission.

k. The following questions are not meant to be all inclusive, but they can serve as a Checklist, helping to clarify whether a sexual harassment incident has occurred or not.

**NOTE:** Show Viewgraph # 3-15

4. Learning Step/Activity 4: Define Leader Actions to Assess a Sexual Harassment Incident

Method of instruction: CO  
Instructor to student ratio is: 1:25  
Time of instruction: 10 minutes  
Media: Viewgraph # 3-16

**NOTE:** Show Viewgraph # 3-16

**SEXUAL HARASSMENT ASSESSMENT.** As leaders, you must be able to assess the "totality of circumstances surrounding a sexual harassment incident or event to evaluate the impact of the alleged behavior, judge its severity, and determine corrective actions and/or recommendations for sanctions. Taking into account the "totality of circumstances" of a sexual harassment incident will give you enough information to make an unbiased decision. Assessing all of issues of an event allows for formulating an action plan to prevent similar incidents from occurring in the future. Here are a few of the issues that you should consider in that assessment.

a. **NATURE OF THE INCIDENT.** What was the actual behavior exhibited by the perpetrator? The nature of the act should be your first priority for assessment. You may take more severe action to correct a soldier or civilian who continually makes jokes of a sexual nature in the work place, even after being asked to stop or having been previously counseled that the behavior was inappropriate, than a person who committed the same offense for the first time. While allegations of verbal abuse are significant, stronger leader action would be in order if it were proven that someone was threatened because they failed to comply with another person's sexual advances.

**NOTE:** Inform students that rape and sexual assault are criminal offenses punishable under UCMJ.

b. **FREQUENCY OF BEHAVIOR.** Frequency of the act is the next issue to be addressed in the assessment process. Was this a one-time event or repeated behavior? One act of sexual harassment viewed by itself might seem relatively insignificant and easily resolved by on-the-spot correction. If your inquiry determines that the incident is a culmination of a series of such acts, its impact could logically be assumed to be greater and more severe.

c. **IMPACT OF BEHAVIOR ON THE VICTIM.** While this issue should have less weight in your determining appropriate corrective actions or punishment, it may give you insight into other extenuating conditions or circumstances that contributed to the harassment. Be aware, however, that just because a victim is not physically or emotionally affected, it should not detract from your evaluation of the severity of the behavior. Determine whether the perpetrator intended or succeeded in doing harm.

d. **APPROPRIATENESS OF BEHAVIOR.** The issue of appropriateness as applied to behavior in alleged acts of sexual harassment must be determined in every case. Evaluating appropriateness of behavior forces the question that even if your soldier was not aware that the behavior was inappropriate, military bearing, discipline, and

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professionalism should have deterred any acts of offensive behavior. In many instances, even when no one is offended or sexual harassment cannot be proven, the violation of military standards and decorum will require you to take corrective action.

e. **RANK AND POSITION.** You, and other unit subordinate leaders, are given the responsibility and authority to take care of soldiers. Leaders are empowered with a great deal of trust and confidence. When leaders elect to violate that trust by misusing their authority or position, then sanctions should be imposed accordingly. On the other hand, supervisors and leaders can also be intimidated by their subordinates on the basis of gender differences. Failure by any leader in a position of authority to correct the offensive behavior of a subordinate is also a misuse of that position and should be challenged regardless of the circumstances.

f. **PAST HISTORY.** In reviewing the incident, you should also consider other allegations, past or present, directly or indirectly related to the case. Although it is important to consider each complaint on its own merit, the uniqueness of sexual harassment (e.g., one-on-one) may make it necessary to review issues related to past history as well as current behavior characteristics during inquiry. It is sometimes appropriate to draw conclusions and take corrective action even though you may not have sufficient evidence to recommend punishment or other sanctions.

g. **CONSEQUENCES OF YOUR ACTIONS.** Here you must ascertain such issues as the impact and other potential problems created as a result of the incident. Will the problem be resolved with minor corrective action or should you report it to the chain of command? You must also determine what is the goal or desired outcome of your actions to correct the incident. Do you only want the behavior to stop? What is your next step if desired results are not achieved? It is equally important to consider what consequences and/or repercussions might result if you decide not to take any action.

h. **ENVIRONMENT ASSESSMENT.** The environment in which the incident occurred must also be part of your assessment. This entails a number of factors such as the state of your section platoon's EO climate, your support and enforcement of sexual harassment policies, outside influences, and the present state of EO training for your soldiers and civilian personnel. Constant jokes of a sexual nature made by you or your soldiers in effect constitute a "hostile environment". Another consideration is whether the alleged harasser was trained that such behavior was inappropriate.

5. Learning Step/Activity 5: Describe Leader Actions to Prevent Sexual Harassment

Method of instruction: CO

Instructor to student ratio is: 1:25

Time of instruction: 10 minutes

Media: Viewgraph # 3-17 thru # 3-20 and Handout # 4

a. **PREVENTION PROGRAM ACTION PLANNING.** The potential for sexual harassment allegations exists in any work place or duty environment. Both women and men can be victims. Organizations that are highly structured and stratified are more conducive to sexual harassment because the potential for negative consequences is high if the victim fails to "give in" to sexual demands. Those more vulnerable in the organization, such as trainees or those who "need" their jobs, are more likely to be harassed. This fact, combined with other social-cultural factors, makes women the more likely victims.

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b. Sexual harassment occurs when employers, leaders, soldiers, and co-workers confuse employment, or duty expectations with sex-role expectations or when males are threatened because females have invaded what they believe is their territory, the traditionally all-male jobs. The bottom line is that sexual harassment is pervasive and affects both morale and productivity. Therefore, increased emphasis on dealing with sexual harassment in the Army is a leadership imperative.

**NOTE:** Show Viewgraph # 3-17

c. The components of a sound unit program to end sexual harassment are the same as those for the Army's EO program. Include total leadership commitment, career-long mandatory training in the prevention of sexual harassment, clearly established ways to report sexual harassment, and clear demonstration through disciplinary and administrative action that certain behaviors will not be tolerated.

d. **LEADERSHIP COMMITMENT.** The effectiveness and success of any Army program is dependent upon leader support. Without your support, the Army's effort to prevent and eradicate sexual harassment will lose its momentum and effectiveness. Your commitment is multifaceted. It starts with your understanding and total support of the commander's published policy. You must provide clarification and ensure that you and your subordinates understand the Army's policy on the prevention of sexual harassment (POSH). You must cause in your subordinates a sense of caring, dignity, and respect one another. The most effective way that you, as a leader, can demonstrate your support for the program is through personal example, ensuring that your behavior is above reproach at all times. You must also demonstrate a commitment to enforcement, especially for those soldiers who "just don't get it", by taking "on-the-spot" appropriate action to correct inappropriate behavior. Counsel subordinates and, if necessary, report incidents.

e. **PROGRESSIVE TRAINING.** The elimination of sexual harassment begins with a policy of progressive and sequential training to identify and prevent inappropriate behavior. Training in the prevention of sexual harassment (POSH) is required as an integral part of a unit's training program.

**NOTE:** Inform the students that sexual harassment training can be integrated with other requirements for EO training covered in Chapter 6 of AR 600-20.

f. The most effective approach to training to prevent sexual harassment is through interactive discussion in small groups of mixed gender. Situational vignettes or scenarios can also be used to facilitate discussion among unit personnel. You should ensure that your training focus is equal to the level of experience and breadth of responsibilities for your soldiers.

**NOTE:** DA Pam 350-20, Unit Equal Opportunity Training Guide, and TC 26-6, Commander's Equal Opportunity Handbook, are valuable resources in developing quality training.

g. **COMPLAINT PROCESS.** The key to a healthy unit climate that is free of sexual harassment is a caring leadership environment in which complaints are handled fairly and expeditiously. Sometimes unit leaders might treat sexual harassment complaints as a threat to their competency or as a "stain" on the unit's performance. As a result, complaints are implicitly or explicitly discouraged and soldiers who do file complaints may find themselves threatened with intimidating reprisals. This is noticed by other soldiers and civilians and results in a hard-to-erase impression of uncaring leadership

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that lessens their willingness to use the chain of command as an avenue of redress. Leaders who demonstrate awareness, accept, and support the complaint investigation process, improve the unit's climate by creating a sense of openness and caring. Complainants may not always be pleased with the results. However, the fact that you made a sincere effort to resolve their complaint will leave a lasting impression with the individual as well as the unit. Sometimes your effort may reveal the true problem to be a lack of communication rather than deliberate harassment. By bridging this communication gap, you can help eliminate misunderstanding and improve the working environment.

h. Be aware that inquiry or investigation into allegations of sexual harassment require special attention. Unlike other EO complaints, you may find that allegations of sexual harassment may sometimes lack sufficient information for you to take decisive actions. Also, the one-on-one nature of sexual harassment sometimes causes evidence to be in dispute. You should not discharge claims of sexual harassment simply because the victim has failed to make a case by providing you with sufficient evidence. For this reason, your commander may consider an investigation whenever a claim of sexual harassment is raised.

**NOTE:** You may inform the class that a more detailed discussion of the Army's EO Complaint System will be conducted in a later training session.

i. **ADMINISTRATIVE/DISCIPLINARY ACTIONS.** An often quoted maxim in the Army has been, "Never give an order you are not prepared to enforce." Soldiers and civilian employees quickly ascertain which policies are mere "lip service" and which lines should not be crossed. This is especially true when enforcing sanctions against personnel guilty of sexual harassment. Leaders who clearly support a zero tolerance for sexual harassment and recommend appropriate actions against offenders greatly contribute to a healthy command climate. On the other hand, leaders who fail to support sanctions that are equal to the offense, despite a publicized written policy, send a message that sexual harassment is tolerated.

**NOTE:** Show Viewgraph # 3-18

j. **ADMINISTRATIVE ACTIONS.** There are several administrative actions available to commanders, or that you may recommend, in dealing with sexual harassment incidents. These include, but are not limited to: bar to reenlistment, letter of admonishment and reprimand, relief for cause, rehabilitative transfer, additional training, required counseling, and denial of certain privileges. When commanders administer punishment for sexual harassment violations, the block "Supports EO/EEO" on military rating forms must be marked accordingly.

**NOTE:** Inform the class that a list of Articles, as applicable to sexual harassment violations is provided in Handout # 4

k. **UCMJ ACTIONS.** Your commander has a wide variety of options available for the punishment of inappropriate behavior. The offenses shown here identify the more severe forms of sexual harassment which are subject to disciplinary actions under the UCMJ. The right combination of punishment and administrative sanctions sends a clear message that sexual harassment will not be condoned or tolerated. When commanders administer punishment for sexual harassment violations, the block "Supports EO/EEO" on military rating forms must be marked accordingly.

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6. Learning Step/Activity 6: Apply Leader Actions to Detect Incidents of Sexual Harassment

Method of instruction: PE  
Instructor to student ratio is: 1:25  
Time of instruction: 25 minutes  
Media: Practical Exercise (PE) # 1

**NOTE:** Copy of PE # 1 and solution key is located at Appendix B.

**NOTE:** At this time, divide the class into four groups. Provide copy of PE # 1 to each student. Give student sufficient time to read each scenario. Allow 10 minutes for group consensus on the PE questions. Have each group elect a spokesperson to provide each group's response.

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**NOTE:** Conduct a check on learning and summarize the learning activity.

Q. What is your definition of sexual harassment?

A. A form of gender discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when -  
(1) Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career, or  
(2) Submission to or rejection of such conduct by a person is made as a basis for career or employment decisions affecting that person, or  
(3) Such conduct interferes with an individual's performance or creates an intimidating, hostile, or offensive environment.

**NOTE:** If necessary, re-show Viewgraph # 3-1, to clarify correct definition.

Q. What are the two categories of sexual harassment?

A. Quid Pro Quo and Hostile Environment.

**NOTE:** Show Viewgraph # 3-2 and briefly discuss Quid Pro Quo and Hostile Environment sexual harassment. Quid Pro Quo means 'this for that', placing conditions on a person's job or making promises of career advancement in exchange for sexual favors. Hostile environment would include such things as offensive, unwanted or unsolicited comments or behaviors of a sexual nature.

Q. What is your interpretation of the term, "Impact vs. Intent?"

A. Determine the appropriateness of behavior must be assessed by how the victim was impacted versus whether or not the alleged harasser intended for the behavior to be incorrect or offensive. Key point to realize is that assessing whether a behavior is appropriate or offensive is a leadership responsibility and must be done from the perspective of the recipient, not the alleged harasser. In addition, it must be noted that whether or not the victim is emotionally affected and/or willingly submitted to the behavior of the harasser is irrelevant in determining whether sexual harassment occurred. The only relevant question is "Was the behavior appropriate or inappropriate?"

Q. What are the four types of sexual harassment?

A. Verbal comments,  
Nonverbal gestures,

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Printed material,  
Physical contact

Q. What are some examples of each type of behaviors?

A. Verbal comments: sexual jokes or profanity, off-color sexual comments, verbal threats, barking, growling, whistling, describing sexual attributes of one's physical appearance.

Nonverbal gestures: leering, ogling, giving "the eye" or "once over", blowing kisses, winking, etc.

Printed materials: notes, letters, e-mail, bumper stickers, cartoons, posters, pictures, calendars, etc.

Physical contact: touching, patting, hugging, kissing, blocking a passageway, unsolicited neck or back rubs, adjusting clothing, etc.

Q. What are some of the Prevention Components for sexual harassment?

A. Leader commitment,  
Mandatory training,  
Reporting system,  
System of corrective actions.

Q. What are some of the Administrative Actions that can be taken for violations of the Army's sexual harassment policy?

A. Bar to reenlistment,  
Letter of admonishment or reprimand,  
Relief for cause,  
Rehabilitative transfer,  
Additional training,  
Required counseling,  
Denial of certain privileges.

**Summary:** During this period of instruction we have examined leader roles and responsibilities in the prevention of sexual harassment. We have defined the Army's sexual harassment policy and related concepts and identified behaviors that constitute sexual harassment. We have described the impact of sexual harassment on victims and on unit readiness as well as defined totality of circumstances surrounding a sexual harassment incident. We have described leader actions to prevent sexual harassment and you participated in a practical exercise to gain experience in detecting incidents of sexual harassment.

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**D. ENABLING LEARNING OBJECTIVE D: Describe Leader Roles and Responsibilities for Resolving Equal Opportunity Complaints**

<b>Action:</b>	Describe leader roles and responsibilities for resolving EO complaints.
<b>Conditions:</b>	Given Student Handout # 5, Alternative Agencies, Student Handout # 6, Army EO Compliant Process, DA Form 7279-R, DA Form 7279-1-R, access to AR 600-20, and situation that simulates real world conditions requiring leader actions.
<b>Standards:</b>	<ol style="list-style-type: none"> <li>1. Explain the Army's EO complaint process to include:             <ol style="list-style-type: none"> <li>a. Types of complaints (formal and informal).</li> <li>b. Complaint factors.</li> <li>c. Alternative agencies.</li> </ol> </li> <li>2. Describe the appropriate actions of the commander or alternative agency to resolve EO complaints.</li> <li>3. Describe appropriate leader actions to prevent incidents of intimidation, harassment, or reprisal.</li> <li>4. Describe appropriate leader actions that support platoon and unit EO programs.</li> <li>5. Apply appropriate leader skills in a simulated real world environment to resolve EO complaints.</li> </ol>

**LEAD-IN** A major part of your EO duties and responsibilities as platoon leaders is to identify and resolve EO issues and concerns that affect your soldiers. However, you are not expected, nor is it possible for you to be aware of or respond to all allegations and concerns from your soldiers. You will find that from time to time EO allegations and complaints from your soldiers will have to be forwarded to the commander for resolution. In many instances, even after you have taken what you believed to be the appropriate actions, your soldiers may not be satisfied with the results.

**1. Learning Step/Activity 1: Explain the Army's EO Complaint System**

Method of instruction: CO

Instructor to student ratio is: 1:25

Time of instruction: 10 minutes

Media: Viewgraph # 4-1 thru # 4-6 and Handout # 5

a. **ARMY EO COMPLAINT SYSTEM.** The Army's current EO complaint system is defined in Chapter 6, AR 600-20 (Army Command Policy) and addresses many of the concerns which you and your soldiers may have about procedures for processing an EO allegation or grievance.

**NOTE:** Show Viewgraph # 4-1

b. A major component of the Army's EO Program is an effective and responsive complaint system. The Army has established two separate but comprehensive complaint systems for military personnel and civilian employees. The Army wants to ensure that every soldier and DA civilian has a readily available system that treats all complaints seriously. Soldiers, family members, and DA civilians have the right to present their complaints to their leaders without fear of intimidation, harassment or reprisal.

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c. Soldiers and civilian employees are encouraged to attempt to resolve their complaints by confronting the alleged offender or by informing you, their immediate leader, supervisor, or other appropriate officials about the offensive behavior or other allegations of disparate or unfair treatment. However, depending on the severity of the offense or the nature of the allegation, this may not always be appropriate. All personnel are responsible to submit only legitimate complaints and exercise caution against frivolous or reckless allegations.

**NOTE:** Show Viewgraph #4-2

d. **TYPES OF EO COMPLAINTS.** Within the current Army's EO Complaint System, EO complaints fall into two distinct categories: informal and formal.

(1) **Informal Complaints.** An informal complaint is any complaint not submitted in writing. Informal complaints are not subject to any time line suspense, nor are they reportable to higher headquarters. However, you should ensure that informal complaints receive the appropriate amount of attention for quick and thorough resolutions. When considering the use of the informal process, there are several factors which may indicate that it is appropriate.

**NOTE:** Show Viewgraph # 4-3

(2) **Informal Complaint Factors:**

- (a) The complaint does not require chain of command intervention.
- (b) The complainant wants the assistance of other unit members.
- (c) Confidentiality is possible, but cannot be guaranteed.
- (d) Request for assistance not required in writing.
- (e) Soldiers feels informal process has good chance for success.
- (f) Severity of complaint does not warrant reporting to chain of command.

e. The mere fact that a soldier or complainant wants their complaint handled informally does not prevent or exempt allegations from intervention by the chain of command. Should it be necessary to conduct a formal investigation to resolve an informal complaint, the complainant will be required to make a sworn statement and asked to submit a formal complaint.

**NOTE:** Show Viewgraph # 4-4

f. A formal EO complaint is submitted in writing using DA Form 7279-R (EO Complaint Form). Unlike the informal process, the formal complaint system will require your chain of command to investigate the complainant's allegations and, if warranted, take necessary corrective actions. The formal complaint process contains specific time lines for the accomplishment of certain actions. All formal EO complaints are reportable to higher headquarters.

g. Soldiers and family members have 60 calendar days from the date of the alleged offense in which to file a formal complaint. This time limit was established to set a

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reasonable parameter for investigation and resolving complaints (e.g., availability of witnesses, accurate recollection of events, and timely remedial action). The commander may, at his or her discretion, choose to investigate and take action on complaints filed after the 60 calendar day period. However, allegations that are criminal in nature are exempt from the 60-day rule and should be immediately referred to your chain of command, the Military Police, CID, or other law enforcement agencies. The complainant's decision to file a formal EO complaint may be based on the following factors:

**NOTE:** Show Viewgraph # 4-5

**h. FORMAL COMPLAINT FACTORS:**

- (1) Complainant is uncomfortable with the informal process.
- (2) Complainant determines that one or more of the informal factors will not help in resolving their complaint.
- (3) An attempt at informal resolution was tried and failed.
- (4) The complainant desires an official record be on file.
- (5) The complaint is against a commander or another member of the chain of command.
- (6) The complainant wants to use an outside agency or higher echelon commander in resolve the complaint.

**NOTE:** Show Viewgraph # 4-6

**i. USE ALTERNATIVE AGENCIES.** Soldiers are encouraged to submit their complaints to their commander whenever possible. However, it is always their choice whether to take their complaint directly to the chain of command or an alternative agency. In the event that their complaint is against the commander or other members of the immediate chain of command, they may elect to submit their complaint to the next higher echelon commander. Alternative agencies are also responsible to a commander. Alternative agencies have special expertise which can be helpful in resolving issues related to EO, housing, religion, or legal affairs. The following agencies and services are available on most installations throughout the Army:

- (1) A Higher Echelon Commander,
  - (2) Equal Opportunity Advisor (EOA),
  - (3) Chaplain,
  - (4) Staff Judge Advocate (SJA),
  - (5) Provost Marshal (PM),
  - (6) Inspector General (IG),
  - (7) Community Homefinding Referral and Relocation Services Office,
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(8) Medical Agency Personnel.

**NOTE:** Inform students that a list of the alternative agencies with their specific roles and/or functions with regard to EO Complaints can be found as Handout # 5.

2. Learning Step/Activity 2: Describe the Actions of the Commander or Alternative Agency to Resolve Complaints

Method of instruction: CO

Instructor to student ratio is: 1:25

Time of instruction: 5 minutes

Media: Viewgraph # 4-7 thru # 4-9 and Handout # 6

**NOTE:** Show Viewgraph # 4-7

a. **INQUIRY/INVESTIGATION.** Formal EO complaints must be resolved within 14 calendar days. Through inquiry or investigation, the commander or alternative agency will determine the facts as they pertain to the allegations of the complaint. If, due to extenuating circumstances, an inquiry or investigation cannot be completed in 14 calendar days, an extension of 30 calendar days (or two weekend drill periods for RC) may be approved by the next higher echelon commander.

**NOTE:** Show Viewgraph # 4-8

b. **ACTIONS TO RESOLVE COMPLAINT.** Upon completion of the inquiry or investigation, the appropriate commander will render a decision. The complaint will be either "substantiated" or "unsubstantiated".

(1) **Unsubstantiated.** An unsubstantiated complaint is normally rendered for the following reasons:

(a) There was insufficient or no evidence to support allegations of discrimination or unfair treatment.

(b) Evidence uncovered during the inquiry or investigation thoroughly disputed the allegations or basis for the complaint.

(2) **Substantiated.** A complaint which is substantiated is normally rendered for the following reasons:

(a) There was sufficient evidence to support the basis of complaint.

(b) There was sufficient evidence to support all or part of the allegations.

c. In either event the complainant will be briefed on the findings by the appropriate commander, his or her designated representative, or the agency handling the complaint.

d. The complaint is resolved by actions of the commander or agency to address the specific grievance(s) and take the necessary corrective actions to restore benefits, privileges, or lost career opportunities. Punitive or administrative actions against any offender, to include remedial training, is a chain of command decision. Even if the

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complaint was unsubstantiated, the commander may elect to take some corrective actions in order to address leadership issues uncovered by the inquiry or investigation and the concerns of the complainant.

**NOTE:** Show Viewgraph # 4-9

e. **APPEALS PROCESS.** If the complainant perceives the investigation failed to reveal all relevant facts to substantiate the allegations, or that the actions taken by the command on his or her behalf were insufficient to resolve the complaint, the complainant has the right to appeal to the next higher commander in their chain of command. Action(s) taken against the perpetrator, if any is taken, may not be appealed. Individuals have seven calendar days from date of acknowledgment to submit an appeal. Appeals must be submitted in writing and commander's have 14 calendar days to act upon the appeal. The General Courts Martial Convening Authority (normally the first General Officer in the chain) will have "final decision authority". Decisions at this level are final.

**NOTE:** Refer students to Handout # 6 to clarify the Army's Complaint Process.

**3.** Learning Step/Activity 3: Describe Actions to Prevent Incidents of Intimidation, Harassment, or Reprisal

Method of instruction: CO  
Instructor to student ratio is: 1:25  
Time of instruction: 5 minutes  
Media: Viewgraph # 4-10

**NOTE:** Show Viewgraph # 4-10

a. **POLICY.** All Department of the Army personnel are prohibited from taking any action that might discourage soldiers, any family member or DA civilian from filing a complaint or seeking assistance to resolve an EO grievance. Army personnel are prohibited from taking any disciplinary or other adverse action against a complainant, or other DA personnel, seeking assistance, or cooperating with investigating officers, Inspector General, or other law enforcement agencies. However, this does not preclude commanders from taking action against soldiers who file fraudulent complaints or give false statements.

b. **FOLLOW-UP ASSESSMENT.** The Equal Opportunity Advisor (EOA) is required to conduct a follow-up assessment of all formal equal opportunity complaints, both substantiated and unsubstantiated. The assessment will be completed 30-45 calendar days (3-4 weekend drill periods for Reserve Component) after final action on the complaint. The purpose of the assessment is to measure the effectiveness of the actions taken and to detect and deter any acts or threats or reprisal. EOAs will also assess the complainant's satisfaction with the procedures followed in the complaint process to include timeliness, staff responsiveness and helpfulness, and resolution of the complaint. Findings on the assessment is provided to the commander for further consideration or action within 15 calendar days.

**4.** Learning Step/Activity 4: Describe Leader Actions to Deal with Equal Opportunity Issues in the Platoon and Unit

Method of instruction: CO

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Instructor to student ratio is: 1:25

Time of instruction: 10 minutes

Media: Viewgraph # 4-11

a. **INSTALL CONFIDENCE AND SHOW SUPPORT.** As the first line leader for many soldiers in your platoon and/or section, it will be your responsibility to not only train soldiers in equal opportunity, but to also show your support of the program. You do this by several types of actions:

**NOTE:** Show Viewgraph # 4-11

b. **KNOW AND UNDERSTAND THE EO PROGRAM.** When a soldier comes to you with a problem, you must be able to identify what actions are available to assist the soldier in resolving the problem. Keep in mind, that even if you don't think there is a legitimate issue, the soldier may in fact believe it. 'Perception is reality' to the soldier with the perception. You must have a detailed enough understanding of the Army's programs to know where to send the soldier for help. Is it an EO problem, or maybe it would be a problem better suited for the IG to handle and resolve. While there may be issues that you are not certain where would be the best agency to direct the soldier to, you should at least have a basic understanding of the programs available. You must know who your unit EOR is.

c. **TAKE ALL COMPLAINTS SERIOUSLY.** Do not immediately make a determination in your own mind that this soldier doesn't really have a legitimate complaint. Treat every complaint as being valid and let the system take over from there. A soldier with a valid complaint is likely to not trust the system, especially if they believe the chain of command or the unit leadership is part or all of the problem. Treat the soldier with respect and professionalism and do not allow any of your own perceptions or beliefs interfere with your duties as a leader in a case like this.

d. **TAKE IMMEDIATE ACTION.** When one of your soldiers comes to you with an equal opportunity complaint, you should begin immediately to help the soldier with the problem. Take the time to listen to the complaint. Often, simply by listening to the soldier, you can resolve the issue quickly. You sometimes have the power at your disposal to fix the problem with no further higher chain of command action required. If the soldier needs to speak to the unit EOR, or desires to speak with someone at a higher echelon, then you should ensure that happens as quickly as possible. If it cannot happen immediately, inform the soldier exactly why, give him or her your best estimate on when they will be able to meet with the appropriate parties. Never tell the soldier you are too busy and to come back later, when you are not so busy. This will result in the soldier losing confidence in you, and you may quickly become part of the problem rather than part of the solution.

e. **INFORM THE CHAIN OF COMMAND.** If you are dealing with an equal opportunity complaint, even if it is an informal complaint, you should notify your chain of command at the earliest chance. If you believe you can resolve the problem with no further involvement from them, tell them as much. If you successfully resolve the complaint, notify them of that. Always, keep the chain of command advised of equal opportunity matters.

f. **FOLLOW UP WITH THE PROBLEM.** After a soldier has come to you, it is very important that you not ignore the soldier. After the soldier has seen the appropriate parties to discuss the complaint, keep in touch with him or her. You should not ask

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them “what is going on” or other such questions. They may not know at that moment, or may not be able or willing to discuss the status of their complaint. But you should ask them “how they are doing”, “is there anything you can do to help them”, or other types of questions. It is very important you continue to express to the soldier that you are concerned and willing to help in any way you can.

g. **REPRISALS.** It is against Army policy to take any reprisal actions against a soldier who files an equal opportunity complaint. While blatant acts of reprisal are less likely to occur, it is the subtle actions you must be on guard against. Do not allow anyone to make negative comments or take any actions against a soldier because of an EO complaint. Assure the soldier that he or she should let you know if they perceive any actions are being taken against them. Follow up and assure the soldier you will do all within your control to stop those kinds of actions.

h. **BE PROACTIVE WITH REGARD TO EO ISSUES.** It is much easier to prevent equal opportunity problems from surfacing within your area of responsibility than it is to correct the problems after they develop. You can be proactive by discussing equal opportunity with your soldiers. Training is a proactive measure. Ensuring that the unit’s equal opportunity policies are posted in prominent locations for the soldiers to see and refer to regularly is being proactive. And most important of all, the best way to be proactive with regard to equal opportunity is to set the example for your soldiers to follow. When they see that you believe and support the EO program, they will be more likely to believe and support it also.

5. Learning Step/Activity 5: PRACTICAL EXERCISE. Apply Leadership Skills in Resolving EO Complaints

Method of instruction: PE  
Instructor to student ratio is: 1:25  
Time of instruction: 25 minutes  
Media: Practice Exercise # 2

**NOTE:** Copy of PE # 2 and solution key is located at Appendix B.

**NOTE:** At this time, divide the class into four groups. Provide copy of PE # 2 to each student. Give student sufficient time to read each scenario. Allow 10 minutes for group consensus on the PE questions. Have each group elect a spokesperson to provide each group’s response.

**NOTE:** Conduct a check on learning and summarize the learning activity. Solicit discussion on each question to ensure there is an understanding.

Q. What are the two types of EO Complaints?

A. **INFORMAL COMPLAINTS:** Not in writing; resolution at lowest possible level; may not involve chain of command; assistance from EOR/Others available; no time line or suspense; not reportable to higher HQ; confidentiality possible (but not promised).

**FORMAL COMPLAINTS:** Always in writing on DA Form 7279-R; chain of command involved in resolution; must be filed within 60 calendar days of incident; individuals are sworn to the complaint. Some reasons for Formal Complaint include: uncomfortable with informal process; some informal factors do not apply; informal process tried and failed; record kept of grievances and attempts to resolve.

Q. What are the alternative agencies to which EO Complaints may be addressed?

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A. higher echelon commander; Command EOAs; Chaplains; Staff Judge Advocates; Provost Marshall; Inspector General; Community Housing Referral Offices; Relocation Services Office; and Medical Agency Personnel

Q. Why use an alternative agency?

A. Complaint may be against commander/chain of command; special area of expertise factors (religion, housing, etc.); if criminal offense, may report to law enforcement agencies.

Q. What are some of the actions/responsibilities of the commander or alternative agency when an EO Complaint is filed?

A. Ensure DA Form 7279-R is complete and accurate; ensure complainant is sworn; discuss/clarify the nature or basis of the complaint; identify additional witnesses; inform complainant what will happen; conduct inquiry within 14 calendar days; and provide written feedback within 14 calendar days.

Q. What are some of the relevant factors involved in the Appeals Process to an EO Complaint?

A. **APPEALS PROCESS:** On separate paper within 7 calendar days; specify issues you disagree with; submit to immediate or next higher commander; may request appointment with appeal authority; appeal authority has 14 calendar days to respond; final appeal authority is the first general officer in the chain; no further appeal authority within the EO system.

Q. What are some of the factors involved with the Army Policy Against Intimidation, Harassment, and Reprisal?

A. Prohibits action to discourage filing EO complaints or seeking assistance with EO grievances; prohibits disciplinary or other adverse action; does not preclude action for fraudulent complaints or false statements.

**Summary:** During this period of instruction we have examined the formal and informal complaints process and use of alternative agencies. We have outlined the leader actions for conducting an inquiry or investigation and the leader or agencies action to resolve EO complaints. We have described leader roles and responsibilities in preventing reprisals.

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**E. ENABLING LEARNING OBJECTIVE E: Define the Policy on Extremist Activities and Organizations**

<b>Action:</b>	Define the Army's policy on participation in extremist activities and organizations.
<b>Condition:</b>	Given Student Handout # 7, Extremist Organizations and Activities and access to AR 600-20.
<b>Standards:</b>	1. Define the Army's policy on participation in extremist activities and organizations. 2. Explain appropriate individual and leader actions and responsibilities that support the Army's policy on extremist activities and organizations.

**LEAD IN:** The United States Army is comprised of soldiers and civilians from various cultures, ethnic groups, religions and races from around the world. These various groups contain ideologies that range from extremely tolerant to radical, to ultra militant. While it is the policy of the Army that participation in extremist activities or

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organizations is inconsistent with the responsibilities of military services, as leaders, we must be aware that there may always be some individuals who still adhere and believe in racial or ethnic superiority or inferiority. By learning more about the ideologies, history and dynamics of supremacist extremist groups, you will have a better understanding of the influences that can affect your soldiers and how their beliefs or actions can affect those of their peers. Understanding these issues will prepare you to better handling the problems you may find facing you with regard to this serious issue in today's society. Keep in mind that any issue within society will likely find its way into the Army at some point. Extremism and extremist activities are no exception.

Learning Step/Activity: Define the Army's Policy on Extremist Activities and Organizations

Method of instruction: CO

Instructor to student ratio is: 1:25

Time of instruction: 20 minutes

Media: Viewgraph # 5-1 thru # 5-2 and Handout # 7

**NOTE: Show Viewgraph # 5-1**

a. **POLICY.** It is the policy of the U.S. Army to provide equal opportunity and treatment for all soldiers without regard to race, color, religion, sex, or national origin. Based on this philosophy, participation in extremist organizations or activities is inconsistent with the responsibilities of military service.

b. **PARTICIPATION.** Military personnel must reject participation in extremist organizations and activities. Extremist organizations and activities are one that advocate racial, gender, or ethnic hatred or intolerance; advocate, create, or engage in illegal discrimination based on race, color, sex, religion, or national origin; advocate the use of force or violence, or unlawful means to deprive individuals of their rights under the United States Constitution or the laws of the United States or any State; or advocate or seek to overthrow the Government of the United States, or any States by unlawful means.

c. **PROHIBITIONS.** Soldiers are prohibited from the following actions in support of Extremist organizations or activities. Penalties for violations of these prohibitions include the full range of statutory and regulatory sanctions, both criminal (UCMJ) and administrative.

(1) Participating in a public demonstration or rally;

(2) Attending a meeting or activity with knowledge that the meeting or activity involves an extremist cause when on duty, when in uniform, when in a foreign country (whether on or off duty or in uniform), when it constitutes a breach of law and order, when violence is likely to result, or when in violation of off-limits sanctions or a commander's order;

(3) Fund raising;

(4) Recruiting or training members (including encouraging other soldiers to join);

(5) Creating, organizing, or taking visible leadership role in such an organization or activity; or

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(6) Distributing literature on or off a military installation the primary purpose and content of which concerns advocacy or support of extremist causes, organizations, or activities and it appears that the literature presents a clear danger to the loyalty, discipline, or morale of military personnel, or if the distribution would materially interfere with the accomplishment of a military mission.

**NOTE:** Refer students to Handout # 7 for the complete text of the Army's policy on Extremism and extremist Organizations and Activities.

**NOTE:** Show Viewgraph # 5-2

d. **TERMS AND DEFINITIONS.** In addition to the definition already presented for extremism and extremist organizations and activities, there are other terms you should be familiar with in order to discuss this issue with your soldiers. They include:

(1) **Supremacist.** Any person(s) maintaining the ideology, quality, state of being, or position of being superior to all others in something.

(2) **Ideology.** A systematic body of concepts especially about human life or culture; a way of thinking used by a group or individual to express their beliefs and social values.

(3) **Militia.** A body of soldiers not permanently organized in time of peace. Many militia organizations have been formed because of their objection to national or local government (anti-democratic) policies or programs.

e. **EXTREMIST GROUPS AND ORGANIZATIONS.** The majority of extremist groups and organizations have one predominant theme of superiority of one race over the other. This theme can also be applied to ethnicity and religious groups. Some of these groups and organizations proclaim violence as a means to achieve their goals, while others use pseudo-religious themes from their own interpretation of the bible. Most of these groups develop ideologies in an attempt to justify, legitimize and rationalize one particular version of reality despite other explanations and ideas. Ideology is also a way of thinking used by a group to express their beliefs and social values.

f. **MILITIAS.** The militia movement is very fluid. New groups form and others disappear so frequently it is difficult, if not impossible, to track which groups are active at any given moment. The character of these groups also may change rapidly as different factions, some extreme with neo-Nazi ties and others moderate, with law abiding goals vie for control. In some cases, there are support groups that do not engage in military training or typically have rank structures, but instead provide information and materials to militias.

**NOTE:** Show Viewgraph # 5-3

g. **TRAINING ON EXTREMIST ACTIVITIES AND ORGANIZATIONS.** Each member of your platoon should be trained on extremist activities and organizations. By providing training to your soldiers, you not only educate them, but also put them on notice of the potential adverse effects that participation in these types of activities may have on their military careers. The training provided to soldiers should include not only the policy and prohibition of participating in extremist organizations or activities, but at a minimum the following:

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- (1) The Army's Equal Opportunity policy. Soldiers should be clearly instructed that extremist organizations' goals are inconsistent with the Army's goals, beliefs, and values with regard to equal opportunity,
  - (2) Participation in extremist organizations or activities may be taken into consideration when evaluating their overall duty performance, to include appropriate remarks on evaluation reports,
  - (3) When selections for positions of leadership and responsibility are made, their participation may be considered,
  - (4) Participation may lead to removal of security clearance,
  - (5) May result in reclassification actions or bar to reenlistment actions being initiated and finalized,
  - (6) UCMJ actions may be initiated,
  - (7) Involuntary separation for unsatisfactory performance or misconduct, or for conduct deemed prejudicial to good order and discipline or morale,
  - (8) Other administrative or disciplinary action deemed appropriate by the commander.
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**NOTE:** Conduct a check on learning and summarize the learning activity.

Q. What is expected of military members with regard to participation in extremist organizations or activities?

A. Military personnel must reject participation in extremist organizations and activities.

Q. What are some specific activities which are prohibited?

A. Participation in a public demonstration or rally. Attending meetings or activities with knowledge the activity involves an extremist cause when on duty, or in uniform; when in a foreign country (whether on or off duty or in uniform); when it constitutes a breach of law and order; when violence is likely to result; or, when in violation of an off-limits sanctions or a commander's order. Fund Raising, Recruiting or training (including encouraging other soldiers to join), Creating, organizing, or taking a visible leadership role in such an organization or activity; or, Distributing literature on or off a military installation the primary purpose and content of which concerns advocacy or support of extremist causes, organizations, or activities and it appears that the literature presents a clear danger to the loyalty, discipline, or morale of military personnel, or if the distribution would materially interfere with the accomplishment of a military mission.

Q. What is the one predominant theme found in most extremist organizations or activities?

A. Superiority of one race or ethnic group over another.

Q. How do you define the term "ideology?"

A. A systemic body of concepts especially about human life or culture; a way of thinking used by a group or individual to express their beliefs and social values.

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Q. What can you tell me about militias?

A. A body of soldiers not permanently organized to time of peace. Frequently formed because of their objection to local or national governments. They are very fluid. New groups form and others disappear regularly and frequently. Some hold extreme neo-Nazi views while others are more moderate. Some serve as support groups to other militias - have rank structures but provide only information and/or materials

**Summary:** Extremism in most any form can have a very serious, and negative impact on unit cohesion and effectiveness. We must always try to be aware of any type activity trying to surface in our work areas and living areas. As the leaders at the lowest levels in the Army, you are in the best position to know what you soldiers are doing. You are also in the best position to influence your soldiers. You should be always on the alert for signs of extremist activities within your organization. Encourage your soldiers to report anyone approaching them on the subject of extremism. If you see evidence of this type of behavior or activities, immediately report your concerns to the chain of command. Our soldiers have every right to expect the Army to keep this type on activity out of their living and working areas. You, as their leaders, have the responsibility to do your absolute best to ensure it does not surface into your area of responsibility.

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#### SECTION IV.

#### SUMMARY

Method of instruction: CO

Instructor to student ratio is: 1:30

Time of instructor: 10 minutes

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#### Review/ Summarize Lesson

During this lesson we have discussed the Army's Equal Opportunity and Equal Employment Opportunity programs, which include the prevention of sexual harassment. We have emphasized the policy, individual and leader responsibilities and your rights. We have also identified behaviors that violate the Army's EO/EEO programs and policies and the procedures for filing EO complaints. It is hoped that your exposure to the material in this lesson will contribute to the Army's ultimate goal to foster mutual dignity and respect among all personnel.

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#### Check on Learning

Ask the students the following questions:

Q. Equal opportunity policy is based on what factors?

A. Race, color, religion, gender, or national origin and to provide an environment free of sexual harassment.

Q. Does the EO policy apply off duty?

A. Yes, the policy applies 24 hours a day, on and off post, and to all working, living, and recreational environments.

Q. The two types of complaints are?

A. Informal and Formal.

Q. What is the tolerance policy on sexual harassment?

A. Zero.

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Q. Complaints should be resolved at what level?  
A. Lowest possible level.

Q. What are some of the corrective actions leaders can take against individuals who violate the Army EO policy?  
A. Counseling, Letter of Admonishment or Reprimand, Additional Training, Relief for Cause, Rehabilitative Transfer, Bar to Reenlistment, and Denial of Certain Privileges.

Solicit student questions.

Correct student misunderstandings.

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## **SECTION V. STUDENT EVALUATION**

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**NOTE:** Describe how the students will be tested to determine if they can perform the TLO to standard. Refer student to Student Evaluation Plan.

**Testing Requirements** There will be a performance test immediately following this instruction. In order to receive a Go, students must pass all performance steps. The objective of the test is designed to measure your ability to understand and comprehend the Army's Equal Opportunity and Sexual Harassment Program. Test will be conducted in accordance with the special instructions listed below.

You will have thirty (30) minutes in which to complete the test.

This exercise will be evaluated by the instructor. In order to receive a Go, you must successfully answer 70 percent of all questions.

The test administrator is not authorized to discuss any test items with you. Problems of an administrative nature (missing pages, misprinted pages, etc.) will be brought to the attention of the entire class before the test begins.

This is a graded exercise. You must do your own work. Unauthorized assistance is defined as working with others in any way. This will result in your being charged with cheating. This includes having someone else proof your paper. Cheating could result in adverse administrative and/or Uniform Code of Military Justice (UCMJ) action against the offender(s).

Ensure that your name, class number, and date are on the answer sheets.

Upon completion of this test turn in your test booklet and answer sheet to the instructor. You will receive further guidance at that time.

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**Feedback Requirement** If remedial/refresher training is required, students will be trained by peer instructors, the instructor who taught the class, or the instructor for the course. Have students review all material and references covered in the lesson.

**NOTE:** Rapid, immediate feedback is essential to effective learning. Schedule and provide feedback on the evaluation and any information to help answer student's questions about the test. Provide remedial training as needed.

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**APPENDIX A  
OVERHEAD TRANSPARENCIES**

## APPENDIX C

### STUDENT HANDOUTS

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**Lesson Number/** TSP Number 121-A-8031 Implement the Army's Equal Opportunity and Sexual  
**Title** Harassment Policies in a Platoon

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**Information** The Student Handout Package should be given to each student prior to instruction. It is recommended that the handouts be given to students at least two days prior to the class and they should have read it before class. This will enable them to have a better understanding of the material. In addition, it will have given them the opportunity to develop specific questions to ask during the class.

List of handouts:

<u>NUMBER</u>	<u>TITLE</u>
HO # 1	Army Policy Memorandum on Equal Opportunity
HO # 2	EO Violations Subject to UCMJ Actions
HO # 3	Definition of Sexual Harassment & Army's Policy on Sexual Harassment
HO # 4	Sexual Harassment Behaviors Subject to UCMJ Actions
HO # 5	Alternative Agencies
HO # 6	Army Equal Opportunity Complaint Process
HO # 7	Extremist Organizations and Activities

## **HANDOUT # 1**

### **Army Policy Memorandum on Equal Opportunity**

“America’s Army serves as the nation’s leader in equal opportunity. This success comes from total commitment to the ideals upon which our country was founded. We must continue our strong leadership in this area to ensure equal opportunity for all. To accomplish this, we, the Army’s senior leadership, reaffirm our commitment to these principles and will work to ensure the equal opportunity and freedom from sexual harassment are standard in America’s Army.

People are the cornerstone of readiness. Sophisticated weapons systems and modern technology are of little value without a dedicated, trained team of professional soldiers and civilians. They must know they will be treated fairly, and with dignity and respect in all aspects of performing the mission. They have a right to expect from their leadership an environment in which their efforts can be fully directed toward mission accomplishment and not detracted by unequal treatment. Leaders are expected to enforce the Army’s standards.

We are justifiably proud of the many accomplishments the Army has made in the field of human rights; however, much remains to be done. Leaders at all levels must continue to ensure the environment in which our soldiers and civilians work and live is free from discriminatory practices. Each individual has a right to compete for advancement based upon abilities and merit, irrespective of race, color, religion, gender, or national origin. Army civilians are further protected against discrimination based on age and physical or mental disability. Leaders at all levels have an obligation to create and maintain an environment with zero tolerance for discrimination and harassment.

We must continue to demonstrate that America’s Army is the equal opportunity leader for the nation and the institution where men and women of diverse backgrounds can achieve their full potential in support of the Army’s mission.”

Signed by:  
Army Chief of Staff and the Secretary of the Army

**HANDOUT # 2**

**EO Violations Subject to UCMJ Actions**

<b>OFFENSE</b>		<b>ARTICLE</b>
Making racial or sexual comments and/or gestures	Art 89 Art 91 Art 117 Art 134	Disrespect toward superior officer Insubordinate conduct towards WO or NCO Provoking speech or gestures Indecent language
Offering rewards for favors which constitute an EO violation	Art 134	Bribery and graft
Attempts or offers with unlawful force or violence to do bodily harm to another person because of race, color, religion, national origin, or gender	Art 128	Assault
Making unsolicited and unwelcome sexual contact	Art 134	Indecent assault
Threatening the career, job, or salary of another unless they "cooperate"	Art 127 Art 134	Extortion Communicating a threat
Engaging in or condoning an EO violation	Art 92 Art 133	Failure to Obey an order or regulation Conduct unbecoming an officer
Influencing or threatening the career, pay, or job of another person in exchange for sexual favors	Art 93	Cruelty and maltreatment
Making false statements	Art 107	False official statement

## HANDOUT # 3

### Definition Of Sexual Harassment

Sexual harassment is defined in AR 600-20 as a form of sex discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- a. Submission to or rejection of 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 performance or creates an intimidating, hostile, or offensive environment.

The definition emphasizes that workplace conduct, to be actionable as "abusive work environment" harassment, need not result in concrete psychological harm to the victim. The conduct need only be so severe or pervasive that a reasonable person would perceive, and the victim does perceive, that the work environment is hostile or abusive. Workplace is an expansive term for military members and may include on or off duty, 24 hours a day.

Any person in a supervisory or command position who uses or condones any form of sexual behavior to control, influence, or affect the career, pay, or job of a military member or civilian employee is engaging in sexual harassment. Similarly, any military member or civilian employee who make deliberate or repeated unwelcome verbal comments, gestures, or physical contact of a sexual nature in the workplace is also engaging in sexual harassment.

## **Army Policy On Sexual Harassment**

The policy of the United States Army is that sexual harassment is unacceptable conduct and will not be tolerated.

The Army is totally committed to creating and maintaining an environment conducive to maximum productivity and respect for human dignity. The vision of America's Army as an effective force, trained and ready to fight and win, demands reaffirmation of a commitment to a work and duty environment free of sexual harassment for all personnel, whether civilian or military, in the active and reserve components.

The Army is an organization of people, and its success is based on their ability to perform in an environment of mutual respect, dignity, and fair treatment. This demands zero tolerance of sexual harassment.

Sexual harassment is defined in law and regulation as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature which is made a term or condition of a person's job, is used as a basis for employment decisions affecting that person, creates a hostile or abusive environment or interferes with the performance of a soldier or civilian of America's Army.

Individuals who perceive they are being sexually harassed by supervisors, superiors, co-workers, or peers should make it clear that such behavior is offensive and report the harassment to an appropriate authority or office. It is the responsibility of every leader--military or civilian--to examine allegations of sexual harassment and take necessary action to ensure that these matters are addressed swiftly, fairly, and effectively.

We know that you will support the Army's continuing commitment to eradicating sexual harassment in the Army and exhibit the highest level of professional behavior and courtesy that the nation expects.

## HANDOUT # 4

### Sexual Harassment Behaviors Subject To UCMJ Actions

BEHAVIOR	ART	OFFENSE
Making sexual comments or gestures	89 91 117 134	Disrespect toward a superior commissioned officer Insubordinate conduct toward WO or NCO Provoking speeches or gestures Indecent language
Offering rewards for sexual favors	134	Bribery and graft
Making unsolicited and unwelcome sexual contact with intent to satisfy lust or sexual desire	134	Indecent assault
Threatening the career, job, or salary of others unless they "cooperate"	127 134	Extortion Communicating a threat
Engaging in or condoning sexual harassment behaviors	92 133	Failure to obey an order or regulation Conduct unbecoming an officer
Influencing or threatening the career, pay, or job of others in exchange for sexual favors	93	Cruelty and maltreatment
Sexual intercourse was done by force and without consent (A husband can be punished for raping his wife)	120	Rape and carnal knowledge
Sexual intercourse with a female under 16 years of age who is not his wife (commonly known as statutory rape)	120	Rape and carnal knowledge
Unnatural sexual intercourse with another person of either gender or animal	125	Sodomy
Threatening another to obtain unlawfully anything of value - sometimes known as blackmail	127	Extortion
General Actions	134	Adultery Assault to commit rape or sodomy. Bribery and graft Wrongful Cohabitation Fraternization Indecent acts of liberties with a child Indecent exposure Indecent acts with another Pandering and prostitution

## HANDOUT # 5

### Alternative Agencies

Although handling EO complaints through the chain of command is strongly encouraged, this is not the only channel for addressing EO grievances. Several agencies have specific command responsibilities that make them a viable asset in helping soldiers and family members resolve EO grievances. The following are brief descriptions of frequently used agencies:

**Equal Opportunity Adviser (EOA)**: Is assigned to help commanders at brigade or higher levels to implement their EO program. The EOA is trained to receive, process, and conduct inquiries into complaints of discrimination and sexual harassment. In addition, the EOA has the expertise to make recommendations for corrective actions and sanctions against violators of EO policies.

**Chaplain (CH)**: Serves as advisor to the command on all religious matters and provides guidance on religious practices, family and marital counseling, and other secular or non-secular services. The chaplain is the main subject matter expert on addressing issues about religious discrimination or accommodation.

**Provost Marshal (PM)**: Is primarily responsible for receiving and investigating violations of the UCMJ which are criminal in nature. The PM is responsible to the Commander for monitoring the treatment of soldiers and investigating complaints of discrimination or unfair treatment by off-post activities.

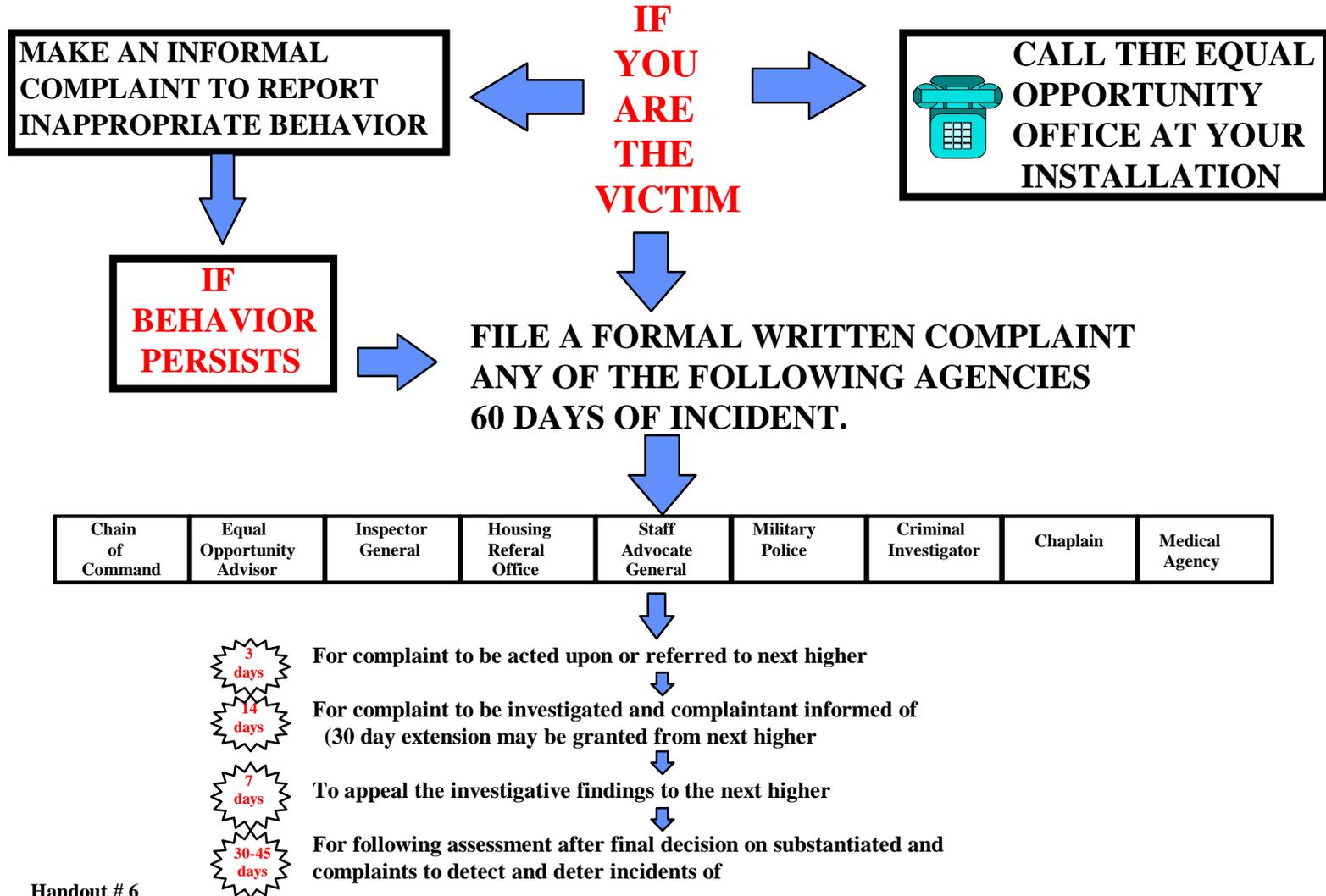
**Staff Judge Advocate (SJA)**: The SJA serves as an advisor in litigating criminal charges and prosecuting soldiers for criminal offenses; assesses trends in administering punishment and allegations of discrimination in administering military justice; may receive complaints about discrimination in legal proceedings or about administering judicial and nonjudicial punishment.

**Community Homefinding Referral and Relocation Services Office (CHRRSO)**: Is responsible for monitoring and administering the installation's housing referral program. The HRO will receive and investigate complaints of discrimination in rental or sale of off-post residents.

**Inspector General (IG)**: Serves as advisor to the commander on all matters of command. The IG is responsible for monitoring and inspecting command functions which are essential to mission effectiveness and combat readiness. The IG's office is the principal agency for receiving and investigating complaints about command environment and leadership.

**Medical Agency Personnel**: Medical agency personnel are assigned primarily at installation clinics and hospitals, but are also available at separate units, battalions, and brigades up to and including the Command Surgeon. These personnel advise and assist the commander on matters about conserving and replenishing the command's fighting strength, by prevention, curative, restorative care, and other medical related services.

# THE ARMY EQUAL OPPORTUNITY COMPLAINT PROCESS



Handout # 6

## HANDOUT # 7

### Extremist Organizations and Activities

Participation in extremist organizations or activities is inconsistent with the responsibilities of military service. It is the policy of the U.S. Army to provide equal opportunity and treatment for all soldiers without regard to race, color, religion, sex, or national origin. Enforcement of the Army's equal opportunity policy is a responsibility of command, is vitally important to unit cohesion and morale, and is essential to the Army's ability to accomplish its mission. It is the commander's responsibility to maintain good order and discipline in the unit. Every commander has the inherent authority to take appropriate actions to accomplish this goal. This paragraph identifies prohibited actions by soldiers involving extremist organizations or activities, discusses the authority of the commander to establish other prohibitions, and establishes that violation of the prohibitions contained in this paragraph or those established by a commander may result in prosecution under various provisions of the Uniform Code of Military Justice (UCMJ). This paragraph must be used in conjunction with DoD Directive 1325.6, Subject: Guidelines for Handling Dissident and Protest Activities Among Members of the Armed Forces.

a. Participation. Military personnel must reject participation in extremist organizations and activities. Extremist organizations and activities are one that advocate racial, gender or ethnic hatred or intolerance; advocate, create, or engage in illegal or use force or violence or unlawful means to deprive individuals of their rights under the United States Constitution or laws of the United States or any State; or advocate or seek to overthrow the Government of the United States, or any States by unlawful means.

b. Prohibitions. Soldiers are prohibited from following actions in support of extremist organizations or activities. Penalties for violations of these prohibitions include the full range of statutory and regulatory sanctions, both criminal (UCMJ) and administrative.

(1) Participating in a public demonstration or rally;

(2) Attending a meeting or activity with knowledge that the meeting or activity involves an extremist cause when on duty, when in uniform, when in a foreign country (whether on or off duty or in uniform), when it constitutes a breach of law and order, when violence is likely to result, or when violation of off-limits sanctions or a commander's order;

(3) Fund raising;

(4) Recruiting or training members (including encouraging other soldiers to join);

(5) Creating, organizing, or taking a visible leadership role in such an organization or activity; or

(6) Distributing literature on or off a military installation the primary purpose and content of which concerns advocacy or support of extremist causes, organizations, or activities and it appears that the literature presents a clear danger to the loyalty, discipline, or morale of military personnel, or if the distribution would materially interfere with the accomplishment of a military mission.

c. Command authority. Commanders have the authority to prohibit military personnel from engaging in or participating in any other activities that the commander determines will adversely affect good order and discipline or morale within the command. This includes, but is not limited to, the authority to order the removal of symbols, flags, posters, or other displays from barracks, to place areas or activities off-limits (see AR 190-24), or to order soldiers not to participate in those activities that are contrary to good order and discipline or morale of the unit or pose a threat to health, safety, and security of military personnel or a military installation.

d. Command options. Commander's options for dealing with a soldier's violation of the prohibitions include --

(1) UCMJ action. Possible violations include --

(a) Article 92 -- Violation of or failure to obey a lawful general order or regulation (for example, participation in demonstrations, distribution of literature without approval, or unlawful discrimination).

(b) Article 116 -- Riot or breach of peace.

(c) Article 117 -- Provoking speeches or gestures.

(d) Article 134 -- General article, specifically, conduct which is prejudicial to good order and discipline or service discrediting.

(2) Involuntary separation for unsatisfactory performance or misconduct, or for conduct deemed prejudicial to good order and discipline or morale.

(3) Reclassification actions or bar to reenlistment actions, as appropriate.

(4) Other administrative or disciplinary action deemed appropriate by the commander, based on the specific facts and circumstances of the particular case.

e. Command responsibility. Any soldier involvement with or in an extremist organization or activity, such as membership, receipt of literature, or presence at an event, could threaten the good order and discipline of a unit. In any case of apparent soldier involvement with or in extremist organizations or activities, whether or not violative of the prohibitions in subparagraph b, commanders must take positive actions to educate soldiers, putting them on notice of the potential adverse effects that participation violation of Army policy may have upon good order and discipline in the unit and upon their military service. These positive actions include --

(1) Educating soldiers regarding the Army's equal opportunity policy. Commanders will advise soldiers that extremist organizations' goals are inconsistent with Army goals, beliefs, and values concerning equal opportunity.

(2) Advising soldiers that any participation in extremist organizations or activities:

(a) Will be taken into consideration when evaluating their overall duty performance, to include appropriate remarks on evaluation reports.

(b) Will be taken into consideration when selections for positions of leadership and responsibility are made.

(c) Will result in removal of security clearances, where appropriate.

(d) Will result in reclassification actions or bar to reenlistment actions as appropriate.

(3) The commander of a military installation or other military controlled facility under the jurisdiction of the United States shall prohibit any demonstration or activity on the installation or facility that could result in interference with or prevention of orderly accomplishment of the mission on the installation or facility, or present a clear danger to loyalty, discipline, or morale of the troops. Further, such commanders shall deny requests for the use of military controlled facilities by individuals or groups that engage in discriminatory practices or for activities involving such practices.

f. Commanders should seek the advise and counsel of their legal advisor when taking actions pursuant to this paragraph.

## **THE ARMY'S EQUAL OPPORTUNITY POLICY**

- Equal treatment for soldiers, family members, and civilian employees
- Provide an environment free from sexual harassment

### **APPLIES TO:**

- On and off post
- Soldiers, civilian employees, and family members
- Working, living, and recreational environments

## **EO PROGRAM COMPONENTS**

- Leader commitment
- Sequential and progressive training
- Effective and responsive complaint procedures
- Affirmative Action Plan (AAP)
- Feedback mechanisms
- Equal Opportunity Advisors

## **RELATED EO LEADERSHIP ELEMENTS**

- Military discipline and conduct
- Appropriate behavior
- Senior-subordinate relationships
- Extremist organizations
- Army language policy
- Accommodating religious practices
- Women in the Army

## **PROGRAM PRINCIPLES**

- Commanders and Leaders are responsible for unit EO
- Promote harmony, do not merely avoid disorder
- Support individual and cultural diversity
- Discipline will not be compromised
- Fair and equal treatment for all soldiers and employees is emphasized

## **EO/EEO AREAS OF CONCERN**

- Racism
- Sexism
- Prejudice
- Discrimination

# **RACISM**

Any attitude or action by an individual, group, or institution to subordinate another person or group because of skin color or other physical traits associated with a particular group.

## **SEXISM**

Similar to racism. However, it is based on an attitude of superiority or inferiority because of gender differences. Sexism is defined as an attitude, behavior, or conditioning that fosters stereotypes of social roles based on sex or gender.

## **SEXISTS BEHAVIORS**

- Ignoring women or women's issues
- Exclusionary language
- Speaking for women
- Paternalism

## **PREJUDICE**

A negative attitude or feeling toward certain groups based upon faulty and inflexible generalizations. Any preconceived opinion or feeling which is favorable or unfavorable toward certain groups.

## **CHAIN OF COMMAND EO RESPONSIBILITIES**

- Assist commander to achieve unit goals and objectives
- Subdivide responsibilities and authority
- Reciprocal commitment between chain and soldiers
- Communications channel for soldiers to voice concerns

## **POSITIVE EO ACTION FOR LEADERS**

- Set the example
- EO and Welcoming Counseling
- Training and Education
- Counseling

## **ACTIONS TO CORRECT EO PROBLEM BEHAVIORS**

- On-the-Spot corrections
- Counseling - verbal and nonverbal
- Advancement and promotions
- Awards, training, and schools
- Change in duties or responsibilities
- Transfer or reassignment
- Bar to Reenlistment
- Separation

## **ARMY POLICY DEFINITION OF SEXUAL HARASSMENT**

A form of gender discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career, or
- Submission to or rejection of such conduct by a person is made as a basis for career or employment decisions affecting that person, or
- Such conduct interferes with an individual's performance or creates an intimidating, hostile, or offensive environment.

## **CATEGORIES OF SEXUAL HARASSMENT**

- Quid Pro Quo
- Hostile environment

## QUID PRO QUO

- Latin term meaning: “this for that”
- Placing conditions on a person’s job or terms of employment in return for sexual favors
- Making promises of career advancement, promotions, or other benefits in exchange for sexual favors

## **HOSTILE ENVIRONMENT**

- Offensive, unwanted, and unsolicited comments and behaviors of a sexual nature
- Most prevalent form of sexual harassment in the Army

## **IMPACT vs INTENT**

- Assessment of behavior is a leadership responsibility
- Behavior assessed from perspective of recipient
- “I was only joking” is not an excuse
- Emotional effect or willingness to submit is not relevant

## **REASONABLE PERSON STANDARD**

**Ask the question:**

- How would a reasonable person under similar circumstances react or be affected by such behavior ?
- Men and women can watch the same behavior, but have very different perspectives about what they saw and how they feel.

## **FOUR TYPES OF SEXUAL HARASSMENT BEHAVIOR**

- Verbal comments
- Nonverbal comments
- Printed materials
- Physical contact

## VERBAL COMMENTS

- Sexual jokes or profanity
- Off color sexual comments
- Verbal threats
- Barking, growling, whistling, etc.
- Describing sexual attitudes of one's physical appearance or attributes

## **NONVERBAL GESTURES**

- Leering, ogling, giving “the eye” or “the once over”
- Blowing kisses, licking lips, winking

## **PRINTED MATERIALS (Sexually oriented)**

- Notes, letters, faxes, computer e-mail
- Sayings, bumper stickers, cartoons, posters, pictures
- Calendar, pin-ups, quotations

## **PHYSICAL CONTACT**

- Touching, patting, hugging
- Pinching, grabbing, cornering, kissing
- Playing footsie or kneesie
- Blocking a passageway
- Providing unsolicited back or neckrubs
- Unsolicited adjusting of a person's clothing

## **LEADER LIABILITY**

**The leader is responsible for:**

- Ensuring that the environment is safe and clean
- Training subordinates to behave appropriately
- Maintaining a climate of openness and mutual trust

## **IMPACT OF SEXUAL HARASSMENT**

- Interferes with victim's work performance
- Creates unreasonable stress in the work place
- Puts high levels of fear and anxiety in the work place
- Negative impact on mission accomplishment

## **VICTIM'S REACTIONS TO SEXUAL HARASSMENT**

- Denial
- Rationalization
- Avoidance

## **SEXUAL HARASSMENT CHECKLIST**

- Is the behavior sexual in nature ?
- Is the behavior unwelcome ?
- Does the behavior create a hostile or offensive environment ?
- Have sexual favors been demanded, requested, or suggested ?

## **SEXUAL HARASSMENT ASSESSMENT**

- Define the incident
- Frequency of behavior
- Victim impact
- Appropriateness of behavior
- Rank/position relationship
- Past history
- Consequences of your actions
- Environment assessment

## **PREVENTION COMPONENTS**

- Leader commitment
- Mandatory training
- Reporting system
- System of corrective actions

## **ADMINISTRATIVE ACTIONS**

- Bar to Reenlistment
- Letter of Admonishment or Reprimand
- Relief for Cause
- Rehabilitative transfer
- Additional training
- Required counseling
- Denial of certain privileges

## **SYSTEM CONCEPT**

- A readily available system
- Treats all complaints seriously
- Reduce fears of reprisal or intimidation
- Right to have complaints heard by the chain of command

# **TYPES OF COMPLAINTS**

- Informal
- Formal

## **INFORMAL COMPLAINT FACTORS**

- Does not desire chain of command intervention
- Assistance from other unit members
- Confidentially is possible (but not guaranteed)
- Assistance not required in writing
- Good chance of success
- Complaint is not severe

## **FORMAL COMPLAINTS**

- Submitted in writing
- Requires chain of command intervention
- Reported to higher headquarters
- Filed within 60 calendar days
- Specific time lines for processing

## **FORMAL COMPLAINT FACTORS**

- Uncomfortable with informal process
- Informal process will not resolve complaint
- Attempt at informal resolution failed
- Complainant desires an official record
- Complaint is against a member of the chain of command
- Complainant wants outside agency or higher commander involvement

## **ALTERNATIVE AGENCIES**

- A higher echelon commander
- Command Equal Opportunity Advisor (EOA)
- Chaplain (CH)
- Staff Judge Advocate (SJA)
- Provost Marshal (PM)
- Inspector General (IG)
- Community Homefinding Referral and Relocation Services office (CHRRS)
- Medical agency personnel

## **INQUIRY / INVESTIGATION**

- Clarify complaint with related allegations
- Interview witnesses / officials
- Gather, review, and analyze records / documents
- Determine cause / effect of actions which lead to complaint being filed
- Identify / interview technical advisors
- Assess impact on command climate/mission readiness
- Advise commander of leadership / management concerns
- Render a decision

## **ACTIONS TO RESOLVE COMPLAINTS**

- Unsubstantiated
- Substantiated

## APPEALS PROCESS

- 7 calendar days to acknowledge
- Submit in writing
- Appeal authority has 14 calendar days to respond
- General Court Martial Convening Authority has final authority
- No further appeals within EO Complaint system

## **ARMY POLICY AGAINST INTIMIDATION, HARASSMENT, and REPRISAL**

- Prohibits any action to discourage filing EO complaints or seeking assistance with EO grievances
- Prohibits disciplinary action against a complaint
- Does not preclude action for fraudulent complaints or false statements

## **LEADER'S ACTIONS TO SUPPORT EO**

- Know and understand the EO Program
- Take EO Program seriously
- Take immediate action
- Inform the Chain of Command
- Follow up on problems
- Guard against reprisals
- Be proactive with issues

# **EXTREMIST ORGANIZATIONS** **AND ACTIVITIES**

- The Policy
- Participation
- Prohibitions

## TERMS AND DEFINITIONS

- SUPERMACHIST: Any person(s) maintaining the ideology, quality, state of being, or position superior to all others in something
- IDEOLOGY: A body of concepts, especially about human life or culture
- MILITIA: A body of soldiers not permanently organized in time of peace. Their objective is frequently national or local government

## **TRAINING OF EXTREMIST ORGANIZATIONS AND ACTIVITIES**

- The Army's Equal Opportunity Policy
- Participation in extremist activities
- Selections for leadership positions, etc.
- Security clearances may be removed
- UCMJ actions are possible
- Involuntary separation from the Army
- Other Administrative Actions possible