

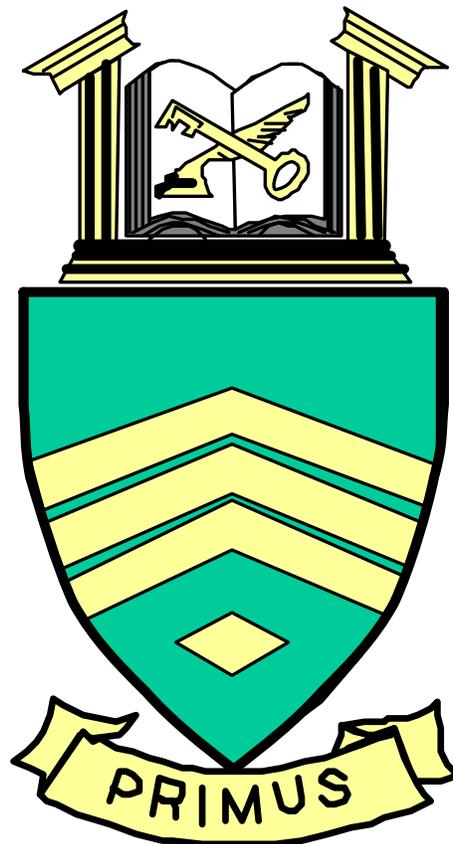
U.S. ARMY SERGEANTS MAJOR ACADEMY (FSC-TATS)

L663

OCT 03

EQUAL OPPORTUNITY/SEXUAL HARRASSMENT

STUDENT HANDOUT



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HANDOUTS FOR LESSON 1: L663 version 1

Terminal Learning Objective

Handout-1, Advance Sheet

Index of Student Handouts

**This Appendix
Contains**

This appendix contains the items listed in this table--

Title/Synopsis	Pages
SH-1, Advance Sheet	SH-1-1
SH-2, Army Policy Memorandum on Equal Opportunity	SH-2-1 and SH-2-2
SH-3, Army Equal Opportunity Complaint Procedures	SH-3-1 and SH-3-2
SH-4, Prevention of Sexual Harassment	SH-4-1 thru SH-4-8
SH-5, Extremism, Language Program, Soldier Relationships, Homosexual Conduct Policy, and Hazing	SH-5-1 thru SH-5-12
SH-6, Student Notes	SH-6-1 thru SH-6-13

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Student Handout 1

Advance Sheet

Lesson Hours This lesson consists of three hours of small group instruction

Overview Squads, platoons, and companies are the levels of the Army in which soldiers spend most of their military careers. Each squad, section, or crew becomes a tightly knit family where soldiers know one another intimately--their likes, dislikes, their faults, strengths, their beliefs and ideas. It is these small groups of soldiers who determine to a large extent whether we win or lose wars. 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 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 to support and implement the Army's EO/SH programs.

Learning Objective Terminal Learning Objective (TLO)

	Action:	Implement the Army's EO/SH programs.
	Condition:	As a first sergeant, in a classroom, given AR 600-20.
	Standard:	Implemented the Army's EO/SH programs IAW AR 600-20.

ELO A Identify the Army's Equal Opportunity Policy.
ELO B Identify the Army's Sexual Harassment Policy.
ELO C Define the Army's policy on military conduct as it pertains to Extremist Activities, soldier relationships, language policy, homosexual conduct policy, and hazing.

Study Assignments The student assignments for this lesson are:

- Study AR 600-20, paragraphs 4-12 to 4-15, 4-19, 4-20, Chapter 6, Chapter 7, and Appendix E.
- Read Student Handouts 2 through 6.

Additional Subject Area Resources None

Bring to Class All reference material.
Pen or Pencil and writing paper.

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Student Handout 2

Extract

This Student Handout contains Army Policy Memorandum on Equal Opportunity.

STUDENT HANDOUT 2

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***

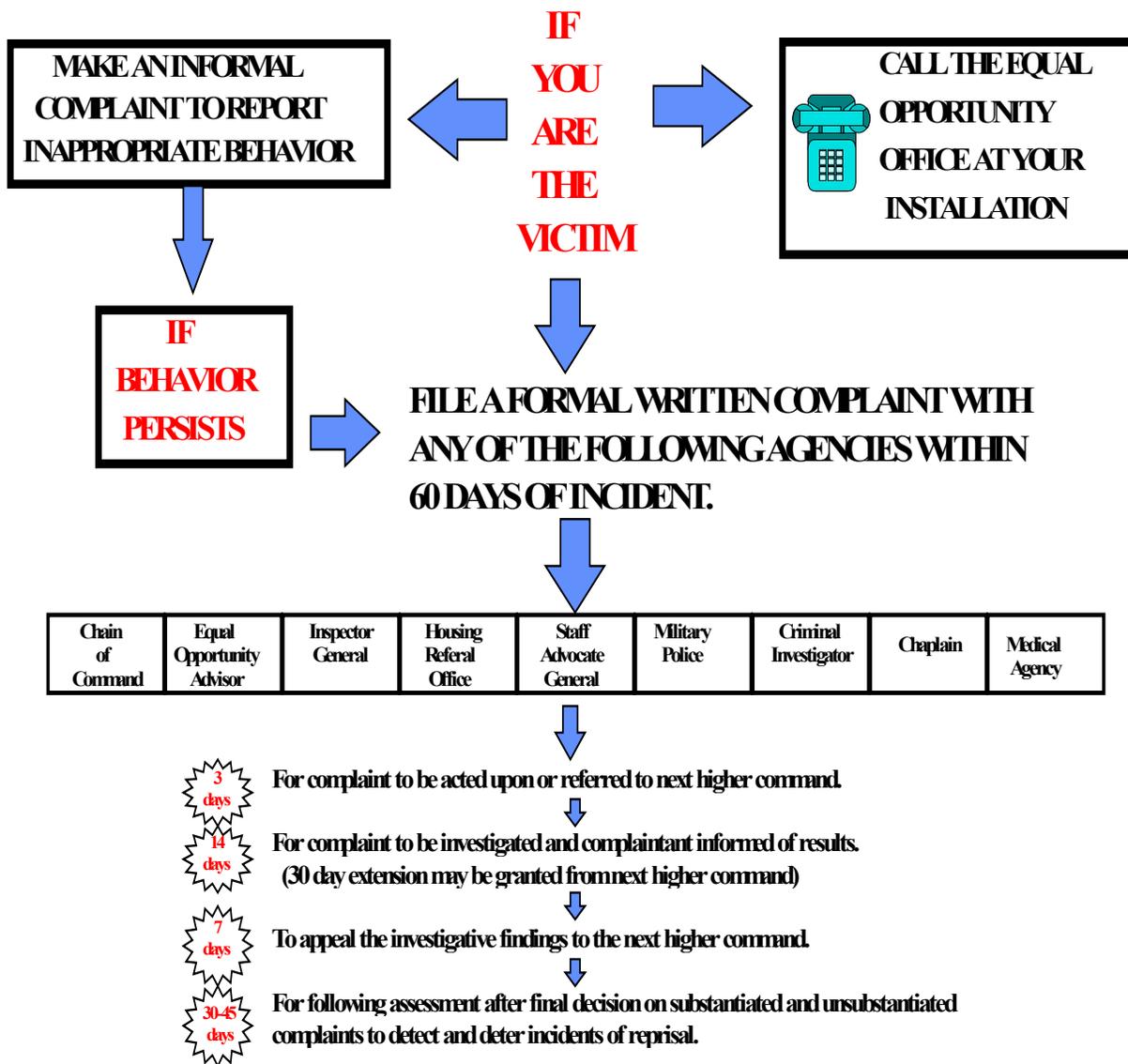
Student Handout 3

Extract

This Student Handout contains The Army Equal Opportunity Complaint Process downloaded from the ODCSPER EO homepage.

STUDENT HANDOUT 3

THE ARMY EQUAL OPPORTUNITY COMPLAINT PROCESS



Student Handout 4

Extract

This Student Handout contains Chapter 7, DA PAM 350-20, pages 7-1 through 7-9, Prevention of Sexual Harassment downloaded from USAPA.

During recent years, the controversial subject of sexual harassment has been brought to the public's attention, because of incidents at various military installations around the world involving trainees and noncommissioned officers and officers. These events have resulted in some positive impacts over the long term. Because of these events, more people are openly discussing situations they faced even several years ago.

Sexual harassment is not limited to the work place. It can occur almost anywhere. This behavior always violates acceptable standards of character and fairness required of all soldiers. It stands as an obstacle to unit cohesion and mission accomplishment. For these reasons, such behavior cannot and will not be tolerated.

The sooner we realize sexual harassment affects us all and we all must play a part in solving this problem, the sooner we will be rid of it. One of your jobs, as soldiers is to be alert to what is happening within your unit with regard to sexual harassment. Where you may have been content to overlook certain types of behavior in the past, you should now be fully tuned into behaviors that either are sexual harassment, or can lead to an environment, which fosters sexual harassment.

Mirrors Chapter 7, AR 600-20, Prevention of Sexual Harassment

Overview

The prevention of sexual harassment is a commander's responsibility. The EOA plays a pivotal role by assisting the commander with policy awareness, training, command climate assessments, complaints processing and overall advisory assistance concerning the prevention of sexual harassment.

Chain Of Command Responsibilities

Commanders and supervisors will-

- a. Ensure that assigned personnel are familiar with the Army policy on sexual harassment. Publish and post written command policy statements for the prevention of sexual harassment. All statements will be consistent with Army policy. They will include the local command's commitment to the Army's policy against sexual harassment and will reaffirm that sexual harassment will not be tolerated. The statement will explain how and where to file complaints and shall include the fact that all complainants will be protected from acts or threats of reprisal. Each MACOM, installation, separate unit, agency, and activity down to company, troop or battery level will publish a sexual harassment command policy statement. Units should coordinate these policy statements with the servicing staff judge advocate or legal advisor before publishing them.
- b. Continually assess and be aware of the climate of command regarding sexual harassment. Identify problems or potential problems. Take prompt, decisive action to investigate all complaints of sexual harassment. Either resolve the problem at the lowest possible level or, if necessary, take formal disciplinary or administrative action. Do not allow soldiers to be retaliated against for filing complaints. Continually monitor the unit and assess sexual harassment prevention policies and programs at all levels within area of responsibility. Ensure all leaders understand that if they witness or otherwise know of incidents of sexual harassment, they are obligated to act. If they do not, they themselves are also guilty of sexual harassment.
- c. Set the standard.

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 Army Chief of Staff. Army leadership at all levels will be committed to creating and maintaining an environment conducive to maximum productivity and respect for human dignity. Sexual harassment destroys teamwork and negatively affects combat readiness. The Army bases its success on mission accomplishment. Successful mission accomplishment can be achieved only in an environment free of sexual harassment for all personnel.

The prevention of sexual harassment is the responsibility of every soldier and DA civilian. Leaders set the standard for soldiers and DA civilians to follow.

Sexual harassment is defined in AR 600-20 as a form of gender discrimination that involves unwelcomed 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 used as a basis for career or employment decisions affecting that person, or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's performance or creates an intimidating, hostile, or offensive working environment.

The definition emphasizes workplace conduct. To be considered as "abusive work environment" harassment, it 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 implicit or explicit sexual behavior to control, influence, or affect the career, pay, or job of a soldier or civilian employee is engaging in sexual harassment. Similarly, any soldier or civilian employee who makes deliberate or repeated unwelcome verbal comments, gestures, or physical contact of a sexual nature in the workplace is also engaging in sexual harassment.

Do not confuse the definition of sexual misconduct with that of sexual harassment. Sexual Misconduct is the act of imposing consensual or non-consensual sexual desires upon another. Consensual sexual misconduct includes fraternization and adultery. Non-consensual sexual misconduct includes the crimes of rape, forcible sodomy, indecent assault, and indecent language. These acts are prejudicial to the good order and discipline of the armed forces or of a nature, which brings discredit upon the armed forces. Sexual misconduct is a completely separate issue dealing with criminal behavior, while sexual harassment is not criminal in nature.

BEHAVIORS THAT CONSTITUTE SEXUAL HARASSMENT

SEXUAL HARASSMENT CATEGORIES/BEHAVIORS. Sexual harassment behaviors that are related to hostile environments fall into three basic categories. They are:

- Verbal Comments.
- Nonverbal Gestures.
- Physical contact.

Verbal Comments. Examples of verbal sexual harassment include telling sexual jokes and using profanity, threats, sexually oriented jody calls, sexual comments, whistling, and describing certain sexual attributes about one's physical appearance. Another example of verbal sexual harassment is using terms of endearment such as "honey", "babe", "sweetheart", "dear", "stud" or "hunk" in referring to soldiers, civilian co-workers or family members.

Nonverbal Gestures. Examples of nonverbal sexual harassment include staring at someone (i.e. "undressing someone with one's eyes"), blowing kisses, winking, or licking one's lips in a suggestive manner. Nonverbal sexual harassment also includes printed material, displaying sexually oriented pictures; cartoons and using sexually oriented screen savers on one's computer. Further examples include sending sexually oriented notes, letters, faxes, or e-mail. Nonverbal forms of sexual harassment may take on a more hostile appearance after the victim has rejected the advances of the offender.

Physical Contact. Examples of physical sexual harassment include touching, patting, pinching, bumping, grabbing, cornering or blocking a passageway, kissing, and providing unsolicited back or neck rubs. Sexual assault and rape are often mistaken as physical forms of sexual harassment. Sexual assault and rape are criminal acts. When either occurs, it should be reported immediately to the chain of command, military police or other law enforcement agencies.

TYPES OF SEXUAL HARASSMENT

There are two basic types of sexual harassment behavior. They are:

- Quid Pro Quo.
- Hostile Environment.

Quid Pro Quo. Quid Pro Quo is a Latin term meaning "this for that". This term refers to conditions placed on a person's career or terms of employment in return for sexual favors. It involves threats of adverse action if the person does not submit or promises of favorable actions if the person does submit. Examples include demanding sexual favors in exchange for a promotion; award or favorable assignment; disciplining or relieving a subordinate who refuses sexual advances and threats of poor job evaluation for refusing sexual advances. Incidents of "quid pro quo" may also have a harassing effect on third persons. It may result in allegations of sexual favoritism or general discrimination when a person feels unfairly deprived of recognition, advancement or career opportunities due to favoritism shown to another soldier or civilian employee based on a sexual relationship. An example would be a soldier who is not recommended for promotion and who believes that his or her squad leader recommends another soldier in his or her squad for promotion based upon provided or promised sexual favors, not upon merit or ability.

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 these behaviors have the potential of unreasonably interfering with their performance, then the environment is classified as hostile. A hostile environment brings the topic of sex or gender differences into the workplace in any one of a number of forms. It does not necessarily include the more blatant acts of "quid pro quo." It normally includes nonviolent sexual behaviors that are gender-biased. Examples include use of derogatory gender-biased terms, comments about body parts, suggestive pictures, explicit jokes and unwanted touching.

There are two elements, which you must understand in order to assess the appropriateness of any behavior. Two of these elements are referred to as:

- **Impact vs. Intent.**

What you as soldiers may consider to be joking or horseplay must be evaluated on its appropriateness and offensiveness as perceived by the recipient. Assessing whether a behavior is appropriate or offensive must be done from the perspective of the victim, not the alleged harasser. An excuse such as "I was only joking" is irrelevant. In the event of a complaint, the impact of an incident or series of incidents is reviewed and evaluated from the complainant's perspective.

However, whether or not the victim is emotionally affected and/or willingly submitted to the behavior of the harasser is also irrelevant in determining an incident of sexual harassment. The only relevant question to be answered is "was the behavior appropriate or inappropriate" as it relates to policy.

- **Reasonable Person Standard.**

The reasonable person standard is 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 in certain incidents?" 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.

SEXUAL HARASSMENT CHECKLIST

In determining whether a specific incident or behavior constitutes sexual harassment, the following questions can help to create a frame of reference or mental picture for tying policy with related elements and behaviors.

- 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; especially as a condition of employment or career and job success?

Sexual harassment can manifest themselves in a number of ways. Some are very obvious, while others may be well hidden and not so visible.

The first and most obvious impact of sexual harassment on a victim is it interferes with his or her work performance. A soldier or civilian who has to fend off offensive and repeated sexual behaviors does not perform high quality work. Sexual harassment also creates a hostile environment by placing unreasonable stress on the victim. Sexual harassment 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. When the harassment is "quid pro quo," the fear of loss of job or career opportunities can undermine a unit's teamwork and morale. Anyone who is sexually harassed is less productive, and the entire working climate suffers. Soldiers and civilians can only reach their full potential in an environment that fosters dignity and respect for all.

INDIVIDUAL TECHNIQUES IN DEALING WITH SEXUAL HARASSMENT

It is critical you understand what you as an individual can do to prevent or resolve sexual harassment in the unit or work area. The following strategies can be valuable tools in dealing with sexual harassment. However, they are not meant to replace using the chain of command.

Direct approach. Confront the harasser and tell him/her that the behavior is not appreciated, not welcomed and that it must stop. Stay focused on the behavior and its impact. Use common courtesy. Write down thoughts before approaching the individual involved.

Indirect approach. Send a letter to the harasser stating the facts, personal feelings about the inappropriate behavior and expected resolution.

Third party. Request assistance from another person. Ask someone else to talk to the harasser, to accompany the victim, or to intervene on behalf of the victim to resolve the conflict.

Chain of Command. Report the behavior to immediate supervisor or others in the chain of command and ask for assistance in resolving the situation.

File a formal complaint. Details for filing an informal or formal complaint are found in AR 600-20, Appendix E.

LEGAL AND ADMINISTRATIVE REPERCUSSIONS

REPERCUSSIONS OF SEXUAL HARASSMENT. 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 equality and fair play. It drains resources and destroys unit morale. Sexual harassment cannot and will not be tolerated.

Administrative Actions. Commanders have a number of options in administering punishment for inappropriate behaviors. The right combination of punishment and administrative sanctions sends a clear message sexual harassment will not be condoned or tolerated. Some of the administrative actions include, but are not limited to:

- Mandatory counseling.
- Additional training.
- Denial of certain privileges.
- Rehabilitative transfer.
- Letter of admonishment / reprimand.
- Relief for cause.
- Adverse performance evaluation.
- Bar to reenlistment.
- Separation.

In the event that administrative actions fail to correct the behavior or the behavior constitutes a violation of the UCMJ, the commander may consider further action under the appropriate article(s) of the UCMJ.

Sexual Harassment Behaviors Subject To UCMJ Actions

BEHAVIOR	ARTICLE	OFFENSE
Making sexual comments or gestures	Art 89 Art 91 Art 117 Art 134	Disrespect toward superior officer Insubordinate conduct toward WO or NCO Provoking speech or gestures Indecent language
Offering rewards for sexual favors	Art 134	Bribery and graft
Making unsolicited and unwelcome sexual contact with intent to satisfy lust or sexual desire	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 sexual harassment behaviors	Art 92 Art 132	Failure to obey an order or regulation Conduct unbecoming an officer
Influencing or threatening the career, pay, or job of another in exchange for sexual favors	Art 93	Cruelty and maltreatment

Training

The elimination of sexual harassment within a unit begins with a policy of aggressive and progressive training to identify and prevent inappropriate behavior. Conduct progressive, interactive small group sexual harassment training twice each year. Soldiers must understand what sexual harassment is, how to recognize it, how to prevent it, how to report it and the consequences of engaging in sexual harassment.

- a. The quality and effectiveness of unit training are of primary concern. The most effective approach to training to prevent sexual harassment is through interactive discussion in small groups of mixed gender. Situation vignettes or scenarios should be used to facilitate discussion among unit soldiers and civilians. Role-playing is also an effective training means. The training focus should be appropriate to the level of the experience and breadth of responsibilities of each target audience. Unit commanders must attend this training and evaluate its content and quality.
- b. Unit training for junior enlisted and civilian employees will focus on defining sexual harassment and gender discrimination, sanctions which may be used to punish harassers, techniques for soldiers to deal with sexual harassment and methods of filing a complaint through the complaint system.
- c. Unit training or professional development training for junior officers, noncommissioned officers and civilian supervisors will reinforce the aforementioned training. In addition, emphasis should be placed on promoting a healthy work environment within the section or unit as well as on techniques for receiving, handling and resolving complaints. Training on the EO complaint system must include leader responsibilities in processing informal and formal complaints. It must emphasize the prevention of reprisal actions against complainants.

- d.* Training at unit level for senior noncommissioned officers, warrant officers, officers, civilian managers and senior executive service will focus on fostering a healthy command climate and using appropriate means for determining a healthy command climate. This training will also focus on sanctions for offenders. In addition, it will reinforce the elements of training they receive at a more junior level.
- e.* Leaders may enlist the service of their brigade or higher level Equal Opportunity Advisor or DA PAM 350-20 (Unit Equal Opportunity Training Guide), Chapter 4, to help prepare and conduct Prevention of Sexual Harassment (POSH) training.
- f.* Commanders will document POSH training on the unit's training schedule and on individual soldier training records. Documentation will include type, instructor, date, time, length of training, roster of attendees, and issues covered in the session.
- g.* The chain of command and EOA's will attend and participate in POSH sessions.
- h.* Sexual misconduct training is not an Equal Opportunity issue. This training must be conducted by qualified personnel, separately from sexual harassment training, so as not to confuse the two.

Sexual harassment is not limited to the work place. It can occur almost anyplace. This behavior always violates acceptable standards of character and fairness required of all soldiers. It stands as an obstacle to unit cohesion and mission accomplishment. For these reasons, such behavior cannot and will not be tolerated. The sooner we realize sexual harassment affects us all and we all must play a part in solving this problem, the sooner we will be rid of it.

Student Handout 5

Extract

This Student Handout contains Chapter 4, paragraphs 4-12, 4-13, 4-14, 4-15, 4-16, 4-17, 4-18, 4-20 and 4-21, AR 600-20 downloaded from USAPA.

This Handout, pages SH-5-2 and 5-3, contains information from pages 11-3, 11-4, and 11-5, DA PAM 350-20 downloaded from USAPA.

This Handout, pages SH-5-8 and 5-11 contains the Army Homosexual Conduct Policy, "Don't Ask, Don't Tell" Summary of Current Policy message downloaded from www.odcsper.army.mil/directorates/hr/homopolicy/policy.asp.

4-12. Extremist organizations and activities

Participation in extremist organizations and activities by Army personnel is inconsistent with the responsibilities of military service. It is the policy of the United States Army to provide equal opportunity and treatment for all soldiers without regard to race, color, religion, gender, or national origin. Enforcement of this 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, discusses the authority of the commander to establish other prohibitions, and establishes that violations of prohibitions contained in this paragraph or those established by a commander may result in prosecution under various provisions of the UCMJ. This paragraph must be used in conjunction with DODD 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 ones that advocate racial, gender or ethnic hatred or intolerance; advocate, create, or engage in illegal discrimination based on race, color, gender, religion, or national origin or advocate the use of or use 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, by unlawful means.
- b. *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 public demonstrations or rallies.
 - (2) Attending a meeting or activity with the 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 or out of uniform), when it constitutes a breach of law and order, or when it is likely to result in violence or when in violation of off limits sanctions or commander's order.
 - (3) Fund raising activities.
 - (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.
 - (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 the distribution would materially interfere with the accomplishment of a military mission.

The information on pages SH-5-3 and SH-5-4 was downloaded from DA PAM 350-20, Subject: Extremism.

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. They include:

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

Extremist. A person who advocates the use of force or violence; advocates supremacist causes based on race, ethnicity, religion, gender, or national origin; or otherwise engages to deprive individuals or groups or their civil rights.

Extremist Organizations. A group which advocates the use of force or violence, advocates supremacist causes; based on ethnicity, religion, gender, or national origin; or otherwise engages in efforts to deprive individuals or groups of their civil rights.

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.

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.

Gangs. A group of individuals who band together, usually along racial or ethnic lines. Generally, gangs are prone to violent behavior.

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. While the following groups are not representative of all extremist groups, a large portion that we are most familiar with generally fall into one of the three following categories:

Identity (Creationism). Followers of this ideology tend to believe the Jews are the descendants of Satan, and white Anglo-Saxons are the true Israelites, "God's chosen people," and the sons of Adam and the descendants of the Lost Tribes of Israel. They also believe in an impending worldwide race war which only whites will survive in the protection and maintenance of God's nation. The identity movement views the bible as the true 'word of god' and was written for specific people (the white race). The true literal children of the bible are the tribes of Israel to whom God promised a new land, a promised land which identity churches identify as the United States. These children of God (colonist) were ordered to occupy their land, to cleanse it of Satan's children and 'sin' which is the evil power of Satan. They are to occupy the earth and rule in righteousness with God the head of the government. Groups falling into ideologies along these lines are:

- a. Ku Klux Klan.
- b. Neo-Nazi.
- c. Aryan Nation.
- d. Identity Movement Churches.
- e. New Jerusalem Fellowship.
- f. Church of Jesus Christ Christian.
- g. Church of the Creator.

White Supremacy Ideology. The “Identity” explanation of the diverse races of mankind is grounded in Biblical interpretation. According to this ideology, the white race is directly descended from Adam. The Jews are held to be the sons of Cain who was the issue of Eve after her original sin. Thus, Cain was the son of Satan and all of his descendants are the “spawn of the devil.” Ultra-conservative churches use Identity ideology to base theories of white superiority and the duty of whites to survive and defend the U.S. identity, thus ties closely to this ideology and carries into the thought of white supremacy. Keep in mind many right wing groups deny their ideology of white supremacy. Instead, they are concerned with “racial purity,” the safeguarding of the existence and reproduction of the white race. This is a facade of the white supremacist groups to try to convince people to believe they are only concerned with “racial purity,” however; they are the first to decry “reverse discrimination” and preach Anti-Semitism and anti-black doctrines. Groups falling into ideologies along these lines are:

Separatists (Nationalist).

Third Position (Aryan Socialism).

Neo-Nazi Skinheads.

Fifth Era.

Patriotism-Survival Ideology. Protection of basic Constitutional freedoms is the major theme of the Patriot-Survivalist groups. It is more so the preservation of the Anglo-Saxon, “American-type culture” which the founders of our nation secured for all whites. The members point blame of economic troubles, including unemployment, on refugees, Jews, Blacks, illegal aliens, Cubans and all other non-white groups. Much of their propaganda is tied to white supremacy ideology and an inevitable race war will occur. Traitors, meaning white Anglo-Saxons who do not hold the same beliefs are often noted in their literature. Groups falling into ideologies along these lines are:

Racial Survivalist.

Posse Comitatus.

Populist.

Militias.

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 other moderates, 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.

- 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 or failure to obey a lawful general order or regulation.
 - (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 in 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 of 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 advice and counsel of their legal advisor when taking actions pursuant to this policy.

4-13. Army language policy

English is the operational language of the Army. Soldiers must maintain sufficient proficiency in English to perform their military duties. Their operational communications must be understood by everyone who has an official need to know their content, and, therefore, must normally be English. However, commanders may not require soldiers to use English unless such use is clearly necessary and proper for the performance of military functions. Accordingly, commanders may not require the use of English for personal communications which are unrelated to military functions.

4-14. Relationships between soldiers of different rank

- a. The term "officer," as used in this paragraph, includes both commissioned and warrant officers unless otherwise stated. The provisions of this paragraph apply to both relationships between Army personnel and between Army personnel and personnel of other military services. This policy is effective immediately, except where noted below, and applies to different-gender relationships and same-gender relationships.
- b. Relationships between soldiers of different rank are prohibited if they:
 - (1) Compromise, or appear to compromise, the integrity of supervisory authority or the chain of command.
 - (2) Cause actual or perceived partiality or unfairness.
 - (3) Involve, or appear to involve, the improper use of rank or position for personal gain.
 - (4) Are, or are perceived to be, exploitative or coercive in nature.
 - (5) Create an actual or clearly predictable adverse impact on discipline, authority, morale, or the ability of the command to accomplish its mission.
- c. Certain types of personal relationships between officers and enlisted personnel are prohibited. Prohibited relationships include—
 - (1) On-going business relationships between officers and enlisted personnel. This prohibition does not apply to landlord/tenant relationships or to one-time transactions such as the sale of an automobile or house, but does apply to borrowing or lending money, commercial solicitation, and any other type of on-going financial or business relationship. Business relationships which exist at the time this policy becomes effective, and that were authorized under previously existing rules and regulations, are exempt until March 1, 2000. In the case of Army National Guard or United States Army Reserve personnel, this prohibition does not apply to relationships that exist due to their civilian occupation or employment.
 - (2) Dating, shared living accommodations other than those directed by operational requirements, and intimate or sexual relationships between officers and enlisted personnel. This prohibition does not apply to—
 - (a) Marriages that predate the effective date of this policy or are entered into prior to March 1, 2000.
 - (b) Until March 1, 2000, relationships (dating, shared living accommodations, and intimate or sexual relationships) outside of marriage that predate the effective date of this policy.
 - (c) Situations in which a relationship which complies with this policy would move into non-compliance due to a change in status of one of the members (for instance, a case where two enlisted members are married and one is subsequently commissioned or selected as a warrant officer).
 - (d) Personal relationships outside of marriage between members of the National Guard or Army Reserve, when the relationship primarily exists due to civilian acquaintanceships, unless the individuals are on active duty (other than annual training) or Full-time National Guard duty (other than annual training).
 - (e) Personal relationships outside of marriage between members of the Regular Army and members of the National Guard or Army Reserve when the relationships primarily exists due to civilian association and the Reserve component member is not on active duty (other than annual training) or Full-time National Guard duty (other than annual training).

- (f) Soldiers and leaders share responsibility, however, for ensuring that these relationships do not interfere with good order and discipline. Commanders will ensure that personal relationships which exist between soldiers of different ranks emanating from their civilian careers will not influence training, readiness, or personnel actions.
- (3) Gambling between officers and enlisted personnel.
- d. These prohibitions are not intended to preclude normal team building associations which occur in the context of activities such as community organizations, religious activities, family gatherings, unit-based social functions, or athletic teams or events.
- e. All military personnel share the responsibility for maintaining professional relationships. However, in any relationship between soldiers of different grade or rank the senior member is generally in the best position to terminate or limit the extent of the relationship. Nevertheless, all members may be held accountable for relationships that violate this policy.
- f. Commanders should seek to prevent inappropriate or unprofessional relationships through proper training and leadership by example. Should inappropriate relationships occur, commanders have available a wide range of responses. These responses may include counseling, reprimand, order to cease, reassignment, or adverse action. Potential adverse action may include official reprimand, adverse evaluation report(s), nonjudicial punishment, separation, bar to reenlistment, promotion denial, demotion; and courts martial. Commanders must carefully consider all of the facts and circumstances in reaching a disposition that is warranted, appropriate, and fair.

4-15. Other prohibited relationships

- a. *Trainee and soldier relationships.* Any relationship between permanent party personnel and IET trainees not required by the training mission is prohibited. This prohibition applies to permanent party personnel without regard to the installation of assignment of the permanent party member or the trainee.
- b. *Recruiter and recruit relationships.* Any relationship between permanent party personnel assigned or attached to the United States Army Recruiting Command and potential prospects, applicants, members of the Delayed Entry Program (DEP), or Members of the Delayed Training Program (DTP) not required by the recruiting mission is prohibited. This prohibition applies to United States Army Recruiting Command Personnel without regard to the unit of assignment of the permanent party member and the potential prospects, applicants, DEP members, or DTP members.

4-16. Fraternalization

Violations of paragraphs 4-14b, 4-14c, and 4-15 may be punished under Article 92, UCMJ, as a violation of a lawful general regulation.

4-17. Standards of conduct

Department of the Army personnel must place loyalty to country, ethical principles, and law above private gain and other personal interests. The performance of their duties should be in keeping with the highest tradition of military and civilian service to the U.S. Government.

- a. *Guidance.* Minimum standards of conduct required of all Soldiers and Army civilians are prescribed by the Joint Ethics Regulation, DODD 5500.7-R. That regulation provides Army personnel with guidance on a multitude of ethical issues including the avoidance of conflicts of interests between their commercial/financial interest and their official duties.
- b. *Annual training.* Commanders at all levels will ensure that all Army personnel required to file either a public or confidential financial disclosure report, contracting officers, procurement officials, and others identified by an Army ethics counselor, receive annual ethics training as prescribed by DODD 5500.7-R.

4-18. Employment and volunteer work of spouse

- a. The Army affirms the rights of a spouse of a soldier to pursue and hold a job, attend school, or perform volunteer services on or off a military installation. No DA official will, directly or indirectly, impede or otherwise interfere with these rights. Moreover, no DA official will use the preferences and requirements of the Army or any other DOD component to influence the employment, educational, or volunteer service decisions of a spouse. Neither will such decision of a spouse, nor the marital status of the soldier affect, favorably or adversely, the performance evaluations, assignments, or promotion opportunities of the soldier.
 - (1) In discharging their responsibilities, members of military promotion, continuation, and similar personnel selection boards are prohibited from considering the marital status of a soldier, or the employment, educational, or volunteer service activities of a soldier's spouse. AR 135-155, AR 135-205, AR 140-158, and AR 600-8-29 provide specific policies governing board conduct.
 - (2) Personnel decisions, including those related to the assignments of soldiers, will not be affected favorably or adversely, by the employment, educational or volunteer services activities of a soldier's spouse, or solely by reason of a soldier's marital status. AR 140-10, AR 614-30, AR 614-100, AR 614-200, and AR 690-700 provide specific policies. Exceptions may be—
 - (a) Necessary to alleviate the personal hardship of a soldier or spouse upon the request of the soldier concerned, such as when a family member requires specialized medical treatment or educational provisions or similar personal preference accommodations.
 - (b) Needed to facilitate the assignment of dual-military couples to the same geographic area.
 - (c) Required by law such as instances in which a prohibited conflict of interest may exist between the official duties of a soldier and the employment of the soldier's spouse. DODD 5500.7-R, The Joint Ethics Regulation, provides specific policies.
 - (d) Made by the Assistant Secretary of Defense (Personnel and Readiness), with the concurrence of the General Counsel, on a case-by-case basis, for reasons of national security, that marital status is an essential assignment qualification for particular military billets or positions.
 - (3) Performance appraisals on soldiers, including officer and enlisted evaluations reports, will not contain any information regarding the employment, educational or volunteer service activities of the soldier's spouse, or reflect favorably or adversely on the member based solely on the soldier's marital status. AR 623-1, AR 623-105, and 623-205 provide specific policies.
- b. Violations of this policy provide a basis for disciplinary action under the UCMJ in addition to appropriate administrative sanctions.

Army Homosexual Conduct Policy

Don't Ask Don't Tell

Office of the Deputy Chief of Personnel

Summary of Current Army Policy.

On 26 July 1999, the Secretary of the Army signed Army Regulation 600-20, entitled Army Command Policy. Chapter 4-19 defines the Army's homosexual conduct policy. The policy implements section 654 of Title 10, United States Code and states that suitability to serve in the Army is based on conduct and the ability to meet required standards of duty performance and discipline. Homosexual conduct is defined as an act or a statement by a soldier that demonstrates a propensity or intent to engage in homosexual acts, the solicitation of another to engage in a homosexual act or acts, or a homosexual marriage or attempted marriage.

The challenge to all soldiers is to comply with the law that prohibits homosexual conduct while at the same time respecting the privacy and dignity of every soldier.

"DON'T ASK, DON'T TELL" POLICY

In The Army...

Treating soldiers with dignity and respect is a bedrock value for the Army. There is no room for harassment or threats in the military. The Army is determined to implement the "Don't Ask, Don't Tell" Policy with fairness to all concerned. This policy must be clearly understood and fairly enforced.

What Did the Congress Say?

In 1993, Congress made a finding that engaging in, attempting to engage in, or soliciting another to engage in homosexual acts is grounds for discharge from the military. Congress said that military service by those who have demonstrated a propensity to engage in homosexual acts creates an unacceptable risk to morale, good order and discipline, and unit cohesion. Therefore, the long-standing element of military law that prohibits homosexual conduct continues to be necessary in the unique circumstances of military service.

It was the sense of Congress that applicants should not be asked about homosexuality as part of the processing of individuals entering into the Armed Forces in the absence of a determination by the Secretary of Defense that such questions are necessary. Applicants for military service are no longer asked about their sexual orientation.

Army policy is a balance of the legal prohibition of homosexual conduct with the privacy rights of Soldiers.
What Does the Law Say?

United States Code Title 10 addresses homosexuality in the armed services. The code recognizes that one of the most critical elements in combat capability is unit cohesion. The code affirms that the armed forces must maintain personnel policies that exclude persons who would create an unacceptable risk to unit cohesion. Title 10 recognizes that military life is fundamentally different from civilian life and concludes that the presence of individuals in the armed forces who engage in homosexual acts creates an unacceptable risk to unit cohesion and standards of morale, good order and discipline.

What Does "Don't Ask" mean?

According to Department of Defense and Army policy, a person's sexual orientation is considered a personal and private matter that is not a bar to military service unless manifested by homosexual conduct. Upon entry into the Army, applicants may not be asked nor required to reveal their sexual orientation. Applicants will not be asked if they have engaged in homosexual conduct. While on active duty, soldiers will not be asked about their sexual orientation unless there is credible evidence of homosexual conduct.

What does "Don't Tell" mean?

"Don't Tell" is the opposite side of the coin from "Don't Ask". It means simply that soldiers should not disclose or discuss their sexual orientation or conduct. If a soldier admits publicly to being a homosexual, the commander will start an informal inquiry or investigation to determine if credible evidence exists to warrant separation.

The challenge to all soldiers is to comply with the law that prohibits homosexual conduct while at the same time respecting the privacy and dignity of every soldier.

Advice to Commanders
In The Army...

Treating soldiers with dignity and respect is a bedrock value for the Army. There is no room for harassment or threats in the military. The Army is determined to implement the "Don't Ask, Don't Tell" Policy with fairness to all concerned. This policy must be clearly understood and fairly enforced.

How Do Investigations Proceed?

When the commander has credible evidence of a soldier committing homosexual acts, the commander must consult with their trial counsel prior to initiating any investigation. Prior to advising the commander to initiate an investigation into alleged homosexual conduct, the Trial Counsel will involve the installation level Staff Judge Advocate. Proper coordination and thorough documentation will be necessary to proceed when administrative separation is required.

What Is **Not** Credible Evidence?

Rumors that a soldier is homosexual.

Others opinions that a soldier is homosexual.

Going to a homosexual bar, reading homosexual publications.

Associating with known homosexuals or marching in homosexual rights rally in civilian clothes
Reporting threats or accusations of being homosexual.

What Is Credible Evidence?

A statement by a reliable person that the soldier has engaged in a homosexual act, heard the soldier state that he or she was homosexual or that the soldier had married or attempted to marry a member of the same sex.

A statement by a reliable person that they had observed or discovered a soldier saying or putting in writing a statement acknowledging a homosexual act or the intent to engage in a homosexual act

What Is Considered Grounds for Investigation?

Commanders can only begin an investigation or fact-finding inquiry if credible evidence of possible homosexual conduct exists. This means that before an investigation begins, a commander must have a reasonable belief that a soldier has:

engaged in a homosexual act;
stated that he or she is a homosexual or otherwise indicate a propensity to engage in homosexual conduct; or
married or attempted to marry a person of the same sex.

In most cases, when a soldier freely admits to being a homosexual, investigations are not needed in order for a separation to occur. An admission by a soldier that he or she is a homosexual creates the rebuttable presumption that the soldier has intent to engage in homosexual acts.

The challenge to all soldiers is to comply with the law that prohibits homosexual conduct while at the same time respecting the privacy and dignity of every soldier.

HARRASSMENT

In The Army...

Treating soldiers with dignity and respect is a bedrock value for the Army. There is no room for harassment or threats in the military. The Army is determined to implement the "Don't Ask, Don't Tell" Policy with fairness to all concerned. This policy must be clearly understood and fairly enforced. Zero tolerance for Harassment.

Harassment is defined as: Derogatory, persistent threatening or annoying behavior directed toward an individual or group. Commanders are responsible for ensuring that no soldiers will be harassed on the basis of their perceived or actual sexual orientation.

Possible types of harassment

- Verbal (on or off duty).
 - Jody calls regarding homosexuals.
 - Derogatory language or references about homosexuals.
 - Graffiti in latrines, bulletin boards, etc.
 - Anonymous threats; telephonic, electronic, etc.
- What Can I do if I Am Threatened or Harassed?

A soldier who feels harassed or threatened for any reason should report the harassment or threat at once to his or her commander.

Under DoD and Army Policy, the fact that a person reports being threatened or harassed because he or she is said or is perceived to be a homosexual shall not, by itself, constitute credible information justifying the initiation of an investigation of the threatened or harassed soldier.

It is Army policy that soldiers can report threats, harassment or violence to the command, free of harm or reprisal. Commanders will take appropriate action to protect the safety of soldiers who report threats or harassment. Appropriate action should include prompt investigation of the threat or harassment itself. Threats or harassment based on a soldier's perceived or alleged homosexuality do not, by themselves, constitute credible information justifying an inquiry about possible homosexual conduct by the harassed soldier.

Who Can I Talk With in Confidentiality?

A soldier can discuss any topic regarding sexual orientation with a Legal Assistance Attorney or Chaplain because they are generally not required to disclose the contents of a privileged communication or take any actions, of which the soldier does not approve.

The challenge to all soldiers is to comply with the law that prohibits homosexual conduct while at the same time respecting the privacy and dignity of every soldier.

Get more information at the Army's Homosexual Policy Webpage with this link:

<http://www.odcsper.army.mil/directorates/hr/homopolicy/policy.asp>

4-20. Hazing

The Army has been and continues to be a values based organization where everyone is encouraged to do what is right by treating others as they should be treated - with dignity and respect. Hazing is fundamentally in opposition to our values and is prohibited.

- a. *Definition.* Hazing is defined as any conduct whereby one military member or employee, regardless of Service or rank, unnecessarily causes another military member or employee, regardless of Service or rank, to suffer or be exposed to an activity which is cruel, abusive, oppressive, or harmful.
 - (1) Hazing includes, but is not limited to any form of initiation "rite of passage" or congratulatory act that involves: physically striking another in order to inflict pain; piercing another's skin in any manner; forcing or requiring the consumption of excessive amounts of food, alcohol, drugs, or other substances; or encouraging another to engage in illegal, harmful, demeaning or dangerous acts. Soliciting or coercing another to participate in any such activity is also considered hazing. Hazing need not involve physical contact among or between military members or employees; it can be verbal or psychological in nature.
 - (2) When authorized by the chain of command and not unnecessarily cruel, abusive, oppressive, or harmful, the following activities do not constitute hazing:
 - (a) the physical and mental hardships associated with operations or operational training;
 - (b) administrative corrective measures, including verbal reprimands and a reasonable number of repetitions of authorized physical exercises;
 - (c) extra military instruction or training;
 - (d) physical training or remedial physical training;
 - (e) other similar activities.
 - (3) Whether or not such actions constitute hazing, they may be inappropriate or violate relevant civilian personnel guidance depending on the type of activities and the assigned duties of the employee involved.
- b. *Scope.* Hazing is not limited to superior-subordinate relationships. It may occur between peers or even, under certain circumstances, may involve actions directed towards senior military personnel by those junior in rank or grade to them (for example, a training instructor hazing a student who is superior in rank). Hazing has at times occurred during graduation ceremonies or similar military "rites of passage." However, it may also happen in day-to-day military settings. It is prohibited in all cases, to include off-duty or "unofficial" celebrations or unit functions. Express or implied consent to hazing is not a defense to violation of this regulation.
- c. *Command responsibilities.* Enforcement of this policy is a responsibility of commanders at all levels. Commanders will devote particular attention to graduation or advancement ceremonies as well as other occasions or settings which might put soldiers "at risk" for voluntary or involuntary hazing. These situations will be supervised properly, respectful of all participants, perpetuate the best of the traditions which the Army embraces, and leave all participants and spectators feeling proud to be a member of or associated with the U.S. Army.

- d. Command options. This paragraph is punitive with regards to soldiers. Violators of this policy may be subject to Article 92 of the UCMJ (Failure to obey a lawful general order or regulation). Other applicable UCMJ articles include Article 80 (Attempts), Article 81 (Conspiracy), Article 93 (Cruelty and maltreatment), Article 124 (Maiming), Article 128 (Assault), Article 133 (Conduct unbecoming an officer and a gentleman), and Article 134 (Drunk and disorderly conduct, and/or Soliciting another to commit an offense). Civilian employees who violate this policy may also be subject to adverse action or discipline in accordance with applicable laws and regulations. Commanders should seek the advice and counsel of their legal advisor when taking actions pursuant to this paragraph.

4-21. Informal funds

Commanders may authorize informal funds. Examples of informal funds are office coffee, cup and flower, and annual picnic funds. These funds are subject to the following guidelines.

- a. Use is limited to expenses consistent with the purpose and function of the fund.
- b. Only one individual is to be responsible for fund custody, accounting, and documentation. Annually, this individual's supervisor is advised of the fund's financial status.
- c. Operation of the fund will be consistent with Army values and DODD 5500.7-R, Joint Ethics Regulation.

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TERMINAL LEARNING OBJECTIVE

Implement the Army's Equal Opportunity (EO), and Sexual Harassment Policy.

L663/OCT03/VGT-1

ELO A ACTIVITY

Discussion areas:

- **Equal Opportunity Program goals.**
- **Define the Cdr, EOA, and EOR responsibilities.**
- **Define the EO policy.**
- **EO complaint procedures.**
- **EO unit training.**

L663/OCT03/VGT-2

COMMANDER RESPONSIBILITIES

- **Personally responsible for EO climate.**
- **Develop and Implement EO programs.**
- **Act on complaints within 72 hrs.**
- **Identify unlawful discriminatory practices.**
- **Promote EO and interpersonal harmony.**
- **Conduct EO training.**
- **Monitor and assess EO execution.**
- **Publish/post EO policy.**

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EOR RESPONSIBILITIES

- Assist Cdrs in recognizing detractors from healthy unit EO climate.
- Assist Cdr in conduct of climate assessment.
- Conduct of EO training.
- Maintain liaison with other EORs and Equal Opportunity Advisor (EOA) at higher headquarters.
- Assist Cdr in ethnic/special observances.
- Assist complainants by referring them to appropriate agency for assistance.
- Serves as resource person on EO matters.

L663OCT03/VGT-7

THE ARMY'S EQUAL OPPORTUNITY POLICY

- Provide equal opportunity and fair treatment for military personnel, family members and DA civilians, without regard to race, color, gender, religion, or national origin, and provide an environment free from unlawful discrimination and offensive behavior.

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THE ARMY'S EO POLICY (CONT)

- Applies both on and off post, during duty and non duty hours.
- Applies to working, living, and recreational environments (including both on and off- post housing).

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EO COMPLAINT PROCESS

- **Individual rights.**
 - Present a complaint to the command.
 - Communicate with the commander when submitting a complaint.
 - Receive assistance when submitting a complaint.
 - Receive training on the Army's EO complaint and appeals process.

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EO COMPLAINT PROCESS (CONT)

- **Individual responsibility.**
 - Advise the command of the specifics of sexual harassment and unlawful discrimination complaints.
 - Submit only legitimate complaints.
- **Attempt to resolve a complaint by informing the offender that the behavior must stop.**

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TYPES OF COMPLAINTS

Informal

Any complaint that a soldier or family member does not wish to file in writing.

- Resolved by individual or with help from somebody else.
- Not subject to time constraints.
- Person working on resolution should file a MFR.
- Chain of command is not the only channel available to resolve a complaint.

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ALTERNATIVE AGENCIES

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

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TYPES OF COMPLAINTS

Formal

A complaint filed by submitting a sworn statement using DA Form 7279-R (*Equal Opportunity Complaint Form*)

- Part 1: Specifies alleged concern.
- Requested Remedy block serves a variety of purposes to the complainant and the command.
- File complaint within 60 days of alleged incident.
- File complaint with the commander at the lowest echelon of command.

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COMMANDER ACTIONS

- Ensure that the complainant has been sworn to the complaint on DA Form 7279-R.
- Report formal complaints to General Courts-Martial Convening Authority (GCMCA) within 72 hours.
- Provide progress report to GCMCA within 20 days and 14 days thereafter until completed.
- Conduct investigation IAW AR 15-6.
- Implement a plan to protect all concerned. It will include meetings/discussions with:
1. Complainant 2. Perpetrator 3. Witnesses, and selected members of chain of command.

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INVESTIGATION TIME LINES

- Commander/investigation officer has 14 calendar days (3-weekend drills, RC) to conduct an investigation.
- A 30-day extension granted from the next higher command if circumstances require it.
- Additional extension approved by the first general officer in chain of command.

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APPEALS PROCESS

- Present DA Form 7279-R, Part IV, within 7 calendar days (next multiple unit training activity (MUTA 4) drill period, RC).
- Commander has 3 calendar days (one MUTA 4) drill period, RC) to refer appeal to next higher command.
- Next higher commander has 14 days (3 MUTA 4 periods, RC) to review the case and provide written feedback on the results of the appeal.
- If not resolved at Bde level, the General Courts Martial Convening Authority then has final decision authority (Decision is final).

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ELO B ACTIVITY

1. Chain of command responsibilities.
2. Sexual Harassment policy.
3. Definition.
4. Categories of sexual harassment.
5. Types of sexual harassment.
6. Techniques of dealing with sexual harassment.
7. Training.

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AUTHORIZED ACTIVITIES

- **Physical/mental hardships associated with operations or operational training.**
- **Administrative corrective measures.**
- **Extra military instruction or training.**
- **Physical training or remedial physical training.**
- **Other similar activities.**

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