



DEPARTMENT OF THE ARMY
UNITED STATES ARMY GARRISON STUTTGART
UNIT 30401
APO AE 09107-0401

IMSG-ZA

1 2 JUN 2015

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: USAG Stuttgart Command Policy Letter #2, Harassment Free Workplace

1. REFERENCES.

- a. Equal Employment Opportunity Commission (EEOC) Management Directive (MD) 715, Section 1, Element 4.
- b. EEOC's Policy Guidance on Current Issues of Sexual Harassment and Vicarious Liability.

2. APPLICABILITY. This policy applies to all personnel assigned to or under the operational control of USAG Stuttgart, former employees, and applicants for employment.

3. PURPOSE. To provide behavioral expectations and guidance to all USAG Stuttgart personnel on the Prevention of Harassment.

4. POLICY.

a. Harassment of any manner, whether unlawful or not, will not be tolerated within USAG Stuttgart. Equal Employment Opportunity (EEO) laws, EEOC's guidance, and U.S. Army's policy makes clear that harassment is misconduct when it negatively affects morale and distracts from mission accomplishment. Even if the act(s) do not rise to the level of unlawful harassment, such conduct is contrary to Army values.

b. Discriminatory (thus unlawful) harassment is defined as unwelcome conduct that is based on race, color, religion, gender, (for example, pregnancy, sex stereotyping, and transgender), national origin, age (40 or older), disability, or genetic information. Harassment becomes unlawful where 1) submission to such conduct is made a term or condition of an individual's employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Anti-discrimination laws also prohibit harassment in retaliation for filing a discrimination charge, participating in an EEO investigation, proceeding, or lawsuit, or opposing employment practices that they reasonably believe discriminate in violation of EEO laws.

IMSG-ZA

SUBJECT: USAG Stuttgart Command Policy Letter #2, Harassment Free Workplace

c. Sexual harassment is specifically defined as: unwelcome sexual advances, requests for sexual favors, or 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 employment or used as a basis for employment decisions, or (b) such conduct is either severe or pervasive enough to unreasonably interfere with an employee's work performance or creates an intimidating, hostile, or offensive environment.

d. Proactive prevention of any form of harassment is consistent with U.S. Army values and EEOC guidelines. A key ingredient to proactive prevention is our own behavior; we must set the example of model behavior. Additionally, every leader, manager, and supervisor should monitor the workplace and immediately correct all harassing behaviors. If an incident of harassing behavior is alleged or witnessed, a thorough and impartial investigation will be accomplished per EEOC's Guidance on Vicarious Liability. Remedial measures should be designed to stop the harassment, correct its effects on the employee, and ensure that the harassment does not recur.

e. Any employee who believes he/she is being harassed should inform the harasser that such behavior is unacceptable and immediately report the harassment. When incidents of harassment arise, we must work to resolve them fairly and promptly, starting at the lowest level. If possible, employees should give management an opportunity to resolve their or alternative dispute resolution. Depending on the nature of the complaint, an employee has several means for seeking assistance, including a chaplain, the equal employment opportunity (EEO) office, the human resources office, the inspector general, or the U.S. Office of Special Counsel.

f. EEO, Ant-Harassment, No Fear, and Complaints Procedure training is mandatory for employees, supervisors, and military supervisors of civilian employees.

g. A copy of this policy is to be posted on all official bulletin boards, official websites, and made available upon request.

5. PROPONENT. The USAG Stuttgart EEO Manager at DSN 430-5256, Commercial 0711-680-5256 is the proponent for this Policy.



GLENN K. DICKENSON
COL, MI
Commanding

DISTRIBUTION:

USAG Stuttgart Directors
USAG Stuttgart Office Chiefs