



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY SPACE AND MISSILE DEFENSE COMMAND/
ARMY FORCES STRATEGIC COMMAND
POST OFFICE BOX 1500
HUNTSVILLE, ALABAMA 35807-3801

SMDC-EE Policy No. 690-6

01 JUL 2014

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Anti-Harassment Policy

1. The purpose of this memorandum is to provide policy/procedures that address unlawful harassment in the workplace and to inform employees (military and civilian) of their rights and protection afforded them against illegal harassment.
2. Authority. Title VII, Civil Rights Act of 1964, as amended 1972; The Age Discrimination in Employment Act of 1967 (ADEA); Americans with Disabilities Act of 1990 (ADA); Title 29, Code of Federal Regulations, Part 1604, Section 1604.11 (a), 10 Nov 80; Notification and Federal Employees Antidiscrimination and Retaliation Act of 2002; Army Regulation 690-600 Equal Employment Opportunity Discrimination Complaints, 9 Nov 99; and Army Regulation 600-20, Army Command Policy, 20 Sep 12.
3. Applicability. This policy is applicable to all elements of the U.S. Army Space and Missile Defense Command/Army Forces Strategic Command (USASMDC/ARSTRAT).
4. Definition: **Harassment** is unwelcome conduct based on race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information. Illegal harassment includes, but not limited to the following: offensive conduct, remarks, intimidation, ridicule or mockery, pressure for sexual favors, offensive pictures or objects. Harassment becomes unlawful when:
 - a. Submission to the offensive conduct becomes a term or condition of continued employment, or
 - b. Such conduct is severe or pervasive (happened frequently) enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.
5. Sexual Harassment can take many different forms and/or occur in a variety of circumstances e.g., sexual harassment is a form of sex or gender discrimination that is unwelcome conduct of a sexual nature and exists in two forms:
 - a. The first is "quid pro quo," where a supervisor offers/provides a subordinate employee a tangible employment benefit in return for sexual favors. This can include, but not limited to hiring, promoting, training opportunities, etc. This also may occur

SMDC-EE No. Policy 690-6
SUBJECT: Anti-Harassment Policy

when a supervisor willfully denies a subordinate employee a tangible employment benefit because the employee refuses to submit to the manager's sexual advances/requests.

b. The second form of sexual harassment is the creation of a hostile work environment through conduct of a sexual nature. Such behavior is either implicitly or explicitly sexual in nature, unwelcome, and sufficiently severe or pervasive enough to create an intimidating, hostile or offensive work environment.

6. Retaliatory harassment usually occurs when an individual is harassed or punished because he/she engages in the filing of an EEO complaint, testifying, or participating in any way in an EEO investigation proceeding, reports harassment to management, or closely associates with anyone who complains about discrimination or opposing employment practices they reasonably believe discriminate against individuals, in violation of EEO laws.

7. Antidiscrimination laws prohibit harassment based on the factors listed in paragraph 4 above, including marital status or political affiliation. Harassment does not have to be of a sexual nature to be unlawful. It may take the form of, but not limited to, offensive slurs, derogatory or other verbal conduct, unwelcome comments about one's religion, physical threats or assaults. It is a violation of the high standards of conduct expected of all personnel. It is detrimental to productivity, defeats individual rights, and violates the law. Discrimination of any form will not be tolerated, to include harassment.

8. Leaders at all levels must guard against harassment and provide and maintain a work environment free of workplace harassment and other forms of discrimination. Employees who believe they have been subjective to or witness any form of harassment have a duty to promptly report the misconduct to the appropriate management official. Leaders, managers, and supervisors will ensure employees who report harassment are not subjected to reprisal for exercising their protective activity. I am committed to maintaining a professional workplace in which all Civilians and Soldiers are treated with dignity and respect.

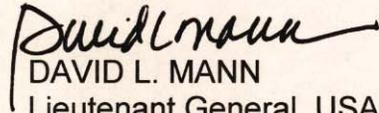
9. If you believe you have been the victim of unlawful harassment on the basis of race, color, religion, sex, national origin, age (over 40), disability, reprisal or genetic information, you must contact your servicing EEO Office (civilian) or EO Office (military) as listed in SMDC-EE Policy No. 690-2, and SMDC-EO Policy No. 600-16 and 600-21.

10. If you believe you are a victim of harassment on the basis of marital status, political affiliation, or whistleblower retaliation, you may file a complaint with the Office of Special Counsel at 1730 M Street, N.W., Suite 218, Washington, D.C. 20036-4505. In the alternative, if you are a member of the bargaining unit under a union contract, you may pursue your issue by filing a grievance through the negotiated grievance procedure.

SMDC-EE No. Policy 690-6
SUBJECT: Anti-Harassment Policy

11. This notice is posted on the SharePoint website as required reading for all assigned personnel. A copy of this notice will be posted on each official organization bulletin board for permanent retention until superseded. A copy should also be filed in each office IAW the Army Records Information Management System.

“SECURE THE HIGH GROUND”


DAVID L. MANN
Lieutenant General, USA
Commanding

DISTRIBUTION:
D