



DEPARTMENT OF THE ARMY
UNITED STATES ARMY GARRISON BAVARIA
UNIT 28130
APO AE 09114

AMIM-BAG-EO (100)

MEMORANDUM FOR All USAG Bavaria Military and Civilian Personnel and Family Members

SUBJECT: USAG Bavaria Policy Memorandum #6, Treatment of Persons

1. References:

- a. Uniform Code of Military Justice (UCMJ), United States Code, Title 10, Subtitle A, Part II, Chapter 47
- b. AR 600-20, Army Command Policy, 24 July 2020
- c. AR 690-12, Equal Employment Opportunity and Diversity, 12 December 2019.
- d. AR 690-600, Equal Employment Opportunity Discrimination Complaints, 9 February 2004
- e. Command Policy Letter 3, Military Equal Opportunity (MEO) and the MEO and Harassment Complaint Processing System, 27 September 2024

2. Respect for others is fundamental to readiness. Leaders must establish and enforce a climate in which all team members are treated with dignity and respect. Harassment in all forms, is a counter to decency and respect. Commanders and supervisors will not condone or ignore harassment or other acts of misconduct that violate the dignity and respect of others. Further, commanders and supervisors will implement measures to eliminate such behavior, prevent reprisal for reporting the same, and ensure accountability for violations of such behavior. Violations of this policy may result in disciplinary action under the UCMJ, Articles 92, 133, or 134. Full details of this policy are found in the Enclosure to this Memorandum.

3. POC for this policy is the USAG Bavaria MEO Office at 526-3115.

A handwritten signature in black ink, appearing to read "Stephen C. Flanagan".

STEPHEN C. FLANAGAN
COL, SF
Commanding

Encl

Enclosure

USAG Bavaria Policy Memorandum #6 Treatment of Persons

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2. Defining and Identifying Forms of Harassment:

a. Hazing. Hazing is a form of harassment that includes conduct by personnel who, without proper authority or a legitimate purpose but with a nexus to military service, physically or psychologically injure or create a risk of injury to someone for the purpose of initiation into, admission into, affiliation with, change in status or position within, or a condition for continued membership in a military organization. Hazing can be in person or by other means, including communication through electronic devices and via social media.

b. Bullying. Bullying is a form of harassment that includes acts of aggression by personnel, with a nexus to military service, with the intent of harming someone either physically or psychologically without proper authority or a legitimate purpose. Bullying is the exposure of an individual or group to physical and/or emotional aggression with the intent to cause distress or harm. Bullying may involve the singling out of an individual from his teammates, or unit, for ridicule. It is often indirect or subtle in nature and involves an imbalance of power.

c. Discriminatory Harassment. Discriminatory harassment is unwelcome conduct based on race, color, religion, sex (including gender identity), national origin, or sexual orientation. It occurs when someone, or a group of people, is harassed, intimidated, insulted, humiliated, or treated less favorably than another person or group because of one of the above-listed characteristics. It also includes the use of disparaging terms with respect to a person's race, color, sex (to include gender identity), national origin, or sexual orientation, which contributes to a hostile work environment.

d. Other acts of misconduct. Misconduct may or may not meet the definitions above for hazing, bullying or discriminatory harassment, yet may still violate the dignity and respect of others, thereby constituting prohibited harassment. Acts of reprisal or retaliation in response to an individual who makes or plans to make a complaint of harassment may constitute misconduct.

e. Online Misconduct. Online misconduct is the use of electronic communications to inflict harm. Electronic communications include, but are not limited

to text messages, emails, chats, instant messaging, screensavers, blogs, social media sites, electronic device applications, video chat, etc. Online misconduct can come in the form of hazing, bullying, harassment, discriminatory harassment, stalking, retaliation, or any other types of misconduct that undermine dignity and respect.

3. Reporting Complaints of Harassment.

a. Soldiers, cadets, and Family members may utilize the MEO Complaint Processing System to report complaints of harassment or other acts of misconduct that violate the dignity and respect of persons. The MEO Complaint Process System is described in detail in Command Policy Letter 2, Military Equal Opportunity (MEO) and the MEO and Harassment Complaint Processing System. Complaints from DA Civilians (to include those against Soldiers) alleging discrimination and/or harassment will be handled in accordance with the policies and procedures contained in AR 690–12 and AR 690–600, or as provided for in any applicable collective bargaining agreement. Complaints from Local National employees should be coordinated through the appropriate Works Council.

b. Commanders will immediately report allegations of potentially criminal behavior to law enforcement and consult their command legal advisor before conducting any further

inquiries or investigations. Commanders must also coordinate with their unit's MEO Advisor to ensure proper recording and tracking of allegations.

c. Those who feel uncomfortable submitting a complaint to a chain of command may submit a complaint to an MEO Advisor, Sexual Harassment/Assault Response and Prevention (SHARP) Specialist, Inspector General, Chaplain, Provost Marshal, or Staff Judge Advocate depending upon the situation and type of report.

d. Individuals making an allegation of bullying, hazing, online misconduct, discriminatory harassment, or any other act(s) of misconduct that undermine respect and dignity will be protected from all acts or threats of reprisal. Reprisal is the taking or threatening to take unfavorable personnel action, or withholding or threatening to withhold favorable personnel action, or any other act of retaliation, against someone for making or preparing to make a harassment complaint. It is each leader's responsibility to prevent retaliation and reprisal. Allegations of retaliation or reprisal will be referred to the command Inspector General for potential investigation.

