



DEPARTMENT OF THE ARMY
U.S. ARMY INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, UNITED STATES ARMY GARRISON, FORT BUCHANAN
390 DOUBLE EAGLE AVENUE, SUITE 300
FORT BUCHANAN, PUERTO RICO 00934-4614

AMIM-BCG-ZA (100)

MEMORANDUM FOR All personnel assigned or attached to United States Army Garrison (USAG) Fort Buchanan

SUBJECT: Garrison Policy 23-02, Equal Employment Opportunity (EEO)

1. References.

- a. 29 Code of Federal Regulations Part 1614
- b. AR 690-600, Equal Employment Opportunity Discrimination Complaints.
- c. AR 690-12, Equal Employment Opportunity and Diversity.

2. Applicability. This policy applies to all military and civilian personnel serviced by the U.S. Army Garrison Fort Buchanan Equal Employment Opportunity Office.

3. Purpose. This policy establishes my commitment to a Model Equal Employment Opportunity (EEO) Program and the six essential elements of the Management Directive 715. Equal Employment Opportunity is everyone's business, and is an integral part of every member of the workforce's responsibility. I am personally committed to providing a workplace environment where employees are free from discrimination and are judged solely on the basis of merit and ability. Military and Civilian supervisors and managers at all levels must ensure a workplace where every employee is valued, is treated with respect and dignity, and has an opportunity to contribute fully to the mission.

4. Discrimination. This command provides equal employment opportunity to all covered persons without regard to race, color, national origin, religion, sex, age (40+), disability, genetic information, sexual orientation, gender identity, status as a parent, and reprisal. Managers and supervisors will fully promote EEO through a continuing diversity and inclusion program. I expect each of you to base all decisions, which may affect promotion, training, awards, or duty assignments on the individual's merit, potential, and performance.

5. Anti-Harassment. Illegal discrimination, retaliation and harassment, as defined by law, will not be tolerated at USAG Fort Buchanan. Unlawful harassment includes, but is not limited to, unwelcome conduct, intimidation, ridicule, insult, offensive comments or jokes, or physical conduct based on sex, race, color, religion, national origin, age (over 40), disability, genetic information, or reprisal when such conduct alters the conditions of

the victim's employment, either by culminating in a tangible employment action or when it is sufficiently severe or pervasive to create a hostile work environment.

a. Managers and supervisors must contact the Office of the Staff Judge Advocate within one (1) business day of receiving notice of the alleged harassment.

b. Managers and supervisors must promptly investigate all harassment allegations regardless of whether the harassment rises to the level of severe or pervasive.

c. Managers and supervisors must address allegations of harassment with the employees directly involved in the incident, along with any witnesses who might have firsthand information. Further, managers and supervisors must take prompt preventive and corrective action.

6. Sexual Harassment. Sexual Harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such an individual; or

c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. Supervisors and managers, both civilian and military supervisors of Army employees, have a responsibility to maintain a workplace free of harassment.

d. Supervisors will make reasonable efforts to prevent and promptly correct harassing behavior in the workplace. When an employee makes a complaint to a management official about alleged harassment, the Army will investigate the allegation regardless of whether the harassment rises to the level of being severe or pervasive.

7. Complaint Processing. Civilian employees, applicants for employment, and contractors are encouraged to contact the EEO Office to address incidents of perceived discrimination.

a. Allegations of discrimination or sexual harassment must be brought to the attention of the EEO Office within 45 calendar days from the date of the incident, or if a personnel action, within 45 days calendar days of its effective date, or the date that the individual became aware of, or reasonably should have become aware of the discriminatory act or personnel action.

b. The complaint process is designed to resolve allegations. If an individual cannot reach a resolution, he or she may file a formal complaint within 15 calendar days from the date of receipt of the Notice of Right to File a Discrimination Complaint. I encourage all employees to seek assistance, and to cooperate with an investigating officer when addressing equal employment opportunity matters.

8. Alternative Dispute Resolution (ADR). The Army utilizes the ADR mediation method to resolve complaints. The ADR process, especially when used at the earliest stage, restores working relationships and may serve as a preventative measure against future disputes. I strongly encourage all employees to engage in ADR to resolve workplace disputes whenever feasible. Participation in ADR is voluntary for the individual initiating the EEO complaint.

9. Reprisal/Retaliation. Reprisal against employees, or customers who have filed an EEO complaint, supported others who have done so, or who have otherwise participated in the EEO process will not be tolerated. Reprisal against those who seek relief from discrimination undermines the EEO Process and discourages employees from addressing unlawful acts. I expect allegations of reprisal to be treated at all levels with the seriousness they deserve.

10. Affirmative Action (MD715). In implementing a strong affirmative employment program, I place paramount importance on attracting, recruiting, developing, and retaining qualified personnel that represent America's talent and our nation. We must work together to identify, examine, and eliminate barriers from the work environment so that qualified applicants and employees are free to compete for employment opportunities. Barriers to employment may include policies, and or practices that limit or tend to limit employment opportunities for people of a particular race, color, religion, sex, national origin, age (40+), physical/mental disability, genetic, and reprisal.

11. Reasonable Accommodation. We must seek to remove barriers and to provide individuals with disabilities the chance to enjoy EEO. This command is committed to providing reasonable accommodation to individuals with disabilities, and to ensuring EEO in hiring, advancement, training, awards, and all other employment benefits and privileges.

12. All members of this command must possess the knowledge, skills, and ability to identify factors that may contribute to discrimination. Civilian employees and military personnel who supervise civilians will complete the mandatory annual Army EEO, Anti-Harassment & No Fear Act training available through the Army Training Requirements System (ATRRS).

13. Fostering a workplace environment free from discrimination requires everyone's involvement. I strongly encourage leaders to consult with the command EEO Office for advice and guidance when making critical employment decisions. I encourage all

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civilian employees, applicants for employment, and contractors to contact the EEO Office to address perceived incidents of discrimination.

14. Pursuant to Title VII and 29 Code of Federal Regulations part 1614, this policy statement will be posted on all official bulletin boards.

15. Point of contact is the USAG, Fort Buchanan EEO Officer, 227 Street, Fort Buchanan, Puerto Rico 00934, 787-707-3336.

CHARLES N. MOULTON
COL, LG
Commanding