

*Equal Employment Opportunity Monthly Bulletin*

*"Promoting EEO, Diversity, and Education"*

July 2022



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***EEOC v. Walmart Stores East LP***

Jury awards over \$125 million in EEOC disability discrimination case against Walmart. Jury found that the retailer failed to accommodate Marlo Spaeth, a longtime employee with Down Syndrome, and then fired her in July 2015 because of her disability. The jury awarded Spaeth \$150,000 in compensatory damages and \$125,000,000 in punitive damages after deliberating for three hours following the four-day trial. This case sent a strong message to employers that disability discrimination is unacceptable in our nation's workplaces.

**Independence Day**

Independence Day is a celebration of the birth of United States of America and honors the U.S. Army's commitment to defend the nation since 1775.

This is a day to honor the Continental Congress adoption of the Declaration of Independence, which signified the forming of a sovereign and independent country without the colonial rule.

On July 4, 1776, the Second Continental Congress unanimously adopted the Declaration of Independence, announcing the colonies separation from Great Britain.

The Constitution provides the legal and governmental framework for the United States, however, the Declaration, with its eloquent assertion "all Men are created equal," is equally beloved by the American people.

Fourth of July celebrates the birth of the nation, founded on the principles of liberty and freedom. The Army exists to fight and win the nation's wars and to preserve the freedoms outlined in the Declaration of Independence.

Independence Day is an opportunity when the Army can reflect and thank Soldiers, Civilians and the Families of the Total Army for their service, bravery, and patriotism.

*Independence Day*  
JULY 4, 1776.

*When in the course of human events, it becomes and to assume among the powers of the earth, the separate and equal necessary for one people to dissolve the political bands which have connected them with another*

*Governments are instituted among Men, deriving A Prince whose character is thus marked by every act which may their just powers from the consent of the governed, define a Tyrant, is unfit to be the ruler of a free people.*

*it is their right, it is their duty, to throw off such Prudence, indeed, will dictate that Governments long established Government, and provide for their future security should not be changed for light and transient causes.*

*That these United Colonies are, and of Right ought that as Free and Independent States, they have full Power to levy War, to be Free and Independent States, that they are conclude Peace, contract Alliances, establish Commerce, and to do all Absolved from all Allegiance to the British Crown, other Acts and Things which Independent States may of right do*

*we mutually pledge our Lives, our Fortunes and our sacred Honor.*

## Benefits of Organizational Trust

Organizations with high levels of cultural trust tend to produce high quality products and services because they can recruit and retain highly motivated employees. These employees are more likely to enjoy their work, take the time to do their jobs correctly; make their own decisions; take risks; innovate; embrace the organization's vision, mission, and values; and display organizational citizenship behavior (e.g., helping a co-worker in need). As a result, leaders are free to perform other tasks. Other benefits of organizational trust are demonstrated in the types of trust.

**Basic Trust** is the ability and willingness to meet people without inordinate suspicion, the ability to talk comfortably to and deal with strangers, and the willingness to enter into relationships. Basic Trust provides the basis for one's entire personality and demeanor toward the world.

**Simple Trust** is the utter absence of suspicion: it demands no reflection, no conscious choice, no scrutiny, and no justification. It may come about because no reason has ever arisen to question the other's trustworthiness, but it may also be that the one who trusts is simply naive.

**Blind Trust** has been exposed to violation and betrayal but refuses to believe it has occurred. Blind trust denies the possibility that anything could shake or betray the trust.

**Authentic Trust** is fully self-aware, cognizant of its own conditions and limitations, open to new and even unimagined possibilities, based on choice and responsibility rather than the mechanical operations of predictability, reliance, and rigid rule following. Authentic trust is well aware of the risks and willing to confront distrust and overcome it. Authentic trust leads to productive organizational relationships. An authentic trusting relationship doesn't simply happen, nor can it be mandated or forced. Authentic relationships evolve over time, starting with small acts and progressing to full strength based on individual experiences.

Building such a relationship in the workplace is a reciprocal process with both the employee and the employer voluntarily assuming responsibility for its initiation and development through values of dignity and respect.

### EEO Using Official Time

Under 29 CFR Section 1614.605, complainants and representatives who are Army employees have the right to a reasonable amount of official time, if otherwise on duty, to prepare a complaint and to respond to Army and EEOC requests for information.

The Army is not obligated to change work schedules, incur overtime wages, or pay travel expenses in order to allow the complainant to select a specific representative or to confer with him or her.

When the Army, the investigator, or an EEOC administrative judge authorizes or requires the presence of a representative or complainant during the investigation or hearing on the complaint, the representative or complainant will be granted official time for the duration of such meeting or hearing regardless of the tour of duty, if otherwise in a pay status.

Employees must obtain "supervisory approval" in advance to use duty time to prepare a complaint.

Contact your Fort Jackson Equal Employment Opportunity office for more information.

### Impropriety

To avoid the appearance of impropriety, no activity personnel, to include the EEO officer, civilian personnel official, or any management official, shall express an opinion regarding the perceived merits of a complaint, or lack thereof, to the investigator.

The agency representative may do so in connection with the investigation. However, activity personnel may be called as a witness to assist the investigator at any time up to the receipt of the investigative file.

### Additional External Resources

*For more information click the hyperlinks.*

[History Fourth of July - Independence Day](#)

[LOC Today in History - July 4](#)

[GWTT Army History](#)

[EEOC What is the No FEAR Act?](#)

## Anti-Harassment No FEAR Training FY(22)

Go to <https://www.atrrs.army.mil>

Click on the course catalog icon and enter course title "EEO-203A" Non-supervisors or "EEO-203B" for Supervisors.

Follow the instructions to register for the training. Your application may take 24 hours to process and you will receive another email with instructions for completing the course through ALMS. This training is mandatory for all Federal civilian employees and their supervisors. The completion suspense is 30 SEP 2022.

For assistance please contact Mr. Timothy Gladders, EEO Specialist, at 803-751-5443 or [timothy.b.gladders.civ@army.mil](mailto:timothy.b.gladders.civ@army.mil)