



DEPARTMENT OF THE ARMY
INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, UNITED STATES ARMY GARRISON, REDSTONE ARSENAL
4488 MARTIN ROAD
REDSTONE ARSENAL, ALABAMA 35898-5000

08 AUG 2018

REPLY TO
ATTENTION OF

IMRE-EE

GARRISON POLICY No. 690-14

MEMORANDUM FOR: All United States Army Garrison Redstone Arsenal Directorates and Employees

SUBJECT: Equal Employment Opportunity (EEO) Policy Letter

1. **APPLICABILITY:** This policy applies to all U. S. Army Garrison (USAG) Redstone Arsenal (RSA) Appropriated and non-appropriated funded Army Civilian employees, former employees, applicants for employment and certain contractors.

2. **REFERENCES:**

- a. Title VII of the Civil Rights Act
- b. The Age Discrimination Act
- c. The Equal Pay Act
- d. 29 U.S.C. 791 The Rehabilitation Act and Americans with Disabilities Act of 2008, Titles I and V, as amended
- e. AR 690-12, Equal Employment Opportunity and Affirmative Action, 22 December 2016
- f. AR 690-600, Equal Employment Opportunity Discrimination Complaints, 9 February 2004
- g. EEO Management Directive 110 (MD-110), 5 August 2015
- h. EEO Management Directive 715 (MD-715), 1 October 2003

3. Equality of employment opportunities is vital to attracting, developing and retaining a top-quality workforce in order to accomplish the strategic mission of USAG RSA. This policy directs that equal opportunities in employment are demonstrated from leadership at all levels. The USAG RSA is committed to ensure equal opportunity in employment for Army Civilian employees, former employees, applicants for employment, and certain contractor employees. I will hold Leaders, managers, and supervisors accountable for demonstrating sound management practices and ensuring no one (internal or external) is denied employment, training, awards and promotional opportunities because of discrimination based on race, color, religion, sex (to include pregnancy, gender identity, and sexual orientation), national origin, age (over 40), disability (physical or mental), genetic information (GINA), or reprisal for participating in or opposing discriminatory acts. Leaders will ensure that when harassment (sexual and non-sexual) is reported, Leaders immediately address the allegation in accordance with applicable laws, regulations and policies. Leaders also must ensure the employee who reported the harassment or discriminatory behavior is not subjected to reprisal for their protected

activity. Any Army Civilian employee, former employee, applicant for employment, and certain contractor employees who believes that he or she has been subjected to unlawful discrimination based on the protected categories should report the matter to his or her servicing Equal Employment Opportunity office within 45 calendar days of the incident.

4. **Harassment** is unwelcome conduct that is based on race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), disability or genetic information. Harassment becomes unlawful where:

a. the enduring offensive conduct becomes a condition of continued employment, or;

b. the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

5. **Sexual Harassment** is unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment where:

a. An employee's acceptance or rejection of such conduct explicitly or implicitly forms the basis for an employment decision affecting the employee; or

b. The conduct is sufficiently severe or pervasive as to alter the terms, conditions, or privileges of the employee's employment, or otherwise create an abusive work environment.

Engaging in workplace harassment and discriminatory behavior is prohibited behavior and found offenders will be subject to disciplinary action regardless of whether your employment status is Civilian, Military, or Contractor. Leaders will act promptly to investigate and resolve reports of harassment in a swift, fair and effective manner; protecting the confidentiality of the employee making the report and witnesses to the greatest extent possible. If the results of the investigation proves the harassment (sexual or non-sexual) occurred, the Leader will take appropriate corrective disciplinary action. Disciplinary action can be taken against a leader who does not carry out their responsibilities under this policy. The harasser can be the victim's supervisor, a supervisor in another area, a co-worker, or someone who is not an employee of the employer, such as a client or customer.

5. **Reasonable Accommodation:** The Rehabilitation Act requires that agencies make reasonable accommodations to the known and documented physical or mental limitations of an applicant or qualified employee with a disability unless the agency can demonstrate that the accommodations would impose an undue hardship. This statute

broadly interprets the definition of a disability as any impairment that affects a major life activity to include major bodily functions. I encourage leaders to process requests for accommodations to qualified employees in order to provide the appropriate accommodation in a prompt, fair and efficient manner. Federal Civilian Employees and applicants for employment have the right to request an accommodation for under Section 501 of the Rehabilitation Act.

6. **Alternative Dispute Resolution (ADR).** ADR offers disputing parties an opportunity to openly express their positions and interests in resolving disputes in a mutually satisfactory fashion. The preferred method of ADR within Department of the Army is facilitated mediation with a qualified ADR neutral. Mediation participation is voluntary for both the aggrieved and the commander's designee. The commander's designee will determine which management official will participate in the mediation. The management official selected will be one who is authorized to engage in resolution discussions and execute a negotiated settlement agreement (NSA).

7. Successful mission accomplishment is dependent upon an environment where diversity is honored, policies and procedures are transparent, inclusion is practiced, and all team members are treated with dignity and respect. Our continuing efforts will maintain Redstone Arsenal's posture as a model EEO program.

8. This policy supersedes all previous USAG RSA EEO Policies.



KELSEY A. SMITH
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Commanding