



DEPARTMENT OF THE ARMY
UNITED STATES ARMY MANEUVER SUPPORT CENTER OF EXCELLENCE
14000 MSCOE LOOP, SUITE 316
FORT LEONARD WOOD, MO 65473-8300

19 MAY 2023

AMIM-LDG-EE (690-12b2)

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Command Policy 4, Equal Employment Opportunity, Anti-Harassment, and Retaliation

1. REFERENCES.

- a. AR 690-12 (Equal Employment Opportunity and Diversity).
- b. AR 690-600 (Equal Employment Opportunity Discrimination Complaints).
- c. Notification and Federal Employment Anti-discrimination and Retaliation Act of 2002 (No FEAR).
- d. EEO Management Directive 110 (MD-110), 5 Aug 2015.
- e. EEO Management Directive 715 (MD-715), 29 March 1983.
- f. Memorandum, OASA (M&RA), 10 November 2004, Subject: Retaliation for Engaging in Protected Equal Employment Opportunity (EEO) Activity
- g. Federal Sector Equal Employment Opportunity, 29 CFR 614 *et seq*

2. GENERAL.

- a. This policy establishes Equal Employment Opportunity (EEO) guidance, standards, and procedures for the anti-harassment (sexual and non-sexual) policy, and to comply with Title VII of the Civil Rights Act, the Age Discrimination in Employment Act (ADEA), the Equal Pay Act, and the Rehabilitation Act.
- b. This policy applies to:
 - (1) All personnel assigned to Maneuver Support Center of Excellence (MSCoE) to include tenant units.
 - (2) Former employees covered under AR 690-600.

3. POLICY AND PROCEDURES.

a. Diversity in today's Army is reflective of the changing Nation we serve. I am engaged in and committed to the concepts, policies, and objectives of the Army's Equal Opportunity in Employment Program. My objective is to maintain Fort Leonard Wood as a model employer of choice. A workplace free from discrimination and harassment is vital to developing and maintaining a mission-ready workforce. Employees are protected by federal laws, Presidential Executive Orders, and other laws designed to protect federal employees from discrimination on the basis of race, religion, color, sex (including gender identity and sexual orientation), national origin, age, disability, family medical history or genetic information, and other non-merit based factors. It is also imperative that all leaders create an environment that enables our Civilian workforce to file an EEO complaint without fear of reprisal.

b. Managers and supervisors are reminded of their responsibility to prevent, document, and promptly correct harassing conduct in the workplace. I expect all leaders, managers, and supervisors to share a commitment to sound management practices and EEO principles. We must eliminate all barriers to equal opportunities in employment for employees, applicants for employment, and former employees. Leaders must ensure that employees receive the opportunity to obtain and maintain core competencies and to develop to their full potential. I expect that our recruitment and selection processes support the full consideration of talented individuals. All personnel actions must be based upon merit factors, without bias or prejudice.

4. ANTI-HARRASSMENT.

For the purpose of this policy, unlawful harassment is defined as any unwelcome verbal intimidation, ridicule, insult, comments, or physical conduct based on race, color, religion, sex, (whether or not of a sexual nature), national origin, age, disability, sexual orientation, genetics, or retaliation when –

a. The supervisor makes a decision based on the employee's acceptance or rejection of such conduct explicitly or implicitly; 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.

5. NOTIFICATION.

a. An individual who perceives that he or she is a victim of discrimination, believes he or she has been subjected to, or observes someone subjected to, unlawful harassment in violation of this policy, is to report the matter to an appropriate

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management official which includes: anyone within their supervisory chain of command, Manager, Staff Judge Advocate (SJA), Chaplain, or the Equal Employment Opportunity (EEO) office. Commanders and management officials who receive reports will ensure that employees who report harassing or discriminatory behavior are not subjected to reprisal for their protected activity. Contact with an EEO official must be within 45 calendar days of the incident. Allegations of discrimination will receive immediate attention and will be processed in accordance with AR 690-600.

b. An individual who believes that he or she has been subjected to unlawful discrimination based on non-merit factors (such as marital/parental status or political affiliation) may file a complaint with the Office of Special Counsel and/or use the appropriate grievance procedures.

6. RETALIATION.

a. The Equal Employment Opportunity Commission's (EEOC's) rules and regulations clearly state that no person(s) will be subjected to retaliation for participating in any stage of the administrative or judicial proceeding under Title VII of the Civil Rights Act, the ADEA, the Equal Pay Act, or the Rehabilitation Act.

b. The right to participate in the administrative EEO complaint process as a complainant, counselor, or witness is protected. Leaders may not fire, demote, harass, or otherwise "retaliate" against a current or former employee or applicant for making a complaint, participation in a discrimination proceeding, or otherwise opposing discrimination. It is imperative that supervisors ensure that their actions are not improperly motivated.

c. Retaliation against those who seek relief from discrimination, if permitted, would diminish the willingness of employees to speak out or participate in proceedings established to eliminate the unlawful conduct.

d. Compliance with policy against retaliation of any kind ensures a workplace that does not discourage employees from exercising their rights.

e. EEO, SJA, and/or Civilian Personnel Advisory Center (CPAC) advisors can provide advice and assistance in this area. We must ensure that our employees view our commitment to equal opportunity in employment as a matter of personal integrity and accountability.

7. Successful mission accomplishment is dependent upon an environment where diversity of thought 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 MSCoE's posture as a model employer.

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8. A copy of this policy is to be posted on all official bulletin boards, official websites, and made available upon request.

9. SUPERSESSION. This policy supersedes memorandum, HQ MSCoE, ATZT-CG, 26 June 2020, subject as above, and is effective until superseded or revoked.

10. PROPONENT. The proponent of this command policy is the Equal Employment Opportunity Office, (573) 596-0602.



CHRISTOPHER G. BECK
Major General, USA
Commanding

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