



DEPARTMENTS OF THE ARMY AND AIR FORCE
JOINT FORCE HEADQUARTERS WISCONSIN
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NGWI-JCS-EO

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MEMORANDUM FOR The Department of Military Affairs

SUBJECT: Anti-Harassment, Equal Opportunity (EO), Equal Employment Opportunity (EEO) Statement
– TAG Policy Memorandum 26

1. References:

- a. Title 29 Code of Federal Regulation Part 1614
- b. DoDI 1020.03 (Harassment Prevention and Response in the Armed Forces)
- c. CNGBI 9601.01 (National Guard Discrimination and Complaint Program), 27 September 2015
- d. NGR 600-21 (Equal Opportunity Program in the Army National Guard), 22 May 2017

2. Applicability: This policy applies to all Servicemembers and Civilian employees (Title 32 and Title 5) of the Wisconsin National Guard (WING). This policy does not apply to Servicemembers in a Title 10 status or state employees.

3. The Wisconsin Department of Military Affairs (DMA) is committed to ensuring equal treatment in the workplace. We will not practice, condone, or tolerate any form of discrimination in employment practices. Discrimination and harassment are incompatible with our core values; they degrade mission readiness, unit cohesion, and morale. Commanders, leaders, managers, and supervisors will take all necessary steps to prevent discrimination and harassment. This includes providing immediate necessary protections, informing employees and Servicemembers of their rights, and how to request resolution of discrimination and harassment complaints. If commanders, leaders, managers, and supervisors become aware of discrimination and/or harassment, they will immediately contact the State Equal Employment Manager (SEEM) for assistance.

a. Discrimination is defined as unfair or unequal treatment of an individual or group on the basis of a protected category.

b. Harassment is defined as any unwelcomed verbal or physical conduct based on race, color, religion, sex (whether or not of a sexual nature), national origin, age, disability, genetic information, or retaliation that is so objectively offensive as to alter the conditions of the victim's employment. An alteration to an employee's working conditions exists if: a tangible, discrete employment action is taken, or the agency's actions were sufficiently severe and/or pervasive to create a hostile work environment.

4. Military EO Complaint Process: Wisconsin DMA Servicemembers are protected from discrimination and/or harassment on the basis of race, color, religion, sex, national origin, sexual harassment, bullying and hazing, and retaliation for perceived or actual EO assistance or participating in the complaint process. Servicemembers who believe they have been discriminated against or a victim of harassing/bullying

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behavior should contact their Equal Opportunity Advisor (EOA) within 180 days of the discriminatory or harassing incident (or becoming aware of the incident). Servicemembers may also contact the State Equal Employment Manager (SEEM) at Joint Forces Headquarters for assistance.

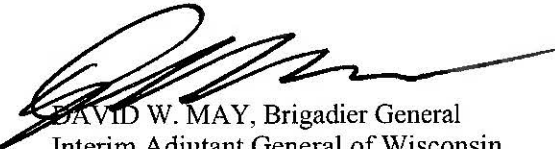
5. EEO Complaint Process: Title 32 dual-status technicians during their technician status, Title 5 employees, and applicants for employment are protected from discrimination and/or harassment on the basis of race, color, religion, sex, national origin, age (over 40), disability (physical or mental), genetic information, sexual harassment, or retaliation for perceived or actual EEO assistance or participating in the complaint process. Employees who believe they have been discriminated against should contact an EEO counselor or the SEEM within 45 days of the discriminatory or harassing incident (or becoming aware of the incident) to file a complaint. Incidents that do not result in a formal EEO complaint may be referred to the Anti-Harassment Coordinator for resolution. The Anti-Harassment Coordinator is an additional resource to address harassment in the workplace.

6. Sexual Harassment: Sexual harassment is a particularly grievous form of harassment and has additional investigation requirements. Sexual Harassment is defined as any unwelcome conduct that is based on sex, including unwelcome advances for sex, requests for favors involving sex or other conduct of a similar nature, particularly when submission to such conduct is made directly or indirectly as a term or condition of employment or when submission to or rejection of such conduct is used as a basis for employment decisions affecting the person. The conduct must be severe or pervasive enough to significantly alter the conditions of the complainant's employment and create an abusive working environment. All sexual harassment complaints will be referred to the SEEM who will coordinate with Air and Army leadership for investigation from a separate MSC/Wing or directorate. If an individual reports sexual harassment allegations to another office such as the Inspector General or the Sexual Assault Response Program office, they will be provided contact information for an EOA or the SEEM.

7. Anti-Harassment Process: Title 32 military technicians and Title 5 employees who wish to file an anti-harassment claim should reach out to either their supervisory chain, the WING Anti-Harassment Coordinator at (608) 242-3703, or by using a WING Anti-Harassment Intake Form. To the extent possible, the confidentiality of an individual bringing harassment claims will be protected. Within 30 calendars days of receiving a complaint, the WING will conduct a prompt, thorough, and impartial investigation of the claim and will take immediate and appropriate corrective action if the claim is substantiated. Employees who make claims of harassment or provide information related to such claims are protected against retaliation.

8. Federal employees and military members should direct questions or concerns regarding this policy to the SEEM at (608) 242-3702. DMA state employees, or Soldiers and Airmen on state active duty, should direct questions to the DMA State Human Resources Officer at (608) 242-3163.

9. The point of contact for this policy is the SEEM at (608) 242-3702.



DAVID W. MAY, Brigadier General
Interim Adjutant General of Wisconsin