



DEPARTMENT OF THE ARMY
U.S. ARMY INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, UNITED STATES ARMY GARRISON, FORT BUCHANAN
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FORT BUCHANAN, PUERTO RICO 00934-4614

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**MEMORANDUM FOR ALL PERSONNEL ASSIGNED TO OR UNDER THE
OPERATIONAL CONTROL OF THE UNITED STATES ARMY GARRISON (USAG)
FORT BUCHANAN**

**SUBJECT: Command Policy No. 13, Prevention and Elimination of Unlawful
Harassment in the Workplace**

1. References.

- a. AR 690-12, Equal Employment Opportunity and Diversity, 12 December 2019.
- b. AR 690-600, Equal Employment Opportunity Discrimination Complaints, 9 February 2004.
- c. AR 690-12, Equal Employment Opportunity and Diversity (Appendix D), Army Anti-Harassment Implementation Procedures, 12 December 2019.

2. Purpose. To establish the Commander's Policy on elimination of unlawful Workplace harassment.

3. Applicability. This policy applies to all applicants for employment, employed civilians, former employed civilians, and contractor personnel serviced by the Fort Buchanan Equal Employment Opportunity Office (EEO).

4. Policy. This command will provide a workplace free from unlawful harassment for all employees and applicants for employment regardless of race, color, national origin, age (over 40), religion, disability, genetic information, sex (including pregnancy, sexual orientation, gender identity). The Department of Army has a longstanding zero tolerance policy of harassment and has established results-oriented actions to prevent unlawful harassment from occurring and to address such conduct that does occur before it becomes severe or pervasive. This policy applies to all applicants and employees and prohibits harassment, discrimination and retaliation whether engaged in by fellow employees, supervisors, managers, or someone not directly employed by Fort Buchanan (e.g., an outside vendor, contractor, or customer).

5. Definition. Unlawful harassment is defined as unwelcome, offensive, or intimidating conduct such as ridicule, abuse, insults, and derogatory comments, that are directly or indirectly based on a person's race, color, religion, age (over 40), sex (to include sexual

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harassment, pregnancy, sexual orientation, gender identity), national origin, disability, or genetic information when:

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

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

c. Such conduct interferes with an individual's work performance creating an intimidating, hostile or offensive environment.

d. Harassment violates acceptable standards of conduct required of all personnel, reduces mission effectiveness, and wastes valuable resources. Any supervisor or manager who exhibits or condones harassing behavior to control, influence or affect the career, pay, or job of another employee is engaging in unlawful harassment. Additionally, individuals who make deliberate or repeated unwelcome verbal or physical contact of a sexual nature are engaging in sexual harassment and are subject to the full range of disciplinary actions.

6. Procedures.

a. Employees should immediately report any harassment that they experience or observe to an appropriate management official in or outside their chain of command to include the EEO Office. Early reporting and intervention have proven to be the most effective methods of resolving actual or perceived incidents of harassment. Employees must take reasonable steps to avoid harm from unlawful harassment. It is their responsibility to use the EEO Complaint process or their chain of command to report harassing behavior. Individuals who report harassment are protected from retaliation or reprisal. Leaders at all levels are responsible for ensuring compliance with this mandate.

b. Supervisors (both military or civilian) will conduct an inquiry into the employee's allegation regardless of whether the harassment rises to the level of being severe or pervasive. Additionally, supervisors who receive notice of an allegation or witnesses harassing conduct will contact SJA within one business day for guidance on the appropriate type of inquiry and response necessary to address and resolve the matters.

c. Reporting allegations of harassment in accordance with these procedures (Appendix D) does not replace the guidelines for filing EEO Complaints, union grievances or complaints in other forums nor does it delay or waive the time limits for initiating claims in these forums.

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7. The proponent for this policy is the Fort Buchanan EEO Office, 787-707-3240 or usarmy.buchanan.usag.mbx.eeo@mail.mil.

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COL, LG
Commanding