



DEPARTMENT OF THE ARMY
HEADQUARTERS, III CORPS AND FORT HOOD
1001 761ST TANK BATTALION AVENUE
FORT HOOD, TEXAS 76544-5000

REPLY TO
ATTENTION OF

COMMAND POLICY
EO-02

AFZF-CG-EO

MAY 25 2010

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Prevention of Sexual Harassment (POSH)

1. REFERENCE. AR 600-20, Chapter 7, Army Command Policy, 18 March 2008/RAR 27 April 2010.

2. APPLICABILITY. This policy applies to all III Corps and Fort Hood units, tenant activities and Partners in Excellence organizations/activities, regardless of location, as well as their Family Members, civilian employees, and contract personnel.

3. PURPOSE. To provide information regarding the commitment to the POSH environment.

4. POLICY.

a. Sexual harassment is unacceptable conduct and will not be tolerated. Sexual harassment destroys teamwork and negatively affects combat readiness. Army leadership at all levels will be committed to creating and maintaining an environment conducive to maximum productivity and respect. The prevention of sexual harassment is the responsibility of every Soldier and DoD/DA civilian.

b. Sexual harassment is a form of gender discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature between the same or opposite genders when:

(1) Submission to, or rejection of, such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, career, or

(2) Submission to, or rejection of, such conduct by a person is used as a basis for career or employment decisions affecting that person, or

(3) Such conduct has the purpose or effect of unreasonable interference with an individual's work performance or creates an intimidating, hostile or offensive working environment.

c. Any person in supervisory or command positions who uses or condones implicit

AFZF-CG-EO

SUBJECT: Prevention of Sexual Harassment (POSH)

or explicit sexual behavior to control, influence, or affect the career, pay, or job of a Soldier or civilian employee is engaging in sexual harassment. Similarly, any Soldier or civilian employee who makes deliberate or repeated unwelcome verbal comments, gestures, or physical contact of a sexual nature is engaging in sexual harassment.

d. This policy:

(1) Applies both on and off the installation, during duty and non-duty hours.

(2) Applies to working, living, and recreational environments (including on and off-post housing).

e. Rating and reviewing officials shall evaluate each member's commitment to elimination of unlawful discrimination and/or sexual harassment and document significant deviations from the commitment in evaluation reports. Substantiated EO complaints as a result of AR 15-6 investigation requires a "Does not support EO" on the NCOER or the OER. This documentation includes administering appropriate administrative, disciplinary, or legal action(s) to correct inappropriate behavior.

f. Do not confuse sexual harassment with sexual misconduct/assault. Sexual misconduct is the act of imposing consensual or non-consensual sexual desires upon another. Consensual sexual misconduct may include unprofessional relationships, fraternization, and adultery. Non-consensual sexual misconduct includes the crimes of rape, forcible sodomy, indecent assault, and indecent language. Sexual misconduct is a completely separate issue involving criminal behavior, while sexual harassment, although violating Army standards and regulations, is not always criminal in nature.

5. PROCEDURES.

a. The elimination of sexual harassment within a unit begins with a policy of aggressive and progressive training to identify and prevent inappropriate behavior. All Soldiers and DoD/DA civilians will conduct mandatory unit prevention of sexual harassment (POSH) training twice a year as a minimum. This training will be conducted in the Consideration of Others (CO2) format.

b. Commanders will document this training on the unit's training schedule. In their training documentation, commanders must include type of training, instructor, date, time and length of training, roster of attendees and issues covered in the training.

c. Commanders (at all levels) will brief this training in their Mission Readiness Briefs (MRB).

AFZF-CG-EO

SUBJECT: Prevention of Sexual Harassment (POSH)

d. Soldiers, Family Members and DoD/DA civilians have the right to present a complaint to the commander without fear of intimidation, reprisal, or harassment. Individuals are responsible for advising the command of the specifics of the complaint and providing the command an opportunity to take appropriate action to rectify/resolve the issue. Equal Opportunity Advisors (EOAs) will be involved in all formal and informal EO complaints.

e. All Soldiers and civilians have a responsibility to help resolve acts of sexual harassment. Examples of how to accomplish this follow:

(1) Direct approach. Confront the harasser and tell him/her that the behavior is not appreciated, not welcomed and that it must stop. Stay focused on the behavior and its impact. Use common courtesy. Compose your thoughts in advance.

(2) Indirect approach. Send a letter to the harasser stating the facts, personal feelings about the inappropriate behavior and expected resolution.

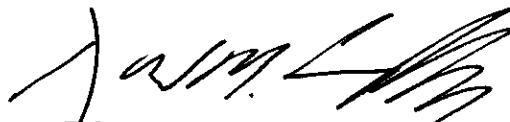
(3) Third party. Request assistance from another person. Ask someone else to talk to the harasser, to accompany the victim, or to intervene on behalf of the victim.

(4) Chain of command. Report the behavior to immediate supervisor or others in the chain of command and ask for assistance in resolving the situation.

(5) File a formal complaint. See your unit's EOA and seek their assistance in filing a formal EO complaint.

6. PROPONENT. The proponent for this policy letter is the III Corps Equal Opportunity Office at (254) 287-6242.

7. EXPIRATION. This Command Policy Memorandum supersedes the 02 November 2009 policy and will remain in effect until superseded or rescinded.



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Commanding