



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
HEADQUARTERS, U.S. ARMY GARRISON VICENZA
UNIT 31401, BOX 41
APO AE 09630

IMVI-EE

30 DEC 2011

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Equal Employment Opportunity (EEO) and Anti-Retaliation Command Policy Letter #10-12

1. REFERENCES:

- a. Code of Federal Regulations, Title 29, part 1614, Federal Sector Equal Employment Opportunity, sections 1614.101(a) and 1614.105.
- b. AR 690-12, Equal Employment Opportunity and Affirmative Action, 4 March 1988, (http://www.army.mil/usapa/epubs/pdf/r690_12.pdf).
- c. Equal Employment Opportunity Commission Management Directive 715, (<http://www.eeoc.gov/federal/directives/md715.cfm>).
- d. Installation Management Command-Europe, Equal Employment Opportunity in Europe, 17 September 2010.
- e. Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002. (http://www.opm.gov/about_opm/nofear/notice.asp).

2. **APPLICABILITY.** This policy applies to all organizations and units assigned to the U.S. Army Africa (USARAF), U.S. Army Garrison Vicenza, tenant units employing appropriated and non appropriated U.S. Civilians, applicants for employment and former employees of USAG Vicenza. This policy memorandum supersedes and combines U.S. Army Garrison Vicenza Policy Memorandums 10-06 (Policy on Equal Employment Opportunity (EEO)) and 10-09, (Policy Against Retaliation for Engaging in Protected Equal Employment Opportunity (EEO) Activity), dated 27 May 2010.

3. As the Commander of United States Army Garrison (USAG) Vicenza, I am personally committed to ensure that all Soldiers, Civilians, Local National employees and Family Members

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live and work in an environment free of sexual harassment, unlawful discrimination and/or retaliation. Any form of discrimination, unlawful harassment or reprisal is prohibited. Leaders and employees will display the highest degree of professional conduct and promote an environment of infinite dignity, respect, equality and fair treatment. Discrimination, unlawful harassment and reprisal, whether real or perceived, affect employee morale and have a negative impact on mission readiness.

4. I endorse the principles of equal employment opportunity (EEO) and expect all personnel actions and employment decisions to be based solely on merit-factors. Leaders who manage and supervise U.S. Civilian employees will integrate these principles into all personnel management functions, such as recruiting, selecting, hiring, training, developing, promoting, reassigning, evaluating, awarding, counseling, disciplining or separating employees. Decisions founded on prohibited personnel practices, preferential treatment, bias, prejudice or retaliation will not be condoned in this Command. Adverse treatment of employees for reporting incidents of discrimination, unlawful harassment or providing information regarding complaints of this nature will result in severe disciplinary actions. Compliance with anti-discrimination and retaliation statutes permits individuals to freely question suspected discriminatory behavior. Retaliation against those who seek relief from discrimination, if permitted to go unaddressed, diminishes the willingness of employees to speak out or participate in proceedings established to eliminate unlawful conduct.

5. According to reference 1e, all U.S. Civilian employees, applicants for employment, and former employees have the right to file complaints of discrimination or unlawful harassment based on race, color, gender, religion, national origin, genetic information, age (40 years and older), physical or mental disability, or reprisal for their participation in EEO activities or opposition to any practice made unlawful under Title VII of the Civil Rights Act (1964), Age Discrimination in Employment Act (1967), Equal Pay Act (1963) or the Rehabilitation Act (1973). Personnel claiming discrimination based on sexual orientation may seek redress from the Merit Systems Protection Board, the Office of Special Counsel, or the administrative grievance procedure.

6. Aggrieved persons must contact an EEO counselor or official within the installation EEO office and initiate pre-complaint procedures within 45 calendar days of:

- a. The action or practice alleged to be discriminatory;
- b. The effective date of the personnel action alleged to be discriminatory;
- c. The time the aggrieved person became aware of the alleged discriminatory action or practice.

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7. In some circumstances, aggrieved persons may be able to choose Alternative Dispute Resolution (ADR). When ADR is deemed appropriate, managers will be expected to participate in any mediation process scheduled. Everyone will respect the right of employees to pursue their complaints without fear of reprisal. Managers and supervisors are expected to cooperate and consult with the installation EEO officials when issues and/or complaints arise.

8. The prevention and eradication of discriminatory practices and unlawful harassment begins with an aggressive policy of progressive training. Managers and supervisors will ensure all employees receive the following EEO training biennially:

- a. Notification of Federal Employee Anti-Discriminatory and Retaliatory (No FEAR) Act (All employees)
- b. Alternative Dispute Resolution (ADR) (Supervisory Personnel Only)
- c. Reasonable Accommodation Procedures (Supervisory Personnel Only)
- d. Basic EEO for Managers and Supervisors (Supervisory Personnel only)

9. Leaders will incorporate EEO training into the overall organizational training plans, train 100% of their workforce (IAW paragraph 8 above) and maintain attendance records of such training. Directorates will provide training updates to the EEO office when requested. The installation EEO office is available to assist leaders in meeting their biennial EEO training requirements.

10. From time to time, different training topics will be of Command, IMCOM or Army-wide importance and require special emphasis. These training topics will be announced and coordinated by the installation EEO office annually.

11. Managers and supervisors will be active participants in the establishment of a Model EEO Program. All directorates will complete the Management Directive (MD) 715 *Supervisory Checklist* and identify proactive steps taken to eliminate organizational EEO barriers. This checklist will be completed annually and forwarded to the EEO office NLT 30 September. The checklist is available at, <http://www.usag.vicenza.army.mil/sites/local/eoo.asp>. Managers and supervisors should seek the advice of the EEO office in completing this requirement.

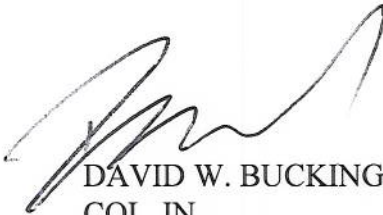
12. Leaders will issue this policy memorandum to all newly appointed employees and supervisors. Managers and supervisors will ensure all personnel under their control acknowledge understanding of this policy annually and maintain records of such acknowledgement.

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A copy of this command policy memorandum will be posted in all unit/activity bulletin boards.

13. POC for this action is Ramon Ayala at DSN 314-634-7084.



DAVID W. BUCKINGHAM
COL, IN
Commanding

DISTRIBUTION:

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