



DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NORFOLK DISTRICT
FORT NORFOLK
803 FRONT STREET
NORFOLK VA 23510-1011

CENAO-EX

1 July 2022

COMMANDER'S POLICY MEMORANDUM NUMBER – EEO-03

SUBJECT: Anti-Harassment Policy in the Workplace

1. References:

a. Secretary of the Army Memorandum, Army Anti-Harassment Policy for the Workplace, 27 April 2011

b. Army Regulation (AR) 690-12, Equal Employment Opportunity and Diversity, 22 December 2016

c. AR 690-600, Equal Employment Opportunity Discrimination Complaints, 9 February 2004

2. The Norfolk District is strongly committed to promoting and maintaining an environment free of all forms of harassment. This district will be free of all harassment based on race, color, religion, national origin, age, disability, reprisal, protected activity such as opposition to prohibited discrimination or participation in the statutory complaint process, and sex (with or without sexual conduct) to include gender identify, sexual orientation, and pregnancy. Every employee has the responsibility to maximize organizational effectiveness by treating others with respect, dignity, courtesy regardless of differences amongst us.

3. Supervisors and managers of both civilian and military Army personnel, have a responsibility to maintain a workplace free of harassment. Supervisors will make reasonable efforts to prevent and promptly investigate every reported incident of harassment thoroughly, regardless of whether the harassment rises to the level of severe or pervasive and take appropriate corrective action. All employees have the right to work in a harassment-free work environment and the right to address issues that impact their environment without fear of retaliation.

4. Definition of Unlawful Harassment.

a. Workplace harassment based on race, religion, color, sex, sexual orientation, gender identity, national origin, age, disability, genetic information, reprisal, or other impermissible basis is not acceptable. Harassment includes, but is not limited to, any offensive conduct such as slurs, jokes or other verbal, nonverbal or physical conduct

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that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, offensive, or hostile environment. Even if a single utterance, joke, or act does not rise to the level of actionable harassment under the law, such conduct is contrary to Army values.

b. Sexual harassment includes unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature when:

(1) a submission to such conduct is made, either explicitly or implicitly, a term or condition of a person's job, pay, or 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 interfering with an individual's work performance or creates an intimidating, hostile, or offensive work environment.

c. Harassment can occur in a variety of circumstances, including, but not limited to, the following:

(1) The harasser can be the employee's supervisor, a supervisor in another area, a co-worker, contractor, or customer

(2) The employee does not have to be the person harassed, but can be anyone affected by the offensive conduct

5. Examples of Harassment:

a. Verbal conduct that could include racial or sexual epithets, foul language, unwanted sexual flirtations, ethnic jokes, and derogatory statements or slurs

b. Physical conduct that includes improper touching or sexual assault

c. Visual harassment that could include racially or sexually explicit or derogatory posters, cartoons or drawings, obscene gestures, or items such as a noose.

6. Procedures for Reporting:

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a. An employee who believes another person has subjected them to unwelcome harassing conduct should inform the person(s) responsible for the conduct that it is unwelcome and offensive and request that it cease.

b. If the conduct continues or if the employee is uncomfortable confronting the responsible person(s) about the conduct, he or she should immediately report the matter to his or her immediate supervisor, the supervisor of the harasser, or any other management official in the chain of command. The employee may also report the matter to other officials, Inspector General, Equal Employment Opportunity (EEO), Civilian Personnel Advisory Center, Labor and Management Employee Relations, and union officials.

c. Supervisors must ensure a prompt, thorough, impartial, and appropriate inquiry is conducted.

d. Supervisors will take immediate and appropriate corrective action when it determines that harassment occurred.

e. Contractors should contact their company HR Department for information and support.

7. Reporting harassment in accordance with the procedures outlined in this policy and AR 600-12, Appendix D does not replace or satisfy the requirements for filing EEO complaints. Employees must file an EEO Complaint within 45 calendar days of the alleged incident or when the employee knew or should have known of the discriminatory or harassing conduct.

8. The point of contact for this memorandum is the EEO Officer, Anna Myers, at (757) 201-7054 or anna.h.myers@usace.army.mil.

BRIAN P. HALLBERG, PMP
COL, EN
Commanding