



DEPARTMENT OF THE ARMY
WATERVLIET ARSENAL
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WATERVLIET, NY 12189-4000

TAWV-XO

27 July 2023

MEMORANDUM FOR ALL WATERVLIET ARSENAL (WVA) EMPLOYEES

SUBJECT: Anti-Harassment Policy – Policy Memo No. 02

1. References:

- a. AR 690-12, Equal Employment Opportunity (EEO) and Diversity, 12 December 2019
- b. AR 600-20, Army Command Policy, 24 July 2020
- c. TACOM Policy 20-28, Anti-Harassment Policy, 20 August 2020
- d. TACOM Memorandum, Discontinuation of the Civilian Harassment Intervention Program and Transition to the U.S. Army Tank-automotive and Armaments Command Anti-Harassment Program, 18 April 2023
- e. DoDI 1020.04, Harassment Prevention and Responses for DoD Civilian Employees, 30 June 2020
- f. DoDI 1020.03, Harassment Prevention and Response in the Armed Forces, 8 February 2018, chg. 1, 29 December 2020

2. Purpose: The purpose of this policy is to state WVA's commitment to maintaining a workplace environment free from harassment. Workplace harassment occurs when an individual's actions create an intimidating or offensive atmosphere that interferes with an employee's work performance. Workplace harassment is prohibited regardless of the type of harassment or the manner in which it is conducted. To be clear, this policy prohibits both discriminatory and non-discriminatory based harassment. Discriminatory harassment is also prohibited by law.

3. Applicability: This memorandum applies to all U.S. Army, WVA, and contractor personnel.

4. It is the policy of the U.S. Army and WVA to provide a work environment free from harassment. I expect all WVA members to treat one another with dignity and respect. In accordance with the leadership principles of AR 600-20, I hold

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supervisors and management officials responsible for creating and maintaining an environment that supports the principles of human dignity and mutual respect, and an environment that is free from harassment of any kind. Unacceptable conduct, which contributes to workplace harassment, will not be tolerated. This policy is vital to the Army mission of providing an environment free of discrimination and eliminating all types of workplace harassment.

5. Reports of harassment will be taken seriously and will be handled in accordance with DoDI 1020.04, “Harassment Prevention and Responses for DoD Civilian Employees”, and the Army’s Anti-Harassment Policy Implementation Procedures outlined in AR 690-12, Appendix D. I expect all employees to read and be familiar with these procedures and adhere to them. I particularly expect supervisors and management officials to ensure that these procedures are followed upon learning of any report of harassment.

6. Prohibited harassment can occur in person or through electronic devices or communications. It includes, but is not limited, to hazing, bullying and discriminatory harassment of people or their property. Allegations of harassment will be addressed immediately, individually and considering the full range of the circumstances. Hazing, bullying, online misconduct and other acts of misconduct, are not in line with the Army Values, undermines trust, violate our professional ethics and negatively impacts command climate and readiness.

7. Hazing. A form of harassment that includes conduct through which Soldiers or DA Civilian employees haze an individual or individuals, without proper authority or other governmental purpose but with a nexus to Federal service, causing physical or psychological injures or creates a risk of physical or psychological injury for the purpose of: initiation into, admission into, affiliation with, change in status or position within or a condition for continued membership in any military or DA Civilian organization.

8. Bullying. A form of harassment that includes acts of aggression by Soldiers or DA Civilian employees, with a nexus to Federal service, with the intent of harming an individual or individuals, either physically or psychologically, without proper authority or other governmental purpose. Bullying is the exposure of an individual or group to physical and/or emotional aggression with the intent to cause distress or harm. Bullying may involve the singling out of an individual from his or her coworkers or unit, for ridicule because he or she is considered different or weak. It

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often is indirect or subtle in nature and involves an imbalance of power between the aggressor and the victim.

9. Discriminatory harassment. A form of harassment that is unwelcome conduct based on race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability, genetic information, or reprisal.

10. Other acts of misconduct. Misconduct may or may not meet the definitions above for hazing or bullying, yet may violate the dignity and respect of others. Additionally, acts of reprisal or retaliation are also prohibited.

11. Online misconduct. The use of electronic communication to inflict harm. Electronic communication is the transfer of information (signs, writing, images, sounds or data) transmitted by computer, phone or other electronic device.

a. Examples of online misconduct include, but are not limited to: hazing, bullying, harassment, discriminatory harassment, stalking, retaliation or any other types of misconduct that undermines dignity and respect.

b. When using electronic communication devices, I expect all personnel to apply the concept "Think, Type, and Post": "Think" about the message being communicated and who could potentially view it; "Type" a communication that is consistent with Army values; and "Post" only those messages that demonstrate dignity and respect for self and others.

12. Activities not considered harassment. The imposition of necessary or proper duties and the requirement of their performance does not violate this policy even though the duties may be arduous, hazardous or both. Harassment does not include properly directed command activities that serve a legitimate purpose or the requisite training activities required to prepare for such activities.

13. Preventing and correcting prohibited harassment.

a. Employees should exercise reasonable care to prevent and correct harassment in the workplace before it negatively interferes with employees' work performance and/or rises to the level of a violation of Federal law. Regardless of whether you are in a supervisory position, if you observe harassment of others or believe you are the subject of this behavior, you have a responsibility to raise it

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through your supervisory chain of command or the supervisor of the person allegedly engaging in such harassing conduct, or you can report it to the WVA Coordinator for TACOM's Anti-Harassment Program – your supervisory chain should have the contact information for that Coordinator or you can contact my Chief of Staff. You can also report it to the WVA EEO office at ext. 4608 as further explained below. All supervisory civilian and military supervisors of Army personnel have a responsibility to not engage in harassing behaviors and to report observed harassment.

b. Supervisors and management officials who become aware of allegations or witness harassing conduct will contact their legal office and immediately conduct a prompt, thorough, impartial and appropriate inquiry even in the absence of an EEO complaint. If possible, management can take actions to address alleged harassing conduct at their level through the managerial training they have taken and leadership tools they have available. The WVA team responsible for implementing the TACOM Anti-Harassment Program is available to provide assistance.

c. If management is unable to appropriately address the allegations of harassment due to the complexity of the allegations, relationship to the parties involved, etc., then the WVA Coordinator for TACOM's Anti-Harassment Program and Legal Office will work together to have an unbiased Investigating Officer (IO) appointed who will conduct an inquiry to the allegations of harassment and provide findings. The Coordinator will ensure a legal review is conducted as to the conducted inquiry, and if legally sufficient, will share the findings with the reporting employee and management of the alleged harasser. If the allegations of harassment are found to be substantiated, management will meet with the reporting employee and alleged harasser to discuss those findings, and management will then be charged with rendering appropriate discipline as warranted.

d. EEO Rules Still Apply. All employees are advised that the process for the TACOM Anti-Harassment Program is completely separate from the EEO process. Thus, regardless of any action brought under the TACOM Anti-Harassment Program, any personnel who believe they have been subjected to discriminatory harassment must still contact the Equal Opportunity office within 45 days of the incident. Any reporting of alleged harassment to the Coordinator for the TACOM Anti-Harassment Program does not delay or waive the time limits

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for initiating claims in the EEO forum. All managers, supervisors, and employees are to respect the rights of any employee to file an EEO complaint or report an allegation without fear of reprisal.

14. Supervisors and leaders will ensure all personnel are aware of this policy. All newly assigned service members and employees will read and acknowledge an understanding of this policy during their first two weeks of their onboarding period. A copy of this memorandum will be posted on the WVA EEO SharePoint page.

15. Expiration: This policy will remain in effect until rescinded or superseded. This policy supersedes Watervliet Command Policy Memo No. 02, dated 21 August 2022.

ALAIN G. FISHER
COL, LG
Commanding