



SEXUALLY HARASSED?



WHAT IS SEXUAL HARASSMENT?

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** when--

- Submission to, or rejection of, such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career; or
- Submission to, or rejection of, such conduct by a person is used as a basis for career or employment decisions affecting that person; or
- Such conduct interferes with an individual's performance or creates an intimidating, hostile, or offensive environment.
- Any person in a supervisory or command position who uses or condones implicit 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 who makes deliberate or repeated unwelcome verbal comments, gestures, or physical contact of a sexual nature is engaging in sexual harassment.

SIX WAYS YOU CAN COPE:

- 1. Confront the harasser.** The best time to halt harassment is as soon as it starts. Be cool, but be firm in telling the harasser you won't tolerate being harassed- that you'll formally complain through channels if the harassment continues. Your confrontation may suffice.
- 2. Use an Intermediary.** If you feel too intimidated to confront the harasser yourself, find a co-worker or leader who will represent you firmly. Your representative should tell the harasser that (a) the offensive behavior towards you must stop, and (b) you'll complain more formally through channels if it does not stop or if the harasser takes reprisals against you.
- 3. Write a letter to the harasser.** In your letter, politely and objectively, without evaluation or editorial comment describe (a) the specific incident of harassment, (b) your feelings now and at the time you were harassed, and (c) what corrective action you want the harasser to take.
- 4. Keep a journal.** Write down details of the harassment, noting times, places, witnesses, and any actions you took at the time to make the harasser stop. Keep your journal out of the office; don't show it to others. Decide within a reasonable time whether to file a complaint; if you decide not to file one, destroy the journal.
- 5. Request training.** Ask your Equal Opportunity Advisor or Representative to conduct equal opportunity training for your section or unit which targets the type(s) of behavior or harassment you are experiencing. Such training will identify the behaviors or incidents as inappropriate, and increase the harasser's awareness of wrongdoing.
- 6. Report any incident** of sexual harassment, especially severe harassment you can't curtail by confronting or writing to the harasser. Only you can decide whether to report an incident. And, though an Equal Opportunity Advisor can explain your options, only you can decide whether to file a formal EO complaint or complain less formally through your chain of command.

COMPLAINT PROCEDURES

- 1. Types of Complaints.** There are two types of complaints; informal and formal. In most cases the intent is to stop the behavior using the lowest level possible. The key to remember is that complaints **must be reported within 60 days** after the incident or, if it is recurring harassment, after the most recent incident. It is up to a commander's discretion to consider complaints received after 60 days.
- 2. Informal complaints** can be handled by anyone: a friend, leader, co-worker, or receiving agency. Many harassment cases are merely misunderstandings between the harasser and recipient based on different cultural backgrounds or upbringing. This is why it is important that if you don't like something which is said or done, you tell the individual who exhibited the behavior or involve an intermediary on your behalf. In most cases, once the harasser learns that the behavior is inappropriate or offensive they will voluntarily stop it.
- 3. Formal complaints** are more serious and are handled in a formal manner. In these cases the complainant formally swears to the complaint and receives feedback on actions taken. The individual or agency receiving the complaint has established protocols which must be followed. These agencies will take actions to either inquire into the case or forward it to the commander for action. If harassment does in fact exist, they may recommend subsequent corrective actions to the commander. This type of complaint also has a formal appeals process for the complainant.
- 4. Receiving Agencies.** You can contact any of the below agencies to report a sexual harassment complaint.

- Any Commander
- Equal Opportunity Advisor
- Provost Marshal/Military Police
- Office of the Judge Advocate General
- Inspector General
- Chaplain
- Medical Channel