

LESSON NUMBER: 4

TASK: Prevention of Sexual Harassment

CONDITION: Classroom environment

STANDARD:

1. Define Sexual Harassment.
2. Define the Army's Policy on Sexual Harassment.
3. Explain the Categories of Sexual Harassment.
4. Explain the Elements of Sexual Harassment.
5. Define Sexual Harassment Behaviors.
6. Explain the Sexual Harassment Checklist.
7. Explain the Techniques to Deal with Sexual Harassment.
8. Explain the Administrative Actions.

TYPE OF INSTRUCTION: Conference

TIME OF INSTRUCTION: 4 Hours

MEDIA: Viewgraphs #4-1 through Viewgraph #4-9; Video: "Prevention of Sexual Harassment" with accompanying viewgraphs and script; Student Handouts #4-1 through #4-2; and Practical Exercise #4-1

NOTE: You must ensure you have a video player and monitor to show the video on the prevention of sexual harassment (Pin Number 170876, ICN: TVT-20-1996) produced by the Department of the Army in 1996. It is recommended this video be shown at the beginning of the block of instruction, but stop it before showing the vignettes. By showing the first portion of the video at the beginning, the students will already be familiar with many of the concepts and terms you are going to be instructing. This should make the learning process easier for them during your instruction. After the block of instruction, and the practice exercise is completed, then show the vignettes. The responses from the group while stopping after each vignette for discussion will ensure learning occurred, and serve to clarify what constitutes sexual harassment in the students minds. The video facilitating guide is located enclosed immediately following this lesson plan.

LEAD-IN: During recent years, the controversial subject of sexual harassment has been brought to the public's attention by such events as the Clarence Thomas-Anita Hill hearings, the Tailhook Convention incident, Aberdeen Proving Grounds and reported incidents at various military installations around the world involving trainees and noncommissioned officers and officers. These events have resulted in some positive impacts over the long term. Because of these events, more people are openly discussing situations they faced even several years ago.

Sexual harassment is not limited to the work place. It can occur almost anywhere. This behavior always violates acceptable standards of character and fairness required of all soldiers. It stands as an obstacle to unit cohesion and mission accomplishment. For these reasons, such behavior cannot and will not be tolerated.

The sooner we realize sexual harassment affects us all and we all must play a part in solving this problem, the sooner we will be rid of it. One of your jobs, as Leaders is to be alert to what is happening within your units with regard to sexual harassment. Where you may have been content to overlook certain types of behavior in the past, you should now be fully tuned into behaviors that either are sexual harassment, or can lead to an environment which fosters sexual harassment.

PART I. POLICY AND DEFINITIONS

1. Describe the Army's Policy that Defines Sexual Harassment

a. **SEXUAL HARASSMENT POLICY & DEFINITION.** "The policy of the United States Army is that sexual harassment is unacceptable conduct and will not be tolerated." This is the opening sentence of the "ARMY POLICY ON SEXUAL HARASSMENT" signed by the Secretary of the Army and Army Chief of Staff.

NOTE: Refer students to Student Handout #4-1, Army Policy On Sexual Harassment. Have students refer to the handout during discussions.

SHOW VIEWGRAPH #4-1

DEFINITION OF SEXUAL HARASSMENT
<p>A form of sex discrimination that involves unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when -</p> <ul style="list-style-type: none">• A person's job, pay, or career placed at risk• An employee's employment or career placed in jeopardy• It creates an intimidating, hostile, or offensive work environment

b. Sexual harassment is defined in AR 600-20 as a form of gender discrimination that involves unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature 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, 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 unreasonably interfering with an individual's performance or creates an intimidating, hostile, or offensive working environment.

NOTE: To clarify, the following is offered as a distinction between numbers 1 and 2: Number 1 could be if a person was told upfront, "you cooperate with me and I'll do this for you..." Number 2 could be a situation when a person rejects an advance or proposition, and at a later time that was factored into a supervisor's decision making process for promotion or job advancement.

2. The definition emphasizes workplace conduct, to be considered as "abusive work environment" harassment, need not result in concrete psychological harm to the victim. The conduct need only be so severe or pervasive that a reasonable person would perceive, and the victim does perceive, that the work environment is hostile or abusive. Workplace is an expansive term for military members and may include on or off duty, 24 hours a day.

3. 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 or civilian employee who makes deliberate or repeated unwelcome verbal comments, gestures, or physical contact of a sexual nature in the workplace is also engaging in sexual harassment.

NOTE: Do not confuse the definition of sexual misconduct with that of sexual harassment. Sexual Misconduct is the act of imposing consensual or non-consensual sexual desires upon another. Consensual sexual misconduct includes fraternization and adultery. Non-consensual sexual misconduct includes the crimes of rape, forcible sodomy, indecent assault, and indecent language. These acts are prejudicial to the good order and discipline of the armed forces or of a nature which brings discredit upon the armed forces. Sexual misconduct is a completely separate issue dealing with criminal behavior, while sexual harassment is not criminal in nature.

4. **CATEGORIES OF SEXUAL HARASSMENT.** There are two basic categories of sexual harassment behavior. They are:

- a. Quid Pro Quo.
- b. Hostile Environment.

NOTE: What is Quid Pro Quo?

SHOW VIEWGRAPH #4-2

QUID PRO QUO

- **Latin term meaning, “this for that”**
- **Conditions placed upon a person’s career or terms of employment in return for sexual favors**
- **Promises of career advancement, promotions, and other benefits, should the victim give-in to the sexual advances**

5. **Quid Pro Quo.** Quid Pro Quo is a Latin term meaning “this for that”. This term refers to conditions placed on a person’s career or terms of employment in return for sexual favors. It involves threats of adverse action if the person does not submit or promises of favorable actions if the person does submit. Examples include demanding sexual favors in exchange for a promotion; award or favorable assignment; disciplining or relieving a subordinate who refuses sexual advances and threats of poor job evaluation for refusing sexual advances. Incidents of “quid pro quo” may also have a harassing effect on third persons. It may result in allegations of sexual favoritism or general discrimination when a person feels unfairly deprived of recognition, advancement or career opportunities due to favoritism shown to another soldier or civilian employee based on a sexual relationship. An example would be a soldier who is not recommended for promotion and who believes that his or her squad leader recommends another soldier in his or her squad for promotion based upon provided or promised sexual favors, not upon merit or ability.

SHOW VIEWGRAPH #4-3

HOSTILE ENVIRONMENT

- **Offensive**
- **Unwanted**
- **Unsolicited comments and/or behaviors of a sexual nature**

6. **Hostile Environment.** A hostile environment occurs when soldiers or civilians are subjected to offensive, unwanted and unsolicited comments and behaviors of a sexual nature. If these behaviors have the potential of unreasonably interfering with their performance, then the environment is classified as hostile. A hostile environment brings the topic of sex or gender differences into the workplace in any one of a number of forms. It does not necessarily include the more blatant acts of “quid pro quo.” It normally includes nonviolent sexual behaviors that are gender-biased. Examples include use of derogatory gender-biased terms, comments about body parts, suggestive pictures, explicit jokes and unwanted touching.

SHOW VIEWGRAPH #4-4

RELATED ELEMENTS of SEXUAL HARASSMENT
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- Impact vs. Intent
- Reasonable Person Standard

7. **RELATED ELEMENTS OF SEXUAL HARASSMENT.** There are other related elements which must be understood in order to assess the appropriateness of any behavior. Two of these elements are referred to as:

a. Impact vs. Intent.

(1) What you as soldiers may consider to be joking or horseplay must be evaluated on its appropriateness and offensiveness as perceived by the recipient. Assessing whether a behavior is appropriate or offensive must be done from the perspective of the victim, not the alleged harasser. An excuse such as "I was only joking" is irrelevant. In the event of a complaint, the impact of an incident or series of incidents is reviewed and evaluated from the complainant's perspective.

(2) However, whether or not the victim is emotionally affected and/or willingly submitted to the behavior of the harasser is also irrelevant in determining an incident of sexual harassment. The only relevant question to be answered is "was the behavior appropriate or inappropriate" as it relates to policy.

b. **Reasonable Person Standard.** The reasonable person standard is used to predict the expected reaction to or impact of perceived offensive behaviors on the recipient. The standard asks "How would a reasonable person under similar circumstances react or be affected by such behavior in certain incidents?" Because of our socialization, men and women can watch the same behavior, but have a very different perspective about what they saw, and what they were feeling.

NOTE: Discuss some common experiences where men and women are involved but may have different perceptions about an incident or situation. In non-traditional roles where women are a small percentage of the work force, the reasonable woman standard is often applied.

PART II. BEHAVIORS THAT CONSTITUTE SEXUAL HARASSMENT

1. **SEXUAL HARASSMENT BEHAVIORS.** Sexual harassment behaviors that are related to hostile environments fall into four basic types. They are:

SHOW VIEWGRAPH #4-5

SEXUAL HARASSMENT BEHAVIORS

- Verbal comments
- Nonverbal gestures
- Physical contact

- a. Verbal Comments.
- b. Nonverbal Gestures.
- c. Printed Material.

NOTE: Ask the students what are some types of verbal comments that you can identify as a form of sexual harassment?

2. **Verbal Comments.** Examples of verbal sexual harassment include telling sexual jokes and using profanity, threats, sexually oriented jody calls, sexual comments, whistling, and describing certain sexual attributes about one's physical appearance. Another example of verbal sexual harassment is using terms of endearment such as "honey", "babe", "sweetheart", "dear", "stud" or "hunk" in referring to soldiers, civilian co-workers or family members.

NOTE: Ask the students what are some forms of nonverbal harassment?

3. **Nonverbal Gestures.** Examples of nonverbal sexual harassment include staring at someone (i.e. "undressing someone with one's eyes"), blowing kisses, winking, or licking one's lips in a suggestive manner. Nonverbal sexual harassment also includes printed material. Examples are displaying sexually oriented pictures; cartoons and using sexually oriented screen savers on one's computer. Further examples include sending sexually oriented notes, letters, faxes, or e-mail. Nonverbal forms of sexual harassment may take on a more hostile appearance after the victim has rejected the advances of the offender.

4. **Physical Contact.** Examples of physical sexual harassment include touching, patting, pinching, bumping, grabbing, cornering or blocking a passageway, kissing, and providing unsolicited back or neck rubs. Sexual assault and rape are often mistaken as physical forms of sexual harassment. Sexual assault and rape are criminal acts. When either occurs, it should be reported immediately to the chain of command, military police or other law enforcement agencies.

NOTE: Make sure students understand and acknowledge that sexual assault and rape are often mistaken as physical forms of sexual harassment. They are crimes

punishable under military and civil law and should always be reported immediately to the commander, military police, or other law enforcement agency.

SHOW VIEWGRAPH #4-6

SEXUAL HARASSMENT CHECKLIST
<ul style="list-style-type: none">• Is the behavior sexual in nature?• Is the behavior unwelcome?• Does the behavior create a hostile or offensive environment?• Have sexual favors been demanded, requested, or suggested?

5. **SEXUAL HARASSMENT CHECKLIST.** In determining whether a specific incident or behavior constitutes sexual harassment, the following questions can help to create a frame of reference or mental picture for tying policy with related elements and behaviors.

a. Is the behavior sexual in nature?

b. Is the behavior unwelcome?

c. Does the behavior create a hostile or offensive environment?

d. Have sexual favors been demanded, requested, or suggested; especially as a condition of employment or career and job success?

6. Sexual harassment can manifest themselves in a number of ways. Some are very obvious, while others may be well hidden and not so visible.

SHOW VIEWGRAPH #4-7

VICTIM IMPACT
<ul style="list-style-type: none">• Interferes with work performance• Creates a hostile environment• Stress• Fear and Anxiety <p>(Quid Pro Quo)</p> <ul style="list-style-type: none">• Less productive

7. The first and most obvious impact of sexual harassment on a victim is it interferes with his or her work performance. A soldier or civilian who has to fend off offensive and repeated sexual behaviors does not perform high quality work. Sexual harassment also

creates a hostile environment by placing unreasonable stress on the victim. Sexual harassment promotes a negative form of stress that can affect everyone in the work place.

8. Sexual harassment also puts a high degree of fear and anxiety into the work place. When the harassment is "quid pro quo," the fear of loss of job or career opportunities can undermine a unit's teamwork and morale. Anyone who is sexually harassed is less productive, and the entire working climate suffers. Soldiers and civilians can only reach their full potential in an environment that fosters dignity and respect for all.

9. **INDIVIDUAL TECHNIQUES IN DEALING WITH SEXUAL HARASSMENT.** It is critical you understand what you as an individual can do to prevent or resolve sexual harassment in the unit or work area. The following strategies can be valuable tools in dealing with sexual harassment. However, they are not meant to replace using the chain of command.

SHOW VIEWGRAPH #4-8

TECHNIQUES TO DEAL WITH SEXUAL HARASSMENT
<ul style="list-style-type: none">• Direct approach• Indirect approach• Third party• Chain of command• File a formal complaint• Report the harassment to Chain of Command

a. **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. Write down thoughts before approaching the individual involved.

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

c. **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 to resolve the conflict.

d. **Chain of Command.** Report the behavior to immediate supervisor or others in chain of command and ask for assistance in resolving the situation.

e. **File a formal complaint.**

NOTE: Charges of sexual misconduct are to be processed through legal/ law enforcement channels, not equal opportunity channels.

PART III. LEGAL AND ADMINISTRATIVE REPERCUSSIONS

1. REPERCUSSIONS OF SEXUAL HARASSMENT. Sexual harassment affects everyone. It victimizes males as well as females, can occur at any time, and is not limited to the work place. The eradication and prevention of sexual harassment is not just a moral imperative; it is a readiness issue. Sexual harassment affects unit cohesion and mission effectiveness and violates acceptable standards of equality and fair play. It drains resources and destroys unit morale. Sexual harassment cannot and will not be tolerated.

SHOW VIEWGRAPH #4-9

- | REPERCUSSIONS of SEXUAL HARASSMENT |
|--|
| <ul style="list-style-type: none">• Administrative Actions• Mandatory Counseling• Additional Training• Denial of Certain Privileges• Rehabilitative Transfer• Letter of Admonishment/Reprimand• Relief for Cause• Adverse Performance Evaluation• Bar to Reenlistment• Separation |

2. Administrative Actions. Commanders have a number of options in administering punishment for inappropriate behaviors. The right combination of punishment and administrative sanctions sends a clear message sexual harassment will not be condoned or tolerated. Some of the administrative actions include, but are not limited to:

- a. Mandatory counseling.
- b. Additional training.
- c. Denial of certain privileges.
- d. Rehabilitative transfer.
- e. Letter of admonishment/reprimand.

- f. Relief for cause.
- g. Adverse performance evaluation.
- h. Bar to reenlistment.
- i. Separation.

3. In the event that administrative actions fail to correct the behavior or the behavior constitutes a violation of the UCMJ, the commander may consider further action under the appropriate article(s) of the UCMJ.

NOTE: Refer students to Student Handout #4-2, UCMJ Articles for Sexual Harassment. Discuss the articles with the students. The offenses listed on the handout are the more severe forms of sexual harassment which are subject to disciplinary actions under the Uniform Code of Military Justice (UCMJ).

4. **Sexual Misconduct.** While sexual harassment is generally not considered criminal in nature, some actions and behaviors clearly “cross the line” and become sexual misconduct and even criminal acts, punishable under one of more Articles of the UCMJ. The obvious examples of these types of actions include sexual abuse, battery, and rape. Another example of sexual misconduct would entail violations of the Army’s policy on Homosexual Conduct. Although Equal Opportunity does not normally include issues involving criminal activity, sexual misconduct is related enough to warrant discussion.

5. **Laws and Regulations Governing Sexual Misconduct.** The UCMJ makes some conduct criminal, and some sexual conduct may violate more than one article of the UCMJ. The UCMJ applies to you 24 hours a day, 7 days a week, for as long as you are in the Army. It applies on duty and off duty, in or out of uniform, on or off a military installation, in the United States and overseas, and while you are on pass or leave. The UCMJ applies to you regardless of whether you consider yourself a heterosexual, a homosexual, or a bisexual. The penalties for violating the UCMJ articles are severe. Sex crimes are no joke and the Army takes these matters very seriously, and so should you.

SHOW VIEWGRAPH #4-10

STRATEGIES TO COMBAT SEXUAL HARASSMENT
<ul style="list-style-type: none">• Be proactive• Keep soldiers/civilians informed and educated• Conduct training• Outline procedures and policies• Be familiar with regulations and policies

6. Strategies to combat sexual harassment. The following are strategies for combating sexual harassment:

a. Be proactive!

NOTE: Don't wait until it happens. Keep soldiers informed on the impact it has on the individual, the unit, and the mission.

b. Keep soldiers/civilians informed and educated.

c. Conduct training.

NOTE: Conduct progressive, interactive small group sexual harassment training twice each year. Soldiers must understand what sexual harassment is, how to recognize it, how to prevent it, how to report it and the consequences of engaging in sexual harassment. This is in addition to semi-annual EO training.

d. Outline procedures and policies.

e. Be familiar with regulations and policies.

NOTE: Refer students to Student Handout #4-3, Behaviors that Constitute Acts or Situations of Sexual Harassment and conduct Practical Exercise #4-1, Identify Behaviors that Constitute Acts or Situations of Sexual Harassment.

NOTE: Show video on Prevention of Sexual Harassment, Part I. Appropriate slides and script are included with the video.

CLOSING. Sexual harassment is not limited to the work place. It can occur almost anywhere. This behavior always violates acceptable standards of character and fairness required of all soldiers. It stands as an obstacle to unit cohesion and mission accomplishment. For these reasons, such behavior cannot and will not be tolerated. The sooner we realize sexual harassment affects us all and we all must play a part in solving this problem, the sooner we will be rid of it. Summarize lesson objectives.

PREVENTION OF SEXUAL HARASSMENT

VIDEO

LEVEL 1

FACILITATOR GUIDE

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INTRODUCTION

Objective

This guide is designed to provide the facilitators for the Army training in the prevention of Sexual Harassment with all of the information necessary to facilitate a successful training session. Facilitators should read through the entire guide in preparation for the training and refer to it throughout.

Role of Facilitator

Your role as a facilitator is critical to the success of the Sexual Harassment training. It will be your role to put the participants at ease, explain the purpose of the training, play the videotape, and motivate them to be actively involved.

You will be required to:

- **Preview Material.** Before you conduct the training, it is imperative that you review the video tape and overheads. This will allow you time to become familiar with the materials and to prepare questions to ask the participants to facilitate discussion about the video. The overheads that are recommended are to be shown at the facilitator's discretion and the training needs of your audience.
- **Set Up Classroom.** You will be responsible for ensuring that the classroom is set up properly for group discussion and viewing of the television screen. You should also ensure that the video cassette recorder (VCR), and overhead projector are functioning.
- **Video Tape.** The video tape includes eight scenarios. Scenarios numbered one through five are within the main section of the video. Scenarios numbered six through eight are tagged onto the end of the video. These scenarios are an additional resource for you and have been provided to assist you in your facilitation if you feel that they are needed. The pause point screens located throughout the video will assist you in locating a particular scenario. This handbook also has the video footage counter noted for the scenarios. When you are at the beginning of the tape reset your video footage counter for "00:00:00".
- **Facilitate Group Exercises.** You will also be responsible for helping the participants understand the issues related to sexual harassment and hold constructive discussions that relate to the objectives of the video.

TRAINING STRUCTURE

- Tell the class that you will be showing a video and that you will pause the video at various points to facilitate discussion with the help of overheads.
- **Put up slide 1.**
- **Main video synopsis** - an Army Post Newspaper reporter interviews the Post's Commanding Officer, Sergeant Major, Equal Opportunity Advisor and Brigade lawyer, about sexual harassment and its impact.
- **Put up slides 2 and 3**, Training Objectives. Review training objectives with the class.
- **Play video** until 1st pause point.
- **Pause video** at pause point #1 screen.

PAUSE POINT # 1

- Ask the class "How do you define sexual harassment?"
- Ask the class "What types of behaviors would you recognize as sexual harassment?" Record the responses that you receive, on butcher paper.
- At some point during discussion **put up slides 4 and 5**, Definition of Sexual Harassment.
- **Distribute handout to the class**, "Definition of Sexual Harassment."
- **Put up slides 6 and 7**, Examples of Sexual Harassment.
- **Put up slide 14**, 4 Quick Questions. Evaluate the responses that the class members gave you with the "4 Quick Questions" that the Army uses as a guideline when determining if a behavior is sexual harassment.

After discussion concludes: **Play video** through scenario #1, (pause point #2).

- **Pause video** at pause point #2 screen.

SCENARIO #1

Title: Airfield Hangar/Quid Pro Quo

Footage Counter: 0235

Synopsis:

(Quid Pro Quo sexual harassment, Unwelcome behavior)

Female helicopter pilot (Ms. Kline) goes to her supervisor (1LT. Freeburger) to request more challenging flight missions. The 1LT implies to Ms. Kline that he will grant her request if she goes out with him that night.

Key Learning Points:

In this scenario the 1st. Lt. is threatening Ms. Kline's career advancement unless she socializes with him. This is Quid Pro Quo behavior.

Scenario #1 Discussion Points:

1. Was the 1LT's behavior appropriate or inappropriate? Why or why not?
2. **Put up slide #14**, 4 Quick Questions. Review the slide with the class.
3. **Put up slide #9**, Unwelcome. Review the slide with the class. Ms. Kline's body language and facial expressions indicates that she is uncomfortable accepting the 1st. Lieutenant's invitation. The 1st. Lieutenant's behavior is unwelcome in the eyes of Ms. Kline. What signals do you have that tell you that?
4. Was the 1LT exhibiting Quid Pro Quo behavior? For favors, for threats? Why or why not?
5. **Put up slide #8**, Types of Sexual Harassment: Quid Pro Quo. Review the definition with the class.
 - Ask the class, if Ms. Kline reported the 1LT's behavior how would she describe what had transpired?
 - How would Ms. Kline communicate to an investigating officer that the 1LT's behavior was unwelcome? A victim does not have to verbally state that a behavior is unwelcome to an investigating officer for it to be so.
 - If the 1LT was asked for his version of the events, what would he say?

- Note the difficulty that a Commanding Officer and/or Investigating Officer might have in determining whether sexual harassment had occurred if he had not witnessed what had transpired, e.g., facial expressions, and body language.
- After discussion concludes:
- **Play video** through scenario #2 (pause point #3).
- **Pause video** at pause point #3 screen.

SCENARIO #2

TITLE:

PT/Barracks/Hostile Environment

Footage Counter: 450

Synopsis:

(Hostile Environment-Effect on harassed person)

Private MacLain is harassing male Private Tom Hart and causing him to become distracted from his studies. She suggests that they get together later on for a "real work-out" and to "remember the good times they used to have". Later she shows up at his door when he is trying to study.

Key Learning Points:

Private MacLain is creating a hostile environment for Private Tom Hart by: making sexually suggestive comments, interfering with his studies, causing him to lose concentration and fall behind in class. This harassment is having a great effect on Private Hart. Private MacLain's behavior is leading towards obsessive/stalking behavior.

Scenario #2 Discussion Points:

1. **Put up slide #14;** 4 Quick Questions.
2. Was the female Private's behavior unwelcome by the male Private? Why or why not? (Yes-He told her that she was being obsessive; he didn't want her to come by that evening.)
3. **Put up slide #10;** Types of Sexual Harassment: Hostile Environment. Review with the class the definition of the hostile environment.

4. **Put up slide #1 1;** Hostile Environment: Key Points. Review with the class the key points of the hostile environment.

- One incident or several-Such harassment is often based on a pattern of behavior that has been allowed to occur over an extended period.
- Perception or impact on harassed person-If prolonged and severe enough, harassment could be expected to adversely affect a soldier's job performance.
- Intent of the harasser is irrelevant-The effect upon the harassed soldier or employee is the determining factor.

5. **Put up slide #12;** Dating. Review the slide with the class. When does repeatedly asking someone for a date, (who continually turns you down), turn into sexual harassment or obsessive behavior? (If you are turned down for a date- take no for an answer and leave it at that.)

6. **Put up slide #13;** Obsessive behavior. Review the slide with the class.

7. Would a reasonable person determine that the female Private's behavior was offensive?

8. What effect was the female Private's behavior having on the male Private? What effect would that type of behavior have on you?

9. Do you believe that a coworker or peer can create a hostile environment? Why or why not?

10. Must the harasser be in a position of power? (No, a coworker or peer can also harass you.)

11. What if the roles were reversed and the male private was asking the female private for a date? And what if he had stopped by the female Private's quarters uninvited? And not once but repeatedly? Would it be considered stalking or obsessive following behavior?

12. Should the soldier that was studying with Tom intervene? How might he help out? Does the bystander that is witness to sexual harassment have an obligation to intervene?

- After discussion concludes:
- **Play video** through scenario #3 (pause point #4).
- **Pause video** at pause point #4 screen.

SCENARIO #3

TITLE:

Enlisted Club/Hostile Environment

Footage Counter: 670

Synopsis:

(What can be the negative results of sexual harassment.)

While in the Enlisted Club, Squad leader Turner and Platoon Sergeant White are gossiping and spreading rumors about the "real reason" that Hernandez got promoted. Hernandez overhears them gossiping and stands up and defends herself. Platoon Sergeant Henderson also overhears them gossiping and corrects their inappropriate behavior.

Key Learning Points:

As a result of the gossiping that Hernandez overheard she will probably resent Turner and White from that point on and mistrust them.

Scenario #3 Discussion Points:

1. **Put up slide #14;** 4 Quick Questions.

Review with the class the Four Quick Questions that the Army has developed that help determine if sexual harassment is occurring.

2. **Put up slide #10;** Types of Sexual Harassment: Hostile Environment. Review with the class the impact of sexual harassment. (Teamwork and trust destroyed and the effect that it may have upon the operational readiness of the unit.)

3. Is there anything wrong with Turner and White's behavior? If so, what was inappropriate? (Yes-they implied that Hernandez got her promotion because "she's got the looks " and "she's probably been spending some late hours with the First Sergeant".)

4. Did Sgt. Hernandez confront Turner and White correctly? Was there anything that she could have done better?
5. **Put up slide #18;** Informal Resolution Techniques: Confront the Harasser
6. What effect does gossip like this have upon the unit? (Builds distrust; Platoon Sergeant Henderson is required to step in and provide counsel; everyone in the unit is going to know happened.)
7. What is the Army leadership's role and responsibility in eliminating sexual harassment? The Command has the responsibility to dispel the myth early on that a promotion has occurred because of sexual favors.
8. Platoon Sergeant Henderson stepped in right away and corrected Turner and White. Was that the correct action for him to take at that moment?
 - After discussion concludes:
 - **Play video** till "End of Training Session #1" screen.
 - **Pause video** at "End of Training Session #1" screen.

END OF TRAINING SESSION #1

Interview with the CO and SGM

- **Put up slide #15;** Advice.
- **Put up slides #31, 32 and 33;** Training Session #1 Topics.
Recap (if needed) the topics that were covered in training session #1.
Key Learning Points:

Tell the class that if they think that they are a victim of sexual harassment, they should contact their Post's Equal Opportunity Advisor or call the Equal Opportunity sexual harassment hotline.

- Ask class if they have any questions on what they have learned so far. After discussion concludes:

You may end the training session at this time with the intent of reconvening the class in the near future to view training sessions two and three or continue at this time. Again, it depends upon the training needs of your audience and that time constraints that you may have.

PAUSE POINT #5

Discussion of Sex Discrimination.

- Ask the class "How would you define sex discrimination? How does it differ from sexual harassment?"

Key Learning Points:

Sex discrimination-unlawful discrimination based upon an individual's sex. When employment, assignment or career decisions are made based upon an individual's sex rather than his or her work qualifications. This can also include other disparate treatment of an individual based merely upon his or her gender.

Sexual harassment is one form of sex discrimination.

- After discussion concludes:
- **Play video** till pause point #6.
- **Pause video** at pause point #6 screen.

PAUSE POINT #6

- Ask class "If any of you were harassed what would you do? How would you deal with the situation?" After discussion concludes:
- **Put up slide #16**; Self-Coping Mechanisms.
- Make the points that: Through the self-coping mechanism, the victim starts to put attention on himself. "This person is a whiner, always calling in sick, etc." In such a case, the leadership will see the victim as a non-performer. Leadership should not turn to victim focus".
- Soldiers should realize the avoidance techniques that they exhibit might damage their own career.

Key Learning Points:

Often victims try and cope with sexual harassment on their own. They may deny that it is happening, or try and rationalize the harasser's behavior and want to be a "part of the group" and go along with the joke.

Sexual harassment can have a very negative impact. Victims may start to call in sick at the workplace in order to avoid interaction with the harasser.

- **Play video** till pause point #7 screen.
- **Pause video** at pause point #7 screen.

SCENARIO #4

TITLE:

Bradley/Confronting the Harasser

Footage Counter: 940

Synopsis:

(if possible, resolve the harassing situation on the one-on-one level. If you are a third party witness to harassment, do not participate.)

Male Private Patton and male Sergeant Lewis are out in the field with a Bradley which has broken down. A female mechanic, Sergeant Guerra arrives to repair the Bradley. Patton and Lewis make lewd comments to Guerra and at one point Lewis rubs up against Guerra. Patton laughs at Lewis' actions.

(At this point there is a pause (#7) in the scenario for the facilitator to ask: "How should Sergeant Guerra handle this?" After the class discussion return to the scenario.)

Guerra tells Lewis "don't ever touch me again, and knock off the smart remarks." She also addresses Patton and says that she will report them both to her Commander if it happens again.

Key Learning Points:

If possible, resolve all harassing situations immediately. Address specific offensive behaviors. Reprimand any inappropriate physical conduct immediately.

If you are a witness to harassment (as was Private Patton), do not participate.

SGT Guerra displays good confrontation techniques.

Scenario #4 Discussion Points:

- **Put up slide #14;** 4 Quick Questions. Review with the class.
- **Put up slide #10;** Types Of Sexual Harassment: Hostile Environment. Review with the class.
- **Put up slide #11;** Hostile Environment: Key Points. Review with the class.
- **Put up slide #18;** Confront the Harasser. Review these steps.
 1. What are the inappropriate behaviors that Sergeant Lewis exhibits? (He made lewd comments and had inappropriate physical contact with Sergeant Guerra.)
 2. What about Private Patton's behavior? Appropriate or inappropriate? Why (As a third party witness to Sergeant Lewis' physical contact with Sergeant Guerra, his behavior was inappropriate.)
 3. What did you think of SGT Guerra's confrontational techniques? Was there anything that she could have done better?
- **Play video** through scenario #5 (pause point #8).
- **Pause video** at pause point #8 screen.

SCENARIO #5

TITLE:

Military Police/Protection from Reprisal

Footage Counter: 1145

Synopsis:

(Take action if a harasser has threatened you with reprisal)

A male Military Patrolmen Sergeant and a female MP PFC are out alone on patrol and he "asks her to have a little fun". When she hesitates he threatens her with the night shift if she tells anyone that he came onto her.

Key Learning Points:

Do not fear reprisal because the victim is protected from reprisal under the Military Whistleblower Protection directive.

Scenario #5 Discussion Points:

1. **Put up slide #8;** Quid Pro Quo. Review with the class.
2. **Put up slides #28 and 29;** Reprisal. Review with the class.
3. **Put up slide #27;** Whistleblower Protection. Review with the class.
4. What should the female MP do? (File a complaint with the Inspector General's office.)
5. **Put up slide #14;** 4 Quick Questions. Is sexual harassment being re-enacted in this scenario?

The following is the complete wording of the **Whistleblower Protection directive:**

"Soldiers (members of the Armed Forces) cannot be restricted from lawfully communicating (to include complaints of unlawful discrimination and sexual harassment) with a Member of Congress, an IG, or a member of a DoD audit, inspection, investigation, or law enforcement organization or any other person or organization.

- Includes any person or organization in the chain of command.

Soldiers (members of the Armed Forces) shall be free from reprisal for making or preparing a protected communication (to include complaints of unlawful discrimination and sexual harassment) to the agencies or persons listed above.

If a soldier wishes Whistleblower Protection, he or she must submit their complaints to the Department of Defense Inspector General for investigation."

DoD HOTLINE:

(CONUS) 1-800-424-9098
(OCONUS) (703) 604-8569

ADDRESS:

Department of Defense Inspector General
ATTENTION: Defense HOTLINE
1900 Defense Pentagon
Washington, D.C. 20301-1900

6. Was anything wrong with the MP Sergeant's behavior? (Yes-while on patrol he asked the female subordinate MP to have a "little fun". This is completely inappropriate behavior. In addition he threatened her with a reprisal action ("You'll be working the gate on the night shift if you report this."))

- After discussion concludes:
- **Play video** till "End of Training Session #2" screen.
- **Pause video** at "End of Training Session #2" screen.

END OF TRAINING SESSION #2

Interview with EO Advisor

- **Put up slide #17;** Informal Resolution Techniques. Review with the class the six informal resolution techniques.
- **Put up slide #18;** Confront the Harasser. Review these steps.
- **Put up slide #19;** Write a Letter to the Harasser. Review these steps.
- **Put up slide #20;** Maintain a Log. Review these steps.
- **Put up slide #4;** Request Sexual Harassment Training. Review these steps.
- **Put up slides #34 and 35;** Training Session #2 Topics. Recap (if needed) the topics that were covered in training session #2.

Key Learning Points:

You should take action if you have become a victim of sexual harassment. The Army has six informal resolution techniques that may be used.

- Stress that directly confronting the harasser is not a requirement, an intermediary may be used.
- If you do confront the harasser- tell the person what you didn't like about their behavior. Address the specific offensive behaviors.
- If you write a letter, ensure that all of the facts of the incident or incidents are included.

- An Equal Opportunity Complaint may be reported to any member of the chain of command.
- **You may end the training session at this time with the intent of reconvening the class in the near future to view training session number three or continue at this time. Again, it depends upon the training needs of your audience and that time constraints that you may have.**

END OF TRAINING SESSION #3

Interview with Legal Advisor

Key Learning Points:

Sexual harassment is a violation of Federal Law and the Uniform Code of Military Justice. Those found guilty are either administered a criminal disciplinary action or an administrative action. The Commanding Officer and his or her legal counsel determine the punishment. The CO looks at the "totality of circumstances" surrounding the incident when considering action.

- If you are sexually assaulted or stalked report it immediately to the Military Police or the Criminal Investigation Command and then to your chain of command.
- **Put up slides #4 - 24;** Legal Sanctions. Review with the class.
- **Put up slides #25 - 26;** Administrative Sanctions. Review with the class.
- **Put up slide #36;** Training Session #3 Objectives. Recap (if needed) the topics that were covered in training session #3.
- After discussion concludes:
- **Play video** through SGT MacNamara's closing.

THIS IS THE END OF THE VIDEO TAPE UNLESS YOU CHOOSE TO SHOW THE CLASS ANY OF THE ADDITIONAL SCENARIOS NUMBERED SIX THROUGH EIGHT.

SCENARIO #6

TITLE:

Obstacle Course

Footage Counter: 1397

Synopsis:

(Quid Pro Quo sexual harassment)

Private Keller is having trouble passing the obstacle course, the Drill Sergeant tells her that he will pass her if she "fulfill his needs". Later on Private Keller confides to her roommate what took place. Private Keller decides to take action and report the Drill Sergeant.

Key Learning Points:

In this scenario the Drill Sergeant has threatened Private Keller 's career advancement unless she has sexual relations with him. This is Quid Pro Quo behavior. if you are sure that a behavior is sexual harassment you can contact the Equal Opportunity/Sexual Harassment HOTLINE.

Scenario #6 Discussion Points:

1. Imagine yourself being in that situation, what would you do?
2. What are Private Keller's options? What should she do?
3. If you do not know what to do, who can you look to for advice? (You should contact your EOA advisor and/or your installation's Equal Opportunity/Sexual Harassment HOTLINE).
4. **Put up slide #14;** 4 Quick Questions. Review with the class.
5. **Put up slide #8;** Quid Pro Quo. Review with the class.
6. **Put up slide #17;** Informal Resolution Techniques. Review with the class.

SCENARIO #7

TITLE:

Parking Lot/Army Policy Applies To All

Footage Counter: 1490

Synopsis:

(Army policy on sexual harassment applies to all, civilians, spouses, family members, etc.)

Cathy, a civilian wife, is waiting for her husband (Private Bill Turner) out in the company parking lot. While she is waiting she endures lecherous stares from several male soldiers as they walk by her. She confronts two in particular, (Francis and Hartman) and asks that they stop. When her husband arrives she tells him about it. He gets furious and starts to make a lunge for the two soldiers.

(At this point there is a pause (#9) in the scenario for the facilitator to ask: "If you were in Bill's shoes what would you do?" After the class discussion return to the scenario.)

Cathy asks Bill to calm down and to think about his actions. She doesn't want him arrested for assault. Cathy suggests that he find out if the Army has a procedure for resolving these types of issues. Bill agrees and tells her that he will speak with his squad leader to get his advise.

Key Learning Points:

Cathy did the right thing. She did confront Francis and Hartman immediately.

Know your rights. Don't allow yourself or any family member to become a victim. You can take action. Utilize your resources, such as soliciting advise from your squad leader. The Army Policy on Sexual Harassment extends to all family members as well as the Department of the Army civilians.

Scenario #7 Discussion Points:

- **Put up slide #14;** 4 Quick Questions. Review with the class.
- **Put up slide #10;** Types Of Sexual Harassment: Hostile Environment. Review with the class.
- **Put up slide #18;** Confront the Harasser. Review these steps.

1. Did Cathy do the right thing? (Yes- she confronted Francis and Hartman and told them what she didn't like about their behavior, "I heard your comments; I find them offensive, stop it!")

2. Do you think that Cathy overreacted to the leers? But what if this was not the first time that she had experienced stares and comments from soldiers within the company?
3. Do you think that Private Bill Turner's reaction was typical? (Certainly - he wanted to slug the two that were leering at his wife.)
4. What do you think that Cathy could have done better as she confronted the two?

SCENARIO #8

TITLE:

Basic Rifle Marksmanship/Comfort Zone

Footage Counter: 1545

Synopsis:

(Have respect for another person's "comfort zone".)

A male Private and a female Sergeant are on the firing range. The Private is shooting and the Sergeant grabs his hips to reposition him. The Private tells the Sergeant that the manner in which she has touched him is inappropriate. The Sergeant apologizes and says that she "is just doing her job."

Key Learning Points:

After the Sergeant corrects the Private's shooting position, the Private tells her immediately that he appreciates her correcting his position, but she could verbalize her direction to him instead of touching him.

Even though the Sergeant intent was to ensure that the Private qualifies on the firing range, the Private's perception was that the Sergeant was out of line by touching him.

If you are inappropriately touched-communicate that. We all have different levels of comfort. Be aware.

Scenario #8 Discussion Points:

- **Put up slide #14;** 4 Quick Questions. Review with the class.
- **Put up slide #10;** Types Of Sexual Harassment: Hostile Environment. Review with the class.

1. Was anything wrong with the Sergeant's' behavior? Was the body grab sexual in nature? What would be the proper method of making a physical correction?

Definition of Sexual Harassment

Sexual harassment is a form of sex discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to 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 is used as a basis for career or employment decisions affecting that person, or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive work environment.

The above definition emphasizes that workplace conduct, to be actionable as "abusive work environment" harassment need not result in concrete psychological harm to the victim, but rather need only be so severe or pervasive that a reasonable person would perceive, and the victim does perceive, the work environment as hostile or offensive. (Note: "workplace" is an expansive term for military members and may include conduct on or off duty, 24 hours a day).

Any person in a supervisory or command position who uses or condones any form of sexual behavior to control, influence or affect the career, pay, or job of a military member or civilian employee who makes deliberate or repeated unwelcome verbal comments, gestures, or physical conduct of a sexual nature in the workplace is also engaging in sexual harassment.

Four Quick Questions

- Was the behavior or innuendo sexual in nature?
- Was the behavior unwelcome?
- Does the behavior create a hostile or offensive work environment?
- Have sexual favors been demanded, requested, or suggested especially as a condition of employment or career and job success?

ARMY POLICY ON SEXUAL HARASSMENT

DEFINITION OF SEXUAL HARASSMENT:

Sexual harassment is defined in AR 600-20 as a form of sex discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- a. 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
- b. Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person, or
- c. Such conduct has the purpose or effect of unreasonably interfering with an individual's performance or creates an intimidating, hostile, or offensive environment.

The definition emphasizes that workplace conduct, to be actionable as "abusive work environment" harassment, need not result in concrete psychological harm to the victim. The conduct need only be so severe or pervasive that a reasonable person would perceive, and the victim does perceive, that the work environment is hostile or abusive. Workplace is an expansive term for military members and may include on or off duty, 24 hours a day.

Any person in a supervisory or command position who uses or condones any form of sexual behavior to control, influence, or affect the career, pay, or job of a military member or civilian employee is engaging in sexual harassment. Similarly, any military member or civilian employee who make deliberate or repeated unwelcome verbal comments, gestures, or physical contact of a sexual nature in the workplace is also engaging in sexual harassment.

ARMY POLICY ON SEXUAL HARASSMENT:

The policy of the United States Army is that sexual harassment is unacceptable conduct and will not be tolerated.

The Army is totally committed to creating and maintaining an environment conducive to maximum productivity and respect for human dignity. The vision of America's Army as an effective force, trained and ready to fight and win, demands reaffirmation of a commitment to a work and duty environment free of sexual harassment for all personnel, whether civilian or military, in the active and reserve components.

The Army is an organization of people, and its success is based on their ability to perform in an environment of mutual respect, dignity, and fair treatment. This demands zero tolerance of sexual harassment.

Sexual harassment is defined in law and regulation as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature which is made a term or condition of a person's job, is used as a basis for employment decisions affecting that person, creates a hostile or abusive environment or interferes with the performance of a soldier or civilian of America's Army.

Individuals who perceive they are being sexually harassed by supervisors, superiors, co-workers, or peer should make it clear that such behavior is offensive and report the harassment to an appropriate authority or office. It is the responsibility of every leader--military or civilian--to examine allegations of sexual harassment and take necessary action to ensure that these matters are addressed swiftly, fairly, and effectively.

We know that you will support the Army's continuing commitment to eradicating sexual harassment in the Army and exhibit the highest level of professional behavior and courtesy that the nation expects.

STUDENT HANDOUT #4-2
SEXUAL HARASSMENT BEHAVIORS SUBJECT TO UCMJ ACTIONS

BEHAVIOR	ART	OFFENSE
Making sexual comments or gestures	89 91 117 134	Disrespect toward a superior commissioned officer Insubordinate conduct toward WO or NCO Provoking speeches or gestures Indecent language
Offering rewards for sexual favors	134	Bribery and graft
Making unsolicited and unwelcome sexual contact with intent to satisfy lust or sexual desire	134	Indecent assault
Threatening the career, job, or salary of others unless they "cooperate"	127 134	Extortion Communicating a threat
Engaging in or condoning sexual harassment behaviors	92 133	Failure to obey an order or regulation Conduct unbecoming an officer
Influencing or threatening the career, pay, or job of others in exchange for sexual favors	93	Cruelty and maltreatment
Sexual intercourse was done by force and without consent (A husband can be punished for raping his wife)	120	Rape and carnal knowledge
Sexual intercourse with a female under 16 years of age who is not his wife (commonly known as statutory rape)	120	Rape and carnal knowledge
Unnatural sexual intercourse with another person of either gender or animal	125	Sodomy

Threatening another to obtain unlawfully anything of value - sometimes known as blackmail	127	Extortion
General Actions	134	Adultery Assault to commit rape or sodomy.

		Bribery and graft Wrongful Cohabitation Fraternization Indecent acts of liberties with a child Indecent exposure Indecent acts with another Pandering and prostitution
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**PRACTICAL EXERCISE #4-1
IDENTIFY SEXUAL HARASSMENT BEHAVIORS**

SITUATION #1. PVT John Hess is a very friendly, outgoing individual. He greets everyone in the unit with a big smile and, or a vigorous handshake. During interactions with unit personnel, he frequently touches other soldiers while talking to them by placing his hands on their arm or shoulder. No one in the unit objects to his behavior, and in

fact many appreciate his openness and candor. Recently PVT Jane Reed, a new soldier, was greeted by PVT Hess. She felt so uncomfortable by the encounter that she filed a complaint of sexual harassment with the commander.

NOTE: Did PVT Hess commit an act of sexual harassment against PVT Reed?

- a. Yes, because he touches females differently and makes them feel uncomfortable.
- b. Yes, because soldiers are prohibited from touching one another.
- c. No, because his behavior is not of a sexual nature.
- d. No, because he touches males in the same manner.

SITUATION #2. Every morning at PT SPC David Jones goes out of his way to pair off with PFC Sally Fields for sit-ups. While holding her ankles SPC Jones makes small talk about how good PFC Fields looks in her PT uniform and how muscular her legs feel in his hands. He also tells her that if he wasn't already married, he would ask her out in a heartbeat. Although PFC Fields is not bothered by these comments she tells him to keep his mind on PT. However, she also feels that they are inappropriate especially since he is married and wants him to stop.

NOTE: Is this a situation of sexual harassment?

- a. No, because PFC Fields is not bothered by SPC Jones' comments or extra attention.
- b. No, because SPC Jones has not made any sexual comments.
- c. Yes, because he singles her out and makes unwanted, unwelcome innuendoes about her physical appearance.
- d. Yes, because his comments are inappropriate for a married man.

SITUATION #3. Whenever PVT Terry Wright and PVT Shirley Williams go to the base exchange they avoid going by the Enlisted Club because male soldiers hanging around in the parking lot always make barking sounds and grunt when they walk by. They know who these soldiers are but feel they can't do anything because it doesn't happen during duty hours and its not in their unit's area.

NOTE: Are PVT Wright and PVT Williams correct in their assumptions?

- a. Yes, because sexual harassment can only occur in the work or duty area.
- b. No, because soldiers are on duty 24 hours a day.

- c. Yes, because the Army's EO policy does not apply during soldier's off duty time.
- d. No, because the male soldiers' behavior is a verbal form of sexual harassment and creates a hostile environment.

SITUATION #4. PVT Frank Martinez and PFC Robert Steel are always sharing their romantic exploits with the rest of the men in the barracks. They know that after a long weekend they will have a ready audience to listen to their conquests. Sometimes their stories can be pretty graphic, with a few sexual jokes thrown in for good measure. Some of the men, especially those with strong religious convictions feel uncomfortable during these sessions but don't complain because they don't want to be perceived as non-members of the group.

NOTE: Are these men being sexually harassed?

- a. No, because they have not told anyone that they don't liked the stories.
- b. No, because PVT Martinez and PFC Steel have not targeted the men for harassment.
- c. Yes, because their behavior creates a hostile environment.
- d. No, because everyone is participating in the story sessions.

SITUATION #5. PVT Jeffery Thompson is a poor reader and is having difficulty in comprehending many of the concepts in his IET Soldiers Handbook. One day, after formation, he approached his Drill Instructor, SGT Patricia Hill, for help. She informs him that she would be glad to help, but that she only conducts extra training on week days, after 2200, in her quarters. She made it clear to PVT Thompson that special attention did not come cheap, and for this favor she expected him to perform on demand. Taking the hint, PVT Thompson agreed assuming that he would now have the best of two worlds because he was getting help with an extra bonus on the side.

NOTE: Did SGT Hill commit an act of sexual harassment?

- a. No, because the agreement was made between two consenting adults.

- b. No, because PVT Thompson willingly agreed to the arrangement.
- c. Yes, because SGT Hill was senior and was taking advantage of PVT Thompson's reading disability.
- d. Yes, because SGT Hill had engaged in a "Quid Pro Quo" form of sexual harassment.

**PRACTICAL EXERCISE #4-1
IDENTIFY SEXUAL HARASSMENT BEHAVIORS
INSTRUCTOR'S GUIDE**

Objective:

For students to be capable of defining sexual harassment behaviors and the methods and techniques to deal with sexual harassment.

Guidance:

Ensure each student has a copy of Student Handout #4-Practical Exercise #2, Appendix B. Have students read situations 1 through 5. Inform students that they have five minutes to complete the exercise. Based on the information provided from the learning activity, select the best response for each situation. After time has expired, select

individual students to share their response for each situation. Ensure students explain or provide the rationale for their selections.

OPTION: Have students break into groups of 3, 4, or 5, after completing the work sheets on their own. Each group is required to reach consensus on the correct response and select a spokesperson to report after ten minutes of discussion.

IDENTIFY SEXUAL HARASSMENT BEHAVIORS

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NOTE: Did PVT Hess commit an act of sexual harassment against PVT Reed?

- a. Yes, because he touches females differently and makes them feel uncomfortable.
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- b. No, because PVT Thompson willingly agreed to the arrangement.
- c. Yes, because SGT Hill was senior and was taking advantage of PVT Thompson's reading disability.
- d. Yes, because SGT Hill had engaged in a "Quid Pro Quo" form of sexual harassment.

ANSWER KEY

1. Answer A. Everyone is entitled to not be touched without their permission. PVT Hess's behavior was out of line and crossed the boundary of proper behavior. It is not the responsibility of PVT Reed to guess what his intentions were - it is up to PVT Hess to behave in a manner that is acceptable. He very well could be found guilty of committing sexual harassment.

2. Answer C

3. Answer D. The Army's policy on Sexual Harassment protects soldiers regardless of the hour of day or the location. It applies on-duty as well as off duty. It applies in the workplace, at recreational facilities, on or off post. The actions in this situation are inappropriate and the soldiers are guilty of sexual harassment against PVT Wright and PVT Williams.

4. Answer C

5. Answer D. The correct answer for this situation is D because SGT Hill is engaging in Quid Pro Quo. She is agreeing to help a soldier in exchange for his favors. It is her duty to help the soldier without compromising their professional relationship. It is possible that some students felt answer C was also correct. It is important to point out the answer C would fall into an area commonly known as "improper senior-subordinate relationships." The regulatory guidance for this is found in AR 600-20, Chapter 4, paragraph 4-15.

Materials Required:

Practical Exercise #4-1

Time Required:

20 to 30 minutes



DEFINITION OF SEXUAL HARASSMENT

A FORM OF GENDER DISCRIMINATION THAT INVOLVES UNWELCOMED SEXUAL ADVANCES, REQUESTS FOR SEXUAL FAVORS, AND OTHER VERBAL OR PHYSICAL CONDUCT OF A SEXUAL NATURE WHEN:

- A PERSON'S JOB, PAY, OR CAREER PLACED AT RISK**
- AN EMPLOYEE'S EMPLOYMENT OR CAREER PLACED IN JEOPARDY**
- IT CREATES AN INTIMIDATING, HOSTILE, OR OFFENSIVE WORK ENVIRONMENT**



QUID PRO QUO

- **LATIN TERM MEANING, “THIS FOR THAT”**
- **CONDITIONS PLACED UPON A PERSON’S CAREER OR TERMS OF EMPLOYMENT IN RETURN FOR SEXUAL FAVORS**
- **PROMISES OF CAREER ADVANCEMENT, PROMOTIONS, AND OTHER BENEFITS, SHOULD THE VICTIM GIVE-IN TO THE SEXUAL ADVANCES**



HOSTILE ENVIRONMENT

- **OFFENSIVE**
- **UNWANTED**
- **UNSOLICITED COMMENTS AND/OR BEHAVIORS OF A SEXUAL NATURE**



RELATED ELEMENTS OF SEXUAL HARASSMENT

- **IMPACT Vs INTENT**
- **REASONABLE PERSON STANDARD**



SEXUAL HARASSMENT BEHAVIORS

- **VERBAL COMMENTS**
- **NONVERBAL GESTURES**
- **PHYSICAL CONTACT**



SEXUAL HARASSMENT CHECKLIST

- **IS THE BEHAVIOR SEXUAL IN NATURE?**
- **IS THE BEHAVIOR UNWELCOME**
- **DOES THE BEHAVIOR CREATE A HOSTILE OR OFFENSIVE ENVIRONMENT?**
- **HAVE SEXUAL FAVORS BEEN DEMANDED, REQUESTED, OR SUGGESTED?**



VICTIM IMPACT

- **INTERFERES WITH WORK PERFORMANCE**
- **CREATES A HOSTILE ENVIRONMENT**
- **STRESS**
- **FEAR AND ANXIETY (QUID PRO QUO)**
- **LESS PRODUCTIVE**



TECHNIQUES TO DEAL WITH SEXUAL HARASSMENT

- **DIRECT APPROACH**
- **INDIRECT APPROACH**
- **THIRD PARTY**
- **A LETTER OR MEMORANDUM**
- **CHAIN OF COMMAND**
- **FILE A FORMAL COMPLAINT**



REPERCUSSIONS OF SEXUAL HARASSMENT

- **ADMINISTRATIVE ACTIONS**
- **MANDATORY COUNSELING**
- **ADDITIONAL TRAINING**
- **DENIAL OF CERTAIN PRIVILEGES**
- **REHABILITATIVE TRANSFER**
- **LETTER OF ADMONISHMENT/REPRIMAND**
- **RELIEF FOR CAUSE (OER/NCOER)**
- **ADVERSE PERFORMANCE EVALUATION**
- **BAR TO REENLISTMENT**
- **SEPARATION**



STRATEGIES FOR COMBATING SEXUAL HARASSMENT

- **BE PROACTIVE!**
- **KEEP SOLDIERS / CIVILIANS INFORMED
AND EDUCATED**
- **CONDUCT TRAINING**
- **OUTLINE PROCEDURES AND POLICIES**
- **BE FAMILIAR WITH REGULATIONS AND
POLICIES**