

# Exploring Key Strategies to Improve Diversity and Equal Opportunity/ Equal Employment Opportunity for Senior DoD Leaders



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## **Policy and Definitions**

### **Overview**

This document outlines aspects of diversity, EO (Equal Opportunity), and EEO (Equal Employment Opportunity) including, how citizens and military personnel can benefit from this program, how it protects individuals, and some of the challenges they face. It provides information on how diversity plays a vital role and aligns with the DoD values. This document also provides information on what is needed to successfully manage diversity in our EO and EEO programs, including the challenges it represents to both individuals and the organization when diversity is not successfully managed. This document also demonstrates the important role history played in the implementation of these programs and how the lessons learned helped individuals and our society evolve. Furthermore, this document provides leadership with tools and evidence-based literature that can assist them with the understanding, implementation, and reinforcement of diversity initiatives.

### **EEO and EO Definitions**

The following section outlines relevant definitions relating to the EO and EEO programs.

#### **Equal Opportunity (EO, MEO)**

In accordance with the procedures outlined in Department of Defense Instruction (DoDI) 1350.02, *DoD Military Equal Opportunity Program*, the EO program, which can also be referred to as the MEO (Military Equal Opportunity) program, ensures that service members are treated with dignity and respect and are afforded equal opportunity in an environment free from any type of discrimination. The EO program seeks to eliminate unlawful discrimination and sexual harassment against military members, family members, and retirees based on race, color, sex,

national origin, or religion (Defense Threat Reduction Agency, n.d., p. 1). Types of harassment include, but are not limited to, discriminatory harassment, sexual harassment, hazing, bullying, and stalking (DoDI 1020.03, 2018). Types of harassment include, but are not limited to, discriminatory harassment, sexual harassment, hazing, bullying, and stalking. Stalking must be reported to the appropriate military criminal investigative organization (DoDI 1020.03. 2018). This program also delineates processes for discrimination complaints, including formal, informal, and anonymous complaints, and prevents and responds to prohibited discrimination through education and training, reporting procedures, and appropriate accountability to enhance the safety and well-being of all Service members, including holding leaders at all levels accountable for fostering a climate of inclusion that supports diversity and is free from discrimination. The program strives to prevent retaliation for filing discrimination complaints; and responds to incidents of alleged harassment.

### **Equal Employment Opportunity (EEO)**

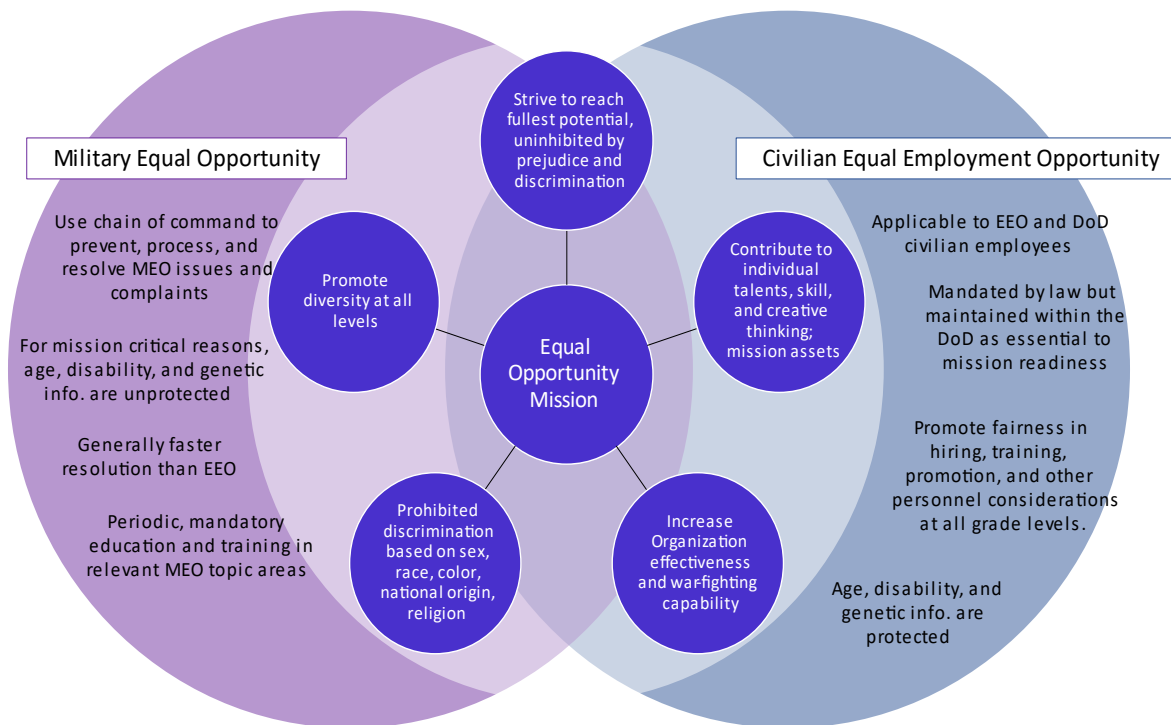
According to DoDI 1020.02E (2015) the DoD Civilian Equal Employment Opportunity Program prohibits unlawful employment discrimination based on race, sex (including pregnancy, gender identity, and sexual orientation when based on sex stereotyping,) color, national origin race, age, religion, disability, genetic information, or reprisal for previous EEO activity in accordance with federal law, applicable statutes, and Employment Opportunity Commission (EEOC) regulations.

### ***Differences Between EEO and EO***

It is important to understand that civilian Equal Employment Opportunity (EEO) and military Equal Opportunity (EO) are separate programs that deal with harassment and unlawful discrimination, and they function independently of each other (Equal Employment Opportunity

Manager, 2019; Marine Corps Installation Command, n.d.). EEO applies to civilian matters, and EO to military matters. The EEO program establishes protections and procedures that apply to current civilian employees, former employees, and applicants for employment (DoDI 1020.02, 2015). The EO program provides services to military members, family members, and retirees (Defense Threat Reduction Agency, n.d.). Nonetheless, the EO and EEO programs have commonalities in their conceptual approach and intended outcomes. The ultimate goal of both programs is to provide tools to Department of Defense (DoD) military and civilian employees to reach their fullest potential without being subjected to discrimination. The primary goal is to develop a culture in which a fully productive workforce can enjoy an equitable, inclusive, and accessible work environment free from discrimination. (Marine Corps Installation Command, n.d.). Figure 1 illustrates some of these commonalities and differences between the programs.

Figure 1. Similarities and differences of the EO and EEO programs (DODI 1020; DODI 1350).





Below are some differences between EO and EEO:

- Military EO, unlike the civilian EEO system, does not include age, disability, and genetic information as protected categories for filing military EO complaints (DoDI 1350.02)
- The EO informal complaint process offers the complainant various options:
  - Address the issue themselves
  - Use the chain of command
  - Seek mediation
  - Take no action

Complainants may elect to use the formal complaint process to appeal unresolved informal complaints. Complainants wishing to withdraw a formal complaint must receive the Chief of EO's approval. Allegations of reprisal must be referred to the IG (Inspector General) (Military Equal Opportunity, n.d.).

- Military EO complaints may be adjudicated through the IG, commander-directed investigations, or the chain of command. Identification and resolution of military EO issues is generally faster than resolution of civilian EEO issues. On average, it takes approximately 10 months to investigate an EEO charge which can often be settled faster through mediation (usually in less than 3 months) (EEOC, n.d.e.). However, an EO investigation is typically completed within 60 days, though extensions can be granted by higher levels of Command (Barry, 2021).
- Military complaint processes are separate and distinct from civilian EEO channels.
- EEO is mandated through laws and regulations to prevent and eliminate discrimination in employment policies or practices, provide equal access, and promote fair, open, consideration in hiring, training, promotion, and other personnel actions.

To be able to comply with its mission, the EEOC has developed a comprehensive effort to strategically utilize government resources to provide excellent service to the citizens of the United States. During the past eight years, the EEO program *Guided* has focused on addressing barriers as an opportunity to create solutions that promote the wellbeing of workers, employers, and communities across our nation. In recent years the program has focused on tackling systemic discrimination, as will be discussed below. Systemic discrimination refers to situations where a discriminatory pattern, practice, or policy has a broad impact on an industry, company, or geographic area (EEOC, 2016.)

### ***How EO/EEO program and the EEOC response make a difference***

**Enhancing Services to Employees and Employers.** As the primary federal agency responsible for investigating workplace discrimination, the EEOC interacts with employees and employers in difficult and sometimes contentious situations (Yang, 2017). Charges of discrimination have been an important priority for the agency. EEOC Chairwoman Jenny Yang stated that in recent years, the EEOC has attained some of the highest mediation and conciliation success rates in its history (EEOC, 2017).

**Ensuring Fair Hiring Practices.** The EEOC protects everyone's right to fair access to employment. The agency has opened doors to opportunity by eliminating barriers in recruitment and hiring in a wide range of occupations. For example, the EEOC has expanded opportunities for women in traditionally male jobs including: truck drivers; dockworkers; laborers; auto sales representatives; and auto mechanics. In addition, the agency's enforcement efforts have challenged staffing agencies that have referred applicants based on client preferences for employees of a certain race, color, sex, national origin, age, or absence of disability. These

actions have created opportunities for many by providing job placement for persons who had not been previously referred for employment (EEOC, n.d.d.).

**Protecting Workers on the Job.** The EEOC has worked to find solutions to some of our country's most difficult and persistent social issues. To accomplish this, the agency has updated regulations and issued guidance and resource documents highlighting reassuring practices to prevent discrimination. The EEOC's work on pregnancy and LGBT+ discrimination are examples of recent efforts.

Pregnancy discrimination remains a persistent barrier to opportunity in the workplace (Ellmann & Frye, 2018). Still today, when women become pregnant, they continue to face harassment, demotions, decreased hours, forced leave, and even termination (McCann & Tomaskovic-Devey, 2021). In many situations, women were denied accommodations that would have permitted them to remain on the job (Bakst et al., 2019). To address such concerns, in 2014, the EEOC issued the first comprehensive update of its pregnancy guidelines in over 30 years, addressing issues including pregnancy accommodations under the ADA Amendments Act (EEOC, 2014).

Title VII of the Civil Rights Act of 1964 (Title VII) prohibits discrimination based on race, color, sex, religion, or national origin, and the Americans with Disabilities Act (ADA) prohibits discrimination on the basis of disability (EEOC, 2012). Protecting the rights of LGBT+ people in the workplace under Title VII's sex discrimination provisions have been a priority for the EEOC (Yang, 2017). Since 2013, the EEOC has issued a series of federal sector decisions finding that discrimination based on gender identity is a form of sex discrimination, and that denying a transgender person access to the restroom consistent with his or her gender

identity is a form of sex discrimination (EEOC, n.d.c.). In addition, the agency has concluded that discrimination based on sexual orientation is a form of sex discrimination under Title VII.

### **Diversity and Inclusion**

DoD policies define diversity as: “all the different characteristics and attributes of individuals from varying demographics that are consistent with the DoD’s core values, integral to overall readiness and mission accomplishment, and reflective of the nation we serve” (DoDI 1020.05, 2020). DoD policies define inclusion as:

“A set of behaviors (culture) that encourages Service members and civilian employees to feel valued for unique qualities and to experience a sense of belonging. Inclusive diversity is the process of valuing and integrating each individual’s perspectives, ideas, and contributions into the way an organization functions and makes decisions; enabling diverse workforce members to contribute to their full potential in collaborative pursuit of organizational objectives” (DoDI 1020.05, 2020).

Literature in academia generally defines both terms in much the same way, although most fields, including academia and corporate, have moved to discussing “diversity and inclusion” as a combined term, with the understanding that both aspects need to be present to be successful (Roberson, 2006; Shore et al., 2011).

As such, inclusive leadership has become a buzzword in the human resource community, resulting in the development of many models of inclusive leadership in the last decade (Alimo-Metcalf, 2010; Booker & Williams, 2022; Canlas & Williams, 2022; Korkmaz et al., 2022; Mor Barak et al., 2022; Nishii & Leroy, 2022; Randel et al., 2018; Shore et al., 2011). According to

the University of Harvard, inclusive leadership is a critical capability to leverage diverse thinking in a workforce with increasingly diverse markets, customers, and talent (Bourke & Titus, 2021). An often-cited definition for inclusion from the human resources literature comes from Shore et al. (2011, p. 1265) as “the degree to which an employee perceives that he or she is an esteemed member of the work group through experiencing treatment that satisfies his or her needs for belongingness and uniqueness.” Although different components are emphasized in the various models, the key aspects revolve around understanding individuals, teams, and the organization, and promoting inclusion on all three of those fronts (Buengeler et al., 2018; Ramzy, 2014).

When it comes to individuals, the experience of both the leader and those reporting to the leader must be taken into account. Common traits for inclusive leaders identified in the literature include humility (Booker & Williams, 2022; Hoang et al., 2022; Randel et al., 2018), shared decision-making (Randel et al., 2018), encouraging questioning (Alimo-Metcalf, 2010) or promoting employee voice (Booker & Williams, 2022; Nishii & Leroy, 2022), and strong self-awareness (Jolly & Lee, 2021; Randel et al., 2018). An inclusive environment allows those working within the space to feel supported in their needs and empowered as individuals (Korkmaz et al., 2022; Randel et al., 2018), especially within their own authentic identities (Canlas & Williams, 2022). An inclusive workplace also leads to feelings of psychological safety. Psychological safety provides a space where individuals can feel comfortable sharing their needs and concerns (Booker & Williams, 2022; Canlas & Williams, 2022; Jin et al., 2017; Perry et al., 2021). At a fundamental level, inclusion fosters a sense of belonging, which is a fundamental human motive deeply embedded in our evolutionary history, owing to our essential dependence upon other people (Baumeister & Leary, 1995; Buss, 1990). Our motive to belong is so vital that experiences of perceived exclusion can be acutely distressing, eliciting negative

affect, lowered self-esteem, and a threatened sense of belonging (Williams, 2007). Indeed, the pain of exclusion or rejection can even manifest physically, as it has been shown to activate the same part of the brain that feels physical pain (Eisenberger et al., 2003). Lack of inclusion, or a sense of being rejected, may even affect how we perceive others and events around us (Pitts, et al., 2014). These effects of belonging and uniqueness, and conversely, rejection or lack of inclusion, are known to make their way into the workplace.

As such, several studies point to uniqueness and belonging as both a desired outcome of inclusive leadership and as features of the workplace climate required to achieve such outcomes (Booker & Williams, 2022; Hoang et al., 2022; Korkmaz et al., 2022; Perry et al., 2021; Randel et al., 2018; Rice et al., 2020; Shore et al., 2011). People not only strive to belong to a group but also want to be unique from others and feel exceptional (Bekmezci et al., 2022). These dynamics of inclusive teams result in creativity, improved job performance, and reduced turnover (Randel et al., 2018).

The team and organizational components have some overlap; in addition to belonging and uniqueness, inclusive teams provide connections and supports (Canlas & Williams, 2022) with a focus on relationship building (Korkmaz et al., 2022). An inclusive organization should allow for meaningful participation (Canlas & Williams, 2022) with a focus on organizational diversity (Nishii & Leroy, 2022), including the recruitment of diverse candidates and promoting an organizational mission of inclusion (Korkmaz et al., 2022). Finally, the organization should engage employees in connection to a grander concept (Canlas & Williams, 2022) and ensure that employees feel appreciated in the work they are doing (Korkmaz et al., 2022).

Given the connections between diversity and inclusion, and the fact that the two terms are difficult to separate, the concept of inclusive leadership is used to underpin the understanding of

diversity and inclusion for the purpose of training of the Senior Executive Equal Opportunity Seminar (SEEOS).

### **Harassment**

The Department of Defense describes harassment as offensive jokes, epithets, ridicule or mockery, insults or put-downs, displays of offensive objects or imagery, stereotyping, intimidating acts, veiled threats of violence, threatening or provoking remarks, racial or other slurs, derogatory remarks about a person's accent, or displays of racially offensive symbols. Types of harassment include, but are not limited to, discriminatory harassment, sexual harassment, hazing, bullying, and stalking (DoDI 1020.03).

A study by the Harvard T. H. Chan School of Public Health (2019) found that episodes of workplace abuse in the previous year led to several negative mental and physical health outcomes (Gale et al., 2019). This study concluded that exposure to workplace harassment and abuse was associated with depression, sleep disturbances, and musculoskeletal injuries. Other studies have also found a link between exposure to workplace stress and increased physical and mental health issues and disorders, including a higher cardiovascular risk score (Kivimäki & Kawachi, 2015). Few studies have tracked the impact of workplace abuse on long-term health, although evidence suggests that sexual harassment early in the career has long-term effects on depressive symptoms, which in turn can affect quality of life, relationships, and professional attainment (Houle et al., 2011). Studies suggest that at least 50% of women experience some type of harassment during their working life (Das, 2009), but only a minority of those report the abuse (Feldblum and Lipnic, 2016).

**Discrimination**

Racial/ethnic harassment and discrimination are less likely to happen in climates where supervisors are alert and pay attention to such behaviors and where there is no tolerance for said behaviors in the workplace (Daniel et al., 2022). As such, “the tone from leaders may be one of the most important, though not only, ways to decrease racial/ethnic harassment and discrimination” (Daniel et al., 2022, p. 11). Additionally, the commitment of leadership to diversity and inclusion efforts, including making reasonable and honest efforts to stop discrimination, is imperative to successfully modify the climate (Daniel et al., 2022). As one set of authors put it, “it is essential that organizational leaders provide a clear and consistent anti-harassment message” (Buchanan et al., 2014, p. 699).

**Retaliation**

After an individual has experienced and reported harassment, assault, or discrimination, an organization is obligated to investigate the allegation. During that investigation process, the person who reported the original misbehavior may experience what is referred to as retaliation. Retaliation is a negative reactionary response to a formal or informal complaint, usually one regarding discrimination, harassment, or assault (Alteri et al., 2022). Reactions of a retaliatory nature typically ostracize or punish the one who did the reporting (Alteri et al., 2022; Binder et al., 2018; Dahl & Knepper, 2021). As such, retaliation cannot exist as a standalone concept; it follows a reporting process. Also, retaliation (or fear of retaliation) can serve as a deterrent to reporting in the first place (Dahl & Knepper, 2021; Dobbin & Kalev, 2019). As one article says, “The use of retaliation as a threat to enforce silence in the face of discriminatory behavior is a



key reason why, under U.S. law, employers are barred from retaliating against an individual for exercising their complaint rights” (Alteri et al., 2022, p. 2).

All organizations in the United States are subject to guidelines, policy, and laws regarding retaliation as a response to reported harassment or discrimination. The Equal Employment Opportunity Commission (EEOC) believes that “retaliation is a persistent and widespread problem in the workplace” (Dwoskin, 2016, p. 5). In order for actions to be legally seen as retaliation, there must have first been a formal complaint about actions that violate a protected class or status (e.g. race, gender, sex, age, genetic information, ability status, etc.) (Kumin & Schroeder, 2017).

In DoD Instruction 1020.03, *Harassment Prevention and Response in the Armed Forces*, (2018, updated in 2020), retaliation is defined as the following:

Retaliation encompasses illegal, impermissible, or hostile actions taken by a Service member’s chain of command, peers, or coworkers as a result of making or being suspected of making a protected communication in accordance with DoDD 7050.06.

Retaliation for reporting a criminal offense can occur in several ways, including reprisal. Investigation of complaints of non-criminal retaliatory actions other than reprisal will be processed consistent with Service-specific regulations... Reprisal is defined as taking or threatening to take an unfavorable personnel action, or withholding or threatening to withhold a favorable personnel action, for making, preparing to make, or being perceived as making or preparing to make a protected communication. In addition to reprisal... additional retaliatory behaviors include ostracism, maltreatment, and criminal acts for a retaliatory purpose in connection with an alleged sex-related offense or sexual

harassment; or for performance of duties concerning an alleged sex-related offense or sexual harassment. (p. 12).

In summary, retaliation refers to any action taken as a result of reported behavior (or suspicion that behavior was reported), which could include equal opportunity violations, discriminatory behavior, harassment, assault, or other reports. Reprisal is a specific type of retaliation that is enacted by a member of higher power as punishment for a filed report of a protect nature, such as a harassment, discrimination, or assault claim; actions of reprisal can involve threatening job security and future career benefits or denying promotions, leave requests, or other benefits, such as day passes. For the purposes of this paper, the term “retaliation” is used as an umbrella term to encompass any and all behaviors that have a detrimental impact on a person reporting, either before or after the report. Although there is a slightly different reporting process for reprisal vs. retaliation, the end result is the same: the person who reported is shamed, punished, and/or faces retribution for filing their report. Compliance for reporting on retaliation is covered in trainings throughout one’s time in the Service. This literature review is focused on the human response to retaliation to best support Service members as well as prevention measures that focus on changing climate and promoting reporting and intervention in the future.

### **DoD Policy Alignment**

The Department of Defense outlines the following goals in its *Diversity, Equity, Inclusion, and Accessibility Strategic Plan Fiscal Years 2022-2023*: increased diversity to enhance global joint warfighter capabilities in order to address complex emerging security challenges and to create a culture of organizational resiliency; expansion of equity and equality across the DoD; improved workplace inclusivity; and commitment to accessibility. Training senior leaders on issues surrounding EO and EEO directly aligns with the strategic plan goals.

DoDI 1350.02 (2020) requires training to include an overview of the nature, consequences, and effects of prohibited discriminatory behavior. DoDI 1350.02 further mandates training to foster a command climate that does not tolerate prohibited discrimination and encourages individuals to intervene and prevent potential incidents of prohibited discrimination to include social media misconduct and inappropriate electronic communications. DoDI 1350.02 designates the Defense Equal Opportunity Management Institute (DEOMI) as the primary training provider for DoD civilians in EEO positions to include training on prevention of and response to prohibited discrimination and harassment.

DoDI 1350.02, (2020) states that the MEO (Military Equal Opportunity) ensures that Service members are treated with dignity and respect and are afforded equal opportunity in an environment free from prohibited discrimination on the basis of race, color, national origin, religion, sex (including pregnancy), gender identity, or sexual orientation.

DoDI 1350.02 (2020) strives in processing, resolving, tracking, and reporting MEO prohibited discrimination complaints, including anonymous complaints. In addition, the MEO works with prevention and response to prohibited discrimination through education and training, reporting procedures, complainant services and support, and appropriate accountability that enhances the safety and well-being of all Service members. The program holds leaders at all levels appropriately accountable for fostering a climate of inclusion that supports diversity and is free from prohibited discrimination. MEO also works towards retaliation prevention against Service members for filing an MEO prohibited discrimination complaint is also part of this program.

DoDD 1020.02e, *Diversity Management and Equal Opportunity in the DoD*, effective June 1, 2018, describes the civilian EEO program granting all DoD employees a work

environment free from unlawful discrimination and requires the identification and elimination of barriers and practices that impede equal opportunity. DoDD 1440.1, *DoD Civilian Equal Employment Opportunity (EEO) Program*, established May 21, 1987, and certified current November 21, 2003, established the DoD civilian EEO program, prohibits unlawful discrimination, and instructs the DoD to establish a continuing EEO education program for civilians and military personnel supervising civilians.

DoDI 1020.03 (2018, updated in 2020), *Harassment Prevention and Response in the Forces*, provides detail and depth about retaliation as a prohibited behavior related to harassment prevention and response. This instruction requires training for harassment response and prevention, including knowledge on the definitions of the terms and proper response as well as preventative measures. Additionally, the instruction states that it will “hold leaders at all levels appropriately accountable for fostering a climate of inclusion that supports diversity, is free from harassment, and does not tolerate retaliation against those filing harassment complaints” (p. 3). DoD Instruction 1020.04, *Harassment Prevention and Response for DoD Civilian Employees*, further extends the policy mandate to civilians, stating, “the conduct prohibited by this policy includes, but is broader than, the legal definitions of harassment and sexual harassment” (p. 7). Harassment and retaliation under this instruction could include a single incident, as well as prolonged behavior.

## **Antecedents**

### **History of Civil Rights**

In 1964, Congress passed the Civil Rights Act, which focused on forbidding discrimination on the basis of sex as well as race in hiring, promoting, and firing (FTC, 2021). Title VII created the Equal Employment Opportunity Commission (EEOC) to implement the law (EEOC, n.d.b.). Today, the EEOC investigates the adherence to federal laws that prohibit discrimination based on color, sex, race, nationality, religion, disability, or age in promoting, hiring, setting wages, firing, testing, training, apprenticeship, and all other situations and conditions of employment. Consequently, the integration of schools and other public facilities was another step in the right direction for human rights. This act made employment discrimination illegal, and enforced the constitutional right to vote. It was considered the most sweeping civil rights legislation since The Reconstruction Acts of 1867. The Reconstruction Acts gave former male slaves the right to vote and hold public office (The Library of Congress, n.d.).

### **Need for Equal Opportunity Programs**

According to the U.S Army Space and Missile Defense Command (n.d.) the EO program's mission is to promote equal opportunity and fair treatment for all Soldiers, their family members and civilian employees regardless of their color, race, gender, religion, national origin, or sexual orientation, and provide an environment free of unlawful discrimination and offensive behavior. The program focuses on creating and promoting a positive workplace culture by tackling some of the biggest issues that create a toxic environment, such as discrimination,

harassment, and retaliation. Also, the program provides tools for leadership to promote a positive workplace culture that incorporates diversity and inclusion.

### **Impacts on Individuals**

The National Institute for Health (NIH) has found in a recent study a relationship between discrimination in the workplace and a negative effect on both the mental and physical health of employees (Collins, 2021). In addition, recent Gallup survey of U.S. workers finds that workplace discrimination can affect employees' perceptions of an organization's culture, their opportunities, and their coworkers' intentions (Lloyd, 2022). Furthermore, studies indicate that workplace abuse and stress are related to poorer mental health, including sleep disorders, depression, anxiety, post-traumatic stress disorder and symptoms, and psychological distress (Gunnarsdottir et al., 2006; Nabe-Nielsen et al., 2016). Likewise, both racial and ethnic discrimination have been linked to a variety of adverse employee health outcomes, (Paradies, 2006; Williams & Mohammed, 2009) increases in depression, anxiety and psychological distress (Lee & Ahn, 2012; Raver & Nishii, 2010; Slopen & Williams, 2014). These effects also extend to bystanders observing ethnic and racial harassment and discrimination. Other adverse effects include being less satisfied with one's coworkers and supervisors, lower self-esteem, and an increase in health issues (Low et al., 2007). Among LGBT+ individuals, employment discrimination has been shown to negatively impact employees' health while lowering both job satisfaction and commitment (Sears et al., 2021).

### **Physical Health**

Employees who have experienced discrimination have higher levels of psychological distress and health-related problems than employees who have not.

National Institute of Health (NIH) conducted a meta-analysis of past studies and current literature on potential pathways linking discrimination to negative health outcomes (2009). Information across studies reviewed by NIH suggests racial discrimination can lead to smoking, while sexual harassment in the workplace can lead to alcohol or substance abuse. Harassment can lead to serious physical and mental effects. Discrimination in the workplace is associated with poor outcomes: “results show that perceived racial discrimination at work is negatively related to job attitudes, physical health, psychological health and diversity climate” (Triana et al., 2015, p. 502). A recently released study conducted by NIH as showed a relationship between discrimination in the workplace and a negative effect on both the mental and physical health of the employee. Some of the physical effects include aches and pains, an increase in cardiovascular illness, breast cancer, obesity and high blood pressure most likely related to the impact of the stress (Etheridge, 2105).

### **Mental Health**

Some of the mental effects of discrimination in the workplace on the employees include depression, developing anxiety disorders, loss of self-control leading to the employee becoming hostile or even attempting suicide (Collins, 2021.) Although studies show that men are impacted less than women, the effects of workplace abuse can still be severe. One longitudinal study discovered that “male military service members who experienced recent sexual trauma were more likely to report symptoms of PTSD, major depression, and poorer overall mental health” (Millegan et al., 2016, p. 137). It should be emphasized that mentioned outcomes were more common with assault than with harassment (Millegan et al., 2016). In said study, men who were impacted by sexual harassment or assault were 60% more likely to prematurely depart from Service (Millegan et al., 2016).

Workplace discrimination can also affect their feelings of psychological safety and belonging and their ability to do their best work. The lack of prevention, implementation, and accountability has negative effects on individuals and is associated with poor outcomes: “results show that perceived racial discrimination at work is negatively related to job attitudes, physical health, psychological health, and diversity climate” (Triana et al., 2015, p. 502). Workplace discrimination has also been linked to smoking and alcohol use (Chavez et al., 2015).

Retaliation is another behavior that harms individual employees and can have a negative impact on overall employee morale and mental health (EEOC, n.d.a.). Often, an adverse reaction can be unnoticeable or subtle. Therefore, they can look like excluding employees from important meetings or work activities. It may not always be easy to recognize (United States Department of Labor, n.d.). Retaliatory tactics can result in workplace traumatic stress, which causes moral injury to the whistleblower and can lead to post-traumatic stress disorder, depression, substance abuse and even suicide (Worth, 2022). Employees who have experienced discrimination have higher levels of psychological distress and health-related problems than employees who have not. Given that retaliation is a negative response to an already traumatic event (assault, harassment, discrimination, etc.), the impacts of it on Service members are understandably negative. In one study, women in the Service expressed “how negative emotional reactions, such as blame or judgment from military disclosure recipients, increased their distress from the assault or intensified feelings of vulnerability and fear after disclosure” (Dardis et al., 2018, p. 422). Further, “being victimized by another service member often conflicts with strongly held beliefs in the trustworthiness of, and loyalty to, members of the unit,” which is also problematic (Dardis et al., 2018, p. 415).



### **Impacts on Organization/Unit**

The adverse impacts of discrimination, harassment, and retaliation go beyond the individual and affect the entire organization.

### **Challenges when Work Environment is Negative**

It is important to emphasize that discrimination not only affects the employee, but it also affects the work environment and the company. Studies indicate that workplace abuse and stress can also affect co-workers who are not the direct victim (Di Marco et al., 2016, 2018). It has been shown that both victims of workplace mistreatment and bystanders to such behaviors are more likely to leave an organization that does not adequately address concerns (Burns, 2022). A study using 2016 data from the Workplace and Gender Relations survey conducted by the DoD found that when negative actions, such as being encouraged to ‘drop it’ or “punitive punishment”, follow a report of sexual harassment, there is increased emotional distress felt by the victim (Daniel et al., 2019). Such distress leads to a decrease in desire to stay in the military among those who reported (Daniel et al., 2019). In contrast, when positive action was taken as a result, such as asking the offender to change their behavior, or action taken against the offender, the victim was less likely to experience emotional distress and less likely to consider leaving the service (Daniel et al., 2019).

A poor work culture can negatively impact an organization in many ways. As it can lead to employee’s loss of interest and focus, aggressive behavior in the workplace, high rate of turnovers, and tasks not being completed on time, . In contrast, practicing inclusive leadership is associated with lower rates of harassment and more positive outcomes for workers (Perry et al., 2021). Being subject to discriminatory behavior can adversely impact retention, especially if reports of such behavior are not followed by positive actions from the affected individual’s chain

of command (Daniel et al., 2019). It should be noted that discriminatory behavior can occur on a continuum and that even subtle slights that do not reach the threshold of prohibited discrimination may harm employees' health, wellbeing, and work performance (Smith & Griffith, 2022). Racial and ethnic harassment and discrimination can be costly to organizations as they lower productivity and job satisfaction while increasing turnover intentions among employees (Bergman et al., 2012; Steinback & Irvin; 2012).

Anjum et al. (2018) found that negative behaviors such as harassment, incivility, ostracism, and bullying have direct negative significant effects on the employees. One of the areas that was severely affected was job productivity (Anjum, et al., 2018). They recommend that organizations eradicate the factors of toxic workplace environments to ensure their prosperity and success. As a result, they encourage managers, leaders, and top management/leadership to embrace appropriate policies for enhancing employees' productivity.

### **Negative Impact on the Military**

The DoD continues to experience and battle with toxic and counterproductive leadership behaviors that sabotage the culture and values of the institution. Extensive and comprehensive research about toxic leadership behavior has not yet been conducted by the DoD, but in the private-sector there are multiple studies that have focused on the enabling, tolerance, impact, cost, and reduction, of workplace toxicity. Recent research has identified relationships between toxic behaviors and adverse effects on mental and physical health (including suicide, stress-related illness, and post-traumatic stress), job satisfaction and commitment; individual and collective performance (cognition and collaboration); employee turnover; and the creation of an organizational culture that

tolerates other inappropriate behaviors including sexual harassment and discrimination (McGurk et al., 2014; Williams, 2018; Winn, G. L., & Dykes, A. C., 2019). In addition to the impact on direct targets of toxicity and negative behaviors, research identified that bystanders, family members, and the institution also suffer adverse consequences (Williams, 2017).

In the year 2016 alone, the monetary cost to DoD could be upward of \$4.7 billion, or 8 percent of the 2016 DoD budget, calculated by a model assessing the rate of private-sector personnel who experience toxicity (10 to 16 percent) and a cost per case (\$23,000 to \$32,000, considering inflation), and full-time civilian and military personnel strength (734,000 and 1.3 million respectively) (Williams, 2017).

A less-researched, but important, area to consider is the impacts of retaliation on those soldiers who are stationed abroad. Women who were deployed and saw combat were at an increased risk of sexual harassment and assault compared to those who were not deployed (Leardmann et al., 2013). Further, sexual trauma involving assault resulted in higher rates of suicidal ideation for deployed soldiers; sexual harassment did not have the same increased suicidal ideation (Monteith et al., 2016). Given that retaliation can follow after reporting such an incident, the increased risk of impact on deployed soldiers should be considered and studied more closely.

## **Risk Factors**

### **Lack of Understanding of Diverse Backgrounds**

An increase in cultural diversity can lead to more intergroup conflict if not managed well (Stahl et al., 2010). We live in a world full of diversity and the reality is that it can cause

problems if not addressed properly. However, this does not mean a diverse workplace is an inherently conflict-ridden workplace. But that often, leaders who have a diverse group must work a bit harder to solve interpersonal conflict than those in more homogenous workplaces (Kramer, 2020). Therefore, it is imperative for leaders for leaders to develop skills to promote diversity and be able to handle these issues. Some examples of diversity conflict in the workplace mirror examples of diversity issues in society at large. Beyond the racial and gender inequality challenges in society that can cause tension in the workplace, diversity-related conflicts can also arise from: (Kramer, 2020)

- Socioeconomic diversity
- Cultural differences, especially between immigrant and native-born employees
- Religious differences
- LGBT+ acceptance
- Generational differences
- Educational background differences

According to Big Think Edge (n.d.), diversity conflicts at work can evolve when there is lack of understanding or respect for another's social or cultural differences. For example, a leader might refuse to allow certain employees to take time off for their religious observances, while allowing others to do so for theirs. As a result, the religious discrimination can be the cause of conflict between the employees and their leader and potentially between the employees themselves.

If leaders of organizations do not fully buy into inclusion and inclusive leadership practices, it can give the impression to leaders seeming ingenuine and alienating employees

(Buengeler et al., 2018). Buengeler et al. (2018) suggest giving leaders freedom over the “how” of diversity practices, but ensuring that they are fully committed to the “why.” If upper-level leaders show abusive leadership tendencies, such as yelling or put-downs, it inhibits the climate of inclusion (Rice & Young, 2021). Further, middle managers tend to follow the lead of those in upper-management, so if upper-management demonstrates inclusive leadership, those under their leadership will be inclined to do so as well and “work to make other organizational members feel valued and welcome” (Rice & Young, 2021, p. 11). The opposite is also true: “if managers engage in abusive management, supervisors are less likely to lead inclusively” (Rice & Young, 2021, p. 11). Unsurprisingly, a “supervisory display of hostility toward subordinates is likely to be experienced as an unwelcoming and marginalizing experience” (Rice et al., 2020, p. 610). Ineffective leadership may also result in employees of color being asked to shoulder the burden of educating others in the workplace about their own oppression (McShannon, 2021). Failures to build and actively promote a culture of inclusion may also result in feelings of rejection and ostracism, which in turn lowers workforce self-esteem, sense of belonging, positive affect, and even their health via stress (e.g., Williams, 2007). When leaders do not choose to practice inclusion, the climate of inclusion takes a hit.

### **Organizational Climate and Culture**

There are many factors that can contribute to poor organizational culture. One of the primary causes of poor organizational culture is a lack of communication. When the company or organization only focuses on profits and hyper-competition not the employees, it can be detrimental for the climate and culture of the organization. Consequently, this can lead to negative outcomes including low employee engagement, higher rates of absenteeism and presenteeism, a lack of empathy, a lack of flexibility and high employee turnover (Benstead, 2022).

Negative workplace culture isn't something that is contained. It spills out into employees' lives, thereby affecting society at large. A report published by The Culture Economy (2021) found poor workplace culture is costing the economy \$20.2 billion a year. Poor company culture promotes unethical behavior both inside and out of the workplace. Disengaged employees also develop a lack of trust. When these behavior spills into life outside of work, it has implications for the kind of community we live in (Benstead, 2021). Given the fact that the federal government is the largest employer of the country, it is imperative that it leads by example and sets the standards for employee wellness, which must include leveraging equal opportunity, diversity, and inclusion programs (U.S. Department of Labor, n.d.).

### **Organizational Culture and Harassment**

Research suggests that about half of all workers experience sexual harassment and that about three quarters of those are women (Ford & Ivancic, 2020). Organizational culture can contribute to whether sexual harassment occurs and whether that harassment is reported (Ford & Ivancic, 2020). The authors examined how organizational culture affects victims in various ways including resilience, fatigue, ability to cope, and vulnerability. In the study, the authors measured three concepts in organizational communication for the first time: sexual harassment fatigue, organizational (in)tolerance of sexual harassment, and perceived victim vulnerability to future harassment. The results indicate that participants who felt that their organization tolerated sexual harassment also felt vulnerable to future abuse (Ford & Ivancic, 2020).

Although it is possible that a cultural status can change, it could be a big challenge given the presence, interaction, and consolidation of several toxic elements. A detoxification is required to create and promote a workplace free of such negative behaviors. Implementation and integration of multiple actions at each organizational level to reinforce respectful engagement is of great importance (Williams, 2017). The authors define respectful engagement as "treating each individual with dignity and fairness, with the operational premise that you treat others in

concert with the way you would like to be treated.” (Williams, 2017). Positive behavioral patterns of authenticity, affirmation, attentive listening, transparency, open communication, trust, and mutual support are some of the keys to a change in culture (William, 2017). In addition, efficacious change demands focusing on the enabling conditions, meaning it is important not to focus only on the toxic individual, but also on the results-rewarding system that tolerates and encourages toxicity. To create a healthy culture, the authors sustain that a leader must nourish and fortify the culture, confront toxic personnel and anyone who protects them, and train those in charge to build, sustain, and promote a culture of respect and tolerance.

Core values are the essential nutrients for organizational culture and must permeate the organization’s daily activities, formal and informal discussions, meetings, decision making, systems, processes, and performance. For a culture change to take place, the institution must emphasize that good practices are expected to come from everyone, no matter their title, position, or years in the institution. With this, it is imperative that institutions do not permit anyone in authority to abuse the standards they are in charge to report. Making sure individuals are held accountable for their actions is essential. It is important not only to create a list of the values, but also to constantly remind individuals what those are. An institution should not assume that individuals know their values, nor practice them. Values should be shared, reinforced, and reminded to individuals. They must be communicated on a regular basis and in different ways, since, as research shows, toxicity will be significantly reduced in organizations that clearly define values in concrete ways, identify the kinds of behaviors the organization will and will not tolerate, and have a clear set of consequences when an individual does not live up to the values (William, 2017). Of course, the leader must model these behaviors as well. A gardener who observes weeds, pests, or disease must take immediate action so that the undesirable elements do not grow, multiply, and exploit the plants and their nutrients. In the

same way, leaders must take immediate action using a variety of individual, collective, and organizational interventions.

### **Perceived Barriers to Reporting Harassment in the Military**

One fifth of military sexual violence victims do not report because the military environment has taught them to see rape as a normal part of military service (O'Neill, 2016). Victims have confirmed that one of the reasons they don't report an incident is because the person who files the complaint and initiates the process is the same person who committed the unwelcome behavior, discouraging them from filing a complaint, therefore, an office only dedicated to process these complaints is imperative (O'Neill, 2016). This way of thinking and culture often exists in environments where hyper-masculinity is encouraged and which in many cases it ends up increasing sexual violence (O'Neill, 2016).

Indeed, aggression is a necessary part of military culture given the nature of the work the military does; but when this need to dominate begins to negatively affect the way service members treat their comrades, changes need to be made. Reducing hypermasculinity and the idea of extreme strength and violence may help reduce the problematic of sexual assault in the military (Abbate, n.d.). By making a priority the idea of controlled force a priority and providing a very clear message that violence is only a tool of war and not a way of life, the military may be able to take strides toward fixing the issue. Regarding the relationship between masculinity and violence, masculinity has been identified a factor for sexual violence, since "sexual assaults are almost exclusively perpetrated by males" (Kilmartin 1994, p. 212). A cross-cultural study on rape reports that societies with a high incidence of rape "tolerate violence and encourage men and boys to be tough, aggressive, and competitive." On the same token, Kilmartin (2005, p. 1) suggests that "men's socialization to be aggressive and to be sexual initiators, their



disproportionate social and organization power, and their ability to intimidate based on greater size and muscle mass,” can explain the phenomenon of male driven sexual assault. She provides view of masculinity that emphasizes aggression, dominance, and self-sufficiency is correlated with a propensity to rape.

While society itself is responsible for gendering males into “masculine” personalities, the military can inadvertently promote especially toxic, extreme, and exaggerated forms of masculinity: hyper-masculinity or “military masculinity” (Abbate, 2014). Military masculinity emphasizes polarized gender roles, acceptance of stereotypical gender roles, and an obsession with tolerating pain, control of one’s emotions, violence, and power (Abbate, 2014).

### **Structural Barriers**

Some victims claim that to report harassment is too complicated. For instance, reports show that one third of the victims did not report because they did not know how (O’Neill, 2016). Simplifying the process and educating soldiers about the process is important to ensuring harassment is reported.

There are elements of military culture that are challenging for victims and their families, as well as for bystanders of toxic, negative, harmful behaviors. Harassment within the chain of command is a primary concern. Statistics from the 2016 DoD SAPR (Sexual Assault Prevention and Response) Annual Report shows that the majority of victims were harassed by someone in their chain of command. Therefore, having to report abuse to the perpetrators themselves is likely to discourage targets from reporting, since targets would not expect the leader to take action against themselves, especially after they have already shown little regard for the policies meant to protect subordinates and fellow service members. While policy directs that the report

goes a step further in the chain of command, involving leadership who may be complacent or complicit can become a barrier to reporting.

Given the fact that some harassment incidents were initiated by a superior (O'Neill, 2016), all service members should have multiple channels to report any complaints, and these reports should result in timely action, including engaging in confidential channels. In fact, some experts (e.g., Zheng, 2020) suggest that changes to reporting structure can minimize the risk of retaliation, including independent or anonymous reports, transparency of reporting process, and easy ways to report that also protect victims. Consideration should be given to removing Equal Opportunity Advisors and Command-Managed Equal Opportunity managers from the same chain of command as victims and offenders. Furthermore, there should be an infrastructure that oversees and manages the implementation and evaluation of effective, lasting, and proactive prevention efforts across the DoD. Leadership should be not only trained, but also held accountable for prevention practices. It is important that commanders take immediate and effective action when confronted with harassment allegations, and that inappropriate conduct is addressed and corrected before it escalates.

### **Fear of Retaliation - Target**

Another deterrent against reporting is the fear of personal or professional retribution. Approximately 62% of the victims who reported their rape faced retaliation after reporting (O'Neill, 2016). Victims of sexual assault are often accused of lying about what happened to them and of hurting the cohesion of the unit (O'Neill, 2016). According to the EEOC, one 2003 study found that 75% of employees who spoke out against workplace mistreatment faced some form of retaliation. In a qualitative study of women in the military with previous trauma, including harassment, a major barrier to reporting was the fear of retaliation, including negative

career consequences, fear of being treated differently after reporting, and fears of being seen by family, friends, or others in the military as an embarrassment or a “snitch” as well as fears of being threatened for reporting (Dardis et al., 2018). Even if such fears do not manifest, they prevent reporting from occurring. However, in this small qualitative study, every woman who reported faced negative consequences for reporting, with the most common being that the events in question were swept under the rug or received an insufficient response. Sometimes the response was to move the women who reported to a new post, disrupting her life and career rather than dealing with the assailant (Dardis et al., 2018).

Although the official legal and Department of Defense definitions of retaliation only refer to actions that take place after a formal report. In a recent study completed by the RAND Corporation, 30% of military men and women self-reported that they had experienced social or professional retaliation after an assault occurred *regardless of if they reported it* (Farris et al., 2021). For those who did file a report, the number jumped to 52% of men and women experiencing retaliation (Farris et al., 2021). These statistics show that retaliation or fear of retaliation inhibit reporting to reporting (Farris et al., 2021). Victims may be bullied out of reporting with pre-emptive retaliation tactics, including ostracization or negative performance reviews (Myers, 2021). Self-reported retaliation before a report is filed would not meet the policy thresholds for action, but still impedes both the reporting process and the well-being of members in the Service (Losey, 2021).

### **Fear of Retaliation - Bystander**

Although the legal definition of retaliation only applies to those involved directly in the original reported infraction, fears of retaliation extend to bystanders as well. Bystanders often cite that they are concerned about consequences for themselves if they intervene in a situation or

report it (Melgar et al., 2021; Meyer & Zelin, 2019; Nazareno et al., 2022). In one study, as 40% of bystanders stated that fear of retaliation from others was the biggest reason for not intervening (Nazareno et al., 2022). This fear is especially important to consider in the military setting.

Whereas in civilian employment, there is a clear delineation between what is considered to be the workplace and what is not, the lines in a military establishment are much more blurred, especially when living and working in the same space (Gidycz et al., 2018). Therefore, fears of retaliation for intervening might be amplified, given that “going home” after work will likely mean continuing to interact with the same people.

Bystander fears of retaliation lead to an environment where harassing or discriminatory behavior can occur without immediate interference (Melgar et al., 2021; Meyer & Zelin, 2019), and this inaction can serve as reinforcement of the perpetrators’ behavior. Senior leaders can lead the way on creating a climate where intervention is encouraged. Such an environment can lead to more positive outcomes and a diminished fear of retaliation (Meyer & Zelin, 2019).

Additionally, senior leaders should demonstrate bystander intervention as often as possible to serve as an example and empower everyone at the organization (Meyer & Zelin, 2019).

### **Protective Factors**

#### **Diversity**

Organizations such as academic institutions, sports teams, workplaces, and others, see diversity as highly beneficial to organizations and the people in them (Deady, 2023). A study from Harvard Business Review (2018) found that diverse companies had a 19% higher innovation revenue (Lorenzo & Reeves, 2020). Companies with executive levels comprised of over 30% women are 48% more likely to outperform companies with less gender diversity (Dixon-Fyle et al., 2022). Another study from the Harvard Business Review (2019) revealed that

a strong sense of belonging among employees was also found to result in a 50% lower risk of turnover and a 56% increase in job performance (Carr et al., 2019)

People's inclinations, lifestyles, formations, and backgrounds mold who they are and allow them to bring a particular and unique perspective to the table. These different perspectives provide the organization learning opportunities and a better understanding of each other, providing an opportunity not only to communicate in a more understanding way, but also to see things from a more open-minded perspective, increasing our sense of empathy, awareness, and sensitivity. It is very important that to expand these benefits throughout the organization, leadership also needs to be diverse. It is not enough when subordinates are diverse but their leaders are not. According to the National Society of Leadership and Success (2022):

“a diverse team of leaders can help you establish and build trust with many different people in your organization. Diverse leadership brings a wealth of knowledge and varying perspectives, which can help improve the way your leadership relates to those inside and outside of your organization.”

Diverse perspectives enable leaders to be more mindful of unique and contemporary opportunities, navigate challenges, and make inclusive decisions. In a nutshell, diverse leadership leads to improved retention and recruitment of talent, while nurturing a healthy culture. Lack of accountability and a lack of diversity in leadership positions are also barriers to inclusion (Cassell et al., 2022). Thus, it is important for an organization to both express the value of inclusion and institute practices that reinforce the commitment (Chung et al., 2021). Such practices could include intentional recruitment of people from different backgrounds, strong orientation programs that encourage sharing stories and building belonging, and performance

management systems that support an individual's uniqueness but also are used to hold the organization accountable for its practices (Chung et al., 2021).

In addition, a barrier brought up by military women who have been harassed or assaulted is the fact that there were no women to report to, or that the person in charge of reporting was high up in the chain of command, which made reporting intimidating (Dardis et al., 2018). As such, having multiple points of contact for reporting and ensuring that unit members see themselves represented in these points of contact might alleviate some of those fears and provide a safer place to report.

### **Retaliation Prevention**

The best way to prevent retaliation is to implement strong anti-harassment policies and programs that deter harassment, assault, and discrimination in the first place (Becton et al., 2017). If there is no harassment, there is no report and, thus, no space for retaliation. Recent studies in an academic setting suggest that senior members of an organization have an added responsibility to intervene in harassing situations (Binder et al., 2018). Any senior leader witnessing harassment should advocate on behalf of the victim, as their positional power adds clout to the claims and provides support for rectifying the situation (Binder et al., 2018).

Without adequately addressing retaliation concerns, anti-harassment policies are unlikely to be effective, as people will not feel comfortable reporting harassment for fear of retaliation (Becton et al., 2017). The biggest impact of retaliation is that it prevents people from being willing to report harassment when it occurs (Binder et al., 2018; Dahl & Knepper, 2021). State statistics from Louisiana showed that as many as 75% of individuals did not report harassment, stating fear of retaliation or not being believed as their reasons for not reporting (Barrett & Greene, 2019). Because of these low reporting numbers in both the civilian and military sphere,

an increase in official reports may actually indicate that individuals feel more comfortable coming forward and speaking out, and not necessarily represent an actual increase in incidents.

Encouraging and supporting all unit members to file harassment claims following an incident can also decrease the likelihood of retaliation, as “the perception of safety in numbers may encourage reporting when complainants are worried about retaliation” (Binder et al., 2018, p. 1772). Two of the most historically important movements that were created to encourage and support all the victims of sexual crimes including harassment are #MeToo and #IAmVanessaGuillen movement. The #MeToo movement helps to show survivors of sexual abuse that they are not alone. It also helps to improve awareness about sexual violence, showing just how widespread sexual harassment and assault really are (*Me Too: Sexual Harassment Awareness & Prevention*, 2020). Vanessa Guillén was a 20-year-old Army soldier stationed at Fort Hood, Texas, whose dismembered remains were found in 2020 two months after being killed following an incident on base (Acevedo, N. (2022, January 21). Initially, civilian and military authorities did little in the way of investigation, until a personal effort from family and friends to raise awareness went viral on the internet and pressured authorities to seek and find her, as well as those responsible for her disappearance and death (Gutierrez & McCullough, 2020). Key parts of the I Am Vanessa Guillén Act became law after they were included in the \$770 billion National Defense Authorization Act, which President Joe Biden signed Dec. 27, 2022. It includes criminalizing sexual harassment under the Uniform Code of Military Justice, improving how certain officials respond to sex-related offenses through independent investigations and removing the decision to prosecute sexual misconduct cases from service members’ chains of command (Acevedo, 2022). These movements have helped transform not only the military, but also communities around the world affected by misogyny, with hundreds,

if not thousands of survivors coming forward to share their stories of sexual trauma (Sen, 2019). Details in the investigation into the murder of Army Specialist Vanessa Guillén reveal that she told her family she had been sexually harassed but was reluctant about formally alerting her command (Sicard, 2020), highlighting the issue.

### **Retaliation Response**

Retaliation complaints should be taken seriously and action taken as soon as possible. See the appendix for example testimonials about retaliation that can be used to help senior leaders envision how to respond to such concerns with empathy, care, concern, and action against the offenders. Often, those who experience and/or report retaliation feel an onslaught of negative emotions, such as a loss of safety, loss of trust, powerlessness, fear, and anger (Dardis et al., 2018). Supportive responses and continued emotional support result in feelings of validation, which result in less negative outcomes for victims; such responses should be the standard and goal for leaders in the military (Dardis et al., 2018).

Concerns about retaliation in the military are being taken seriously by the U.S. DoD In April 2016, the DoD released a Retaliation and Prevention Strategy plan, specifically for sexual harassment and assault, which included response plans to deter retaliation and make the reporting process easier.

Changes included in that document include the following:

- Additional data tracking of retaliation complaints to better understand the issue
- “Making available alternative means for reporters to resolve their retaliation allegations, including alternative dispute resolution, education, and other means” (p. 19).



- Increased transparency about retaliation cases and communication, to the extent possible by law
- Increased ability of commanders to share relevant retaliation case information with advocates and equal opportunity officers

## **Mitigation and Training**

### **Intervention Strategies**

In the field of diversity and inclusive leadership, providing a space for connection and true conversation is vital. For leaders who frequently find themselves in charge of trainings and educational spaces, it is worth considering valuing connection over correctness (Sandoval, 2021). In other words, viewing the role as a leader as one to connect with others, as opposed to correcting actions, thoughts, or behaviors (Sandoval, 2021). An educational environment that provides space for everyone, including the instructor, to learn and relate is an important way to value the diverse experiences of others (Sandoval, 2021). Sandoval (2021) created a set of questions (p. 33) that could easily be modified for workplace trainings or staff meetings to ensure that the environment is a conducive space for everyone involved. The original chart is in the appendix for reference, as questions should be tailored accordingly for the space.

Education research recommends sharing program goals with organization members, as different people can perceive phrases like “equality” and “diversity” differently (Onyeador et al., 2021). Other interventions in higher education include making social norms about inclusion more visible, such as posters about inclusion and short videos with peers talking about getting to know others outside of their own groups (Murrar et al., 2020). Such interventions were received positively by both non-marginalized groups, who express greater appreciation of diversity, and

marginalized groups, who express more of a feeling of belonging (Murrar et al., 2020). These interventions were relatively low lift; the video was five minutes long and included unscripted interviews, while the posters displayed a sentiment indicating that most students on campus were pro-diversity. These types of interventions could easily be transitioned into military-ready materials, some of which already exist and should continue to be used.

### **Inclusive Climate**

For leadership within the military who direct ground units, it is imperative to ensure that leadership practices show a commitment to inclusion, which could include team-building and trainings, as well as conflict mediation. As the United States continues to diversify, members of the military will reflect the greater population, and all individuals will need to feel included to perform their best. On the other hand, a positive climate decreases sexual harassment rates, reduces retaliation against those who confront and report harassment, and results in better psychological health and workplace experiences (Buchanan et al. 2014). Harassment is more likely to occur in workplaces that lack diversity, according to the EEOC's Select Task Force on the Study of Harassment in the Workplace (2016). In its report, the task force stated:

“Sexual harassment of women is more likely to occur in workplaces that have primarily male employees, and racial/ethnic harassment is more likely to occur where one race or ethnicity is predominant. Further, employees with different backgrounds than the majority can feel isolated and be vulnerable to pressure from others, while workers in the majority might feel threatened by those they perceive as ‘different’ or ‘other.’”

As part of a holistic approach to preventing workplace harassment, D&I training provides organizations with new opportunities to reinforce shared values, promote positive behaviors and inclusive thinking, and raise awareness of unconscious biases and how to overcome them when

making business decisions. Diversity training also is a way to communicate to employees that their ideas, perspectives and experiences matter, and that when they speak up about harassment and discrimination, they will be heard (Traliant, 2019).

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## **Appendix A: Interventions**

PRIOR TO ANY AND ALL USE OF THE ACTIVITIES IN THIS APPENDIX, PLEASE VERIFY THAT AUTHOR/OWNER PERMISSION IS OBTAINED WHERE NEEDED AND THAT USE OF THE MATERIALS DOES NOT RESULT IN COPYRIGHT INFRINGEMENT.

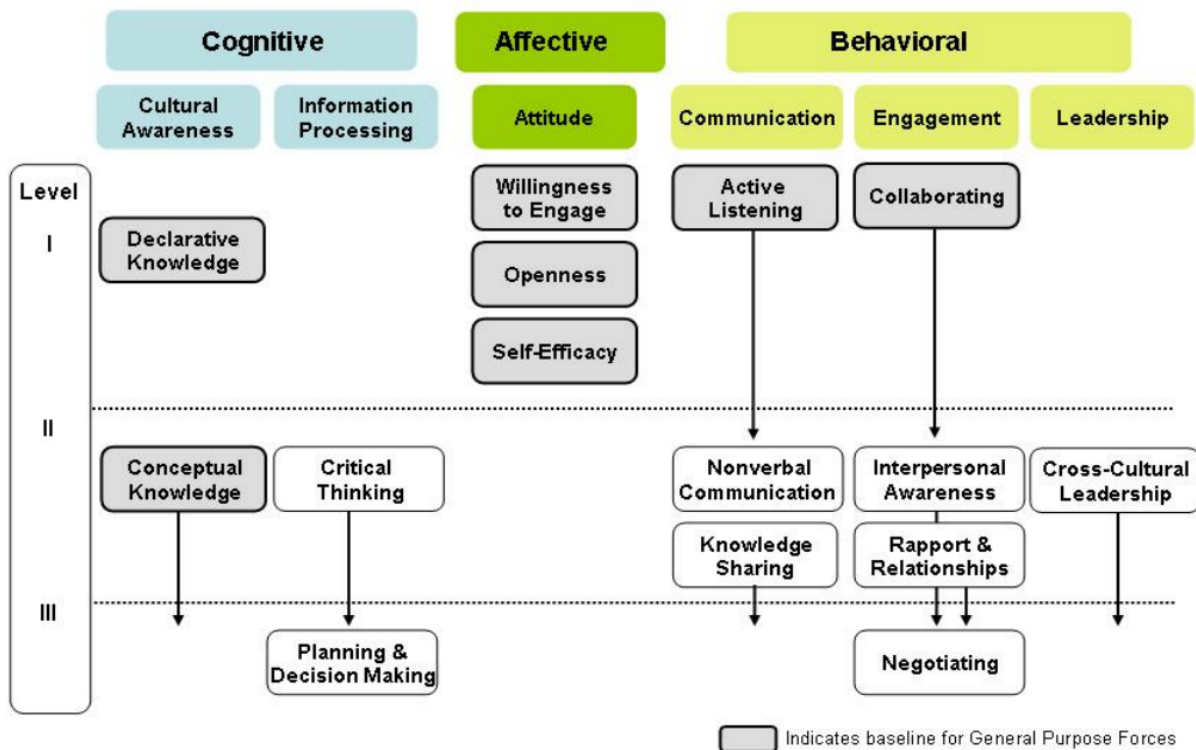
### **3C (Cross-cultural competency) Model**

The Department of Defense (DoD) has recognized the critical need to develop Cross-Cultural Competence (3C) across military and civilian personnel for mission effectiveness. To support policy and implementation across the various Services and Agencies, a model is needed to define the required learning outcomes and their developmental sequence for 3C to support training, education and evaluation (Ross et al., 2010). Cross-cultural competence (3C) is critical for military personnel to understand and perform effectively in complex cultural environments and to interact with individuals from other cultures (Trejo et al., 2015). The knowledge, skills, and abilities that make up 3C can result in clearer communication, build trust, and strengthen relationships in cross-cultural social contexts (Selmeski, 2009). *The Cross-Cultural Competence: The Role of Emotion Regulation*

The model can be presented to leaders, along with critical reflection questions, such as:

- 1) Where do you see the Force having cultural awareness and information processing?  
How could it be improved?
- 2) Do you think the culture of the Service leads to the attitudes required for cultural competency? What aspects of the culture are contributing or not contributing?
- 3) How do you use active listening in your position?

- 4) In what ways do you collaborate?
- 5) How can the skills needed for behaviors (communication, engagement, leadership) be better supported from a systemic standpoint?



[Source: Ross, K., MacNulty, C., Bencaz, N., & Thompson, C. (2010, February 28).]

### Loden's Diversity Wheel

The Diversity Wheel gives an overview of the dimensions of diversity that are present and active in one's workplace or environment. It consists of four layers of diversity (personality, internal, external and organizational levels) through which stimuli, information and experience

are processed by all of us. Our updated dimensions of diversity model represent a global view of the primary and secondary dimensions that inform our social identities:



[Source: [Gardenswartz & Rowe, \*Diverse Teams at Work\* \(2nd Edition, SHRM, 2003\)](#)]

“The inner circle now includes nine primary dimensions of diversity. The three additions to the original six are income, spiritual beliefs and class. In our experience, these nine primary dimensions are particularly important in shaping an individual’s values, self-image and identity, opportunities and perceptions of others. We think of these primary

dimensions as the core of an individual's diverse identity. Secondary dimensions in the outer circle have been expanded to include political beliefs - a significant differentiator in many societies today - as well as cognitive style. While there are also other "differences that make a difference," each of those depicted above represents an essential dimension of an individual's social identity. As such, these primary and secondary dimensions are the differences more likely to lead to culture clash and conflict when they are ignored, devalued or misunderstood by others" (Loden Associates Inc., n.d., p. 2-3).

### **The Four Layers Models**

These questions have been obtained from La Cross Medical Science Consortium. (n.d.). which is the original source.

"The Four Layers of Diversity" is not only a useful model, but can be used as a reflective tool to develop your own understanding of the impact of diversity on your life:

1. Read over the factors on the four dimensions (below). Think about how the various factors influenced the choices and decisions you made up to this point in your life. Which have had a positive impact? Which have had a negative impact? Which are you proud of? Which do you try to hide from others?
2. Looking at the factors again, think about those you have difficulty in accepting in other people. Which of the factors do you make snap judgments on? Which influence your decisions in a negative manner? What factors cause you to try to avoid contact with others?
3. To explore your values, create a list with the names of individuals you associate with frequently (family, work, community organizations). Next to each person's name,

write some of the factors from the dimensions that you are both aware of and those you assume to be true about the person. For example: Jason: white, middle-class, college degree, single, Catholic. You can select different factors for each person. Then ask yourself: how do I treat this person differently, both in a positive and a negative manner, based on what I know, or the assumptions I am making, about the person? Where are my biases coming out?

4. Finally, the "Four Layers" can be used as a team building exercise for organizations, by having each individual work through exercises 1 and 2 individually, and then discussing their responses together.

#### The Four Layers of Diversity

1. **Personality:** Includes an individual's likes and dislikes, values, and beliefs. Personality is shaped early in the individual's life and is both influenced by, and influences, the other three layers throughout one's lifetime and career choices.
2. **Internal dimensions:** These dimensions include aspects of diversity where we have no control e.g. (though "physical ability" can change over time due to choices we make to be active or not, or in cases of illness or accidents). This dimension is the area where many divisions between and among people exist and which forms the core of many diversity efforts. These dimensions will include the first things we see in other people, such as race or gender and assumptions and judgements we can make.
3. **External dimensions:** These include aspects of our lives which we have some control over, which might change over time, and which usually form the basis for decisions on careers and work styles. This layer often determines, in part, with whom we develop



friendships and what we do for work. This layer also helps us understand who we prefer spend out time with.

4. **Organizational dimensions:** This layer concerns the aspects of culture found in a work setting. While much attention of diversity efforts is focused on the internal dimensions, issues of preferential treatment and opportunities for development or promotion are impacted by the aspects of this layer. The usefulness of this model is that it includes the dimensions that shape and impact both the individual and the organization itself. While the "Internal Dimensions" receive primary attention in successful diversity initiatives, the elements of the "External" and "Organizational" dimensions often determine the way people are treated, who "fits" or not in a department, who gets the opportunity for development or promotions, and who gets recognized.

### **Presentation on Diversity and Inclusion Approach**

TEDx Talks, & Jones, J. (2022, June 1). *Don't Take the Exit on People: A Diversity & Inclusion Approach* | Justin Jones-Fosu | TEDxAsheville. YouTube. Retrieved January 19, 2023, from <https://www.youtube.com/watch?v=M152Brr7AeA>

#### **Reflection Questions:**

- 1) What are your initial reactions to the video?
- 2) How do you think this information/perspective can be applied to the Service?

### **Testimony from Retired Chief Warrant Officer 4 Doris Jean Sumner**

Sumner, D. (2019, June 5). *Testimony from Retired Chief Warrant Officer 4 Doris Jean Sumner for the H.401 Bill to the General Assembly of the State of Vermont, House Committee on General, Housing and Military Affairs*. Vermont Army National Guard. Retrieved January 19, 2023, from <https://legislature.vermont.gov/Documents/2020/WorkGroups/House%20General/Bills/H.401/Written%20Testimony/H.401~Doris%20Sumner~Copy%20of%20Testimony~3-11-2020.pdf>

This is part of the pages 8 testimony of a retired Chief Warrant Officer 4 from the Vermont Army National Guard, who exposed her experience as a leader and explains why we need more diversity in the Army (Sumner, 2021, pages 5-6). (For the H.401 Bill to the General Assembly of the State of Vermont for the Creation of the Position of Chief of Diversity)

How can you change a culture if those in power are not convinced the culture needs to change? Or if they do see the need for change, do not know how or have the tools to change it? In 2013 during the process to appoint a new Adjutant General, there was public attention concerning inappropriate processing of sexual assaults. After General Cray was appointed, he tasked General Heston to lead a task force to do everything it could do to combat sexism. I was specifically asked to be on the task force and played an instrumental role in laying out the strategic objectives. When our team suggested the task force be called, “Cultural Transformation Task Force”, there was a lot of grumbling over the name because according to sources, ‘it was not a sexy name, also they were saying, what culture did we need to change if we are so awesome?’ Having pride in your unit is natural and necessary, so to create a task force to look at what is wrong, was challenging for many. General Heston backed the name and the work we attempted to do.

The task force waned and eventually diluted into the Diversity Council. I am writing a book because each and everything the Task Force tried to do over the years required grit, persistence, convincing and volunteers without authoritative official authorizations. And we did a lot but it was always uphill and not without sacrifice because sexism and sexual assaults are still happening for our troops. The culture is not changing despite independent victories because there is a resistance and no oversight on the continuum, 2 steps forward, 1 step back. Women cannot be appointed into top leader positions; they must be developed and then selected into them and the culture is not lending itself to attract, retain and promote women into the top positions, thus the cultural power core remains very androcentric. We work on what we measure and without a dedicated Diversity Manager with the authority to solicit the appropriate data, the all-male Senior Leaders of the Guard are inconsistently making decisions at the detriment of our readiness. We are focused on women, because predominately women have been the service members reporting the negative experiences however, we know men suffer too, we all suffer.

#### Reflection Questions:

- 1) What are your initial reactions to the excerpt?
- 2) Where do you see the Service taking two steps forward and 1 step back?
- 3) What aspects of the culture have you seen change since you started your career in the Service?
- 4) What aspects of culture would you like to see change during your time remaining in the Service? Conversely, what aspects of culture need to stay the same?

- 5) Chief Warrant Officer 4 talks about how men suffer as well. What has this looked like in your experience? And how could things change for the future so that is not the case?

## **Appendix B: Policy**

### **DoDI 120.03 (2015)**

The DoD, through the DoD MEO Program, will: (1) Ensure that Service members are treated with dignity and respect and are afforded equal opportunity in an environment free from prohibited discrimination on the basis of race, color, national origin, religion, sex (including pregnancy), gender identity, or sexual orientation. (2) Process, resolve, track, and report MEO prohibited discrimination complaints, including anonymous complaints. (3) Prevent and respond to prohibited discrimination through education and training, reporting procedures, complainant services and support, and appropriate accountability that enhances the safety and well-being of all Service members. (4) Hold leaders at all levels appropriately accountable for fostering a climate of inclusion that supports diversity and is free from prohibited discrimination. (5) Prevent retaliation against Service members for filing an MEO prohibited discrimination complaint. (6) Respond to incidents involving harassment, including sexual harassment, in accordance with the procedures outlined in DoDI 1020.03. b. Violations of the policies in this issuance may constitute violations of specific articles of Chapter 47 of Title 10, United States Code (U.S.C.), also known and referred to in this issuance as the “Uniform Code of Military Justice (UCMJ),” and may result in administrative or disciplinary action.

### **DoDI 1350.02 Framework and Reporting Structure**

The DoD, through the DoD MEO Program, will:

(1) Ensure that Service members are treated with dignity and respect and are afforded equal opportunity in an environment free from prohibited discrimination on the basis of

race, color, national origin, religion, sex (including pregnancy), gender identity, or sexual orientation.

(2) Process, resolve, track, and report MEO prohibited discrimination complaints, including anonymous complaints.

(3) Prevent and respond to prohibited discrimination through education and training, reporting procedures, complainant services and support, and appropriate accountability that enhances the safety and well-being of all Service members.

(4) Hold leaders at all levels appropriately accountable for fostering a climate of inclusion that supports diversity and is free from prohibited discrimination.

(5) Prevent retaliation against Service members for filing an MEO prohibited discrimination complaint.

(6) Respond to incidents involving harassment, including sexual harassment, in accordance with the procedures outlined in DoDI 1020.03. b. Violations of the policies in this issuance may constitute violations of specific articles of Chapter 47 of Title 10, United States Code (U.S.C.), also known and referred to in this issuance as the “Uniform Code of Military Justice,” and may result in administrative or disciplinary action.

As dictated by DoDI 1350.02, the Military Services will design and incorporate a structure for effective management and conduct an annual self-assessment to evaluate program success and compliance. MEO programs and policies will be evaluated on six essential elements.

a. Element 1: Demonstration of Leadership Commitment.

- b. Element 2: Evaluation of Effectiveness and Efficiency.
- c. Element 3: Integration of MEO into Strategic Mission.
- d. Element 4: Management and Program Accountability.
- e. Element 5: Prevention and Response.
- f. Element 6: Compliance

The Military Departments will collect and maintain data concerning MEO prohibited discrimination complaints by their respective Service members, to include Service members assigned outside the Military Department. This data will include information pertaining to informal, formal, and anonymous reports. Such data will be reported annually (and as needed) to the Director, ODEI, through a DoD-approved automated database. At a minimum, the Military Departments' data will include:

- a. The type of complaint (i.e., informal, formal, or anonymous).
- b. The number of MEO prohibited discrimination complaints received.
- c. The number of complaints substantiated and unsubstantiated (formal and anonymous).
- d. The demographics (e.g., race/ethnicity, gender, and pay grade) of the complainant and alleged offender.
- e. Complainant and alleged offender status (active duty, Reserve Component, civilian).
- f. The alleged offender's working relationship to the complainant at the time of the alleged incident(s) (e.g., superior, coworker, subordinate).
- g. Basis of the complaint (e.g., race, gender).

- h. The duty status of both the complainant and alleged offender (e.g., training, temporary duty, leave, and on-duty or off-duty).
- i. Whether the alleged offender has prior substantiated MEO prohibited discrimination complaints documented in his or her personnel file.
- j. A narrative description of the alleged incident(s), including the use of social media.
- k. For Service members assigned, detailed, or otherwise working in a DoD or OSD Component other than a Military Department, the identification of the DoD Component in which the MEO prohibited discrimination complaint arose.
- l. The location of the alleged incident.
  - m. By whom and at what level of the organization the allegation was investigated.
  - n. By whom and at what level of the organization the allegation was adjudicated.
- o. The timeline of events from the date of complaint to final disposition, and reason(s) for any delays. DoDI 1350.02, September 4, 2020 SECTION 10: DATA COLLECTION AND REPORTING REQUIREMENTS
- p. The disposition of substantiated complaints, including no action, non-judicial punishment, discharge in lieu of court-martial or other adverse action, adverse administration action, court martial.
- q. Complaints resolved through conflict resolution or dispute resolution. 10.2.



## Reporting Requirements

The Director, ODEI, will provide a consolidated annual report to the USD(P&R), through the Executive Director, OFR that incorporates non-personally identifiable information and data collected by the Military Departments related to MEO complaints. The report will include:

- a. An aggregation and assessment of the information and data provided by the Military Departments.
- b. Information regarding DoD efforts to improve MEO complaints prevention and response policies and procedures.
- c. Recommendations to strengthen MEO complaint prevention and response efforts

## DoDI 1020.02E instruction (2015)

The DoD Civilian EEO Program:

- a. Prohibits unlawful employment discrimination based on race, sex (including pregnancy, gender identity, and sexual orientation when based on sex stereotyping), color, national origin, age, religion, disability, genetic information, or reprisal for previous EEO activity in accordance with applicable statutes and Equal Employment Opportunity Commission (EEOC) regulations. While not enforced by the EEOC, discrimination in employment based on other factors prohibited by Executive order, such as status as a parent, may be addressed through other separate complaint and resolution systems.

- b. Strives to achieve the elements of a model EEO program as described in EEOC Management Directive 715 (Reference (1)).
- c. Ensures that systems are in place to receive and process complaints of discrimination and that the resolution systems comply with applicable regulations.
- d. Identifies and eliminates barriers and practices that impede equal opportunity for all employees and applicants for employment including harassment in the workforce
- e. Identifies and eliminates barriers, including architectural and transportation barriers, affecting individuals with disabilities at work sites.

### **Navy Equal Opportunity Policy (2022)**

It is DoD and DON policy to prohibit harassment and prohibited discrimination against persons or groups based on race, color, religion, sex (including pregnancy), gender identity, national origin, or sexual orientation. This applies to, but is not limited to, recruitment, recruitment advertising, training, advancement and promotion, job assignments, collateral duties, transfers, and all other aspects of employment. The Navy is committed to maintaining a work environment that is free of harassment and prohibited discrimination.

The Navy has zero tolerance for harassment and prohibited discrimination. Acts of harassment and prohibited discrimination are contrary to the Navy core values of honor, courage, and commitment.

**Navy Safe-to-Report Policy 2022**

Sexual assault is a crime that betrays our sacred oath and solemn responsibility to our teammates and our Nation. Despite repeated efforts to eliminate barriers that might prevent victims of sexual assault from reporting this crime, data suggests that it remains substantially underreported within the Department of Defense (DoD) and the Department of the Navy (DON). Collateral misconduct by the victim of a sexual assault is one of the most significant barriers to reporting because of the victim's fear of punishment.

To best ensure that victims come forward and that offenders are held accountable, and in accordance with DoD guidance promulgated pursuant to Section 539A of the William M. (Mac) Thornberry National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2021,<sup>1</sup> direct the following Safe-to-Report Policy for Sailor and Marine victims of sexual assault. Under this policy, no member of the DON may discipline a Service Member victim of an alleged sexual assault for minor collateral misconduct.

**Applicability**

This policy applies to all victims of sexual assault who file an unrestricted report of sexual assault through the Sexual Assault Prevention and Response Office or the Family Advocacy Program and are Service Members within the DON, specifically: active-duty military personnel, both Regular and Reserve; cadets and midshipmen of the Naval Academy and of the Naval Reserve Officer Training Corps; and Reserve personnel when performing active or inactive duty for training, or engaging in any activity directly related to the performance of a DoD reserve duty or function.

**Minor Collateral Misconduct**

This policy prohibits discipline for minor collateral misconduct. As a threshold determination, COs must assess whether the misconduct was collateral to the report of sexual assault. Collateral misconduct is close in time, place, or circumstance associated with the victim's sexual assault incident. If the misconduct is collateral, then the CO should examine whether the misconduct is, in fact, minor. COs shall do so in consultation with their servicing Staff Judge Advocate. Whether collateral misconduct is minor depends on several factors. Paragraph 1. e of Part V of the Manual for Courts-Martial sets forth the following criteria for "minor offenses," which must be considered: the nature of the alleged collateral misconduct and the circumstances surrounding its commission; the sexual assault victim's age, rank, duty assignment, record and experience; and the maximum sentence for the alleged collateral misconduct if tried by general court-martial. Ordinarily, minor collateral misconduct is an offense for which the maximum sentence impossible would not include a dishonorable discharge or confinement for longer than one year if tried by general court-martial. However, the decision of whether alleged collateral misconduct is minor is a matter of considerable discretion for the CO. Accordingly, offenses that may be punishable by a dishonorable discharge or confinement for longer than one year if tried by general court-martial may nonetheless be minor collateral misconduct under this policy. In addition to the criteria set forth above, COs must also consider mitigating and aggravating circumstances. Mitigating circumstances decrease the gravity of the alleged collateral misconduct, its impact on good order and discipline, and concern that it may be service discrediting. Under this policy, examples of mitigating circumstances include but are not limited to:

- The victim's age and military experience level;
- Whether the alleged sexual assault offender is in a position of authority over the victim or a higher grade than the victim;
- Whether the alleged sexual assault offender engaged in actions to stalk, harass, haze, coerce and/or otherwise influence the victim to engage in sexual behavior;
- Whether the alleged collateral misconduct was known to command prior to the report of sexual assault, and if not known, the likelihood that the alleged collateral misconduct would have otherwise been discovered, but for the victim disclosing or reporting the sexual assault;
- Whether the victim engaged in misconduct after the sexual assault, which may be related to symptoms of exposure to trauma, e.g., the victim engaged in underage drinking as a coping mechanism to alleviate sexual assault trauma symptoms or the victim was absent without authorization to avoid encountering the alleged sexual assault offender; and
- Whether the alleged collateral misconduct is a uniquely military offense that would not be punishable under federal, state, or local criminal law if committed by a civilian. Aggravating circumstances increase the gravity of the alleged collateral misconduct and its impact on good order and discipline. Aggravating circumstances do not automatically preclude a finding that the alleged collateral misconduct is minor. Under this policy, examples of aggravating circumstances include but are not limited to:

- The alleged collateral misconduct intentionally or unintentionally resulted or imminently threatened to result in failure of a specified military mission or objective;
- The alleged collateral misconduct intentionally or unintentionally threatened the health and safety of any person, not including acts of self-harm or acts of self-defense against the alleged sexual assault offender(s); and
- The alleged collateral misconduct intentionally or unintentionally resulted in significant damage to government property, or the personal property of others, except when such damage resulted from the sexual assault and/or resulted from an act of self-defense. If after considering the circumstances of the alleged collateral misconduct, including the mitigating and aggravating circumstances set forth above, the CO determines that the alleged collateral misconduct is minor, the victim shall not be disciplined. The CO may take non-disciplinary administrative action as appropriate, such as referral to substance abuse treatment if the minor alleged collateral misconduct involved any type of substance abuse, behavioral health or medical providers for a fitness for duty determination, or temporarily suspending access to critical positions in the personnel reliability program until appropriate evaluations may be conducted. If after considering the circumstances of the alleged collateral misconduct, including the mitigating and aggravating circumstances set forth above, the CO determines that the alleged collateral misconduct is non-minor, the victim may be disciplined. However, the CO retains discretion as to whether to discipline the victim for non-minor alleged collateral misconduct. Examples of Minor

Collateral Misconduct. As set forth above, COs, in consultation with their servicing Staff Judge Advocate, must determine whether the alleged collateral misconduct is minor. Without limiting CO's discretion, the following are examples of collateral misconduct that generally should be treated as minor for purposes of this policy:

- Underage drinking at or near the time of the sexual assault;
- An unprofessional relationship with the accused, i.e., a relationship that violated law, regulation, policy, or custom, at the time of the sexual assault; and
- A violation of lawful orders establishing curfews, off-limit locations, school standards, barracks/dormitory/berthing policies, or similar matters at the time of the sexual assault.

### **Coast Guard Equal Opportunity Policies (2022)**

Coast Guard Equal Opportunity Policy Statement will follow the below practices:

- Recruit, train, develop, promote, reward, retain, and deploy a skilled and diverse workforce who are treated in a fair and consistent manner.
- Ensure that opportunities in the Coast Guard are publicized to the widest extent possible to identify, from all areas of our country and all parts of our society, highly qualified applicants for enlistment, officer accession, civilian employment, and Auxiliary enrollment.
- Maintain a work environment free from incidents of unlawful discrimination, hate, and harassment of any kind. The Coast Guard must also be free of any

reprisal or retaliation for participating in the Whistleblower Protection Act and other protected activities. Reprisal and retaliation are inconsistent with our Core Values and have no place in the Service. Guidelines for reporting and responding to unlawful discrimination and other prohibited behaviors can be found on the Coast Guard Civil Rights website:

<https://www.uscg.mil/Resources/Civil-Rights/> • Ensure that all Coast Guard members are educated about their rights and responsibilities under civil rights laws, regulations, and policies.

- Provide equal access to all benefits and privileges of employment to all civilian employees regardless of disability status.
- Act expeditiously, appropriately, and decisively in support of this policy to ensure personal accountability throughout the Coast Guard. The Coast Guard must remain steadfast in its support of equal opportunity. Every member of our workforce will be treated with dignity and respect without regard to race, color, national origin, religion, sex (including pregnancy, gender identity, and sexual orientation), age, disability, genetic information (including family medical history), marital status, parental status, political affiliation, military service, engagement in a protected Equal Employment Opportunity (EEO) activity, or any other basis protected by law. These principles form the basis of who we are.

### **Air Force Equal Opportunity Policy (2022)**

Prohibits unlawful discrimination and harassment, and reprisal. It establishes the requirements for the Air Force Military Equal Opportunity (MEO) Program and the Civilian Equal Employment Opportunity (EEO) Program. This publication applies to all



military and civilian Air Force (AF) personnel, including Air Force Reserve Command (AFRC) Units. This publication applies to Air National Guard (ANG) personnel in federal active-duty status under Title 10, U.S. Code. This instruction covers complaints of unlawful discrimination filed by appropriated-fund, non-appropriated-fund, applicants for employment, and former employees of the Air Force. It also applies to employees from federal agencies receiving Air Force support under a servicing agreement who allege unlawful discrimination in matters controlled by the Air Force. It does not apply to contract employees (unless authorized by law or regulation to file a federal agency complaint), employees or applicants of the Army and Air Force Exchange Service, members of the ANG (to include ANG Technicians) in a duty status under Title 32, U.S. Code.