

Upholding Retaliation Prevention and Response: The Command Team's Vital Responsibility



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At a Glance: Key Points

- Retaliation occurs after an allegation or occurrence of harassment, assault, discrimination, or other protected report.
- Retaliation consists of negative consequences for the one who reported, including ostracization from peers, negative career impacts (such as demotion, denied promotions, pay cuts, or denied opportunities), and threats, among other actions.
- Even the fear of retaliation can deter reporting; there are documented instances of retaliatory behaviors occurring even without a formal report, which serves to further deter the desire to report the initial infraction.
- Retaliation fears can also dissuade bystanders from interfering in situations where they might otherwise be inclined to interject.
- The best way to prevent retaliation is to properly handle the initial allegations with care and prompt action. Additionally, any retaliatory claims should be handled immediately.
- Creating a culture of respect and setting an example from the top leadership serves to deter the originating offenses, which limits the possibility for retaliation.

What Constitutes 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 can be understood in any context, civilian or military, as a negative reactionary response to a complaint, usually one regarding discrimination, harassment, or assault (Alteri et al., 2022). Retaliatory behavior can occur when an informal complaint is made; however, 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). The nuances and implications of retaliatory behavior that can occur without a formal complaint are discussed in subsequent sections.

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 an initial problematic behavior and subsequent reporting process, and retaliation (or fear of retaliation) can serve as a deterrent to initial reporting (Dahl & Knepper, 2021; Dobbin & Kalev, 2019). As one article states, “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). The EEOC is in charge of civilian complaints related to discrimination and harassment. Retaliation concerns in the military are addressed and defined by DoD Instruction 1020.03, *Harassment Prevention and Response in the Armed Forces*, (2018, updated in 2020):

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 short, retaliation generally 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 protected 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 developing education and training products, the term “retaliation” is used as an umbrella term to encompass all behaviors that have a detrimental impact on a reporting person, 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 review is focused on the human response to retaliation to best support Service members who experience retaliation as

well as prevention measures that focus on changing climate to promote reporting and intervention in the future.

DoD Policy Alignment

DoD Instruction 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 (2020) 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.

Further, the 2022-2023 Strategic Plan (2022) states one of the goals for the fiscal year to be workplace safety: “to create a culture and environment intolerant of any form of harassment, assault, discrimination, and retaliation” (p. 26). Part of a safe work environment involves “the willingness of the workforce to report incidents when they do occur, without stigma or fear of retaliation” (p. 26). As such, retaliation prevention and response are an important aspect to the future of the U.S. Military and crucial to mission readiness in the years to come.

What Does Retaliation Look Like?

Retaliation can occur through a number of different actions, including firing, demoting, wage cuts, or a change in tasks or assignments, usually to more difficult or less desired ones

(Dahl & Knepper, 2021). Covert retaliation is one specific type of retaliation covered in the literature and refers to “vindictive comments made by a person accused of sexual harassment about his or her accuser in a confidential setting” (Binder et al., 2018, p. 1770). This practice is especially prevalent when a power dynamic exists such that the alleged offender might be able to derail or influence an individual’s career aspirations (e.g., promotion, transfers, recognition, etc.; Binder et al., 2018). Covert retaliation might manifest by denying the accuser a promotion or career opportunities, hurting their reputation, or spreading false stories about the accuser. The accuser would have no way of confirming that their career is being impacted by the alleged offender, as the conversations occur behind closed doors.. Fears of covert retaliation may lead to a lack of reporting because victims do not want to risk looking over their shoulder for the rest of their career or constantly wondering if the offender is retaliating (Binder et al., 2018). This type of power dynamic is especially prevalent in the military, given the strict hierarchical structure (Dardis et al., 2018).

One study concerned about harassment and retaliation among low-wage Hispanic women in the workplace found that retaliation most often consisted of reduced work hours, being fired, threats about immigration status, and resignation after a lack of support (Marín et al., 2021). Some of these types of retaliation may not be relevant in a military context, but it is important to understand the variety of actions that can constitute retaliation. Another form of retaliation involves encouraging the reporting individual to leave the organization, sometimes using the idea that the person is not a “good fit” (Castner, 2019). Often, this type of retaliation consists of multiple people making such remarks to the victim over an extended period (Castner, 2019). Examples of retaliation in a military context are provided in Appendix C and should be used to facilitate further discussion on the topic.

Situations Preceding Retaliation

Before retaliation can occur, there must be a preceding event. The formal definition of retaliation requires a report to be made before retaliation can occur. That report could be filed about harassment, discrimination, or assault. A report could also concern other issues, such as whistle-blowing or ethical concerns. However, due to the focus on diversity and inclusion work, this paper focuses primarily on retaliation from harassment, discrimination, and assault.

Literature reviews have already been developed about harassment and discrimination; however, here are a few examples of situations that could occur and constitute retaliation:

- A man experiencing hazing; his unit insists that he must keep up with them in a drinking contest. He reports the drinking contest. Everyone in his unit stops talking to him and refuse to acknowledge his presence. This is an example of social retaliation.
- A woman sees that she is not being offered the same opportunities in her unit as the men. She files a discrimination complaint. Her superior officer then refuses to grant her a promotion to which she was previously entitled. This is an example of professional retaliation.
- A woman reports a sexual assault where the offender is in a high position of power. When she is due for a promotion, the offender is on the panel to decide. He subtly finds reasons to not grant her the promotion. The woman does not even know the offender is on the panel, but she does not get the promotion. Later, she wonders if the offender had anything to do with it but cannot confirm it. This is an example of covert retaliation.

Finally, the following is an example of a retaliation case in the U.S. Army, taken from their training module on retaliation:

SPC Coles files a formal sexual harassment complaint against several members of her new infantry squad. She files the complaint when she discovers that the male members of the squad have a “hot” list on which she is ranked based on her physical appearance. After filing the complaint, SPC Coles is called a slut, a troublemaker, and accused of not being a team player. Soldiers say things like, “What? You think you’re better than the rest?” and, “Why do you think they let females in the Infantry? It was to entertain the men.” Members of the squad tell others in the platoon not to associate with SPC Coles because they can get brought up on charges for just speaking with or looking at her. Someone leaves a note under her barracks room door telling her “drop the complaint, Bitch, if you ever want to be part of the team.” (SHARP, n.d.)

Prevalence

Retaliation is not a small problem: “Within the U.S. federal government, approximately half of the discrimination complaints filed by federal employees between 2013 and 2016 alleged reprisal” (Alteri et al., 2022, p. 2). A recent study of discrimination reports in the federal government found that roughly half of the reports filed on an annual basis were related to some form of retaliation (Rubin & Alteri, 2019). In a study of individuals at an academic medical center, over one quarter of the participants reported facing retaliation as a result of reporting discrimination or harassment (Vargas et al., 2022); retaliation consisted of negative labels, being denied opportunities, given less-desirable assignments, being ignored, or being threatened (Vargas et al., 2022). In one study, “surveys show that people who file grievances frequently face retaliation and rarely see their harassers fired or reassigned” (Dobbin & Kalev, 2019, p. 12258). There is also evidence to show that women face more harassment and subsequent retaliation the higher up they climb in the organizational structure (Folke et al., 2020).

In a 2002 study of data from the Armed Forces, women who filed a formal complaint experienced more negative treatment than those who did not file a report (Buchanan et al., 2014). The negative treatment included interpersonal retaliation, such as being shunned, ignored, or blamed, as well as organizational retaliation, such as not getting a transfer/promotion or poor job performance evaluations (Buchanan et al., 2014). In a recent study completed by the RAND Corporation, military men and women experienced similar rates of retaliation, with roughly 30% self-reporting that they had experienced social or professional retaliation after an assault occurred (Farris et al., 2021). The Air Force has the lowest rates of sexual assault and retaliation out of all the branches, even when controlling for other variables such as age and education, but the reason for the lower rates is unknown (Farris et al., 2021; Wood & Toppelberg, 2017). The Navy, Army, and Marine Corps all had similar rates of social retaliation (Farris et al., 2021). Appendix A provides a TedTalk that presents the prevalence of harassment, assault, and retaliation in the military and provides a starting point for discussion on the topic.

Impacts

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. Women in the Service “shared 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” (Dardis et al., 2018, p. 415).

Not only does retaliation impact a Service member’s belief and trust in the organization, it can also make them doubt themselves and their Service identity. “Being victimized as a

military Service member may conflict with the identity that Service members develop during their military training—being strong, tough, and physically powerful” (Dardis et al., 2018, p. 415). About half the women in the study reported negative outcomes as a result of reporting, primarily in regard to their own mental health, (Dardis et al., 2018). Such negative outcomes serve as deterrents for future reporting. For those who experienced a positive outcome of their reporting, a feeling of satisfaction and validation accompanied it; however, it is important to note that in this small sample every woman experienced at least one negative reaction to reporting (Dardis et al., 2018). Excerpts from Appendix C, consisting of testimonials from those in the military who experienced retaliation, could be used in this section to reinforce the negative impacts of retaliation on people in the Service.

Additional Impacts on Soldiers Stationed Abroad

A less-researched, but important, area to consider is the impact of retaliation on those soldiers who are stationed abroad. A 2013 study (Leardmann et al., 2013) showed that women who were deployed and saw combat were at an increased risk of sexual harassment and assault compared to those who were not deployed. 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 follows such an incident, the increased risk of impact on deployed soldiers should be considered.

Nuances of Retaliation

Fear of Retaliation as a Barrier to Reporting

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; worse yet, sometimes the response was to move the women who reported to a new post instead of dealing with the assailant (Dardis et al., 2018). That same study also showed internal emotional barriers to reporting, such as self-blame or embarrassment (Dardis et al., 2018). Another study of Hispanic, low-wage, female workers found that a third of the women in the study were afraid to report due to fear of being fired (Marín et al., 2021). In addition to the fear or retaliation, there is also a fear that the perpetrator will not be held accountable, especially in military contexts, which results in a barrier to reporting as well (Wolff & Mills, 2016). Appendix B provides a short, spoken word poem developed by the Army about harassment and fears of reporting. It can be used to start discussion about the fear of retaliation.

The fear of retaliation can lead to individuals choosing not to report, which means that the official legal and DoD requirements for a retaliation claim would not be met. However, there is evidence to show that retaliatory behaviors can occur even without 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 whether they reported it or not (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). Such statistics are likely to be what results in a barrier to reporting (Farris et al., 2021); victims of sexual assault may be bullied out of reporting with pre-emptive retaliation tactics, including ostracization or

negative performance reviews (Myers, 2021). Such self-reported retaliation before a report is filed would not meet the legal thresholds for action, but still impedes both the reporting process and the well-being of members in the Service (Losey, 2021).

Bystanders and Fear of Retaliation

Although the legal definition only applies to those involved directly in the original reported infraction, fears of retaliation extend to bystanders as well; that is to say, bystanders often cite that they are concerned about what consequences might occur for them if they intervene in a situation or get involved (Melgar et al., 2021; Meyer & Zelin, 2019; Nazareno et al., 2022). In one study, as many 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). Senior leaders can lead the way on creating a climate where intervention is encouraged; such an environment leads 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 for everyone at the organization (Meyer & Zelin, 2019).

Retaliation Response

Retaliation complaints should be taken seriously, and action should be 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. Department of Defense. In April 2016, the Department of Defense 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 (U.S. Department of Defense, April 2016). 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

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; as such, higher numbers of reports should be seen as forward progress in the area of harassment and retaliation. Encouraging and supporting as many harassment claims as possible 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). Discussion questions about the prevention and response to harassment can be found in Appendix D and should be used to help leaders think critically about the issue of retaliation under their command.

Because retaliation so closely relates to harassment and discrimination, the same prevention tactics should be employed as retaliation prevention strategies: primarily, bystander intervention and the VIDI framework for prevention of discrimination. Bystander intervention involves providing members of a community with techniques or tools to feel comfortable stepping into a concerning situation, such as one involving retaliation (Edwards, n.d.; Vector Solutions, 2021). The VIDI framework (Smith & Griffiths, 2022) is a method of identifying behaviors that could devolve into discrimination or harassment (and subsequent retaliation). The idea of the VIDI framework is to apply four fundamental criteria to questionable behavior: 1) is it a violation of fairness, dignity, or respect? 2) intensity (how strong was it?) 3) duration (how long did it last?) 4) intent (was it meant to be harmful?). The VIDI framework is similar to Thomas et al.'s (2022) work on "gray zone behaviors," which acknowledges behaviors that are not strictly prohibited, but which indicate a higher likelihood that illegal behavior (such as retaliation) could occur. Using the VIDI framework and knowledge of gray zone behaviors can help leaders identify issues early on and utilize bystander intervention practices to encourage others to intervene. Application of these frameworks, including scenarios, is available in Appendix E. One final barrier brought up by military women who had been harassed or assaulted was 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). An article for businesses suggests that changes to reporting structure can minimize the risk of retaliation, suggesting independent or anonymous reports, transparency of the reporting process, and easy ways to report that protect victims (Zheng, 2020). As such, having multiple points of contact for reporting and multiple methods for reporting might alleviate some of those fears and provide a safer place to report, which can decrease the risk for retaliation.

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Appendix: 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.

A: Understanding Harassment in the Military

<https://www.youtube.com/watch?v=-oTfqBzZzLA>

This TedTalk from 2018 goes over many of the same statistics presented in this literature review about harassment, assault, and retaliation. Suggested reflection questions:

- 1) What are your reactions to the information shared in the video?
- 2) What does courage look like to you when it comes to preventing retaliation?
- 3) What do you think can or should change in your unit to address some of the issues brought up in this video?

B. Harassment and Assault Prevention in the Army

<https://www.youtube.com/watch?v=b7bYc2-nUX4>

This video is a short spoken-word poem developed for the U.S. Army. It is a powerful rendering of what harassment looks like and why individuals are afraid to report, with one of those fears being retaliation.

C. Testimonials about Retaliation

Dardis, C. M., Reinhardt, K. M., Foyne, M. M., Medoff, N. E., & Street, A. E. (2018). Who are you going to tell? Who's going to believe you?: Women's experiences disclosing military sexual trauma. *Psychology of Women Quarterly*, 42(4), 414–429.

<https://doi.org/10.1177/0361684318796783>

This study documents the experiences of women who reported harassment or assault and feared and/or faced retaliation. Direct quotes from those women are found in the text and would make for a quality case study to address the issues related to retaliation. It might be worth having participants read the article themselves, as it is written in fairly accessible language and does a great job explaining the barriers to reporting and real-life experiences of retaliation.

Example quotes are below. Reflection and discussion questions should encourage how to address each situation and actions or policies that might mitigate such barriers for future generations. Note that many of the participants in the study served between 1970 and 2000, which is important context to keep in mind, but the concerns brought up should still be discussed as prevention measures as well as ways to encourage reporting in the future.

“And I have to go through all these people that are unnecessary to go talk to the right person. Why would I do that? That’s being retraumatized numerous times.” (55-year-old Mexican American Air Force veteran)

“I didn’t have female officers above me. It was hard there wasn’t that many women that were in the military that were officers.” (53-year-old Caucasian Navy veteran)

“In the military, you’re stuck there. You can’t get out and you work with these same people every day. And if it’s someone you directly work with, you can’t get out of it. You can’t just request a transfer and get it. You can’t just quit your job. So you’re basically hostage to those people ...if you do report it, you’re going to get in trouble.” (55-year-old Caucasian Marine Corp veteran)

“Word gets around and then there’s this perception of women being labeled as uptight and prude, and can’t take a joke, and something like that, and once you get that label, everybody

thinks that we can't even mess with her because she's going to report us." (27-year-old Chinese American, Army National Guard veteran)

"...Just a couple people intimidated me and threatened me and ...his colleagues were the Marines and basically threatened me verbally." (44-year-old African American Navy veteran)

"And it's almost like if you went and told anybody this, you'd embarrass the military, who I loved dearly and has been my family ...I felt like ...don't put a black mark on your family." (65-year-old Caucasian Air Force veteran)

"Because of the shame ...I was just ...my mind was just so messed up ...I just was embarrassed." (44-year-old African American Navy veteran)

"It's personal. It's private. It doesn't belong out there." (65-year-old Caucasian Air Force veteran)

"They just transferred him. He didn't receive any reprimand; they didn't demote him or anything"

"They shoot me to another place. And I'm like, you know, why didn't you get rid of him?"

"When I presented it to the people that were in a position of power to do something about it, it's almost like they just wanted to sweep it under the rug. Like, don't give us any problems, just do what you're supposed to be doing." (54-year-old Caucasian Navy veteran)

"You instigated this, you were the one that brought this on yourself,' that type of thing ...I had to relive it, you know, and explain to them. And of course, they tried to make it out to be my fault Like I had asked them to attack me. And I said, 'No, that's not the case at all.'" (54-year-old Caucasian Navy veteran)

“I said, ‘I had an incident happen to me Memorial Day weekend when I wake up with one of your fucking sailors on top of me with my pants down to my ankles.’ That’s exactly what I said. So, didn’t maybe articulate it proper. And then he comes back with they’ll be no gays in my Navy I did tell this, what happened to me [the sexual assault] and then they hooked it into a gay discharge.” (50-year-old Caucasian Navy veteran)

“I don’t know how to explain it, like after what happened to me and the way that it was handled, I pretty much was really disappointed, because I thought the Navy was going to protect me and everything and I felt like they, you know, my whole thing was that I felt betrayed by the Navy I was no longer them, I was separated.” (53-year-old Caucasian Navy veteran)

“You guys are making me crazy because you’re telling me it’s my fault that I was sexually assaulted So I just felt like, like an asshole I was at a point in my life where I did not know what to do.” (32-year-old Native American Army National Guard veteran)

“My ability to speak up for others is fine, but my ability to speak up for myself is really ...like after the fact in my life, when I go through something like a difficult person at work and I don’t report them or something Like I still live in that fear that they are going to retaliate in a way that’s just going to affect my day to day life at work or something I can think back on things now that it just added to doubting yourself. Or fear. I want to say more fear.” (57-year-old Caucasian Army veteran)

“People were already like, ‘We have to be careful because she’s going to report us’ like I reported that guy.” (27-year-old Asian American Army National Guard veteran)

D. Preventing Retaliation

Have a general discussion about retaliation, given the information that is presented. Discussion questions below.

- Why do you think retaliation is so prevalent?
- Have you ever experienced retaliation? Have you ever partaken in retaliation?
- Do you think the culture of your branch encourages retaliation?
- How could you best support someone who is coming to you and asking for support in reporting but scared of retaliation? How do you prevent retaliation under your command?
- How would you explain the increase in reports to a superior officer who might question you about them?
- Are there any ways that you can change or improve reporting processes in your area?

E. Prevention Framework Application

VIDI Framework:

Smith and Griffiths (2022) focus on antecedents to prohibited discrimination referring to these antecedents as “subtle slights,” a range of ambiguous negative interactions that harm employee health, performance, and wellbeing. These subtle slights can be characterized by four criteria, referred to as the VIDI framework (Smith and Griffiths, 2022):

- **V**iolation of fairness, identity, or respect
- **I**ntensity (How strong is the perceived violation?)
- **D**uration (How long does the violation last?)
- **I**ntent (Was the violation deliberate, intentional, or ambiguous?)

Suggested small group discussion questions:

- What subtle slights have you observed in your time as a leader and senior leader?
- What would you say constitutes a violation of fairness, identity, or respect?
- Choose examples from your experience (question 1) and from what you generally view as a violation of fairness, identity, or respect (question 2). Apply the VIDI framework to

these examples and discuss how these examples could escalate and how to prevent escalation of the behavior.

Gray Zone Behaviors:

The following scenario is taken from Thomas et al. (2022) in their work about gray-zone behaviors, those behaviors which are seemingly innocuous but could turn into more sinister behavior. This one relates to sexual harassment, but similar situations could be created for training. A situation related to retaliation is provided.

“You’ve been an LPO [leading petty officer] for two years now. During a weekly uniform inspection, you notice that a new male LPO colleague gives you a wink and says to the female E-3 standing in line for inspection, “Wow, love your new haircut.” You feel this behavior is unprofessional. What would you do?” (p. 370).

Example related to retaliation: “You are in your current role. You overhear one Service member say to another, ‘Yeah, I heard that she won’t tell anyone because she’s afraid that she won’t get taken seriously.’ The other member replies, ‘Yeah, well she better not tell. No one would believe her!’ They both laugh. What can you do?”

Bystander Intervention:

Green Dot Training (Edwards, n.d.; Vector Solutions, 2021) is likely under copyright and requires a certified facilitator to do trainings (see <https://alteristic.org/services/green-dot/>). Green Dot Training involves three D’s: Direct, Distract, and Delegate:

- Direct: saying or doing something to diffuse the situation in the moment
- Delegate: asking someone else to intervene, potentially someone with more power or confidence to do so

- Distract: breaking up the situation by taking an action, such as redirecting focus to themselves

However, the premise of Green Dot training is easy enough to replicate – it simply involves giving people different ways to respond to a concerning situation. Even without using the three D’s, scenarios could be developed that have multiple different ways to respond and individuals at the training should practice each one in a low-risk environment until they feel capable of responding in a real-life situation.

Example retaliation scenario: “You are in a meeting with your superior. You are talking about Officer X, a female member of the team. Your superior says, ‘Yeah, she made a lot of trouble for me when she reported Officer Y [a high-ranking male member] for harassment, so I’m not planning to move her from where she is at.’ You recognize this behavior as retaliation. Can you think of ways to use any of the three D’s to respond in the moment? What about afterwards? If the three D’s do not apply, what can you do?”