

Civilian Avenues of Recourse

- Contact the alleged offender directly about his/her behavior, as well as your supervisor or someone in your chain of command. (You may ask an informal third party to talk with the individual on your behalf or accompany you when talking to the individual)
- Request Training Information Resources or POH/POSH training for your work area from your supervisor/manager/local EEO office.
- EEO Discrimination Complaint Process – If you choose to file a complaint, contact the EEO office within 45 days of the date of the alleged incident of harassment. See the following website for more resources: (https://mynavair.navair.navy.mil/portal/server.pt/community/equal_employment_opportunity_diversity/1485)
- Management Inquiry - Management must conduct a fact finding on all allegations of harassment (sexual and nonsexual harassment) within 3 days of meeting with the alleging employee.
- Title 10 U.S.C. 1561 complaint - An investigator conducts a thorough and impartial management inquiry. The EEO Office will work with management to resolve the complaint and take corrective action.

Military Avenues of Recourse

- Informal Resolution System (IRS) attempts to resolve the issue at lowest possible level. Confront individual and inform your Chain of Command. If the complaint cannot be resolved, request a Captain's Mast per Naval Regulations Article 1107.
- Informal Complaint Process
 - NAVPERS 5354/2, Navy EO/Sexual Harassment Formal Complaint. This is filed through your Chain of Command.
 - If not resolved, may be addressed through NAVREGS Article 1150,

“Redress of Wrong Committed by a Superior”.

- Complaints against Commanding Officer are filed under Uniform Code of Military Justice, Article 138, “Complaints of Wrongs”.
- For more information, contact the NAVAIR EO Officer at 301-342-3725.

RETALIATION / REPRISAL PREVENTION

- Retaliation occurs when an employer, employment agency or labor organization takes an adverse action against a covered individual because he/she engaged in a protected activity.
- An employer may not fire, demote, harass or otherwise “retaliate” against an individual for filing a charge of discrimination, participating in a discrimination proceeding, or otherwise opposing discrimination.
- All supervisors, managers and employees must ensure that a climate exists that encourages individuals to report incidents of sexual assault without fear or fear of retaliation / reprisal.

EEO POINTS OF CONTACT

Cherry Point	252-464-7014
China Lake	805-989-3304
Jacksonville	904-542-2881
Lakehurst	732-323-1050
North Island	619- 532-2757
Orlando	407-381-8946
Patuxent River	301-342-6671
Point Mugu	805-989-3304

For additional information, visit our website at:
<http://www.navair.navy.mil/TFSMD/eo/indexeeo.html>



Prevention of Harassment QUICK REFERENCE GUIDE



PREVENTION OF
HARASSMENT BEGINS
WITH YOU!

HARASSMENT

What is harassment?

- Workplace harassment is any unwelcome behavior based on race, color, religion, national origin, age, sex, or disability that is sufficiently severe or pervasive to alter the conditions of the individual's employment and to create an abusive environment.
 - Severe behavior may be a single incident or a series of incidents
 - The behavior must be severe or pervasive enough “to create an objectively hostile or abusive work environment ... that a reasonable person would find hostile or abusive”

PREVENTION

How can I prevent harassment?

- Monitor your own behavior. Set the example and create an appropriate atmosphere and environment in the workplace.
- Ask yourself if your behavior could be misinterpreted, could hurt or offend, or if you could be sending the wrong signals inviting harassing behavior.
- Treat others with respect and behave professionally.
- Know the policy on harassment.
- Watch for signs of inappropriate behavior and report all harassment to management or the EEO Office.

RESOLUTION

What do I do if I observe objectionable behavior?

- Tell the offender that the behavior is offensive and should be stopped.

- Notify your chain of command if the behavior does not stop, the situation is not resolved, it is not reasonable to address directly with the individual, and/or the behavior is criminal in nature.

What do I do if I think I am being harassed?

- Do not ignore the harassment. Tell the harasser that the behavior is unwelcome and must stop.
- Document the time, place, details of and any witnesses to the occurrence.
- If the behavior does not stop or the situation is not resolved, report it immediately to your supervisor, local EEO Office, Union representative, or 2nd level supervisor if your supervisor is the source of the harassment.
- Use available procedures as noted in Civilian & Military Avenues of Recourse section of this document to report the incident.
- Review SECNAVINST 5300.26d dated 3 Jan 2006 and the NAVAIR Prevention of Harassment Policy Statement for guidance.

What do managers need to do when they learn of an allegation of harassment?

- Take the allegations seriously. Inform and consult with your local servicing EEO office and Human Resources Advisor as soon as possible.
- Meet with the alleging employee and the alleged harasser separately ASAP. Maintain confidentiality to the extent possible. Refer employees to the POH/POSH policy as appropriate.
- Initiate a management inquiry within 3 days of meeting with the alleging employee. Note that this investigation must be completed within 2 weeks.
- Monitor the situation to ensure the harassment does not recur.

SEXUAL HARASSMENT

What is sexual harassment?

Sexual harassment is defined by EEOC as unwelcome sexual advances, requests for sexual favors, and other verbal or physical contact of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
- Submission to or rejection of such conduct by an individual is used as a basis for an employment decision affecting such individual.
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

What are forms of sexual harassment?

- Off-color, risqué jokes; sexual slurs and/or innuendos; sexual teasing
- Comments about body parts, weight, body shape, size, or figure; a person(s) sex life; the sensuality of a person or his/her spouse or significant other.
- Patting, pinching, stroking, adjusting clothing, brushing up against a body, or mauling
- Attempted or actual kissing or fondling
- Coerced sexual intercourse
- Attempted rape or rape

What are the types of sexual harassment?

- Quid Pro Quo. In this type of harassment, submission or rejection of behavior is used as a basis for decisions affecting any person's employment, job, pay or career. The victim suffers from a tangible employment action such as a non-selection / promotion, a threat or actual demotion, reassignment, or a positive or negative performance evaluation.
- Hostile Environment Harassment – A type of sexual harassment that occurs when the unwelcome sexual behavior is so severe or pervasive that it alters an employee's conditions of employment and creates an intimidating, hostile or abusive environment.