



DEPARTMENT OF THE ARMY
US ARMY INSTALLATION MANAGEMENT COMMAND
DIRECTORATE – SUSTAINMENT
UNITED STATES ARMY GARRISON-MIAMI
9301 NW 33rd STREET
DORAL, FLORIDA 33172-1202

IMAG-ZA

28 August 2020

MEMORANDUM FOR All U.S. Army Garrison (USAG) Miami Personnel

SUBJECT: Command Policy Memorandum #3, Equal Employment Opportunity (EEO) and Diversity

1. This policy establishes my commitment to Equal Employment Opportunity Programs and Diversity. Equal Employment Opportunity (EEO) and Diversity is everyone's business and integral part of the responsibilities assigned to every member of the workforce. I am firmly committed to the Army vision of being a "model employer with a diverse workforce founded upon equality of opportunity." I fully endorse this policy and am personally committed to provide a workplace environment where employees are free from any form of unfair treatment based on their protected group status and are judged solely on the basis of merit and ability. Members of this organization will be held accountable if they violate this policy.

a. **Discrimination:** This organization will provide equal employment opportunity to all persons without regard to race, color, religion, sex (including pregnancy, gender identity, sexual harassment, and sexual orientation), national origin, age (40 or older), genetic information (GINA), physical or mental disability, or protected EEO activity. Managers and supervisors are responsible and accountable for providing equal employment opportunity. I expect each of you to ensure that decisions, which affect individual promotion, training, awards, and duty assignments, are based on merit, potential, and performance of an individual.

b. **Complaint Processing:** Civilian employees and applicants for employment are encouraged to contact the EEO Office to address perceived incidents of discrimination. Allegations of discrimination or sexual harassment must be brought up to the attention of the EEO Office within 45 calendar days from the date of the incident, or if a personnel action, within 45 calendar days of its effective date, or the date that you became aware of, or reasonably should have become aware of the discrimination act or personnel action. Complaints will be processed in accordance with Army Regulation 690-600, Equal Employment Opportunity Discrimination Complaints.

c. **Alternative Dispute Resolution (ADR):** When complaints arise, we must work to resolve them fairly and promptly. The Department of the Army prefers methods of ADR in mediation. The ADR process, especially when used at the earliest stage, restores working relationships and may serve as a preventative measure against future disputes.

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The use of ADR is not appropriate in every case. The decision will be made on a case-by-case basis whether it is appropriate to offer ADR. Participation in ADR is voluntary for the aggrieved. Once I or my designee (EEO Officer) decide to offer ADR and the aggrieved elects in writing to participate in ADR, it is considered that both parties have knowingly and voluntarily entered into ADR. Managers must be aware that they have an affirmative duty to cooperate in an ADR process once the decision is made to offer ADR.

d. Reprisal/Retaliation: Reprisal against anyone who has filed an EEO complaint, supported others who have done so, or opposed unlawful employment practices, will not be tolerated. Reprisal against those who seek relief from discrimination undermines the EEO process and discourages employees from addressing unlawful acts. I expect allegations of reprisal to be treated at all levels with the seriousness it deserves.

e. Sexual Harassment: Sexual harassment constitutes unacceptable conduct that will not be tolerated. Sexual harassment is a form of gender discrimination. Sexual harassment is defined by law and regulation as unwelcome sexual advances, request for special favors, and other verbal, non-verbal or physical conduct of a sexual nature when such conduct is made a term or condition of a person's job, pay, or used as a basis for employment/career decisions affecting that person, creates a hostile or abusive environment, or interferes with the performance of an employee. Individuals who believe they are the victim of sexual harassment should make it clear to the offender that the behavior is unwelcome and offensive. Sexual Harassment allegations should be reported immediately through the chain of command, Sexual Harassment/Assault Response and Prevention (SHARP), or the USAG-Miami EEO Office at (305) 437-1826. Sexual Harassment defeats individual rights and violates the law.

f. Affirmative Action: In implementing a strong affirmative employment program, I place paramount importance on attracting, recruiting, developing, and retaining qualified personnel that represent our nation's talent. We must work together to identify, examine, and eliminate barriers from the work environment so that qualified applicants and employees are free to compete for employment opportunities. Barriers to employment may include policies, and or practices that limit or tend to limit employment opportunities for people of a particular race, color, religion, sex (including pregnancy, gender identity, sexual harassment, and sexual orientation), national origin, age (40 or older), genetic information (GINA), physical or mental disability, or who have engaged in protected EEO activity.

g. Reasonable Accommodation: Removal of architectural barriers and provision of reasonable accommodations for individuals with severe disabilities is essential. This

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organization is committed to provide reasonable accommodation to individuals with disabilities, and ensure equal employment opportunity in hiring, advancement, training, and treatment of individuals with disabilities including persons with targeted disabilities and disabled veterans. USAG-Miami employees will comply with the reasonable accommodation process and standard operating procedures for processing requests for reasonable accommodation. Employees are encouraged to contact the EEO Office at (305) 437-1826 for more information.

2. All members of this organization must possess the knowledge, skills, and ability to identify factors that may contribute to discrimination. Supervisors are responsible for ensuring that all employees successfully complete the Army's mandatory "EEO, Anti-Harassment, and No-FEAR Act Training" for non-supervisory personnel annually, and that they are aware of EEO policies and procedures and their role in the complaint process. Furthermore, supervisors must complete the same training for supervisors annually.

3. Adherence to the principles of EEO exemplifies prudent leadership and it is the right thing to do. Compliance with anti-discriminatory status requires everyone's involvement. I strongly encourage leaders to consult with the EEO Office for advice and guidance when making critical employment decisions. Civilian employees and applicants for employment are encouraged to contact the EEO Office to address perceived incidents of discrimination.

4. Point of contact for this policy is EEO Officer at (305) 437-1826.



GRETA M. BUCCELLATO
Garrison Manager