

LESSON NUMBER:1

TASK: The Army's EO Program and Policies

CONDITION: Battalion/Company Level environment

STANDARD: Comprehend the Army's Policy Statement and Army's EO Policy. Describe the EO Concept, Principles, and Program Components.

TIME OF INSTRUCTION: 1 Hour

NOTE: Commanders need to have available copies of the local command's EO policy statement and ensure each soldier is Knowledgeable of it.

LEAD-IN: The Army's Equal Opportunity Program was born in response to violent confrontations that erupted between racial and ethnic groups at posts and installations in the Continental United States (CONUS) and at overseas locations in 1969 and 1970. Many believed that these violent eruptions were in response to earlier race riots that had taken place in almost every major city across the country.

After numerous reports, task force studies, and soldier surveys, the one issue that permeated all findings was the actual or perceived issue of discrimination. Soldiers' morale was at an all time low, and a significant failure of communication existed across racial lines. These issues seriously jeopardized mission effectiveness and adversely undermined the Army's combat readiness.

The earliest attempt to institutionalize equal opportunity in the Army probably began with President Truman's executive order to desegregate the services in 1948. However, the 22 years that followed saw no significant, deliberate, well-conceived plan or program to check systemic discrimination and other forms of unequal treatment. Since 1970, the Army has been engaged in a long-range program designed to ensure and improve combat readiness through an effective equal opportunity program.

Today, many changes have occurred, moving the Army's Equal Opportunity (EO) Program from a strictly educational and training initiative to a multifaceted management program with clear goals and objectives. Today's Army EO program addresses not only the long-term and sometimes inherent problems of discrimination, but also attempts to clarify and provide guidance to commanders on other issues related to religious accommodations, affirmative actions, unit cohesion, team building, and fair treatment. These issues are an integral part of Army leadership and are nurtured and developed through a professional military education system.

Ultimately, what commanders and subordinate leaders do today will determine the Army's continued success for years to follow. Today's commander has a better historical perspective on

the potential price that is paid when issues of discrimination and unfair treatment are not swiftly addressed and dealt with.

PART I. EQUAL OPPORTUNITY PROGRAM

1. The Army's position on Equal Opportunity is best articulated in the "ARMY POLICY STATEMENT ON EQUAL OPPORTUNITY" signed by the Army Chief of Staff and the Secretary of the Army.

"America's Army serves as the nation's leader in equal opportunity. This success comes from total commitment to the ideals upon which our country was founded. We must continue our strong leadership in this area to ensure equal opportunity for all. To accomplish this, we, the Army's senior leadership, reaffirm our commitment to these principles and will work to ensure that equal opportunity and freedom from sexual harassment are standard in America's Army.

People are the cornerstone of readiness. Sophisticated weapon systems and modern technology are of little value without a dedicated, trained team of professional soldiers and civilians. They must know they will be treated fairly, and with dignity and respect in all aspects of performing the mission. They have a right to expect from their leadership an environment in which their efforts can be fully directed towards mission accomplishment and not detracted by unequal treatment. Leaders are expected to enforce Army standards.

We are justifiably proud of the many accomplishments the Army has made in the field of human rights; however, much remains to be done. Leaders at all levels must continue to ensure the environment in which our soldiers and civilians work and live is free of discriminatory practices. Each individual has a right to compete for advancement based upon abilities and merit, irrespective of race, color, religion, gender, or national origin. Army civilians are further protected against discrimination based on age and physical or mental disability. Leaders at all levels have an obligation to create and maintain an environment with zero tolerance for discrimination and sexual harassment. We must continue to demonstrate that America's Army is the equal opportunity leader for the nation and the institution where men and women of diverse backgrounds can achieve their full potential in support of the Army's mission."

2. The Department of Defense (DoD) has established a Human Goal charter which specifies that all of us, in everything we do, must be based on the respect for soldiers, civilian employees, and family members and to recognize their individual needs, aspiration, and capabilities. Each one of these goals has a relationship to equal opportunity. You as a soldier and a leader have a responsibility to work toward obtaining these goals.

3. You, your family members, military and civilian co-workers are protected under the EO Program. The Commanders and Equal Opportunity Representatives (EORs) are responsible for ensuring the Army's Equal Opportunity Program is implemented as designed and as it was intended.

4. The Army's EO policy is Chapter 6, AR 600-20, Army Command Policy. Related elements of the program are also contained in Chapter 4 and Chapter 7. These related elements, which will be discussed in detail later, include Prevention of Sexual Harassment (POSH), Religious Accommodations, etc.

5. The Army's EO policy states: "The policy of the U.S. Army is to provide equal opportunity and treatment for soldiers, civilian employees, and their families without regard to race, color, religion, gender, or national origin and to provide an environment free of sexual harassment. Soldiers are not accessed, classified, trained, assigned, promoted, or otherwise managed on the basis of race, color, religion, gender, or national origin. This policy has the following attributes:

- a. Applies both on and off post.
- b. Extends to soldiers, civilian employees, and family members.
- c. Applies to working, living, and recreational environments."

6. Equal Employment Opportunity (EEO) Policy. Civilian government employees (DA civilians) have the same EO protection, as do military personnel. In addition to race, color, religion, gender, or national origin, DA civilians are also protected from discrimination based on disability and age. The EEO complaint process timelines, and other actions, while similar, are processed through the EEO Office. Assistance and guidance for supervisors is available from EEO counselors for resolving complaints or other EO related actions. As leaders, you must always remember that it is as important to act on EO problems from civilian employees as you would from military members.

7. Commanders at all levels are the EO officers for their commands. All commanders will--

- a. Develop and implement EO programs for their organizations.
- b. Identify unlawful discriminatory practices affecting military personnel, civilians, and family members, initiate corrective actions, and provide follow-up and feedback throughout problem resolution.
- c. Promote EO and interpersonal harmony for all military personnel, civilians, and family members. One method of doing this is through ethnic observances/special commemorations.
- d. Conduct EO training on a continuing basis for subordinate commanders and other civilian and military personnel that is consistent with the regulation, MACOM directives, and local guidance.
- e. Monitor and assess the execution of EO programs and policies at all levels within their areas of responsibility.

f. Ensure involvement of public affairs personnel at every level of command in planning and publicizing equal opportunity programs and initiatives.

g. Publish and post written command policy statements for equal opportunity, the prevention of sexual harassment, and equal opportunity complaint procedures. All statements will be consistent with Army policy. Statements shall include an expression of the command's commitment to the Equal Opportunity Program, and reaffirm that unlawful discrimination and sexual harassment will not be practiced, condoned, or tolerated. The policy statement will explain how and where to file complaints. Additionally, the statement shall include complainants protection from acts or threats of reprisal. These statements are required for each MACOM, installation, separate unit, agency, and activity down to company/troop, battery or equivalent level. All policy statements concerning equal opportunity matters should be coordinated with the servicing judge advocate or legal advisor before they are published.

h. Ensure company and battalion level units' equal opportunity representatives/leaders (EOR) are appointed and trained.

i. Commanders will conduct a unit climate assessment and unit training needs assessment within 90 days of assuming command and annually thereafter. This assessment will be done using Army's Command Climate Survey.

PART II. CONCEPT

1. The Army's EO Program formulates, directs, and sustains a comprehensive effort to maximize human potential. It strives to ensure fair treatment of all soldiers based solely on merit, fitness, and capability, which support readiness. This philosophy is based on fairness, justice, and equity. The program is designed to:

a. Provide EO for you, your family members, and your civilian co-workers, both on and off post and within the laws of localities, states, and host nations.

b. Create and sustain effective units by eliminating discriminatory behaviors or practices that undermine teamwork, mutual respect, loyalty, and shared sacrifice of the men and women of America's Army.

c. It is the responsibility of All leaders to support EO, not only legally, but morally as well. In addition, implementing and enforcing EO is a function of command.

2. Leaders and commanders must ensure the EO program is effective and fair. To accomplish this requires applying the five basic principles of the EO Program. These principles are:

a. Commanders and leaders are responsible for unit EO. Each commander and leader is responsible for the EO program. Not only must they comply with the EO Program, but they must also ensure that the soldiers or civilian employees know what the policy is and what is expected

from them. Enforcing compliance of the policies is one of the responsibilities that accompany leadership.

b. Promote harmony, do not merely avoid disorder. All leaders need to promote the harmony of their subordinates, not just correcting their deficiencies. Use reasonable and consistent standards for everyone.

c. Support individual and cultural diversity. Regardless of your own background, military and DA civilian personnel must be aware of, and show respect for all religious, cultural, and gender differences of other personnel. Everyone must learn about others and understand how some preconceived and unwarranted prejudices must be overcome. We must all be capable of living and/or working in a common environment within the Army.

d. Discipline will not be compromised. Discipline can and must be maintained. However, the discipline applied needs to reflect the situation and should not reflect, or be perceived by others as unjustified, or a reflection on race, color, religion, ethnicity, or gender.

e. Fair and equal treatment for all soldiers and employees is emphasized. The crucial element, in terms of morale and fairness, is not just what the situation is supposed to be - it is what the soldier or employee perceives it to be. Commanders and EORs must take steps to ensure not only that soldiers and civilians receive fair and equal treatment, but that they fully realize it is fair treatment.

3. Essential to having a successful EO program, a combination of elements must be in place, which are the EO program components. These elements include a strong commitment by leaders to support the program, sequential and progressive training at all levels, an effective and responsive complaint system, affirmative action plans, feedback mechanisms, and Equal Opportunity Advisors and Equal Opportunity Representatives.

a. **Leader Commitment.** As the leader whom the soldiers in the platoon have the most direct and continuous contact with, you become the person who your soldiers count on. The soldiers should feel they can count on you for support and assistance when they need help. Leaders are obligated to consistently demonstrate their support and commitment for the Army's EO Program.

b. **Sequential and Progressive Training.** Training is the primary method used to teach soldiers and civilians new skills and prevent inappropriate behavior. Through training and education, the Army seeks to influence and promote an environment that treats everyone with dignity and respect. Training is also the Army's method for improving communications and awareness which is vital to team building and unit cohesion. The Army wants to ensure that soldiers and DA civilians understand not only the consequences of their actions, but also feel assured of command intervention to correct EO problems.

c. **An Effective and Responsive Complaint Process.** A key component of the Army's EO Program is an effective and responsive complaint system. The Army has established a

comprehensive complaint system for military personnel. The Army wants to ensure that every soldier and DA Civilian has a readily available system for submitting their grievances without intimidation or threat of reprisal.

d. **Affirmative Action Plan.** Affirmative Action Plans (AAP) are planned, achievable steps that are designed to prevent, identify, and eliminate unlawful discriminatory treatment of soldiers. These plans also assist in monitoring the progress of meeting the goals of equal opportunity.

e. **Feedback Mechanisms.** The Army has various methods of obtaining feedback on how well the EO program is working. These methods include tracking the number of complaints, sensing sessions with soldiers, EO surveys and climate assessments. All of these provide feedback to the chain of command and other senior leaders on the effectiveness of the Army's EO program and policies.

f. **Equal Opportunity Advisors.** A key component of the Army's EO program is the Equal Opportunity Advisor (EOA). Every unit in the Army from brigade level to major commands are required to have an EOA. The EOA is the individual who receives special training in the area of equal opportunity. Their primary responsibility includes receiving and assisting in processing individual complaints of unlawful discrimination or sexual harassment; assisting commanders in assessing, planning, implementing and evaluating EO action plans; understanding and articulating Army policy concerning equal opportunity.

PART III. RELATED ELEMENTS

In addition to the EO program components, there are a number of areas that are related to the program. These areas oftentimes are directly related to EO because if someone has a problem with the program, they are usually based on race, gender, religion, national origin, or color. These related elements significantly expand the scope and meaning of EO in the Army.

a. **Military Discipline and Conduct.** Military discipline is the result of effective training, and it is affected by every facet of military life. Leaders are trained to understand that in order to maintain discipline and morale, they must uphold policies and regulations that establish certain standards of behavior both on and off duty. Military discipline is manifested in unit cohesion and bonding necessary for a spirit of teamwork, and in Army leadership by fairness, justice, and equity for all soldiers and DA civilians regardless of race, color, national origin, gender, or religion.

b. **Appropriate Behavior.** When assessing whether a certain incident is an EO violation, or an act of sexual harassment, leaders must decide whether the behavior was appropriate for each given situation. As members of the military service, we are subject to a different set of behavioral standards than our civilians counterparts. For example, within the civilian work

environment the pursuit of romantic relationships may not receive the same level of scrutiny as it would for those in uniform. The assumption that is normally held is that what occurs between consenting adults is all right. However, when such attractions have the potential for problems or exist between soldiers of unequal rank and position, Army leaders must assess the appropriateness as it relates to senior-subordinate relationships and which can lead to incidents of sexual harassment.

c. **Extremist Groups.** All soldiers must understand the activities of extremist groups or similar hate groups are inconsistent with the responsibilities of military service. Therefore, soldiers must reject participation in any organization that espouses a supremacist cause or right, attempts to create or practice illegal discrimination, or advocates the use of force or violence to deprive individuals or groups of their civil rights.

d. **Army Language Policy.** English is the operational language of the Army. We are all required to speak English on duty when doing so is clearly necessary to perform military functions, to promote safety, or other bona fide reasons to accomplish the mission. Soldiers are not required to speak English for personal communication, which is unrelated to the mission. Speaking a language other than English on the job is no way prohibited. Leaders should not require soldiers to speak English for personal communication, which is unrelated to the mission.

e. **Accommodating Religious Practices.** The Army also places a high value on the rights of soldiers to observe and practice their respective religions. It is the Army policy to grant requests for commendation of religious practices when they have no adverse impact on military readiness, unit cohesion, standards, health, safety, discipline, or otherwise interfere with the performance of the soldier's military duties. However, such accommodations cannot be guaranteed and must be considered on a case-by-case basis. Request for religious accommodation apply to four general areas: worship, dietary practices, medical practices, and religious dress and appearance. Such requests are approved or denied by the unit commander. The challenge for the commander is to find ways to grant accommodation while maintaining a sense of balance and fairness without arousing perceptions of preferential treatment.

CLOSING: During this period, I have discussed the primary focus of the Army's EO Program, which is to provide an environment that ensures fair treatment, mutual respect and dignity for all. I also indicated EO is a readiness issue which affects unit cohesion, team building, mission accomplishment, and victory on the battlefield. The Army's EO Program is Army policy. As leaders and soldiers we all have a responsibility to enforce compliance with the Army policy, both legally and morally.

ARMY'S EQUAL OPPORTUNITY POLICY

1. Concept. The Equal Opportunity (EO) Program formulates, directs, and sustains a comprehensive effort to maximize human potential and to ensure fair treatment for all based solely on merit, fitness, and capability, which supports readiness. This philosophy is based on fairness, justice, and equity. EO is a responsibility of leadership and a function of command. Specifically, the goals of this program are to:

- a. Provide EO for military personnel, civilians, and family members both on and off post and within the limits of the laws of localities, states, and host nations; and,
- b. Create and sustain effective units by eliminating discriminatory behaviors or practices that undermine teamwork, mutual respect, loyalty, and shared sacrifice of the men and women of America's Army.

2. The Army's Equal Opportunity policy:

a. The U.S. Army will provide equal opportunity and treatment for military personnel, civilians, and families without regard to race, color, religion, gender, or national origin and provide an environment free of sexual harassment. This policy:

- (1) Applies both on and off post, during duty and non-duty hours.
- (2) Applies to working, living, and recreational environments (including both on-and off-post housing).

b. Soldiers are not accessed, classified, trained, assigned, promoted, or otherwise managed on the basis of race, color, religion, gender, or national origin. The assignment and utilization of female soldiers is the only exception to our non-biased personnel management process. AR 600-13, Army Policy for the Assignment of Female Soldiers, prescribes policies, procedures, responsibilities, and the position coding system for female soldiers.

c. The Department of the Army holds senior officials accountable for the equal opportunity climates of their commands.

d. Rating and reviewing officials shall evaluate each member's commitment to elimination of unlawful discrimination and/or sexual harassment and document significant deviations from

that commitment in evaluation reports. This includes administering appropriate administrative, disciplinary, or legal action(s) to correct inappropriate behavior.