

STEP IN AND STOP IT

DISCRIMINATION
HARASSMENT

Equal Opportunity in the NYARNG
MAJ Stephen Keblish



Military Equal Opportunity



➤ Purpose: Formulates, directs, and sustains a comprehensive effort to maximize
Human Potential

➤ Based solely on:

➤ Merit

➤ Performance

➤ Potential

➤ MEO Philosophy is based on **Fairness**, **Justice**, and **Equity**



New York National Guard EO Mission



- Provide an environment that is free of unlawful discrimination and foster a positive climate free from personal, social, or institutional barriers that prevent service members from rising to their fullest potential.
- Discrimination occurs when someone is harassed, which includes hazing and bullying, or is treated less than favorably than another person because of their race, color, sex (to include gender identity and pregnancy), national origin, religion, or sexual orientation.



Unlawful Discrimination

➤ Discrimination is treating people differently, unequally, and negatively because they are a members of a certain group.

- Race
- Color
- Religion
- Sex-Gender (Sexual Harassment)
- Sexual Orientation
- National Origin
- Reprisal (based upon EO activity) (IG)

CONCEPT OF
DISCRIMINATION

Obvious
Subtle

➤ Such distinctions are not authorized by law or regulation.



Hazing Definition

Any conduct where a person unnecessarily causes another person to suffer or be exposed to an activity that is cruel, abusive, oppressive, or harmful.

Bullying Definition

Any conduct where a person intends to exclude or reject another person through cruel, abusive, humiliating, oppressive, demeaning, or harmful behavior that results in diminishing the other person's dignity, position, or status.



Harassment Definition

Hazing:

without proper military authority or purpose
physically or psychologically
injures or creates risk of injury
initiation, admission, affiliation with change in status or membership
in person, electronic devices, social media

Inclusive

Bullying:

individual or group
exposure to physical and/or emotional aggression
intent to cause distress or harm
singling out for ridicule
in person, electronic devices, social media

Exclusive

Discriminatory Harassment:

unwelcomed conduct
protected category



Hazing/Bullying



BLUF: Hazing and bullying are unacceptable and prohibited in all circumstances and environments.

Incidents of hazing or bullying that may involve allegations of sexual assault, sexual harassment, or discrimination will be addressed to the full extent of the laws, regulations, and policies that apply.



Impact of Poor Environment



Effect on Victim:

- Isolation
- Depression
- Degrading of individual
- Difficulty with trust
- Excessive absenteeism
- Loss of career
- PTSD

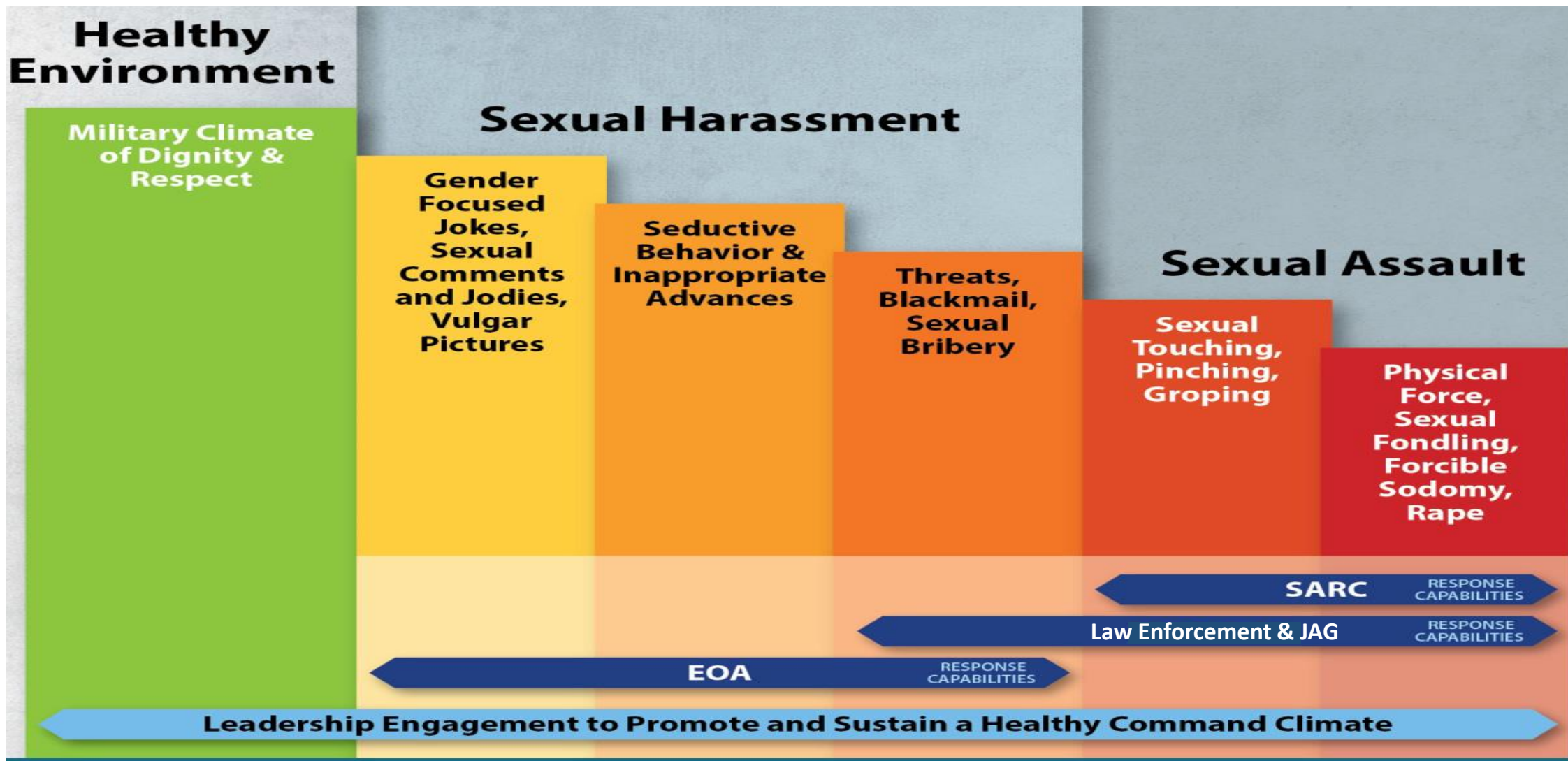
How does this
affect your unit
effectiveness ?

Effect on Unit:

- Loss of unit cohesion and trust
- Inability to accomplish goals/mission
- Decreased unit readiness
- Low morale
- Excessive absenteeism
- Loss of personnel



Continuum of Harm



EO COMPLAINT PROCESS

Event

- Complainant experiences discrimination, harassment, offensive behavior.
- Always try to resolve at the lowest level. Intervention methods include; DIRECT, INDIRECT, 3rd Party, CHAIN OF COMMAND.

180 days

- Resolution is not achieved by above methods, Complainant may submit an “Official Allegation” by seeing an EO representative.
- Form 333 is completed by an EO representative and sent to State Equal Employment Manager (SEEM).

7 days

- EO Rep works with Commander to institute a mandatory Reprisal Prevention Plan.
- Commander appoints an Inquiry Officer (IQO)

EO COMPLAINT PROCESS

60 days

- Inquiry is complete and sent to EO Rep. (30 day extension allowed)
- Inquiry gets Legal Review and SEEM Review.
- Inquiry is returned to Commander with Legal and SEEM cover memos. Determination as Substantiated or Unsubstantiated.

30 days

- Commander determines Proposed Resolution. Notice of Proposed Resolution (NPR) is drafted.
- Commander conducts final interview with Complainant and reviews findings and provides NPR for Complainant signature.

30 days

- Complainant must ACCEPT resolution, WITHDRAW complaint, or file a FORMAL complaint with EO Rep.
- SEEM will close case or submit a Formal Resolution Request to NGB.

Process must be completed in 180 days or Complainant may automatically file a Formal complaint.

Be an ACTIVE BYSTANDER

Leadership demands COURAGE, a character attribute and an Army Value. The mission, duty, and life itself require Army professionals to reject cowardice—they accept risk and overcome adversity and their fears. They realize that they risk personal harm in performing their duty and accomplishing missions. The harm may be physical, emotional, or spiritual. Nonetheless, Army professionals communicate with candor and tact, seek shared understanding, and **demonstrate courage by doing what is ethical, effective, and efficient despite risk, uncertainty, and fear.**

-ADP 6-22



EQUAL OPPORTUNITY STAFF

Brigade EO Advisor - _____

Unit EO Leaders- _____

JFHQ - LTC Monique Foster – State Equal Employment Manager (SEEM) 518-786-4733

- MAJ Stephen Keblish – EO/EEO Staff Officer (MDay)
- MSG Richard Palasz – JFHQ EOA (MDay)
- Mr. Michael Kot – EEO Specialist – 518-786-4621