



Military and Naval Affairs

ANDREW M. CUOMO
Governor
Commander-in-Chief

OCT 22 2018

RAYMOND F. SHIELDS, JR.
Major General
The Adjutant General

MNAG-TAG

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Equal Employment Opportunity Policy

1. This policy is applicable to all members assigned to the State's Organized Militia, including the Army National Guard, Air National Guard, Naval Militia, New York Guard, and all State and Federal employees of the Division of Military and Naval Affairs and Joint Force Headquarters-NY.
2. Our agency will provide for and promote equal employment opportunity in compensation and other terms and conditions of employment for all personnel. No one will be subjected to discrimination based on the following:
 - a. Federal employees: race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (over 40), disability, genetic information, or reprisal for having engaged in a protected equal opportunity activity.
 - b. Military personnel: race, color, religion, sex-gender (sexual harassment), sexual orientation, national origin, or reprisal for having engaged in a protected equal opportunity activity.
 - c. State employees: age, race, creed, color, national origin, sexual orientation, military or veteran's status, sex, marital status, physical/mental disability, gender identity, genetic predisposition or carrier status or retaliation resulting from resolution of a grievance or filing a discrimination complaint.
3. This commitment to assuring equal employment opportunities and equal access to services, programs, and activities includes appropriate training on equal opportunity.
4. Commanders, supervisors, members and employees will report instances of discriminatory treatment, workplace harassment or retaliations. I am committed to taking appropriate action with respect to any and all employees, volunteers, vendors or business partners who engage in discriminatory conduct, as well as executive, supervisory and managerial personnel who knowingly allow such conduct to continue.

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5. All employees and members are required to cooperate fully with any investigation of alleged violations of this policy. An employee or member who fails to cooperate with an investigation, obstructs an investigation, or who intentionally provides false or malicious information during an investigation, may be subject to appropriate disciplinary action.

6. No person shall be discharged, disciplined, discriminated against or otherwise subjected to an adverse employment action on the ground that such person filed a complaint, testified, provided information, or otherwise assisted in any investigation of alleged violations of this policy. Retaliation against any complainant or witness is illegal and any person employed by or a member of the agency who engages in such conduct is subject to disciplinary action and any other consequences the law may provide.

7. This policy applies to all employment and military member practices and actions. It includes, but is not limited to recruitment, job application process, hiring, training, disciplinary actions, rate of pay or other compensation, advancement, transfer, classification, reassignment and promotions.

8. Employees may address questions regarding this policy or file a complaint to the following agency personnel:

a. Federal Employees, Soldiers, and Airmen will contact the State Equal Employment Manager (SEEM), LTC Monique L. Foster, at (518) 786-4733.

b. State Employees will contact the Labor Relations Representative, Mr. Michael D. Blair at (518) 786-6143. New York Guard and Naval Militia members may contact MNHS at (518) 786-4830 for assistance with this policy.

9. This policy supersedes memorandum, MNAG-TAG, 1 Jun 2016, subject: Equal Employment Opportunity/Reasonable Accommodation Policy.



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