

*U N F A I R*

**UNWANTED**

**UNACCEPTABLE**

**UNLAWFUL**

Equal Opportunity in the NYARNG  
LTC Monique Foster





# 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.



# Harassment Definition

---



*Unwanted, Offensive Behavior*

*Interferes with Work*

*Verbal or Physical*

*Isolates, Denigrates*

*Protected Group*



# 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.



# 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.



# Impact of Poor Environment



## Effect on Victim:

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

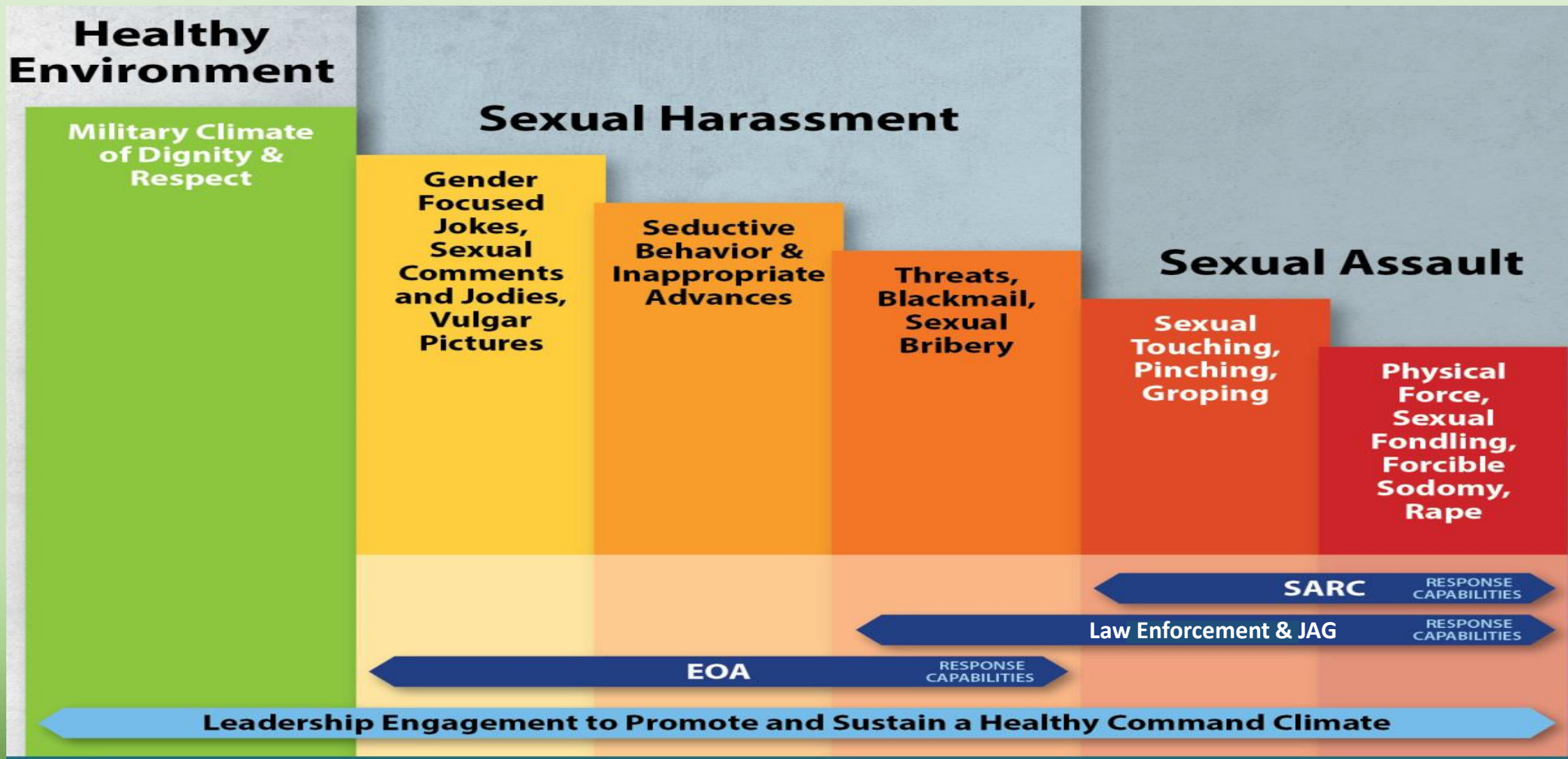
How does this  
affect your unit  
effectiveness ?

## Effect on Unit:

- Loss of unit cohesion
- 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, 3<sup>rd</sup> 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.



# EQUAL OPPORTUNITY STAFF

---

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

A1C Lizz Campbell - EEO Specialist – 518-786-4621

UNIT SPECIFIC– EOA NAME – PHONE  
EOL NAMES