



EEO 101
An Overview of the EEO Process
for Non-Supervisors



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OBJECTIVES

At the end of this session, participants should have a better understanding of....

- The Federal EEO Process
- Prohibited Factors of Discrimination
- Employee Rights/Official Time
- Additional Avenues of Redress
- Navy's Policy on Prevention of Sexual Harassment
- Alternate Dispute Resolution
- Reasonable Accommodations for Medical Conditions



EEO COMPLAINT

Occurs When...

An employee or group of employees requests personal relief in a matter of concern or dissatisfaction relating to the employment of the employee(s)

and...

The employee or group of employees believes the matter occurred as a result of a prohibited discriminatory factor.



What are the Prohibited Factors of Discrimination?

- **RACE**
- **COLOR**
- **SEX**
- **AGE**
- **RELIGION**
- **NATIONAL ORIGIN**
- **DISABILITY**
 - physical or mental
- **REPRISAL**
 - for prior EEO activity



Who is covered under the Federal EEO program?

- All federal employees (AF/NAF)

full-time

part-time

intermittent

temporary

- Applicants for Employment
- Former employees
- Permanent resident aliens in U.S.

Military and Contractors are not covered



Timeframes for Initiating Informal EEO Complaint?

Employee/Applicant may initiate an informal EEO complaint within 45 Calendar Days of an alleged discriminatory event

or

Within 45 Calendar Days of becoming Aware of an alleged discriminatory event



Formal EEO Complaint Requirement

(If complaint is not resolved at the informal level)

- Must file within 15 days of end of informal process
 - May be dismissed if...
 - untimely filed informal or formal EEO complaint
 - issue is moot
 - failure to cooperate
 - failure to show harm or impact on employment status
- (Above identifies most common reasons for dismissal)



...FORMAL COMPLAINT

If Complaint is Accepted for Investigation, the Complainant will be advised of his/her right to request a final agency decision with or without an EEOC hearing



EMPLOYEES' RIGHTS

- To present an EEO complaint without fear of reprisal
- To be educated on EEO procedures
- To be granted a reasonable amount of official time for counseling, etc.



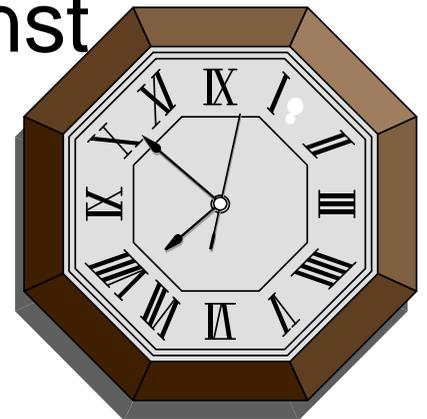
EMPLOYEES' RIGHTS

- To elect a representative
- To remain anonymous during the informal stage, if they choose
- To be free from restraint, interference, coercion, or reprisal during the complaint process
- To file a formal complaint if satisfactory resolution is not achieved in informal stage



OFFICIAL TIME

- Reasonable amount of preparation time is authorized for complainant and representative
- Management not required to adjust schedules or pay overtime to assist in choice of representative
- Granted when presence is authorized or required by Navy or EEOC
- Not granted for complainants against another agency





ROLE OF THE EEO COUNSELOR

- **Facilitate resolution of workplace disputes**
- **Advise employees of their EEO rights and responsibilities**
- **Conduct limited fact-finding**
- **Encourage parties to engage in Alternate Dispute Resolution (ADR)**
- **Remain neutral and objective**



**PREVENTION OF
SEXUAL
HARASSMENT
IN THE
WORKPLACE**



EXAMPLES OF HARASSMENT

Using profanity, yelling or screaming at someone, abusive language, offensive, gender-oriented, religious or racial jokes, threats, or intimidating comments;

Staring at a person, offensive gestures, written or graphic material that demeans a particular group, offensive letters, pictures, email or cartoons;

Touching, hitting, holding, grabbing or other unwanted physical contact.

Mimicking Someone's Accent



WHAT IS HARASSMENT?

Harassment in the workplace occurs when an individual or group of people is treated inappropriately because of their membership in one or more protected groups. Religion, sex, race, national origin, color, age, sexual orientation, physical or mental handicap are examples of groups protected under Federal laws.



SEXUAL HARASSMENT

TANGIBLE EMPLOYMENT BENEFIT

- Hiring & Firing;
- Promotion/Failure to Promote;
- Demotion;
- Undesirable Reassignment;
- A Decision Causing a Significant Change in Benefits;
- Compensation Decisions; and
- Work Assignment.

HOSTILE ENVIRONMENT

Severe and pervasive and involves such acts as..

- Comments about body parts, sex life, off-color jokes or teasing**
- **Excessive attention in the form of letters, contacts, gifts, touching, brushing, shoulder rubs, pinches...**
- Suggestive/explicit pictures of a sexual nature; leering, starring, “wolf” whistling, inappropriate emails**



Non-Supervisory Employees' Responsibilities In The Workplace

- Comply with supervisor's instructions
- Comply with established procedures and guidelines
- If behavior of others appears offensive or unwelcome, INFORM offender
- Do not participate in or ignore inappropriate behavior
- If someone reports an incident to you, do not attempt to investigate, REPORT it to a Management Official
- Treat others in the workplace with respect
- Refrain from telling jokes that single out a particular race, group, etc.



Examples of Hostile Work Environment

- Off-color jokes or teasing
- Comments about body parts/sex life
- Suggestive/explicit pictures of a sexual nature; leering, starring, “wolf” whistling
- Excessive attention in the form of love letters, contacts, gifts
- Touching brushing shoulder rubs, pinches
- E-mails that contain sexual explicit pictures and/or comments



Non-Supervisory Employees' Responsibilities In The Workplace

- Comply with supervisor's instructions
- Comply with established procedures and guidelines
- Report behavior that appears offensive or unwelcome
- Do not participate in or ignore inappropriate behavior
- If someone reports an incident to you, do not attempt to investigate, **REPORT** it to a Management Official
- Treat others in the workplace with respect
- Refrain from telling jokes that single out a particular race, group, etc.



Preventing Sexual Harassment

- **Know your rights and assert them**
- **Maintain a professional manner**
- **Treat others fairly, with respect and dignity**
- **Refuse to participate in off-color jokes, comments and/or “horseplay”, inappropriate e-mails**
- **Caution those exhibiting “borderline” sexual harassment behavior**
- **Report acts or allegations to management official/EEO staff**





When Reflecting Upon Your Own Behavior, Remember...

The "What if They Were Here" principal

*Would you want the behavior to be witnessed by
your own family member?*

*Would your spouse or significant other react in a
positive manner to your behavior?*



*Would you want someone to make that type of
comment to your spouse, significant other or
your child?*



Remember, all personnel, regardless of type of service or citizenship, entering a Navy workforce has the right to be treated with respect and dignity. Individuals who fail to comply, violate Navy and Federal guidelines and may be subject to disciplinary action.



CIVILIAN AVENUES OF REDRESS

- **Administrative Grievances**
- **Merit System Protection Board Appeals**
- **Classification Appeals**
- **Equal Employment Opportunity Complaints**
- **Congressional Inquiries**
- **Hot Line Complaints**
- **Fraud, Waste and Abuse Hotline**
- **Whistleblower Protection Act**



ALTERNATE DISPUTE RESOLUTION (ADR)

In resolving workplace conflicts.....

- **Win-Win Outcome**
- **Joint Resolutions**
- **Reduced Cost**
- **Less Adversarial**
- **Focuses on Meeting Interests**
- **Parties get to Determine Outcome**
- **Builds trust and understanding**
- **Improves Communication**
- **Expedites resolution process**



QUESTIONS?

***Contact the EEO Office at
243-8163 or 243-9579***

Email: M-YO-CNFJ RWD USCS Training

Visit our Home Page

<https://www.cnic.navy.mil/Japan/HumanResources/index.htm>