DEPARTMENTS OF THE ARMY AND THE AIR FORCE
HEADQUARTERS, TENNESSEE ARMY AND AIR NATIONAL GUARD
3041 SIDCO DRIVE, HOUSTON BARRACKS, POST OFFICE BOX 41502
NASHVILLE, TENNESSEE 37204-1502

JFHQ-TN-EO 7 August 2010

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Policy Statement and Definition on Sexual Harassment

1. Sexual harassment violates the policy of the Tennessee National Guard to provide equal opportunity and equal treatment to each of its members – military, technician, and civilian men and women. Mutual respect is fundamental to unit cohesion and readiness. Unlawful harassment undermines our members' ability to excel and experience full personal and career potential.

2. National Guard personnel have a grave responsibility, under the policies of the Departments of the Army and Air Force and the Federal Code of Ethics for maintaining high standards of honesty, integrity, impartiality, and conduct to assure proper performance of the Government's business and the maintenance of public trust. Individual conduct, which violates these policies or standards, will not be tolerated.

3. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

a. Submission to such conduct is made either explicitly or implicitly, a term or condition of an individual's employment, or,

b. Submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting such individual, or,

c. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

4. Any commander, supervisor, or manager, who uses implicit or explicit sexual behavior to control, influence or affect the career, pay, grade/rank, or job of an individual is engaging in sexual harassment. Similarly, any military member, technician, or civilian employee who makes deliberate or repeated offensive verbal comments, gestures, or physical contact of a sexual nature in the work environment is also engaging in sexual harassment.

5. Individuals who are sexually harassed by supervisors, co-workers, or peers **should make it clear that such behavior is inappropriate and unacceptable**; and should utilize the chain of command to report the occurrence of harassment. Further, it is the responsibility of every supervisor and manager, military, technician, and civilian to ensure that any allegation of sexual harassment is taken seriously and all instances are dealt with swiftly, fairly and effectively.

6. Finally, any member of the Tennessee National Guard – military, technician, or civilian who engages in sexual harassment while conducting National Guard business with employees of other Federal or State agencies, with persons employed in the private sector, or with members of the public is violating the established standards of conduct.

7. Prevention is the best tool for elimination of sexual harassment. Affirmatively raising the subject, immediately recognizing and correcting harassing behavior, conducting sexual harassment preventive training programs for all personnel, and informing National Guard Personnel of their right to raise and how to raise the issue of harassment under Equal Opportunity, Equal Employment Opportunity procedures or via the attention of the Inspector General are effective methods of prevention.

8. I am totally committed to ensuring sexual harassment will not be tolerated in the Tennessee National Guard. Perpetrators of sexual harassment will be dealt with in the most severe method possible. It is the duty of commanders and supervisors to ensure personnel understand that reports of sexual harassment will be taken seriously and that reprisal or retaliation for reporting such violations is unlawful.

9. Your continuing commitment is expected in exhibiting the highest level of professional conduct and courtesy as we work together to accomplish our mission.

TERRY M. HASTON
Major General
The Adjutant General

DISTRIBUTION:
A – D – H
25 Each Air Base