



STATE OF GEORGIA
GEORGIA DEPARTMENT OF DEFENSE
1000 HALSEY AVENUE, BUILDING 447
MARIETTA, GEORGIA 30060-4277

NGGA-TAG

4 May 2024

MEMORANDUM FOR ALL PERSONNEL

SUBJECT: Georgia Department of Defense Anti-Harassment Policy

1. REFERENCES.

- a. 42 United States Code § 2000e (Civil Rights Act of 1964)
- b. 29 United States Code § 621 (Age Discrimination Act of 1975)
- c. 42 United States Code § 12101 (Americans with Disabilities Act)
- d. Department of Defense Instruction 1020.03 (Harassment Prevention and Responses for DoD Civilian Employees), 29 December 2020
- e. Chief National Guard Bureau Instruction 9601.01 (National Guard Discrimination Complaint Program), 27 December 2015

2. Title VII of the Civil Rights Act of 1964 and all its amendments prohibit harassment of an employee based on race, color, sex (including pregnancy, gender identity or expression, and sexual orientation), genetic information, national origin (ancestry), or religion. The Age Discrimination Employment Act (ADEA) prohibits harassment of employees who are age 40 or older based on age, and the Americans with Disabilities Act and all its amendments prohibit harassment based on disability. All the anti-discrimination statutes enforced by the Equal Employment Opportunity Commission (EEOC) or otherwise enforced by regulation prohibit retaliation for engaging in protected activity, including making a complaint of discrimination, harassment, or retaliation, and participating in any inquiry or investigation. The conduct prohibited by this policy includes, but is broader than, unlawful harassing conduct (i.e., discriminatory harassment, sexual harassment, or stalking), and can be oral, visual, written, physical, or electronic, and may occur through electronic communications, including social media, other forms of communication, or in person.

3. I am committed to having a healthy, harassment-free workplace, and all personnel of the Georgia Department of Defense have a responsibility to ensure compliance with this policy. Employees are encouraged to report harassment before it becomes severe or pervasive. If the first-line supervisor is the alleged harasser, the harassment should be reported to the second-line supervisor in his or her chain of command, a higher-level supervisor, or to the State Equal Employment Manager (SEEM). No employee who

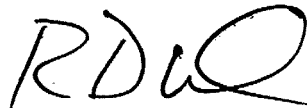
reports harassment or participates in any investigation into a report of harassment will be retaliated against for such report or participation, and all reports of harassment will be kept confidential to the extent possible.

4. Reports and allegations of harassment will be thoroughly, impartially, and expeditiously investigated. Substantiated allegations of harassment may result in any one or more of the following: oral or written warning; oral or written reprimand; training or counseling of the harasser; monitoring of harasser to ensure that harassment stops; transfer or reassignment; demotion; reduction of wages; suspension; and discharge/termination. Examples of measures to correct the effects of harassment include, but are not limited to restoration of leave taken due to harassment; expungement of negative evaluation(s) in the affected employee's personnel file that are the result of harassment; reinstatement; monitoring treatment of affected employee to ensure he or she is not subjected to retaliation by the harasser or others in the workplace as a result of their complaint; and correction of any other harm resulting from harassment in the workplace.

5. Procedures for filing complaints of harassment or retaliation by Federal employees may be found on the Georgia National Guard Human Resource Office (HRO) website and the technician bulletin board at each unit and are found in 29 C.F.R. Part 1614 and the Equal Opportunity Commission Management Directive 110 (MD-110). Questions about the procedure for filing complaints of harassment or retaliation by State employees should contact the State Personnel Office (SPO). Information on the variety of EEO programs available can be found at <http://www.eeoc.gov> and <https://gceo.georgia.gov/complaints/employment-complaint-form>.

6. This policy letter will be posted in the permanent section on all unit bulletin boards, the Georgia National Guard HRO website, and the Georgia National Guard Office of Equal Opportunity and Diversity, Equity, Inclusion, and Accessibility website.

7. Questions regarding this policy may be addressed through the SEEM's office at (678) 569- 5728, DSN 338-5728, or the State Personnel Office at (678) 569-5507.



RICHARD D. WILSON
Major General, GANG
The Adjutant General