



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 Sexual Harassment Policy

1. The Georgia Department of Defense (GA DoD) policy on sexual harassment is clear: all GA DoD personnel are entitled to an environment that is free from sexual harassment. Assuring an environment free of any form of sexual harassment is an individual and corporate responsibility at every level of supervision and command.
2. Sexual harassment is a form of sex discrimination. It involves actions that include unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
 - a. Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career, or
 - b. Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person, or
 - c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.
3. Sexual harassment includes anyone in a supervisory or command position using or condoning any form of sexual behavior to control, influence, or affect the career, pay, or job of any member or civilian employee of the Georgia Department of Defense. It also includes any deliberate or repeated unwelcome verbal comments or gestures of a sexual nature made by any member or civilian employee of the Georgia Department of Defense.
4. A victim of sexual harassment does not have to suffer concrete psychological harm to prove a case of sexual harassment. The standard for what constitutes sexual harassment for those subject to state and federal laws are the following:
 - a. When an individual, subject to state law, is targeted with words or actions listed above that cause them to experience inferior terms, conditions, or privileges of employment;

b. When an individual, subject to federal law, is targeted with words or actions listed above that are so severe or pervasive that a reasonable person would perceive, and the victim does perceive, the environment as intimidating, hostile, or offensive; those words or actions constitute sexual harassment.

5. Sexual harassment will not be tolerated by any uniformed member or civilian employee. Sexual harassment violates acceptable standards of conduct required of all personnel, reduces mission effectiveness, and wastes valuable resources. This commitment to the prevention of sexual harassment in the workplace will include annual sexual harassment training. While we should all act if we witness or otherwise know of incidents of sexual harassment, supervisors, managers, or command personnel are required to immediately report incidents of sexual harassment, discriminatory treatment, workplace harassment or retaliations. Failure to do so will result in disciplinary action, which may include termination and/or discharge.

6. Sexual harassment is a form of employee and member misconduct. Any employee or member who is found to have engaged in sexual harassment shall be subject to prompt and appropriate remedial and/or disciplinary action, which may include termination and/or discharge. Supervisors are required to immediately report instances of sexual harassment, discriminatory treatment, workplace harassment or retaliations. Failure to do so will result in disciplinary action, which may include termination and/or discharge.

7. All employees and members have a responsibility to help resolve acts of sexual harassment and 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.

8. Retaliation encompasses illegal, impermissible, or hostile actions taken by a Service Member's chain of command, peers, or coworkers as a result of making or being suspected of making a protected communication. In addition to reprisal, retaliatory behaviors include ostracism, maltreatment, and criminal acts for a retaliatory purposed in connection with an alleged sex-related offense of sexual harassment; or for performance of duties concerning an alleged sex-related offense or sexual harassment.

9. Reprisal is defined as taking, threatening to take an unfavorable personnel action or withholding, threatening to withhold a favorable personnel action, for making, preparing to make, or being perceived as making, or preparing to make a protected communication.

10. No person shall be retaliated/reprised against because such person filed a complaint, testified, provided information, or otherwise assisted in any investigation of alleged violations of this policy. Retaliation/reprisal against any complainant or witness

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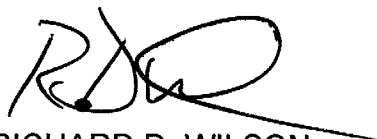
is illegal and any person employed by or a member of the Georgia National Guard who engages in such conduct is subject to disciplinary action and any other consequences the law may provide.

11. Individuals have the right to excel in their position without the threat of sexual harassment or discrimination. Any member or employee who believes that he or she has been the victim of sexual harassment or discrimination, or has any knowledge of such behavior is urged to report the conduct immediately to the following representatives:

a. Federal Employees, Soldiers, and Airmen will contact the State Equal Employment Manager (SEEM) at 678-569-6022.

b. State Employees (including members of the State Defense Force) will file a complaint directly with a supervisor or manager or may contact the State Personnel Director at 678-569-5507.

12. 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.

A handwritten signature in black ink, appearing to read 'RDW', with a long horizontal line extending from the end of the signature.

RICHARD D. WILSON
Major General, GANG
The Adjutant General