



EEO Quarterly Newsletter



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Inside this issue:

Managers/ Supervisors Must Cooperate with EEO Investigations 2

Appropriate Work- place Behavior 3

Why We Have to Keep Talking About Harassment 3

What You Should Know About EEOC and the Enforcement Protections for LGBT Workers 4

25th Anniversary of the Americans with Disabilities 4

“ What if we showed up to work everyday simply to be better than ourselves...the goal was to do better work than the week before...”

Simon Sinek

“I am not a product of my circumstances. I am a product of my decisions.” –Stephen Covey

Ft Riley EEO Staff

New Location

EEO is now located on the first floor of Grimes Hall

Director: Vacant

Complaints Manager: Ms. Kathy Bellinder (239-2741)

Special Emphasis Program Manager: Mr. Jeffrey Greer (239-3263)

Location: 510 Huebner Road (Grimes Hall), 1st Floor

EEO WEBSITE: <http://www.riley.army.mil/Units/GarrisonCommand/EqualEmploymentOpportunity.aspx>

Accommodations: Sometimes you get what you need, but not what you want

You can't always get what you want. Now that you have the Rolling Stones stuck in your head for the rest of the day, it will help you remember that an individual with a disability is entitled to an effective workplace accommodation, absent undue hardship, but not necessarily the accommodation requested.

The Americans with Disabilities Act Amendments Act (ADAAA) was largely aimed at getting employers to spend less time arguing about whether an individual has a disability and more time putting qualified individuals who have disabilities to work. There are still steady findings of disability discrimination, but there also appear to be more decisions (made by EEOC) finding that managers appropriately offered a reasonable accommodation, even though sometimes it was rejected by the employee involved.

Managers/Supervisors Must Cooperate with EEO Investigations



“No employer today is independent of those about him. He cannot succeed alone, no matter how great his ability or capital. Business today is more than ever a question of cooperation.”

Orison Swett Marden

Once a formal complaint has been filed and accepted by the local EEO office for processing, the next step in the process is the investigation. During the investigation, managers/supervisors will be asked to provide information or data. As a manager/supervisor, you also will need to be available for an interview (either telephonically, writing, or in person). Any request should be responded to promptly to the EEO office, the investigator, or the EEOC whichever the case may be. Ensure the information provided is accurate and complete. You will usually be given a short window of time, usually one week, in which to respond so it is important to gather relevant information once you have been notified a formal complaint has been filed.

Investigations take approximately 180 days to complete. The only time it goes beyond that time frame is when there is a delay in the investigators ability to obtain the information they have requested.

Your assigned investigator will keep you informed about the process, to include the rights and responsibilities of the parties at the conclusion of the investigation. Your investigator will conduct an appropriate, thorough, and timely investigation. Your investigator will allow you to respond to the allegations. An investigator, if requested, will also try to resolve the issues at the beginning of the investigation prior to document request and prior to any interviews. Once the investigation is completed either an EEOC judge or HQDA will make the final determination on the complaint if not resolved.

If a manager/supervisor has any questions regarding the investigation process, they can contact their local EEO office or the investigator to have their questions answered.



It is imperative that ALL managers/supervisors are fully engaged and cooperate with the process. If a manager/supervisor fails to cooperate with an investigation, the agency very likely will have a finding against it by the EEOC on the complaint that would otherwise may not have had such an outcome.

Appropriate Workplace Behavior

Workplace behavior is defined as a pattern of actions and interactions of the members of an organization that directly or indirectly affects its effectiveness. Inappropriate behavior in the workplace can interfere with work flow and may even keep you from carrying out your responsibilities. Left unchecked, this type of behavior often continues to escalate, and can lead to low morale, absenteeism, a slowdown in productivity or, even an EEO complaint. Managers and supervisors are encouraged to come up with their own policy on appropriate workplace behavior. Putting all of your employees on clear notice of your expectations is a good way to stop this type of behavior and hold employees accountable.

Having said that, here are some tips for managers and employees alike to make sure that they act appropriately in the workplace. Dress modestly and appropriately for your industry; Be friendly and respectful to clients, colleagues, managers and vendors; respect privacy, personal space, ideas and belongings; follow the chain of command; keep your personal life at home; save colorful jokes for after work; and avoid bashing your boss, problem clients or colleagues.



***“Although
the world is
full of
suffering, it
is full also of
the
overcoming
of it.”
– Helen
Keller***

Why We Have to Keep Talking About Harassment

Discriminatory harassment is a common topic in EEO. In the case of co-worker harassment, not only do supervisors and managers acting on behalf of Army have a legal right and obligation to take action, but they also have an opportunity to avoid liability for their organizations altogether if they act immediately and appropriately to stop the harassment. The appropriate steps to take for harassment (sexual) is as follows: 1) Immediately separate the employees involved. This may require a manager to put the alleged harasser in another building. The key is to move the alleged harasser and not the employee harassed; 2) Initiate an appropriate investigation; 3) Upon completion of the investigation, take appropriate action if necessary. At this point if the allegation have not been proven, then the manager can move the alleged harasser back to their original workspace. Appropriate action for harassment (non-sexual) is as follows: 1) Separate the employees, if applicable. There more than likely will not be a need for this. Contact your EEO office to assist you with this determination; 2) Look into the issues. This may require a more formal investigation depending on the issues; 3) Upon completion of the investigation, take appropriate action as necessary.



What You Should Know About EEOC and the Enforcement Protections for LGBT Workers



The EEOC is responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information. These federal laws also prohibit employers from retaliating against workers who oppose discriminatory employment practices - for example, by reporting incidents of sexual harassment to their supervisor or human resources department - or against those who file EEOC charges or cooperate with an EEOC investigation. Where these federal laws apply, they protect ALL workers, regardless of sexual orientation or gender identity.

Employers and employees often have questions about whether discrimination related to LGBT status is prohibited under the laws the EEOC enforces. While Title VII of the Civil Rights Act of 1964 does not explicitly include sexual orientation or gender identity in its list of protected bases, the Commission, consistent with case law from the Supreme Court and other courts, interprets the statute's sex discrimination provision as prohibiting discrimination against employees on the basis of sexual orientation and gender identity.

***“How society
treats its
disabled is
the true
measure of a
civilization.”***

***Chen
Guangcheng***

***See the person
not the disability***

25th Anniversary of the Americans with Disabilities Act of 1990

In 1990, President George H.W. Bush signed the ADA into law, making it illegal for employers to discriminate against qualified job applicants and employees based on their physical or mental disabilities. The law also requires employers to provide reasonable accommodations to applicants and employees who need them because of their disabilities, unless doing so would cause undue hardship.



Inclusion works!