



DEPARTMENT OF THE ARMY
U.S. ARMY MANEUVER SUPPORT CENTER AND FORT LEONARD WOOD
320 MANSCEN LOOP STE 316
FORT LEONARD WOOD, MISSOURI 65473-8929

REPLY TO
ATTENTION OF

16 FEB 2007

IMNW-LNW-EOP

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Command Policy #74-07, Retaliation for Engaging in Protected Equal Employment Opportunity (EEO) Activity

1. REFERENCES.

- a. Memorandum, OASA (M&RA), 10 November 2004, subject: Retaliation for Engaging in Protected Equal Employment Opportunity (EEO) Activity.
- b. Notification and Federal Employment Antidiscrimination and Retaliation Act of 2002 (No Fear Act).
- c. AR 690-600, Equal Employment Opportunity Discrimination Complaints, 9 February 2004.
- d. Federal Sector Equal Employment Opportunity, 29 CFR 614 *et seq.*

2. GENERAL. To provide guidance and procedures to comply with Title VII of the Civil Rights Act, the Age Discrimination in Employment Act (ADEA), the Equal Pay Act, and the Rehabilitation Act. This policy applies to all personnel assigned to or under the operational control of the U. S. Army Maneuver Support Center and Fort Leonard Wood (USAMANSCE&FLW).

3. POLICY.

a. The EEO Commission (EEOC) has issued several findings of discrimination against the Department of the Army relative to discrimination based on reprisal or retaliation against individuals who participated in protected EEO activities. The EEOC's rules and regulations clearly state that no person will be subjected to retaliation for participating in any stage of the administrative or judicial proceeding under Title VII of the Civil Rights Act, the Age Discrimination in Employment Act (ADEA), the Equal Pay Act, or the Rehabilitation Act.

b. Supervisors and managers may not fire, demote, harass, or otherwise "retaliate" against an employee for filing a charge of discrimination, participating in a discrimination proceeding, or otherwise opposing discrimination. Supervisors must continue to manage and can not be affected by the protected activities of their employees. The legal right to protest against discrimination or to participate in the administrative complaint process as complainants, counselors or witnesses is mandated by applicable laws and regulations. It is imperative that supervisors ensure that their actions are not improperly motivated.

c. Compliance with anti-discrimination statutes permits individuals to freely question suspected discriminatory behavior. Retaliation against those who seek relief from

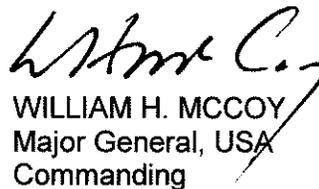
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discrimination, if permitted to go unaddressed, would diminish the willingness of employees to speak out or participate in proceedings established to eliminate the unlawful conduct.

d. Voluntary compliance and effective enforcement ensures that we provide a workplace that does not discourage employees from exercising their rights. Your EEO, legal, and civilian personnel/HR advisors are valuable assets who can provide assistance in this area. We must view our commitment to equal employment opportunity as a matter of personal integrity and accountability.

4. PROPONENT. The Equal Employment Opportunity Office is the proponent for this policy. POC is Director, EOP, 6-0602.


WILLIAM H. MCCOY
Major General, USA
Commanding

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