



# DEPARTMENT OF DEFENSE

Defense Commissary Agency  
Fort Lee, VA 23801-1800

## DIRECTOR'S POLICY

DP 500-14  
September 30, 2015

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Equal Employment Opportunity  
OPR: DeCA/CCE

SUBJECT: Anti-Harassment

1. **PURPOSE.** This Director's Policy (DP) provides guidance concerning the Defense Commissary Agency's (DeCA) anti-harassment policy.
  
2. **POLICY.** It is my policy, and the policy of the Agency, that harassment of employees, coworkers, customers, or other persons in the DeCA workplace, by any DeCA employees, or others is strictly prohibited. Harassment, as used herein, is defined as:
  - a. Any verbal or physical conduct that tends to defame or show hostility or aversion toward any individual in the workplace because of his/her race, color, religion, sex (including harassment of a sexual nature or non-sexual nature, pregnancy, gender identity, and sexual orientation), national origin, age, genetic information or disability, that has the purpose or effect of:
    - (1) Creating an intimidating, hostile, or offensive work environment;
    - (2) Unreasonably interfering with an individual's work performance; or
    - (3) Otherwise adversely affecting an individual's employment opportunities.
  - b. Harassing conduct includes, but is not limited to the following:
    - (1) Epithets, slurs, negative stereotyping, threatening, intimidating, or hostile acts that relate to race, color, religion, gender, national origin, age, genetic information, or disability;
    - (2) Written or graphic material that belittles or shows hostility or aversion toward an individual or group because of race, color, religion, sex (including harassment of a sexual nature or non-sexual nature, pregnancy, gender identity, and sexual orientation), national origin, age,

genetic information, or disability, that is placed on walls, bulletin boards, or elsewhere on the employer's premises or circulated in the workplace; or

(3) Any other seemingly neutral act or conduct that can reasonably be anticipated to have the effect of creating the above adverse results in the workplace.

c. The standard for determining whether verbal or physical conduct, relating to race, color, religion, sex (including harassment of a sexual or non-sexual nature, pregnancy, gender identity and sexual orientation), national origin, age, genetic information, or disability is sufficiently severe or pervasive to create a hostile or abusive work environment is whether a reasonable person in the same or similar circumstance would find the conduct intimidating, hostile, or abusive. For the purposes of this policy, the "reasonable person" standard means consideration of the circumstances from the perspective of the recipient's or viewer's race, color, religion, sex (including harassment of a sexual nature or non-sexual nature, pregnancy, gender identity, and sexual orientation), national origin, age, or disability. To this end:

(1) All employees are encouraged to come forward and report potentially harassing conduct before it becomes severe or pervasive.

(2) All employees have the right to file a complaint of harassment or to report an incident of harassment without the fear of retaliation. If requested, and appropriate under the process, employees also have the right to anonymity concerning their complaint.

(3) Employees are not required to complain first to their supervisors about alleged harassment when the supervisor is the harasser. However, they are encouraged to follow their chain of command before contacting the DeCA Equal Employment Opportunity (EEO) Office.

(4) Supervisors and managers are responsible for conducting a prompt inquiry into complaints of harassment and reporting their findings to their chain of supervision for appropriate action. Supervisors and managers should consult with the Labor and Management-Employee (LMER) specialists when initiating action to stop the harassment. Supervisors and managers who tolerate harassment or fail to take prompt corrective action upon becoming aware of such activities may also be subject to disciplinary action.

(a) The confidentiality of harassment complaints will be protected to the extent possible.

(b) Confidentiality cannot be guaranteed since the Agency cannot conduct an appropriate inquiry without revealing certain information. The Agency will limit information to those who have a need to know. All employees are obligated to give information they possess to investigators or supervisors if the inquiry relates to official matters. This shall include promptly providing a signed, sworn, statement or providing other evidence related to the complaint.

d. I have zero tolerance for employees' harassment as set forth above. Complaints of prohibited harassment within DeCA will receive immediate attention, to include a thorough

investigation and swift corrective action, to include disciplinary or adverse action, where appropriate.

3. RESPONSIBILITY. Supervisors and managers are responsible for maintaining a harassment-free work environment for all employees Agency-wide. All managers and supervisors will share and communicate the contents of this policy to every DeCA employee. It is incumbent upon every employee to perform their duties and conduct themselves in such a manner that permits an opportunity for employees to grow professionally. I expect and will accept nothing less.

4. APPLICABILITY. This DP applies to the responsibilities according to the requirements of DoD Publications program, in accordance with DoDI 5025.1, as amended.

5. RELEASABILITY. **Cleared for public release.** This DP is available on DeCA's Internet Website at [www.commissaries.com](http://www.commissaries.com).

6. EFFECTIVE DATE. This DP is effective immediately.



Joseph H. Jeu  
Director