ARIZONA Department of Emergency and Military Affairs POLICY LETTER	POLICY LETTER NO. 20.01	
	DATE 15 Oct 2014	OPR DEMA-TAG
SUBJECT: Sexual Harassment and Assault Prevention Policy	ENSURE WIDEST DISSEMINATION (POLICY LETTER 10.01)	

1. References: This policy applies to all Department of Emergency and Military Affairs (DEMA) personnel, applicants, recruits, beneficiaries, and customers, IAW Title VII of the Civil Rights Act, (29 C.F.R. §1614) (Dual Status Technicians/Civilians); DEMA Directive 20.3, *DEMA State Employee Complaint Process* (1 Feb 2014); NGR (AR) 690-600/AFI 40-1614, *National Civilian Discrimination Complaint System* (15 Mar 93); NGR 600-22/ANGI 36-3, *National Guard Military Discrimination Complaint System* (30 Mar 01); AR 600-20, *Army Command Policy, Rapid Revision* (20 Sep 12); DoDI 6495.02, *Sexual Assault Prevention and Response (SAPR) Program Procedures* (12 Feb 14).

2. Without exception and regardless of an individual's status, DEMA will not tolerate sexual harassment or sexual assault. Sexual harassment is a form of unlawful discrimination. An individual who engages in such conduct will be subject to disciplinary action, up to and including termination. Sexual assault is a crime and violators will be prosecuted to the fullest extent of the law. While sexual harassment and sexual assault cannot be limited to formal definitions, this policy will be used as guidance.

3. Sexual harassment is a form of discrimination that can escalate to sexual assault. Sexual harassment involves unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature when:

a. Submission or rejection of such advances are made either explicitly or implicitly a term or condition of a person's job, pay or career; and/or,
b. Submission to or rejection of such conduct is a basis of career or employment decisions; and/or,
c. Such conduct interferes with the individual's performance or creates an intimidating, offensive, or hostile environment.

Examples of sexual harassment include, but are not limited to: repeated offensive flirtation, advances, or propositions; continued or repeated vulgarities, gestures or jokes of a sexual nature; explicit or degrading verbal comments about another individual's abilities based on sex or physical appearances; the display of sexually suggestive pictures on any media, objects, documents, books, magazines or other printed materials or any offensive or abusive conduct. It also includes the taking of or refusal to take any personnel action on the basis of an employee's submission or rejection of sexual overtures. No employee should so much as imply an adverse impact upon another individual's employment, assignment, compensation, advancement, career development, or any other term or condition of employment or service as a result of refusal of sexual advances.

4. Sexual Assault is a crime defined as intentional sexual contact characterized by the use of force, physical threat, abuse of authority, or when the individual does not or cannot consent. Sexual Assault includes rape, nonconsensual sodomy, indecent assault (unwanted, inappropriate sexual contact or fondling), or attempts to commit these acts. Sexual Assault can occur without regard to gender, spousal relationship, or age of victim. A current or previous relationship between individuals shall not constitute consent.

5. Commanders, managers, and supervisors are responsible for ensuring reported incidents of sexual harassment and sexual assault are given immediate attention and prompt remedial action is taken. An individual who reports an incident or provides information in connection with a report or investigation is deemed to be engaged in protected activity and retaliation/reprisal is strictly prohibited.

6. An individual who believes s/he is the subject of sexual harassment is urged to immediately contact their supervisor, manager, commander or designated Equal Opportunity/Equal Employment Opportunity personnel:

Military Equal Opportunity (EO) Personnel:
ARNG - Brigade Equal Opportunity Advisor (EOA) or JFHQ EOA at (602) 629-4811/DSN 853
161st ARW - Equal Opportunity at (602) 629-4151 or State Equal Employment Office at (602) 629-4836
162d WG - Equal Opportunity at (520) 295-6894 or State Equal Employment Office at (602) 629-4836

Civilian Equal Employment Opportunity (EEO) Personnel:
State Employees - DEMA Director of Human Resources at (602) 267-2731
Federal Technician/Civilian - State Equal Employment Office at (602) 629-4828 or 629-4811/DSN 853

7. A military member who believes s/he is the victim of a sexual assault is urged to contact the Sexual Assault Response Coordinator (SARC) or designated personnel:

Restricted Reporting Military Sexual Assault Prevention and Response Personnel:
JFHQ State SARC at (602) 267-2449 or 24/7 at (602) 531-0998
Sexual Assault Prevention and Response Victim Advocate/Safe Helpline 24/7 at (877) 995-5247
Military Healthcare Personnel

Unrestricted Reporting Military Sexual Assault Prevention and Response Personnel:
JFHQ State SARC at (602) 267-2449 or 24/7 at (602) 531-0998
Sexual Assault Prevention and Response Victim Advocate/Safe Helpline 24/7 at (877) 995-5247
Civilian Healthcare Personnel
Chain of Command

8. This policy supersedes all previous DEMA Sexual Harassment and Sexual Assault Policy Letters. Point of contact for this policy is the State Equal Employment Office (602) 629-4836/DSN 853-4836. This policy will be posted on all unit and workplace bulletin boards.

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The Adjutant General