



DEPARTMENT OF DEFENSE
MISSILE DEFENSE AGENCY
5700 18TH STREET
FORT BELVOIR, VIRGINIA 22060-5573

EO

November 19, 2020

POLICY MEMORANDUM NO. 20

MEMORANDUM FOR ALL MDA PERSONNEL

SUBJECT: Equal Employment Opportunity Anti-Harassment Policy

As your Director, I am committed to ensuring Missile Defense Agency's (MDA) workplace remains free from violence, threats of violence, harassment, assault, intimidation, or unlawful discrimination of any kind. I expect each of you to join with me in this commitment by modeling individual behavior that is professional, tolerant, inclusive, and demonstrates teamwork, dedication, and integrity. We will adhere to the moral, legal, and ethical obligation to treat each other fairly, with dignity and respect, and hold accountable all who fail to meet this fundamental expectation.

The Equal Employment Opportunity Commission defines harassment as unwelcome conduct based on race; color; religion; national origin; sex (including sexual harassment); sexual orientation; gender identity; lesbian, gay, bisexual, and transgender (LGBT) identity; pregnancy; gender stereotyping; age (40 and over); mental/physical disability; genetic information; and reprisal for prior protected equal employment opportunity (EEO) activity. Harassment becomes unlawful when the above prohibitive factors apply and when:

- Enduring the offensive conduct becomes a condition of continued employment.
- Conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.
- Harassing conduct causes a significant change in the employee's terms, privileges, or conditions of employment.

Harassment can take many forms, including hazing, bullying, denial of support, exclusion, humiliation, inappropriate comments or gestures, ridicule, threats, work sabotage, and other derisive behavior. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, verbal or physical conduct of a sexual nature, stalking, unwanted physical contact, foul language of an offensive sexual nature, sexual propositions, sexual jokes or remarks, obscene gestures, and displays of pornography or sexually explicit pictures, drawings, or caricatures. Use of MDA's computer systems to view, display, or disseminate material that is sexual in nature, racially charged, or offensive may also constitute harassing behavior.

I encourage you to report any behavior you view as harassing conduct before it becomes severe or pervasive. Adverse treatment of employees who report harassment or provide information related to such complaints is unacceptable. I commit that you will not be retaliated against or adversely effected in your employment with MDA as a result of bringing complaints of unlawful harassment.

Harassment by supervisors and managers is especially egregious and those who engage in this activity should expect immediate and appropriate corrective and/or disciplinary action, up to and including removal. Corrective action will be completed within 60 days of receiving notice of harassment complaint. I expect MDA leaders to set the example for appropriate behavior and vigilantly monitor the workplace to prevent and correctly respond to allegations of harassment. Supervisors must contact MDA Human Resources (DOH), Equal Opportunity (EO), or General Counsel (GC) when he or she becomes aware of any inappropriate behavior. Additionally, MDA will:

- Implement complaint process that provides a thorough, impartial, and timely investigation of allegations of workplace harassment.
- Conduct a prompt inquiry (beginning within 10 days of notification) of all harassment allegations, including those initially raised in the EEO complaint process.
- Handle complainants of unlawful harassment in a discreet and confidential manner to the fullest extent possible.
- Take necessary measures to prevent reoccurrence of harassing behavior.
- When allegations are substantive, take immediate and appropriate corrective action to eliminate harassing behavior.

If you believe you were subject to harassing, hazing, or bullying conduct, you should contact the DOH Customer Service Desk at 256-313-9726 or email to DOHATHP@mda.mil. If you believe the conduct you have experienced is based on one or more of the prohibitive factors, to include harassment, identified in the second paragraph above, you may file an EEO complaint by contacting EO at 256-313-9659 or e-mail to equal-opportunity@mda.mil within 45 calendar days of the alleged discriminatory incident.

If you believe you were subject to unlawful discrimination based on non-merit factors (such as marital status, veterans' status, parental status, or political affiliation), contact Manager-Employee Relations and Performance Management to use appropriate grievance procedures or you may file directly with the Office of Special Counsel by visiting <https://osc.gov/pages/file-complaint.aspx>. MDA's Procedures for Preventing and Eliminating Harassing, Hazing and Bullying Conduct can be found on the MDA Knowledge Online DOH and EO websites.

Adhering to MDA's core values of respect, teamwork, dedication, integrity, and professionalism ensures all employees enjoy a workplace atmosphere where they can work to their best ability and focus on supporting our important mission. I am directing all MDA employees, including civilian, military, contractors, and employees from other Government organizations who work at MDA to adhere to this policy.

This policy supersedes Policy Memorandum No. 20, dated June 18, 2019.



J. A. HILL
Vice Admiral, USN
Director