UNIT 3 TOPIC 1
SEXUAL HARASSMENT, EQUAL OPPORTUNITY, HOMOSEXUAL POLICY, AND GRIEVANCE PROCEDURES

LEARNING OBJECTIVES:

3.1.1 Explain the Navy's policy on sexual harassment.
3.1.2 Explain how sexual harassment is contrary to good order and discipline.
3.1.3 Explain how sexual harassment affects team building and team work.
3.1.4 Explain how core values contribute to eliminating sexual harassment.
3.1.5 Explain the Navy Equal Opportunity Policy.
3.1.6 Explain the Navy's Homosexual Policy.
3.1.7 Explain the Navy's Grievance Procedures.
3.1.8 Explain how core values support the Navy's Policies.

REFERENCES:

1. SECNAVINST 5300.26C (DON Policy on Sexual Harassment)
2. OPNAV 5354.1D
3. U.S. Navy Regulations
4. OPNAVINST 5800.7 (Series)
5. http://www.bupers.navy.mil/pers61/sh.htm
6. Navy Core Values
7. Title 10 US Code 654
8. SECNAVINST 5350.16
9. NAVADMINs 033/94 and 291/99

SLIDES:

3-1-1 Sexual Harassment
3-1-2 CNO Says
3-1-3 Sexual Harassment Defined
3-1-4 Is It Real?
3-1-5 Green Zone
3-1-6 Yellow Zone
3-1-7 Red Zone
3-1-8 Inappropriate Behavior
3-1-9 Teamwork and Sexual Harassment
3-1-10 Core Values= No Sexual Harassment
3-1-11 The Navy's Equal Opportunity Policy, Homosexual Policy, and Grievance Procedures
3-1-12 Diversity is Here
3-1-13 Navy's Strategic Vision for Diversity
3-1-14 The Navy's Equal Opportunity Policy I
3-1-15 The Navy's Equal Opportunity Policy II
3-1-16 The Navy's Homosexual Policy I
3-1-17 The Navy's Homosexual Policy II
3-1-18 The Navy's Homosexual Policy III
3-1-19 Grievance Procedures
3-1-20 Case Studies
3-1-21 Summary

CASE STUDIES:

1. 'Where Am I Sleeping Tonight'
2. 'That's The Way We've Always Done It'
3. 'Saturday Night Fever'
4. 'Taking Matters Into Her Own Hands'

VIDEO TAPES:

None

NOTE TO THE FACILITATOR:

The main points of this topic are:

- Defining Sexual Harassment and understanding Navy policy on sexual harassment.
- Knowing the differences between Green/Yellow/Red zone activity and the affect on good order, discipline, and team work.
- Recognizing the value of Core Values in eliminating sexual harassment.
- Defining the Navy's EO and Homosexual policies.

UNIT 3 TOPIC 1
SEXUAL HARASSMENT, EQUAL OPPORTUNITY, HOMOSEXUAL POLICY, AND GRIEVANCE PROCEDURES

- Defining the Navy's Grievance Procedures.

I. INTRODUCTION TO SEXUAL HARASSMENT

A. Unwelcome sexual advances . . .
Requests for sexual favors . . .
Verbal or physical conduct of a sexual nature . . .
constitutes sexual harassment when:

1. Submission to or rejection of this conduct explicitly or implicitly affects an individual's employment.
2. This conduct unreasonably interferes with an individual's work performance.
3. This conduct creates an intimidating, hostile or offensive work environment.

B. There is no place in your professional or personal lifestyle for sexual harassment.

C. The keys are recognizing, resolving, and eliminating sexual harassment. That is best accomplished by *'doing what is right.'*

D. The first steps are mutual respect and honoring the Navy Core Values:

- Sailors have to work and live together in a variety of circumstances, including a combat environment.
- The military has a rich history of being one of the most trusted professions.

SHOW SLIDE 3-1-1 SEXUAL HARASSMENT

SHOW SLIDE 3-1-2 CNO SAYS

"What Navy leadership is trying to do is embed trust within the chain of command so that we trust each other on good news things, on bad news things, on professional things, on personal things, on everything."

Admiral Jay Johnson, Chief of Naval Operations

FACILITATOR NOTE:

Thought questions for your class:
What would you do if you witnessed one of your friends sexually harassing someone? Or your friend was being sexually harassed?
Allow the class a few minutes of discussion about what their responsibilities would be in that scenario.

Point out that the lesson will highlight how to deal with such a situation and how to take appropriate action.

- The Navy has always uniquely blended a diversity of personalities, ethnic, gender, and job specialties to accomplish the mission.
- Mutual respect is the foundation of team building, teamwork, and high performance.
- The key to satisfactory mission completion, job satisfaction, and high morale among shipmates is mutual respect and teamwork.

II. SEXUAL HARASSMENT DEFINTION

A. Sexual Harassment is a form of sex discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when;

1. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay or career.
2. Submission to or rejection of such conduct by a person as a basis for career or employment decisions affecting that person.
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's performance or creates an intimidating, hostile or offensive environment.

SHOW SLIDE 3-1-3 SEXUAL HARASSMENT DEFINED

Background Information:
Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964.

B. "For sexual harassment to occur, unwelcome sexual behavior must occur in or impact on the work environment." "Workplace is an expansive term for military members and may include conduct on or off duty, 24 hours a day." (SECNAVINST 5300.26)

III. SEXUAL HARASSMENT – Is it Real?

SHOW SLIDE 3-1-4 IS IT REAL?

A. Sexual harassment is common in the workplace.

- Studies have found that 50-75% of employed women will experience sexual harassment on the job.
- More than 200 men file sexual harassment charges each year with the Equal Employment Opportunity Commission (EEOC) (that's about one-tenth of the number of cases filed by women).
- Recently, "same sex" harassment charges are growing fast in numbers filed. This is harassment from members of the same sex, such as male/male or female/female. Although not as common, this does take place and is becoming a more frequent happening.
- In 1998, there was an increase of 200% in reported cases of sexual harassment.
- Many sexual harassment reports filed are based on perception rather than facts. Make sure sexual harassment is real rather than perceived.

IV. Green, Yellow, & Red Zones (Signs to Identify Sexual Harassment)

A. GREEN ZONE

1. These behaviors are not sexual harassment:
   - Performance counseling.
   - Touching which could not be perceived in a sexual way (such as touching someone on the elbow).
   - Counseling on military appearance.
   - Showing concern, encouragement, a polite compliment or friendly chat.

SHOW SLIDE 3-1-5 GREEN ZONE

B. YELLOW ZONE

1. Many people would find these behaviors unacceptable, and they could be sexual harassment:
   - Violating personal "space," or suggestive touching.
   - Whistling.
   - Questions about personal life.
   - Lewd or sexually suggestive comments, posters/calendars, jokes, foul language, leering, staring, etc.
   - Repeated requests for dates, unwanted letters, or poems.

SHOW SLIDE 3-1-6 YELLOW ZONE

C. RED ZONE

1. These behaviors are always considered sexual harassment:
   - Employment rewards in return for sexual favors.
   - Threats if sexual favors not provided or using status to request dates.
   - Sexually explicit pictures or remarks, and obscene letters or comments.
   - Repeated advances you were told "no."
2. The most severe forms of sexual harassment constitute criminal conduct, e.g., sexual assault (ranging from forcefully grabbing to fondling, forced kissing, or rape).

SHOW SLIDE 3-1-7 RED ZONE

D. Green/Yellow/Red

1. To help identify problems of lack of respect or trust in your work-center, learn to distinguish between Green, Yellow, and Red Zones of behavior relative to sexual harassment.
2. Inappropriate Behavior - Another definition that follows sexual harassment is inappropriate behavior that is:
   - Using sex, sexuality, or sexual attractiveness to obtain favor or job related rewards.

SHOW SLIDE 3-1-8 INAPPROPRIATE BEHAVIOR

- Discrimination based on an action or organizational practice that results in treating people differently on the basis of sex or perceived sexual orientation.

V. THE EFFECTS OF SEXUAL HARASSMENT ON TEAMWORK

A. Teamwork is a big part of Navy life. Most positions require you to work in teams to get the job done.

B. If a member of a team is sexually harassed by another member of their team, this effects the team as a whole by:

- Destroying moral.
- Greater absenteeism.
- Lowered cooperation.
- Decreased effectiveness.
- Resentment of women/men who don't go along with sexual behavior in the workplace.
- Loss of personal, organizational, and public trust.
- Making it difficult to make decisions.

SHOW SLIDE 3-1-9 TEAMWORK AND SEXUAL HARASSMENT

C. If a member of a team is sexually harassed by a person who is not a member of the team, there will still be some effects on teamwork and the team as a whole. Some effects on the individual that may affect the team are:
   - Stress-related illness.
   - Deterioration of personal and professional relationships.
   - Absenteeism (Avoidance).
   - Lowered self esteem.
   - Anger.

D. As a valuable member of a team, you must take actions to foster a work environment free of any form of sexual harassment.

E. Not only do you need to do it for the good of the team, you need to do it to help the person who is being harassed.

F. Anyone can be a witness and stand by while sexual harassment takes place, but it takes a big person to take a stand and report it to someone who can handle the situation.

FACILITATOR NOTE:
Ask the question "Can you think of other ways that sexual harassment can affect a team or teamwork?" Lead discussion on this topic. Encourage students to use examples they may have encountered before without using any real names.

VI. Core Values

<>The Antithesis to Sexual Harassment<>

A. Overview

- Core Values are about respect for our shipmates and ourselves.
- To be an effective team of trust and respect, we must 'walk the talk' by adapting 'the values' to our personal as well as our professional lifestyle.

B. Core Values (Honor, Courage, and Commitment) demonstrated in this lesson as mutual respect and team building will better prepare us to:

- Succeed at our mission.
- Continue as one of the most trusted professions.
- Take care of one another.
- Build strong trust and teamwork.
- Eliminate sexual harassment.

C. Core values succeed when they become second nature to us. We should not have to think about whether something is right or wrong.

D. A simple way to apply the core values is to line them up with your own personal values and see if you get a match. Examples that come to mind include:

(Antithesis means direct opposite!)

SHOW SLIDE 3-1-10 CORE VALUES = NO SEXUAL HARASSMENT

FACILITATOR NOTE:
Lead discussion with examples of personal values that line up with the Navy's Core Values.

Honor..... To have mutual respect relationship with your shipmates.
Courage..... To stand by your shipmates.
Commitment..... To help a shipmate avoid a sexual harassment situation.

VII. INTRODUCTION TO EQUAL OPPORTUNITY, HOMOSEXUAL POLICY, AND GRIEVANCE PROCEDURES

SHOW SLIDE 3-1-11 NAVY'S EQUAL OPPORTUNITY, HOMOSEXUAL POLICY AND GRIEVANCE PROCEDURES

A. Why should the Navy care about diversity and equal opportunity?
   1. The face of America is changing.
      a. In 1999, 28.4 million foreign- born resided in the United States, representing 10.4 % of the total U.S. population.
      b. In 1999, the non-white population numbered over 46 million or almost 20% of the total U.S. population.
   2. The changing face of America means a changing face in the Navy.
      a. In 2000, only 64% of the Navy population was Caucasian.
      b. The 21st Century's military must manage diversity competently.

SHOW SLIDE 3-1-12 DIVERSITY IS HERE

FACILITATOR NOTE:
Thought questions for your class:
How do you feel about diversity and equal opportunity? What does equal opportunity mean to you? In the work place? Does a diverse culture affect the way you do your job?

c. This may require leadership transformation.
d. Future leadership at every level must reflect Navy's Core Values.

U.S. Navy Strategic Vision for Diversity
"Enhance combat readiness and operational primacy by taking full advantage of the diversity of the nation we serve, and by providing challenging and rewarding careers to Navy members across all ranks, rates, and designators."

Background discussion:
Allow short discussion by leading the group through the thought process that we are in a changing society and we don't have to change who we are, provided that we have values-based attitudes and actions. However, know that change is required if we have bias and prejudices that do affect our values and leadership.
Don't allow class to break into stories and opinions, keep class focused on understanding what the Navy's policies are and how we need to support those policies.

FACILITATOR NOTE:
BRIEFLY DISCUSS VISION

SHOW SLIDE 3-1-13 NAVY'S STRATEGIC VISION FOR DIVERSITY

VIII. THE NAVY'S EQUAL OPPORTUNITY POLICY

A. Background
1. The Navy's ability to perform its mission at home and abroad is directly related to the fair and equitable treatment of its service members.

SHOW SLIDE 3-1-14 THE NAVY'S EQUAL OPPORTUNITY POLICY I

a. Every Sailor regardless of race, ethnicity, color, religion, gender or national origin will be treated with dignity and respect and be assured that he or she is a valued member of the Navy team.

b. The inability to overcome prejudices in the past has proven detrimental to our combat readiness and mission accomplishment.

Any prejudicial bias or stereotypes that impede cohesiveness, camaraderie, or morale is contrary to the Navy's Core Values of Honor, Courage and Commitment and shall not be tolerated.

QUESTION:
What does prejudice mean?

DISCUSSION POINT:
A system of beliefs, feelings, and action orientations regarding the members of a particular group.

c. Unlawful discrimination undermines and diminishes a unit's ability to function in an effective manner.

d. Discrimination destroys members' confidence and trust in their shipmates and erodes a unit's cohesion and combat readiness.

e. Every Sailor must be afforded an equal opportunity to become a productive, contributing member of the Navy team.

B. Policy

1. It is DON policy that:
    a. Unlawful discrimination based on race, ethnicity, color, religion, gender or national origin is strictly prohibited and will not be tolerated.
    b. No commander or supervisor may, by act, word, deed, or omission, condone or ignore unlawful discrimination.
    c. Commanders, commanding officers and officers in charge are responsible and accountable for enforcing the policy against unlawful discrimination.
    d. It is the responsibility of every Sailor and Marine to ensure that unlawful discrimination does not occur in any form at any level.
    e. Every service member has the responsibility to make the appropriate authorities aware of each violation of this policy.
    f. Commanders or individuals in supervisory positions are responsible for ensuring that all military personnel receive equal opportunity training annually.

SHOW SLIDE 3-1-15 THE NAVY'S EQUAL OPPORTUNITY POLICY II

g. Heritage ceremonies and observances conducted within Navy organizations or commands must comply with this policy.
h. All formal/informal equal opportunity complaints must be handled in accordance with the appropriate regulations.
i. Commanders shall ensure that a mandatory Fitness Report or Enlisted Evaluation comment is made in the record of any service member who has been found guilty by a court martial or other court of competent jurisdiction or who has received nonjudicial punishment based on commission of a criminal offense involving unlawful discrimination against another person based on race, ethnicity, color, gender, national origin, or religion.
j. Reprisals against any victim or witness of discrimination is strictly prohibited.
k. Commanders must also ensure that military personnel and their families receive fair and equitable treatment both on and off base.

DISCUSSION POINT	RELATED INSTRUCTOR ACTIVITY
l. Discriminatory practices detected by DON civilian and military personnel shall be reported to the proper authorities for action. m. Commanders shall take actions to overcome discrimination in off-base housing. In cases of discrimination involving places of public accommodation outside military installations, off-limits sanctions may be imposed through the cognizant Armed Forces Disciplinary Control Board.	

IX. THE NAVY'S HOMOSEXUAL POLICY

A. NAVADMIN 033/94 implemented the Department of Defense policy on homosexual conduct in the armed forces as prescribed in Federal Law 10 USC 654. This NAVADMIN emphasized that the Department of Defense judges the suitability of persons to serve in the armed forced on the basis of their conduct and ability to meet required standards of duty, performance, and discipline. It further stated that a person's sexual orientation is a personal and private matter, and is not a bar to service entry or continued service unless manifested by homosexual conduct.

BACKGROUND INFORMATION:

- CNO NAVADMIN 033/94 "Implementation of DOD Policy on Homosexual Conduct"
- CNO NAVADMIN 291/99 "Continuing Guidance Concerning the Proper Application of DOD Homosexual Conduct Policy
- 10 USC 654 "Policy Concerning Homosexuality in the Armed Forces"
- 10 USC 937 "Art. 137 (UCMJ) Articles to be explained"

B. NAVADMIN 291/99 provided continuing guidance on the proper application of the policy.
C. This lesson provides a detailed explanation of the laws and regulations concerning the Navy's Homosexual Policy and the need to understand and adhere to the policy.
D. **Policy:**
   1. A member shall be separated from the Armed forces under regulations prescribed by the Secretary of Defense if one or more of the following findings is made and approved in accordance with regulations:
      a. That the member has engaged in, attempted to engage in, or solicited another to engage in a homosexual act or acts unless there are further findings that the member has demonstrated that:
         - Such conduct is a departure from the member's usual and customary behavior.
         - Such conduct, under circumstances is unlikely to reoccur.
         - Such conduct was not accomplished by use of force, coercion, or intimidation.
         - Under the particular circumstances of the case, the

SHOW SLIDE 3-1-16 THE NAVY'S HOMOSEXUAL POLICY I

Must be based on credible evidence.
Credible evidence is reliable evidence from a trustworthy individual who has first-hand knowledge of facts and circumstances surrounding the alleged activity or statement. It may also consist of documents or other evidence that is obtained from a reliable source. Credible evidence is not based on rumor, hearsay, or suspicion.

Examples of homosexual acts: kissing, handholding, and physical contact of a sexual nature between members of the same gender.

member's continued presence in the Armed Forces is consistent with the interest of the Armed Forces in proper discipline, good order, and morale.

- The member does not have a propensity or intent to engage in homosexual acts.

b. That the member has stated that he or she is a homosexual or bisexual, or words to that effect, unless there is a further finding, that the member has demonstrated that he or she is not a person who engages in, or attempts to engage in, or intends to engage in homosexual acts.

c. That the member has married or attempted to marry a person known to be of the same biological sex.

E. **Prohibition of Harassment:**

1. Commanding officers must not condone homosexual jokes, epithets, or derogatory comments.

a. Command climates shall foster respect for all individuals.

b. Individuals must be able to report crimes and harassment free from fear of harm, reprisal, or

SHOW SLIDE 3-1-17 THE NAVY'S HOMOSEXUAL POLICY PART II

Epithet: A disparaging or abusive work or phrase.

Today's Navy/Marine Corps team is composed of diverse individuals from every part of the U.S.

inappropriate or inadequate command response.

c. When incidents of threats or harassment are reported, the Commanding Officer must take immediate steps to protect the safety of the victim, stop the threatening behavior, and hold those responsible for the harassment accountable.

F. **Investigations:**

1. Investigation must be authorized by the Commanding Officer.
2. Must be based on credible evidence. The fact that a service member reports being threatened or harassed because be or she is said or perceived to be a homosexual shall not by itself constitute credible information justifying the initiation of an investigation of the threatened or harassed service member. **The report of a threat or harassment should result in the prompt investigation of the threat or harassment itself.**

RESPECT FOR THE INDIVIDUAL IS PARAMOUNT!!

SHOW SLIDE 3-1-18 THE NAVY'S HOMOSEXUAL POLICY PART III

Formal harassment complaints should be reported per NAVADMIN 176/99 "Sexual Harassment/SITREP Reporting Requirements."

X. GRIEVANCE PROCEDURES

A. When faced with a sexual harassment or discrimination situation there are procedures in place to take appropriate action. The procedures are covered in-depth in this lesson, but further clarification can be made by your commanding officer.

1. Informal Resolution System (IRS) – *'The first step'*
   a. <u>When successful, the IRS is the timeliest method for resolving conflict</u> because it deals directly with the individuals involved and uses the immediate chain of command.
      - Address the issue with the person.
      - If the behavior continues, or it is not an advisable solution to confront the individual, bring the situation to the attention of your chain of command.
      - Attempt to resolve at the lowest level. If it cannot be resolved then take it up your chain of command.
   b. Assistance in the IRS can be found in the Resolving Conflict booklet, NAVPERS 15620.

SHOW SLIDE 3-1-19 GRIEVANCE PROCEDURES

Emphasize the importance of making every effort to resolve any conflict at the lowest possible level and within the proper chain of command.
If it is not resolved then there are appropriate steps to take in filing a grievance.

c. If the issue can't be resolved by using IRS, or it is not appropriate to handle the grievance at a lower level, other options are available.

2. Formal Complaint Procedures
   a. There are three formal complaint procedures:
      - Navy Equal Opportunity/Sexual Harassment Complaint Form (NAVPERS 5354/2)
      - NAVREGS Article 1150 - Redress of Wrong Committed by a Superior
      - UCMJ Article 138 - Complaint of Wrongs Against the Commanding Officer
   b. Sexual Harassment Complaint Form (NAVPERS 5354/2)
      - The Navy EO/SH Formal Complaint Form, NAVPERS 5354/2, is used to process EO/SH complaints within a command.
      - The EO/SH form provides strict timelines and outlines a detailed procedure for grievance resolution.
   c. NAVREGS Article 1150 Redress of Wrong Committed by a Superior

- If a member has a complaint against a superior and does not wish to use the EO/SH complaint form:
  - They may file a complaint under NAVREGS article 1150, Redress of Wrong Committed by a Superior.
  - To file a complaint under NAVREGS article 1150, the individual should obtain counsel with a lawyer at a local Naval Legal Services Office (NLSO).

d. UCMJ Article 138

- If the resolution from the complaint under NAVREGS Article 1150 is considered unjust by the complainant, or if the grievance is against the Commanding Officer, an individual may submit a complaint against the Commanding Officer under UCMJ Article 138.

Note: A grievance against a member in another chain of command may be submitted through the complainant's Commanding Officer. The complaint will then be forwarded to the appropriate command for action.

- As with the NAVREGS Article 1150, the UCMJ Article 138 "complaint of wrong "should be prepared with legal assistance and submitted via the General Court Martial Convening Authority (GCMA) over the accused Commanding Officer.

XI. CORE VALUES AND EQUAL OPPORTUNITY

A. Core Values are not clever posters or bumper stickers; they are about respect for ourselves and our shipmates, regardless of race, gender, or any other diversity.

B. To be an effective shipmate, we must adapt Core Values to our professional and personal lives.

A. Each person is a unique individual. The Navy's Core Values support the fact that although each person is different, we are all equals and are all due the same respect. The first step in respecting others is to first respect ourselves.

XII. CASE STUDIES FOR SEXUAL HARASSMENT

A. Each case study is broken down into sections and each section should be reviewed for green/yellow/red zone activity.

B. A Discussion Point Sheet is attached to each case study and should be used to guide discussions.

XIII. SUMMARY

A. Sexual Harassment Summary

1. Any person in a supervisory or command position who uses or condones any form of sexual behavior to control, influence, or affect the career, pay, or job of a service member or civilian employee is engaging in sexual harassment and has failed to fulfill his or her leadership obligation.
2. Similarly, any service member who makes deliberate or repeated unwelcome verbal comments, gestures, or physical contact of a sexual nature is also engaging in sexual harassment.
3. All personnel should be familiar with the provisions of SECNAVINST 5300.26C and understand that failure to comply is punishable under the Uniform Code of Military Justice (UCMJ) for military personnel.

SHOW SLIDE 3-1-20 CASE STUDIES

FACILITATOR NOTE:

There are four case studies that can be divided among the class to review and present by way of discussion, looking for green/yellow/red zone activity.

B. Equal Opportunity, Homosexual Policy, and Grievance Procedures

1. The Navy's Equal Opportunity Policy is very straightforward. NO ONE is to be discriminated against on the basis of race, ethnicity, color, religion, gender or national origin.
2. The Navy's Homosexual Policy is also clear in that a person's sexual orientation is a personal and private matter and is not a basis for military service unless homosexual conduct is manifested.

C. Lesson Objectives

1. We have defined and discussed Sexual Harassment and policy with Green, Yellow, and Red Zone activity.
2. We have demonstrated through discussion and case studies how sexual harassment can be detrimental to good order and discipline.
3. We have discussed how sexual harassment can have a significant impact on team building and teamwork.
4. We have defined how Core Values exercised through personal values can eliminate sexual harassment.
5. We have discussed the Navy's Equal Opportunity Policies, Homosexual Policies, and Grievance Procedures.
6. We defined how Core Values support the Navy's Policies.

SHOW SLIDE 3-1-21 SUMMARY

DISCUSSION POINT	RELATED INSTRUCTOR ACTIVITY

Case Studies

for

General Military Training

Sexual Harassment

Topic 3-1

SCENARIOS

Case 1:
'Where Am I Sleeping Tonight?'

Petty Officer Chris Smith is a leading petty officer on a cruiser, responsible for 20 people. He has a reputation for being exceptionally outgoing and friendly. As leading petty officer, he frequently has one-on-one chats with the Sailors in his charge. The meetings normally take place in the work center or on the mess decks and address personal performance, advancement in rating, career opportunities, and current projects going on in the command. The meetings are always professional and widely known among the division to be a part of Petty Officer Smith's leadership style. He is popular and respected by both juniors and seniors.

Petty Officer John Cane is junior to Petty Officer Smith and directly responsible to him for his work center responsibilities. They are friends as well as professional associates. Recently, Petty Officer Smith requested that Petty Officer Cane meet him after work at the base club.

RED, YELLOW, GREEN LIGHT?

Both petty officers have no disciplinary record and are both excellent to outstanding in their job performance. They are known to be friends sharing common interest and are generally regarded as 'straight arrows'. Petty Officer Cane complied with his request and met him at 1645. Both were in civilian clothes. The conversation began with 'ship talk' but eventually evolved into a discussion about Petty Officer Smith's financial problems.

RED, YELLOW, GREEN LIGHT?

Petty Officer Cane, a single guy, 'laid back and good looking', hangs out with a regular crowd, popular at the beach and a couple of local hangouts but with no serious relationship. He was unaware of any financial problems and took a 'serious interest' in his friend's concerns for his finances. Petty Officer Smith admits that part of his financial problem is his overextending of his money and he now has no place to live because he hasn't paid his rent in several months. He is unsure what to do concerning his living arrangements.

RED, YELLOW, GREEN LIGHT?

As the conversation continues, Petty Officer Cane places his hand on Petty Officer Smith's shoulder as if to console him and offers some suggestions for people to contact about his financial problems. Petty Officer Cane then offers Petty Officer Smith a place to stay tonight and tells him he is welcome to stay with him while he gets his finances in order.

RED, YELLOW, GREEN LIGHT?

‘Where Am I Sleeping Tonight’
Discussion Points

1. There is nothing wrong with a member of a work center meeting with his supervisor after working hours.

Strongly Agree Agree Disagree Strongly Disagree

2. Petty Officer Smith should have never set up the meeting after working hours.

Strongly Agree Agree Disagree Strongly Disagree

3. Single, male friends meeting in civilian clothes set the stage for potential problems.

Strongly Agree Agree Disagree Strongly Disagree

4. The situation was perfectly all right and there was no impropriety.

Strongly Agree Agree Disagree Strongly Disagree

5. Is Petty Officer Cane’s offer of a place to stay for Petty Officer Smith a red light situation?

Strongly Agree Agree Disagree Strongly Disagree

6. The supervisor relationship changes the scenario completely.

Strongly Agree Agree Disagree Strongly Disagree

7. Petty Officer Cane should not have placed his hand on Petty Officer Smith’s shoulder and this is a form of sexual harassment.

StronglyAgree Agree Disagree Strongly Disagree

Sexual Harassment: Yes No

Case 2:
"That's The Way We've Always Done It"

Chief Adams is a reservist assigned to the Navy Supply Depot for 2 months active duty. He is assigned as a running mate to Master Chief Petty Officer (MCPO) Jones who is the Command Master Chief (CMC). Master Chief Jones has been at his job for over 2 years, knows the members of his command well and takes an active professional interest in every Sailor. His instructions to Chief Adams are to shadow his workday, and he will acquaint him with the duties of a CMC as well as assist him with the administrative duties. Additionally, he instructed Chief Adams to randomly visit the work centers and get to know the command routine as well as meet many of the members of the command.

During the routine work center visits, Chief Adams got to be well known and liked as a 'father figure', easy to talk to, and willing to listen. He seemed to spend more time in one particular work center where five male petty officers were assigned.

RED, YELLOW, GREEN LIGHT?

As a matter of routine and during group discussions with the female petty officers, Chief Adams pointed out that he had earned a degree in counseling and had significant experience with young sailors who were going though tough times either at home or in relationships. He also pointed out that he had taken all the personality tests, so please forgive his friendliness in advance. He was a 'toucher', that is, with no harm or foul intented. He would place his hand on your shoulder when talking, pat you on the back, and give a high five when congratulating someone. Everyone agreed that they knew friends who were that way.

RED, YELLOW, GREEN LIGHT?

During a counseling session with a male Petty Officer, Chief Adams did indeed place his hand on the Petty Officer's shoulder. He did not say anything. A similar action was repeated two or three times without comment. Later as the meeting was closing, Chief Adams again placed his hand on his shoulder, letting it slide down his back. As he pulled away, Adams said, "Hey, don't get all 'spun up', there's nothing to it, and if you blow it out of proportion, it could affect your relationships with your other shipmates and your future at this command."

RED, YELLOW, GREEN LIGHT?

‘That’s The Way We’ve Always Done It’
Discussion Points

1. A chief petty officer and junior petty officer should not have a private counseling session.

   Strongly Agree Agree Disagree Strongly Disagree

2. Chief Adams was correct to point out his friendliness and ‘touching’ habit.

   Strongly Agree Agree Disagree Strongly Disagree

3. It would have made a major difference if Chief Adams were female.

   Strongly Agree Agree Disagree Strongly Disagree

4. The master chief was wrong to permit the chief to counsel during a 2-week reserve tour.

   Strongly Agree Agree Disagree Strongly Disagree

5. The issue of being in the same command changes the rules.

   Strongly Agree Agree Disagree Strongly Disagree

6. The petty officer was correct to say nothing and walk away.

   Strongly Agree Agree Disagree Strongly Disagree

Sexual Harassment: Yes No

Case 3:
'Saturday Night Fever'

Nine Sailors (four male, five female) assigned to a ship in Norfolk are on liberty and attend a party on Saturday night. Chicken wings, beer, mixed drinks, and games are on the agenda for the party. Each have known one another for at least a year although they are from different work centers. They are all socially active and frequently go out together to movies, dinner, and normal free time activities. At the party, they begin some heavy drinking games and also some pretty risky partner games. All of the nine Sailors are playing the games, but some are drinking more heavily than others.

RED, YELLOW, GREEN LIGHT?

After one of the couples is eliminated (one male sailor, one female sailor) from the game, both continue to drink heavily and dance to the music. While dancing, the couple continue to drink and become very unbalanced. At one point, the couple ended up falling down, one sailor on top of the other. There was significant physical contact but nothing with the overt appearance of a sexual overtone.

RED, YELLOW, GREEN LIGHT?

Around midnight, the party started to wind down and everyone sat around and shared stories and a few more beers. There was a mellow mood beginning to form at the party. Later in the evening, one Sailor mentioned to another that their drunk, dancing friends were seen heading to a back bedroom and the man was helping the woman, because she had trouble walking on her own. The other simply replied that he was "putting her in bed" for the night.

RED, YELLOW, GREEN LIGHT?

The two Sailors who went to the back bedroom were not seen until the next day. They were quiet about how their evening progressed and were unwilling to provide their friends and shipmates any details. The others did notice that the two of them kept more to themselves than previously.

RED, YELLOW, GREEN LIGHT?

‘Saturday Night Fever’
Discussion Points

1. There is nothing wrong with a group of male and female sailors having a party together.

   Strongly Agree Agree Disagree Strongly Disagree

2. It would have made a difference if they had been in the same work center.

   Strongly Agree Agree Disagree Strongly Disagree

3. The drinking games did not demonstrate good judgment.

   Strongly Agree Agree Disagree Strongly Disagree

4. When there is a party with drinking, someone should have been responsible for ensuring everyone got home safely.

   Strongly Agree Agree Disagree Strongly Disagree

5. The other shipmates should mind their own business.

   Strongly Agree Agree Disagree Strongly Disagree

6. It would have been different if there had been a senior/junior relationship.

   Strongly Agree Agree Disagree Strongly Disagree

7. There is the possibility that there were potential problems other than sexual harassment.

Sexual Harassment: Yes No

Case 4:
'Taking matters into her own hands'

A female petty officer was sent to work in a shop where for many years it had been only males working there. The males had sexually explicit posters of women hanging on their lockers at work. When the female petty officer came on board, the males refused to remove the posters. The female petty officer asked them to remove the posters again and even went to her superior to ask him to take action. The posters still were not removed even after the superior asked them to be removed.

RED, YELLOW, GREEN LIGHT?

The male petty officers made it obvious that the female was not wanted there. After being asked to remove the posters repeatedly with no avail, the males went as far as whistling, making comments about the appearance of the women in the posters, and making sexually explicit comments about women in general.

RED, YELLOW, GREEN LIGHT?

After repeated attempts to have the posters removed, the female petty officer took matters into her own hands. She placed suggestive posters of men on and above her locker and began making the same comments about the men that the male petty officers had made about the women. She made sure the comments were made when the males were nearby and could hear the things she was saying.

RED, YELLOW, GREEN LIGHT?

Within two days of the female taking action, the male petty officers removed all their explicit photos and even apologized to the female petty officer for their offensive language and actions.

RED, YELLOW, GREEN LIGHT?

‘Taking matters into your her hands’
Discussion Points

1. The petty officer had every right to ask the men to remove the posters.

   Strongly Agree Agree Disagree Strongly Disagree

2. The superior did not do his job of following up to make sure the posters were removed.

   Strongly Agree Agree Disagree Strongly Disagree

3. There is no problem with a males/females sharing a locker room.

   Strongly Agree Agree Disagree Strongly Disagree

4. The female petty officer was responsible for getting into this situation.

   Strongly Agree Agree Disagree Strongly Disagree

5. The female petty officer did the right thing by going to her superior and asking for action.

   Strongly Agree Agree Disagree Strongly Disagree

6. There would have been no problem if the new petty officer in this situation were male.

   Strongly Agree Agree Disagree Strongly Disagree

7. The female petty officer was correct to take matters into her own hands.

   Strongly Agree Agree Disagree Strongly Disagree

Sexual Harassment: Yes No

ANSWERS

Case 1 'Where Am I Sleeping Tonight'

Normal social activity among petty officers does not enter the Yellow or Red Zones. The friendly pat on the shoulder is not an act of sexual harassment. The offer of a place to stay for a co-worker having financial problems was a kind gesture on Petty Officer Cane's part.

Case 2 'That's The Way We've Always Done It'

The junior/senior relationship within the command, the private counseling outside the chain of command, and the touching and general familiarity kept this one in the Yellow/Red zone the whole way.

Case 3 'Saturday Night Fever'

Normal social activity among shipmates does not enter the Yellow or Red Zones. Other propriety issues are involved in the drinking games and trip to the back bedroom, but there was no evidence of sexual harassment activity.

Case 4 'Taking matters into her own hands'

This one should generate some discussion. The work place, no matter where it is, is not gender specific. Males and females should have respect for each other and act appropriately around each other in the work place. The superior should have made sure the appropriate actions were taken so the female petty officer did not have to take actions on her own. The events of this scenario are definitely in the Yellow and Red Zones and were acts of sexual harassment.