



REPLY TO THE  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
**INSTALLATION MANAGEMENT COMMAND**  
**UNITED STATES ARMY GARRISON-MIAMI**  
**9301 NW 33<sup>rd</sup> STREET**  
**DORAL, FL 33172-1202**

IMAG-ZA

MEMORANDUM FOR SEE DISTRIBUTION

SEP 08 2015

SUBJECT: Policy Memorandum # 5 – Retaliation for Engaging in Protected Equal Employment Opportunity (EEO) Activity

1. REFERENCE.

a. Army Regulation 690-600, Equal Employment Opportunity Discrimination Complaints, dated 9 February 2004.

b. Memorandum, Office of the Assistant Secretary, Manpower and Reserve Affairs, November 10, 2004, Retaliation for Engaging in Protected Equal Employment Opportunity (EEO) Activity.

c. U.S. Army Installation Management Command Policy # 6 – Policy Against Retaliation for Engaging in Protected Equal Employment Opportunity (EEO) Activity, dated 22 February 2010.

2. PURPOSE. To establish the Garrison Manager's policy on Retaliation for Engaging in Protected Equal Employment Opportunity (EEO) Activity.

3. APPLICABILITY. This policy applies to all civilians personnel assigned to and/or under the operational control of the U.S. Army Garrison-Miami to include non-appropriated fund (NAF) employees.

4. POLICY

a. The Equal Employment Opportunity 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.

b. Protected EEO activity includes, but is not limited to participating in an EEO complaint as an aggrieved person, complainant, or witness, reporting discrimination in the workplace or otherwise opposing discrimination, or membership in organizations that oppose discrimination. Retaliation against those who engage in protected EEO activities has a chilling effect on the due process rights of individuals to engage in the EEO complaint process and puts the agency at risk for findings of discrimination.

c. 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 Employment Act (ADEA), the Equal Pay Act or the Rehabilitation Act.

IMAG-ZA

SUBJECT: Policy Memorandum # 5 – Retaliation for Engaging in Protected Equal Employment Opportunity (EEO) Activity

d. Retaliation against those who seek relief from discrimination undermines the EEO process and discourages employees from addressing unlawful acts. I expect an allegation of reprisal to be treated at all levels with the seriousness it deserves. Supervisors and Managers will ensure that leaders are aware of their responsibility to remain professional in all dealings with employees and ensure that their actions are not improperly motivated.

e. Supervisors and Managers must continue to manage and not be intimidated by the protected activities; however, they must also be sensitive as to how their actions will be perceived. I encourage each of you to contact your supervisory Chain of Command, the EEO Office, or Legal Office for assistance if you believe you are the victim of harassment.

f. Supervisors and Managers will act promptly to report and/or resolve reports of retaliation. If inappropriate conduct is found to have occurred, management will take appropriate corrective and disciplinary action. Disciplinary action will also be taken against supervisors who have not carried out their responsibilities under this policy.

g. Compliance with anti-discrimination statutes requires the initiative of individuals to freely question discriminatory behavior. Retaliation against those who seek relief from discrimination, if permitted to go unaddressed, would diminish the willingness of employees to speak out or participate in proceeding established to eliminate the unlawful conduct.

h. Your assistance and support 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.

5. PROPONENT. The United States Army Garrison-Miami Equal Employment Opportunity Office is the proponent for this policy. Point of contact is the EEO Officer at commercial (305) 437-1826.

6. EXPIRATION. This policy memorandum supersedes previous policy issued by the Garrison Manager and will remain in effect until superseded or rescinded.



DONALD A. BIRD  
Garrison Manager

CF:  
USAG-Miami Personnel