

**WHAT ELSE SHOULD I KNOW?**

Sexual Harassment violates Navy regulations and Federal laws. Offenders may be disciplined up to and including removal from Federal service.

**How to REPORT SEXUAL HARASSMENT**

Navy civilians and military members may seek redress for complaints under U.S. Code Title 10 (10 USC), Section 1561 Investigations by Commanding Officers, concerning allegations of Sexual Harassment. To initiate a complaint utilizing Title 10, contact the person in your command designated by the CO or OIC to receive these concerns.

Navy civilian employees may also utilize the EEO complaint process in Title 29, Code of Federal Regulations Part 1614 - The Equal Employment Opportunity Commission's (EEOC) regulations on Equal Employment. The EEO office can provide additional information. Civilians must contact the EEO office for additional information within 45 days of the alleged incident.

Non-Supervisory Employee's Responsibilities

If behavior appears offensive or unwelcome, **inform** management.

Do not participate in or ignore such behavior.

If someone reports an incident to you, do not attempt to investigate, report it to a Management Official.

Behave in a professional manner in the workplace. Failure to do so may result in disciplinary action up to and including removal or separation.

For additional information on preventing and reporting sexual harassment in the workplace contact the  
CNRJ EEO Office: 243-7092/8163  
Fax 243-9962  
CNFJ EO Office: 243-3094

*Remember Sexual harassment is...* Unwelcome behavior and is not encouraged or wanted. It is an inappropriate use of power and is not complimentary in nature. It impacts productivity and morale, and hurts everyone.

**PREVENTING AND RECOGNIZING SEXUAL HARASSMENT IN THE WORKPLACE**

Commander U.S. Naval Regional Japan,  
Human Resources Office EEO Office

**What is Sexual Harassment:** Sexual Harassment is behavior that is unwelcome, sexual in nature, and occurs in or affects the work environment.

It includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

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

## COMMAND LIABILITY

Commands are liable for sexual harassment, when the behavior results in either a tangible employment benefit or creates a hostile work environment.

A tangible employment action is "a significant change in employment status." The following examples of tangible employment actions include:

- Hiring, firing, and/or demotion
- Promotion and failure to promote
- Undesirable reassignment/assignment
- A decision causing a significant change in benefits, or compensation decisions

A hostile work environment exists when the behavior is so severe or pervasive it alters a condition of employment. Examples of behavior that could lead to a hostile environment, includes, but is not limited to the following

- Off-color jokes or teasing, comments about body parts/sex life
- Suggestive/explicit pictures of a sexual nature; leering, staring, "wolf" whistling
- Excessive attention in the form of love letters, contacts, gifts,
- Touching, brushing, shoulder rubs, or pinches
- Using sexually explicit or sexually offensive language
- Sending emails of a sexual nature

## ZONE OF SEXUAL HARASSMENT

SECNAVINST 5300.26D describes three ranges to illustrate behavior that could constitute sexual harassment.

**GREEN ZONE.** These behaviors are not sexual harassment: touching which could not reasonably be perceived in a sexual way (such as shaking hands, or a friendly pat on the shoulder), counseling on appearance, social interaction, showing concern, or encouragement, a polite compliment, or friendly conversation.

**YELLOW ZONE.** Many people would find YELLOW Zone behavior unacceptable and they could constitute sexual harassment. Please note that although behavior described in the YELLOW Zone may not meet the legal definition of harassment, it usually violates Navy's policy on appropriate workplace behavior.

**RED ZONE.** These behaviors are always considered sexual harassment: sexual favors in return for employment rewards, threats if sexual favors are not provided, sexually explicit pictures (including calendars or posters) or remarks, using status to request dates, or obscene letters or comments.

## PREVENTING SEXUAL HARASSMENT

- \*Know your rights and assert them
- \*Maintain a professional manner
- \*Treat others fairly, and with respect and dignity
- \*Refuse to participate in off-color joke and comments, or "horseplay"
- \*Caution those who are exhibiting "borderline" sexual harassment behavior
- \*Report acts or allegations to management official/ EEO staff

If you have questions concerning your right to a workplace free of sexual harassment and other inappropriate behavior of a sexual nature you may discuss the issue with your supervisor or contact the EEO or EO office for exploring ways to resolve your concerns.

## TRAINING ON PREVENTING SEXUAL HARASSMENT

Navy personnel are required to receive annual training on the prevention of sexual harassment. On-line training is available at:

**Navy Knowledge Online (NKO)**  
<https://www.nko.navy.mil/portal/home/>

**Commander Navy Region Japan, Equal Employment (EEO) Office:**  
[http://www.cnic.navy.mil/Japan/RegionOperationsandServices/OperationsandManagement/HumanResources/Services/CNICD\\_A095798](http://www.cnic.navy.mil/Japan/RegionOperationsandServices/OperationsandManagement/HumanResources/Services/CNICD_A095798)

Commands may contact the EEO or EO Office to schedule onsite training.