

<p style="text-align: center;">ARIZONA Department of Emergency and Military Affairs POLICY</p>	<p>POLICY LETTER NO. 20.01</p>	
	<p>DATE 15 Oct 2021</p>	<p>OPR NGAZ-TAG</p>
<p>SUBJECT: Sexual Harassment and Assault Prevention Policy</p>	<p>ENSURE WIDEST DISSEMINATION (POLICY LETTER 10.01)</p>	
<p>1. Applicability: This policy applies to all Department of Emergency and Military Affairs (DEMA) personnel, applicants, recruits, beneficiaries, and customers.</p> <p>2. Purpose: Establishes policy, assigns responsibilities, and prescribes procedures for preventing and responding to sexual harassment and sexual assault.</p> <p>3. References: IAW Title VII of the Civil Rights Act of 1964, Federal Sector Equal Employment Opportunity, (29 C.F.R. §1614); DEMA Directive 20.03, Military EO Complaint Process (Oct 2014); AFI 36-2710, Equal Opportunity Program (09 Sept 2020); CNGBM 9601.01, National Guard Discrimination Complaint Process (25 Apr 17); CNGBI 9601.01, National Guard Discrimination Complaint System (27 Sept 2015); AR 600-20, Army Command Policy, Rapid Revision 24 July 2020; DODI 6495.02, Sexual Assault Prevention and Response (SAPR) Program Procedures (28 Mar 13), Updated 9 Apr 2021</p> <p>4. Policy:</p> <p style="padding-left: 40px;">a. 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 full extent of the law. While sexual harassment and sexual assault cannot be limited to formal definitions, this policy provides guidance.</p> <p style="padding-left: 40px;">b. 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:</p> <p style="padding-left: 80px;">i. 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,</p> <p style="padding-left: 80px;">ii. Submission to or rejection of such conduct is a basis of career or employment decisions; and/or,</p> <p style="padding-left: 80px;">iii. Such conduct interferes with the individual's performance or creates an intimidating, offensive, or hostile environment.</p> <p>*Examples of sexual harassment include, but are not limited to the following: 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, and 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.</p>		

c. 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 to sexual contact. 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.

d. 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.

5. Requests for Assistance:

a. An individual who believes they are 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:

*ARNO - Brigade Equal Opportunity Advisor (EOA) or JFHQ EOA at (602) 629-4811/DSN 853-4811

*161ARW - Equal Opportunity at (602) 629-4151 or JFHQ State Office of Equity, Diversity & Inclusion at (602) 629-4836

*162 WG - Equal Opportunity at (520) 295-7052 or JFHQ State Office of Equity, Diversity & Inclusion at (602) 629-4836

Federal Technician/State Personnel:

*JFHQ State Office of Equity, Diversity & Inclusion - at (602) 629-4828 or 629-4811/DSN 853-4811

b. A military member who believes they are 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

6. Administration: Point of contact for this policy is the JFHQ State Office of Equity, Diversity & Inclusion, (602) 629-4836/DSN 853-4836. This policy will be posted on all unit and workplace bulletin boards.



KERRY L. MUEHLENBECK
Major General, AZ ANG
The Adjutant General