

ANTI-HARASSMENT/HATE INCIDENT POLICY-PROCEDURES



Civil Rights Directorate

Anti-Harassment/Potential Hate Incident Policy & Procedures

Authorities

- a) Department of Homeland Security Directive Number 256-01, Revision 1, Anti-Harassment Directive, Issued April 25, 2013
- b) Title 5, United States Code (U.S.C) Section 2302, "Prohibited personnel practices"
- c) Equal Employment Opportunity Commission Management Directive 715, "Federal responsibilities under Section 717 of Title VII and Section 501 of the Rehabilitation Act" (October 1, 2003)
- d) Equal Employment Opportunity Commission, "Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors," No. 915.002 (June 18, 1999)
- e) Coast Guard Civil Rights Manual, COMDTINST M5350.4C, May 2010.
- f) Civilian Personnel Actions: Disciplinary, Adverse and Performance Based Actions, COMDTINST M12750.4A, March 2015
- g) Uniform Code of Military Justice, 10 U.S.C. § 801 – 946 (as amended)
- h) Discipline and Conduct, COMDTINST M1600.2, September 2011





Anti-Harassment/Potential Hate Incident Policy & Procedures

Who May Raise An Issue?

- Victim
- Witness



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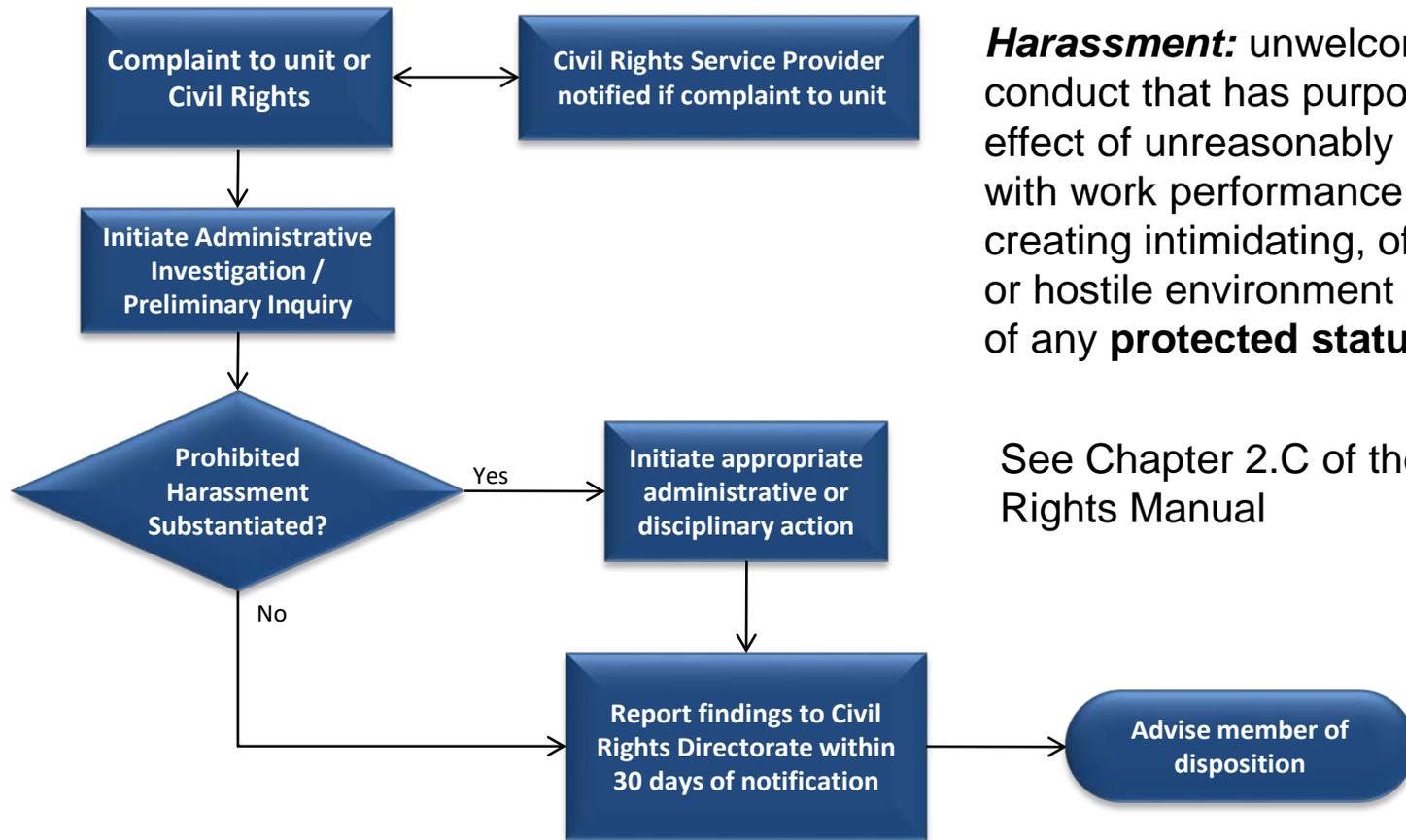
Command Requirements

- Policy Requirements-Commands Must:
 - Notify Civil Rights Directorate
 - Conduct an investigation
 - Take disciplinary or administrative action, if appropriate
 - Involve CGIS, if appropriate
 - Report findings to HQ, thru Civil Rights, within 30 days of notification
 - Advise complainant of disposition of investigation



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Harassment – Process Overview



Harassment: unwelcome conduct that has purpose or effect of unreasonably interfering with work performance or creating intimidating, offensive, or hostile environment as a result of any **protected status**.

See Chapter 2.C of the Civil Rights Manual



EEO/EO Protected Status

- Race
- Color
- National Origin (accents, language, cultural practices, etc.)
- Religion
- Sex (Sexual, Nonsexual)
- Sexual Orientation
- Disability (Physical or Mental)
- Genetic Information
- Marital or Parental Status
- Age (40 or over)
- Reprisal (Prior EEO activity)



Anti-Harassment/Potential Hate Incident Policy & Procedures

Hate Incidents

- Intentional act of intolerance
- Bias against protected categories
- Intimidating or inciting others to similar conduct



Anti-Harassment/Potential Hate Incident Policy & Procedures

Hate Incident - Examples

- Display, presentation, creation, or depiction of:
 - Noose
 - Swastika
 - Other symbols widely identified with oppression or hatred
- Size, type, or how displayed is irrelevant

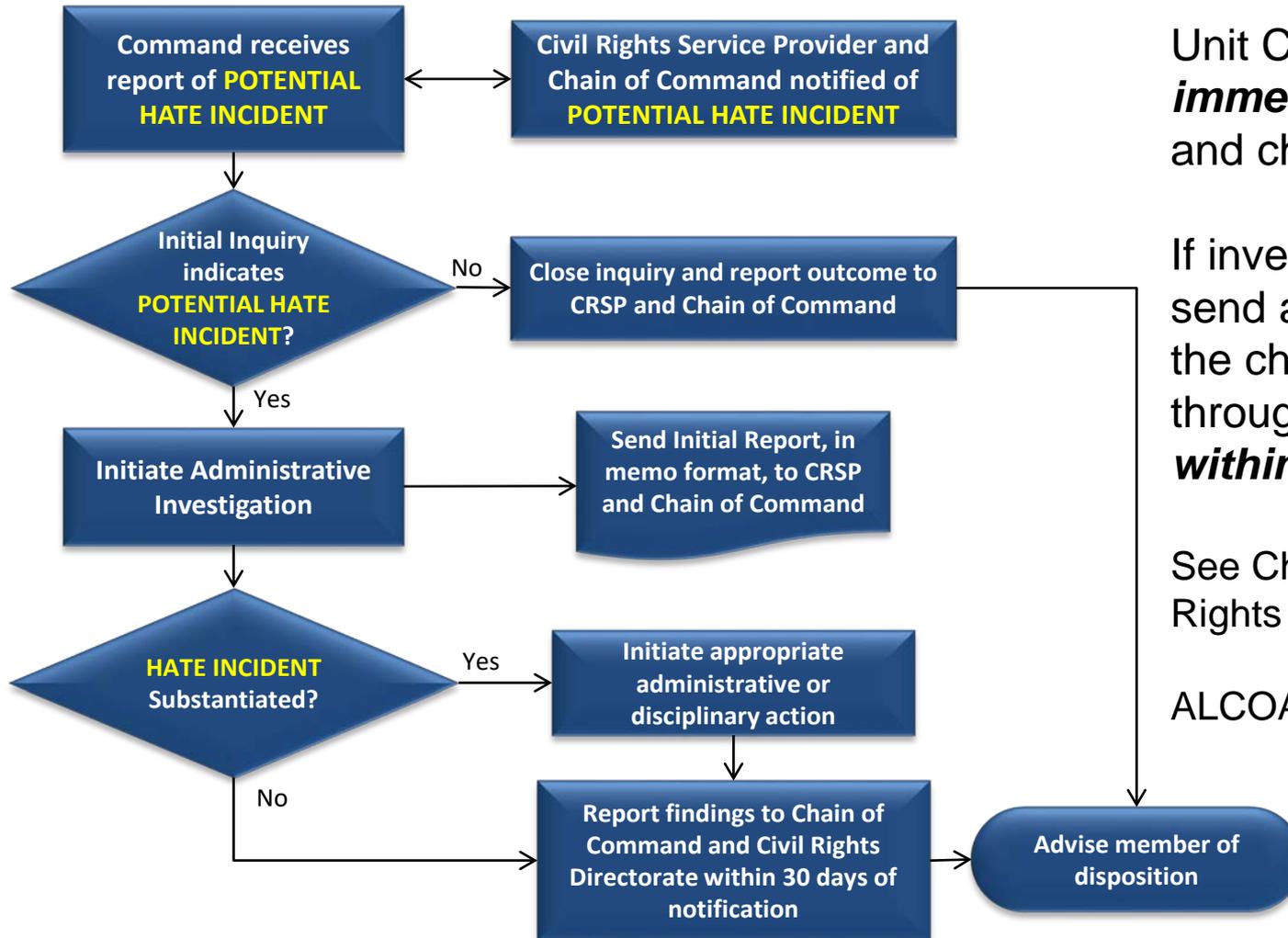
LIST IS NOT ALL INCLUSIVE



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Hate Incident Policy & Procedures

Potential Hate Incident Process Overview



Unit Commanders ***immediately*** notify CRSP and chain of command.

If investigation is initiated, send an initial report up the chain of command and through CRSP to CRD ***within 48 hours***.

See Chapter 2.C of the Civil Rights Manual

ALCOAST ACN 008/18

Hate Symbol Examples



Alternative Avenues Of Redress

CIVILIAN

- **AHHI**
- **Merit Systems Protection Board (MSPB)**
- **Office of Special Counsel (OSC)**
- **OPM Classification Appeals**
- **Negotiated Grievance Procedure**
- **Administrative Grievance Procedures**

MILITARY

- **AHHI**
- **Chain of Command**
- **Command Master Chief (CMC)**
- **Chaplain**
- **Appeals Process (Evaluations)**
- **Board of Corrections Military Records (BCMR)**
- **DHS OIG**



Prevention

- Emphasize that discrimination, including harassment, violates the Coast Guard's core values and will not be tolerated.
- Utilize the Defense Equal Opportunity Climate Survey to assess the organizations climate.
- Ensure that all personnel receive the required Civil Rights Awareness and Sexual Harassment Prevention training.
- Address all alleged discrimination and harassment promptly and in accordance with applicable laws and policies.
- Consult your Servicing Civil Rights Office as needed.



Civil Rights Directorate

CRSP Contact Information



Toll free number: (888) 99-CRD-USCG

TTY: (202) 372-4523

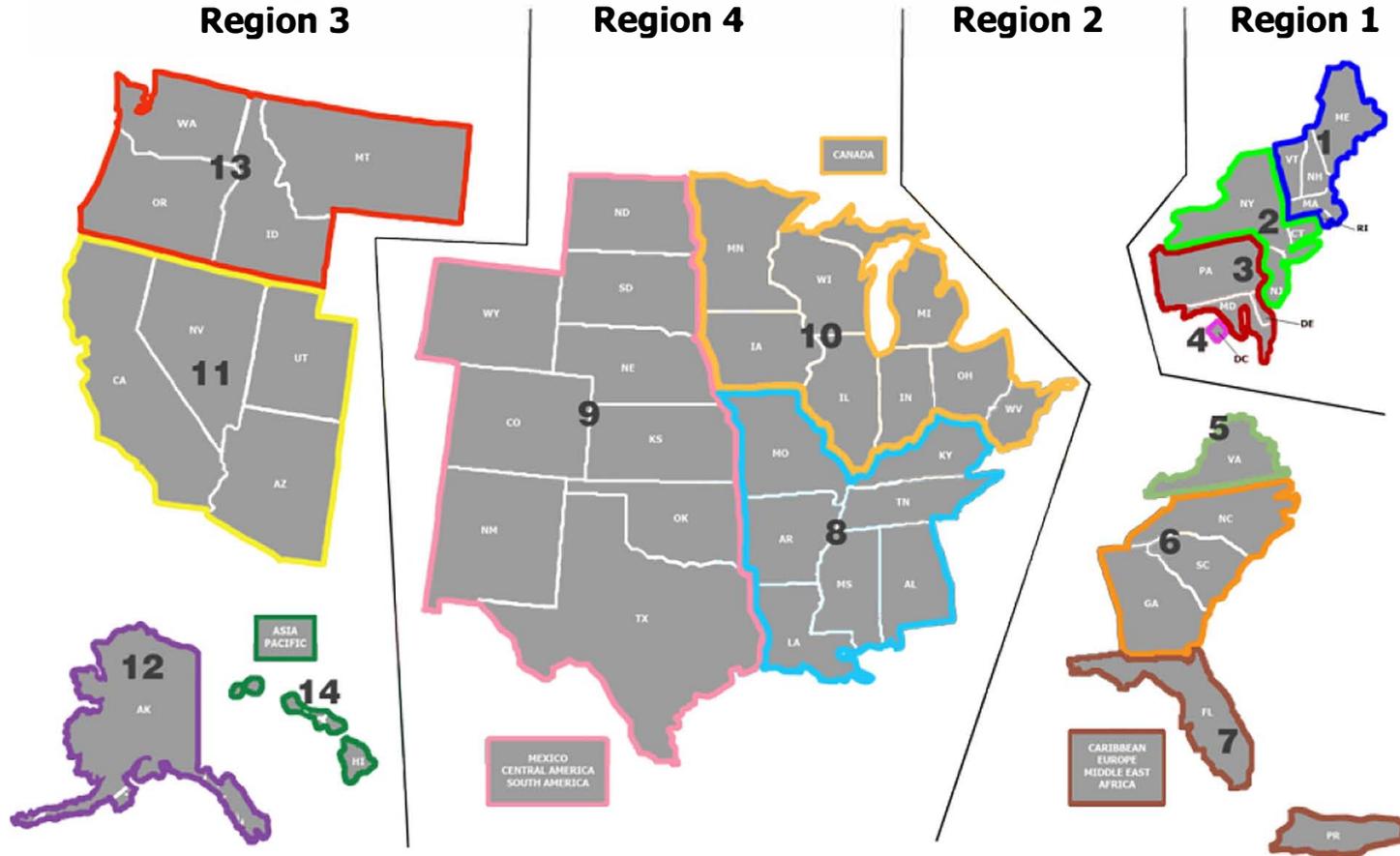
<http://www.uscg.mil/civilrights/>



Civil Rights Directorate

UNITED STATES COAST GUARD

CIVIL RIGHTS DIRECTORATE



Region 3

Zone 11 Zone 12 Zone 13 Zone 14

CA AK WA HI
 NV OR ID
 UT AZ MT

Region 4

Zone 8 Zone 9 Zone 10

MO ND MN
 AR SD IA
 LA WY WI
 MS NE IL
 AL CO IN
 KY KS MI
 TN OK OH
 NM WV
 TX

Region 2

Zone 5 Zone 6 Zone 7

VA NC FL
 NC SC PR
 GA

Region 1

Zone 1 Zone 2 Zone 3 Zone 4

ME NY PA DC
 VT CT DE
 NH NJ MD
 MA RI

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