



DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
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CONCORD MA 01742-2751

CENAE-ZO

11 November 2020

MEMORANDUM FOR UNITED STATES ARMY CORPS OF ENGINEERS (USACE)
NEW ENGLAND DISTRICT (NAE)

SUBJECT: NAE Command Policy #4 – Sexual Harassment/Assault Prevention and Response Program (SHARP) Policy

1. REFERENCES.

- a. AR 600-20, Army Command Policy, 24 July 2020.
- b. AR 690-12, Equal Employment Opportunity and Diversity, 12 December 2019.
- c. USACE NAD SHARP Policy (CMD-2), 11 November 2020.
- d. USACE Commanding General's Policy Memorandum #4, 24 September 2020.
- e. DoD Directive 6495.01, Sexual Assault Prevention and Response (SAPR) Program, Change 4, 11 September 2020.

2. PURPOSE. Outline USACE NAE Commander's SHARP Policy

3. APPLICABILITY. This policy applies to all members assigned or attached to NAE

4. POLICY.

a. As District Commander, I am fully committed to maintaining a work environment free of sexual harassment and sexual assault. Such acts (as well as reprisals against those who suffer, report, or stand against them) are incompatible with our Army Values and have no place in NAE. Like fratricide, these behaviors will have similarly devastating effects on our workplace as "friendly fire" would on the battlefield – eroding trust, violating the dignity and respect of our colleagues, and destroying teams.

b. Every employee within the district must play an active role in establishing an environment free of unsolicited and unwelcomed sexual overtures to PREVENT sexual harassment/assault. Education, self-policing, and actively intervening to protect our teammates are the keys to sustaining a culture free of these unprofessional behaviors. Equally as important, all members of this command also have a duty to promptly and properly REPORT harassment or assault should our prevention efforts fail.

CENAE-ZO

SUBJECT: NAE Command Policy #4 – Sexual Harassment/Assault Prevention and Response Program (SHARP) Policy

c. SEXUAL HARASSMENT is defined as conduct that involves unwelcomed sexual advances, requests for sexual favors, and deliberate repeated offensive comments or gestures 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, career; or

(2) Submission to, or rejection of, such conduct by a person is used as basis for career employment decisions affecting that person; or

(3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive work environment; and the behavior is so severe and pervasive that a reasonable person would perceive – and the victim does perceive – the environment as hostile and offensive.

d. For DA Civilians, claims of sexual harassment are handled in the same manner as other forms of harassment or discrimination – via Equal Employment Opportunity (EEO) channels. Consult AR 690-12 and 690-600 for more information on this process. For Active Duty personnel, AR 600-20 Chapter 7 outlines Soldier-specific rights and procedures for the victim, though the resources listed in 5g – 5j below can also assist.

e. SEXUAL ASSAULT is a **criminal** offense defined as intentional contact, characterized by use of force, physical threat, abuse of authority, or when the victim does not/cannot consent. It is incompatible with the Army Values and punishable under the Uniform Code of Military Justice and other federal and local civilian laws. Sexual assault includes rape, nonconsensual sodomy, indecent assault, or attempts to commit these acts. Sexual assault can occur without regard to gender, spousal relationship, or age. Consent will not be deemed or construed to mean the failure by the victim to offer physical resistance. Consent is not given when a person uses force, threat of force, coercion, or when the victim is asleep, incapacitated, or unconscious. Supervisors will ensure that employees understand the difference between the restricted and unrestricted reporting.

f. Supervisors have the primary responsibility for processing complaints of sexual harassment or assault. In accordance with NAD SHARP Policy, supervisors or management officials who learn of a report of harassment must contact the Office of Counsel and Civilian Personnel Advisory Center (CPAC) within one business day for guidance on the appropriate inquiry. Although we encourage using your chain of command, there are multiple channels available for the complainant to include the NAE Equal Employment Opportunity (EEO) representative, the North Atlantic Division Sexual Assault Response Coordinator (SARC), the 24/7 USACE SHARP hotline, and the DoD Safe Helpline. *If you or someone you know is in immediate danger, call the local Police Department or Military Police located at the nearest Military installation IMMEDIATELY!*

CENAE-ZO

SUBJECT: NAE Command Policy #4 – Sexual Harassment/Assault Prevention and Response Program (SHARP) Policy

g. The NAE EEO Representative can be reached at (978) 318-8448 or by email at Jacqueline.D.Didomenico@usace.army.mil.

h. The NAD SARC can be reached at (347) 370-4535 or (347) 416-2322.

i. The 24/7 USACE SHARP hotline can be reached at (800) 281-6224.

j. Contact the 24/7 DoD Safe Helpline at (877) 995-4247 or www.safehelpline.org.

5. The point of contact for this memorandum is the NAE Chief of Staff, Mr. Jon Belmont, at (978) 318-8886 or email: Jonathan.T.Belmont@usace.army.mil.



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