



DEPARTMENT OF THE ARMY
49ER ARMY ROTC BATTALION
UNIVERSITY OF NORTH CAROLINA AT CHARLOTTE
9201 UNIVERSITY CITY BOULEVARD, MEMORIAL HALL
CHARLOTTE NC 28223-0001

ATCC-DDN-CUC

15 March 2011

MEMORANDUM FOR 49er Battalion Cadre, Staff and Cadets

SUBJECT: Battalion Policy # 6, Prevention of Sexual Harassment (POSH)

1. References:

- a. 10 United States Code, Section 561, Sexual Harassment
- b. 29 Code of Federal Regulations 1604.11, Federal Sector Equal Employment Opportunity, 9 November 1999.
- c. Army Regulation 600-20, Chapter 7, Army Command Policy

2. Purpose: The policy of the Army is that sexual harassment is unacceptable conduct and will not be tolerated. Army leadership at all levels will be committed to creating and maintaining an environment conducive to maximum productivity and respect for human dignity.

3. Summary: Sexual harassment destroys teamwork and negatively affects combat readiness. The Army bases its success on mission accomplishment. Successful mission accomplishment can be achieved only in an environment free of sexual harassment for all personnel.

4. Specifics:

- a. The prevention of sexual harassment is the responsibility of every Soldier, Army Civilian and Cadet. Leaders set the standard for subordinates to follow.
- b. The elimination of sexual harassment begins with a policy of aggressive and progressive training to identify and prevent inappropriate behavior.
- c. This command will conduct progressive, interactive small group sexual harassment training twice each year.
- d. Cadre, Army Civilians and Cadets must understand what sexual harassment is, how to recognize it, how to prevent it, how to report it and the consequences of engaging in sexual harassment.
- e. Filing and processing of sexual harassment complaints follow the same procedures as Equal Opportunity complaints. Charges of sexual misconduct will be processed through legal/ law enforcement channels

5. Sexual Harassment includes:

- a. Influencing, offering to influence, or threatening the career, pay or job of another person (male or female, military or civilian) in exchange for sexual favors.

- b. Deliberate or repeated offensive comments, gestures or physical contact of a sexual nature in a work or duty related environment.
- c. Individuals whose supervisors, superiors, co-workers or peers sexually harass them should report the harassment to the appropriate level in the Chain of Command immediately. I encourage you to inform the offender that you find that behavior or language offensive. Platoons will file all complaints of sexual harassment with the Company Commander and the Company Equal Opportunity representative.

6. Every member of the Chain of Command must be sensitive to situations which may involve sexual harassment, whether they appear actual or perceived, and correct the situation appropriately. It is imperative that leaders take every step necessary to ensure the work place is free of sexual harassment. Cadre, Cadet Commanders and staff are responsible for setting a good example; actively monitoring the work environment, keeping subordinates informed of penalties for discrimination, providing sexual harassment training; conducting swift, fair inquiries into allegations and taking appropriate disciplinary actions when required.

7. The point of contact for this action is Mrs. Wright at (704) 687-8509



GARY L. MCGINNIS
LTC, FA
Commanding