

## Sexual Harassment

1. A form of gender discrimination that involves unwelcome sexual advances or other verbal or physical conduct of a sexual nature when:
  - A submission to, or rejection of, such conduct is made explicitly or implicitly a term or condition of a person's position or career, or
  - Submission to, or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person, or
  - Such conduct Interferes with an Individual's performance or creates an Intimidating, hostile, or offensive environment
2. Sexual Harassment is Illegal, but is not a criminal offense. It can eventually lead to sexual assault if not preempted.
3. Sexual Harassment incidents involving members of the NG are processed through the administrative complaints process under NGR 600-22 for ARNG personnel, ANGI 36-7 for ANG and NGR 690-600 for Air and Army Technician and Civilian personnel.
4. The centralized resource for data collection and reporting of sexual harassment incidents, demographics and the disposition of the data is your State Equal Employment Manager.

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## Sexual Assault

- Sexual Assault is a "criminal offense" that has no place in the NG. The impact on victims is debilitating. Such behavior also degrades our mission readiness by reducing our ability to work effectively.
- Sexual Assault is any actual or attempted sexual touching without consent.
- Forms of Sexual Assault, such as rape, forcible sodomy, Indecent assault, and constructive force threats, intimidation or abuse of authority related to causing a victim to believe that death or injury would occur if he or she resisted, are criminal offenses.
- Sexual Assault is punishable under the Uniform Code of Military Justice (UCMJ) and other federal and local civilian laws. It shows a lack of personal courage and is Illegal, Immoral, and dishonorable. It strikes at the very core of unit readiness.
- Guidance on Sexual Assault is found in the new AR 600-20, Chapter 8 for Army and ARNG personnel. The AFI36-2706, Chapter 7.1.2 and ANGI\_36-7, Chapter 3.5.4.1. Immediate Referrals, gives general guidance on Sexual Assault incidents for Air Force and Air National Guard personnel.

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