



US ARMY GARRISON

Fort Lee, Virginia

EQUAL EMPLOYMENT OPPORTUNITY (EEO) OFFICE
NEWS BULLETIN



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BEFORE YOU TELL IT TO EEO: Attempt to resolve wrongs, violation of law, regulation, or policy at lowest level before you contact the EEO Office.

FUNCTIONS OF EEO: Compliance & Program Evaluation, Advisory Services, Complaint Processing, Training & Education, Affirmative Employment Program, and Special Employment Programs

National Origin Discrimination

National origin discrimination involves treating people (applicants or employees) unfavorably because they are from a particular country or part of the world, because of ethnicity or accent, or because they appear to be of a certain ethnic background (even if they are not). National origin discrimination also can involve treating people unfavorably because they are married to (or associated with) a person of a certain national origin or because of their connection with an ethnic organization or group. Discrimination can occur when the victim and the person who inflicted the discrimination are the same national origin.

National Origin Discrimination & Work Situations

The law forbids discrimination when it comes to any aspect of employment, including hiring, firing, pay, job assignments, promotions, layoff, training, fringe benefits, and any other term or condition of employment.

National Origin & Harassment

It is unlawful to harass a person because of his or her national origin. Harassment can include, for example, offensive or derogatory remarks about a person's national origin, accent or ethnicity. Although the law doesn't prohibit simple teasing, offhand comments, or isolated incidents that are not very serious, harassment is illegal when it is so frequent or severe that it creates a hostile or offensive work environment or when it results in an adverse employment decision (such as the victim being fired or demoted). The harasser can be the victim's supervisor, a supervisor in another area, a co-worker, or someone who is not an employee of the employer, such as a client or customer.

National Origin & Employment Policies/Practices

The law makes it illegal for an employer to use an employment policy or practice (which is not job related or necessary to the operation of the business) that applies to everyone if it has a negative impact on people of a certain national origin. An employer can only require an employee to speak fluent English if fluency in English is necessary to perform the job effectively. An "English-only rule", which requires employees to speak only English on the job, is only allowed if it is needed to ensure the safe or efficient operation of the employer's business and is put in place for nondiscriminatory reasons. An employer may not base an employment decision on an employee's foreign accent, unless the accent seriously interferes with the employee's job performance.

Aggrieved Person Defined:

This term encompasses two regulatory concepts. First, a person has to identify a BASIS (i.e. race, color, sex, age, national origin, religion, genetic information, physical or mental disability, and reprisal) that is covered by an applicable statute. Second, the event which the person believes is discriminatory must rise to a certain level of injury or harm. The term is used in 29 Code of Federal Regulations (CFR) Part 1614 to describe the person who has not yet filed a formal complaint rather who is in the informal stage or pre-complaint.

The Power of Micro-Inequities

by Barbara C. Berryman, DCMA EEO

Have you ever heard the saying "Don't Sweat the Small Stuff"? Well, what if it's the small stuff that's undermining morale and reducing productivity at work? Small slights, subtle unfairness and tiny injustices can add up to big problems if allowed to grow. Little communications of disrespect, prejudices, and inequality termed "micro-inequities" aren't blatant but they can be potentially destructive.

Micro-inequities are defined as cumulative patterns of subtle, semi-conscious, devaluing messages that discourage and impair performance. An inequity is something that is perceived as unfair or unjust. Generally, they may be noted by a gesture, treatment, or tone of voice. An article in "Employment Law Commentary" (January 2007), stated that there is a "growing concern of corporations across the country about the impact of micro-inequities on employee morale, productivity, and attrition.

Dr. Mary Rowe, a professor at M.I.T., coined the term "micro-inequities" in 1973 to refer to a form of discrimination, that is oftentimes not obvious to the perpetrator, but creates and/or reinforces glass barriers that exclude people solely because they were different; boxing a person in or creating a less than positive cultural climate. Examples of micro-inequities are being left out of a discussion/project, not being introduced in a meeting, dismissing the idea of one person only to embrace it when paraphrased by another, not saying "good morning" or otherwise Greeting someone, ridiculing accents or particular speech patterns of employees, continually interrupting or completing sentences for people, checking email or a BlackBerry (or otherwise multi-tasking) during a conversation.

Other examples include gestures like, rolling eyes, change in voice pitch or volume, change in body posture, fake or forced smiles. If micro-inequities are not managed morale can decrease; productivity, sharing ideas, and taking risks are likely to diminish, and interpersonal relationships can be reduced. How do we minimize micro-inequities? What can we do to help the promote cohesion, productivity, respect, and teamwork? Embrace positive, supportive behaviors, be aware of personal stereotypes and prejudices, be open to feedback, and demonstrate mutual respect. Listen with an open mind, follow the "golden rule" – treat others as you would like to be treated, regard the value added by differences in races, genders, ages, religions, cultures, customs, and perspectives, recognize the talents that each person brings to the workplace. Feel free to use subtle "micro-affirmations" to acknowledge a person's value and accomplishments. It might be by public recognition of the person, referring positively to a person's work or accomplishment, commending someone on the spot, or making an introduction. Micro-affirmations form the basis of successful mentoring, working relationships, and can lead to greater self-esteem and improved performance.

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