



New York State Equal Opportunity & Diversity Newsletter



Edition 11

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This newsletter is intended to update, inform, and remind management staff about important EO/employment issues, as well as federal and state legal developments. It serves as a training tool and may be shared with employees (posted in break rooms, etc.) at management's discretion. Questions or comments about this newsletter or other EO matters may be directed to: (518)786-4733 or (518) 786-4621 e-mail: SEEM@us.army.mil. You can also visit our Website @ <http://dmna.state.ny.us/eo/eo.php>

This Issue Highlights:

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EQUAL OPPORTUNITY MISSION

To improve and support mission readiness of the NYNG by promoting an environment free from personal, social, or institutional barriers that prevent members from rising to their highest level of responsibility based on individual merit, fitness, and capability.

We welcome your letter to the editor. Please forward any input to CW3 Ruter or MSgt Torres by the due dates listed below.

Quarters: Due by:
1) Oct – Nov – Dec (15 Sep)
2) Jan – Feb – Mar (15 Dec)
3) Apr – May – Jun (15 Mar)
4) Jul – Aug – Sep (15 Jun)

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Thank you for your service!

Special Observances

- Independence Day (4 July)
- Women's Equality Day (26 August)
- Hispanic Heritage Month
(15 September – 15 October)



Independence Day (4 July)

Fun Facts

On the 236th anniversary of our independence from Great Britain, here are some fun facts about the Fourth of July to share with your friends and family.

A Truly Young Nation

The average age of the Signers of the Declaration of Independence was 45. The youngest was Thomas Lynch, Jr (27) of South Carolina. The oldest delegate was Benjamin Franklin (70) of Pennsylvania. The lead author of The Declaration, Thomas Jefferson, was 33.

An Act of Treason

After signing the Declaration, John Hancock remarked that Congress must now *“all hang together”*. Benjamin Franklin replied, *“Yes, we must indeed all hang together, or most assuredly we shall all hang separately.”*

Enjoy Your Day Off Without Pay

Congress made Independence Day an official unpaid holiday for federal employees in 1870. (In 1938, Congress changed Independence Day to a paid federal holiday)

Our Nation Has Grown

There were an estimated 2.5 million people living in the newly independent nation in 1776. Total U.S. population in 2011 was 311.6 million.

The Liberty Bell Tap

Every 4th of July the Liberty Bell in Philadelphia is tapped (not actually rung) thirteen times in honor of the original thirteen colonies.

Local 4th of July Events:



Empire State Plaza Fireworks July 4th
<http://www.albany.com/event/fireworks-festival-35517/>



Fireworks in the Saratoga Springs Area Fire Works
<http://www.saratoga.com/news/fireworks.cfm>



July 4th Celebration at Clifton Park Commons
<http://www.cliftonpark.com/event/35940/>



References: <http://interviewangel.com/17-fun-facts-about-the-fourth-of-july/>
<http://www.timeanddate.com/holidays/us/independence-day>



Celebrating Women's Rights: Past & Present (26 August)

United Nations Convention on Rights of Women - 1981

The 1981 *Convention on the Elimination of All Forms of Discrimination Against Women*, signed by many United Nations member states (notably not Iran, Somalia, the Vatican City and the United States and a few others), defines discrimination in a way that implies that women's rights are in "political, economic, social, cultural, civil" and other spheres.

Any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

The Declaration specifically addresses:

- eliminating prejudice in public education
- full political rights to vote and to run for and to serve in public office
- rights to change nationality equal to men's rights
- marriage and divorce rights to be equal to men's, and elimination of child marriage
- equality in criminal punishment
- traffic in women, including exploiting prostitutes
- employment rights, including non-discrimination in access to jobs, equal pay, and paid maternity leave

NOW Statement of Purpose - 1966

The [1966 Statement of Purpose](#) created on the formation of the National Organization for Women (NOW) summarizes key women's rights issues of that time. Women's rights addressed in that document were based on the idea of equality as an opportunity for women to "develop their fullest human potentials" and to put women into the "mainstream of American political, economic and social life." Women's rights issues identified included those in these areas:

- employment and economics
- education
- family, including marriage and divorce laws and home responsibilities
- political participation
- images of women in culture and social practice
- opposition to "protectiveness" in work, school, church and so on, as limiting women's rights

Reference: <http://womenshistory.about.com/od/feminismsuffragerrights/a/What-Are-Womens-Rights.htm>

HISPANIC HERITAGE MONTH



(15 September -15 October)

Many Hispanic Americans trace their roots to the cultures of the indigenous peoples of the Americas -- including the Arawaks (Puerto Rico), the Aztecs (Mexico), the Incas (South America), the Maya (Central America), and the Tainos (in Cuba, Puerto Rico and other places). Some trace their roots to the Spanish explorers -- who in the 1400s set out to find an easier and less costly way to trade with the Indies. Other Latinos trace their roots to the Africans who were brought as slaves to the New World.

For purposes of the U.S. Census, Hispanic Americans today are identified according to the parts of the world that they or their ancestors came from, including Mexico, Puerto Rico, Cuba, Spain, or the nations of Central or South America.

The observation started in 1968 as **Hispanic Heritage Week** under President Lyndon Johnson and was expanded by President Ronald Reagan in 1988 to cover a 30-day period starting on September 15 and ending on October 15. It was enacted into law on August 17, 1988, on the approval of Public Law 100-402.

The public laws that designated a week and then a month for National Hispanic Heritage are available in the *United States Statutes at Large* which is widely available through [federal depository libraries](#).

[Pub. L. 90-498, 82 Stat. 848](#) (PDF, 153 KB): A House joint resolution authorizing the President to proclaim annually the week including September 15 and 16 as National Hispanic Heritage Week.

[Pub. L. 100-402, 102 Stat. 1012](#) (PDF, 58 KB): To amend Pub. L. 90-498 to provide for the designation of National Hispanic Heritage Month.

These laws are codified in the United States Code at [36 U.S.C. 126](#).

Reference: <http://www.hispanicheritagemonth.org/History.html>





Monthly EEO Training



What Constitutes a Hostile Work Environment?

Some employees believe that a bad boss, an unpleasant work environment, a rude coworker, or the lack of perks, privileges, benefits, and recognition can create a hostile work environment. But, the reality is that for a workplace to be hostile, certain legal criteria must be met.

A hostile work environment is created by a boss or coworker whose actions, [communication](#), or behavior make doing your job impossible. This means that the behavior altered the terms, conditions, and/or reasonable expectations of a comfortable work environment for employees. Additionally, the behavior, actions or communication must be [discriminatory](#) in nature.

Discrimination is monitored and guided by the [Equal Employment Opportunity Commission \(EEOC\)](#) which was created by the [Civil Rights Act of 1964](#).

So, a coworker who talks loudly, snaps her gum, and leans over your desk when she talks with you, is demonstrating inappropriate, rude, obnoxious behavior, but it does not create a hostile work environment. On the other hand, a coworker who tells sexually explicit jokes and sends around images of nude people, is guilty of [sexual harassment](#) and creating a hostile work environment.

A boss who verbally berates you about your [age](#), your [religion](#), your gender, or your race may be guilty of creating a hostile work environment. This is especially true if you asked the individual to stop and the behavior continues.

Legal Requirements for a Hostile Environment

The legal requirements for a hostile work environment include these:

- The actions or behavior must discriminate against a protected classification such as age, religion, disability, or race.
- The behavior or communication must be pervasive, lasting over time, and not limited to an off-color remark or two that a coworker found annoying. These incidents should be reported to Human Resources for needed intervention. The problem becomes significant and pervasive if it is all around a worker, continues over time, and is not [investigated](#) and addressed effectively enough by the organization to make the behavior stop.
- The hostile behavior, actions, or communication must be severe. Not only is it pervasive over time, but the hostility must seriously disrupt the employee's work. A second form of severity occurs if the hostile work environment interferes with an employee's career progress. For example, the employee failed to receive a [promotion](#) or a [job rotation](#) as a result of the hostile behavior.
- It is reasonable to assume that the employer knew about the actions or behavior and did not sufficiently intervene. Consequently, the employer can be liable for the creation of a hostile work environment.



Monthly EEO Training Continued



Dealing With a Hostile Work Environment

The first step an employee needs to take if he or she is experiencing a hostile work environment is to ask the offending employee to stop their behavior or communication. If an employee finds this difficult to do alone, solicit help from a manager or Human Resources.

You want to put the offending employee on notice that their behavior is offensive, discriminatory, inappropriate, and that you won't tolerate the behavior.

These resources will help you address a hostile work environment before the hostility escalates. You can pick between [dealing with difficult people](#), dealing with a bully, holding difficult conversations, and dealing with conflict.

They will all help you increase your skill in dealing with the coworker creating your hostile work environment. These skills and ideas may be all that you need, since many bullies are spineless when confronted.

- [How to Deal With Difficult People at Work](#)

An employee who experiences a hostile work environment, and has attempted to make the behavior stop without success, though, should go to his or her manager, employer, or Human Resources staff. The first step in getting help is to ask for help. Your employer must have the opportunity to [investigate the complaint](#) and eliminate the behavior.

Plus, you may be surprised about how vigilantly your employer acts to prevent current and future incidents that may contribute to a hostile work environment. Give your employer a chance.

Related to Hostile Work Environment

You can:

- [Prevent Employment Discrimination and Lawsuits](#)
- [Know That Hostile Environments Are Related to More Than Sexual Harassment](#)
- [Prevent Workplace Discrimination](#)
- [Recognize That Retaliation Is Illegal](#)

References: <http://www.eeoc.gov/>
<http://humanresources.about.com/>

Motivational Quote



Treat everyone with politeness, even those who are rude to you — not because they are nice, but because you are. ~Author Unknown



Joint Diversity Corner

Special Emphasis Program Council (SEPC)



This council is a joint initiative of the full-time support personnel appointed in Special Emphasis Program Manager positions that promote the participation and advancement of the members of the group within the Department of Military and Naval Affairs (DMNA) that they represent.

Mission:

To improve the status of minorities and protective classes. The ultimate responsibility for the SEPC belongs to management and leadership. However, Special Emphasis Program Managers (SEPMs) are responsible for assisting management in actions that will enhance the employment status of these groups.

Vision:

Analysis, Advise, Liason and Advocate

Goal:

SEPMs recognize the optimum readiness of the New York Air and Army Guard depends on the active inclusion of all groups supporting excellence in military and civilian performance.

SEPM Vacancies:

Federal Womens Program Manager (ARNG)

Native American Indian Program Manager (ANG)

Asian & Pacific Islander Program Manager (ANG)

These are not full-time positions, they are additional duties.

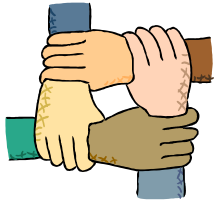
Upcoming SEPC Meeting:

6 August 2014, 1000 Hours, HRO, Room 405

If you would like to join us and can't make it to Latham, you can call in for the teleconference. Call or email the below individuals to be added to the teleconference or meeting.

****To become a member of the SEPC please contact CW3 Heather Ruter, (518) 786-4733, heather.l.ruter.mil@mail.mil or MSgt Donna Torres, (518)786-4621, donna.m.torres.mil@mail.mil**





Joint Diversity Corner



Continued

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