



DEPARTMENTS OF THE ARMY AND THE AIR FORCE
JOINT FORCE HEADQUARTERS, KENTUCKY NATIONAL GUARD
BOONE NATIONAL GUARD CENTER, 100 MINUTEMAN PARKWAY
FRANKFORT, KENTUCKY 40601-6168

NGKY-TAG

16 February 2023

MEMORANDUM FOR All Members of the Kentucky National Guard, T32 Technicians and T5 Employees

SUBJECT: Treatment of Persons (Hazing and Bullying)

1. This policy memorandum supersedes all previous editions.
2. References:
 - a. Department of the Air Force Manual, 1-101 Command Directed Investigations (CDI), 1 April 2021.
 - b. Department of Defense Instruction 1020.03, (Harassment Prevention and Response in the Armed Forces), Effective 8 February 2018, Change 2 Effective 20 December 2022.
 - c. Department of Defense Instruction 1020.04, (Harassment Prevention and Responses For DoD Civilian Employees), 30 June 2020.
 - d. Air Force Instruction 16-1404_Air Force Guidance Memorandum 2019-01, Air Force Information Security, 30 October 2019.
 - e. ADP 6-22 (Army Leadership and the Profession), July 2019.
 - f. Army Regulation (AR) 15-6, (Procedures for Administrative Investigation and Boards of Officers), 1 April 2016.
 - g. Army Regulation (AR) 380-67, (Personnel Security Program), 24 January 2014.
 - h. Department of Defense Manual 5200.02_Air Force Manual 16-1405 Air Force Personnel Security Program, 1 August 2018.
 - i. Army Regulation (AR) 350-1, Army Training and Leader Development, 19 August 2014.
 - j. Air Force Instruction (AFI) 1-1, (Air Force Standards), 7 August 2012, Incorporating Change 1, 12 November 2014.
3. Applicability. This policy applies to all members of the full-time workforce, Soldiers,

NGKY-TAG

SUBJECT: Treatment of Persons (Hazing and Bullying)

Airmen, T32 Technicians and T5 Civilians.

4. It is my policy, without exception, that all Kentucky National Guard (KYNG) personnel (military, T32 technicians and T5 civilian employees) are entitled to a work environment free from hazing and bullying. This is a leadership issue and a form of misconduct that requires personal awareness and the immediate attention of every commander, director, and supervisor.

5. The KYNG is a values-based organization where everyone will be treated with dignity and respect. Hazing, bullying and other behaviors that undermine dignity and respect are fundamentally in opposition to our values and are prohibited. It is imperative that commanders, directors, and supervisors at all levels enforce this policy, and communicate it to all personnel under their command or supervision. Additionally, every member of the chain of command and supervisors will ensure all complaints of hazing or bullying brought forward are protected from reprisal or retaliation.

6. Definitions:

a. Hazing. A form of harassment that includes conduct through which a KYNG Soldier, Airman, T32 Technician, or T5 Employee, without a proper military or governmental purpose but with a nexus to military service or employment, physically or psychologically injures or creates a risk of physical or psychological injury for the purpose of; initiation into, admission into, affiliation with, change in status or position within, or continued membership in any military or DoD civilian organization. Hazing can be conducted through the use of electronic devices or communications, and by other means including social media, as well as in person. Hazing is evaluated by a reasonable person standard (so severe or pervasive that a reasonable person would perceive that the behavior occurred).

b. Bullying. A form of harassment that includes acts of aggression by a KYNG Soldier, Airman, T32 Technician, or T5 Employee, without a proper military or governmental purpose but with a nexus to military service or employment. Bullying includes singling out an individual from his or her coworkers, or unit for ridicule because he or she is considered different or weak. It often involves an imbalance of power between the aggressor and the individual. Bullying does not include a properly directed command or organizational activities that serve a proper military or governmental purpose. Bullying can be conducted through the use of electronic devices or communications, and by other means including social media, as well as in person. Bullying is evaluated by a reasonable person standard (so severe or pervasive that a reasonable person would perceive that the behavior occurred).

c. Reasonable Person Standard. An objective test used to determine if behavior constitutes discrimination or harassment (hazing, bullying, or discriminatory harassment).

NGKY-TAG

SUBJECT: Treatment of Persons (Hazing and Bullying)

This standard considers what a reasonable person's reaction would have been under similar circumstances and in a similar environment. The reasonable person standard considers the recipient's perspective and not stereotyped notions of acceptable behavior.

d. Additional examples of hazing and bullying are outlined in para 4-19 of AR 600-20; DoDI 1020.03, Change 1 and DoDI 1020.04. Hazing and bullying are prohibited in all cases, to include off-duty or "unofficial" celebrations or unit functions, on or off post/base.

7. When authorized by the chain of command and not unnecessarily cruel, abusive, oppressive, or harmful, the following activities do not constitute hazing or bullying:

a. The physical and mental hardships associated with operations or operational training.

b. Administrative corrective measures, including verbal reprimands and a reasonable number or repetitions of authorized physical exercises.

c. Extra military instruction or training with the intent of improving Soldier or Airmen hardships associated with performance.

8. Scope. Hazing or bullying is not limited to superior-subordinate relationships. Incidents may occur between peers or even, under certain circumstances, may involve actions directed towards senior military personnel, technicians, or civilians by those junior in rank or grade to them. Hazing or bullying is prohibited in official duties and off-duty or "unofficial" duties.

9. Command/Supervisory responsibilities. This policy is punitive in nature. KYNG Soldiers, Airmen, T32 Technicians, or T5 Employees who violate this policy may be subject to adverse administrative action and or punishment. Commanders and supervisors should seek the advice and counsel of their legal advisor, KYNG Staff Judge Advocate or the Labor Relations Specialist when taking actions pursuant to this policy. Commanders and supervisors at all levels will immediately report allegations of criminal behavior to law enforcement. All hazing or bullying allegations will be investigated appropriately and thoroughly. Individuals may also report incidents of hazing or bullying to the appropriate Inspector General's (IG) office and these incidents may be investigated by that office or referred to the command or supervisor for investigation. Regardless of the type of investigation conducted into allegations of hazing or bullying, all reports of hazing and bullying will be coordinated with the unit Equal Opportunity Advisor (EOA), Military Equal Opportunity (MEO), or State Equal Employment Manager (SEEM).

10. Training. In accordance with AR 350-1; DoDI 1020.03, Change 1; and DoDI 1020.04, Commanders will conduct training on anti-hazing and anti-bullying as part of the EO training requirements related to promoting a healthy unit climate. Training will be

NGKY-TAG

SUBJECT: Treatment of Persons (Hazing and Bullying)

conducted at all levels from accession point to the assumption of senior leader rank and position.

11. Commanders at all levels will publish a treatment of person's policy. Statements will be consistent with this policy, include the local command's commitment to prevention of hazing and bullying, and reaffirm that these behaviors will not be tolerated. The command policy will explain how and where to file complaints and will state that all complaints will be protected from acts or threats of reprisal and retaliation.

12. Individual responsibilities. Every member of the KYNG is responsible for the following:

a. Advising the commander, director, or supervisor of any incidents of hazing or bullying.

b. Conducting themselves in accordance with this policy, the law, and applicable regulations.

c. Ensuring that those who present their complaints to the commander, director, or supervisor do so without fear of intimidation, reprisal, retaliation, or harassment.

13. Questions regarding possible violations may be addressed with your commander, director, supervisor, EOA/MEO representative, IG, or you may contact the SEEM at 502-607-1274.



HALDANE B. LAMBERTON
Major General, KYNG
The Adjutant General