



# CDSE

Center for Development  
of Security Excellence

## **INSIDER THREAT WEBINAR SERIES: Insider Threat and Equal Employment Opportunity (EEO)**

**LEARN.  
PERFORM.  
PROTECT.**

# PARTICIPANTS

## HOST:

**Mr. Steve Resel**  
CDSE Insider Threat

## GUEST:

**Ms. Edie Brumskill**  
EEO Program Manager,  
Capital Metro Area  
Office of Diversity & Equal Opportunity



# Equal Employment Opportunity

Office of Diversity and Equal Opportunity

DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY

**Ms. Edie Brumskill**  
**EEO Program Manager,**  
**Capital Metro Area, DEO**



# Objective

Discuss Equal Employment Opportunity programs.

Can they mitigate the risk of insider threats?

# Agenda

- EEO Background
- Discrimination & Retaliation
- Alternative Dispute Resolution
- Prevention of Harassment/Hostile Work Environment

# EQUAL EMPLOYMENT OPPORTUNITY



- Equal Employment Opportunity (EEO) Offices
- Civil Rights Office
- Diversity and Equal Opportunity Office
- Diversity Management and Equal Opportunity Office
- Equity, Diversity, and Inclusion Office

# EQUAL EMPLOYMENT OPPORTUNITY



We offer tools designed to educate and prevent discrimination and harassment.

- Alternative Dispute Resolution
- Advice and guidance on EEO matters
- Special Emphasis Programs
- Training
- Policy development
- Reasonable Accommodation

# Neutrality

- The EEO office is a neutral office and not an advocate for the agency or the employee.
- EEO practitioners are advocates for EEO programs, policies, and procedures and serve in an unbiased capacity.

we are  
**neutral**



# Goals and Objectives of EEO

- To eliminate barriers in employment
- To ensure a discrimination-free workplace
- To ensure all employees and applicants for employment are treated fairly and equitably in all ways

# EQUAL EMPLOYMENT OPPORTUNITY



Equal Employment Opportunity is a principle that asserts that all people should have the right to **work** and advance on the bases of merit and ability, regardless of their race, sex, color, religion, disability, **national origin**, or age



# **Discrimination & Retaliation**

# Discrimination

## Laws Enforced by EEOC

- Title VII of the Civil Rights Act of 1964 (Title VII)- This law makes it illegal to discriminate against someone on the basis of race, color, religion, national origin, or sex.
- The Pregnancy Discrimination Act- This law amended Title VII to make it illegal to discriminate against a woman because of pregnancy, childbirth, or a medical condition related to pregnancy or childbirth.
- The Equal Pay Act of 1963 (EPA)- This law makes it illegal to pay different wages to men and women if they perform equal work in the same workplace.
- The Age Discrimination in Employment Act of 1967 (ADEA)- This law protects people who are 40+
- Title I of the Americans with Disabilities Act of 1990 (ADA)- This law makes it illegal to discriminate against a qualified person with a disability in the private sector and in state and local governments.
- Sections 501 and 505 of the Rehabilitation Act of 1973- This law makes it illegal to discriminate against a qualified person with a disability in the federal government.
- The Genetic Information Nondiscrimination Act of 2008 (GINA)- This law makes it illegal to discriminate against employees or applicants because of genetic information.

# Discrimination

These laws protect against employment discrimination when it involves:

- Unfair treatment because of your race, color, religion, sex (including gender identity, sexual orientation, and pregnancy), national origin, age (40 or older), disability or genetic information.
- Harassment by managers, co-workers, or others in your workplace, because of your race, color, religion, sex (including gender identity, sexual orientation, and pregnancy), national origin, age (40 or older), disability or genetic information.
- Denial of a reasonable workplace accommodation that you need because of your religious beliefs or disability.
- Retaliation because you complained about job discrimination, or assisted with a job discrimination investigation or lawsuit.

# Retaliation



Retaliation is:

- Treating someone differently because they engaged in protected activity.
- Saying or doing things that would dissuade a reasonable person from participating in the EEO process.

# Retaliation/Reprisal

An employer may not fire, demote, harass, or otherwise “retaliate” against an individual for:

- filing a complaint of discrimination,
- participating in a discrimination proceeding,
- and/or otherwise opposing discrimination.

# Retaliation/Reprisal

## EXAMPLE:

Depending on the facts, it could be retaliation if an employer acts because of the employee's EEO activity to:

- reprimand the employee or give a performance evaluation that is lower than it should be;
- transfer the employee to a less desirable position;
- engage in verbal or physical abuse;
- threaten to make, or actually make reports to authorities (such as reporting immigration status or contacting the police);
- increased scrutiny;
- spread false rumors, treat a family member negatively (for example, cancel a contract with the person's spouse); or
- make the person's work more difficult (for example, punishing an employee for an EEO complaint by purposefully changing his work schedule to conflict with family responsibilities).



# Prevention



- Training
- Accountability

# Why it Matters



An organization known for discriminatory and/or retaliatory behavior breeds fear and distrust amongst its workforce.



# **Alternative Dispute Resolution (ADR)**

# What is ADR

- Alternative Dispute Resolution (ADR) encompasses mediation, arbitration, facilitation, and other ways of resolving disputes focused on effective communication and negotiation, rather than using adversarial processes such as administrative procedure.
- Mediation is the preferred method



# What is ADR

- ADR is a preventive strategy for resolving workplace disputes at the lowest possible level.
- ADR approaches often involve a neutral third party who can assist disputing parties in resolving disagreements.
- ADR is most helpful in workplace conflict prevention and response programs at the point when a problem first surfaces: i.e., before an employee's conduct rises to a level of illegal discrimination or warrants disciplinary action.



# Attributes of ADR

- ADR minimizes cost and time
- ADR preserves relationships
- ADR is flexible--allows parties to maintain control of the process and outcome
- ADR is less disruptive
- ADR resolves disputes at the earliest stage and lowest level possible

# Why it Matters



Workplace conflicts that are not addressed only fester and get worse over time.

Conflict needs to be addressed immediately.



# Prevention of Harassment



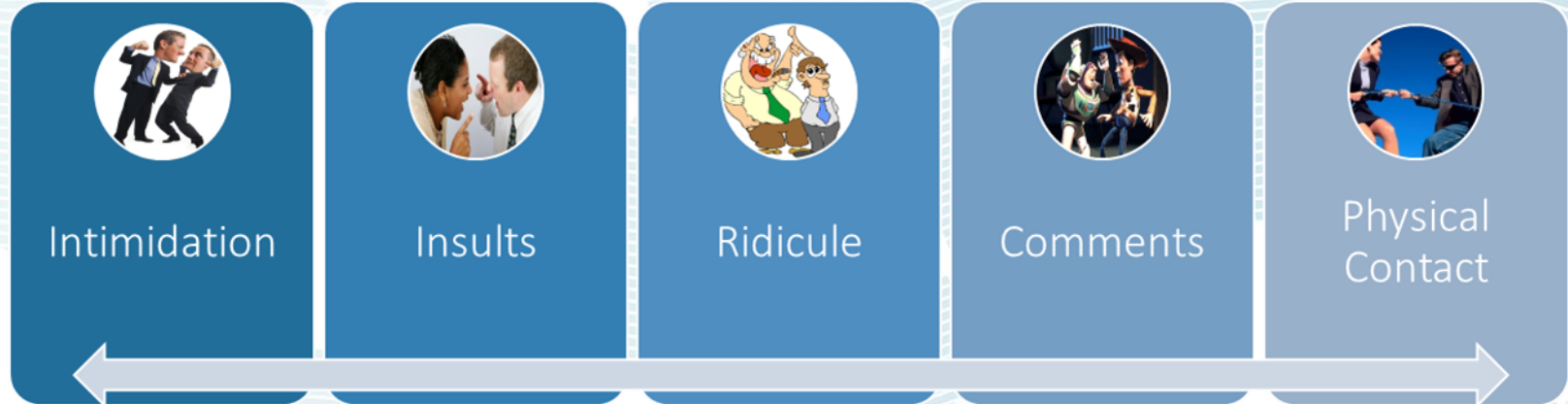
# Harassment



Harassment is a form of employment discrimination that violates Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, (ADEA), and the Americans with Disabilities Act of 1990, (ADA).

# Harassment

Harassment includes unwelcome:



When you add one of the protected groups:

<b>Race</b>	<b>Color</b>	<b>Religion</b>	<b>Sex</b>	<b>National Origin</b>
<b>Age</b>	<b>Disability</b>	<b>Sexual Orientation</b>	<b>Parental Status</b>	<b>Prior EEO Activity</b>

You now have discriminatory harassment

# Harassment

## Unlawful Harassment

A claim of workplace harassment is based on conduct that is so objectively offensive as to alter the conditions of the individual's employment and the harassment culminates in tangible employment action, or is sufficiently severe or pervasive as to create a hostile work environment.

# Harassment

## Effects of Harassment

Workplace harassment can produce a variety of harms – psychological, physical, occupational, and economic harms that can ruin an employee's life.



# Harassment

## Effects of Harassment

- Absenteeism
- Decreased productivity
- Manifestation of illness
- High turnover
- Increased accidents on the job
- Violence



# Prevention of Workplace Harassment

Select Task Force on the Study of Harassment in the Workplace report identified two main areas of focus for preventing harassment.

- Leadership
- Accountability

leadership and accountability – create an organization's culture

# Prevention of Workplace Harassment

All agencies should have a process for responding to allegations of harassment.

This should include procedures for:

- determining if harassment occurred,
- stopping harassment when found, and
- taking corrective action to prevent future incidents.

# Why it Matters



Early detection and resolution can prevent escalation of behaviors.

Threats, harassment, bullying, and other early signals of potential violence need to be dealt with immediately.





# Summary

- Discrimination & Retaliation**
- Alternative Dispute Resolution**
- Prevention of Harassment/Hostile Work Environment**



**Edie Brumskill**  
**Diversity & Equal Opportunity Office, DCSA**  
**EEO Program Manager, Capital Metro Area**  
**Building 600, Suite 360-09 10<sup>th</sup> Street**  
**Fort Meade, MD**  
**(301) 833-1231**



# NEW INSIDER THREAT TRAINING & AWARENESS PRODUCTS

- eLearning
  - InT 280 Cyber Insider Threat
  - InT 290 Behavioral Science in Insider Threat
- Case Studies
  - Harold Martin III
  - Kevin Patrick Mallory
- Job Aid
  - Insider Threat Essential Body of Knowledge – Deskside Reference
- Tool Kit
  - Insider Threat Program Kinetic Violence Self-Assessment: Lessons Learned from School Safety

# NEW VIGILANCE CAMPAIGN MATERIAL



InT Vigilance Video Series,  
Season 2

Episode 1: Organizational  
Trust

Episode 2: Indicators

Episode 3: If You See  
Something, Say Something

Episode 4: Outcomes

**VIEW MORE MATERIAL HERE:**

<https://www.cdse.edu/toolkits/insider/vigilance.html>

# **CDSE WANTS TO HEAR FROM YOU!**

**Insider Threat Training POC:**

**Steven D. Resel**

**(410) 689-1135**

**Email: [steven.d.resel.civ@mail.mil](mailto:steven.d.resel.civ@mail.mil)**