

**Department of the Army
Pamphlet 600-XX**

Personnel--General

**Relationships
Between Soldiers of
Different Rank**

This draft DA Pam contains hypothetical scenarios for training purposes only. The discussion following each hypothetical is not meant to represent the only correct answer, but to illustrate how relevant personnel should approach issues that may arise under the new Army policy. Readers are invited to submit comments on these hypothetical scenarios and to submit additional scenarios for possible inclusion in the final version of the Pam.

As a draft document, this document is subject to change.

**Headquarters
Department of the Army
Washington, DC
XX XXX XX**

UNCLASSIFIED

SUMMARY of CHANGES

PAM 600-XX

Relationships Between Soldiers of Different Rank

This revision

☒ Supplements AR 600-20, Army Command Policy.

☒ Provides examples of proper and improper relationships between soldiers of different rank.

* Incorporates recent changes in Army policy relating to good order and discipline.

PREFACE

Discipline is the soul of the Army. It makes small numbers formidable,
procures success to the weak, and esteem to all.

--George Washington

Soldiers of all ranks meet and associate with each other in many settings, both on and off duty. These meetings and associations foster the trust and confidence necessary for mission accomplishment. Soldiers associating with one another are governed in part by "rank" relationships, which are basic requirements for maintaining good order and discipline. How these relationships impact authority, discipline and morale is central to evaluating soldier relationships.

Historically, a relationship between two soldiers having a detrimental effect on the authority of the senior has generally been regarded as "fraternization." The Manual for Courts-Martial (1995), part IV, paragraph 83, defines the criminal offense of fraternization. These elements are required for the crime:

--commissioned or warrant officer.

--fraternization on terms of military equality with members known to be enlisted.

--fraternization must violate a custom of the Army.

--conduct must be prejudicial to good order and discipline or bring discredit on the armed forces.

The crime has been extended by court decisions. Fraternization between senior and junior enlisted or between senior and junior officers, when in a senior-subordinate relationship, is also chargeable as a violation of Article 134 of the Uniform Code of Military Justice when there is a violation of customs of the service and the conduct is prejudicial to good order and discipline or service discrediting.

The criminal offense of "fraternization" is different from a violation of the Army's regulatory policy regarding relationships between soldiers of different rank. Any relationship which diminishes or predictably will diminish the ability of the senior member to influence a subordinate (junior) through the exercise of leadership or command is an unacceptable relationship in military service. Such relationships are rarely criminal, although they can be if they violate Army custom by either prejudicing good order and discipline or discrediting the service.

Close, personal relationships are desirable and required to build cohesive units in the Army. Soldiers of all ranks must feel they belong to the "family." We want to build "the bond of all comrades" who can fight, win, and survive on the battlefield. Building the "family" requires caring for one another with a professional sensitivity. Positive personal relationships are marks of good, solid interaction between soldiers of different rank. The Army needs professional, caring interactions because they build vertical bonds which tie leaders and followers. The leader must be counted on to use good judgment, experience, and discretion to draw the line between relationships which are "destructive" and those which are "constructive."

Personnel-General

Relationships Between Soldiers of Different Rank

History. This printing revises an existing pamphlet.

Summary. This pamphlet provides guidance and examples about relationships between soldiers of different rank in the United States Army. It implements the policy contained in AR 600-20, paragraphs 4-14 through 4-16.

Applicability. This pamphlet applies to the Active Army, members of the Army Reserve while on active duty and inactive duty for training, and members of the Army National Guard of the United States only when in Federal Service (Section 802(a)(3), title 10, United States Code). Examples of Federal service are Active Guard/Reserve duty, Overseas Deployment Training, or training conducted out-of-state. Procedures in this pamphlet are not modified during mobilization.

Proponent and exceptions. The proponent of this pamphlet is the Deputy Chief of Staff for Personnel. The proponent has the authority to

approve exceptions to this pamphlet that are consistent with controlling law and regulation. Proponents may delegate this authority, in writing, to a division chief under their supervision within the proponent agency who holds the grade of colonel or the civilian equivalent.

Suggested improvements. The proponent agency of this pamphlet is the Office of the Deputy Chief of Staff for Personnel. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to HQDA (DAPE-HR-L), WASH DC 20310-0300.

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Chapter 1

Introduction

1-1 Purpose

This pamphlet explains the policy on soldier relationships contained in AR 600-20, paragraphs 4-14 through 4-16. It provides examples to help soldiers, commanders, and Army civilians understand Army custom and regulation on relationships between members of different rank.

1-2 References

Required and related publications are listed in appendix A.

1-3 Explanation of abbreviations and terms

Abbreviations and special terms used in this pamphlet are explained in the glossary.

1-4 Historical perspective

a. Leaders always have judged soldier relationships with the assistance of the customs and traditions of the Service. The military custom on fraternization forbade undue familiarity between officers and enlisted soldiers. It was said, "familiarity breeds contempt." While certain relationships--gambling with, drinking with, or borrowing money from enlisted soldiers--were specifically forbidden, most relationships were judged by the effects of the relationship. Custom protected the officer from situations where undue familiarity would undermine command authority and thereby threaten the good order, morale, or discipline of the unit. It also protected the enlisted soldier from unprincipled officers who might take advantage of rank and position. The custom regarding fraternization has always been primarily directed at officer-enlisted relationships.

b. The custom against undue familiarity was based on class distinctions, as well as discipline, since officers in theory came mostly from the "upper class." World War II had a profound impact on the officer corps of the Army. The wartime officer corps was much more representative of the total population than was the pre-war corps. While officers and enlisted soldiers still did not associate together in mutual social activities, rank distinctions no longer brought to mind class distinctions. The custom also changed slightly during the conflicts in Korea and Vietnam. The following two major aspects remained:

(1) The major focus on officer-enlisted relationships.

(2) The concept that officers and enlisted soldiers should not associate on a basis of military equality, thereby adversely affecting good order and military discipline.

c. It is difficult to predict which relationships--strong friendships, parent-child, sibling, career, business--can create adverse effects. Many judgments are "after the fact" and are "in the eye of the professional," since they judge the results of the relationships and not the relationships themselves. This does not mean the commander needs to wait until something happens in order to act on a relationship. Professional soldiers consider some relationships, like social relationships in a training environment or involving the chain of command, as having so much potential for abuse or having such a damaging effect on morale or discipline that these are consistently held to be improper.

d. Our custom acknowledges that leadership and obedience are founded in sincere, deeply held emotional bonds. Leaders affectionately care for their soldiers, and soldiers hold deep, caring affection for their leaders. Building these emotional ties is a mark of good leadership. Neither leader nor follower ought to act in ways which corrupt or abuse these bonds.

1-5 Good judgment and problem situations

a. Army policy in AR 600-20 is directed at all relationships between soldiers of different rank which might result in an impropriety. A special confidence and trust is placed in our officers and noncommissioned officers which must be honored, lest the very core of good order dissolve. Soldiers must remain aware that relationships between soldiers of different rank may lead to perceptions of favoritism or influence. The appearance of impropriety can be as damaging to morale and discipline as actual misconduct.

b. The policy focuses on managing our relationships to promote the health and welfare of all concerned and maintain good order, morale, and discipline. Proper leadership means exercising care to not discriminate because of race, color, religion, gender, or national origin. Our relationships should provide the help and care necessary to build the loyalties and friendships which establish strong military communities. They must also build and maintain the structures necessary to accomplish the Army mission.

c. The authority or influence one soldier has over another is central to any discussion of the propriety of

a particular relationship between soldiers of different rank. Abuse of authority and appearance of partiality are the major sources of problems. Limiting the potential for actual or perceived abuse of authority or partiality is a primary purpose of the policy on relationships.

Chapter 2

Examples of proper and improper relationships

2-1 General

The following examples illustrate the issues and standards involved in Army regulatory policy.

2-2 Commander - staff officer

a. LTC Thomas, a single male battalion commander, identified 2LT Adams, a junior, single female on his staff, as an outstanding officer with much potential. He took pains to counsel her individually on her career progression, assigned her separate significant tasks, and advised her rater that he considered her particularly talented. At battalion social events, he always singled her out for discussions to the exclusion of other officers. He frequently invited her to attend staff meetings at brigade and division levels with him, although he did that for no other lieutenant. Junior male and female officers within the battalion hinted at a sexual relationship (although that was, in fact, not true). In general, junior officer morale was low because of the perceived unequal treatment.

b. This relationship clearly caused a perception of partiality or favoritism, adversely affecting morale as prohibited by AR 600-20, para. 4-14b(2). Commanders at all levels must be particularly careful in their relationships with subordinates, both male and female. This is especially true in relationships with members in the same chain of command or supervision. In this instance, LTC Thomas exercised poor judgment by establishing such a relationship with 2LT Adams. He should be counseled and directed to take corrective action.

c. What assessment could be made if 2LT Adams were a male officer and other junior officers hinted at a favoritism relationship? Favoritism may appear more evident in male-female relationships because of the possibility of sexual favors. However, favoritism is independent of the gender of either party. Equity and impartiality are key criteria in differentiating between favoritism, mentoring and normal development of subordinates.

d. Change the facts once again. What assessment would be made if LTC Thomas established such a relationship with two of six officers? Suppose he offered special mentoring opportunities to all, but only two maintained a commitment? LTC Thomas, by offering assistance to all, is not at fault if only two junior officers continue to participate in a close mentoring relationship.

2-3 Staff officer - staff officer

a. COL Murphy, a single male installation headquarters staff officer, has been a widower for 3 years. At a hail and farewell, he met CPT Brennan, a single female officer in the headquarters. She does not work under his supervision. They have dated for the past 3 months. Last weekend was a special one for them, the first free weekend COL Murphy and CPT Brennan had enjoyed since they met. They rented separate cottages at the beach. Unfortunately, due to another officer's sudden illness, CPT Brennan found she was the weekend duty officer at the last minute. COL Murphy called his friend, the Secretary of the General Staff (SGS), and prevailed upon his friendship to find another officer to replace CPT Brennan. COL Murphy and CPT Brennan then spent the weekend relaxing and having serious discussions about their future.

b. This is preferential treatment arising from the relationship between COL Murphy and CPT Brennan. Such preference is forbidden. While there is nothing wrong with their dating, taking advantage of his position to obtain CPT Brennan's release from duty is an example of wrongful activity by COL Murphy. He should be counseled as a minimum action. AR 600-20, para 4-14(b)(3) prohibits the improper use of rank or position for personal gain.

c. What happens if COL Murphy calls the SGS to find another officer to replace CPT Brennan, a male officer whose child is a close friend of COL Murphy's daughter? Taking advantage of his position in this manner is equally improper.

2-4 Noncommissioned officer - junior enlisted soldier

a. SGT Brown was promoted ahead of his unit contemporaries based on his outstanding performance of duty and demonstrated leadership. Since he was married and living off post, his promotion did not result in his moving into noncommissioned officer billets. He was already filling a fire team leader position in his squad so he was not moved to a new position. In fact, SGT Brown saw little change in his status or responsibilities as a result of his promotion. He and his wife continued to socialize with his unit

friends who were still PFCs and SPCs. SGT Brown and his wife frequently invited them to weekend parties at their home so they could get away from the troop billets and have a good time. When CPT Fox, the company commander, learned that SGT Brown was continuing to socialize with his subordinates, he called SGT Brown in for a counseling session. He warned SGT Brown such relationships could undermine unit discipline. CPT Fox further stressed the need to avoid actual or perceived favoritism, partiality, preferential treatment, and exploitation.

b. There is nothing inherently wrong with social relationships among enlisted soldiers of different rank. However, in this case, SGT Brown continued to act as an equal in rank to some of the soldiers in the unit. The commander firmly stressed to SGT Brown that his new rank carried with it different responsibilities and authority. He was encouraged to view his relationships with his friends in light of any actual or perceived advantage to them. If his familiarity with his friends is perceived as favoritism, it could undermine his authority and even erode discipline in his unit.

c. SGT Brown should know the power of positive personal relationships to foster respect and cohesion. If his peers who are now junior in rank acknowledge his leadership as much as the seniors who promoted him, he is fostering and encouraging teamwork and bonding. SGT Brown, the chain of command, and his peer group need to discuss how to handle the change his new rank makes in their relationships. And open discussion will contribute to increased understanding, thereby creating the climate of proper relationships between soldiers of different ranks.

2-5 Platoon sergeant - enlisted soldier

a. SFC Reed, a single male platoon sergeant of the 1st Platoon, A Company, is dating PFC Adams, a single female in B Company. Both are in the same battalion. Their relationship is common knowledge in both companies, since they eat their lunches together and walk hand-in-hand while in uniform. Although both characterize their relationship as serious, marriage has not been discussed. Both company commanders are aware of the relationship and do not believe it adversely affects their units.

b. SFC Reed and PFC Adams should be counseled by their respective unit commanders concerning their relationship. They must be made aware that perceptions of unequal treatment are likely. Hand-holding between soldiers in uniform while in public is inappropriate. Further, SFC Reed must be vigilant that he takes no action which causes, could be

perceived as causing, or even remotely suggests special treatment for PFC Adams.

2-6 Enlisted soldier - NCO supervisor

a. SPC Gibson, a single female clerk, has been taking evening classes in computers and word processing. She was aware a good job was coming open in the headquarters. She wanted the job and needed a firm recommendation. Her current supervisor was acquainted with the officer who would make the selection. One night after work, SPC Gibson asked her supervisor if he would like to go someplace for a drink. During the next week they met a few times after work and he agreed to write a letter recommending her for the job. She was overheard bragging to a friend about using her good looks to get the job. The LTC who overheard the conversation called her in for counseling. She admitted she had fostered a personal relationship to secure the recommendation.

b. Impropriety can result from the actions of a subordinate in a social relationship. When the social relationship is used for personal, work-related gain, the relationship is improper. In this case, it would be appropriate to recommend SPC Gibson not be considered for the job, that she be transferred, and her supervisor be counseled.

2-7 Drill sergeant - IET trainees

a. SFC Frost, a male drill sergeant, invited several male trainees to his house over the weekend to watch football on television. While there, the trainees drank beer and watched television. As SFC Frost was in the process of painting his house, he asked if they would help. They all did so. Upon returning to the barracks that night, the trainees joked about their new friend, SFC Frost. One of the trainees said, "We paid a small price for easy treatment for the rest of the basic training period -- we just painted his house. Of course, we had no real choice."

b. Any training situation requires special consideration and, normally, the command issues local regulations or policy letters. AR 600-20, paragraph 4-15 prohibits relationships between trainees and permanent party personnel (including cadre) except those relationships required by the training mission. In addition, virtually every U.S. Army Training and Doctrine Command (TRADOC) installation with training requirements has regulations prohibiting anything but duty interaction between trainees and permanent staff. In this situation, SFC Frost violated the regulation when he invited the trainees to his house. He compounded the error by asking them to paint his house, an act which clearly

took improper advantage of both his rank and position. Adverse action (including Uniform Code of Military Justice (UCMJ) options) against SFC Frost may be appropriate. While counseling may be the most appropriate initial response to an inappropriate relationship, commanders must determine the appropriate response based on the particular circumstances in each case. AR 600-20, para 4-14f, lists a wide range of potential responses to inappropriate relationships.

2-8 Officer - Trainee (Family Relationships)

a. COL Smith's son, PVT Smith, is in basic training. Does the current policy have any impact on their relationship while PVT Smith is in training?

b. AR 600-20, paragraph 4-15 prohibits any relationship between permanent party personnel and IET trainees not required by the training mission. Although this could be interpreted so as to prohibit any contact between COL Smith and his son while his son is in basic training, the intent of the policy is not to disrupt existing family relationships. At the same time, officer/enlisted family members are expected to maintain the traditional respect and decorum attending the official military relationship between them while either is on duty or in public.

2-9 First Sergeant - enlisted soldier (Army Reserve and Army National Guard)

a. 1SG Hamilton and SSG Barbie are members of the same USAR troop program unit. In their civilian employment they work for the same company and are good friends. Their company commander has received several complaints that 1SG Hamilton is giving SSG Barbie preferential treatment. Investigation has satisfied the commander that there is truth to the allegation.

b. The company commander should counsel the 1SG to ensure immediate correction, and decide whether administrative action is necessary. Although SSG Barbie is not the senior NCO, he is a military leader and should be counseled/educated on the proper relationship between soldiers of different ranks. It is very difficult and perhaps even awkward for reservists who work side-by-side 5 days a week in a civilian job to reverse roles and adhere to a more rigid military regimen for 1 weekend a month and two weeks in the summer. Reservists must maintain the balance between the civilian and military environment and must always be sensitive to what is expected of them.

2-10 Officer - enlisted soldier (Dating)

a. Prior to 2 March 1999, 1LT Baker, a single female, met SSG Young, a single male, at an off-post bar. They started dating. On the second date, each found that the other was in the military and stationed at Fort B. 1LT Baker was in the division headquarters while SSG Young was in the corps headquarters. Neither is in a position to influence the career or duty assignments – current or future – of the other. The relationship appears to comply with the old Army policy on relationships between soldiers of different ranks. However, both 1LT Baker and SSG Young are now aware that, on 1 March 2000, their officer/enlisted dating relationship will be forbidden by the new policy (AR 600-20, para 4-14c(2)). What are their options?

b. They must do something about the relationship before 1 March 2000. They could, of course, terminate their relationship. Alternatively, they could marry each other before 1 March 2000. If they are married, they may then continue their military careers after 1 March 2000. If they decide that they do not want to terminate their relationship, and they do not want to marry, then they will be in violation of the policy after 1 March 2000. Separation from the military of at least one of these soldiers may be required.

c. It is now 2 October 1999. LTC Barnes, 1LT Baker's battalion commander, observes 1LT Baker and SSG Young dating. What should LTC Barnes do?

d. Unless he has evidence to the contrary, LTC Barnes need not assume that the relationship began after the effective date of the policy; however, LTC Barnes should ensure that both soldiers are counseled on the new policy and how it may apply to their relationship after 1 March, 2000. Even though this particular relationship predates the effective date of the policy, both 1LT Baker and SSG Young should be counseled that they are expected to maintain the traditional respect and decorum attending the official military relationship between them while either is on duty or in public.

e. Assume it is now April 2000. 1LT Baker and SSG Young did not marry and, contrary to Army policy, continued dating past 1 March 2000. LTC Barnes observes them dating. What should LTC Barnes do?

f. The dating relationship is a violation of AR 600-20, para. 4-14c(2). The battalion commander has a responsibility to enforce the policy, including, if necessary, taking action against those who violate it.

Commanders have a wide range of responses available (AR 600-20, para 4-14f), including counseling, reprimand, order to cease, reassignment, or other adverse action, including separation of one or both of the parties and/or UCMJ action.

Commanders must carefully consider all of the facts and circumstances in reaching a disposition that is warranted, appropriate, and fair. Generally, the commander should take the minimum action necessary to ensure that the relationship ends, that the needs of good order and discipline are satisfied, and, if necessary, that other soldiers are deterred from entering into similar prohibited relationships. Facts that might be relevant to the commander include the nature of the relationship, how long it has been in existence, how much warning the parties had about the new policy, and the specific ranks and maturity levels of the individuals concerned. Duty performance may also be relevant. In any event, the command is responsible for ensuring that the prohibited relationship does not continue.

g. What if 1LT Baker was actually CDR Smith, on active duty with the Navy. Would that change anything?

h. No. The policy on unprofessional relationships between officer and enlisted is the same for all Services. Thus, a prohibited relationship between an Army officer and an Army enlisted soldier would still be prohibited if between a Navy officer and Army enlisted soldier.

2-11 Officer - enlisted (Social)

a. What impact does the new policy (AR 600-20, para 4-14c) on officer-enlisted relationships have on attending events at the installation community club, such as “right arm nights”? Will an enlisted soldier get into trouble for talking to someone at the club who he later learns is an officer?

b. Common sense should guide every application of the policy on relationships between soldiers of different rank. Not all contact or association between officers and enlisted persons violates the policy on prohibited officer-enlisted relationships. For example, right-arm nights, in which a commander might take his or her senior enlisted member to the community club to socialize over drinks would not be a violation, since this traditional activity reasonably comes within the realm of unit-based social functions and team building. Similarly, leadership professional development meetings attended together by officer and enlisted personnel at a community club would be an appropriate unit function. In contrast, officers who socialize with enlisted soldiers at the community

club outside the context of unit based functions or general community activities are likely to be found in violation of the policy.

Mere presence of both officers and enlisted personnel at the community club, in which they may exchange greetings and engage in discussion with each other, does not by itself give rise to a policy violation. Individuals must “knowingly” violate the policy. There is no duty for soldiers who do not know each other to ask each other their rank simply because they have a chance encounter at the club while in civilian attire. However, once individuals are aware of the each other’s rank, soldiers must comply with the new policy.

2-12 Officer - enlisted (Community Activity)

a. Issue. 1LT John Smith and SSG Lisa Jones live in the same neighborhood off-post. They both belong to the neighborhood housing association, which makes decisions about common area maintenance and other related issues. 1LT Smith and SSG Jones work closely together on the association, and have become fairly good friends. Are there problems with this arrangement?

b. AR 600-20, paragraph 4-14d allows associations between officers and enlisted soldiers that occur in the context of community organizations. The association between 1LT Smith and SSG Jones, if restricted to activities related to the neighborhood association, would not be prohibited. These activities would include both planning meetings and group social activities (e.g., block party or picnic) that relate to the neighborhood. However, social activities not related to the neighborhood association, and not otherwise permitted by the policy are prohibited. The same type of analysis would apply to relationships related to other community activities, e.g., little-league coach and assistant coach, Boy Scout troop leader and assistant leader. However, even where the association itself is allowed, both parties must be aware of and continue to observe proper military customs and courtesies. For example, SSG Jones should address 1LT Smith by rank, not first name.

c. What if 1LT Smith and SSG Jones are in the same rating chain?

d. AR 600-20, paragraph 4-14b, which is essentially unchanged from the previous Army policy on unprofessional relationships, prohibits relationships between soldiers of different rank which:

(1) Compromise, or appear to compromise, the integrity of supervisory authority or the chain of command.

(2) Cause actual or perceived partiality or unfairness.

(3) Involve, or appear to involve, the improper use of rank or position for personal gain.

(4) Are, or are perceived to be, exploitative or coercive in nature.

(5) Create an actual or clearly predictable adverse impact on discipline, authority, morale, or the ability of the command to accomplish its mission.

The relationships between 1LT Smith and SSG Jones may be perceived by other soldiers in the organization as unfair. The commander should look closely at all the facts and circumstances to determine whether some action is appropriate.

2-13 Officer - enlisted (Athletic Activities)

a. CPT Sprint and PFC Racer are members of the installation Army ten miler team. During the trip to Washington, DC, may the team members go out together to a restaurant?

b. Associations between officer and enlisted that occur in the context of athletic teams and events are permitted. CPT Sprint and PFC Racer's going to a restaurant together is reasonably related to the team's participation in the Army ten-miler. A post-event party for team members would also be permitted.

2-14 Staff officer - enlisted soldier (Athletic Activity)

a. MAJ Robinson, executive officer of the 1st Battalion, organized a brigade softball team to play in a local league. He sought and obtained the brigade commander's approval to form the team since they were using the brigade's "Blue Devils" nickname as a team name. No other brigade support or sponsorship was requested as league games were played evenings and weekends to avoid conflict with duty hours. PFC Miller from B Company, 2d Battalion was known all over post as an outstanding softball pitcher. His playing with the Blue Devils made the team a solid contender in any league. PFC Miller participated eagerly on the team, as he knew he could carry the Blue Devils to a winning season. Besides, he knew MAJ Robinson held an influential position in the brigade if he ever needed a favor. When B

Company was tasked on short notice to support U.S. Army Reserve (USAR) and Army National Guard training, MAJ Robinson went to the 2d Battalion executive officer and got PFC Miller pulled off the troop list to stay in the rear detachment. Soldiers in B Company complained to the post inspector general who promptly notified the brigade commander.

b. Joint participation by officer and enlisted personnel in a local softball league is authorized under AR 600-20, para 4-14d. However, in this instance, MAJ Robinson exercised poor judgment by using his position and rank to influence personnel actions for a subordinate. While it was not a chain of command relationship, it clearly caused a perception of partiality adversely affecting morale. MAJ Robinson should be counseled, at least.

2-15 Officer - enlisted (Religious)

a. Major Jackson and Specialist Judd are assigned to different units on post, but belong to the same church. Major Jackson hosts a weekly Bible study group at his house, which Specialist B attends. In addition, the church hosts monthly pot luck dinners, and has other occasional social activities for parishioners. May Specialist Judd and Major Jackson participate in these activities together?

b. Yes. Associations between officer and enlisted that occur in the context of religious activities are permitted. However, they must be careful to limit their association to church-sponsored or church-related activities.

2-16 Battalion Commander - Sergeant Major (Unit Function)

a. The battalion commander and his sergeant major play golf together one Sunday a month. Is this allowed under the new policy?

b. Yes. While intimate relationships between officer and enlisted personnel are prohibited (Para 4-14c(2)), team-building associations are exempt from this prohibition (Para 4-14d). The relationship between a commander and his Command Sergeant Major is a unique relationship that is key to the proper functioning of the battalion. An occasional team-building activity involving only the commander and his CSM, or a commander and his first sergeant, is permissible, even if the activity also has social overtones. However, a duty relationship must be maintained during such associations - no treatment on terms of military equality is permitted. Also, relationships between soldiers of different rank that cause actual or perceived partiality or unfairness are prohibited (Para. 4-14b(2)). Thus, shared off-duty

activities that occur on a frequent or recurring basis, and involve one favored subordinate or the same favored group of subordinates at the expense of their peers, can be indicative of partiality or unfairness. An example of prohibited conduct might be a first sergeant who plays golf on a regular basis with one platoon sergeant, but does not include the other platoon sergeants, nor does he invite them to accompany him in any similar activity.

2-17 Officer - enlisted (Family Support Group)

a. B Company has a very active Family Support Group (FSG). The FSG includes the spouses of both enlisted and officer personnel. Does the policy on improper superior/subordinate relationships place any significant limitations on the FSG and its activities?

b. Associations between officer and enlisted, or the families of officer and enlisted, that occur in the context of a unit-based FSG are permitted. Thus, attendance by officers and enlisted at FSG meetings and social gatherings would not be prohibited. Social gatherings between individual officer and enlisted military members unrelated to the purpose of the FSG would be prohibited.

2-18 Officer - enlisted (Business)

a. An officer's wife has a business selling Mary Kay cosmetics and Longaberger baskets. Can she operate it with the spouse of an enlisted soldier?

b. The wife's business is not subject to the new Army policy, provided that it is truly her business, i.e., that the officer has NO connection with the business. Regarding whether the wife may have enlisted soldiers or spouses of enlisted soldiers as business partners or customers, the officer and his wife must always be sensitive to the perception by enlisted members of his unit that the business association may give rise to actual or perceived preferential treatment. The officer must also be aware of any perception by unit members that they are expected to make a purchase from his wife. The officer should consult the Joint Ethics Regulation and his ethics counselor for detailed guidance on applicable restrictions.

2-19 Officer - enlisted (Married, business)

a. An officer and an enlisted soldier have been married for two years. Subsequent to 2 March 1999, they decide to buy a house. They will both need to sign the loan application. Is this a violation of the prohibition against on-going business relationships between officer and enlisted?

b. No. Army policy was not intended to prohibit normal joint financial transactions that a husband and wife might enter into, such as a house purchase.

2-20 Officer - enlisted (Gambling)

a. Issue. The installation golf course hosts a weekly golf "scramble." As part of this activity, participants pay a \$10 entry fee, and the winning scramble team keeps the money. The participants are randomly assigned to foursomes. As a result, officers are often in the same foursome with enlisted soldiers. Is the "scramble" under its current form allowed to continue? Is this unlawful gambling or socializing between officer and enlisted?

b. Activities of this type present complex legal issues and should be the subject of consultation with local legal advisors. Army policy allows associations between officer and enlisted that occur in the context of athletic and community events. Since the golf scramble is an organized community activity, sponsored by the installation golf course, officer and enlisted participation is allowed. However, soldiers should always consult local laws and pertinent DoD and Army regulations when determining whether an activity constitutes "gambling." Note that the Joint Ethics Regulation prohibits certain gambling by DoD employees while on duty or on federally owned or leased property. Also, the answer to this scenario could be very different if the weekly scramble is not hosted by the installation or by an authorized private organization, but is an informal arrangement in which both officers and enlisted personnel participate.

2-21 Officer - enlisted (Gambling)

a. A long-standing practice in the division is to have a weekly poker game involving members of the division staff. Both officer and enlisted participate, although care is taken so that people in the same rating chain do not play together. In addition, division members usually enter into pools related to sporting events (NCAA Basketball Tournament, Fantasy Football) involving members of the division staff. Both officer and enlisted participate. Is this a problem?

b. Like the example of the golf scramble, this scenario can require complex analysis. Army policy prohibits gambling between officer and enlisted. In addition, state laws may prohibit gambling in general or certain types of gambling, regardless of who participates. Further, the Joint Ethics Regulation prohibits certain gambling by DoD employees while on duty or on federally owned or leased property. Soldiers must be aware of both Army policy and applicable state law restrictions. Assuming the

activities in this scenario do not violate the JER or state or local law, officers may participate in poker games or pools only with other officers, and enlisted may participate only with other enlisted.

2-22 Officer - enlisted (Married - gambling)

a. CPT Jones and her spouse, SGT Jones, were married at the time the new policy went into effect. Can they buy a lottery ticket together; go off to Atlantic City or Las Vegas and gamble together; or even participate together in the local church's bingo games?

b. The policy prohibits gambling between officers and enlisted personnel, and could be interpreted to prohibit gambling with one's spouse. However, the intent of the policy is not to disrupt typical family activities. In this case, since CPT Jones and SGT Jones are married, the cited activities are permissible. CPT Jones and Sergeant Jones must, of course, maintain proper decorum while in uniform and while in public.

2-23 Officer - enlisted (Army Reserve and Army National Guard)

a. CPT John Smith and SSG Mary Clark, both Army Reserve soldiers, are in the same troop program unit (TPU). They are not in the same rating chain and have no official relationship as far as duties or positions are concerned. They have spoken on occasion during drill. They recognize each other at the mall, strike up a conversation, and subsequently begin dating on a regular basis. You are the battalion commander. Someone tells you they saw the two at a restaurant. Is there a violation of the new policy?

b. No. Although the two individuals first met each other through the unit, their relationship exists primarily due to a civilian acquaintanceship. They are therefore covered by the Reserve exception in para 4-14c(2)(D). The prohibition against dating does not apply to them.

c. Four months later, as their civilian relationship has grown, CPT Smith requests that SSG Clark be transferred to his section because his SFC NCOIC left the unit. CPT Smith will be SSG Clark's OIC. Although there are other SFCs in the unit, CPT Smith contends that SSG Clark is better qualified. He also asserts that by working in the SFC position, SSG Clark will enhance her chances for promotion. One of the unit's existing SFCs wants the position and complains to you, the battalion commander. What action do you take?

d. You disapprove the transfer because it would be improper and violate the policy. It would raise an appearance of impropriety by likely compromising the integrity of the supervisory authority, would cause actual or perceived partiality or unfairness, and would create a clearly predictable adverse impact on discipline, authority, and morale in the section. CPT Smith should be counseled on the requirements of both the new policy, and the Joint Ethics Regulation.

2-24 Officer - enlisted (Active Guard and Reserve)

a. An active duty captain in the Active Guard and Reserve (AGR) program initiates a personal dating relationship with a Reserve Component troop program unit PFC who works with him in the same Reserve Center, but in another unit. He does not supervise her. Does he have an improper relationship?

b. Yes, the relationship is a violation of the policy. The Army Reserve exception to the prohibition on relationships between officer and enlisted personnel does not apply to Reserve Component members on active duty (other than annual training).

2-25 Officer - enlisted (Promotion into non-compliance)

a. SSG Rogers and SGT Thomas have been dating for some time. In April, 2000, SGT Thomas is selected for OCS. May SSG Rogers and SGT Thomas continue their dating relationship?

b. Generally, dating relationships between officers and enlisted are prohibited by AR 600-20, para. 4-14c(2). Prior to the date of commissioning, then, SSG Rogers and SGT Thomas must terminate their dating relationship. Alternatively, if SSG Rogers and SGT Thomas marry before commissioning, their relationship may continue after commissioning. The policy prohibiting social relationships between officer and enlisted personnel will not affect any married couple where one or both of the parties wishes to subsequently advance his or her military career. So, for example, para. 4-14c(2)(c) would also allow a civilian spouse of an enlisted soldier to become an officer; or a civilian spouse of an officer to enlist.

2-26 Staff officer - Army civilian

a. COL Lindsay, a single male, supervises a large staff section. His staff section has a mix of military and civilian personnel. During his tenure as section chief, COL Lindsay met and established an intimate, personal relationship with Miss Martin, a single female civilian secretary who works in the staff

section. COL Lindsay is the senior rater of Miss Martin's immediate supervisor. COL Lindsay has never attempted to use his authority over Miss Martin's supervisor to her benefit. However, members of the staff section have seen COL Lindsay and Miss Martin walking hand-in-hand or talking intimately, while on break during the workday. One of the staff section members complained to COL Lindsay's supervisor about the relationship.

b. COL Lindsay's relationship with Miss Martin is not a violation of AR 600-20 because the relationship is not between soldiers of different rank. However, the problems which AR 600-20 is intended to prevent can also arise in this type of supervisor-subordinate relationship. There is a significant risk that other members of COL Lindsay's staff will believe Miss Martin receives preferential treatment because of her relationship with COL Lindsay. This perception, even if unfounded, can reasonably be expected to have a detrimental effect on the morale and efficiency of the staff section. As a leader, COL

Lindsay needs to be sensitive to these issues and avoid them. COL Lindsay's supervisor should counsel COL Lindsay and inform him that, although AR 600-20 does not apply to this situation, the intent and other regulations do apply. COL Lindsay should be advised to maintain a professional relationship during duty hours with all office staff personnel.

c. What if COL Lindsay were Mr. McDonald, a civilian supervisor? The fact the staff section chief was a civilian instead of a soldier does not change his responsibility to use good judgment. It is just as important that Mr. McDonald avoid conduct which can reasonably be expected to damage the morale and efficiency of the section. The critical issue in these situations is whether the conduct in question results in preferential treatment or can reasonably be expected to create the appearance of preferential treatment.

Appendix References

Section I Required Publications

AR 600-20

Army Command Policy. (Cited in paras 1-1, 1-4, 1-5, 2-5b, 2-9, 2-12 and 2-14b.)

Manual for Courts-Martial, United States, 1995 edition.

Section II Referenced Publications

DA Pamphlet 600-2

The Armed Forces Officer

FM 22-100

Military Leadership

FM 22-600-20

The Army Noncommissioned Officer Guide

Section III Prescribed Forms

This section contains no entries.

Section IV Referenced Forms

This section contains no entries.

Glossary
Section I
Abbreviations

APFT

Army Physical Fitness Test

AR

Army Regulation

ARNG

Army National Guard

CPT

Captain

COL

Colonel

DA

Department of the Army

EM

Enlisted Member

FM

Field Manual

HQDA LTR

Headquarters Department of the Army Letter

IADT

(Reserve Component) Inactive Duty for Training

LTC

Lieutenant Colonel

MAJ

Major

NCO

Noncommissioned officer

PFC

Private First Class

PVT

Private

PX

Post Exchange

SFC

Sergeant First Class

SGS

Secretary General Staff

SGT

Sergeant

SPC

Specialist

TRADOC

U.S. Army Training and Doctrine Command

UCMJ

Uniform Code of Military Justice

USAR

U.S. Army Reserve

1LT

First Lieutenant

2LT

Second Lieutenant

1SG

First Sergeant

Section II
Terms

Custom

A frequent or usual method of procedure or mode of conduct or behavior. Arises out of long established practice which by common usage has attained force of law in the military or other community. May not be contrary to existing law or regulation. A custom which has not been adopted by statute or regulation ceases to exist when its observance has been generally abandoned.

Relationships Between Soldiers of Different Rank

Any relationships between soldiers of different rank, some of which may be improper. Commanders must be able to determine those relationships which involve or give the appearance of partiality, preferential treatment, or the improper use of rank or position for personal gain. Such relationships are prejudicial to good order, discipline and morale.

Section III

Special abbreviations and terms

This section contains no entries.