



DEPARTMENT OF THE NAVY

NAVAL WEAPONS STATION YORKTOWN

P.O. DRAWER 160

YORKTOWN, VA 23691-0160

WPNSTA YORKTOWNINST 5370.1A

01

31 Mar 03

NAVAL WEAPONS STATION YORKTOWN INSTRUCTION 5370.1A

Subj: FRATERNIZATION POLICY

Ref: (a) OPNAVINST 5370.2B
(b) U.S. Navy Regulations, 1990
(c) SECNAVINST 5300.26B

1. Purpose. To amplify Naval Weapons Station Yorktown (WPNSTA Yorktown) fraternization policy.

2. Cancellation. WPNSTA YORKTOWNINST 5370.1

3. Policy. Personal relationships between officer and enlisted members that are unduly familiar and that do not respect differences in rank and grade are prohibited and violate long-standing customs and traditions of the naval services. Similar relationships that are unduly familiar between officers or between enlisted members of different rank or grade may also be prejudicial to good order and discipline or of a nature to bring discredit on the naval service are prohibited as per reference (a). Administrative and disciplinary action will be taken to correct inappropriate behavior. Violation of this instruction or Article 1165 will result in disciplinary action under the Uniform Code of Military Justice (UCMJ) (reference (b)).

4. Background/Discussion

a. "Fraternization" is the term traditionally used to identify personal relationships that contravene the customary bounds of acceptable senior-subordinate relationships. Although it has most commonly been applied to officer-enlisted relationships, fraternization also includes improper relationships and social interaction between officer members as well as between enlisted members.

b. This instruction discusses only fraternization. Other forms of impermissible conduct, such as sexual harassment are addressed in reference (c).

5. Prohibited Relationships. When prejudicial to good order or of a nature to bring discredit on the naval service, personal relationships between officer members or between enlisted

31 Mar 03

members that are unduly familiar and that do not respect differences in grade or rank are prohibited. Prejudice to good order and discipline or discredit to the naval service may result from, but are not limited to, circumstances which:

- a. Call into question a senior's objectivity;
- b. Result in actual or apparent preferential treatment;
- c. Undermine the authority of a senior; or
- d. Compromise the chain of command.

6. Discussion

a. Fraternalization, as defined in paragraph 4, is prohibited and punishable as an offense under the UCMJ.

b. It is impossible to set forth every act that may be prejudicial to good order and discipline or that is service discrediting because the surrounding circumstances often determine whether the conduct in question is inappropriate. Proper social interaction and appropriate personal relationships are an important part of unit morale and esprit de corps. Officer and enlisted participation on command-sponsored events intended to build unit morale and camaraderie are healthy and clearly appropriate. Dating, shared living accommodations, intimate or sexual relations, commercial solicitations, private business partnerships, gambling and borrowing money between officers and enlisted members, are unduly familiar and are prohibited. Likewise, such conduct between officer members and between enlisted members of different rank or grade would be unduly familiar and constitute fraternization if the conduct is prejudicial to good order and discipline or is service discrediting. As well, persons in assigned positions of authority unrelated to rank, can engage in unduly familiar relationships, which can result in actual or apparent preferential treatment or call the objectivity of the person in authority into question. This is especially true in the area of security and law enforcement. Accordingly, persons in the security force shall not engage in unduly familiar relationships with any military, civilian, or dependent who works or lives on Naval Weapons Station Yorktown or satellite housing areas.

c. Prejudice to good order and discipline and discredit to the naval service may occur when the degree of familiarity between a senior and a junior in grade or rank is such that the

31 Mar 03

senior's objectivity is called into question. This loss of objectivity by the senior may result in actual or apparent preferential treatment of the junior, and use of the senior's position for the private gain of either the senior or junior member. The actual or apparent loss of objectivity by a senior may result in the perception the senior is no longer capable or willing to exercise fairness and make judgments on the basis of merit. An unduly familiar relationship that so undermines the leadership authority of a senior or that compromises the chain of command (i.e., where there is a direct senior-subordinate relationship) is inappropriate and prohibited.

d. Unduly familiar relationships may exist with individuals outside one's direct chain of command. By long-standing custom and tradition, Chief Petty Officers (E7 to E9) are separate and distinct leaders within their assigned chain of command. Chief Petty Officers provide leadership not just within their direct chain of command, but for the entire unit. The prohibition of paragraph 6b is based on this unique leadership responsibility. While the existence of a direct senior-subordinate supervisory relationship is not a prerequisite for a relationship between juniors and seniors to constitute fraternization, the fact that individuals are in the same chain of command increases the likelihood that an unduly familiar relationship between senior and junior officers or between senior and junior enlisted members will result in prejudice to good order and discipline or discredit to the naval service.

e. Conduct, which constitutes fraternization, is not excused or mitigated by a subsequent marriage between the offending parties.

f. Service members who are married or otherwise related (father/son, etc.) to other service members, must maintain the requisite respect and decorum attending the official relationship while either is on duty or in uniform in public.

g. Compatible with sea/shore rotation policy and the needs of the service, members married to each other will not be assigned to the same chain of command.

7. Action/Responsibility

a. Seniors throughout the chain of command will:

(1) Be especially attentive to their personal associations such that their actions and the actions of their

31 Mar 03

subordinates are supportive of the military chain of command and good order and discipline. Since circumstances are important in determining whether personal relationships constitute fraternization, seniors must provide guidance on appropriate relationships that build unit cohesion and morale.

(2) Ensure that all members of the command are aware of the policies set forth in this instruction.

(3) Address the offending conduct by taking appropriate action, to include counseling, issuing letters of instruction, comments on fitness reports or performance evaluations, reassignment, and/or, if necessary, by taking appropriate disciplinary steps.

b. The responsibility for preventing inappropriate relationships must rest primarily on the senior. While the senior party is expected to control and preclude the development of inappropriate relationships, this policy is applicable to both members and both are accountable for their own conduct.

c. The Command Training Officer will ensure training on this subject, including examples of appropriate and prohibited relationships, is provided to all hands on an annual basis through General Military Training.


K. L. SKUDIN

Distribution:

List I, II, III (Case A)