

# **EVERY MARINER BUILDS A RESPECTFUL CULTURE (EMBARC)**

## **U.S. Department of Transportation (U.S. DOT) Maritime Administration (MARAD) U.S. Merchant Marine Academy (USMMA) Policies & Procedures December 15, 2021**

### **I. Purpose**

The mission of the United States Merchant Marine Academy (USMMA) is to educate and graduate leaders of exemplary character who are inspired to serve the national security, marine transportation, and economic needs of the United States. As USMMA educates and trains the next generation of leaders, it is committed to ensuring that all members of the Academy community learn and work in safe and supportive environments.

Realizing these goals depends on fostering a community of mutual respect, support, and accountability. Accordingly, the U.S. Department of Transportation (DOT), Maritime Administration (MARAD), and USMMA require all U.S.-flag vessel commercial operators to adopt and follow the Every Mariner Builds a Respectful Culture (EMBARC) Sexual Assault and Sexual Harassment (SASH) Prevention Mandatory Standards (EMBARC Standards)—a set of policies, programs, procedures, and practices to help strengthen a culture of SASH prevention and support appropriate responses to incidents of sexual violence and sexual harassment and other forms of misconduct—and complete enrollment before embarking any cadet.

The policies, procedures, and culture of DOT, MARAD, and USMMA must support effective implementation of the standards outlined in EMBARC. Therefore, DOT, MARAD, and USMMA are revising policies and procedures for Sea Year to enable midshipmen to safely obtain the sea time needed to qualify them to sit for their licensing examinations. Specific policies and procedures already under development are described in more detail below.

DOT, MARAD, and USMMA are committed to ongoing evaluation and improvement of the EMBARC standards to incorporate emerging best practices and will engage closely and regularly with USMMA cadets and other stakeholders to assess implementation and discuss options to further strengthen the EMBARC program. Similarly, DOT, MARAD, and USMMA will continue to evaluate and strengthen USMMA's policies and procedures regarding implementation of Sea Year, including closely and regularly engaging with USMMA cadets and other stakeholders regarding the design and implementation of these policies and procedures.

### **II. Core Tenets**

The following Core Tenets frame all aspects of the implementation of Sea Year at USMMA:

1. Build and maintain a shipboard culture of inclusion and respect.
2. Establish *zero tolerance* policies for SASH, harassment, and hostile work environment, *zero tolerance* for retaliation against anyone who reports assault or harassment, and proportionate responses to policy infractions.
3. Eliminate the barriers that survivors, witnesses, and bystanders face in reporting SASH incidents.
4. Support survivors, witnesses, and bystanders who report SASH incidents.
5. Promptly address any report of behavior that is inconsistent with EMBARC Standards, using every available resource.
6. Review all company and vessel policies and procedures to ensure such policies fully support a work environment in which assault, harassment, and retaliation against those who report assault or harassment—are not tolerated.
7. Implement SASH best practices and commit to adopting updates when such practices are promulgated by MARAD.<sup>1</sup>
8. Incorporate SASH prevention, response, and reporting procedures into the Company and Vessel Safety Management Systems.

### III. Actions by DOT, MARAD, and USMMA

To help support a safe and supportive learning environment for every cadet during Sea Year and on the USMMA campus, DOT, MARAD, and USMMA will continue to review and revise policies and procedures to strengthen safety; support a culture of SASH prevention and appropriate response to any type of SASH-involved behavior, bullying, or hostile work environment; and support an inclusive culture—including by seeking guidance from outside experts. As first steps, DOT, MARAD, and USMMA will do the following:

- **Develop a Superintendent Instruction** on Sea Year policy that includes the following:
  - **A Sea Year Assignment Policy** detailing how Sea Year assignments are made. The revised policy will formalize the practice of assigning two or more cadets to each ship participating in Sea Year. The policy will also formalize the process for removing cadets from ships after reporting a SASH incident or for any other reason (such as illness, family emergency, etc.), including making clear that USMMA will work with students who leave ships to ensure that they are able to obtain required sea time with minimal disruption to academic progress.
  - **Procedures for Handling Restricted (confidential) and Unrestricted (not confidential) reports** of SASH, gender-based harassment, relationship violence, and stalking at sea, including:
    - explicit definitions of these behaviors;
    - description of the roles of the parties including shipboard training personnel and Sexual Assault Prevention and Response staff (SAPR), such as victim advocates; and

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<sup>1</sup> Current best practices may be found at: [Best Practices Guide on Prevention of Sexual Harassment & Sexual Assault in the U.S. Merchant Marine](#) (SOCP BPG); Ship Operations Cooperative Program (SOCP), June 2017.

- support resources for survivors, witnesses, and bystanders.
  - **A new Amnesty Policy** for survivors, witnesses, and bystanders issued earlier this month.
  - **Procedures for the use of satellite phones and satellite texting devices at sea.** These devices enhance cadet safety and well-being by allowing immediate contact with authorized representatives of the SAPR Office and other Academy personnel as well as a cadet's family, friends, and support networks.
  - **Procedures for the training and credentialing of victim advocates** who can provide crisis intervention, referrals, and ongoing non-clinical support to survivors of sexual assault, sexual or gender-based harassment, relationship violence, or stalking.
  - **A Midshipmen Sea Year Mentorship Program** to ensure that first time sailors (sophomores or Midshipmen Third Class) will be connected in advance of their first Sea Year assignment to a senior Midshipman mentor. The senior Midshipman mentor will be available to provide insight into all aspects of Sea Year sailing and to answer questions as needed. Mentors will immediately refer any SASH concerns to the SAPR office.
- **Update the USMMA Sea Year Guide** to ensure that it incorporates all revised SASH reporting policies and procedures outlined in the Superintendent Instruction, as well as the EMBARC program requirements. The Sea Year Guide will be focused on supporting USMMA cadets.
  - **Provide Midshipmen with a pocket guide** detailing how to make restricted and unrestricted reports of SASH.
  - **Strengthen the SAPR Office**, including creating and staffing a new Director position for the Office and adding another staff position to expand response capabilities and better support training and prevention efforts across the USMMA community.
  - **Continue to Coordinate with the U.S. Coast Guard**, which is the regulator of the maritime industry and provides law enforcement at sea, to champion broader changes across the industry, including by supporting efforts to strengthen regulatory requirements regarding the reporting of sexual harassment and predatory behavior, where authorized by law.

To ensure effective support and oversight of USMMA efforts, DOT and MARAD will:

- **Develop an EMBARC Compliance Review Process:** As soon as practicable, MARAD will **stand up a new office** to review vessel compliance with EMBARC and USMMA policy and procedures. Once staffed, this office will carry out the inspection responsibilities USMMA shipboard training personnel previously performed. **Until this**

**new office is organized and staffed, MARAD will assign personnel from its Office of Strategic Sealift to conduct vessel compliance reviews.**

- **Establish Task Force on USMMA Governance and Culture:** DOT will create a Task Force to assess and, as needed, recommend changes to transform USMMA's external and internal governance and Academy culture.