



IN REPLY
REFER TO:
MP-104
RIM-5.10

United States Department of the Interior

BUREAU OF RECLAMATION
Mid-Pacific Regional Office
2800 Cottage Way
Sacramento, California 95825-1898
May 31, 2007

Regional Letter No. 07-04
Expiration Date: June 1, 2010

MEMORANDUM

To: All Mid-Pacific Region Employees

From: Kirk C. Rodgers /s/ *Kirk C. Rodgers*
Regional Director

Subject: Harassment Prevention Policy

Purpose: To notify all Mid-Pacific Region employees that harassment is unacceptable conduct. Acts of sexual harassment or harassment based on race, color, gender, gender identity and or expression, religion, national origin, age, disability, sexual orientation, or any other characteristic protected by law will not be tolerated. *This supersedes Regional Letter No. 04-04 dated July 27, 2004.*

Scope: This policy is applicable to all employees of the Mid-Pacific Region.

Policy: Every employee is entitled to a work environment free from harassment.

Hostile Work Environment: A workplace is considered hostile when an employee is subjected to harassment which is (1) unwelcome verbal or physical conduct, (2) directed against the employee because he or she is a member of a protected group, (3) with the purpose or effect of unreasonably interfering with work performance and/or creating an intimidating, hostile, or offensive work environment, and (4) the employee's supervisor knew or should have known of the conduct but failed to take prompt and appropriate corrective action. The Bureau of Reclamation may also be held responsible for acts of non-employees with respect to harassment of employees in the workplace.

Improper actions include gossip, epithets, slurs, jokes, gestures, threats, negative stereotyping, or inappropriate written or graphic material. Workplace harassment creates a hostile environment if it is sufficiently severe or pervasive that it unreasonably interferes with an individual's work performance or creates an intimidating or offensive workplace. This kind of unacceptable behavior also impacts Reclamation's ability to successfully meet mission goals, produce quality service to customers, and be the Federal employer of choice for current employees and new talent that we want to recruit, hire, and retain.

Sexual Harassment: No employee should be subjected to unsolicited or unwanted sexual advances, pressure for dates, request for sexual favors, nor suffer adverse impact due to relationships between other employees. Sexual harassment is any unsolicited attention of a sexual nature in the context of the work situation that makes an individual uncomfortable, impedes his or her ability to do their job, or interferes with the individual's employment opportunities. Any employee who makes deliberate or repeated unsolicited verbal comments, gestures, or physical contact of a sexual nature is engaging in sexual harassment. It may be in the form of looks, touches, jokes, innuendos, photos, cartoons, epithets, or direct propositions. This policy extends to certain actions that occur off the worksite or during after-duty hours. A supervisor who uses implicit or explicit coercive sexual behavior to control, influence, or affect the career, salary, or job of an employee is engaging in sexual harassment. This type of behavior will not be tolerated.

Responsibility: It is the responsibility of each manager and supervisor to make sure that the Region maintains a productive work environment. Managers and supervisors must affirmatively and convincingly communicate to their employees that harassment is illegal, and they must take specific steps to prevent it. Under established guidelines, the agency is responsible for the actions of its supervisors, other employees, agents, and, in some cases, the acts of others (including vendors, contractors, applicants for employment, and agency customers) when the supervisor knows or should have known of the behavior. Upon learning of any allegation of harassment, managers and supervisors must immediately make appropriate inquiry; and if the allegations are proven true, take appropriate remedial actions. Guidance on how to address harassment allegations is available from the Equal Employment Manager and the Human Resources Office.

Any employee who observes or experiences behavior he or she believes to be harassment should immediately report it to a supervisor, a management official, the Equal Employment Manager, a Union official, or the Human Resources Officer. Employees can also use the discrimination complaint process to report any allegation of harassment by contacting a counselor within 45 days from the date of the incident. The Department of the Interior maintains a confidential Sexual Harassment Hot Line at sexual_harassment_hotline@ios.doi.gov.

Reclamation is committed to (1) protecting from retaliation to the fullest extent possible an employee who alleges illegal harassment and (2) providing prompt and impartial processing of complaints. A person who files an EEO complaint, or participates in an EEO investigation, or who opposes an employment practice made illegal under EEO statutes is protected from reprisal.

Authority: Harassment is a violation of U.S. Code Title V, Part 735 - Employee Responsibility and Conduct, the Civil Service Reform Act of 1978, and the merit system principles. In addition, various courts and the Equal Employment Opportunity Commission have decreed that harassment is a violation of Section 703, Title VII, Civil Rights Act of 1964. Allegations of harassment will be processed in accordance with 29 CFR 1614.

Contacts: Direct questions or concerns to the Equal Employment Manager at 916-978-5571 or TDD 916-978-5608 or online at <http://intra.mp.usbr.gov/EEO>.

DISTRIBUTION D