USDA

United States Department of Agriculture

Agricultural Research Service

JUN 25 2008

SUBJECT: Sexual Harassment Policy

TO: All ARS Employees

FROM: Edward B. Knipling
Administrator

The intent of this policy is to inform each employee, contractor, collaborator, applicant, as well as our stakeholders, that sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964, and will not be tolerated.

I take the issue of sexual harassment seriously, and any ARS employee found guilty of engaging in sexual harassment will be subject to immediate disciplinary action, including demotion, suspension, and/or removal.

What is Sexual Harassment?

The Equal Employment Opportunity Commission defines sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment. Conduct that may not be offensive in a social environment can be offensive at work.

Examples of Sexual Harassment

The following are some examples of actions which could be defined as sexual harassment:

- sexual innuendoes and remarks about a person's clothing, body, or sexual activities;
- physical contact of a sexual nature such as patting, pinching, grabbing, or other inappropriate touching or feeling;
- demands for sexual favors in exchange for favorable treatment or continued employment;
- unwanted sexually-oriented jokes, remarks, or humor;
- actual kissing, fondling, or whistling;

ars

Agricultural Research Service
1400 Independence Avenue, SW
Washington, DC 20250
An Equal Opportunity Employer

- giving inappropriate looks to another person;
- brushing against another person's body;
- sexual proposition, invitations, or other pressure for sex, and
- sexually graphic pictures.

Manager and Supervisor Roles Regarding Sexual Harassment

Preventing sexual harassment is the responsibility of each employee. Additionally, managers and supervisors must be aware of what constitutes sexual harassment in order to explain the sanctions for violations, and must ensure that all employees complete the training sessions mandated by USDA Office of Civil Rights. Online training is available through AgLearn, and videos are available from the ARS Office of Outreach, Diversity and Equal Opportunity (ODEO).

Managers and supervisors who either condone or fail to act promptly to correct harassing conduct brought to their attention, or retaliate against an employee for reporting or filing a complaint of sexual harassment will be held accountable and appropriate corrective action will be swiftly taken. Each manager and supervisor has the responsibility to (1) set the tone for office conduct and appropriate work place behavior; (2) communicate that sexual harassment will not be tolerated; (3) take immediate corrective action and follow up with those who report sexual harassment to ensure elimination of the conduct and/or prevent retaliation, and (4) ensure that all employees have a copy of this policy and display the policy in a prominent place (such as a bulletin board).

Steps to Address Sexual Harassment

Harassing behavior, if ignored or not reported, is likely to continue and become worse, rather than go away. Any person who believes that he or she is a victim of sexual harassment should immediately make it clear to the harasser that their behavior is inappropriate and unwelcome, and clearly state that their behavior will be reported to the supervisor if the harassment does not stop immediately. If the harasser is your supervisor, report the unwanted action to their supervisor.

How to File a Complaint

If sexual harassment persists, or you are not satisfied with the results after reporting the conduct to the supervisor, contact ODEO at 202-720-3410, or 1-800-340-4289, for immediate assistance and guidance.

If you have any questions, or if you need further information or training on the prevention of sexual harassment, contact your Area ODEO Program Manager or the ODEO Director.

It is important to note that it is not how a person intended his or her actions to be taken, but rather how the actions are perceived. All employees and contractors are expected to adhere to this policy to ensure that ARS is an environment free from unwanted sexual harassment and retaliation.