

Policy Statement on Harassing Conduct in the Workplace

The employees of the U.S. Department of Labor (Department or DOL) are critical contributors to our Nation's economic future. They deserve a work environment in which they are treated at all times with dignity and respect. Harassment, as described below, has no place in such an environment. Harassing conduct by managers, supervisors, or employees, including contractors, at any level, will not be tolerated. The Department's prohibition of harassment applies equally to its own employees and to applicants for DOL employment.

Under this policy, harassing conduct is defined as any unwelcome conduct, **verbal or physical**, based on race, color, religion, sex, national origin, age, disability, parental status, sexual orientation, or genetic information, when the conduct either (1) can reasonably be considered to adversely affect the work environment; or (2) results in an employment decision affecting the employee and is based upon the employee's acceptance or rejection of such conduct. Some examples of the first category of harassing conduct include: displaying sexually or racially demeaning pictures; making jokes or remarks that are offensive to disabled or older employees or those of a different national origin; or subjecting another employee to unwelcome sexual advances or touching. Some examples of the second category of harassing conduct include when a supervisor coerces an employee into an unwelcome sexual relationship and then rewards the employee, or when a supervisor takes disciplinary action or denies a promotion to an employee because he or she rejected sexual advances from the supervisor.

Any employee who believes that he or she has been the subject of, or has witnessed, an incident of harassing conduct should report the matter promptly. National Office employees should report instances of harassing conduct to either a person in the reporting employee's supervisory chain, or to the reporting employee's Agency EEO Manager. Regional Office employees should either use one of the two options above, or file a report with the Regional Administrator of the Office of the Assistant Secretary for Administration and Management (OASAM) in the region where the conduct took place.

All supervisors and managers must act promptly to investigate and resolve reports of harassing conduct. If appropriate, DOL will provide interim relief to employees who are victims of alleged harassing conduct in order to ensure that further misconduct does not occur. If harassing conduct is found to have occurred, the manager or supervisor must take appropriate corrective and disciplinary action, up to and including removal, against all personnel who have been found to have engaged in that conduct. The Department will take disciplinary action against supervisors who do not fully carry out their responsibilities under this policy.

DOL will not tolerate retaliation against any employee for making a good-faith report of harassing conduct; or conducting, cooperating with, or participating in any investigation of alleged harassing conduct or any stage of any legal proceeding, administrative or judicial, that is related. All information provided to the Department's officials will be maintained on a confidential basis to the greatest extent possible.

This policy is separate and apart from any collective bargaining agreement or statutory complaint process covering harassment.

Hilda L. Solis
Secretary of Labor