

U.S. Department of Labor Policy Statement on Harassing Conduct in the Workplace

The Department of Labor plays a critical role in contributing to the nation's economic future. As such, we should incorporate the strongest and best workplace practices in order to effectively serve as a model for employers. As Secretary of Labor, I fully support the Department's strict prohibition of harassment. We must maintain a work environment that is free from unlawful harassment and where all employees are treated with dignity and respect.

The Department's policy strives to prevent harassing conduct from reoccurring or to eliminate harassment before it becomes severe or pervasive enough to violate the law. The Department defines harassing conduct as any unwelcome conduct, verbal or physical, based on race, color, religion, sex (including pregnancy and gender identity), national origin, age, disability, genetic information, parental status, sexual orientation, or political affiliation or belief, that either:

- can reasonably be considered to adversely affect the work environment, or
- results in an employment decision affecting the employee and is based upon the employee's acceptance or rejection of such conduct.

Harassing conduct has no place in the Department; therefore, we apply this policy equally to DOL employees, applicants for DOL employment, and contractors. Harassing conduct by managers, supervisors, or employees, including contractors, at any level, will not be tolerated. Any employee who believes that he or she has been subjected to, or has witnessed, any harassing conduct should report the matter promptly to a person in their supervisory chain, their Agency EEO Officer, or, for regional office employees, the Regional Administrator of the Office of the Assistant Secretary for Administration and Management (OASAM) in the region where the conduct took place. Similarly, any applicant who believes that he or she has been subjected to harassing conduct during the process of applying for DOL employment should report the incident to the EEO Manager of the Office of the Assistant Secretary for Administration and Management.

In instances of alleged harassing conduct, we must take every step to ensure a fair and prompt resolution. All supervisors and managers must act fairly and promptly to investigate and resolve reports of harassing conduct. Where appropriate, DOL will provide interim relief to employees who are victims of alleged harassing conduct to ensure that further misconduct does not occur. If harassing conduct is found to have occurred, supervisors and managers must take appropriate corrective and disciplinary actions, up to and including removal. The Department will take disciplinary actions against supervisors who do not fully carry out their responsibilities under this policy.

We also prohibit retaliation against any employee for making a good-faith report of harassing conduct or for cooperating with or participating in any investigation of alleged harassing conduct. All information provided to DOL officials will be maintained on a confidential basis to the greatest extent possible.

I strongly affirm my commitment to fostering a safe work environment where every employee is treated with dignity and respect. We must work together to vigorously identify harassing conduct and resolve reports of such conduct within the Department.

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

Thomas E. Perez

Secretary of Labor

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