

# **Management System: Equal Employment Opportunity Policy: Policy Against Sexual Harassment and Other Forms of Unlawful Harassment**

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**Issue Date:** 10/21/15  
**Revisions:** 4

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## **1.0 Purpose**

This policy reaffirms the Environmental Management, Consolidated Business Center's (EMCBC) commitment and responsibility in maintaining a workplace where all employees are free from sexual harassment, other forms of unlawful harassment, and to ensure that all employees including managers, and supervisors are aware of the EMCBC Director's personal commitment to achieve high standards of professionalism, conduct, and respect in the workplace.

## **2.0 Scope**

The Department of Energy recognizes that sexual harassment and other forms of harassment are unlawful employment practices in violation of Title VII of the Civil Rights Act of 1964. Harassment is not limited to the actions of a supervisory employee toward a nonsupervisory employee; the harasser may be an agent of the employer, a supervisory employee who does not supervise the victim, a coworker, or a non employee.

## **3.0 Responsibilities**

**3.1** Managers and supervisors are to be exemplary leaders who support Equal Employment Opportunity (EEO) and diversity by responding immediately to any discriminatory conduct, which includes harassment of any kind, in the workplace. Supervisory employees are responsible for informing their respective management of any known or suspected conduct that may constitute harassment within the EMCBC and its Customer Sites. Supervisory employees who have knowledge of an act of possible harassment should contact the EMCBC Office of Civil Rights and Diversity (OCRD) for guidance, and support in resolving the matter. Supervisors who have been advised by the OCRD, the Office of Human Resources and the Office of Chief Counsel should take immediate appropriate corrective action, (including disciplinary action), with respect to any matter involving an allegation of harassment.

**3.2** Each EMCBC employee has the right to work in an environment free from unlawful harassment (sexual and nonsexual), and retaliation. Therefore, every employee is expected to practice and maintain high standards of respect towards one another, and to work towards the

prevention of inappropriate behavior in the workplace. Any EMCBC employee engaging in harassing or retaliatory behavior (including sexual harassment) that is in violation of the law, regulation or this policy is subject to disciplinary action, which may include suspension or dismissal.

**3.3** Employees, who feel they are victims of sexual harassment, other forms of harassment, or who have knowledge of an act of possible harassment, are encouraged to seek assistance from the EMCBC OCRD, their supervisor, or their Employee Concerns representative. Employees who take action to report or stop prohibited harassment (sexual or non-sexual) are legally entitled to be free from retaliation and should report the information to any management official, or directly to the EMCBC OCRD.

**3.4** The EMCBC recognizes the importance of addressing any behaviors that are unacceptable in the workplace and those that weakens our leadership ability. Therefore, the EMCBC will provide a workplace free of sexual harassment and other forms of unlawful harassment and any employee may exercise their rights through the EEO Complaint Process and seek assistance of the OCRD.

## **4.0 General Information**

For more information regarding sexual harassment or other forms of unlawful harassment in the workplace, or information on how to file an EEO Complaint, employees may contact the Office of Civil Rights and Diversity or visit the web address at:  
[www.emcbc.doe.gov/Office/CivilRights](http://www.emcbc.doe.gov/Office/CivilRights).

## **5.0 Requirements**

- Title VII of the Civil Rights of 1964;
- Title 29 CFR, Part 1604;
- Public Law 102-166, the Civil Rights Act of 1991;
- Department of Energy Policy Statement on Equal Employment Opportunity, Harassment and Retaliation.
- EEOC Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors

## **6.0 Definitions – See Master Definitions List**

## EMCBC Record of Revision

### DOCUMENT - **Policy Against Sexual Harassment and Other Forms of Unlawful Harassment**

If there are changes to the controlled document before the two-year review cycle, the revision number stays the same; one of the following will indicate the change:

**I** Placing a vertical black line in the left margin adjacent to sentence or paragraph that was revised; or

**I** Placing the words GENERAL REVISION at the beginning of the text. This statement is used when entire sections of the document are revised.

If changes and updates occur at the two-year review cycle, the revision number increases by one.

<b>Rev. No.</b>	<b>Description of Changes</b>	<b>Revision on Pages</b>	<b>Date</b>
0	Initial Policy	All	02/01/2006
1	Format change and updating of information	All	09/23/2008
2	Format change and updating of information	All	08/7/2012
3	Format change and updating of information	All	08/30/2013
4	Update Section 1	1	10/21/15
	Update Section 2	1	
	Format change	All	