DEPARTMENT OF DEFENSE
EDUCATION ACTIVITY
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ARLINGTON, VA 22203-1635

Equal Employment Opportunity Office

05-EEO-004
December 7, 2005

DEPARTMENT OF DEFENSE EDUCATION ACTIVITY
POLICY MEMORANDUM

SUBJECT: Anti-Harassment Policy

It is the policy of the Department of Defense Education Activity (DoDEA) that all personnel will maintain high standards of honesty, integrity, and conduct to ensure public trust. DoDEA is committed to a workplace free of discrimination and harassment. Harassment based upon race, color, religion, sex (including sexual harassment), national origin, age (40 and over), or disability violates the merit system principles listed in Section 2301 of title 5, United States Code; Title VII of the Civil Rights Act of 1964, as amended; the Age Discrimination in Employment Act of 1967; the Americans with Disabilities Act of 1990; and, the Rehabilitation Act of 1973.

Harassment can occur in the form of verbal, physical, and intimidating conduct that denigrates or shows hostility towards an individual which is directed toward an employee because of his or her protected status. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Any such offensive conduct will be considered a prohibited form of harassment when: (1) submission to or rejection of such conduct is made explicitly or implicitly a term of condition of a person's employment, (2) submission to or rejection of such conduct by a person is used as a basis for employment decisions affecting that person, or (3) such conduct interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment.

Harassment is unacceptable conduct and WILL NOT BE TOLERATED at any level. Harassment is prohibited in any location that can be reasonably regarded as an extension of the workplace, such as any customer location, off-site social business function, or any other non-DoDEA facility where DoDEA business is being conducted and discussed. Substantiated harassment complaints will result in corrective administrative or disciplinary action which can range from reprimand to removal. Retaliating or discriminating against an employee for reporting or cooperating with the investigation of allegations of harassment is prohibited and will result in appropriate disciplinary action.

Any employee who believes he or she has either witnessed or been subject to harassment should make it clear to the individual doing the harassing that such behavior is unwelcome. The aggrieved employee should also immediately report the incident(s) to their immediate supervisor. If the immediate supervisor is unavailable or is the offending party, or the employee is

uncomfortable reporting the harassment to the supervisor, or the employee feels that the supervisor has not handled the matter satisfactorily, the employee should report the harassing conduct to the next available supervisory level or to the Equal Employment Opportunity (EEO) Office.

All reports of harassment will be thoroughly and confidentially investigated. All persons involved in the investigation will be notified that the investigation is confidential and that unauthorized disclosures of information concerning the investigation could result in disciplinary action, up to and including termination of employment. When allegations are substantiated, immediate corrective action must be taken to eliminate harassment activity. Violators will be held accountable.

DoDEA prohibits any type of retaliatory action for filing a harassment complaint. However, if it is determined after the investigation that the complaint was made up of false charges or that an employee has provided false information, disciplinary action may be taken against the employee who filed the complaint or provided the false information.

All supervisory as well as non-supervisory employees and contractors of DoDEA are required to fully support this policy and to take immediate appropriate measures to prevent and eliminate all forms of harassment.

Each DoDEA employee is responsible for creating and promoting an atmosphere free of discrimination and harassment, sexual or otherwise. DoDEA employees are responsible for respecting the rights of their coworkers. Managers and supervisors are responsible for establishing and maintaining a safe work environment for their employees and for taking steps necessary to prevent any form of harassment. Therefore, all administrators, supervisors, and managers will take proactive measures to provide harassment training on a regular basis to the workforce. All managers are required to establish procedures for reporting and investigating incidents of harassment. Additionally, they are required to POST THIS POLICY IN PROMINENT LOCATIONS IN ALL DODEA CONTROLLED WORK SITES as a continual reminder that harassment, in any form, is unacceptable behavior and a direct violation of the Federal Government's discrimination laws, regulations, and policies.

The provisions of this policy will be included in the next revision of DoDEA Regulation 5713.9, "Equal Employment Opportunity Program." Employees who believe they have been subject to harassment or who have questions concerning this policy should contact the Chief, Equal Employment Opportunity Office, telephone (703) 588-3231.

Joseph D. Tafoya
Director