United States Department of Agriculture

NRCS

Natural Resources Conservation Service
P.O. Box 2890
Washington, DC 20013

JAN 14 2010

SUBJECT: EOP-Anti-Harassment Policy Statement

TO: All NRCS Employees File Code: 230-15

The Natural Resource Conservation Service (NRCS) Anti-Harassment Policy Statement reaffirms my commitment to prohibit sexual and non-sexual harassment in the agency's work environment and program delivery.

Sexual and/or non-sexual harassment (a form of discrimination) based on a prohibited basis of race, color, national origin, gender, religion, age (40 and over), mental or physical disability, political affiliation or belief, sexual orientation, marital or familial status, genetic information, and reprisal (retaliation) for prior Equal Employment Opportunity activity is prohibited by the agency.

For the purpose of this policy, harassment is defined as any objectionable verbal or physical conduct, comment, or display which demeans, disparages, aggravates, intimidates, or causes humiliation or embarrassment to another person. Harassment is a reasonably known unwelcome offense and serves no legitimate work purpose. Harassment occurs based on any of the above protected characteristics when:

A. The behavior can reasonably be considered to adversely affect the work environment (create an intimidating, hostile, or offensive work environment);
B. An employment decision affecting the employee is based upon the employee's acceptance or rejection of such conduct;
C. Unreasonable interference with an individual's work performance; and
D. An individual's employment opportunities are affected.

Harassing conduct includes, but is not limited to:

Physical – Actual or threatened assault including hitting, tripping, kicking, punching, or unwanted touching: malicious or insulting gestures.

Verbal – Unwelcome remarks, jokes, innuendos, or taunts causing offense or embarrassment; name calling, swearing, bullying, expressing or insinuating threats, incessant teasing, wolf whistling, or spreading rumors.

Psychological – Shunning or ostracizing, stalking, staring; gesturing; preventing someone from joining in an activity; hiding, damaging, or taking another's property; and displaying objectionable materials, graffiti, or pictures.

Intimidation – Use of physical or organizational power to coerce a person to perform a particular action or to instill a feeling of humiliation or intimidation. Intimidation does not include the exercise of supervisory authority in the ordinary course of agency business.

NRCS strictly prohibits the use of abuse or official authority or position to intimidate, coerce, or harass employees or customers. Managers and supervisors are subject to receive disciplinary or adverse action for tolerating harassment and failing to take appropriate and immediate action when harassment is reported.

Personnel actions that a supervisor or manager takes for valid reasons does not constitute harassment in the workplace. Please note that this notice does not limit the supervisor's right to manage effectively. All employees must be proactive in preventing harassment and promoting a discrimination free workplace.

Any employee who is subjected to, witnesses' conduct which is unwelcome and perceived to be harassment, or receives a report of alleged harassment should immediately report the incidents to a NRCS official. If an informal attempt at resolution fails or is impractical, employees may seek relief from harassment based on one or more of the above-cited prohibited basis by contacting the NRCS Civil Rights Division, Complaints Branch at 1-866-NRCS-395 or TTY at (301) 504-2439 within 45 days of the alleged incident. All other allegations of harassment (non-discriminatory) may be reported directly to an official.

As Chief of the agency, I am fully committed to ensuring that every employee and customer is treated with respect and dignity. Managers, supervisors, and employees must remain cognizant of this policy and refrain from perpetuating acts of harassment. All employees, including contractors and others performing official work for the agency, must fully support this zero tolerance harassment policy.

Dave White
Chief