United States Department of Agriculture

Office of the Assistant Secretary for Civil Rights

1400 Independence Avenue SW

Washington, DC 20250

TO: Under Secretaries
Agency Heads

FROM: Joe Leonard, Jr., Ph.D.
Assistant Secretary for Civil Rights

JUL 8 2015

SUBJECT: Anti-Harassment Policy Statement

The Office of the Assistant Secretary for Civil Rights is pleased to announce the issuance of the U.S. Department of Agriculture's (USDA) Anti-Harassment Policy Statement ("Policy Statement"), effective July 1, 2015.

The Policy Statement reinforces USDA's zero-tolerance for any form of harassment. It also provides a clear explanation as to what is considered harassing conduct. We all must be proactive to ensure employees are aware of, trained on, and abide by the Policy Statement. Each employee and manager is required to review the Policy Statement and certify through AgLearn they have read and understood this very important document. Guidance on implementing the AgLearn requirement will be provided in the near future.

I appreciate your commitment and dedication in accomplishing the Secretary's vision for a work environment that encourages and fosters respect for individual values and appropriate conduct among all employees.

Attachment

cc: Agency Civil Rights Directors

United States Department of Agriculture

Office of the Secretary
Washington, D.C. 20250

U.S. Department of Agriculture
Anti-Harassment Policy Statement

The U.S. Department of Agriculture (USDA) strongly supports the rights of all its employees to work in an environment that is free from all forms of harassment, including sexual harassment. As Secretary, I am committed to maintaining an environment that encourages and fosters respect for individual values and appropriate conduct among all employees.

USDA must maintain an environment free from unlawful harassment. Harassing conduct has no place at USDA, and this policy strives to prevent and eliminate such conduct. Harassment prohibited by this policy is any verbal or physical conduct that is unwelcome, humiliating, or demonstrates hostility or aversion towards a person based on race, color, religion, national origin, age (40 and over), sex, sexual orientation, disability, gender identity, political beliefs, marital, familial or parental status, genetic information, or reprisal (retaliation) for prior Equal Employment Opportunity (EEO) activity. It is behavior that creates an intimidating, hostile, or offensive work environment and interferes with work performance or otherwise alters the terms and conditions of employment. Prohibited conduct includes, but is not limited to, bullying, slurs, negative stereotyping, threats, intimidation, written or verbal disrespectful comments, and graphic material that insults an individual or protected group.

One form of prohibited harassment is sexual harassment. It is any unwelcome sexual advance, request for sexual favors, or other verbal or physical harassment of a sexual nature, where submission to such conduct is made a term or condition of one's employment, or submission to or rejection of such conduct is used as a basis for employment-related decisions, or such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

USDA will uphold a zero-tolerance policy for any form of harassment, including sexual harassment. I will apply this policy equally among all USDA employees, and I will hold managers and supervisors accountable for maintaining a work atmosphere free of harassment. All managers and supervisors should monitor the workplace to prevent unlawful harassment. When managers and supervisors become aware of incidents involving any type of harassment, they must take immediate and appropriate corrective action to enforce this policy.

USDA continues to be committed to fostering an environment where employees report any incidents of harassment without reservation. USDA maintains its commitment to fairly and promptly investigate and resolve reports of harassment. All employees who

experience or witness workplace harassment are encouraged to notify their first-line or second-line supervisor, the offending person's supervisor, or any office or official identified in their agency's anti-harassment policy. Reporting sexual harassment is everyone's responsibility, including those who observe such conduct, and reports should be made through these same channels. If an employee believes there is harassment based on one of the protected classes listed above, s/he may file an EEO complaint. Managers and supervisors must ensure that an employee who reports or files a complaint of harassment, or provides information related to harassment complaints, is not retaliated against in any form. Retaliation is strictly prohibited.

Reports of harassment and retaliation will be treated seriously, investigated impartially, and treated confidentially to the extent possible. USDA employees seeking to file an EEO complaint of sexual harassment, or harassment on any of the bases stated above, or retaliation, must contact an EEO counselor within 45 calendar days of the incident of alleged harassment or retaliation. More information on the EEO complaint process is found at http://www.ascr.usda.gov/complaint_filing_emp.html. Any employee who is found to have harassed or retaliated against another will be subject to disciplinary or adverse personnel action, up to and including termination.

I strongly affirm my commitment to cultivating a work environment free of harassment, where every USDA employee can be fully engaged, respected, and valued.

Thomas J. Vilsack
Secretary
JUL 1 2015