

## Office of the Chair

TO: NEH Staff

FROM: Anthony Mitchell, Senior Deputy Chair and Equal Employment Opportunity (EEO) Director

SUBJECT: NEH Anti-Harassment Policy Statement and Procedures

The following memorandum outlines the Anti-Harassment Policy Statement for the National Endowment for the Humanities (NEH). NEH's Anti-Harassment Policy Statement reaffirms the agency's commitment to prohibiting sexual and other forms of discriminatory harassment in the workplace. Each employee, applicant, contractor, intern, and volunteer as well as anyone doing business with NEH, is entitled to be treated with dignity and respect and has the right to work in an environment that is free of harassment. Therefore, NEH has implemented a zero-tolerance policy for discrimination and harassment on the basis of race, color, age, national origin, sex (including sexual orientation and pregnancy), religion, disability, genetic information, marital status, political affiliation, or status as a parent, or as retaliation for prior Equal Employment Opportunity (EEO) activity. NEH will swiftly address violations of the anti-discrimination laws and/or this policy. Violations may result in disciplinary action, up to and including termination, when merited.

Harassment is any unwelcome, hostile, or offensive conduct based on race, color, age, national origin, sex (including sexual orientation and pregnancy), religion, disability, genetic information, marital status, political affiliation, or status as a parent, or as retaliation for prior EEO activity, that interferes with an individual's performance or creates an intimidating, hostile, or offensive work environment.

Sexual harassment is defined as deliberate or repeated unsolicited verbal or written comments, gestures, or physical contact of a sexual nature that are unwelcome. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Both the victim and the harasser can be any gender, and the victim and the harasser can be the same sex. Sexual harassment is also a prohibited personnel practice when it results in taking or refusing to take a personnel action (e.g., promotion, detail, performance evaluation).

Examples of harassing conduct prohibited by this policy include the following, whether they occur in person, online, by email, on social media, or in any other manner:

- Microaggressions;
- Offensive jokes, comments, objects, or pictures;
- Unwelcome questions about a person's identity (e.g., race; color; age; national origin; sex, including sexual orientation and pregnancy; religion; disability; genetic information; marital status; political affiliation; status as a parent; or as retaliation for prior EEO activity);
- Undue and unwelcome attention;
- Ridicule or mockery;
- Insults or put-downs;
- Unwelcome touching or contact;
- Slurs or epithets;
- Threats or other forms of intimidation; and/or
- Physical or sexual assault.



NEH supervisors, employees, contractors, interns, and volunteers (hereinafter referred to collectively as employees) bear responsibility for maintaining a work environment free from discrimination and harassment. NEH employees who believe that they have been subjected to harassing conduct can report the matter to an immediate supervisor or, if the employee does not wish to report the matter within the chain of command, to a member of NEH's Office of Human Resources (OHR) or EEO Office. When an NEH employee chooses to report the alleged incident of harassment to a manager or supervisor, the NEH manager or supervisor who becomes aware of the allegation must address the allegation in an impartial manner within 10 calendar days, ensure that the allegation is kept confidential to the greatest extent possible and take appropriate steps to protect the involved employees and witnesses from retaliation. An allegation of harassment may be made orally or in writing and should contain the name of the alleged harasser, the relevant facts, the date of the incident, and the names of any witnesses.


NEH will address unwelcome conduct before it becomes severe or pervasive or rises to the level of unlawful harassment. OHR will conduct a prompt, thorough, and impartial investigation of a harassment allegation within 10 calendar days of the date on which OHR receives the complaint. OHR will take immediate and appropriate corrective action if the investigation concludes that harassment has occurred.

Please call 202-606-8415 to report harassment to OHR.

It should be noted that NEH employees or applicants for employment may use the EEO employment discrimination complaint process provided under 29 CFR Part 1614 to file a complaint of harassment based on race; color; religion; sex, including pregnancy and sexual orientation; national origin; age; disability; genetic information; and/or retaliation based on previous EEO activity, regardless of whether they have raised an allegation of harassment under this policy. In order to file an EEO claim, NEH employees and applicants who believe that they are the victims of harassment prohibited by this policy must contact NEH within 45 calendar days of the incident by calling the EEO Office at 202-606-8213.

Should you have any questions about the EEO complaint process, please contact Julia Nguyen, NEH's EEO Specialist, at 202-606-8213.

  
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Anthony Mitchell  
Senior Deputy Chair and EEO Director

  
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Date