Forest Service **Pacific Southwest Region** **Regional Office, R5**
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File Code: 1700 **Date:** April 19, 2016
Route To:

Subject: R5 Annual Prevention of Sexual Harassment Policy - 2016

To: All Region 5 Employees

Region 5 has a zero tolerance policy for sexual harassment. This means that employees and managers are held accountable for substantiated misconduct with appropriate corrective action. This policy applies to every employee – whether permanent, detailed, temporary, seasonal, student, volunteer, or contractor – at all Region 5 work locations. No form of sexual harassment will be tolerated or condoned. This includes retaliation toward any employee for either reporting harassment or assisting in the investigation of a claim of harassment. Sexual harassment creates an unacceptable working condition and undermines the integrity of the organization. It decreases morale and interferes with productivity. Employees or supervisors who have engaged in sexual harassment, or have failed to take prompt and appropriate action to address sexual harassment, shall be subject to disciplinary action up to and including termination of employment.

Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964. It is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature where: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, or offensive work environment.

In accordance with Region 5 directive policy, managers and supervisors are mandated to report all allegations of sexual harassment and/or reprisal within 24 hours of receiving knowledge of the event or behavior. Non-supervisory staff are also urged to comply with the same mandate. The attached enclosure provides information on the definition of sexual harassment, as well as contact information for reporting sexual harassment allegations. Reporting is confidential. The identity of the reporting party will be shared strictly on a need-to-know basis in connection with official duties.

In addition to the Region's reporting procedures, any employee who believes he or she has been discriminated against or subjected to sexual harassment has the right to pursue the matter through the Equal Employment Opportunity complaint process by contacting an Employee Complaints Program Counselor at (404) 347-1908 within 45 calendar days of the alleged occurrence.

Again, Region 5 has a zero tolerance policy for sexual harassment. I expect every employee to demonstrate responsible, professional behavior in the workplace consistent with this policy. Failure to do so will result in disciplinary action.

/s/ Randy Moore

RANDY MOORE
Regional Forester Pacific Southwest Region

Enclosure

Region 5 Prevention of Sexual Harassment
"What You Should Know"

The employees of Region 5 are its most valuable asset and, as Forest Service employees, we are responsible for creating and maintaining a positive work environment. R5 leaders are firmly committed to promoting and maintaining an inclusive workplace that is free from harassment.

Examples of behavior that may be sexual harassment include, but are not limited to:

- Touching, grabbing, lewd gestures, jokes with sexual connotation, computer screen savers, emails, text messages or photographs of a sexual nature, and any behavior with sexual overtones which is intimidating or offensive to the recipient, or to one who observes such behavior.

Inappropriate conduct of a sexual nature is also unacceptable. Such conduct may consist of an isolated incident of behavior with a sexual connotation or may include, but is not limited to:

- Ridicule or teasing regarding an employee's gender identity, gender expression, or sexual orientation; or repeated unwelcome flirtations, repeated unwelcome requests for dates, repeated suggestive comments about or references to someone's anatomy.

In accordance with Forest Service rules and regulations, disciplinary action will be taken against any employee engaging in sexual harassment or inappropriate conduct of a sexual nature. Disciplinary action will also be taken against any supervisor failing to report alleged sexual harassment or failing take appropriate corrective action in a timely manner. Retaliation and/or reprisal by employees or management against employees who report allegations of sexual harassment, or who are the alleged victims of sexual harassment, will not be tolerated.

Individuals who believe they are being harassed or retaliated against or have witnessed sexual harassment should report the alleged harassment immediately to their first line supervisor, district ranger, forest supervisor, or regional forester. They may also contact the following individuals:

- Unit Forest Civil Rights Officer (FCRO) http://fsweb.r5.fs.fed.us/unit/cr/forest/
- Regional Office Civil Rights staff (707) 562-8674
- Human Resources Services Team (707) 562-8736
- Sexual Harassment Hotline (707) 562-9228

Note: Employees who believe that they have been subjected to unlawful discrimination including sexual harassment or reprisal for sexual harassment-related civil rights activity may also file a complaint of discrimination by contacting an Equal Employment Opportunity Counselor at (404) 347-1908. Employees must file their complaint within forty five (45) days of becoming aware of such unlawful discrimination.