MEMORANDUM

To: All Bureau of Reclamation Employees

From: Estevan R. López
Commissioner

Subject: Zero Tolerance Policy Statement

In addition to Reclamation’s Anti-Discrimination Policy Statement, I want to assure all employees of Reclamation’s commitment to maintaining a work environment that is free of harassment and in which all employees are treated with dignity and respect. Harassment of any kind is contrary to our core values and undermines performance and productivity. Harassment in the workplace will not be tolerated.

Workplace harassment is a form of unlawful employment discrimination, and will not be tolerated. Workplace harassment is defined as any unwelcome, hostile, or offensive conduct taken on the bases of sex (with or without sexual conduct), race, color, religion, national origin, disability, reprisal, and/or age that interferes with an individual’s performance or creates an intimidating, hostile, or offensive work environment. Petty slights, annoyances, and isolated incidents will not rise to the level of illegality. To be unlawful, the conduct must create a work environment that would be intimidating, hostile, or offensive to a reasonable person. Unlawful harassment includes oral, written, or electronic communications – including social media, physical gestures or contact, images, and objects.

Sexual harassment is a form of workplace harassment that is prohibited and will not be tolerated in Reclamation. Analogous to other forms of workplace harassment, it involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (1) submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of one’s employment; (2) submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person; or (3) such conduct interferes with an individual’s performance or creates an intimidating, hostile, or offensive work environment.

Bullying, a form of harassment that is not necessarily Equal Employment Opportunity (EEO)-based, is defined as unwanted, offensive or malicious behavior calculated to undermine, patronize, humiliate, intimidate, or demean the recipient. Bullying can range from face-to-face encounters to “cyberbullying” and can occur on a peer-to-peer basis, as well as between a supervisor and subordinate.
If possible, an employee who believes he or she is being harassed should communicate clearly to the other person that their conduct is unwelcome and must stop immediately. If problems continue, the employee should contact a supervisor or manager, their local EEO or Human Resources Office, or the Civil Rights Division in Denver. Employees may pursue allegations of EEO-based harassment through the EEO complaint process within 45 calendar days of the latest incident of harassment or awareness of it. All information provided during the harassment investigation process will be maintained on a confidential basis to the greatest extent possible. The maintenance of records and any disclosures of information from these records will be in compliance with the Privacy Act.

If you have questions regarding this policy statement contact Reclamation’s Civil Rights Division at 303-445-3680.

Distribution E