



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

March 1, 2012

MEMORANDUM

TO: All OGE Employees

FROM: Don W. Fox, Principal Deputy Director 

SUBJECT: Policy Statement on Equal Employment Opportunity (EEO) and Sexual Harassment (2012)

It is the policy of the Office of Government Ethics (OGE) to provide equal opportunity for its employees and applicants for employment and to prohibit discrimination in its employment programs and in all aspects of the agency's employment policies, practices and activities because of race, color, religion, sex, national origin, age, disability, genetics, sexual orientation, or status as a parent. All of these prohibitions include, but are not limited to, outreach, recruitment, hiring, assignment, professional development, terms and conditions of employment, and career advancement. This prohibition includes reprisal due to participation in the complaint process. OGE also supports a working environment that is free from sexual harassment, and where OGE employees can raise concerns about inappropriate sexual conduct without fear of reprisal.

Executive Order 13087 issued May 28, 1998, prohibits discrimination based upon "sexual orientation" within Executive Branch civilian employment, and Executive Order 13152 issued on May 2, 2000, added "status as a parent" to the list of categories for which discrimination is prohibited. Although, Executive Orders 13087 and 13152 do not create any new enforcement rights, OGE will issue a separate policy statement prohibiting discrimination based on sexual orientation, and a process for handling these complaints. Federal law prohibits discrimination in certain employment decisions when the decisions are based upon conduct that does not adversely affect employee performance. OGE is bound by these prohibitions and will enforce the protections that prohibit discrimination and harassment based on sexual orientation, or status as a parent.

The cornerstone of an effective EEO program is based on demonstrated commitment from agency leadership; proactive prevention of unlawful discrimination; and the establishment of policies and procedures which ensure the prompt resolution of discrimination issues as they arise. If you believe you have been the victim of any form of unlawful employment discrimination, you should contact your EEO Officer or an EEO counselor within 45 days after the incident giving rise to the complaint. EEO counselor information may be found on our intranet under Administration.

Sexual harassment, and retaliation for complaining about inappropriate sexual conduct, is prohibited by law (Title VII of the Civil Rights Act) and will not be tolerated. Managers, supervisors, and employees should make every effort to ensure that all employees work in an environment free from sexual harassment. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when (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 bases for employment decisions affecting such individual, or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

If you have a reasonable basis to believe that you have been sexually harassed or subjected to reprisal for alleging sexual harassment, you should immediately contact your first or second level supervisor, the EEO Officer, or an EEO counselor. The law requires that you do this within 45 days after the incident giving rise to the complaint. To the extent possible, OGE will protect the confidentiality of harassment complaints.

I take allegations of unlawful employment discrimination and sexual harassment very seriously. If you allege that you are being sexually harassed or have been the victim of unlawful employment discrimination, we will undertake a prompt, thorough, and impartial investigation. If the investigation substantiates your allegation, prompt and appropriate corrective action will be taken. Violators are subject to a range of disciplinary actions, including dismissal. The same is true if the offense is an act of reprisal against those who have alleged sexual harassment or unlawful employment disclosure.

I expect each employee to work to strengthen the agency's commitment toward becoming a model workplace. This means that one of our main objectives is to have a workplace that is inclusive and supportive of diversity; a workplace that is free of any form of harassment or hostility, where everyone is treated with dignity and respect and can thrive and advance without regard to race, color, sex, religion, national origin, age, disability, sexual orientation, or status as a parent, or any other personal characteristics that have nothing to do with one's ability to successfully perform assigned duties and responsibilities.

If you have any questions concerning EEO laws, complaint procedures, or Federal guidelines relating to sexual harassment, retaliation, or any of the protected classes covered under the EEO laws, or a presidential executive order, please contact Grace A. Clark, EEO Officer, on (202) 482-9225, or an EEO Counselor, Office of Resolution Management, Department of Veterans Affairs, on 1-888-566-3982.