



July 23, 2024

TO: OGE Employees

FROM: Shelley K. Finlayson  
Acting Director

SUBJECT: OGE Policy Statement on Anti-Harassment

The Office of Government Ethics (OGE) is committed to providing a work environment that is free from harassment and to taking steps to prevent harassment in the workplace as early as possible. It is OGE’s policy to take immediate and appropriate action when the agency is made aware of allegations of harassment or determines that harassment has occurred, in compliance with the U. S. Equal Employment Opportunity Commission guidance.<sup>1</sup>

Harassment is defined as any unwelcome verbal or physical conduct, based on an employee’s race, color, sex (including pregnancy, childbirth, or related medical conditions), national origin, age (40 or older), religion, disability, sexual orientation, status as a parent, genetic information or gender identity, which is so severe or pervasive that it can reasonably be considered to adversely affect the employee’s work environment, or an employment decision affecting an employee based upon the employee’s acceptance or rejection of such conduct. Anti-discrimination laws also prohibit harassment against individuals in retaliation or reprisal for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or lawsuit under these laws, or opposing employment practices that they reasonably believe discriminate against individuals, in violation of these laws. While isolated incidents generally do not constitute harassment, a pattern of incidents may meet the threshold of creating a hostile work environment. In addition, a single incident that is sufficiently severe may constitute harassment. As used under this policy, the term harassment includes sexual harassment.

It is the responsibility of all OGE employees to promptly report possible incidents of harassment to their immediate supervisor or, if the immediate supervisor is the target of the allegation, to their second-level supervisor. Alternatively, an employee may report an allegation of harassment to the Human Resources Attorney-Advisor. Upon receipt of a report or complaint of alleged harassment, management will ensure that the allegations are investigated. If it is determined that the allegations of harassment are substantiated, appropriate corrective and/or

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<sup>1</sup> On April 29, 2024, the U.S. Equal Employment Opportunity Commission (EEOC) published final guidance on harassment in the workplace. This guidance and a summary of the key points of the guidance may be accessed here: [“Enforcement Guidance on Harassment in the Workplace”](#) and [“Summary of Key Provisions.”](#)



disciplinary actions will be taken, up to and including removal of the offender. OGE's goal with regard to findings of harassment is to both take corrective action and to ensure that no further harassing conduct occurs.

OGE is also committed to developing a culture that demonstrates principles of civility, dignity, and respect in the workplace. OGE recognizes that non-discriminatory workplace harassment can undermine efforts to promote a welcoming, safe, and civil workplace for its employees. Non-discriminatory workplace harassment may include any targeted or directed unwelcome verbal, written, social, or physical conduct that either denigrates or shows hostility or aversion towards a person not predicated on the person's protected class. Some examples of non-discriminatory workplace harassment include bullying (including cyber-bullying), teasing, spreading malicious gossip, use of profanity, belittling, and intimidation. While there are no federal laws that specifically prohibit incivility in the workplace, OGE nevertheless expects its employees to refrain from such conduct. Employees have a responsibility to conduct themselves in a manner that cultivates mutual respect, inclusion, and a healthy work environment. Failure to do so may result in disciplinary action.

OGE management officials have a duty to foster and maintain a non-hostile work environment and can be held accountable for not only their own behavior, but also that of their employees. If an employee engages in harassing conduct towards another employee, and the matter comes to management's attention, management must take prompt action. Further, if an employee complains to management about alleged harassment, management is obligated to ensure that an investigation of the allegation is undertaken regardless of whether the complaint conforms to a particular format or is made in writing. Any such investigation will be conducted thoroughly and impartially by the U.S. Office of Personnel Management / HR Solutions, Office of Performance Management and Strategy (OPM). OPM will begin an investigation within 10 days of receiving notice of the harassing conduct and OGE management will ensure that corrective action will be taken within 60 days of the completion of the investigation, as appropriate. Management officials have a duty to carry out their responsibilities under this policy. Failure to do so may result in disciplinary action.

OGE employees are encouraged to come forward and report to an appropriate management official any behavior they view as harassment before it becomes severe or pervasive. Employees are also responsible for taking advantage of any preventative or corrective opportunities provided by OGE or to otherwise avoid harm. Employees who make a report of harassing conduct or who assist in any inquiry regarding such a report are protected from retaliation, which is not tolerated at OGE. In addition, all reports of harassment will be kept confidential to the fullest extent possible without impeding an investigation into the allegations.

This policy is separate and distinct from any administrative grievance process or statutory complaint process that also covers allegations of harassment, such as the EEO complaint process.

To initiate an EEO complaint, an employee alleging sexual harassment or harassment based on another protected EEO category must contact an EEO counselor within 45 days of the alleged incident of harassment, notwithstanding any actions taken by management officials

pursuant to this policy. EEO counseling services for OGE employees are provided by the United States Postal Service (USPS). Any employee wishing to initiate the EEO complaint process may do so by contacting a USPS EEO counselor by phone at 813-739-2037.