UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1315 East-West Highway
Silver Spring, Maryland 20910

THE DIRECTOR

JAN - 6 2011

MEMORANDUM FOR: All NOAA Fisheries and Contract Employees

FROM: Eric C. Schwaab
Assistant Administrator

SUBJECT: Harassment (Sexual and Non-Sexual) Policy Statement

Harassment, whether sexual or non-sexual, can be a devastating factor within the workplace. It can destroy relationships within the workforce and cause good employees to walk out the door. Therefore, I want to take this opportunity to remind all employees that it is NOAA Fisheries policy to ensure compliance with all Civil Rights laws and to maintain a work environment where harassment is not tolerated. Harassment based on race, color, religion, sex, and national origin is a form of discrimination that violates Title VII of the Civil Rights Act of 1964 as amended. Harassment based on age, sexual orientation, and mental or physical disability is a prohibited personnel practice. Title II of the Genetic Information Act of 2008 makes it illegal to harass a person because of his or her genetic information.

All employees are strongly encouraged to report any incident they perceive to be prohibited harassment. Supervisors and managers are expected to maintain standards that promote a work environment free from harassment, discrimination, retaliation and unprofessional or disrespectful conduct. When an incident is reported you must take immediate and appropriate corrective action to stop the conduct that violates this policy. Failure to do so could result in disciplinary and/or adverse action.

NOTE: Harassing conduct includes, but is not limited to the following:

- Epithets, slurs, jokes, negative stereotyping or threatening, intimidating or hostile acts that relate to a person's race, color, religion, gender, national origin, age, sexual orientation or disability.
- Written or graphic material which demeans or shows hostility or aversion toward an individual or group because of race, color, religion, gender, national origin, age, sexual orientation or disability and is posted on walls, bulletin boards, e-mail or elsewhere within our facilities.
- Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting an individual's employment.

Any employee wishing to initiate an EEO complaint arising out of an alleged incident of harassment must contact the NOAA Civil Rights Office at 301-713-0500, within 45 calendar days of the date of the incident. **NOTE:** Employees should not wait until the agency's internal harassment inquiry is completed to contact the NOAA Civil Rights Office if waiting will allow the 45-day time limit to expire. Remember, any individual who believes that he or she has been a victim of harassment whether by a supervisor, co-worker, contractor or peer has several avenues of redress. You can confront the harasser, seek help from your immediate supervisor or the NOAA Fisheries Program Director for EEO and Diversity, contact the NOAA Civil Rights Office, or contact your NOAA Workforce Management (WFM) advisor.

Remember, preventing harassment in our workplace is a top priority for this organization. If you have any questions regarding this policy or our National EEO and Diversity Program, please contact Natalie Huff on 301-713-1456.

cc: Mary Glackin – Deputy Under Secretary
Sandra Manning – Acting Director, WFM
Clint Janes – Acting Director, OCR

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