

[date]
USAID/
RLA Riedler

Sexual Harassment Training

1. Agency Policy: It is the policy of the Agency (a) to provide a work environment free of sexual harassment; (b) to prohibit explicit or implicit sexual harassment; (c) to comply with the letter and spirit of all laws and regulations governing sexual harassment; (d) to conduct inquiries into allegations of sexual harassment; (e) to take corrective action when sexual harassment conduct is established; and (f) to ensure that formal complaint channels for sexual harassment are available to all employees. ADS 110.3.4.3. Mission Director strongly endorses this policy.

2. General Principles:

--two kinds of sexual harassment--quid pro quo harassment and hostile work environment. "Quid pro quo" harassment is explicitly or implicitly conditioning a job or promotion on an employee's acceptance of sexual conduct. "Hostile work environment" generally involves unwelcome verbal or physical conduct of a sexual nature that was sufficiently severe or pervasive to create an abusive work environment from both a subjective (personal) perspective and an objective (hypothetical person with the same fundamental characteristics) perspective.

--sexual harassment can create problems (liability) for both USAID and the harassing employee (employee could also be fired for misconduct), and harassed employee himself/herself has responsibilities (to signal rejection, and report promptly, in particular).

--victims will not be retaliated against. In fact, such retaliation would itself be illegal.

--policy above applies to all USAID employees. Although the formal EEO complaints process in Washington is not available for use by FSNs, the USAID/W EEO office will assist to eliminate sexual harassment, and in any event the Mission, and Agency, will ensure that harassment ceases regardless of who's being harassed and who's doing the harassing. (Also, as a technical legal matter, failure to take action against a harassing employee, regardless of who they are harassing, could greatly weaken any USG defense if the harassing employee continues to harass, and next time harasses a US citizen who sues in the US.)

3. Mission Complaint Procedures:

-- is local EEO Counselor for Mission

--FSN Handbook discussion of procedures for grievances by FSN staff, including complaint, counseling, investigation, resolution (e.g., FSN/Locally Engaged Staff (LES) Handbook discussion of procedures (copy attached) for grievances, including informal or formal complaint; formal complaint to USAID Mission Director, and if necessary, Embassy Grievance Board)

--formal EEO complaint procedures in Washington for Americans (see ADS 110), though this is not a substitute for local investigation, etc.—must deal with allegations of harassment promptly

--may be time limits for reporting problem, e.g., under US EEO rules must consult with EEO Counselor within 45 calendar days of incident (ADS 110.3.1.1a)

--report to Mission Director and RLA (will report to D/EOP and GC)

4. Illustrative Scenarios:

(a) Supervisor comments regularly on how pretty a subordinate looks that day.

(b) Supervisor asks a subordinate out on a date. If declined, supervisor persists.

(c) Female supervisor asks male subordinate to meet to discuss work over dinner, repeatedly.

(d) Male supervisor puts arm around subordinate, several times a month.

(e) Employee stares regularly at "sensitive parts" of another employee.

(f) Male supervisor puts up pictures from the Sports Illustrated bathing suit issue in his office, or female supervisor puts up in her office pictures of Pierce Brosnan, Brad Pitt and Mel Gibson stripped to their waists.

(g) Men stand around in the office and tell sex jokes that others can overhear.

5. Responses to sexual harassment:

--let offender know behavior is unacceptable, in some fashion (e.g., tactfully)

--notify supervisor or supervisor's supervisor, post EEO counselor, other Mission confidant, Mission Director and/or RLA; consult/report within applicable time limits

--keep records

--talk to co-workers, friends, family, etc.

sign-up sheet