USAID’S ANTI-HARASSMENT POLICY

USAID has zero tolerance for sexual misconduct, including harassment, exploitation or abuse of any kind among staff or implementing partners. Sexual misconduct strikes at the very heart of development — respect for human dignity. In March 2018, USAID Administrator Mark Green established the Action Alliance for Preventing Sexual Misconduct (AAPSM) with two objectives: preventing sexual harassment in the workplace and protecting beneficiaries from sexual exploitation and abuse.

WHAT IS HARASSMENT?

Harassment falls into two categories: Equal Employment Opportunity (EEO) harassment and non-EEO harassment. EEO harassment is workplace behavior that violates EEO law or Agency EEO policy. It is unwelcome conduct that is so pervasive or severe that it creates a hostile or offensive work environment or results in a negative employment action. The behavior must also be related to race, color, religion, sex (including pregnancy, gender identity and expression), sexual orientation, national origin, age, disability, genetic information, marital status, parental status, veteran status, political affiliation or reprisal for engaging in protected activity. Examples of EEO harassment include, but are not limited to: offering an employment benefit in exchange for a date or sexual favor, sexual touching, sharing sexually oriented material, physical assaults, yelling racial slurs, frequent compliments that are unwelcome, repeated casual touching, repeated unwanted date requests, nonstop offensive jokes, constant bullying, daily threats, and never-ending insults.

Non-EEO harassment is inappropriate behavior that is outside the scope of EEO law or Agency EEO policy and that falls short of an EEO violation. The conduct, though offensive, is unrelated to EEO bases and can be isolated (or infrequent) and includes, but is not limited to: occasional unwelcome compliments, questionable jokes, limited bullying, nonviolent threats, and insults.

Consensual relationships between employees outside the workspace are a special case. These consensual relationships are governed by 3 FAM 1527 and ADS 110, and are generally defined as dating or sexual relationships willingly undertaken by the parties, regardless of the genders of those involved. This definition does not apply to relationships formed as a result of coercion or intimidation. Employees are prohibited from having a consensual intimate relationship with those whom they directly supervise or evaluate. Demands for sexual favors in connection with employment decisions are also prohibited, regardless of whether there is a prior consensual intimate relationship.

Laws, executive orders, and/or USAID policies prohibit EEO and non-EEO harassment and cover anyone in the workspace, even if they are not USAID employees. A harasser may be situated at any level in relation to the victim, such as a direct supervisor, a supervisor from another area, a contractor employed by the Agency, a co-worker or a non-employee. What matters is the impact that the harassment has on others, not the intent of the alleged harasser.
HOW USAID ADDRESSES HARASSMENT

The Office of Civil Rights and Diversity (OCRD) facilitates the EEO process for aggrieved employees and determines if a violation of EEO law or Agency policies has occurred. OCRD investigates allegations of harassment in the USAID workplace, which may extend to after-hour functions or activities that do not occur within the walls of an office, whether at the Agency’s headquarters in Washington, D.C., or an overseas mission.

If a violation of EEO law or Agency policy has occurred, the Office of Human Capital Talent Management Employee and Labor Relations (HCTM/ELR) takes action to remedy the violation. The range of appropriate actions is case-dependent, but can include coaching/counseling, training or disciplinary action — up to and including removal for cause. Employees may also be disciplined for inappropriate conduct in the workplace, even if it does not meet the definition of illegal harassment.

USAID has a responsibility to comply with legal requirements to take prompt and appropriate action to both eliminate harassment and prevent it before it becomes severe or pervasive. Governing policies include: Anti-Sexual Harassment Policy 3 FAM 1525, Discriminatory Harassment Policy 3 FAM 1526, and Policy on Consensual Relationships 3 FAM 1527.

HOW TO REPORT HARASSMENT

If you have been a victim of or witness to harassment, or have been informed of harassment, contact OCRD as soon as possible by email at ocrdharassment@usaid.gov or by telephone at 202-712-1110 or fax at 202-216-3906. You may also report harassment to anyone in your supervisory chain. Supervisors and management officials (such as Administrative Management Officers and Executive Officers) must report harassment to OCRD within 24 hours of becoming aware of the allegation. Confidentiality will be maintained throughout the process to the extent consistent with adequate investigation and appropriate corrective action, but cannot be guaranteed. The goal is to provide the Agency with the information necessary, as soon as possible, to stop any harassing behavior.

Reporting harassment does NOT preclude an individual’s right to engage the EEO complaint process and participate in EEO counseling. Contact OCRD for more information regarding EEO laws and Agency EEO policy or to report discrimination.

WHAT HAPPENS WHEN HARASSMENT IS REPORTED?

USAID’s Anti-Harassment Policy ensures that the Agency takes immediate, effective measures to end the harassment. Any reported allegations of harassment, discrimination or retaliation will be reviewed and acted upon appropriately.

- OCRD will review and investigate reported allegations of harassment to determine if a violation of law or policy has occurred and will provide guidance to management officials regarding how to address the allegations.
- The review may include an inquiry conducted by management officials or OCRD. The inquiry may include individual interviews with the parties involved and, when necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.
After the inquiry is conducted, management will again meet with both parties separately and inform each of the outcome of the inquiry.

- If it is determined that a violation of law or policy occurred, HCTM/ELR reviews the matter to determine the appropriate course of action.

USAID is committed to a diverse and inclusive workforce where every employee is respected, valued, and can perform to their fullest potential.