



SUBJECT: Prevention of Workplace Harassment Policy Statement

The Smithsonian Institution has a policy of zero tolerance for workplace harassment based on race, color, religion, sex (including pregnancy and gender identity), national origin, age, disability, genetic information, parental status, marital status, sexual orientation or participation in protected activity. Protected activity is opposition to prohibited discrimination or participation in the statutory complaint process. The Smithsonian will address reported workplace harassment immediately. Retaliation for reporting workplace harassment or for assisting in any inquiry concerning a report will not be tolerated. Individuals engaging in conduct or behavior that violates this policy will be subject to appropriate disciplinary measures up to, and including, removal or disassociation from the Smithsonian.

Workplace harassment is defined as unwanted or unwelcome conduct whether verbal, written or physical in nature, when:

- Enduring the offensive conduct becomes a condition of an individual's continued employment or association with the Smithsonian; or
- Such conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile or abusive.

All employees, interns, research associates, fellows and volunteers and other individuals associated with the Smithsonian are responsible for exhibiting appropriate professional conduct and behavior, respecting others, and cooperating in the enforcement of this policy. Supervisors and sponsors of individuals associated with the Smithsonian must maintain a work environment free of harassment. Neither they nor those under their supervision or sponsorship shall engage in any behavior that contravenes this policy.

Smithsonian employees must complete prevention of workplace harassment training every three years.

Individuals who believe they are being harassed on the job are encouraged to tell the harasser (orally or in writing) to stop, keep a record of the events, report the behavior to a supervisor or manager, and cooperate in the inquiry. Individuals who do not feel comfortable discussing the issue within their immediate chain of supervision may contact the Office of Equal Employment and Minority Affairs (OEEMA), the Employee Assistance Program (EAP), the Ombudsman, or the union. To initiate the EEO discrimination complaint process, individuals must contact OEEMA within 45 calendar days from the date of the alleged harassment. **The EEO discrimination complaint process cannot be initiated by reporting a workplace harassment incident to a supervisory or managerial official or by contacting the Ombudsman, EAP or union.** Only employees and applicants in the United States and U.S. citizen employees and applicants outside of the United States may file a formal complaint of discrimination with OEEMA.

To prevent and remedy incidents of workplace harassment, the Smithsonian must be made aware of the conduct or behavior. The Smithsonian will protect the privacy of individuals and the confidentiality of information related to allegations of harassment to the extent possible. Information will be provided only to those who have a need to know in order to carry out their responsibilities. The Smithsonian may take disciplinary action and other appropriate measures against complainants when it is proved that a false claim of harassment has been made.

This policy applies to all Smithsonian employees and applicants for employment. It also applies to individuals associated with the Smithsonian, including interns, research associates, fellows, and volunteers.

This policy is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the Smithsonian Institution, its officers, employees, or agents, or any other person.

Additional guidance is available in Smithsonian Directive 214. Related questions or requests for services and information should be directed to the Office of Equal Employment and Minority Affairs, 600 Maryland Avenue, S.W. (MRC 521), Washington, DC 20013-7012; (202) 633-6430.

A handwritten signature in black ink, appearing to read 'G. Wayne Clough', with a long horizontal flourish extending to the right.

G. Wayne Clough
Secretary

DISTRIBUTION: All Employees