



NARA 396 - Appendix B
July 30, 2021

Anti-Harassment Policy Statement

Our Commitment

NARA is committed to maintaining a work environment that is courteous, respectful, and free from harassing behaviors for its employees, contractors, volunteers, visitors, interns, and customers. NARA will not tolerate harassment of any kind.

Harassment

Unlawful harassment is defined as any unwelcome verbal, non-verbal, or physical conduct based on race, color, religion, sex (including pregnancy and gender identity), national origin, age (40 or older), disability (mental or physical), genetic information, sexual orientation, marital status, political affiliation, status as a parent, or retaliation when:

1. An employee actually suffers a personal loss or harm with regard to a term, privilege, or condition of employment relating to any of the protected bases; or
2. The behavior can reasonably be considered severe or pervasive creating an intimidating, hostile, or offensive work environment.

Unlawful harassment undermines the integrity of employment relationships and interferes with work productivity. Harassing conduct may include, but is not limited to: bullying, slurs, derogatory or disrespectful remarks, spreading rumors, swearing, jokes, obscenities, incessant teasing, expressing or insinuating threats, threatening assault, hitting, punching, other unwanted touching, and malicious or insulting gestures.

Inappropriate Behavior

Inappropriate behavior is counterproductive behavior that is not suitable for the workplace. Inappropriate behavior deters from good order within the workplace. Inappropriate behavior can range from minor incidents to serious offenses. Inappropriate behavior can include actions and/or behaviors that cause grave offense to an individual and go against the agency policy or practice. Although not every instance of inappropriate behavior may meet the legal definition of harassment, such behavior undermines staff morale and the Agency's mission. Some examples of

such behavior may include: disrespectful or abusive behavior, swearing, teasing, insensitive or inappropriate jokes, petty slights, annoyances, and other isolated incidents (unless extremely serious).

NARA has appropriate measures to prevent harassment (sexual or non-sexual) in the workplace and to correct harassing behavior before it becomes severe or pervasive and inappropriate conduct/behavior before it becomes harassing in nature. Harassing behavior by a NARA employee does not need to rise to the level of unlawful harassment in order for it to constitute misconduct. Violations of NARA policy may result in administrative or disciplinary actions against offenders.

Sexual Harassment

Sexual harassment is a form of sex discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of a person's job, pay or career, or
2. Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person, or
3. Such conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive environment.

Retaliation

In addition, NARA prohibits any retaliation against an employee who reports a concern about workplace harassment, other inappropriate behavior, or assists in any inquiry about such a report.

Maintaining Confidentiality

NARA will protect the confidentiality of harassment allegations. All reports of harassing conduct and related information will be maintained on a confidential basis to the greatest extent possible.

Training

All managers and supervisors are required to take the anti-harassment training annually through NARA's Learning Management System (LMS). A NARA notice will announce the mandatory training.

Reporting Allegations

All NARA employees are strongly encouraged to report misconduct, including discrimination or harassing behavior. Supervisors, volunteer coordinators, Contract Operating Representatives (CORs), and management officials must immediately report (usually within **48** hours of becoming aware of it) harassing conduct, or allegations of harassing conduct by others to any member of the Ad Hoc Committee on Harassment or directly to the Anti-Harassment Program Manager directly. Failure to report an incident of harassment may result in administrative action, including disciplinary action. Although supervisors are required to report allegations of harassing conduct to the committee, this policy does not prevent supervisors from taking any action they deem necessary to address inappropriate behavior when it occurs. NARA will conduct a prompt, thorough, and impartial investigation or fact-finding of allegations of harassment or inappropriate behavior. NARA will begin the fact-finding of allegations no later than 10 days of receipt and will complete the investigation within 60 days or less. NARA will also take immediate and appropriate corrective action when it determines that harassment or inappropriate behavior has occurred.

Report Incidents to Any of the Following Offices

Employees who believe they have been subjected to harassment should report the incident(s) to their supervisor or a manager in their chain of command or one of the members of the Ad Hoc Committee on Harassment which is comprised of officials from the Labor/Employee Relations and Benefit Branch (HTL); Office of General Counsel (NGC); and Office of Equal Employment Opportunity (NEEO). Employees can contact the Anti-Harassment Program Manager directly. See [NARA 396 Anti-Harassment Policy](#).

You may submit an incident to the Anti-Harassment Program Manager by:

1. Calling 301-837-3096;
2. Sending a fax to 301-837-0869; or
3. Sending an email to tanya.shorter@nara.gov.

You may also submit an incident to Office of the Inspector General (**OIG**) by:

1. Calling the OIG Hotline:
301-837-3500 (Washington, DC metro area)
800-786-2551 (toll-free and outside the Washington, DC metro area)
2. Sending a document to:
OIG Hotline
NARA
P.O. Box 1821
Hyattsville, MD 20788-0821
3. Confidentially reporting online at:
<http://www.archives.gov/oig/referral-form/index.html>

Timeframes and Contacts for Filing an EEO Complaint

Employees who wish to file an EEO complaint alleging discrimination and/or harassment, should file a complaint within **45 calendar days** of the date of incident(s) to the Office of Equal Employment Opportunity (NEEO). See NARA 395 EEO Complaints Program for guidance or you may initiate an informal **EEO** complaint by:

1. Calling 301-837-0939;
2. Sending a fax to 301-837-0869; or
3. Sending an email to NEEO@nara.gov.

If all or part of the complaint is pursued under the negotiated grievance procedure covering bargaining unit employees, a grievance must be filed within **20 days** of the alleged incident or within **20 days** after the grievant becomes aware of the alleged incident. Personnel may contact their union representative at any time regarding discrimination and/or harassment.



DAVID S. FERRIERO
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