



United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.
Washington, D.C. 20240

Director's Order #16E: Sexual Harassment Policy

Approved:


Director

Effective Date: 12/28/2011

Duration: This Order will remain in effect until amended or rescinded by the Director

This Policy Statement on Sexual Harassment supersedes the statement issued through the October 16, 2001, edition of Director's Order 16E.

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I. Purpose and Background

The purpose of this Director's Order is to articulate our policies regarding sexual harassment, and procedures for addressing complaints of sexual harassment. Freedom from sexual harassment is encompassed within the National Park Service's broader commitment to seek, achieve, and maintain a work environment free of discrimination. The Service strongly disapproves of any form of sexual harassment of its employees and applicants for employment. Therefore, sexual harassment in the work environment will not be tolerated.

II. Authority for Issuing this Director's Order

Authority for issuing this Director's Order is contained in the NPS Organic Act (16 U.S.C. 1 through 4) and delegations of authority found in Part 245 of the Department of the Interior Manual. This Order is intended only to improve the internal management of the Service and it is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its departments, agencies, instrumentalities, or entities, its officers or employees or any other person. It will be implemented consistent with applicable law and subject to the availability of appropriations.

III. Sexual Harassment Definition

Sexual Harassment is defined as deliberate or repeated unsolicited verbal comments, gestures or physical contact of a sexual nature which are unwelcomed. Unlawful sexual advances are unlawful, whether verbal or physical in nature, and constitute sexual harassment when:

- submission to such conduct is made a term or condition of an individual's employment;
- submission to or rejection of such contacts or behavior form the basis of an employment decision affecting such an individual; or
- such conduct has the purpose or effect of interfering with the work performance or creates an intimidating, hostile or offensive work environment.

Some of the most obvious forms of sexual harassment include touching, grabbing, lewd gestures, jokes with a sexual connotation, computer screen covers of a sexual nature, and any behavior with sexual overtones that is intimidating or offensive to the recipient or to one who observes such behavior or displays.

IV. Sexual Harassment Policies

All employees and contractors of the National Park Service must avoid offensive or inappropriate sexual and/or sexually harassing behavior, and will be held accountable and responsible for ensuring that the workplace is free from sexual harassment. This policy on sexual harassment is based upon and consistent with the relevant civil rights laws, implementing regulations issued by the Equal Employment Opportunity Commission (EEOC), related EEOC Management Directives, and Department of the Interior policies, which include:

- Violation of the law on sexual harassment by any employee or contractor of the National Park Service will result in disciplinary action, ranging from reprimand to termination.
- All managers shall take all actions necessary to prevent and /or eliminate employee exposure to a hostile, intimidating and/or offensive work environment.
- All employees will be held accountable for ensuring the National Park Service work environment is free of sexual harassment.
- All managers and supervisors shall receive continuing education on the prohibition of sexual harassment through training and communications that reinforce our policy.

V. Procedures

The procedures for addressing complaints of sexual harassment are the following:

- When receiving complaints of sexual harassment, or upon otherwise becoming aware of such alleged behavior, managers, supervisors will work with their servicing Office of Equal Employment Opportunity to promptly conduct an inquiry into the matter. If the allegations of sexual harassment are confirmed, corrective actions must be taken immediately to stop the harassing behavior. Such action may include disciplinary steps to ensure that the harassment does not recur and the injured party is not subjected to reprisal or retaliation.

- Employees who believe they have been subjected to sexual harassment, or have witnessed acts of sexual harassment to others, shall report such behavior to the appropriate manager, or to the supervisor of their servicing Office of Equal Employment Opportunity.

- Incidents of sexual harassment may also be reported to the Office of Civil Rights, Department of the Interior.

Any questions regarding sexual harassment should be directed to your servicing Office of Equal Employment Opportunity or the Servicewide Equal Employment Opportunity Program Manager in Washington, D. C., at 202-354-1851.

VI. Related Guidance Documents

This Order may be supplemented by an annual statement affirming the Director's commitment to Diversity. The Order is one in a series that also includes, or will include:

#16A: Reasonable Accommodations for Applicants and Employees with Disabilities. (Now being revised since it was last issued, May 4, 1999.)

#16B: Diversity in the National Park Service

#16C: Discrimination Complaints Process

#16D: Equal Employment Opportunity and Zero Tolerance of Discrimination

16F: National Park Service Anti-Harassment Policy

-----*End of Director's Order*-----