



Archeology Program

National Park Service
U.S. Department of the Interior



GUIDE TO UNDERSTANDING NATIONAL PARK SERVICE (NPS) PREVENTIVE AND RESPONSE MEASURES TO HARASSING CONDUCT DURING ARCHEOLOGICAL FIELD SCHOOLS

(Contact: Teresa Moyer, NPS Archeology Program, Teresa_moyer@nps.gov)

Welcome! We are excited you are helping the National Park Service (NPS) fulfill its mission of archeological resource stewardship by participating in this field school.

Archeological field schools on NPS lands are generally led either by NPS employees or by staff of partners, such as universities and nonprofit organizations. **This guide applies to field school students who are alleging harassment by NPS employees, volunteers, or interns.** Please note that field school students who are alleging harassment by partner staff should follow the partner organization's policies and procedures.

This guide 1) shares the Department of the Interior (DOI) and NPS definition of harassing conduct and 2) describes the procedures to report allegations of harassing conduct that you experience or witness between NPS staff or field school students.

SECTION 1: WHAT IS "HARASSING CONDUCT"?

The NPS defines harassing conduct in [Director's Order #16E](#), section 3.1 as unwelcome conduct, verbal or physical, including intimidation, ridicule, insult, comments, or physical conduct that is based on an individual's *protected status* or *protected activities*, when a) the behavior can reasonably be considered to adversely affect the work environment; or b) an employment decision affecting the employee is based upon the employee's acceptance or rejection of such conduct.

Protected status is defined as an individual's race, color, religion, sex (including pregnancy and gender identity), sexual orientation, national origin, age, disability, family medical history (including genetic information), status as a parent, marital status, or political affiliation. (See [Director's Order #16E](#), section 3.1.).

Protected activities include reporting harassing conduct, discrimination, or retaliation; filing a claim of harassment; providing evidence in any investigation; or intervening to protect others who may have suffered harassing conduct, discrimination, or retaliation. A manager may not fire, demote, harass, or otherwise take any personnel action against an individual for reporting an allegation of misconduct under this Order. (See [Director's Order #16E](#), section 3.2.).

Harassment becomes *illegal* when victims of harassment are required to endure it in order to keep their jobs, or when the harassment is so severe or pervasive that it creates an intimidating or abusive environment.

Harassment can be subtle or overt. It can occur in person, through phone calls and texts, in writing, or through the use of social media. It can be experienced either directly through personal experience or indirectly through witnessing or hearing about incidences. Harassment undermines both personal and professional relationships. Individuals may experience harm to their physical, psychological, and emotional well-being.

DOI and NPS Policies on Harassment

[NPS Director's Order #16E: Anti-harassment Policy](#) (DO #16E) aims to address harassing conduct before it rises to the level of a violation of law. DO #16E sets out the expectation that all NPS employees who witness or know of alleged harassment will report it and encourages alleged victims to report allegations of harassing conduct. The NPS does not tolerate harassing behavior from NPS employees, interns, or volunteers against any NPS employee, intern, volunteer, contractor, or partner including field school participants or member of the public such as site visitors.

All members of the field school - including NPS staff and students - must refrain from engaging in harassing conduct, participate in periodic training, and cooperate fully in any inquiry or investigation. Failure to follow NPS policy could result in corrective action, including the removal of NPS employees from federal service or revocation of the right to work, research, study, or even volunteer with the NPS.

[DOI Personnel Bulletin 18-01](#) updates and amends the Department's policy on providing a work

SECTION 2: HOW TO REPORT ALLEGATIONS OF HARASSING CONDUCT

Reporting allegations of harassing conduct is important because it tells NPS management that an issue exists and provides an opportunity for investigation and possible corrective action. **Even though your field school may last a short time, this is not a reason to avoid reporting allegations of harassing conduct.** If the NPS is unaware that its staff, interns or volunteers are allegedly harassing field school participants, then NPS does not know to act.

Every supervisor in the NPS has a "duty to act," meaning they must take action on any allegation they are told or of which they are aware. Any field school participant who believes they have

experienced harassing conduct is encouraged to inform the harasser(s) that their behavior is unwelcome and offensive and request that it stop immediately. If you do not feel comfortable or safe talking with the alleged harasser directly, or if the harassing conduct continues despite your initial request that it stop, you are encouraged to report the incident. On the other hand, if you know of or witness harassment directed at others you are expected to report the incident.

You may not feel comfortable or safe talking with the alleged harasser about their harassing behaviors or reporting the harassing behavior you witnessed. It is completely understandable that you may prefer to avoid confrontation and conflict or may fear retaliation. However, **NPS management cannot help you if it does not know there is a problem.** Please try to find a way to report, and please know that your bravery now may have lasting impacts that help others in the future.

Reports can be made in person, with a phone call, in writing, by email, or through other communication. If you have evidence, such as mobile texts or witnesses to the harassment, be sure to keep a record.

Outlined below is the general process you should follow to report alleged harassment by an NPS employee, intern, or volunteer:

- Contact the primary NPS field school supervisor(s).
- If you are uncomfortable approaching your NPS field school supervisor for any reason (for example, the NPS field school supervisor is the alleged harasser), report the incident to the supervisor of the alleged harasser, a more senior NPS supervisor, or any NPS supervisor or manager at the park or site.
- You may also report allegations of harassing conduct you experience or witness to any NPS Employee Relations Specialist, NPS supervisor, or the Office of the Inspector General. All these offices/officials have a “duty to act” in response to allegations of harassing conduct.
- If you are not sure of the appropriate offices/officials at the park or site, contact the park administrative office or ask a law enforcement ranger for assistance.

If you believe you have experienced harassing conduct by university or partner organization staff, use the reporting procedure provided by your field school supervisors. If no procedure is provided, contact the administrative office of the university or partner organization to report your allegations.

Outstanding Circumstances

- Field schools may take place in remote locations, in close living quarters, with new people, or with inexperienced supervisors. These situations can make field school participants feel isolated and encourage inappropriate behaviors.

- If you believe there is an immediate physical threat or that a crime has taken place, call park law enforcement or local police immediately. Do not wait.
- If the alleged harassment occurs on the weekend, during additional project “off-hours,” or when the NPS field school supervisor is not physically present, there is no official NPS standard protocol. Contact an NPS supervisor as soon as possible, or the next business day.
- If the alleged harasser has left their NPS position, NPS cannot pursue the case but that does not mean you can’t or shouldn’t report allegations where the harassment was of a criminal nature.
- If the field school ended, but your case is not yet resolved, leave an email address or contact information with the NPS, so you can be notified when the case is concluded. Note: Due to the Privacy Act, alleged harassers do have privacy rights. You will not be provided with specifics of the case or be able to know if any corrective action was taken.

SECTION 3: APPROPRIATE ACTIONS BY NPS

Within one day of receiving a report of alleged harassment, supervisors and Employee Relations professionals must document the complaint. The NPS must follow the procedures in [Reference Manual 16E](#), section 2 to record the incident, report the incident to the appropriate officials, determine next steps and methods to fact-find, and propose corrective action if misconduct occurred.

When you report, the person you report to will ask you about what happened. You should receive the following:

- 1) Signed copy of the form that documents you submitted a complaint.
- 2) Information about “Employees Rights and Responsibilities” and also a list of other “Avenues for Relief.”
- 3) Copy of Reference Manual 16E, which documents the procedures that NPS must followed when a complaint is filed against an NPS employee.

Within three business days, a group of people assigned with harassment response responsibilities will determine if the allegation meets the definition of harassing conduct under Director’s Order #16E and if there needs to be an investigation.

There is a range of options for conducting an investigation based on several variables. Investigations can take place by NPS employees trained in investigation methods (Employee Relations Specialists, law enforcement, etc.), the Office of Professional Responsibility, or a third-party investigator. If an investigation must occur and while the investigation is on-going, a

supervisor may choose to:

- Separate the alleged victim from the alleged harasser by assigning the alleged harasser to a separate area within the field school site or providing the alleged harasser with another project;
- Place the alleged harasser on probation from the field school while investigations are conducted;
- Implement a “no contact” order and prohibit the alleged harasser from having contact or communication with the alleged victim for the duration of the field school.

If harassing conduct is found to have occurred, depending on the frequency and severity of the allegations of harassing conduct, an NPS supervisor may choose to take one of the following actions against an NPS employee:

- Reprimand the alleged harasser;
- Assign training;
- Suspend or dismiss the harasser from the field school.

Corrective action may be taken against any supervisor or other official who does not comply with the anti-harassment policy and reporting procedures. Any field school personnel who alleges harassment against an NPS employee, or any NPS employee alleging harassment who knows or suspects a supervisor is not fulfilling their duties, can contact the next-highest individual in the chain of command to verify their complaint has been documented.

Please note that investigations take time and it may appear that nothing is being done to address the initial allegation. The step-by-step process and results of the investigation cannot be shared; however, you will be notified when a case is “closed.”

Accountability of NPS Field School Supervisors and Their Supervisors

The NPS can hold its supervisors accountable for not addressing harassment appropriately. Contact the next-level individuals at the NPS, or any other NPS supervisor or manager, if:

- You do not feel that NPS field school supervisors are taking your report seriously or addressing your concerns in a timely manner;
- Supervisors and/or NPS staff do not take action to address the harassing behavior; or
- The harassment continues because supervisors or NPS staff do not act or despite the NPS staff intervening.

Maintaining Confidentiality

All reports of alleged harassment will be maintained on a confidential basis to the greatest extent possible. Supervisors must notify the person who reported the complaint once the case is closed. Due to the Privacy Act (see [Reference Manual 16E](#)), managers cannot share investigative reports, disclose whether there was a finding of harassment, or what corrective actions were taken. Please keep in mind that just because you are not told about the outcome or corrective actions taken, it does not necessarily mean nothing happened.

Retaliation

Your supervisors and other officials may not retaliate against you for any protected activity in which you engage, including reporting incidents of harassment, intervening when witnessing harassment, resisting sexual advances or harassing behavior from a supervisor or other official, or being a witness in an investigation or lawsuit (see [Reference Manual 16E](#) at section 2.3).

Examples of retaliation include:

- Ignoring or not communicating with the field school participant reporting the incident;
- Verbal or physical harassment or abuse;
- Intentionally withholding pertinent work-related information;
- Changing work assignments without a valid work-related rationale;
- Increased scrutiny of work performance or conduct;
- Giving a performance evaluation, including an academic grade, that is lower than it should be based on the actual work performance because of a protected activity;
- Removal from field school project without a valid work-related rationale;
- Threatening to make, or making, reports to authorities without a valid reason.

If you believe you have experienced retaliation, report the action to the next-level individual within the chain of command, or any supervisor or Employee Relations official in the NPS.

SECTION 4: FICTIONAL SCENARIOS OF HARASSMENT

These fictional scenarios aim to show what harassing conduct might look like. They are meant for those who are uncertain of how to report an incident or are uncomfortable reporting. The actions and resolutions provided are for example only and are not prescriptive.

Scenario 1: Two field school participants are working together in an excavation unit. Participant B verbally harasses Participant A daily with comments concerning their age and lack of experience. Participant B tries to prevent Participant A from performing assigned tasks, saying that Participant A cannot do them correctly. During the lunch break, Participant A approaches the Park archeologist running the project and tells them that, "Participant B is making comments every day about how I am too young and inexperienced. They are preventing me from doing work by taking over my assigned tasks." If the archaeologist is a supervisor, they must document and address the incident;

if they are not, they are expected, as a person with knowledge of the incident to report it to a supervisor or ER specialist.

Scenario 2: A park employee who is not in the field school begins harassing Participant A because of their ethnicity using ethnic slurs. Participant B witnesses the incident and asks the employee to stop, telling them that their comments have “crossed the line.” The employee moves to another area yet continues to discuss Participant A. Participant A states that the incident is “no big deal” and tries to ignore the park employee. However, Participant B alerts the project supervisor. Participant B did the right thing by reporting the harassing conduct they witnessed as a bystander. The supervisor documents and addresses the incident.

Scenario 3: An NPS employee not affiliated with the field school approaches Participant A, a university student in an archeological field school, and begins calling her “sweetie,” “honey,” and complimenting her appearance. While the NPS employee’s behavior is not profane or graphic, it is unwelcome, unwanted, and not appropriate. Participant A does not feel unsafe or threatened; she simply wants the behavior to stop. She feels uncomfortable with the situation and tells the NPS employee, “While you may have not realize it, that language makes me uncomfortable and I don’t like it. Can you please call me Laura?” This is an option because she felt and comfortable in addressing the behavior. However, if she did not feel safe or did not feel comfortable, she had no obligation to confront her harasser directly and could report the behavior.

SOURCES

Coming soon: Employees Guide to Understanding Harassing Conduct.

Department of the Interior. Personnel Bulletin N0: 18-01. Prevention and Elimination of Harassing Conduct. Effective March 23, 2018. <https://www.doi.gov/sites/doi.gov/files/pb-18-01-prevention-and-elimination-of-harassing-conduct.pdf>.

Director’s Order #16E: National Park Service Anti-Harassment Policy. Effective April 19, 2018. https://www.nps.gov/policy/DOrders/DO_16E_2018rev.htm.

National Park Service. Technical Report: Work Environment Survey, January-March 2017. <https://www.nps.gov/aboutus/upload/NPS-WES-Technical-Report-20170929-Accessible.pdf>

Reference Manual 16E: Anti-Harassment Policy. Effective April 23, 2018. https://www.nps.gov/policy/DOrders/RM-16E_Signed_2018_04_Combined_508_040218.pdf

Secretary of the Interior Memorandum: “Harassment Policy Statement.” Effective April 12, 2017.