The Secretary of Energy
Washington, D.C. 20585

July 22, 2011

MEMORANDUM FOR ALL DEPARTMENT OF ENERGY EMPLOYEES

FROM: STEVEN CHU

SUBJECT: Policy Statement on Harassing Conduct and Retaliation in the Workplace

The purpose of this policy statement is to affirm the Department of Energy's responsibility to maintain a workplace free from harassment and retaliation, and to make sure that all employees are aware of my personal commitment to this goal.

Harassment is any unwelcome conduct, verbal, written, or physical, based on race, color, sex, religion, national origin, age, disability (physical or mental), sexual orientation, status as a parent, or protected genetic information that: (1) has the purpose or effect of unreasonably interfering with an employee's work performance; (2) creates an intimidating, hostile, or offensive work environment; or (3) affects an employee's employment opportunities or compensation.

Sexual harassment is any unwelcome behavior of a sexual nature, including but not limited to, unwelcome sexual advances, request for sexual favors, physical conduct of a sexual nature, or other similar behavior. Sexual harassment is not limited to prohibited conduct by a male employee toward a female employee. A male, as well as a female, may be a victim of sexual harassment. Similarly, sexual harassment is not limited to the actions of a supervisory employee toward a non-supervisory employee; the harasser may be an agent of the employer, a supervisory employee who does not supervise the victim, a coworker, or a non-employee.

I expect you to take steps to report or stop harassment (sexual or non-sexual) by reporting such behavior to any management official or directly to the Equal Employment Opportunity (EEO) office at your workplace. I want you to know that you are entitled to do so and be free from retaliation. Retaliation is a form of discrimination where an employee is subjected to an adverse employment action or harassment that creates a hostile or abusive work environment, solely because he or she opposed an unlawful employment practice.

"Opposing" an unlawful employment practice includes filing a charge of discrimination, participating in an investigation, proceeding or hearing, or taking other, similar action in opposition to the unlawful practice.

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Supervisory employees are responsible for informing their respective management of any known workplace conduct which may constitute harassment. Supervisory employees who have knowledge of an act of possible harassment should contact their local EEO Office for guidance, even if they have been asked to keep the matter confidential. Supervisory employees are responsible for taking immediate and appropriate corrective action as advised by their local EEO and Human Resources offices.

Employees who wish to file a formal complaint of discrimination regarding harassment or retaliation must contact an EEO Counselor within 45 days of the date of the alleged discrimination, or 45 days from the date on which they reasonably become aware of the discrimination. The complaint process provides a prompt, thorough, and impartial investigation. The Department will seek to protect the confidentiality of harassment and retaliation allegations, to the extent possible, and will share information only with those who have a need to know in the performance of their official duties.

All employees have the right to work in an environment free from unlawful harassment and unlawful retaliation. Any employee of the Department of Energy who engages in harassment or retaliation in violation of the law or of this policy is subject to disciplinary action, which may include suspension or dismissal.

For more information regarding harassment in the workplace, or information on how to file an EEO complaint, go to http://diversity.energy.gov, and click on "Civil Rights."

This policy statement will be published annually in June pursuant with Equal Employment Opportunity Commission Management Directive 715, dated October 1, 2003.