



**Department of Energy**  
Southwestern Power Administration  
One West Third Street  
Tulsa, Oklahoma 74103-3502

November 20, 2013

## Policy Statement on Harassing Conduct and Retaliation in the Workplace

The purpose of this policy statement is to affirm the Southwestern Power Administration's (Southwestern) responsibility to maintain a workplace free from harassment and retaliation, and to ensure that all employees are aware of my personal commitment to this affirmation.

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

Sexual harassment is defined as unwelcome behavior of a sexual nature, including but not limited to, unwelcome sexual advances, requests 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 the 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, or a coworker.

Employees who take action to report or stop prohibited harassment (sexual or non-sexual) are legally entitled to 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.

Employees are encouraged to address harassment before it becomes severe or pervasive. An individual being harassed may confront the harasser directly if he or she feels comfortable doing so, but is never required to confront the harasser directly. The individual being harassed may report the harassment to any management official, or directly to the Equal Employment Opportunity Manager. Employees who wish to file a formal complaint of discrimination regarding harassment or retaliation must contact an EEO Counselor within 45 days of the alleged discriminatory action, or within 45 days of the date on which they reasonably became aware of the discrimination. Employees may also initiate a grievance under the Department of Energy or negotiated grievance procedures. The complaint process provides for a prompt, thorough and

impartial investigation. Southwestern 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.

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

Any employee of Southwestern who engages in harassment or retaliation in violation of the law or of this policy is subject to disciplinary action, which may range from reprimand to removal from Southwestern. I encourage each employee of Southwestern to be actively responsible in maintaining a workplace free of harassment.

A handwritten signature in black ink, appearing to read 'C. M. Turner', with a long, sweeping horizontal stroke extending to the right.

Christopher M. Turner  
Administrator