



United States
Department of
Agriculture

Forest
Service

Pacific
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Region

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Subject: Region Five's Policy on the Prevention of Sexual Harassment

To: All Region 5 Employees

As Regional Forester, I am strongly committed to and echo the Chief's commitment to making the Forest Service the employer of choice. Our employees are our most valuable asset.

We, as Forest Service employees, are responsible for creating and maintaining a positive work environment. The Region implemented a zero tolerance policy on the prevention of sexual harassment; to ensure all employees are treated fairly, equitably and with dignity and respect. Region 5 does not tolerate or condone any form of sexual harassment, or retaliation towards any employee for reporting harassment or assisting in an investigation of a claim. Sexual harassment is an offensive working condition, which undermines the integrity of the organization, debilitates morale, and interferes with work productivity.

Sexual harassment is a form of discrimination, and is a violation of Section 703 of Title VII of the Civil Rights Act of 1964, and is defined in the Code of Federal Regulations (CFR), 29 CFR 1604.11 as, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- Submission of such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- Such (sexually harassing) conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Some examples of behavior that may be sexual harassment if they meet the three prong test above includes touching, grabbing, lewd gestures, jokes with sexual connotation, computer screen savers or photographs of a sexual nature, and any behavior with sexual overtones which is intimidating or offensive to the recipient, or to one who observes such behavior.



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The emphasis on education and training must continue and must remain a part of our daily operations to ensure that the prevention and elimination of sexual harassment/hostile work environment remain visible and that our work environment is free of this destructive behavior. Therefore, all employees and managers shall receive annual mandatory prevention of sexual harassment training.

Disciplinary action(s) will be taken against any employee engaging in sexual harassment and any manager or supervisor failing to take prompt and appropriate corrective action to address reports or knowledge of sexual harassment, in accordance with USDA FS regulation. Retaliation and/or reprisal by employees or management against employees who report allegations of sexual harassment or who are the alleged victims of sexual harassment will not be tolerated. It is also Region 5's policy that employees or supervisors who are found to have engaged in or who failed to take prompt and appropriate action to address sexual harassment shall be required to attend specialized one-on-one prevention of sexual harassment training.

Individuals who believe they are being harassed or retaliated against or have witnessed sexual harassment should report the alleged harassment immediately to their first line supervisor. You may also contact the following individuals:

- Unit Forest Civil Rights Officer (FCRO)
- Regional Office Civil Rights staff (707) 562-8674
- Human Capital Management staff (877) 372-7248
- Employment Complaints Program (ECP) (707) 562-8653
- Regional Alternative Dispute Resolution Program Manager (707) 562-8993
- Sexual Harassment Hotline (707) 562-9228

Note: Managers and supervisors must report the alleged harassment within the 24 hour requirement.

An employee who believes he or she has been discriminated against or subjected to sexual harassment has the right to pursue the matter through the informal EEO complaint process by contacting an Employee Complaints Program Counselor at the number stated above within 45 calendar days of the alleged occurrence.

I expect and will depend on each of you, as Region 5 employees, to adhere to this policy. This policy protects and applies to every permanent, temporary, seasonal, Student Career Employment Program/Student Temporary Employment Program (SCEP/STEP) employee, volunteer, and employees on details at all work locations in Region 5. I expect every employee to demonstrate responsible, professional behavior in the workplace and to treat everyone fairly, equitably, and with dignity and respect.

/s/ *Randy Moore*
RANDY MOORE
Regional Forester