

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HUMAN SERVICES**



Office of the Director

SEXUAL HARASSMENT POLICY STATEMENT

Based on the Human Rights Act of 1977, as amended, the Title VII Civil Rights Act of 1964, as amended, and Mayor's Order 2004-171, effective October 20, 2004, it is the policy of the Department of Human Services (DHS), its vendors and contractors to provide a work environment free from sexual harassment. Sexual harassment of any employee, in any form, violates the law and has a debilitating impact on employee morale and productivity, which will not be tolerated by the Department. Employees who report sexual harassment, or participate in a sexual harassment complaint, will not be subjected to retaliation in any form. DHS has a zero tolerance policy for sexual harassment in the workplace.

SCOPE

This policy governs the conduct of DHS employees as well as other parties doing business with or carrying out the goals and objectives of the Department, i.e., vendors, employees of other DC agencies, and persons visiting or working at the Department's worksites inside or outside the agency.

DEFINITION

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or any other verbal or physical conduct of a sexual nature when any one of the following criteria is present:

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

The following are examples of conduct, which may create an intimidating, hostile or offensive work environment:

- Sexually oriented or sexually degrading language describing an individual's clothing, hair, accessories, or sexual experiences;

- Sexually offensive comments or off-color language, jokes, verbal, non-verbal suggestions, which a reasonable person would consider to be of a sexual nature or belittling or demeaning to an individual's or group's sexuality or gender;
- The display or distribution of sexually suggestive objects, books, magazines, photographs, music, cartoons, computer internet sites or references, or pictures;
- Unnecessary and inappropriate touching or physical contact such as brushing against an individual's body, massaging, tussling or touching of hair, patting, pinching or hugging a person that could be considered to be of a sexual nature;
- Leering, suggestive facial expressions, gestures, or sounds such as whistling or kissing noises;
- Workplace sexual comments, conduct, displays, or suggestions between two willing parties that would cause a reasonable third party to be offended; and/or
- Sexual assault.

Sexual harassment includes behavior that creates a hostile work environment for witnesses to the inappropriate behavior. Sexual harassment can be committed by persons with both genders, against persons of the same or different gender.

RESPONSIBILITIES

Employees

All DHS employees are responsible for ensuring that the workplace is free from sexual harassment by complying with this policy and cooperating fully in the investigation of sexual harassment complaints. Employees who know of allegations of sexual harassment in the workplace, or who are victims of or witnesses of sexual harassment are urged to report such conduct to the Equal Employment Office (EEO), an EEO Counselor, an EEO Representative, or an office manager or supervisor.

Any individual with a complaint can go directly to court to file a complaint within one year of the alleged act of discrimination, or you may report the act within 180 days to the Department of Human Services, Equal Employment Opportunity Office. The EEO Counselor has 21 days to resolve the matter. If you are not satisfied with the results, you have 15 calendar days to file a formal complaint with the District of Columbia, Office of Human Rights.

The Human Rights Act of 1977, as amended, allows current DHS employees one year from the date of incident or occurrence of sexual harassment to file a complaint directly with the Office of Human Rights. Individuals that file claims with the Equal Employment Opportunity Commission must contact them directly for filing deadlines. Contact information for filing with one of the appropriate offices is as follows:

Government of the District of Columbia
Department of Human Services
Office of the Director
Rhonda M. Stewart, EEO Compliance Officer
Equal Employment Opportunity Office
64 New York Avenue, N.E., Sixth Floor
Washington, DC 20002
(202) 671-4422

Government of the District of Columbia
Office of Human Rights
441 4th Street, N.W., Suite 570 North
Washington, DC 20001
(202) 727-4559

Equal Employment Opportunity Commission
Washington Field Office
1801 L Street, N.W, Suite 100
Washington, DC 20507
(202) 419-0700

Managers and Supervisors

In addition to their responsibilities as Department employees, as described above, managers and supervisors have an affirmative duty to take all action necessary to ensure that the DHS work environment is free from sexual harassment and that the employees under their supervision, who file complaints under this policy, are not subjected to retaliation, penalty, or disparate treatment.

PUBLICIZING THE DEPARTMENT'S POLICY STATEMENTS

The Department's policy statements are publicized as follows:

1. Each DHS employee is provided a copy of each policy statement, upon issuance by the Director.
2. Each new DHS employee is provided copies of all policy statements at orientation or by a unit supervisor.
3. The policy statements are displayed in prominent places in the Department's various work sites and on the DHS intranet website.
4. The policy statements are made part of the Department's Affirmative Action Plan.
5. The DHS Equal Employment Opportunity Officer, EEO Representatives and EEO Counselors publicize the Department's EEO policies.

6. The DHS' EEO training programs for managers, supervisors and employees disseminate information on the Department's EEO policies.

Clarence H. Carter
Clarence H. Carter, Director
Department of Human Services

4.7.2008
Date