

CIRCULAR

DATE April 9, 2024

ANTI-HARASSMENT POLICY (AHP) AND PROCEDURES

REVIEW DATE April 9, 2029

1.0 PURPOSE AND SCOPE

- 1.1 This policy establishes procedures for processing allegations of harassment due to a protected basis and supports the Bureau and Engraving and Printing's (BEP/Bureau) goal of maintaining a workplace free from discriminatory harassment.
- 1.2 The procedures contained herein apply to all employees working for BEP. The procedures do not apply to allegations of harassment brought by contractors against the contractor and/or against another contractor, to include (contractor) supervisors and/or coworkers. Allegations by or against a contractor by or against a Federal employee, however, may be considered under this policy.

2.0 POLICY

- 2.1 BEP will not tolerate discriminatory harassing conduct against an employee or applicant for employment based on race, color, religion, sex (including pregnancy, childbirth, and related medical conditions; sexual orientation; or gender identity), national origin, age, disability, protected genetic information or retaliation for prior protected EEO activity in the workplace. BEP management will initiate a prompt, thorough, and impartial fact-finding when allegations of harassment based on a protected basis arise; and will take immediate and appropriate action before it becomes severe or pervasive.
- 2.2 Discriminatory harassment can occur by the actions of anyone in the workplace, including supervisors, coworkers, or nonemployees, when based on race, color, religion, national origin, sex (including pregnancy, childbirth, and related medical conditions; sexual orientation; or gender identity), age, disability, genetic information or retaliation for prior protected activity (i.e., opposition to prohibited discrimination or participation in the EEO complaint process). While isolated incidents of harassment generally do not violate Federal law, a pattern of incidents may.
- 2.3 To the extent possible, BEP will protect the confidentiality of information related to the harassment allegations and the individuals bringing harassment claims. Disclosures about allegations of harassment will be made only on a "need to know" basis, to determine the facts surrounding the allegation and to take appropriate action. Records relating to harassment complaints should be kept confidential on the same basis.
- 2.4 Employees who allege and report harassment based on protected basis, witnesses, and others who provide information concerning such claims are protected from retaliation.

CIRCULAR

DATE April 9, 2024

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- 2.5 ALTERNATIVE DISPUTE RESOLUTION: BEP proactively uses alternative dispute resolution (ADR) to resolve harassment claims for early resolution in all cases where ADR is appropriate. ADR as the workplace proactive solution (WPS) is the first process to be implemented for allegations of harassment in all cases unless there is a legitimate reason why ADR is not appropriate. Any requests for ADR will be referred to the ADR Coordinator who will process the request. The BEP utilizes the Federal Mediation and Conciliation Service for ADR including mediation, facilitated discussions, etc.
- 2.6 ADR will not be offered when:
- 2.6.1 An allegation that fraud, waste, or abuse was committed by either party;
 - 2.6.2 A case where violence is alleged;
 - 2.6.3 Evidence that one of the parties is acting in bad faith, e.g., when one party mainly seeks a delay;
 - 2.6.4 Certain types of harassment, e.g., threatened violence, stalking, sexual harassment;
 - 2.6.5 Instances where an employee alleged harassment in the past in which resolution efforts have been unsuccessful;
 - 2.6.6 Situations where options are dictated or limited by law, and,
 - 2.6.7 When an aggrieved individual in an informal EEO complaint, requests to remain anonymous.
- 2.7 All BEP employees are required to complete annual training regarding BEP’s AHP policy and procedures and their roles to ensure BEP continues its efforts to maintain a safe and inclusive work environment.
- 2.8 Reporting an allegation of discriminatory harassment under this policy does not satisfy the requirements for filing an appeal at the MSPB, initiating EEO contact, filing an EEO complaint or union grievance, and does not delay the time limits for initiating those procedures. Thus, an employee may choose to pursue statutory, administrative, or collective bargaining remedies for unlawful discriminatory harassment, in addition to instituting the procedures outlined in this issuance. If an employee chooses to pursue those remedies, the employee must elect one of the available forums as follows:
- 2.8.1 For an EEO complaint pursuant to 29 C.F.R. § 1614, contact an EEO counselor within 45 calendar days of the most recent incident of alleged discriminatory harassment (or the effective date of a personnel action if one is involved) or when the employee or applicant became aware of the alleged discriminatory act, as required under 29 C.F.R. §1614.105(a).

CIRCULAR

DATE April 9, 2024

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- 2.8.2 For a collective bargaining (negotiated) grievance, file a written grievance in accordance with the provisions of the applicable Collective Bargaining Agreement (CBA).
 - 2.8.3 For an appeal to the Merit Systems Protection Board (MSPB) pursuant to 5 CFR § 1201.22, an appeal must be filed with the Board within 30 days of the effective date of an appealable adverse action as defined in 5 CFR § 1201.3.
 - 2.8.4 Contact with an EEO Counselor does not prevent an employee from filing a collective bargaining grievance or an MSPB appeal. However, an employee must elect to file a formal EEO complaint or a negotiated grievance procedure, but not both. Similarly, an employee may not pursue both a formal EEO complaint and an MSPB appeal.

3.0 SUPERSESSION

This circular supersedes Circular No. 67-13.12, "Anti-Harassment Policy (AHP) and Procedures," dated July 7, 2021.

4.0 REFERENCES

- 4.1 [CRD - 009 \(treasury.gov\)](https://www.treasury.gov)
- 4.2 Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e-16
- 4.3 Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. § 633a
- 4.4 Rehabilitation Act of 1973, as amended, 29 U.S.C. §§ 791, 794, and 794a
- 4.5 Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 et seq
- 4.6 Executive Order 13087 (May 28, 1998), amending Executive Order 11478 (August 9, 1969), Equal Employment Opportunity in Federal Government
- 4.7 Executive Order 13152 (May 2, 2000), amending Executive Order 11478 (August 9, 1969)
- 4.8 U.S. Equal Employment Opportunity Commission (EEOC) Management Directive 715 (MD-715) (August 2015)
- 4.9 Privacy Act of 1974, as amended, 5 U.S.C. § 552a
- 4.10 EEOC Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors (June 1999)
- 4.11 EEOC, Model EEO Programs Must Have an Effective Anti-Harassment Program (September 2005)
- 4.12 BEP Sexual Harassment Policy Statement (October 1, 2021)

CIRCULAR

DATE April 9, 2024

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- 4.13 BEP Equal Employment Opportunity Policy Statement (December 1, 2020)
 - 4.14 Circular No. 60-00.7, Allegations of Threat, Violence, Harassment or Intimidation in the Workplace
 - 4.15 Circular No. 50-00.7, Records Systems Subject to the Privacy Act

5.0 DEFINITIONS

- 5.1 Discriminatory Harassment is hostile or abusive conduct, based on race, color, religion, national origin, sex (including pregnancy, childbirth, and related medical conditions; sexual orientation; or gender identity), age, disability, protected genetic information or retaliation for prior EEO activity.
- 5.2 Unlawful Harassment includes unwelcome intimidation, ridicule, insult, or physical conduct based on a protected group where:
 - 5.2.1 Such conduct by a supervisor culminates in a tangible employment action (i.e., a significant change in employment status or benefit); or
 - 5.2.2 The conduct is sufficiently severe or pervasive as to alter the terms, conditions, or privileges of the employee's employment, unreasonably interferes with work performance, or otherwise creates a hostile work environment. Common workplace occurrences, such as workplace changes or restructuring, directions to perform work or to comport oneself appropriately or issuing performance appraisals, are unlikely to rise to a violation of law. Petty slights, annoyances, and isolated incidents (unless extremely serious) will not rise to the level of unlawful harassment. To be unlawful, the conduct must create a work environment that would be intimidating, hostile, or offensive to a reasonable person. However, harassing conduct that is not unlawful may serve as the basis for disciplinary or corrective action.
- 5.3 Examples of harassing conduct include, but are not limited to:
 - 5.3.1 Epithets, slurs, stereotyping or threatening, intimidating, or hostile acts that relate to an individual's protected group status.
 - 5.3.2 A practice or repeated instances of jokes or pranks that are hostile or demeaning and are based on an individual's protected group status.
 - 5.3.3 Written or graphic material that degrades or shows hostility or aversion toward an individual or group because of their protected group characteristics and is displayed on walls, bulletin boards, or other locations or is circulated in the workplace.
 - 5.3.4 A single utterance of an ethnic, sexual, or racial epithet that offends an employee, but which generally would not be severe enough to constitute unlawful harassment in violation of Title VII or any other anti-discrimination

CIRCULAR

DATE April 9, 2024

statute. However, it is BEP's policy that such conduct is inappropriate in the workplace and should not be tolerated.

- 5.4 Sexual harassment refers to unwelcome advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature; such conduct constitutes harassment when:
 - 5.4.1 Submission to such conduct is made either explicitly or implicitly a term or condition of employment.
 - 5.4.2 Submission to or rejection of such conduct by an individual is used as the basis of employment decisions affecting such individuals.
 - 5.4.3 Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.
 - 5.4.4 Examples of sexually harassing conduct include, but are not limited to:
 - 5.4.4.1 A manager or supervisor conditioning a promotion, job assignment, or other tangible job benefit on acquiescence to unwelcomed sexual conduct or penalizing an individual for refusing to participate in such conduct.
 - 5.4.4.2 Sexist or stereotypical remarks about a person's clothing, body, appearance, or activities.
 - 5.4.4.3 Sexually oriented jokes, stories, remarks, or discussions.
 - 5.4.4.4 Descriptions of sexual acts.
 - 5.4.4.5 Posting or displaying sexually graphic pictures anywhere in the workplace.
 - 5.4.4.6 Deliberately touching, pinching, patting, or giving inappropriate looks to another person.
 - 5.4.4.7 Pressure for dates or sexual activity.
 - 5.4.4.8 Unwelcome telephone calls, email messages, social network postings or letters of a sexual nature.
 - 5.4.4.9 Demands for sexual favors.
- 5.5 Retaliatory harassment is harassing conduct based on a person's prior protected EEO activity. Protected activity is where an individual has filed an EEO complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under federal anti-discrimination laws. Another type of protected activity is

CIRCULAR

DATE April 9, 2024

reasonable opposition to any practice made unlawful under federal anti-discrimination laws.

Additionally, requesting a reasonable accommodation for a disability or religious belief is protected activity as is filing or participation in an anti-harassment fact-finding.

Retaliatory harassment may be unlawful even if it is not severe or pervasive enough to create a hostile work environment, as long as it might deter a reasonable person from asserting his or her EEO rights.

- 5.6 Conduct covered by this policy includes hostile or abusive conduct based on a protected group, even if the conduct is not sufficiently severe or pervasive to alter the conditions of employment.
- 5.7 Fact-Finder is a delegee officially designated by the AHC to conduct a prompt, thorough, and impartial inquiry into reports of harassment based on a protected group and issue a Fact-Finding Report at the conclusion of the inquiry. The fact-finder shall not be subordinate to any official named in the allegation or to the decision maker.
- 5.8 Fact-Finding is the process of conducting an inquiry into discriminatory harassment allegations to determine whether this policy has been violated, not whether the alleged conduct rises to a violation of anti-discrimination law. The extent of the fact-finding will vary based on the circumstances of the alleged discriminatory harassing conduct.
- 5.9 Fact-Finding Report is a written factual report of the steps BEP took upon receipt of the harassment allegation and containing information gathered from interviews with the alleged victim, alleged harasser and relevant witnesses, and documents provided by appropriate parties to the matter.
- 5.9.1 The fact-finding report is the means through which the Deciding Official (DO) or their designee evaluates the facts and determines whether the policy has been violated. The DO, in conjunction with OHR and in consultation with the Office of Chief Counsel (OCC), will determine the appropriate corrective action, if any, to be taken.
- 5.9.2 The fact-finding report is submitted to the DO and AHC and may be disclosed to only those individuals with a need to know. (See Section 2.3).
- 5.9.2.1 All records related to this effort will be managed (identified, retained, disposed) in accordance with the applicable National Archives and Records Administration (NARA) approved General Records Schedule (GRS) or BEP records schedule.
- 5.9.2.2 Disclosure of all information related to this effort shall be in compliance with the Privacy Act of 1974. Such information may be

CIRCULAR

DATE April 9, 2024

disclosed as a routine use to those who have a need-to-know to carry out the purpose and intent of this policy.

- 5.9.3 The fact-finding report may be released in accordance with routine uses per the system of record notice (SORN).
- 5.10 The Deciding Official (DO) is generally the first line supervisor of the alleged harasser and determines whether the policy has been violated based upon the fact-finding. If such supervisor is involved in the allegation, the next line supervisor is delegated to become the DO.
- 5.11 Conflict of interest case will be determined on a case-by-case basis, but generally, may be defined as an allegation filed against the:
 - 5.11.1 BEP Director
 - 5.11.2 Chief, Office of Equal Opportunity and Diversity Management (OEODM)
 - 5.11.3 AHC

6.0 RESPONSIBILITIES

- 6.1 All employees are responsible for reporting discriminatory harassing conduct based on a protected basis, whether experienced or observed and are expected to:
 - 6.1.1 Familiarize themselves with and adhere to the BEP Code of Conduct.
 - 6.1.2 Act professionally and refrain from engaging in discriminatory harassing conduct.
 - 6.1.3 Be familiar with the provisions of this policy, comply with all requirements and cooperate with any inquiry or fact-finding conducted under this policy.
 - 6.1.4 Promptly report the discriminatory harassing conduct, whether experienced or observed by following the procedures set forth within this Policy under Section 7.0. Reporting harassment at an early stage prevents its escalation and ensures that appropriate officials are notified and can promptly correct such conduct.
 - 6.1.5 If comfortable doing so, inform the alleged harasser directly that the conduct is unwelcome and must stop. If the employee is not comfortable doing so, the employee may avail themselves of the procedures under Section 7 of this policy.
 - 6.1.6 Take advantage of the preventive or corrective opportunities provided by BEP such as the AHP process as stated in this circular, EEO complaint process, or ADR.

CIRCULAR

DATE April 9, 2024

- 6.2 All managers and supervisors shall maintain a work environment free from discriminatory harassment. When a manager or supervisor receives a discriminatory harassment allegation, they shall:
 - 6.2.1 Contact the AHC promptly in accordance with this policy to ensure the allegation is addressed promptly as required under this policy. Follow the procedures set forth in this policy once they have been apprised of allegations of discriminatory harassment, even if the employee requests that no action be taken.
 - 6.2.2 Assess the situation and consult with the AHC and other appropriate offices, such as the Office of Chief Counsel (OCC), the Office of Security, as appropriate (in the case of possible workplace violence), and Chief, Office of Human Resources (OHR) to determine appropriate interim steps to ensure further discriminatory harassment does not occur. Such steps may include changing the work location and assignments of the individuals and granting appropriate leave.
 - 6.2.3 Management, to the extent possible, will ensure all individuals who report alleged harassment or who cooperate during an inquiry are protected from retaliation. If appropriate, act as Deciding Official, and in consultation with OHR and OCC, take appropriate corrective or disciplinary action, as necessary, if a violation of the policy and misconduct is found to be substantiated.
 - 6.2.3.1 In instances where the immediate supervisor is the alleged harasser, or if it is determined through the fact-finding that the immediate supervisor is involved in the allegation, the immediate supervisor should be recused from decision making authority with respect to the possible outcome of the fact-finding.
 - 6.2.3.2 Remedial measures should be designed to stop the harassment, correct its effects on the employee, and ensure that the harassment does not reoccur. These remedial measures need not be those that the employee requests or prefers, as long as they are effective.
- 6.3 Anti-Harassment Coordinator (AHC) resides in OEODM and is designated to receive allegations of discriminatory harassment and manage BEP's Anti-Harassment Program. The AHC is responsible for:
 - 6.3.1 Determining the scope and formality of the fact-finding depending on the nature and complexity of the harassment allegations.
 - 6.3.2 Assigning cases to the appropriate fact-finder and monitoring cases to ensure timely processing.
 - 6.3.3 Providing guidance to the designated fact-finder on conducting effective fact-finding and writing a thorough and complete report of the inquiry.

CIRCULAR

DATE April 9, 2024

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- 6.3.4 Overseeing fair, impartial and timely inquiries into allegations of discriminatory harassment. Allegations of harassment will be processed in an impartial manner following the procedures delineated under Section 7 of this policy.
 - 6.3.5 Providing employees information about their right to seek EEO counseling under 29 C.F.R § 1614.105, the timeframes for doing so, and the difference between EEO complaints and the Anti-Harassment processes.
 - 6.3.6 Providing all individuals who report alleged harassment or who cooperate during fact-finding information on their protection from retaliation.
 - 6.3.7 Requesting and coordinating with the Office of Security to investigate sexual harassment allegations or any harassment allegation that involves physical assault. In addition, AHC must contact the Department Office of Inspector General (OIG). (See Section 8.0).
 - 6.3.8 Maintaining fact-finding and related records in accordance with the Privacy Act of 1974 and in compliance with Circular No. 50.00.7. Information may be disclosed on a need-to-know basis.
 - 6.3.9 Establishing a system to track and maintain information on harassment allegations received, to include but not limited to the number of complaints, the bases for the allegations, processing timeframes and the actions taken to address annual reporting requirements of EEOC's Management Directive 715.
 - 6.3.10 Developing training and technical assistance on the Anti-Harassment Policy and procedures, including, but not limited to, training for fact-finders and BEP's workforce.
 - 6.3.11 Contacting the Contracting Officer if the alleged harasser or alleged victim is a contract employee and request them to ensure that the contractor and all its relevant employees cooperate in the inquiry.
 - 6.3.12 Developing anti-harassment informational materials (e.g., fact sheets, brochures) for Bureau-wide dissemination.
 - 6.3.13 Providing a copy of any new/revised policies and procedures to the Office of Civil Rights and Equal Employment Opportunity (OCRE), Department of the Treasury (Department) and EEOC.
- 6.4 Chief, OCC or designee provides legal advice and guidance to the affected program offices and managers, as needed.
- 6.5 Chief, OEODM or designee shall:
- 6.5.1 Provide advice and guidance pertaining to EEO matters and technical assistance and support to assure compliance with this policy.

CIRCULAR

DATE April 9, 2024

-
- 6.5.2 Disseminate this policy annually to all employees and posting of information on Anti-Harassment Policy, where appropriate.
 - 6.5.3 Designate an AHC who has the appropriate experience and skill to execute the requirements under this policy.
 - 6.5.4 Ensure that there is a "firewall" separating EEO complaint and harassment allegations processing. Therefore, OEODM cannot conduct the fact-finding nor can the Chief, OEODM, serve as the deciding official to determine whether the alleged conduct violates the BEP Anti-Harassment policy.
 - 6.5.5 Determine whether designated fact-finders have appropriate training and skill to execute the requirements under this policy.
 - 6.5.6 If an employee first raises a complaint of harassment in the EEO counseling process, require the AHC to initiate the processing of the allegations per this policy. This will not stop or postpone the EEO process, and any information gathered during the fact-finding will be made available to the EEO investigator if a formal complaint is filed and accepted by the Department.
 - 6.5.7 If an individual has exercised the right to anonymity during the informal counseling process, require the AHC to initiate the fact-finding in accordance with this policy and maintain confidentiality to the extent possible.
 - 6.5.8 Refer conflict of interest cases to OCRE for processing.
 - 6.6 Chief, OHR or designee shall provide advice to managers and supervisors pertaining to human resource matters, including but not limited to corrective or disciplinary actions.
 - 6.7 Fact-Finder:
 - 6.7.1 Consults with ELMR and OCC regarding additional allegations, which were not raised during the initial complaint and brought to their attention during the fact-finding. Such allegations shall not be part of the written report unless the AHC determines otherwise. Fact-finding will be confined solely to the allegations of harassment raised by the alleged harassee.
 - 6.7.2 Documents any refusal by witnesses to cooperate in the fact-finding process and consults with OCC and ELMR, as needed, regarding appropriate action.
 - 6.7.3 When providing documents for review or signature, require witnesses to acknowledge and sign the Privacy Act Statement as well as acknowledge that they are providing statements under penalty of perjury.
 - 6.7.4 Upon the completion of fact-finding, prepares a report and submits it to the DO and the AHC. The report shall include a summary of the steps BEP took upon receipt of the harassment allegation and information gathered during the interview process.

CIRCULAR

DATE April 9, 2024

7.0 PROCEDURES

- 7.1 Employees who believe that they have been the victim of harassment or observed harassment may report the harassing conduct to their supervisor, manager, another BEP manager or supervisor, or AHC.
- 7.2 BEP employees who believe they have been subjected to sexual harassment may also report the matter immediately via BEP's Sexual Harassment Hotline:
Telephone: (202) 874-3480 or Email: SexualHarassmentHotline@bep.gov.
- 7.3 To ensure prompt and appropriate action, employees are encouraged to report harassing conduct immediately after the alleged behavior occurred. When reporting harassment, it must include the protected basis on which the alleged harassment is based; the specific nature of the incident(s); date(s) and place(s) of the alleged incident(s); name(s) of the parties involved, witnesses, as well as all other pertinent facts.
- 7.4 Upon receipt of an allegation of harassment or witnessing what is believed to be harassing conduct, the manager or supervisor shall refer the matter immediately to the AHC no later than three (3) calendar days of receipt of the allegation and assess whether any immediate interim action is required.
- 7.5 The AHC will assess whether the matters alleged fall under this policy. If the AHC determines the allegation is covered by this policy, the AHC will promptly assign a fact-finder to begin an inquiry within ten (10) calendar days of the notification of the allegation. The fact-finder should be unencumbered by other work responsibilities to ensure the fact finding is a priority.
- 7.6 The assigned fact-finder must make all reasonable efforts to immediately contact the alleged harassee, alleged harasser and witnesses to schedule interviews and start the inquiry. All contacts with the individuals must be documented.
- 7.7 Absent extenuating circumstances, the fact-finder is expected to complete the inquiry within 30 calendar days of the notification. The fact finder will submit the report to the AHC.
- 7.8 Upon receipt of the fact finding report, the DO shall review the fact-finding report to determine whether there has been a violation of the Anti-Harassment Policy, in consultation with the subject matter experts, e.g., OHR, OCC.
- 7.9 The DO will issue a decision on whether the AH policy has been violated. The DO should refer to the immediate supervisor if necessary, or OHR, to determine whether corrective or disciplinary action is appropriate. Neither the alleged harassee nor the alleged harasser are entitled to know the outcome of any fact-

BUREAU OF ENGRAVING AND PRINTING

CIRCULAR

DATE April 9, 2024

finding in accordance, with the protections afforded individuals under the Privacy Act of 1974, and Circular No. 50.00-7.

- 7.10 The DO will notify the alleged harasser that the inquiry has been closed.
- 7.11 The AHP fact-finding process including the decision on a policy violation and any corrective action must be completed and implemented within 60 days of the report of an allegation of harassment (7.1 to 7.10 of this circular.)
- 7.12 If the allegation involves a contract employee being harassed by another contract employee at a BEP facility, the AHC shall immediately contact BEP's Office of the Chief Procurement Officer for referral to the appropriate contracting official for action.

8.0 REPORTING SEXUAL HARASSMENT ALLEGATIONS

- 8.1 If an allegation of sexual harassment is raised by the employee during the harassment inquiry or during the EEO counseling process or is raised directly to a BEP management official, a supervisor, or Human Resources staff, the AHC must be notified.
- 8.1.1 The reporting of the sexual harassment allegation(s) to BEP's AHC, whether written or oral, should include the specific nature of the incident, date and place of the incident, names of the parties involved, as well as all pertinent facts.
- 8.1.2 Depending on the nature of the allegation, management may need to take immediate interim action to ensure further harassment does not occur. Such steps may include changing the work location and assignments of the individuals and granting leave where appropriate.
- 8.2 The AHC shall contact the Department's Office of the Inspector General (OIG) within ten (10) calendar days of being notified of the sexual harassment allegation. Since BEP does not have a separate OIG, BEP will request Department's OIG to decide if a separate OIG investigation is warranted based on the sexual harassment allegation summary submitted to by BEP's AHC.
- 8.2.1 Notifying the OIG of the sexual harassment allegation does not terminate or postpone any ongoing harassment inquiry and taking any immediate or appropriate corrective action if BEP determines harassment occurred.
- 8.2.2 Bureau IG Offices contact information is as follows:
- Office of Inspector General
U.S. Department of the Treasury
1500 Pennsylvania Ave. NW
Washington, DC 20220
Email: OIGCounsel@oig.treas.gov or Hotline@oig.treas.gov
Website: www.treasury.gov

BUREAU OF ENGRAVING AND PRINTING

CIRCULAR

DATE April 9, 2024

Phone: 202-927-0650 or 1-800-359-3898

9.0 OFFICE OF PRIMARY RESPONSIBILITY

Office of Equal Opportunity and Diversity Management

<electronically approved>

Patricia S. Collins

Director

Appendix A. Frequently Asked Questions

Appendix B. Notice to Employees

CIRCULAR

DATE April 9, 2024

APPENDIX A: FREQUENTLY ASKED QUESTIONS

9.1 What is BEP’s Anti-Harassment Policy?

The Policy establishes expedited procedures for processing allegations of discriminatory harassment due to a protected basis and supports the Bureau and Engraving and Printing’s (BEP/Bureau) goal of maintaining a workplace free from discriminatory harassment. (Circular 67-13.12)

9.2 What are some examples of discriminatory harassment as defined above?

Discriminatory harassment that violates BEP Anti-harassment policy is based on a protected class and can occur in several ways. Examples include but are not limited to:

- 9.1.1 Offensive jokes, slurs, epithets or name calling;
- 9.1.2 Physical assault, intimidating or threatening behavior;
- 9.1.3 Ridicule or mockery, insults or putdowns;
- 9.1.4 Offensive objects or pictures;
- 9.1.5 Interference with work performance; and
- 9.1.6 Bullying, unwanted, offensive or malicious behavior calculated to undermine, patronize, humiliate, intimidate, or demean the recipient ranging from face-to-face encounters to cyber- bullying.

9.3 What if I believe I have been harassed, but not based on the reasons above?

BEP’s Anti-Harassment Policy and procedures are not intended to establish a general civility code for the Bureau. Therefore, petty slights or minor annoyances are not covered. In addition, harassment is limited to the definition and protected categories as defined in the BEP Anti-Harassment Policy Statement on Harassment. If the alleged conduct does not involve one of these categories, or you are not sure whether it does or not, but the behavior is nonetheless unwelcome and offensive, you may still wish to report it to your supervisor or to the Anti-Harassment Coordinator (AHC), who can then decide whether the Anti-Harassment process is the appropriate venue or make a referral to the BEP ADR program manager at OEODM@bep.gov.

9.4 Where should I go to report discriminatory harassment?

Employees and others are encouraged to promptly report complaints of discriminatory harassment to their immediate supervisor before they become severe or pervasive. If that supervisor is the alleged perpetrator, report the complaint directly to the second line supervisor. There is no requirement to follow an employee’s chain of command. As an alternative, employees may report harassment directly to the AHC, whose office resides within the Office of Equal Opportunity and Diversity Management (OEODM).

9.5 What is the purpose of the BEP Anti-Harassment Program?

The Anti-Harassment Program sets up a process for management to determine whether there has been a violation of the anti-harassment policy. The program addresses allegations of harassment based on a protected class at the earliest possible stage to

CIRCULAR

DATE April 9, 2024

ensure a safe and respectful work environment and before any alleged harassment becomes severe or pervasive within the meaning of anti-discrimination laws.

9.6 Is reporting harassment the same as filing an EEO complaint?

No. The anti-harassment procedures are not a substitute for and do not affect rights under the EEO complaints process. The anti-harassment process is entirely separate and apart from the EEO complaints process and can run simultaneously with the EEO process. To preserve and not waive their right to file an EEO complaint, an employee who wishes to file a discrimination complaint should contact OEODM within 45 days of the alleged harassing conduct at OEODM@bep.gov.

9.7 What is the role of managers and supervisors?

Managers and supervisors are responsible for maintaining a work environment free of discriminatory harassment. Managers or supervisors who observe or are made aware of allegations of discriminatory harassing conduct are required to act promptly, effectively, and in accordance with BEP anti-harassment policy and procedures to determine the scope of the alleged harassing conduct and take corrective or disciplinary action as appropriate and necessary.

9.8 If I report discriminatory harassment, will the information provided be kept confidential?

All information shall remain confidential to the greatest extent possible with the greatest possible care taken to ensure the privacy of those involved and information pertaining to the matter shared on a need-to-know basis. The maintenance of records and any disclosures of information from these records shall be in compliance with the Privacy Act of 1974, as amended, and BEP policies.

9.9 What happens if there are no witnesses to discriminatory harassing conduct?

Even if there are no witnesses, in the appropriate circumstances, the fact-finder will still conduct an inquiry and interview the alleged victim and alleged harasser, secure relevant information/documents, and issue a report as required under the BEP Anti-Harassment policy and procedures or, in the appropriate circumstances, refer the matter to the ADR program manager.

9.10 Is it possible to be harassed by someone who is not my supervisor?

Yes. The harasser does not have to be your supervisor for the discriminatory harassment to be a violation of BEP Anti-Harassment policy. BEP has a responsibility to provide a workplace free from harassment, whether the harasser is your supervisor, a supervisor in another department, a coworker, a subordinate, or even a customer or client depending on the situation.

BUREAU OF ENGRAVING AND PRINTING

CIRCULAR

DATE April 9, 2024

9.11 Can I be punished for invoking the anti-harassment procedures or participating in an anti-harassment inquiry?

No. It is the policy of BEP to protect employees from retaliation who report discriminatory harassment under these procedures. If you believe you have been subjected to retaliation, please contact the AHC.

9.12 What if I witness inappropriate conduct?

Employees who know of harassing or abusive conduct due to a protected basis and which is directed at others are encouraged to report the matter to the supervisor of the offending employee, another supervisor or other management official, or the AHC.

CIRCULAR

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APPENDIX B: NOTICE TO EMPLOYEES

**STOP****Workplace Harassment****Causes Tension****Causes Emotional Distress****Undermines Productivity****Lowers Morale****Increases Employee Turnover Rates****Increases Absenteeism****Inhibits Growth and Creativity****Undermines Professionalism****Undermines Inclusion****Insults Dignity of Employees**

Discriminatory harassing conduct is any unwelcome behavior, verbal or physical, based on race, color, religion, national origin, sex (including pregnancy, childbirth, and related medical conditions; sexual orientation; or gender identity), age, disability, protected genetic information or retaliation based on protected Equal Employment Opportunity (EEO) activity (i.e., opposition to prohibited discrimination or participation in the EEO complaint process). Examples of harassing conduct include, but are not limited to:

- ❖ Epithets, slurs, stereotyping or threatening, intimidating, or hostile acts that relate to an individual's protected group status.
- ❖ A practice or repeated instances of jokes or pranks that are hostile or demeaning and are based on an individual's protected group status.
- ❖ Written or graphic material that degrades or shows hostility or aversion toward an individual or group because of their protected group characteristics and is displayed on walls, bulletin boards, or other locations or is circulated in the workplace.
- ❖ A single utterance of an ethnic, sexual or racial epithet that offends an employee generally would not be severe enough to constitute unlawful harassment in violation of Title VII or any other anti-discrimination statute. However, it is BEP's policy that such conduct is inappropriate in the workplace and should not be tolerated.

BEP employees who believe they have been subjected to harassing behavior in violation of BEP's Anti-Harassment Policy must report the matter immediately to their immediate supervisor, a BEP manager, or the Anti-Harassment Coordinator at OEODM@bep.gov.