

Chapter 5 – Equal Employment Opportunity

Part A Management

PREVENTION OF UNLAWFUL SEXUAL HARASSMENT

- 1) **PURPOSE**: This directive establishes the United States Mint's policy and guidelines on preventing and addressing sexual harassment.
- 2) **SCOPE**: This directive applies to all United States Mint employees.
- 3) **OUTCOME**: A workplace that is free of sexual harassment.
- 4) **DEFINITIONS**:

Sexual Harassment

Sexual harassment is unwelcome sexual advances or gestures of a sexual nature, requests for sexual favors, or other verbal or physical conduct of a sexual nature when—

- a. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
 - b. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
 - c. 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) **POLICY**:
 - a. Sexual harassment, in any form, is illegal and is therefore prohibited at the United States Mint.
 - b. The United States Mint is committed to fostering a workplace that is free of sexual harassment; therefore, acts of sexual harassment will not be tolerated. This policy is in keeping with the United States Mint's commitment to provide equal opportunity in employment and treatment for all employees regardless of race, color, religion, national origin, age, sex, sexual orientation, parental status, genetic information, and physical or mental disability.
 - c. All allegations of sexual harassment will be promptly, objectively, and thoroughly investigated.

- d. All United States Mint employees are protected by this policy, must abide by this policy, and are assured that they can report and cooperate in the inquiry or investigation of sexual harassment without fear of retaliation or reprisal.

6) **RESPONSIBILITIES:**

- a. The Director, Deputy Director and Chief Administrative Officer of the United States Mint are responsible for:
Ensuring the policy regarding prevention of sexual harassment is sufficiently communicated to all employees. Further, they shall ensure that individuals who violate this policy are disciplined appropriately.
- b. Associate Directors are responsible for ensuring that:
 - 1) Their employees are informed of the United States Mint's policy regarding prevention of sexual harassment.
 - 2) Channels for seeking redress are communicated to all employees, and supervisors are aware of their roles in taking action.
 - 3) Violators of United States Mint policies on the prevention of sexual harassment are appropriately disciplined.
- c. The Diversity Management and Civil Rights Director is responsible for:
 - 1) Providing advice and counsel to management regarding policy development, regulatory requirements, and the prevention of sexual harassment.
 - 2) Ensuring that prevention of sexual harassment policies are implemented and monitoring those policies throughout the United States Mint.
 - 3) Recommending and/or providing training for all employees as it relates to EEO and prevention of sexual harassment.
- d. Supervisors are responsible for:
 - 1) Ensuring that their conduct, and establishing and maintaining work climates that ensure the conduct of their employees, reflects the spirit and intent of Federal regulations and United States Mint policies regarding prevention of sexual harassment.
 - 2) Taking prompt and appropriate action to inquire into or investigate, and to correct or address, any allegation of sexual harassment.
- e. Supervisors can be held responsible for:
 - 1) The actions of their employees. For example, if an incident is reported to a supervisor or manager, he or she has a duty to follow up on the incident to prevent or investigate and correct any harassment. If a supervisor or manager fails to do so, the agency can be held liable—and the supervisor or manager can be

disciplined—for failing to keep the workplace free of sexual harassment.

- 2) The actions of contractor employees and other persons on the premises when the supervisor knows or should know of the incident and fails to take immediate and appropriate corrective action. The agency can be held liable—and the supervisor or manager can be disciplined—for failing to take such corrective actions.

7) **CRITICAL REQUIREMENTS AND PROCEDURES:**

- a. Annually, the United States Mint will issue to all employees a position statement on prevention of sexual harassment. Copies of this statement will remain posted at all times in places where it can be easily located and read by employees.
- b. Any employee who believes he or she has been sexually harassed should report the incident to a management official, the local or Headquarters EEO Office, or via the United States Mint Sexual Harassment Prevention Hotline.
- c. Any employee found to have violated regulations or policies regarding sexual harassment shall be appropriately disciplined. Disciplinary action may range from a reprimand to removal, depending on the circumstances of each individual case.

8) **AUTHORITY:**

- a. Title VII of the Civil Rights Act of 1964, as amended.
- b. Civil Rights Act of 1991
- c. 29 C.F.R. Part 1604.11, Sexual Harassment

9) **DOCUMENT REVIEW DATE:** September 2017

10) **RESPONSIBLE OFFICES:** Diversity Management and Civil Rights Office,
Workforce Solutions Department