

MS 645 Prevention and Elimination of Harassment, Including Sexual Harassment

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Responsible Office: Office of Civil Rights and Diversity

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Agency Policy Statement on the Prevention and Elimination of Harassment

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1.0 Purpose

This manual section sets out the rules and policies which govern Peace Corps staff (including personal services contractors) and Volunteers and Trainees (V/Ts) with respect to harassment, including sexual harassment.

2.0 Authority

Peace Corps Act, Section 5(a), 22 USC §2504(a), as amended by Sec. 4 of P.L. 94-130 (89 Stat. 684); 29 CFR Part 1614.

3.0 Policies

3.1 Overview

The Peace Corps is committed to maintaining high standards of conduct in the workplace and for volunteer service overseas and providing all staff and V/Ts a work and volunteer service environment that is free from harassment, including sexual harassment.

3.1.1 Examples of prohibited harassment

Offensive conduct constituting prohibited harassment includes, but is not limited to, the following with respect to staff and V/Ts:

- Offensive verbal conduct such as obscene language, epithets, suggestive statements or innuendo, or derogatory comments;
- Unwelcome physical conduct, such as touching or gestures;
- Creating or displaying offensive graphic materials that relate to race, sex, sexual orientation, gender identity, gender expression, genetic information, religion, color, national origin, age, marital status, parental status, disability, political affiliation, or union membership;
- Emailing or texting sexually explicit or harassing messages;
- Retaliating against staff or a V/T for his or her opposition to discrimination or participation in the discrimination complaint process;
- Making submission to offensive conduct, either explicitly or implicitly, a term or condition of a staff member's employment or a V/T's service;
- Using submission to or rejection of offensive conduct by an individual as the basis for tangible decisions affecting a staff member's employment or a V/T's service; or
- Engaging in offensive conduct that unreasonably interferes or is intended to interfere with a staff member's or V/T's performance or creates an intimidating, hostile or offensive environment.

3.1.2 Definition

“Staff” and “staff member” means all direct-hire staff and personal services contractors, whether U.S. nationals, third country nationals or host country nationals.

3.2 Implementation

3.2.1 Manager of the Office of Civil Rights and Diversity

The Manager of the Office of Civil Rights and Diversity, under the direction of the Office of the Director, is responsible for planning, implementing, and evaluating the Peace Corps' program to prevent and to eliminate harassment (including sexual harassment) within the Agency. She/he also develops agency policy, manages the agency's complaint processing program, ensures appropriate training for staff and V/Ts and monitors agency activities designed to prevent and to eliminate harassment, including sexual harassment.

3.2.2 Country Director

Each Country Director, under the direction of the Regional Director, is responsible for ensuring that the Peace Corps policy on the prevention and elimination of harassment (including sexual harassment) is implemented at the Country Director's post, including appropriate training for staff and V/Ts.

4.0 Individual Harassment Complaints

4.1 Complaint Process

4.1.1 Complaints by staff or applicants for employment

Staff or applicants for employment with the Peace Corps who believe that they have been harassed based on the protected categories set forth in MS 653.4.1 (including sexual harassment) may file complaints with the Office of Civil Rights and Diversity (OCRD) within 45 days of the occurrence. The regulations which govern the processing of discrimination complaints, including complaints of harassment, filed against the Peace Corps by staff may be found in Title 29, Code of Federal Regulations, Part 1614, as amended. A copy of 29 CFR Part 1614 constitutes Attachment A of this Manual Section. Attachment B is a brief summary of the Peace Corps' discrimination complaint processing procedure under 29 CFR Part 1614.

Complaints of general harassment not based on a protected category under MS 653 may also be filed with the OIG or with Employee and Labor Relations Manager, Office of Human Resource Management.

4.1.2 Complaints by V/Ts or applicants of harassment by staff

V/Ts or applicants for Peace Corps service who believe that they have been harassed based on the protected categories set forth in MS 653.4.1 (including sexual harassment) by a staff member may file complaints in writing with the Office of Civil Rights and Diversity (OCRD). Complaints to OCRD must be filed within 30 days of the occurrence. The regulations which govern the processing of discrimination complaints by OCRD, including complaints of harassment, filed against the Peace Corps by V/Ts or applicants for volunteer service, may be found in MS 293. Such complaints, as well as complaints of general harassment not based on a protected category under MS 653, may also be filed with the OIG or with the Country Director.

4.1.3 Complaints by V/Ts of harassment by other V/Ts

V/Ts who believe that they have been harassed based on the protected categories set forth in MS 653.4.1 (including sexual harassment) by other V/Ts may file complaints in writing with the Office of Civil Rights and Diversity (OCRD). Complaints to OCRD must be filed within 30 days of the occurrence. Such complaints, as well as complaints of general harassment not based on a protected category under MS 653, may also be filed with the OIG or with the Country Director.

4.1.4 Office of Civil Rights and Diversity contact information

To contact OCRD to report harassment (including sexual harassment), to seek guidance or counseling, or to file a claim of harassment (including sexual harassment) staff, applicants for

employment, V/Ts, or applicants for volunteer service may contact OCRD by telephone at (202) 692-2139, via e-mail at ocrd@peacecorps.gov, or by mail at Peace Corps, Office of Civil Rights and Diversity, 1111 20th Street, NW, Washington, DC 20526.

5.0 Effective Date

The effective date is the date of issuance.