



NASA ANTI-HARASSMENT POLICY AND PROCEDURES



STRIVING FOR A WORK ENVIRONMENT FREE FROM HARASSMENT

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NASA Anti-Harassment Policy and Procedures

NASA, as an employer and a Federal agency, is committed to creating and maintaining a workplace environment that encourages and empowers each individual employee to perform at his or her best. Harassment, therefore, has no place at NASA. It is NASA's longstanding policy that harassment in the workplace is prohibited and will not be tolerated. This prohibition applies to harassment by anyone, including supervisors, coworkers, and contractor personnel, in the workplace at any NASA facility.

The Agency's Anti-Harassment Procedures are designed to assist NASA in

- 1) preventing harassing conduct before it becomes severe or pervasive, i.e., harassment within the meaning of antidiscrimination laws;
- 2) conducting a prompt, thorough, and impartial investigation into allegations of harassing conduct; and
- 3) taking immediate and appropriate corrective action when the Agency determines that harassing conduct has occurred.

This brochure provides NASA employees with information about anti-harassment policy and procedures. For more detailed information, please refer to NPR 3713.3.¹

1. NASA Procedural Requirements 3713.3, accessible at <http://nodis3.gsfc.nasa.gov/displayDir.cfm?t=NPR&c=3713&s=3>.

Harassment Defined

Harassment (or harassing conduct) is defined by NASA Anti-Harassment Procedures as

Any unwelcome conduct, verbal or physical, based on an individual's race, color, gender, national origin, religion, age, disability, sexual orientation, status as a parent, gender identity, genetic information, or retaliation... when: (1) the behavior can reasonably be considered to adversely affect the work environment or (2) an employment decision affecting the employee is based upon the employee's acceptance or rejection of such conduct.



What Does Harassment in the Workplace Look Like?

All NASA managers, supervisors, and employees have a role to play in helping to maintain a work environment that is free from harassing conduct. Examples of behavior inconsistent with NASA's anti-harassment policy include, but are not limited to, the following:

- Threatening that rejection of sexual overtures will affect appointments, promotions, transfers, or evaluations.
- Creating belittling caricatures or objects depicting persons of a particular race, national origin, religion, or other protected category.
- Telling racial or ethnic jokes or stories.
- Teasing, mimicking, or repeatedly commenting on an individual's disability, accent, or other protected category.
- Making offensive comments, jokes, or suggestions about an employee's gender.
- Making obscene or lewd comments, slurs, jokes, epithets, suggestions, or gestures.
- Commenting on an employee's body or sexual characteristics.
- Displaying nude or sexually suggestive objects, pictures, images, or cartoons.
- Continuing prohibited behavior after a coworker has objected.
- Laughing at, ignoring, or retaliating against an employee who complains.

Note: The conduct must be unwelcome. Therefore, the perspective of the recipient—i.e., the person subjected to the behavior—as to whether the behavior is viewed as offensive, demeaning, or hostile is a primary consideration in determining whether the behavior constitutes harassing conduct.





How the Anti-Harassment Process Works

An employee who believes he or she has been subjected to harassing conduct can report the matter to his or her immediate supervisor (or second-line supervisor in the event the first-line supervisor is the alleged harasser); the Center Anti-Harassment Coordinator, or CAHC (see p. 12 for contact information); or any other official designated by the Center Director.

Supervisors or managers who observe or are notified of harassing conduct are required to assess the situation immediately and consult with the CAHC, as well as subject-matter experts in NASA's legal, human resources, and equal employment opportunity (EEO) communities. After consultation with the CAHC and other officials as needed, supervisors and managers may conduct an appropriate inquiry or fact-finding. Depending on the circumstances, the supervisor may also be advised to provide appropriate interim relief during the process.

The supervisor, in consultation with subject-matter experts, will make the ultimate determination as to whether the conduct violated the policy and, if so, what type of corrective action is warranted. Any employee, supervisor, or manager who is found to have violated NASA's anti-harassment policy or procedures may be subjected to appropriate disciplinary action, up to and including removal.

Harassing Conduct and Contract Employees

When a contract employee is alleging harassment by a NASA employee, or vice versa, this should be reported to the CAHC for further guidance and processing consistent with NASA Anti-Harassment Procedures. While NASA does not have the authority to address and rectify allegations of harassment raised by contractors against other contractors, it is expected that all contract employees performing duties on NASA premises will refrain from engaging in harassing conduct. NASA management has an obligation to ensure that NASA employees are working in an environment free of harassment. Therefore, in instances where a NASA employee has been advised of a contract employee being harassed by another contract employee at a NASA facility, the NASA employee should report this concern to the Contracting Officer's Technical Representative (COTR) or director of procurement for referral to the appropriate contracting official.





How Do NASA Anti-Harassment Procedures Differ from the EEO Complaints Process?

The Anti-Harassment Procedures set up a process for management to address employee allegations of harassment and take immediate and appropriate corrective action, including the use of disciplinary actions, to eliminate harassing conduct regardless of whether the conduct violated the law. The goal of anti-harassment policy and procedures is to address harassing conduct at the earliest possible stage before it can become “severe or pervasive” harassment within the meaning of antidiscrimination laws.

The Anti-Harassment Procedures do not affect rights under the EEO complaints process. The Anti-Harassment Procedures process is entirely separate and apart from the EEO complaints process. This means that an employee who reports allegations of harassment in accordance with NASA Anti-Harassment Procedures has not filed an EEO complaint. An employee who wishes to file a discrimination complaint should contact his/her Center EEO Office within 45 days of the alleged harassing conduct. An employee may also pursue both avenues of redress simultaneously.

Where To Obtain Further Information About the Anti-Harassment Policy and Procedures

For additional information, contact your Center Anti-Harassment Coordinator (http://odeo.hq.nasa.gov/documents/NASA_CAHCs.pdf), or the Agency Anti-Harassment Coordinator at 202-358-2167.



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