



INDIAN HEALTH SERVICE ANTI-HARASSMENT POLICY STATEMENT

The Indian Health Service (IHS) is committed to fostering a safe and inclusive workplace, free of unlawful discrimination, harassment, and retaliation, where employees can perform and excel to their full potential. The IHS employees are expected to conduct themselves in a civil and professional manner, reflecting courtesy and respect to all individuals. Harassment, including sexual harassment, is prohibited and will not be tolerated. These forms of misconduct affect morale and productivity, which impacts our ability to effectively achieve the IHS mission.

Harassment is unwelcome conduct (verbal, visual, or physical) that denigrates, shows hostility, or aversion toward individuals. Harassment based on race, color, religion, sex (including sexual orientation, gender identity, or pregnancy), national origin, age (40 or older), disability (physical, mental, or sensory), or genetic information (including family medical history) violates Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, (ADEA), and the Americans with Disabilities Act of 1990, (ADA). Sexual harassment, a form of sex discrimination is unwelcome sexual advances, requests for sexual favors, or verbal or physical conduct of a sexual nature.

Harassment becomes unlawful when: (1) enduring offensive conduct becomes a condition of continued employment; (2) employment decisions are based on whether an individual accepts or rejects such conduct; or (3) the conduct is severe and pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Conduct that is inappropriate in the workplace includes, but is not limited to: offensive jokes, slurs, epithets, name calling, ridicule, physical assaults or threats (verbal or non-verbal), bullying, and offensive objects or pictures.

Harassment can occur in a variety of circumstances, examples include, but are not limited to the following:

- The harasser can be the victim's supervisor, a supervisor in another area, an agent of the employer, a co-worker, or a non-employee;
- The victim does not have to be the person harassed, but can be anyone affected by the offensive conduct; and
- Unlawful harassment may occur without economic injury to, or discharge of, the victim.

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Employees who believe they have been harassed (sexually or non-sexually) are encouraged to inform the harasser directly that the behavior is unwelcome and must stop. Employees should report harassment to a management official, the Office of Human Resources/servicing Area Human Resources Office, or the Diversity Management and Equal Employment Opportunity (DMEEEO) staff/servicing Area EEO staff. The confidentiality of employees who report harassment or participate in a harassment investigation will be protected, to the extent possible. The procedures for reporting and addressing allegations of harassment can be found in Indian Health Manual Part 11, Chapter 6, "Prevention of Workplace Harassment."

Retaliation against any employee for reporting, filing a complaint, or cooperating with an investigation of allegations of harassment also violates the law and is prohibited.

Managers and supervisors have the primary responsibility to prevent and act promptly to stop harassment (including sexual harassment). Failure to act on reported allegations of harassment is unacceptable. In cases where allegations of harassment are substantiated, corrective action, up to and including termination, will be taken.

In addition to reporting harassment, employees who believe they have been subjected to unlawful discrimination, harassment, or retaliation, have the right to file an EEO complaint. An EEO counselor with the DMEEEO staff/servicing Area EEO staff, must be contacted within 45 calendar days of the aggrieved action. A list of EEO Offices is available at <https://www.ihs.gov/eo/staff/>.

Allegations of reprisal for whistleblowing may be reported to the Office of Special Counsel at <https://osc.gov/> or 1-800-872-9855, or to the Department of Health and Human Services Office of Inspector General at www.oig.hhs.gov or 1-800-447-8477.

The health and well-being of employees is important to us. The Employee Assistance Program (EAP) is a confidential resource that Federal employees can use to address personal or work-related concerns. The EAP office can be contacted at 1-800-222-0364 or www.foh4you.com.

/Elizabeth A. Fowler/
Acting Director