



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

NATIONAL MARINE FISHERIES SERVICE
1315 East-West Highway
Silver Spring, Maryland 20910

THE DIRECTOR

JAN 30 2013

MEMORANDUM FOR ALL NATIONAL MARINE FISHERIES SERVICE EMPLOYEES

FROM: Samuel D. Rauch III 
Deputy Assistant Administrator for Regulatory Programs, performing the
functions and duties of the Assistant Administrator for Fisheries

SUBJECT: NMFS Harassment Policy Statement (Sexual and Non-Sexual)

As you know, the National Marine Fisheries Service (NMFS) is committed to zero tolerance for harassment, whether sexual or non-sexual, on the basis of race, color, national origin, religion, sex, genetic information, age (40 and over), disability, sexual orientation, or protected activity. Harassment in this context is defined as conduct that is so offensive as to create a work environment that a reasonable person would consider intimidating, hostile, or offensive. As the Acting Administrator for Fisheries, I want to reinforce this commitment and remind everyone that harassment will not be tolerated and must not occur in our workplace.

In addition to the above, I want to also remind you that "bullying" is a form of harassment that can also create a hostile work environment over a period of time. Bullying conduct includes, but is not limited to overly aggressive behavior or shouting; preventing an employee from speaking by using aggressive and/or obscene language and intimidation.

Any employee who believes that they have been victims of harassment should, without fear of reprisal, seek the immediate attention of management, the NMFS Program Director for EEO and Diversity, the NOAA Civil Rights Office or the Workforce Management Office. **Remember:** An aggrieved person must initiate contact with an EEO Counselor within the NOAA Civil Rights Office within 45 days of the date of the matter alleged to be discriminatory or, in the case of personnel actions, within 45 days of the effective date of the action. The number for the NOAA Civil Rights office is 301-713-0500. **NOTE:** Employees should not wait until the agency's internal harassment inquiry is completed to contact the NOAA Civil Rights Office if waiting will allow the 45-day time limit to expire. You can obtain more information about "**Allegations of Harassment Prohibited by Law**" by visiting http://www.osec.doc.gov/opog/dmp/daos/dao202_955.html

It is my expectation that all NMFS managers and supervisors who become aware of harassment take immediate and appropriate corrective action to ensure that the harassment stops and does not recur. Non-managers, who witness an incident that they perceive to be prohibited harassment, are strongly encouraged to report the incident. Violations of the law prohibiting harassment or violations of this policy will result in appropriate disciplinary actions against the offenders, up to and including dismissal. This also includes cases where a manager or supervisor should have known about the harassment and failed to take prompt and appropriate corrective action. For more guidance on how to address Allegations of Harassment Prohibited by Federal Law, please review DAO 202-955.

Remember, it is all of our responsibility to ensure a workplace that is free from harassment. We must be vigilant and we must be proactive in our efforts to ensure that every employee is treated with respect and dignity. If you have any questions regarding this policy or our National EEO and Diversity Program, please contact Natalie Huff on 301-427-8025.

cc: Joseph Hairston, Director, NOAA Civil Rights Office
Sandra Manning, Director for Workforce Management

