



THE SECRETARY OF VETERANS AFFAIRS WASHINGTON

September 22, 1999

To All VA Employees

Our mission is to "serve America's veterans and their families with dignity and compassion and be their principal advocate in ensuring that they receive medical care, benefits, social support, and lasting memorials promoting the health, welfare, and dignity of all veterans in recognition of their service to this Nation." This requires a high performing workforce. Harassment, including sexual harassment in the workplace, impairs our ability to perform our mission and demeans us all. It cannot be permitted.

Harassment is defined as unwelcome verbal or physical conduct based on an employee's race, color, religion, sex, national origin, age, disability, or sexual orientation. It is unlawful if it unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or abusive working environment. It also undermines the integrity of the employment relationship, weakens morale, and creates a harmful and threatening atmosphere. I embrace a **three-part fundamental principle**, which I am requiring all managers and senior executives to follow.

The **first part is prevention**. Education and deterrence are critical to preventing sexual and other forms of harassment and discrimination. VA employees must know the full meaning of harassment, its impact on the work environment, and what actions will occur should employees be found to have engaged in or suffered from it.

The **second aspect is immediate and aggressive executive action**. VA will swiftly and fully investigate complaints of harassment. Our new Office of Resolution Management (ORM) has independent authority to thoroughly investigate allegations of discrimination, including sexual harassment, and to elevate allegations of sexual harassment to the appropriate executive level. When notified by ORM of a complaint, senior VA management is responsible for 1) immediately intervening to correct the problem, 2) communicating to the victim his or her right to pursue a complaint of discrimination, and 3) providing for the victim's safety and security. VA must seek to ensure that no employee is subject to retaliation because he or she has alleged or cooperated in the investigation of alleged unlawful harassment.

Last, should an investigation reveal that misconduct occurred, **we will take appropriate disciplinary and adverse action**, up to and including the removal, against those who engage in harassing behavior or other discriminatory conduct, or who retaliate against any VA employee who cooperates, participates, or testifies in cases involving alleged harassment or discrimination. Appropriate action will also be

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taken against any supervisor or manager who condones or fails to act promptly to correct harassment brought to his or her attention. Finally, we will **offer corrective action** to any employee found to be a victim of harassment in an effort to make the victim whole.

I am committed to taking a proactive approach in addressing the critical problem of sexual harassment. Each of you has a critical role in preventing and eliminating sexual harassment by:

- 1. completing the sexual harassment prevention training necessary to be fully informed;**
- 2. examining your behavior on the job;**
- 3. identifying and taking action to stop inappropriate behavior by advising those whose behavior is offensive to cease their misconduct; and**
- 4. bringing sexual harassment complaints to the attention of the proper authorities.**

If you believe you have been subjected to sexual or other prohibited harassment, you should report it immediately to a supervisor, any higher level manager, an Equal Employment Opportunity (EEO) Counselor in ORM, a union representative if you are a member of a bargaining unit, the Office of Inspector General, or the local EEO Program Manager. You may also contact the Office of Civil Rights for the Veterans Benefits Administration (VBA) or the Office of Civil Rights for the Veterans Health Administration (VHA). Please remember that employees who want to file a formal complaint of harassment and preserve their legal rights must contact an EEO Counselor within 45 days of the occurrence of the conduct believed to be unlawful harassment. To reach an EEO counselor, you may contact your local ORM servicing office or call 1-888-RES-EE01 (1-888-737-3361). Retaliation, like harassment, will not be tolerated, and complaints of retaliation may be made through these same avenues.

VA has been airing a series of educational satellite broadcasts that fully explain discrimination in the workplace, including harassment, and the rights of employees who believe they have been victims of unlawful discrimination. A copy of the videotape of these broadcasts has been provided to every VA facility. **All** current and new VA employees are required to participate in this training. In addition, a very helpful handbook on this issue, which provides specific examples and describes how to obtain information on the EEO process, is located on ORM's internet site at <http://www.va.gov/orm/>. The handbook is described on the ORM web site as "VA Handbook - Prevention of Harassment." The handbook will also be posted at each facility and provided in hardcopy form to employees who do not have easy

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access to a computer at work. I urge each of you to obtain, read, and retain a copy of this useful resource.

Our success depends upon the willingness of each VA employee to practice fairness, respect, and tolerance. Your full cooperation and adherence to the law is expected.

/s/
Togo D. West, Jr.