

## URGE Session 2 Deliverable Complaints and Reporting Policy for SERC

This is what was found by Linsey Haram at Smithsonian Environmental Research Center on policies for handling complaints, the reporting process, resources, and possible outcomes. These are official policies of SI to which SERC is required to adhere.

The following SI official policies recommend reporting if you experience discrimination, harassment or violence. Reports should be made if you experience:

- Discrimination and harassment while seeking employment
- Discrimination and harassment as a result of one's race, color, sex, sexual orientation, gender identity, religion, national origin, age, disability, and protected genetic information
- Reprisal for protected Equal Employment Opportunity activity
- Threats of violence

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- **Important SI offices for reporting workplace harassment, discrimination, and violence:**

- [Office of Equal Employment and Supplier Diversity](#)
- [SI Civil Program](#)
- [Employee Assistance Program](#)
- [Ombudsman](#)

### [Office of Equal Employment and Supplier Diversity \(OEESD\)](#)

The OEESD is an office meant to protect SI employees and affiliated persons from discrimination and harassment based on federally protected classes. Discrimination and harassment can be related to hiring and advancement/promotion. Reporting in this office is broken into the pre-complaint phase, during which employees or affiliated persons can undergo counseling or Alternative Dispute Resolution. If the issue is not resolved in pre-complaint, the reporter can file a formal complaint. This is a federally mandated reporting mechanism. OEESD also handle requests for requests for accommodations.

### [SI Civil Program](#)

The SI Civil program is meant as a mechanism for SI employees and affiliated persons to report harassing behavior. Per the [SI Civil Program Handbook](#), the Smithsonian "will not tolerate offensive sexual or non-sexual harassing behavior against any Smithsonian employee or affiliated person. The misconduct prohibited by this policy is broader than the definition of harassment under Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, and the Americans with Disabilities Act of 1990. The goal of this policy is to address

harassing conduct at the earliest possible stage, regardless of whether the conduct is based on a protected class. The Smithsonian will not wait for harassing conduct to become severe or pervasive before taking corrective action." Please see the bottom of this document or the SI Civil Handbook for relevant definitions for "affiliated persons" and "harassing conduct" both of which provide explicit examples.

### [Employee Assistance Program](#)

The Employee Assistance Program is a free counseling service available to SI employees. Topics can span professional and personal, including personal and emotional, family and marital, reasonable accommodations, workplace relationships, stress and change issues, and substance and alcohol problems. Counseling sessions are confidential.

### [Ombudsman](#)

The SI Ombudsman is "a neutral party to whom employees and affiliated staff can bring any work-related problem, concern or complaint that cannot be resolved through normal channels. The Ombudsman will respect confidentiality when requested, will listen to the problem and discuss steps to take to help you reach a fair resolution." The Ombudsman does not report to a supervisor within SI and thus has full autonomy.

- **Important SI policies relevant to reporting:**

- [Workplace Harassment and Violence](#)
  - [Link](#) – Prevention of Workplace Harassment Policy Statement
    - Includes the intended sequence of events for reporting and the hotlines to call or email if one is not comfortable reporting harassment to their supervisor/manager/mentor.
  - [Link](#) – Anti-Harassment Policy (SD 217; Dec 30, 2020)
  - [Link](#) – Workplace Violence Prevention Policy (SD 225; Dec 30, 2020)
  - [Link](#) – Civil Program Handbook
- [Equal Employment Opportunity](#)
  - [Link](#) - Diversity and Equal Employment Opportunity Policy Statement
  - [Link](#) – Equal Employment Opportunity Program (SD 214; April 2, 2018)
  - [Link](#) – Equal Opportunity Handbook
  - [Link](#) – OEE Complaints Process
  - [Link](#) – Flow chart of OEE complaints process

- [Link](#) – Individuals with Disabilities and Requesting Reasonable Accommodations

Annually, the SI Secretary distributes updated Prevention of Workplace Harassment Policy & Diversity and Equal Opportunity Policy statements. Otherwise, how often these policies are reviewed by designated personnel, and the rates of reporting, are not immediately available on SI SharePoint sites.

- **Which SI office should you report to?**

According to the [Civil Program homepage](#), an individual should evaluate which office is most appropriate for your report:

“Raising an allegation with the SI Civil Program is not equivalent to or in lieu of filing an EEO complaint of discrimination or a grievance under the administrative or negotiated procedures included in the applicable Collective Bargaining Agreement. Employees and affiliated persons who allege harassment based on race, color, national origin, religion, sex (sexual orientation, gender identity, gender stereotyping and pregnancy), disability, age, genetic information and/or retaliation for protected EEO activity may also initiate the EEO discrimination complaint process in accordance with [SD 214](#) and the [Equal Opportunity Handbook](#) by contacting an EEO Counselor in the [Office of Equal Employment and Supplier Diversity](#) (OEESD) within 45 calendar days of the date of the alleged discriminatory [conduct](#). Learn more about the difference between the SI Civil Program and OEESD on the [SI Civil FAQs page](#).”

Regarding threats and acts of violence:

“In the case of behavior that involves a crime in progress or a specific threat of imminent bodily harm, individuals should treat this as an emergency and contact the local police and/or OPS immediately,” ([Civil Program Handbook](#)).

- **Mechanisms for reporting complaints, bias, microaggressions, harassment, and overt racism:**

Reports can be made by contacting any of the following resources. For Workplace Harassment and Violence (non-emergencies), SI policy suggests first reporting to your supervisor, mentor, advisor, or member of unit/SI management.

- [Workplace Harassment and Violence](#)
  - Someone in your supervisor, another supervisor at your unit, mentor, advisor Smithsonian management

- Anti-Harassment and Workplace Violence Prevention Coordinator (aka SI Civil Coordinator) - Amanda Jones at [202-633-6379](tel:202-633-6379) or [sicivil@si.edu](mailto:sicivil@si.edu) or [JonesAm@si.edu](mailto:JonesAm@si.edu)
- Anti-Harassment Hotline at [202-633-6620](tel:202-633-6620)
- The federal union (does not apply to all SI personnel – [see info here](#) for information about who is eligible)

For Workplace Harassment, your supervisors, mentors, or others in your unit's supervisory and administrative chain are the first tier of reporting. However, they are required to report any instances to SI Civil Program, and you can report directly to SI Civil Program.

Harassment and Workplace Violence Prevention reports relevant to SD 217 and SD 225 can be made online through [SI Civil Program](#), but the online form is not yet live.

Reports of crimes in progress or specific threats of imminent bodily harm, reports should be made to local police and/or OPS.

- [Equal Employment Opportunity](#)

- Office of Equal Employment and Supplier Diversity
- Director of OEESD – Shahin Nemazee ([NemazeeS@si.edu](mailto:NemazeeS@si.edu))

In addition to the above more formal complaint/report processes, **you can also contact a counselor at the Employee Assistance Program or the Ombudsman to confidentially discuss incidences.** They may suggest moving forward with the formal complaints above. For some cases, they may be required to report what you discuss.

[Employee Assistance Program](#) - confidential counseling by licensed therapist; SERC's EAP counselor is Debbie Burney ([BurneDe@si.edu](mailto:BurneDe@si.edu))

[Ombudsman](#) – fully confidential discussion of issues pertaining to the work place, including mediation and arbitration. Dania Palosky at (202) 633-2010 or [PaloskyD@si.edu](mailto:PaloskyD@si.edu)

- **Who can/must file a report?**

- [Workplace Harassment and Violence](#)

**“Any employee or affiliated person** who believes they have *experienced or witnessed* harassment, threats, intimidating behavior, or retaliation (as defined in the policies) is encouraged to report such behavior to: the supervisor of the employee or affiliated person engaging in the behavior; their own supervisor; another supervisor or Smithsonian management official; SI Civil; or OPS. Employees and affiliated persons are required to report violent or potentially violent behaviors to SI Civil, OPS, or, in the case of an emergency, local police. See the “Reporting” section below for more details.” ([Civil Program Handbook](#))

**“All Smithsonian management officials, supervisors, mentors, advisors, and sponsors have an obligation to report incidents and conduct covered by these policies to SI Civil within 24 hours** of receiving a report or becoming aware of behavior covered by either SD 225, Anti-Harassment Policy or SD 217, Workplace Violence Prevention Policy...[T]he obligation to report to SI Civil exists even if the management official, supervisor, mentor, advisor, or sponsor has already addressed the situation or consulted with their unit’s human resources liaison (HRL)... **Mentors, advisors, and sponsors who are not supervisors are still obligated to report within 24 hours** but may report the incident to their own supervisor, another Smithsonian management official, their unit’s HRL, or directly to SI Civil.” ([Civil Program Handbook](#))

- o [Equal Employment Opportunity](#)

**“Any employee, applicant for employment, former employee or affiliated person** who believes that he or she has been discriminated against because of a protected basis [i.e., race, color, sex (including pregnancy, sexual stereotyping, sexual orientation, and gender identity), religion, national origin, age, disability, genetic information, and retaliation for protected EEO activity] must consult with an EEO Counselor. The aggrieved person must bring the matter to the Counselor’s attention within **45 calendar days** of the date of the alleged discriminatory matter, or, if it involves a personnel matter, within 45 calendar days of the effective date of the personnel action.” (SD 214)

To file a formal complaint, the aggrieved person or his/her representative or attorney must submit a written complaint to OEESD. No other parties can file a complaint.

- **Can reports be made anonymously?**

Reports can be anonymous or confidential to a degree. When reporting to the Anti-Harassment and Workplace Violence Prevention Coordinator, Anti-Harassment Hotline, or Office of Equal Employment and Supplier Diversity, the reporter's identity will be kept confidential to the greatest extent possible. A reporter can confidentially discuss allegations through the Employee Assistance Program or the Ombudsman.

- **Workplace Harassment and Violence**
    - **Yes.** Anonymous reports can be made through the SI Civil Program's online reporting system. However, the SD 217 Handbook points out that anonymous reports may omit key details which "which will limit the Smithsonian's ability to conduct a thorough inquiry and take corrective administrative action."
  - **Equal Employment Opportunity**
    - **Depends.** For Equal Opportunity complaints, the reporter can remain anonymous in the pre-complaint stage; however, to proceed passed the pre-complaint stage, the reporter can no longer be anonymous.
- **Who do in-person and online reports go to? Who has access to reports?**
    - **Workplace Harassment and Violence**
      - **SI Civil Coordinator** manages the reporting process for the new Anti-Harassment and Workplace Violence Prevention policies.
      - In instances of reports to **Smithsonian management officials, supervisors, mentors, advisors, and sponsors**, those personnel receiving the report *must* also report it to SI Civil.
    - **Equal Employment Opportunity**
      - Equal Opportunity Office Counselors have full access to records.

For both offices, access to personally identifiable information and other sensitive information collected in accordance with these policies "will be stored in electronic personnel systems. Access to any PII or other sensitive information is limited to persons with a valid business reason and only in the performance of their official duties (e.g. conducting an administrative investigation)," ([SD 217 Handbook](#)).

- **Are police included in the process? When and how? Are individuals accompanied by an advocate or someone from the organization?**

Police are included in the response to workplace violence under the Workplace Violence Prevention policy. However, OPS is the first tier of authority involved in workplace violence responses unless it is an emergency. It is unclear if individuals are accompanied by an advocate or someone from the organization when police are involved.

- **What are the outcomes or consequences for reported individuals? Who decides the outcomes/consequences? What is the process?**
  - [Workplace Harassment and Violence](#)
    - Workplace Harassment – If an administrative investigation is deemed necessary after initial review, the SI Civil Coordinator will assign the investigation to an internal or external investigator based on guidelines described in the [SI Civil Handbook](#). An investigation is usually completed within 30 days and includes interviews with involved parties and witnesses and collection of evidence. The SI Civil Coordinator and OHR-LER are responsible for recommending corrective action based on the results of the investigation. In some cases, additional follow up may be necessary beyond the investigation. See Civil Program Handbook for examples of when administrative investigations are not necessary.
      - **Note: If a management official, supervisor, mentor, advisor, or sponsor fails to report allegations to SI Civil**, appropriate disciplinary and/or administrative action may be taken against the person who received the initial report.
    - Workplace Violence Prevention – SI Civil, in partnership with OPS, convenes the Workplace Violence Prevention Response Team after receiving report of a threat or behavior as described in SD 217. After an initial threat assessment, the group coordinates with SI management officials “to take immediate action (including whether to refer the matter to the local police department) and/or initiate an administrative investigation,” ([SD 217](#)).
  - [Equal Opportunity](#)
    - The first stage (30 days) is a pre-complaint stage in which Equal Employment Office (EEO) Counselors are assigned to the complaint and facilitation communication between the reporter and the alleged perpetrator to resolve claims informally. After the initial period, the reporter has 15 days to file an official complaint. Once this happens, the OEESD Director may arrange for an investigation unless the case is dismissed by the Director for reasons described in the [Equal Opportunity](#)

[Handbook](#). The Complainant can request a hearing during the investigation. The OEEED Director makes the final decisions on a complaint. The Complainant can appeal the decision or file a civil action. Additional information about age complaints and equal pay complaints can be found in the Equal Opportunity Handbook. You can see a [flow chart of the complaint process here](#).

- **Are reports tracked?**

- [Workplace Harassment and Violence](#)

- Yes, the SI Civil Coordinator tracks reports and provide SI administration with regular reports.

- [Equal Employment Opportunity](#)

- Tracking of reports is not clear in the Equal Opportunity Handbook.

- **Are repeated complaints escalated to a disciplinary board? What is the process?**

This was not clearly stated in either policy.

- **What resources are available for individuals reporting?**

- Counselors at [Employee Assistance Program](#)
- Smithsonian [Ombudsman](#) for confidential reporting and conflict resolution
- Protection against retaliation or repercussions through SI policy
- More resources are being developed for the SI Civil Program website

- **What resources are available to groups raising issues or proposing changes?**

- [Institution Level](#)

- There are several SI-wide affinity group. You can find more information about these groups and their primary contacts [here](#).
  - Latino Working Committee
  - Smithsonian African American Association
  - Smithsonian American Indian Employee Network
  - Smithsonian Asian American Alliance
  - Smithsonian Pride Alliance
- SI wide workplace satisfaction survey, though the mechanisms for change in response to issues identified by survey results is unclear.



- **SERC Level**

Working groups or committees at the SERC and lab levels are working on DEI issues and could be good resources for individuals or groups raising concerns and proposing changes.

- SERC DEI subcommittees are as follows:
  - Recruitment
  - Retention
  - Fieldwork Safety & Equity
  - Community Engagement
  - Pay Equity & Transparency
  - Funding/Partnerships
  - Staff Discussion/Training
  - DEI Coordination Committee

Alison Cawood ([CawoodA@si.edu](mailto:CawoodA@si.edu)) is the acting primary contact for SERC DEI Committees. An email account for SERC DEI Committee is in the works.

- The Marine Invasions Research Lab also has a DEI Committee. The co-leads are: Jessika De Jesus, Brenda María Soler Figueroa, Natasha Hitchcock
- SERC Women In Science (WIS) group. Contact acting WIS committee members at [SERCWIS@si.edu](mailto:SERCWIS@si.edu).
- You can also contact SERC Administration directly. SERC Director Tuck Hines can be contacted at [HinesA@si.edu](mailto:HinesA@si.edu).

## **Glossary of Terms**

- **Workplace Harassment and Violence**

Per Civil Program Handbook: "These definitions are provided for use in the context of this directive and should not be construed as legal definitions. Definitions of other terms related to harassment and reporting procedures are available in the SI Civil Program Handbook. Please contact SI Civil if you have any questions as to whether these definitions apply in a specific situation.

*"Administrative Investigation or Inquiry.* An impartial investigation related to the non-criminal conduct or actions of an employee or affiliated person to determine whether such conduct or actions violates Smithsonian policies.

Administrative Investigator. An individual, whether internal to the Smithsonian or a third-party contract investigator, who conducts the administrative investigation and prepares the factfinding report.

Affiliated Persons. This term refers to the following categories of individuals who are not Smithsonian employees, but who are regularly present and/or work within Smithsonian facilities and property, including Smithsonian leased facilities and property:

- Contractors who perform work that is similar to Smithsonian employees, such as temporary help firms' employees;
- Other contractors, such as construction contractors and food service contractors' employees;
- Volunteers, as defined in SD 208, Standards of Conduct Regarding Smithsonian Volunteers;
- Interns, as defined in SD 709, Smithsonian Institution Interns;
- Fellows, as defined in SD 701, Smithsonian Institution Fellows;
- Research Associates, as defined in SD 205, Smithsonian Institution Research Associates;
- Emeriti, as defined in SD 206, Emeritus Designations;
- Friends of the National Zoo (FONZ) employees;
- Smithsonian Early Enrichment Center (SEEC) employees;
- Visiting researchers, including scientists, scholars, and students;
- Employees of federal, state, and local agencies working with Smithsonian employees at Smithsonian facilities and property;
- Regents and advisory board members.

Harassing Conduct. The conduct prohibited by this policy includes, but is broader than, the legal definition of harassment covered by the EEO complaint process, which is administered by the Smithsonian's Office of Equal Employment and Supplier Diversity (OEESD). The conduct described below is prohibited even if the actions are not based on a protected characteristic such as race or disability. Harassing conduct prohibited by this policy is defined as unwelcome conduct, that a reasonable person would find objectionable, when: 1. the behavior can reasonably be considered to adversely affect the work environment; or 2. an employment decision affecting the employee or affiliated person is based upon the employee's or affiliated person's acceptance or rejection of such conduct. Harassing conduct can be verbal or physical; it can occur in-person, through phone calls or in writing, or through social media, or other forms of technology. Petty slights, annoyances, and isolated incidents (unless extremely serious) will generally not rise to the level of harassment. Generally, a dispute or conflict

related to work assignments or performance will also not rise to the level of harassment. Employees and affiliated persons should be aware that any misconduct, regardless of whether it rises to the level of harassment, may result in disciplinary action. Examples of harassing conduct covered by this policy include but are not limited to:

- racial epithets or slurs;
- stereotyping;
- sexual advances;
- sexually explicit/graphic material;
- inappropriate jokes/pranks; and
- other bullying or abusive behaviors (e.g., repeated and malicious work sabotage, slander, ridicule, or verbal abuse).

Retaliation. It is a violation of this policy to retaliate against employees or affiliated persons who engage in protected activity under this policy. Protected activity includes reporting harassing conduct or providing information related to such reports. A manager may not fire, demote, harass, or otherwise take any personnel action against an individual for engaging in protected activity.

SI Civil Coordinator is the Smithsonian's Anti-Harassment and Workplace Violence Prevention Coordinator and manages SI Civil, including the reporting process.

SI Civil Program (SI Civil). A team of Smithsonian experts and specialists who help address and prevent harassment and workplace violence through: managing this policy and SD 217, Workplace Violence Prevention Policy; educating Smithsonian employees and affiliated persons on policies and reporting processes; providing guidance to Smithsonian management officials and employees; assessing allegations to determine the appropriate management response; and immediately responding to violent or potentially violent incidents or threats. Smithsonian employees and affiliated persons may contact SI Civil for assistance by phone, email, or by visiting the SI Civil website on the Smithsonian intranet (Prism) and the public-facing Smithsonian website."

○ **Equal Employment Opportunity**

Per the Equal Opportunity Program:

"Affirmative Programs: Affirmative programs are focused on workplace development to ensure employee and applicant equal employment opportunity.

Age Discrimination: A claim of discrimination based on age by an individual who is at least 40 years of age at the time of the alleged discriminatory act.

Alternative Dispute Resolution (ADR): Another way of settling disputes, which may involve mediation, focused discussion, early intervention, etc. It is a less costly and more expeditious way of resolving disputes. It is available throughout the EEO complaint process: counseling, after filing formally, and prior to a hearing.

Barrier: Agency policy, principle, practice or condition that limits or tends to limit employment opportunities for members of a particular gender, race, age, or ethnic background or for an individual (or individuals) based on disability status.

Basis (Bases): The protected class(es) alleged by a complainant.

Color Discrimination: Treating someone unfavorably because of skin color

complexion. Disability: A person with a disability is defined as one who has a physical or mental impairment which substantially limits one or more major life functions, e.g., walking, speaking, breathing, learning, etc.; one who has a record of such; or one who is regarded as having a disability. For the purpose of statistics, recruitment, and targeted goals, the numbers of employees in the workforce who have indicated having a disability are calculated from the Office of Personnel Management's (OPM) Standard Form (SF) 256. Qualified persons with disabilities are those who can perform the essential functions of the job with or without reasonable accommodation. Discrimination: Any action, failure to act, and/or reprisal, impermissibly based in whole or in part on a person's race, color, religion, sex (including pregnancy, sexual stereotyping, sexual orientation, and gender identity), national origin, age, physical or mental disability, or genetic information, that adversely affects an employee's/applicant's privileges, benefits, or working conditions; or results in disparate treatment or disparate impact on employees or applicants for employment. Unlawful discrimination may be either intentional or unintentional.

Disparate Treatment: This occurs when people are treated differently with respect to the terms and conditions of employment because of a protected basis.

Diversity: The specific and unique combination of characteristics that differentiates one person or group from another. Differentiation factors might include innate characteristics (e.g., race, ethnicity, sexual orientation, physical and mental abilities, religious beliefs, gender, and age) and/or acquired characteristics (e.g., educational backgrounds, tenure with the organization, lifestyle, culture, and language).

Equal Employment Opportunity (EEO): The policy whereby all personnel activities are conducted to ensure equal access in all phases of the employment process. Employment SD 214 — 4/26/18 5 decisions are based solely on the individual merit and fitness of applicants and employees related to specific jobs, without regard to race, color, religion, sex (including pregnancy, sexual stereotyping,

sexual orientation, and gender identity), age, national origin, disability, genetic information, and marital or parental status. Marital or parental status are prohibited by Smithsonian policy.

*Genetic Information Nondiscrimination Act of 2008 (GINA)*: The law that prohibits the improper use of genetic information in health insurance and employment. The Act restricts the deliberate acquisition of genetic information by employers and strictly limits disclosure of genetic information. Under GINA, an employer cannot refuse to hire an employee, discharge an employee, or discriminate against an employee in any terms, conditions, or privileges of employment, based on genetic information.

*National Origin Discrimination*: Treating people unfavorably because they are from a particular country or part of the world, because of ethnicity or accent, or because they appear to be of a certain ethnic background (even if they are not).

*Pregnancy Discrimination*: Discrimination on the basis of pregnancy, childbirth, or related medical conditions constitutes unlawful sex discrimination under Title VII of the Civil Rights Act of 1964. Women who are pregnant or affected by pregnancy-related conditions must be treated in the same manner as other applicants or employees with similar abilities or limitations.

*Protected Class*: A group protected from employment discrimination by law (i.e., based on race, color, religion, sex (including pregnancy, sexual stereotyping, sexual orientation, and gender identity), age, national origin, disability, and/or genetic information). Every U.S. citizen is a member of some protected class and is entitled to the benefits of EEO law.

*Race Discrimination*: Treating someone (an applicant or employee) unfavorably because he/she is of a certain race or because of personal characteristics associated with race (such as hair texture, skin color, or certain facial features).

*Reasonable Accommodation*: Reasonable accommodation for individuals with disabilities include such efforts as making facilities readily accessible to, and usable by, persons with disabilities, job restructuring, part-time or modified work schedules, acquiring or modifying equipment or assistive devices, adjusting or modifying examinations, providing readers or interpreters, and other similar actions. See the Smithsonian's Procedures for Providing Reasonable Accommodation for Individuals with Disabilities. Also, see Religious Accommodation.

*Religious Accommodation*: Any change or adjustment to accommodate sincere religious observances or practices that conflict with work requirements and/or expectations unless the employer can demonstrate that it is unable to do so without undue hardship on the conduct of its business.

Religious Discrimination: Religious discrimination occurs when an employment rule or policy violates a fundamental belief, principle or practice of one's religion and management fails to provide an accommodation. Religious practices are not limited to worship, but may include other practices (e.g., attendance at meetings and retreats, and the wearing of certain attire). Religion is not limited to orthodox or well-recognized denominations (e.g., Catholic, Baptist, or Jewish). All that is required is a sincere and meaningful belief equivalent to the belief in God held by some traditionally recognized religions. Atheists also are protected in their right not to hold or practice any particular religious belief.

Reprisal: Any action taken against an individual for filing a charge of discrimination, participating in a discrimination proceeding, engaging in other EEO protected activity, or otherwise opposing discrimination.

Sexual Harassment: Sexual harassment is a form of sex discrimination and is prohibited by Title VII of the Civil Rights Act of 1964. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when any of these criteria is met:

- Submission to the conduct is made either explicitly or implicitly a term or condition of employment;
- Submission to or rejection of the conduct is used as a basis for employment decisions; or
- The conduct has the purpose or effect of unreasonably interfering with work performance or creating an intimidating, hostile or offensive working environment.

Undue Hardship: In regards to requests for accommodations related to disability, undue hardship is any significant difficulty or expense which, when taken into account with the resources and mission of the Smithsonian, may excuse the agency from providing accommodation to an individual based on disability. In regards to religion, undue hardship means that providing an accommodation would cause more than a minimal burden on the operations of the Smithsonian."

## **Recommendations**

Following discussions of the URGE Pod, we suggest that:

- These policies not only be part of the SI onboarding process, but are also disseminated by supervisors, mentors, advisors during onboarding within a particular lab or intern cohort.
- These policies be disseminated regularly to all SERC personnel.

- Create of a flow chart or decision tree that incorporates information about when each avenue of reporting should occur. This will help employees better understand their reporting options and the circumstances when each is relevant. We would likely need to work with HR for this.
- Further down the line, creation of a scenario map that helps employees walk through an example of harassment to report and the decision-making process for where/how to report.