



URGE Complaints and Reporting Policy for University/Organization

The USGS Woods Hole Pod identified the following materials and resources regarding policies for handling complaints, the reporting process, resources, and possible outcomes. The information below is publicly available from the links provided. Recommendations regarding the existing USGS Anti-Harassment Policy will be presented to USGS leadership for consideration.

- **The link(s) to the reporting policy at our organization:**
 - *Anti-Harassment Program Homepage:*
 - <https://www.usgs.gov/about/organization/science-support/human-capital/anti-harassment-program>
 - *Are reporting policies regularly reviewed? Yes, they are reviewed annually.*
 - *What is the process for changing policy?*
 - The Anti-Harassment Program is undergoing a series of reviews and policy modifications as noted in the downloadable spreadsheet on the Anti-Harassment Program Homepage "[USGS Anti-Harassment Action Plan - Phase 4 \(December 1, 2020\)](#)"
 - *Are the rates of reporting made publicly available (e.g. # of reports each year)?*
 - Statistics for reporting are available from the Anti-Harassment Program Homepage in the form of results from the [annual Federal Employee Viewpoint Survey \(FEVS\)](#). From the most recent report (covering 2019), the Department of the Interior (DOI) results indicate 18.4% of employee respondents experienced or witnessed harassing conduct.
 - Additional analysis of the FEVS statistics for the USGS is available, but the most analysis report is for 2017: https://www.doi.gov/sites/doi.gov/files/uploads/usgs_wes_supplemental_statistical_report.pdf
- **What mechanisms are available for reporting complaints, bias, microaggressions, harassment, and overt racism?**
 - *Who are the designated individuals/positions for reporting incidents? There are several options:*
 - Confidential guidance (NOT A REPORT) can be obtained via:
 - [DOI Ombudsman](#) » J. Fernando Caetano 202-494-2907
 - [USGS Collaborative Action & Dispute Resolution \(CADR\)](#) » Cheryl Caldwell ccaldwell@usgs.gov
 - [DOI Employee Assistance Program \(EAP\)](#) » <https://www.doi.gov/pmb/hr/eap>
 - [Union Representative](#) » Employees represented by a union may contact their Union Representative
 - Reports can be made to any supervisor or management official (including your own).

- Employee Relations Specialists are available for making reports:
 - <https://www.usgs.gov/media/files/hr-serving-employees-director-and-associate-directors-offices>
 - <https://www.usgs.gov/media/files/human-resources-serving-employees-regions>
- Reports can also be made directly to the DOI Office of the Inspector General (OIG):
 - Toll Free: 800-424-5081 or 202-208-5745 <https://www.doioig.gov/>
- *Can reports be made online?* Not within USGS, but Yes at the DOI level, where they can also be made anonymously: <https://www.doioig.gov/oig-hotline-forms>
- *Who do in-person and online reports go to? Who has access to see reports?* For the USGS, the Anti-Harassment Program Policy is available at: <https://www.usgs.gov/about/organization/science-support/survey-manual/3707341-anti-harassment-policy-and-implementing>
 - The list of people notified upon the report of an incident so a supervisor/management official is listed as follows: “Management officials must notify the following parties **within one business day**.”
 - (1) Supervisors/managers who become aware of harassing conduct involving their subordinates must notify their own first-line supervisor or, if the conduct implicates the first-line supervisor, notify the second-line supervisor.
 - (2) Supervisors/managers who become aware of harassing conduct involving employees outside of their chain of command must:
 - (a) Notify the allegedly harassing employee’s supervisor; and
 - (b) Notify the alleged victim’s supervisor, or, if the conduct implicates the supervisor or another manager, the USGS HCO.
 - (3) When a supervisor/manager has consulted with the servicing ER Specialist regarding a report of alleged harassing conduct, the assigned ER Specialist will:
 - (a) Notify the Harassment Duty Attorney of the SOL/ELLU at SOL-Antiharass@sol.doi.gov; and
 - (b) Notify the ER Specialist of the allegedly harassing employee, if different from the ER Specialist who received the complaint.
 - (c) If, in consultation with the Harassment Duty Attorney, it is determined the allegations fall within the scope of PB 18-01, the ER Specialist will provide a copy of the “Notification of Rights, Responsibilities & Resources”, Appendix B, to the alleged victim and/or the person who filed the report of alleged harassment.
 - (4) When a report of alleged harassing conduct is made directly to the AHPM or servicing ER Specialist, the servicing ER Specialist will:
 - (a) Notify the SOL/ELLU Harassment Duty Attorney at SOL-Antiharass@sol.doi.gov; and
 - (b) Notify and assist the next appropriate level of management above the allegedly harassing employee implicated in the report with immediately

making the determinations described in the Management Response to Harassing Conduct section and taking any other necessary and appropriate action.

- *Are police included in the process? When and how? Are individuals accompanied by an advocate or someone from the organization?* Police involvement occurs in only about 1% of the incidents, according to the WES results from 2017. The Anti-Harassment Policy does not specifically state what triggers police involvement beyond noting in their [Anti-Harassment Program Process Map](#) that “Reports that are criminal and/or pose a security risk are outside the purview of the USGS Anti-Harassment Program. These allegations will be forward to the appropriate office for processing. There is no indication of who might be involved in an advocate role.
- **What are the outcomes or consequences for reported individuals?**
 - From the Anti-Harassment Program Policy, Section 7: “Employees are subject to disciplinary action, up to and including removal, for engaging in harassing conduct while in the workplace or in any work-related situation, including while on official travel.”
 - *Who decides the outcomes/consequences? What is the process?* From the Anti-Harassment Program Policy, Section 13F:
 - “If it is determined that harassing conduct occurred, corrective/disciplinary action is necessary. If facts uncovered during the investigation or inquiry demonstrate that misconduct occurred, the supervisor/manager must propose disciplinary or other corrective action. If there is disagreement between the supervisor/manager and the consulting offices on whether corrective/disciplinary action is appropriate, the next higher level of management will make the decision. The appropriate corrective/disciplinary action will depend on the severity and/or pervasiveness of the offense, the action that would be required to end such conduct, the offender’s disciplinary/conduct history, and other surrounding circumstances. Corrective action may include counseling or any disciplinary action applicable to instances of misconduct, such as reprimand, suspension, demotion, or termination, in accordance with 370 DM 752, Discipline and Adverse Actions. Where evidence indicates that employees are not sure about what conduct is appropriate and permissible, appropriate specific additional training should be provided.”
 - *Are reports tracked? Yes*
 - *How are they tracked? By who?* Tracking is done within the Anti-Harassment Program, but reports do not appear to be readily available online. A more complete assessment of the practical results of reporting harassment can be gained from the FEVS analysis, listed on the Anti-Harassment Program Homepage as the Workplace Environment Survey (WES) link (most recent results are from 2017 for the USGS): https://www.doi.gov/sites/doi.gov/files/uploads/usgs_wes_supplemental_statistical_report.pdf
 - As an example from the 2017 WES report: “*What happened as a result of the complaint/grievance/report? Regardless of the particular behavior involved, for employees who made complaints/grievances/reports, 39.5% indicated that some action was taken. Actions focused on the organization involved explaining rules to everyone (18.9%), management conducted a review/ investigation or other assessment (12.8%), and an investigation was conducted by a law enforcement official (1.4%). Actions involving the person engaging in the harassing behavior included someone talking to the person (29.0%), moving or reassigning the person to avoid continuing contact (6.7%), or some official career action was taken*

against person(s) involved (3.7%); and in some situations, the person stopped the behavior (22.3%). Actions associated with the employee subjected to the behavior involved changing their station location or duties to help them avoid the person engaging in the harassing behaviors (10.8%). Additionally, some employees were encouraged to drop the issue (40.1%) or were discouraged from making a complaint/grievance/report (31.4%). Other employees indicated that the person engaging in the harassing behavior took action against them for complaining (31.2%); their coworker(s) treated them worse, avoided or blamed them for the problem (22.1%); and some employees indicated leadership punished them for bringing the experience up (25.8%) or they were threatened with loss of employment (10.3%).”

- For the victim, recognizing what the results of an Anti-Harassment Report are with regard to disciplining the alleged harasser is a challenge due to confidentiality (Anti-Harassment Policy, Section 16A): “*The alleged victim may not be provided the outcome of any disciplinary action against the allegedly harassing employee and may not be provided a copy of the fact-finding report.*”
- *Are repeated complaints escalated to a disciplinary board? What is the process?* Repeat complaints are not addressed in the current language of the Anti-Harassment Policy.
- **What resources are available for individuals reporting?**
 - *Counselors or advocates, especially those of the same race, ethnicity, and gender.* Demographic-specific advocates are not necessarily available, but confidential support options are available:
 - Confidential guidance (NOT A REPORT) can be obtained via:
 - [DOI Ombudsman](#) » J. Fernando Caetano 202-494-2907
 - [USGS Collaborative Action & Dispute Resolution \(CADR\)](#) » Cheryl Caldwell ccaldwell@usgs.gov
 - [DOI Employee Assistance Program \(EAP\)](#) » <https://www.doi.gov/pmb/hr/eap>
 - [Union Representative](#) » Employees represented by a union may contact their Union Representative
 - *Automatic or requested investigation of potential impact on grades or evaluations.* The effects of having reported a case of harassment are discussed in the FEVS analysis from 2017:
 - “*What effect did the specific behavior or set of experiences have on employees’ interpersonal relationships, physical or emotional well-being, your job performance, or your willingness to remain a part of the organization?* Regardless of the particular behavior involved, for some employees these experiences had a negative impact on them, but for many employees it did not. For some employees, these experiences had a *negative impact on their interpersonal relationships* with coworkers, supervisors, or managers (34.6%); resulted in arguments or damaged interpersonal relations at work (30.3%); and/or damaged other personal relationships (9.4%). For some employees, these experiences had a *negative impact on their physical or emotional well-being* leading them to call in sick or take leave (13.6%), seek counseling (12.2%), or medical attention (6.0%). For some employees, these experiences had a *negative impact on their job performance*, making it harder to complete their work (34.7%), negatively affected their performance evaluation or promotion potential (22.4%), or negatively affected their performance evaluation/renewal/permanent employment (11.4%). For some

employees, these experiences *negatively affected their willingness to remain a part of the organization*, leading them to request a transfer (5.6%), consider leaving USGS (32.2%), or take steps to leave the organization (11.1%).”

- *Protection against retaliation or repercussions, accommodations for continuing work/courses, option for pass/fail or outside assessment.* See above for repercussions of reporting an incident.
- **What alternative resources are available to groups raising issues or proposing changes?**
 - For individuals seeking assistance with unwelcomed behavior, there are existing resources that can be utilized without triggering a mandatory reporting action:
 - Employee Resource Groups (ERGs). A collection of USGS groups, each specifically aligned with a particular group identity, are available. Existing ERGs include Early Career Science Network, Disabilities Inclusion Network, Women in Science Dialog, USGS Vets, USGS Professional Latinos, ONYX (African American ERG), LGBTQ+A.
 - Confidential guidance can also be obtained through a number of channels:
 - [DOI Ombudsman](#) » J. Fernando Caetano 202-494-2907
 - [USGS Collaborative Action & Dispute Resolution \(CADR\)](#) » Cheryl Caldwell ccaldwell@usgs.gov
 - [DOI Employee Assistance Program \(EAP\)](#) » <https://www.doi.gov/pmb/hr/eap>
 - [Union Representative](#) » Employees represented by a union may contact their Union Representative
 - The [Peer Support Worker program](#) is also confidential. Though they cannot act as an advocate, they can provide information about additional options for guidance and/or reporting.
 - If an individual is intimidated by the reporting process, hesitant to report an incident on their own to the Anti-Harassment Program, or uncomfortable approaching one of the resources mentioned above directly, they can report directly through the Department of the Interior and choose to make either a confidential report, anonymous report or a whistleblower retaliation complaint: <https://www.doioig.gov/oig-hotline-forms>