

kind found. You should also determine whether any administrative or disciplinary action needs to be taken against the individuals who created HWE/harassment. In doing so, you should consult the Department's Table of Penalties, your EEO Manager or OHCM EMRB.

What if the inquiry indicates that there is no harassment or hostile work environment. Do I still need to do anything?

You should reaffirm your commitment to nondiscrimination and harassment in the workplace with your employees. You should also conduct a close-out meeting with the employee who raised the issue. You might also invite the EEO Manager to be present with you during this meeting. The EEO Manager may need to issue the employee a Notice of Right to File a Formal Complaint to officially close out the inquiry.

If I stop the harassment, will this resolve the complaint?

Stopping HWE/harassment is the primary action. However, it may not prevent the employee from filing a formal complaint. This is an employee's right under Federal EEO Regulations. The employee may be entitled to personal relief such as leave restoration or other appropriate remedy caused by the harassment.

If a formal complaint is filed, why does there need to be another investigation even though there was an expedited inquiry?

EEO regulations require that a complaint of discrimination be fully and completely investigated. This includes taking statements under oath or affirmation from witnesses and collecting agency records. The expedited inquiry may be insufficient to meet the requirements of the EEOC guidance and from which a thorough and impartial decision may be made.

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Office of Human Capital Management,
Employee Management Relations
Branch, NA-MB-174
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*Equal Employment Opportunity:
Collaborating for Mission Success*

April 2013

Hostile Work Environment

A Manager's Guide



*Equal Employment Opportunity:
Collaborating for Mission Success*



What is a Hostile Work Environment?

A hostile work environment (HWE) is a form of harassment. It is demonstrated by severe and pervasive conduct that permeates the work environment and interferes with an employee's ability to perform his or her job.



How does HWE relate to discrimination?

A HWE is actionable in the EEO process when it is based on allegations of prohibited employment discrimination; e.g. race, color, sex, national origin, religion, age, disability, sexual orientation, genetic information, or reprisal.



As a manager, why do I need to be concerned with allegations of hostile work environment?

As a manager, you are responsible for the work environment of your

employees. The work environment should be such that your employees have the opportunity to succeed and be fully productive. When an employee feels threatened by hostility in the office, he or she may not be able to perform his or her job at their highest potential.

How do I address an allegation of hostile work environment?

When presented with an allegation of HWE/harassment, you must conduct an expedited inquiry into the allegation to determine if a hostile work environment exists. You should contact the Office of Civil Rights (OCR) or Office of Human Capital Management Employee Management Relations Branch (OHCM EMRB) with questions you have regarding an allegation of HWE/harassment. The OCR or OHCM EMRB will note the allegation, the date, and other relevant information for their records. This information may be important to any future proceedings concerning the allegation.

What is an expedited inquiry?

An expedited inquiry is an administrative review that uncovers facts and evidence sufficient enough to determine whether a HWE/harassment exists. It is conducted as soon as possible after the allegation of HWE/harassment is presented.



Who conducts the expedited inquiry?

Your EEO Manager may assist you in the expedited inquiry. The OCR may also conduct the expedited inquiry or may make arrangements for the expedited inquiry to be conducted by someone else. If non-EEO related, contact OHCM EMRB.

What happens after the expedited inquiry is completed?

After you are presented with the expedited inquiry report, you must determine what actions must be taken. Your EEO Manager is available to assist you in determining appropriate actions. You may also find a need to consult your Employee Relations Consultant.

I already issued a policy statement prohibiting discrimination and harassment in my organization. Do I need to issue another one?



If your policy statement prohibiting discrimination is recent (e.g., issued within the past two years), you may not need to reissue the statement. However, you may need to reiterate your policy, verbally, in an all employee staff meeting. If your policy statement is over two years old, you should reissue your policy statement reaffirming your commitment and stating that unlawful discrimination and harassment will not be tolerated.

Suppose the inquiry shows that HWE/harassment did occur or exists. How do I address this?

You must ensure the HWE/harassment ceases. Among other things, you might provide training to all employees on preventing HWE/harassment of the type and