memorandum

DATE: September 2019
REPLY TO ATTN OF: CE-1


TO: All BPA Employees

This memo serves as a reminder of our commitment and obligation to eradicate harassing conduct that has occurred and to deter its occurrence in the future. Adherence to the principles of equal employment opportunity (EEO) and diversity and inclusion creates a positive work environment where all employees can reach their full potential.

This memo prohibits harassment by any BPA employee, or harassment of any BPA employee by another employee, contractor, vendor, applicant, or third-party individual with whom BPA employees come into contact by virtue of their work. It also prohibits harassing conduct that has a direct connection to the individual’s position or responsibilities regardless of whether it occurs on-duty, off-duty, face-to-face, via electronic means (e.g., telephone, email, social media, chat applications, etc.), through a third party, or through other means.

Non-Sexual Harassment
Harassment includes any unwelcome conduct involving a protected basis which interferes with an individual’s work performance or creates an intimidating, offensive, or hostile environment. Protected bases include: race, color, religion, sex (including sexual harassment, pregnancy, gender identity, sexual orientation and equal pay), national origin, age (40 and over), protected genetic information, disability (physical and mental), including the provision of reasonable accommodation for qualified applicants and employees with disabilities, or retaliation/reprisal (for opposing what is reasonably believed to be violations of Title VII laws and for past participation in EEO proceedings).

Examples of unwelcome conduct prohibited by this Policy include, but are not limited to, epithets, slurs, stereotyping, intimidating acts, bullying, ridicule, mockery, putdowns, acts of violence, actual or implied threats of violence, and the circulation or posting of written or graphic materials that show hostility due to one's protected status.

Sexual Harassment
Sexual harassment is a form of harassment and it is prohibited. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of such conduct is made explicitly or implicitly a term or condition of one’s employment or is used as a basis for career or employment decisions affecting that person; or such conduct interferes with an individual’s performance or creates an intimidating, hostile, or offensive work environment.

Examples of sexual harassment forbidden by this policy include, but are not limited to: (1) offensive sexually-oriented verbal kidding, teasing, or joking (2) repeated unwanted sexual
flirtations, advances, or propositions (3) verbal abuse of a sexual nature (4) graphic or degrading comments about an individual’s appearance or sexual activity (5) offensive visual conduct, including leering, making sexual gestures, and the display of offensive sexually suggestive objects, pictures, cartoons, or posters (6) unwelcome pressure for sexual activity (7) offensively suggestive or obscene text or chat messages, notes, or emails (8) offensive physical contact such as patting, grabbing, pinching, or brushing against another’s body or (9) disseminating internet links with sexually-themed content.

Employees are encouraged to inform any person who engages in harassing conduct in the workplace that the conduct is inappropriate and/or unwelcome. In all cases, employees aware of harassment, whether or not subjected to the harassment themselves, must promptly report any suspected violations. Supervisors and managers are required to take prompt, appropriate action to address issues of harassment. They must also take appropriate steps to proactively prevent harassment in the workplace.

**Reporting Harassment**

A cornerstone of effective anti-harassment efforts is helping employees feel comfortable reporting perceived harassment. Employees are encouraged to report harassment to their supervisor, anyone within BPA management and/or the Office of Civil Rights and EEO. All reports of harassment must be referred for a prompt inquiry. The confidentiality of reports of harassment or information gathered during a subsequent inquiry is protected to the maximum extent possible, subject to BPA’s need to investigate and take corrective action.

When necessary, management will take interim measures to make sure that harassment does not continue. If the inquiry reveals that harassment has occurred, BPA will take appropriate corrective action. Any employee found to have engaged in harassment may be subject to disciplinary action, up to and including removal.

BPA does not tolerate retaliation against any individual for:

- reporting harassment
- assisting another individual in reporting harassment
- providing information related to a report of harassment
- participating in the EEO complaint process, or
- opposing conduct that they believe is unlawfully discriminatory or harassing.

Claims of non-EEO harassment do not affect an employee’s right to file an EEO complaint, nor does it alter the required timelines for filing. To initiate the EEO complaint process, an employee must contact the Office of Civil Rights and EEO via email at CivilRightsEEO@BPASite1.bpa.gov or call 503-230-4725 within 45 calendar days of the alleged harassment.

**Need to Know Basis**

Steps will be taken to ensure the proper handling of EEO and work environment issues. To that end, matters will be addressed discreetly and discussed only with people who have a need to know. Individuals involved in harassment claims will not be privy to final actions deemed
appropriate to rectify those matters. All involved are asked to respect the selected process for redress and adhere to the terms of confidentiality and judiciousness that pertain to the selected process.

Preserving equal employment opportunity, diversity and inclusion in our workplace requires care and vigilance from each of us. Every employee is responsible for acting professionally and not participating in discriminatory or harassing behaviors that offend, intimidate or unreasonably interfere with the work performance of others. It is expected that all BPA employees demonstrate respect toward each other, as well as those with whom we interact and serve. Our continued adherence to both the spirit and the letter of EEO law, as well as and the principles of diversity and inclusion, are fundamental to the success of the mission of our organization.

We create the environment in which we work. This policy strives to ensure a work environment free of discrimination, harassment and hostility as well as an atmosphere of dignity and respect.

Elliot E. Mainzer
Administrator and Chief Executive Officer