

# memorandum

DATE: August 27, 2024

REPLY TO  
ATTN OF: HE-1

SUBJECT: Anti-Harassment and Retaliation Policy

TO: All BPA Employees

Valuing people is essential to Bonneville Power Administration's culture and success. Fair treatment and equal access are not only core to our values and beliefs, but it is the law. These core values advance the inclusion of our diverse workforce which propels the BPA mission to address energy and environmental challenges on behalf of the American people.

Adherence to the principles of fairness, equity, and equal employment opportunity creates a positive work environment where all employees can reach their full potential. These principles are essential to being a model organization that promotes operational excellence. BPA is committed to providing a work environment free of unlawful harassment and retaliation.

We are able to ensure that we are fulfilling the promise of fairness, equity, and equal employment opportunities by following our established guidance under Department of Energy, Policy Memorandum #102: *Prevention and Elimination of Prohibited Harassing Conduct*.

No applicant or employee will be subjected to harassment (sexual or non-sexual).

- Non-sexual harassment is any unwelcome conduct (verbal, written, or physical) based on discrimination that:
  - Has the purpose or effect of unreasonably interfering with an employee's work performance;
  - Creates an intimidating, hostile, or offensive work environment; or
  - Affects an employee's employment opportunities or compensation.
- Sexual harassment is any unwelcome behavior of a sexual nature. This includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, physical conduct of a sexual nature, or other similar behavior. Sexual harassment is not limited to prohibited conduct by a male employee toward a female employee; a male may also be a victim of sexual harassment. Similarly, sexual harassment is not limited to the actions of a supervisory employee toward a nonsupervisory employee; the harasser may be an agent of the employer, a supervisory employee who does not supervise the victim, a coworker, or a non-employee.

This protection against discrimination and harassment extends to all management practices and decisions, including, but not limited to, recruitment and hiring practices, merit promotions, training, career development programs, benefits, transfers, reassignments, and separations from the agency. This means that employment-related decisions must be based on merit and not on discriminatory factors.

The process within the Anti-Harassment Program is entirely separate and apart from other available administrative avenues of redress. The Anti-Harassment Program in conjunction with Policy Memorandum #102 seeks to address and resolve harassing conduct before it ever reaches the level of

discrimination, as defined under the anti-discrimination laws, and to hold those responsible for the prohibited conduct accountable.

Employees and applicants for employment have the right to report incidents of harassment without fear of retaliation. Retaliation is a form of discrimination where an employee is subjected to an adverse employment action or harassment, solely because he or she filed a claim of harassment; participated in an Anti-Harassment limited inquiry, or other protected activity in opposition to unlawful harassment.

If an Anti-Harassment complaint is filed, then a prompt, thorough, and impartial inquiry will be conducted. It is important to note that BPA seeks to protect, to the fullest extent possible, but cannot guarantee, the confidentiality of harassment allegations, and shares information only with those who have a need to know in the performance of their official duties.

For more information regarding harassment in the workplace, or additional information on how to file an Anti-Harassment complaint, please visit the [Anti-Harassment](#) page on BPA Connection. To initiate a prompt impartial inquiry into a claim of harassment, contact the Anti-Harassment Program by email [reportharassment@bpa.gov](mailto:reportharassment@bpa.gov).

It is the responsibility of BPA to prevent the harassment of employees by addressing matters as soon as possible. Therefore, BPA may conduct an inquiry into a matter, even in the absence of an Anti-Harassment complaint.

It is important to note that a report under Policy Memorandum #102 does not constitute an EEO complaint. The Anti-Harassment program and/or Policy Memorandum #102 does not replace or affect an employee's right to file an Equal Employment Opportunity (EEO) complaint, an appeal with the Merit Systems Protection Board (MSPB), negotiated grievance (if applicable), a complaint with the Office of Special Counsel (OSC), or other available reporting processes. Employees or applicants for employment should contact the Civil Rights & EEO office, via email [creeo@bpa.gov](mailto:creeo@bpa.gov) or call 503-230-4725.

Unlawful harassment in the workplace undermines our ability to achieve our mission. Accordingly, each employee is expected to honor the principles of fairness, equity and equal employment opportunity in the workplace. Any employee who engages in harassment in violation of the law or this policy may be subject to disciplinary action, including suspension or removal from federal service. Managers must act promptly and appropriately to eliminate and prevent harassment in the workplace. Managers who have knowledge of an act of possible harassment should contact the Anti-Harassment Office or Civil Rights & EEO Office for guidance.

Creating and maintaining an environment free from discrimination, harassment and retaliation will help us attract, develop, and retain outstanding employees, while motivating and inspiring employee engagement and loyalty. Thank you in advance for your efforts as we work together to ensure a harassment free work culture at BPA.



John L. Hairston  
Administrator and Chief Executive Officer