



**Pension Benefit Guaranty Corporation**  
1200 K Street, N.W., Washington, D.C. 20005-4026

Office of the Director

**August 28, 2012**

**TO: All PBGC Staff**

**FROM: Josh Gotbaum**  
**Director**

**SUBJECT: Prevention of Workplace Harassment Policy Statement**

The Pension Benefit Guaranty Corporation (PBGC) has a policy providing for a work environment free from all forms of harassment. For example, in addition to providing the protection required by EEO laws from harassment based on race, color, religion, sex (including pregnancy), national origin, age, disability, genetic information, and participation in protected EEO activity, PBGC's policy also protects against harassment based on parental status, marital status, sexual orientation, and other bases. PBGC will not tolerate the creation of a hostile work environment and will address reported workplace harassment promptly. Retaliation for reporting workplace harassment or for assisting in any inquiry concerning a report of harassment also will not be tolerated.

The legal definition of harassment is unwelcome verbal or physical conduct that creates an intimidating, hostile, or offensive work environment, interferes with an individual's work performance, or otherwise adversely affects employment opportunities. A hostile work environment occurs when discriminatory intimidation, ridicule or insult is sufficiently severe or pervasive to alter the conditions of employment and create an abusive working environment. The goal of the Prevention of Workplace Harassment Policy Statement is to address and eliminate harassing conduct at the earliest possible stage, regardless of whether the conduct violated the law.

All employees are responsible for exhibiting professional conduct and behavior in the workplace and cooperating in the enforcement of this policy. Individuals engaging in conduct or behavior that violates this policy may be subject to appropriate disciplinary action up to, and including, removal from Federal service. Supervisors must strive to maintain and promote a work environment free of harassment. To prevent and remedy incidents of workplace harassment, PBGC officials must be made aware of the conduct or behavior as soon as possible.

Individuals who believe they are being harassed are encouraged to tell the harasser (orally or in writing) to stop, keep a record of the events, immediately report the behavior, and cooperate in any inquiry regarding allegations of harassment. PBGC employees who believe they have been harassed should report the matter immediately to the Human Resources Department. Employees may also report allegations of harassment to their immediate supervisor, another management official, or to

PBGC's Office of Equal Employment Opportunity and Diversity (OEEOD). Harassment allegations that are reported to HRD, OEEOD, or a management official will be referred to the Harassment Investigation Committee (HIC). Additional information about the HIC is available on the Intranet at <http://intranet/eo/antiHarassment.cfm>

An employee who reports allegations of harassment to the HIC, a PBGC supervisor/manager, or HRD has **not** filed an EEO complaint. An employee who wishes to file an EEO complaint must contact PBGC's EEO Office within 45 calendar days of the alleged harassing conduct or the date they became aware of the harassing conduct. Failure to do so may result in the dismissal of the EEO complaint.

**The federal sector EEO discrimination complaint process cannot be initiated by reporting a workplace harassment incident to a supervisory or managerial official, or by contacting the Employee Assistance Program (EAP) or union.**

This policy applies to all PBGC employees. Related questions or requests for information should be directed to HRD/Kristin Hanmer, ext. 6383 or OEEOD, ext. 4363.