



**Department of Energy**  
Southwestern Power Administration  
One West Third Street  
Tulsa, Oklahoma 74103-3519

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## **Policy Statement on Equal Employment Opportunity, Harassment, and Retaliation**

Southwestern Power Administration (Southwestern) has an important role to play in the transmission and marketing of Federal hydroelectric power. Performing this role safely and effectively requires significant input from every employee, every time they come to work. Discrimination, harassment (sexual or non-sexual) and/or retaliation, undermines an employee's ability to focus on important work, lowers morale for everyone and may cause employees to take their talents elsewhere. Following Equal Employment Opportunity (EEO) principles is not only the law, but it is also the right thing to do and a sound business practice.

I am personally committed to the EEO principles and to ensuring that Southwestern maintains a workplace free from discrimination, harassment of any type, and retaliation. This policy statement serves to remind all employees, and applicants for employment, of their rights and responsibilities under the law, and how to seek assistance if you believe that you have been subjected to discrimination, harassment or retaliation.

While the EEO complaint process is generally available only to federal employees, I want to make it clear that *no* person on a Southwestern facility or job site shall be subjected to discrimination or harassment on the basis of race, color, sex, (including pregnancy, gender identity, and sexual orientation), religion, national origin, age disability (physical or mental), genetic information, or retaliation for participation in any protected EEO activity. Further, no retaliation against a person opposing unlawful discrimination or harassment will be allowed.

Non-sexual harassment is any unwelcome verbal, written, or physical conduct that either denigrates or shows hostility or aversion toward a person that: (1) has the purpose or effect of creating an intimidating, hostile, or offensive work environment; (2) has the purpose or effect of unreasonably interfering with an employee's work performance; or (3) affects an employee's employment opportunities or compensation.

Sexual harassment is defined as unwelcome behavior of a sexual nature, including but 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, as well as a female, may be the victim of sexual harassment. Similarly, sexual harassment is not limited to the actions of a supervisory employee toward a non-supervisory employee; the harasser may be an agent of the employer, a supervisory employee who does not supervise the victim, or a coworker, or a non-employee.

Employees who act to report or stop unlawful discrimination or harassment are legally entitled to be free from retaliation. Retaliation is a form of discrimination where an employee is subjected to an adverse employment action or harassment that creates a hostile or abusive work environment, solely

because he or she opposed an unlawful employment practice. "Opposing" an unlawful employment practice includes filing a charge of discrimination, participating in an investigation, proceeding or hearing, or taking other similar action in opposition to the unlawful practice.

It is Southwestern's responsibility to address discrimination and harassment before it becomes severe or pervasive; however, Southwestern can only address what it is aware of. Individuals are highly encouraged to promptly report discrimination and harassment to any management official or directly to the EEO Program Manager. An individual being harassed may confront the harasser directly, if he or she feels comfortable doing so, but is never required to confront the harasser directly. The individual being harassed may report the harassment to any management official, or directly to the Equal Employment Opportunity Manager. To uphold its responsibilities, Southwestern may choose to conduct a limited inquiry or an administrative investigation, even if no complaint is filed.

Southwestern has arranged for the Western Area Power Administration (WAPA) to process EEO complaints. Employees and applicants who wish to file a complaint of discrimination regarding harassment or retaliation may call (720) 962-7034 to contact a WAPA EEO Counselor. To file a formal complaint, employees must contact an EEO Counselor within 45 days of the alleged discriminatory action, or within 45 days of the date on which they reasonably became aware of the discrimination. Employees may also initiate a grievance under the Department of Energy or negotiated grievance procedures. The complaint process provides for a prompt, thorough and impartial investigation of accepted formal complaints. Southwestern will seek to protect the confidentiality of all parties involved in harassment and retaliation allegations, to the extent possible, and will share information only with those who have a need to know in the performance of their official duties.

Managers who have knowledge of possible harassment or retaliation are responsible for informing their respective supervisors and contacting the EEO Program Manager for guidance, even if they have been asked to keep the matter confidential. Supervisory employees are responsible for taking immediate and appropriate corrective action, including disciplinary action, with respect to any matter involving an allegation of harassment as advised by the EEO and Human Capital Offices.

Southwestern plays a critical role in providing millions of Americans with more affordable and renewable energy. Unlawful discrimination, harassment or retaliation in the workplace undermines our ability to effectively carry out our mission and may negatively impact safe operations. Any employee of Southwestern who engages in discrimination, harassment or retaliation in violation of the law or of this policy is subject to disciplinary action, which may range from reprimand, to removal from Southwestern. I encourage each employee of Southwestern to be actively responsible in maintaining a workplace free of harassment.



Mike Wech  
Administrator