NM 3713-45
SUPERSEDED BY
NM 3713-49

National Aeronautics and Space Administration
Policy Statement on Non-Harassment

It is NASA's policy to prohibit harassment in the workplace, and all employees must refrain from engaging in harassing conduct.

Harassment is unwelcome or offensive conduct (sexual or non-sexual) based on an individual's race, color, gender, national origin, religion, age, disability, sexual orientation, or status as a parent and is unacceptable at NASA. It creates a work environment that undermines productivity, professionalism, and inclusive practices and insults the dignity of workers. In addition to violating this policy, harassing conduct based on an individual's race, color, gender, national origin, religion, age, disability, sexual orientation, or status as a parent is also a violation of equal opportunity (EO) law, when the harassing conduct is sufficiently severe or pervasive that it creates a hostile work environment or results in a "tangible employment action," such as hiring, firing, promotion, or demotion.

Harassing conduct based on an individual's race, color, gender, national origin, religion, age, disability, sexual orientation, or status as a parent, regardless of whether it meets the legal standard for discriminatory harassment, is prohibited at NASA. It is NASA policy to address such conduct before it becomes severe or pervasive. Therefore, for purposes of this policy, harassing conduct is defined as any unwelcome conduct, verbal or physical, based on any characteristic protected by law when the conduct either: (1) has the purpose or effect of unreasonably interfering with work performance or otherwise adversely affecting the work environment, or (2) results in an employment decision affecting the employee based upon the employee's acceptance or rejection of such conduct.

Examples of harassment in the first category include, but are not limited to, making jokes or remarks or displaying images that unreasonably interfere with work performance and/or create an intimidating, hostile, or offensive work environment based on an individual's race, color, gender, national origin, religion, age, disability, sexual orientation, or status as a parent.

Examples in the second category include, but are not limited to, a supervisor coercing an employee into an unwelcome sexual relationship and then rewarding the employee with a promotion, or a supervisor taking disciplinary action or denying a promotion to an employee because he or she rejected sexual advances from the supervisor.

Harassment has no place at NASA and thus, to prevent and remedy incidents of harassing conduct, NASA must be made aware of it. Should harassing conduct occur, employees must report it promptly to either a person in or out of their supervisory chain, the Center/Headquarters EO Director, or the Assistant Administrator for Diversity and Equal Opportunity. Supervisors and managers will act promptly to assist in investigating and resolving allegations of harassing conduct. If appropriate, immediate steps will be taken to ensure that further harassing conduct does not occur.

Immediately upon receipt of a complaint of harassment, the Agency will conduct a prompt, thorough and impartial investigation. Complaints or allegations of harassment will remain confidential to the extent possible, with information shared only on a *need to know* basis, so that the Agency can take prompt and effective action.

The Agency will take immediate steps if it determines illegal harassment and/or harassing conduct in violation of this policy has occurred. If harassing conduct is found to have occurred, the supervisor will take appropriate corrective or disciplinary action, up to and including removal, against personnel who have engaged in such conduct. Disciplinary action will also be taken against supervisors who have not carried out their responsibilities under this policy. NASA will not tolerate retaliation against an employee for making a good faith report of harassing conduct or for assisting in any inquiry regarding such a report.

This policy is separate and apart from any collective bargaining agreement or statutory complaint process covering harassment.

NASA policy on non-harassment demonstrates the dedication we have to our Agency and the success of our mission. We must create the most effective and productive work environment possible, one built on teamwork and integrity.

For further information about NASA policy on non-harassment and for technical assistance, contact your Center EO Director or the Office of the Assistant Administrator for Diversity and Equal Opportunity.

Michael D. Griffin
Administrator

27 March 2006
Date

Dr. Dorothy Hayden-Watkins
Assistant Administrator for
Diversity and Equal Opportunity

12 April 2006
Date