

Memorandum

TO : All Employees

DATE: August 31, 2011

FROM : Chairman

SUBJECT: Sexual Harassment Policy Statement

The Federal Maritime Commission (FMC) is committed to providing a place of work that is free from sexual harassment and any other discriminatory behavior. Sexual harassment is prohibited by law and will not be tolerated. It is a form of sex discrimination, and is a violation of Title VII of the Civil Rights Act of 1964, as amended.

All FMC employees and members of the public engaged in official business with the FMC have the right to an environment free from any kind of bias, and are required to comply with this policy. All employees are expected to take appropriate measures to prevent sexual harassment.

What is considered sexual harassment?

Unwelcome sexual advances, requests for favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions effecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment can occur by verbal, nonverbal or physical means. Examples include: sexual innuendo, suggestive comments, insults, threats, pranks, jokes about gender-specific traits, or sexual propositions, in person or via email; making suggestive or insulting noises, whistling, or making obscene gestures; touching, pinching, grabbing or brushing the body; making or posting sexually humiliating or distasteful pictures, comic strips or other materials in the workplace; giving gifts or leaving objects that are sexual suggestive; etc.

- In addition, sexual harassment can occur in a variety of circumstances, including but not limited to the following:
- The victim as well as the harasser may be a woman or a man. The victim does not have to be of the opposite sex.
- The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
- Unlawful sexual harassment may occur without economic injury to or discharge of the victim.

The Employee's Rights and Responsibilities

Employees should report any allegations of sexual harassment immediately to their supervisor, to an appropriate management official, to an EEO Counselor, or to the Director, EEO. When the Commission determines that an allegation of sexual harassment is believable, it will make every effort to investigate the allegations promptly and effectively, and take appropriate corrective action.

Any employee who has been found by the Commission to have subjected another employee to sexual harassment of any kind will be subject to appropriate sanctions, which may include dismissal from Federal service. All actions taken to resolve issues of sexual harassment will be confidential. Retaliatory action against an employee who charges sexual harassment will not be tolerated.

The Commission's Responsibilities

The Office of Equal Employment Opportunity (OEEO) is the main point of contact for questions or concerns about sexual harassment. All managers, supervisors and executives have the responsibility for implementing this sexual harassment policy. If the Commission receives a contention of sexual harassment, or has reason to believe that sexual harassment is occurring, it will take the necessary actions to ensure that the matter is promptly addressed.

I solicit your assistance and collaboration in maintaining just, welcoming, and unbiased workplaces throughout the FMC. Sexual harassment or any form of discriminatory behavior will not be tolerated.

Richard A. Lidinsky, Jr.
Chairman