



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1315 East-West Highway
Silver Spring, MD 20910

THE DIRECTOR

OCT - 1 2004

MEMORANDUM FOR: All NOAA Fisheries Employees

FROM: William J. Hogarth, Ph.D.

SUBJECT: Sexual Harassment Policy Statement

As we move into a new fiscal year, this memorandum is a reminder to all employees that sexual harassment, in any form, is inappropriate and unacceptable conduct that will not be tolerated. According to Title VII of the Civil Rights Act of 1964, as amended, harassment on the basis of gender is a violation and a prohibited personnel practice. Sexual harassment includes practices ranging from direct requests for sexual favors to workplace conditions that create a hostile environment for persons of either gender, including same sex harassment.

Congress enacted the Civil Rights Act of 1991 for the express purpose of providing additional remedies under federal law to deter unlawful harassment. This Act facilitates bringing action against employers and encourages litigation by providing for compensatory and punitive damages and trial by jury. More specifically, the Act authorizes as much as \$300,000 in compensatory damages in addition to back pay, front pay, reinstatement, and attorneys' fees previously available under Title VII.

Therefore, it is and will continue to be our policy that all employees must be allowed to work in an environment that is free from unsolicited and unwelcomed verbal or physical sexual advances. Therefore, sexual harassment in the work place will not be tolerated. I expect supervisors and managers to take preventive steps and corrective action when warranted by the facts and circumstances. For more information on how to respond to allegations of prohibited harassment you may obtain a copy of the Department of Commerce Administrative Order 202-955 at <http://www.osec.doc.gov/omo/daos/202-955.htm> and contact your servicing Human Resources Representative.

In addition, all NMFS employees have an obligation to cooperate in preventing this problem. I know that many of you have shown a strong commitment toward eliminating sexual harassment from the work environment, and I encourage you to continue with your efforts.

Any employee who believes they have been sexually harassed should immediately contact the NOAA Civil Rights Office on 301-713-0500. If you have any questions regarding this policy, please contact the NMFS EEO Program Manager, Natalie Huff, at 301-713-1456.

cc: DUS – James R. Mahoney
HR – Zane Schauer
CR – Alfred Corea

THE ASSISTANT ADMINISTRATOR
FOR FISHERIES

