

The OCC Policy Statement on Prohibiting Harassment in the Workplace

As the Acting Comptroller of the Currency, I am committed to a workplace that is free from harassing conduct, discriminatory harassing conduct/harassment, and retaliation. “Harassing conduct” is an umbrella term for unwelcome verbal or physical conduct (including oral, written, social media, or other electronic communications) that can reasonably be considered to adversely affect the work environment. It includes inappropriate behavior such as intimidation, bullying, ridicule, insult, or epithet. The OCC will conduct prompt, thorough, and impartial inquiries into reports of harassing conduct. We will take immediate and appropriate corrective action against those found to have engaged in harassing and/or retaliatory conduct. Harassing conduct is subject to OCC’s policies and procedures on addressing workplace misconduct (PPM 3110-36) and harassing conduct (PPM 3100-32).

Harassing conduct that is based on a protected characteristic of the victim is discriminatory harassing conduct. Anti-discrimination law prohibits harassment based on the protected characteristics of race, color, age (40 and older), religion, sex (including pregnancy, childbirth and related medical conditions, sexual orientation, and gender identity), national origin, disability (physical or mental), protected genetic information (including family medical history), or in retaliation for prior protected equal employment opportunity (EEO) activity. Executive Order 13152 prohibits harassment based on parental status. Discriminatory harassing conduct becomes unlawful harassment when it (1) culminates in a tangible employment action (i.e., a significant change in employment status or benefit) or (2) is sufficiently severe or pervasive as to alter the terms, conditions, or privileges of employment; unreasonably interferes with a person’s work performance; or creates an intimidating, hostile, or offensive work environment. Retaliatory harassment may be unlawful even if it is not severe or pervasive enough to create a hostile work environment, as long as it might deter a reasonable person from asserting their EEO rights. Sexual harassment is a form of discriminatory harassment that is characterized by unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature. Discriminatory harassment, including sexual harassment, is subject to the OCC’s policies and procedures on addressing discriminatory harassment (PPM 3100-32).

As a matter of policy, the OCC prohibits harassing conduct even if the conduct is not discriminatory harassment. To constitute harassing conduct under OCC policy, the conduct must be offensive both subjectively (the target or observer of the conduct finds it offensive) and objectively (a reasonable person in the targets or observer’s position would find it offensive).

If you experience or observe harassing conduct – if possible, communicate clearly to the offending individual that the conduct is unwelcome and must stop. If direct communication is not possible or it fails to stop the behavior, or you do not feel comfortable communicating directly with the offending individual, promptly report it to any of the following: any supervisor or manager; the Anti-Harassment Program Coordinator or other [Workforce Relations and Performance Management \(WRPM\) staff member](#); or a union representative (if a bargaining unit employee). If the conduct is discriminatory, you also have the option of reporting it to the OCC’s EEO Officer at (202) 345-3096 or, if applicable, the Sexual Harassment Hotline at (202) 649-5589 (if you are deaf, hard of hearing, or have a speech disability, dial 7-1-1 to access telecommunications relay services).

Individuals may pursue allegations of discriminatory harassment through the EEO complaint process by contacting the OCC’s EEO Officer within 45 calendar days of the latest incident of discriminatory harassment or your awareness of it, or in the case of a personnel action, within 45 days of the effective date. Please refer to OCCnet for more information about the [EEO process](#).

Each of us is responsible for treating one another with professionalism and respect and contributing to a workplace free from harassing conduct, discriminatory harassment, and retaliation. Please review the [Anti-Harassment Program page](#) on OCCnet so that you are fully aware of your rights and responsibilities. If you have questions regarding harassment, please contact Anti-HarassmentProgramCoordinator@occ.treas.gov or (202) 646-4233.

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Michael J. Hsu
Acting Comptroller of the Currency

November 27, 2023

Date