



INTERNATIONAL BOUNDARY AND WATER COMMISSION
UNITED STATES AND MEXICO

OFFICE OF THE COMMISSIONER
UNITED STATES SECTION

FOR ACTION

February 6, 2020

MEMORANDUM

TO : All USIBWC Employees

FROM : Jayne Harkins, P.E., Commissioner, United States Section 

SUBJECT : Anti-Harassment Policy

1. Authority: EEOC Management Directive 715, which establishes a model that Equal Employment Opportunity (EEO) programs must issue policies and procedures for addressing all forms of harassment. Federal agencies must create a work environment that is free from sexual and non-sexual harassment.
2. This policy applies to all personnel assigned to the United State Section, International Boundary and Water Commission (USIBWC).
3. The USIBWC is committed to maintaining a workplace free from all forms of harassment, including sexual harassment. Immediate and appropriate corrective action will be taken when it's determined that harassment has occurred. All employees must fully support this policy and refrain from engaging in harassing conduct.
4. Workplace harassment is defined as unwelcome and offensive treatment or conduct (verbal, physical, psychological, or visual) that a reasonable person would find intimidating, hostile, or abusive and that unreasonably interferes with work performance. Harassment on the basis of race, color, religion, national origin, age (40 and over), sex (including pregnancy, gender identity, and sexual orientation), disability, political beliefs, marital, familial or parental status, genetic information, or reprisal is prohibited under Title VII of the Civil Rights Act of 1964 and other Equal Employment Opportunity (EEO) law, regulations, and policies. Harassing conduct includes, but is not limited to: bullying, ridicule, physical assaults or threats, offensive jokes, slurs, epithets, name calling, displaying objects, graphic materials, or verbal or written comments that are offensive to, or show hostility toward, an individual or group.
5. Sexual harassment is any unwelcome sexual advance, request for sexual favor, or verbal or physical conduct of a sexual nature, where: (1) the conduct is made explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of the conduct is used as the basis for decisions about an individual's employment (promotions, work assignments, etc.); or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. Sexual harassment occurs under various circumstances in which the victim or the harasser may be a woman or man, of the same or opposite sex, and a federal employee, contractor, visitor, or customer.

6. All agency employees are strongly encouraged to report incidents of harassment to their immediate supervisor (allegations involving an immediate supervisor should be reported to a higher-level management official). Employees who make claims of harassment or provide information related to such claims will be protected against retaliation. The USIBWC will protect the confidentiality of the individuals bringing harassment claims to the extent possible.

7. Employees may also contact the Human Resources Office (HRO) or the EEO Office. You can access the Anti-Harassment Policy and Procedures Directive SD.I.07024, in the agency's internal share drive: V:\Directives\Mission Support.

8. Employees experiencing or witnessing harassment in the USIBWC workplace should immediately report it to their supervisor, manager, HRO, or the EEO Office.

9. Managers and supervisors are responsible for immediately taking appropriate action to enforce this policy when they become aware of incidents involving sexual and non-sexual harassment. Preventing sexual and non-sexual harassment is everyone's responsibility, and all reports of harassment will be taken seriously and handled appropriately. This policy does not limit a management official's right to manage effectively. Personnel actions taken by a management official for valid and supportable reasons do not constitute workplace harassment.

10. Current or former employees may also initiate an EEO Complaint alleging harassment based on one or more of the protected bases by contacting the EEO Office within 45 calendar days of the date of the alleged harassment. **The USIBWC's inquiry does not have an impact on the EEO time requirement.** Therefore, employees may not wait until after an internal inquiry is conducted if they desire to enter the EEO process.

11. If you have questions or need assistance, please contact Mr. Fred Graf, Director of Human Resources, at 915-832-4114 or by email at: fred.graf@ibwc.gov; or Ms. Frances Castro, EEO Officer, at 915-832-4112 or by email at: frances.castro@ibwc.gov.