

Anti-Harassment Policy

Fermi National Accelerator Laboratory is committed to providing a workplace free from all forms of harassment, including those based on gender or sexual preference. When the Laboratory determines that an allegation of sexual harassment is credible it will take prompt and appropriate corrective action.

Definitions of Harassment

Harassment is a form of misconduct that undermines the integrity of the employment relationship. Harassment on the basis of any protected characteristic is strictly prohibited and may be illegal. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, sex, sexual orientation, gender, gender identity, national origin, age, disability, or any other characteristic protected by law that: (1) has the purpose or effect of creating an intimidating, hostile, or offensive work environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities. Harassing conduct includes, but is not limited to: epithets, slurs, or negative stereotyping; threatening, intimidating, or hostile acts; denigrating jokes and displays or circulation in the workplace of written or graphic material (including through e-mail) that denigrates or shows hostility or aversion toward an individual or group.

Sexual harassment constitutes unlawful discrimination. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, for example: (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 affecting 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 does not refer to occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome, is personally offensive, debilitates morale, and therefore interferes with work effectiveness. Such conduct, whether committed by supervisors or non-supervisory personnel, independent contractors or vendors, or guest researchers, is specifically prohibited. This includes: repeated offensive sexual flirtation; advances or propositions; continued or repeated verbal abuse of a sexual nature; graphic or degrading sexual comments about an individual or his/her appearance; or any offensive, abusive

physical contact.

This policy also prohibits the use of electronic communications to download or transmit materials with pornographic, profane, or sexually explicit content. In addition, no one should imply or threaten that an applicant's or employee's "cooperation" of a sexual nature (or refusal thereof) will have any effect on the individual's employment, assignment, compensation, advancement, career development, or any other condition of employment.

Individuals and Conduct Covered

This policy applies to all applicants, employees, and users and prohibits harassment, discrimination, and retaliation, whether initiated by employees and users, by a supervisor or manager, or by someone not directly connected to Fermilab (i.e., an outside vendor, consultant, or customer).

Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, such as business trips, business meetings, and business-related social events.

Complaint Procedure

Fermilab strongly urges the reporting of all incidents of discrimination, harassment, or retaliation regardless of the offender's identity or position. An employee who believes that he or she is being subjected to conduct that is inconsistent with this policy, is expected to make an appointment as soon as possible with their Human Resources Partner (<http://hr.fnal.gov/contact/hr-partners/>), to discuss the concern. The employee is not required or expected to discuss the concern with his or her immediate supervisor or with the perceived offender prior to contacting the HR Partner. Employees are also encouraged to report harassing conduct they learn of or witness.

All complaints will be investigated promptly and thoroughly. Confidentiality will be honored to the extent permitted by law, as long as the rights of others are not compromised. Offenders will be subject to corrective action, including discipline up to and including termination.

Prohibition of Retaliation

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action.

In the event that the employee who filed the complaint is dissatisfied with the

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result of the investigation, he or she may appeal to the Director.

In the instance of alleged harassment by key personnel of the Laboratory (defined as the Laboratory Director, the Deputy Laboratory Director, Associate Laboratory Directors, and Assistant Laboratory Directors) a complaint may be made directly to the General Counsel, URA, Inc. Washington, D.C. at 202-293-1382.

Nigel Lockyer
Laboratory Director
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