

MEMORANDUM

Date: April 24, 2026

To: All Appraisal Subcommittee Employees

From: Frederick Grierer, Acting Executive Director

Subject: Harassment-Free Workplace Policy Statement

The Appraisal Subcommittee (ASC) is committed to a harassment-free workplace by preventing, stopping, and eliminating harassing conduct before it becomes severe or pervasive. Unlawful harassment is unwelcome conduct based on race, color, religion, sex, national origin, older age (beginning at age 40), disability, genetic information (including family medical history), or pregnancy, childbirth, or related medical conditions, and that unreasonably interferes with an individual's work performance/environment by resulting in personal loss or harm of a term, privilege, or condition of employment, or is sufficiently severe or pervasive to alter the conditions of the victim's employment and create a hostile or abusive working environment. Harassment becomes unlawful where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Anti-discrimination laws also prohibit harassment against individuals in retaliation for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or lawsuit under these laws; or opposing employment practices that they reasonably believe discriminate against individuals, in violation of these laws.

Harassment adversely affects an individual's employment by creating an intimidating, hostile, or abusive environment that unreasonably interferes with and is detrimental to an individual's work performance, professional advancement, and mental and physical health. Petty slights, annoyances, and isolated incidents (unless extremely serious) will not rise to the level of illegality. To be unlawful, the conduct must create a work environment that would be intimidating, hostile, or offensive to reasonable people. Prohibited conduct includes, but is not limited to, sexual harassment, ridicule, offensive joke, slurs, epithets, bullying, mockery, insults, derogatory comments, intimidation, mistreatment on social media, unwelcome touching or contact, offensive objects or pictures on display, and offensive personal conversations. Harassment adversely affects our mission.

The ASC prohibits harassment and will take immediate and appropriate action after an allegation of harassment is made or after a determination that harassing conduct has occurred. Allegations of harassment will be investigated, and appropriate corrective or disciplinary action will be taken, as necessary, up to and including removal of the harasser to stop and prevent further harassing conduct from occurring.

Employees are encouraged to report any harassment experienced or witnessed immediately to their supervisor or appropriate supervisory official, who will then inform any member of the ASC Harassment Reporting Committee¹ as soon as possible, but no later than three (3) business days after receipt of the allegations. Employees who make a good faith report of harassing conduct or who assist in any inquiry regarding such a report are protected from retaliation. Managers and Supervisors must ensure that employees, who in good faith make a report of harassing conduct or assist in an inquiry regarding such a report, are protected from retaliation.

The ASC Harassment Reporting Committee will convene within five (5) business days after receipt of the allegations to commence a thorough and impartial investigation. The Committee will recommend appropriate action to stop any alleged harassing conduct and prevent further incidents, including recommendations for granting appropriate interim relief to the alleged victim while the allegations are being investigated. Inquiries must be completed within thirty (30) business days. A written summary of the inquiry and recommendation shall be prepared by the ASC Harassment Reporting Committee promptly after completion of the inquiry and shall be submitted to the ASC Deciding Official for final decision on the matter.

The immediate supervisor of the employee against whom harassing conduct is alleged or another senior employee as appropriate can be designated as the Deciding Official who has the authority to determine whether harassing conduct occurred and what action(s) should be taken.² The Deciding Official will review the evidence, review the summary and recommendation, and consult with the Committee before making a final decision in writing within ten (10) business days after receiving the recommendation. The Deciding Official will be responsible for ensuring any actions required to carry out the decision are promptly implemented with the assistance of the Committee.

All actions taken to resolve and address issues of harassment will be kept confidential to the greatest extent possible. Retaliatory action against an employee or applicant who raises a claim of harassment or who has cooperated with a harassment investigation will not be tolerated. The ASC will undertake immediate and appropriate corrective action, including discipline, whenever it determines that harassment has occurred in violation of the agency's policy. Any employee found to have participated in harassment of any kind, or retaliation, will be the subject of appropriate administrative or disciplinary action, which may include removal from federal service.

¹ The ASC Harassment Reporting Committee will include the EEO Director, an attorney from the ASC Office of General Counsel, and an appropriate supervisory official. The duty of the committee shall be to conduct inquiries and make recommendations on reported allegations of harassment. If any member of the ASC Harassment Reporting Committee is the subject of an allegation of harassment under this policy, has a conflict of interest in fact or in appearance that cannot be sufficiently mitigated by the Office of General Counsel and may impair the member's ability to perform the duties outlined herein, or is otherwise unavailable, the Executive Director may appoint another official of similar rank to carry out the duties set forth in this policy. If any other conflicts of interest arise during the course of an employee's allegation of harassment, the Office of General Counsel will have the authority to take necessary steps to mitigate/eliminate the conflict of interest (either actual or perceived).

² If a proposed Deciding Official has a conflict of interest or is otherwise unavailable, then the ASC General Counsel may designate the Deciding Official.

This policy is separate and apart from any statutory complaint process that also covers harassment, such as the EEO complaint process. For further information on the EEO process, please contact the ASC EEO Director, Regeane Frederique, at eeo@asc.gov.

Recordkeeping

The summary of the inquiry or other documentation prepared under this procedure shall be kept confidential, to the greatest extent possible. The maintenance of records and any disclosures of information from these records shall be in compliance with the Privacy Act of 1974, 5 U.S.C. § 552a. Such information, however, may have to be disclosed to defend the ASC in any litigation to which the information may be relevant and necessary. Further, information may need to be disclosed to those officials and employees within the ASC with a need to know to carry out the purpose and intent of this issuance.

Other Resources Available

Questions concerning this Policy should be addressed to the ASC Office of General Counsel or the EEO Director.