

SAMPLE ANTI-DISCRIMINATION ANTI-HARASSMENT POLICY

The Office of U.S. Representative _____ (“Office”) is an equal opportunity employer. As such, the Office is committed to providing a work environment free from discrimination and harassment that is based on an individual’s race, sex, age, religion, disability, color, national origin, military status, marital status, parental status, sexual orientation, or gender identity/expression. This Anti-Discrimination Anti-Harassment Policy (“AD-AH Policy”) is intended to implement this commitment.

This AD-AH Policy does not alter or amend in any way the Congressional Accountability Act (“CAA”), or the Procedures of the Office of Compliance, or create any rights or requirements under the CAA. Nor does this AD-AH Policy alter or amend in any way the Rules of the House of Representatives (“House Rules”), or create any rights under the House Rules. To the extent the CAA and/or the House Rules, in particular, Rule XXIII.9, establish rights and remedies that concern matters that are the subject of this AD-AH Policy, those rights and remedies are wholly independent of this AD-AH Policy. In addition, this AD-AH Policy is not intended to create any judicially enforceable rights or causes of action. However violation of this AD-AH Policy may result in disciplinary action up to and including termination.

The Policy of the Office

It is the policy of the Office that discrimination of any kind based on an individual’s race, sex, age, religion, disability, color, national origin, military status, marital status, parental status, sexual orientation, or gender identity/expression is prohibited.

It is the policy of the Office that harassment of any kind based on an individual’s race, sex, age, religion, disability, color, national origin, military status, marital status, parental status, sexual orientation, or gender identity/expression is prohibited.

- a. For purposes of this AD-AH Policy, prohibited sexual harassment includes both “quid pro quo” and “hostile work environment” sexual harassment.

“Quid pro quo” sexual harassment may occur when terms and conditions of employment (e.g., compensation, promotion, continued employment, and the like) are made contingent on the provision of sexual favors, usually to an employer, supervisor, or agent of the employer who has the authority to make decisions about employment actions. Quid pro quo harassment also can occur when the rejection of such favors results in a tangible employment detriment, such as loss of a job or job benefit. Commonly, quid pro quo sexual harassment involves an adverse employment action that

occurs after sexual advances are rejected by an employee, or sexual favors are required for an employment benefit.

“Hostile work environment” sexual harassment may occur when unwelcome sexual advances, requests for sexual favors, open displays of sexually suggestive materials in the workplace, unwelcome flirtations or sexual advances, or other verbal or physical conduct of a sexual nature has the purpose or effect of unreasonably interfering with an individual’s work performance, or creating an intimidating, hostile, or offensive work environment.

- b. For purposes of this AD-AH Policy, prohibited harassment that does not fall within the definition of “sexual harassment” above includes insults, jokes, slurs, and other verbal or physical conduct relating to or based on an individual’s race, sex, age, religion, disability, color, national origin, military status, marital status, parental status, sexual orientation, or gender identity/expression that has the purpose or effect of unreasonably interfering with an individual’s work performance, or creating an intimidating, hostile, offensive, or demeaning work environment.

It is the Policy of the Office that any retaliation predicated on the fact that an employee of the Office in good faith reported an AD-AH Policy violation or suspected violation, or in good faith participated or aided in the Office’s investigation of an alleged AD-AH Policy violation, is prohibited.

Application of This AD-AH Policy

- It is a violation of this AD-AH Policy to discriminate against another individual on the basis of his or her race, sex, age, religion, disability, color, national origin, military status, marital status, parental status, sexual orientation, or gender identity/expression.
- It is a violation of this AD-AH Policy to harass another individual on the basis of his or her race, sex, age, religion, disability, color, national origin, military status, marital status, parental status, sexual orientation, or gender identity/expression.
- It is a violation of this AD-AH Policy to retaliate against an employee of the Office on the basis of the fact that he or she in good faith reported an AD-AH Policy violation or suspected violation, or in good faith participated or aided in the Office’s investigation of an alleged AD-AH Policy violation.

- This AD-AH Policy applies to *all* employees of the Office, including supervisors and other management personnel.
- This AD-AH Policy applies, but is not limited to, all personnel actions that affect the terms, conditions, and privileges of an individual’s employment with this Office, including, but not limited to, hiring, discharge, promotion, reassignment, pay, and benefits.
- An employee who violates this AD-AH Policy is subject to discipline, up to and including termination.

Procedures

Any employee who believes he or she has been subjected to, or has witnessed, actions that constitute a violation of this AD-AH Policy promptly must report the matter to management. The employee may report the matter to his or her direct supervisor, to a next level supervisor, or to any other manager – up to and including the Member – with whom the employee feels comfortable discussing the matter. The employee should not wait until the action he or she believes is a violation of this AD-AH Policy becomes severe or pervasive.

Management will timely investigate any report of an alleged violation of this AD-AH Policy and, where appropriate, take appropriate corrective action.

To the extent possible, the Office will protect the confidentiality of allegations of AD-AH Policy violations and of documents created or obtained that concern an investigation into an allegation of an AD-AH Policy violation.

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I, _____, have reviewed the foregoing AD-AH Policy. I understand the foregoing AD-AH Policy, and I agree to all of its terms, conditions, and obligations as a condition of my employment with the Office of U.S. Representative _____.

Employee signature

Date