United States
Department of
Agriculture

Farm and Foreign
Agricultural
Services

Farm Service
Agency

1400 Independence
Ave., S.W.
Stop 0501
Washington, DC
20250-0501

JUL 20 2012

FARM SERVICE AGENCY
POLICY STATEMENT ON REPRISAL AND RETALIATION

Requirements of Management Directive 715: The Equal Employment Opportunity Commission's (EEOC) Management Directive 715 requires agencies to issue an annual policy statement on reprisal and retaliation and display the policy conspicuously in agency offices.

Policy: It is the policy and practice of the Farm Service Agency (FSA) that no person shall be subject to reprisal and retaliation for responsible participation in an Equal Employment Opportunity process, or for speaking out against practices he or she believes may constitute unlawful discrimination under the provisions of the statutes listed below:

- Title VII of the Civil Rights Act of 1964
- Age Discrimination in Employment Act (ADEA)
- Equal Pay Act
- Rehabilitation Act of 1973

Definition: Reprisal and retaliation are defined as adverse actions taken because of opposition to unlawful discrimination. Any act of reprisal or retaliation by an FSA employee against a person for using these policies responsibly interferes with free expression and candor and violates this policy. Accordingly, employees are prohibited from acts of reprisal and retaliation against those who bring charges, are involved as witnesses, or otherwise try to responsibly use this policy.

How to Report: If you believe that you are a victim of reprisal or retaliation, you should report the person(s) to your supervisor. If the person is your supervisor, report the person(s) to your second-line supervisor. If reprisal or retaliation persists after reporting it to your supervisor, or if it is not dealt with to your satisfaction, you may seek relief by contacting one of FSA's EEO counselors. All FSA employees are required to report actions by other employees that they know or have reasonable basis to believe, are prohibited acts of reprisal and retaliation.

Actions for Prevention: FSA maintains a zero tolerance on any form of reprisal or retaliation. Any FSA employee who is found guilty of engaging in this type of behavior is subject to immediate disciplinary action, including demotion, suspension and/or removal. Full adherence and compliance will be expected of all FSA employees.

Publication: This policy should be posted in conspicuous locations throughout the workplace.

Juan M. Garcia
Farm Service Agency Administrator

USDA is an equal opportunity provider and employer

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FARM SERVICE AGENCY
EQUAL EMPLOYMENT OPPORTUNITY
AND DIVERSITY POLICY STATEMENT

The Farm Service Agency (FSA) is fully committed to the federal goal of equal opportunity in employment for all employees and applicants regardless of race, color, national origin, sex, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status or protected genetic information.

FSA's most valuable asset is its diverse and multi-talented workforce. This is particularly important as we work to provide better and more cost-effective services to our customers. We must aggressively promote Equal Employment Opportunity (EEO) in the workplace by creating an environment that fully utilizes the talents and strengths of all employees. This involves providing all employees with the opportunities, tools, training and support systems they need to develop their fullest potential. This may be facilitated by helping employees balance work and family needs and provide appropriate accommodations and support systems for individuals with disabilities.

FSA must reflect an environment that is free of discrimination and harassment of any kind. This means there will be zero tolerance of discrimination and harassment in the workplace. Any FSA employee found to have engaged in unlawful discriminatory practices and/or harassment will face appropriate disciplinary action. In addition, any manager or supervisor who fosters an environment that allows discriminatory practices and/or harassment to exist will be subjected to appropriate disciplinary action. We must also ensure that employees are free to exercise their EEO rights by not retaliating against them for engaging in protected EEO activity or opposing discriminatory practices. Reprisal and retaliation are defined as adverse actions taken against employees because of their involvement in the EEO complaint process or because of their opposition to unlawful discriminatory practices.

I am committed to maintaining a model workplace where each employee is valued and has an opportunity to contribute fully to the accomplishment of our mission. Although managers and supervisors are directly responsible for leading the way in ensuring complete support of the agency's diversity efforts, every employee must get involved and participate by understanding and valuing differences, cultures and backgrounds.

Together we CAN achieve a workforce that is free of discrimination and represents the diversity of our nation.

Publication: This policy should be posted in conspicuous locations throughout the workplace.

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FARM SERVICE AGENCY (FSA)
POLICY STATEMENT ON HARASSMENT

All Farm Service Agency (FSA) employees must maintain a high standard of conduct in the workplace and refrain from engaging in harassment. FSA will not tolerate conduct by employees that disparages, denigrates, or demonstrates hostility or aversion towards any person based upon race, color, religion, sex, national origin, age, disability, sexual orientation, marital or family status, political beliefs, parental status or protected genetic information.

General harassment can be either verbal or written and may include physical acts. Such harassment has the purpose or effect of creating an intimidating, hostile or offensive work environment, unreasonably interfering with a person's work performance; or otherwise adversely affecting his or her employment opportunities.

Examples of verbal or physical harassment include the use of slurs, epithets, negative stereotypes, threats, intimidation or other hostile acts designed or intended to disparage, denigrate, and demonstrate hostility or aversion towards a person because of his or her race, color, religion, sex, national origin, age, disability, sexual orientation, marital or family status, political beliefs, parental status, protected genetic information, or that of his or her friends, relatives or associates.

Written harassment involves placement or circulation of written or graphic material (such as posters, flyers, memoranda and email) on walls, bulletin boards or other workplace, sites, that disparage or show hostility or aversion toward an individual or group because of race, color, sex, national origin, age, disability, sexual orientation, marital or family status, political beliefs, parental status, protected genetic information, or that of a person's friends, relatives and associates.

Managers and supervisors are responsible for enforcing this policy and must take immediate, appropriate, and effective action to end any harassing activities which may exist. Managers and supervisors should consult with their servicing personnel office and the USDA Guide for Disciplinary Penalties (DPM-751) when initiating action to stop the harassment. Managers and supervisors who tolerate such harassment or fail to take prompt corrective action upon becoming aware of such activities may also be subject to disciplinary action.

Any employee, who believes she or he has been subjected to harassment, or has witnessed such harassment, should report such actions to a supervisor or manager for corrective action. If prompt corrective action is not taken, the employee may contact an Equal Employment Opportunity counselor.

Publication: This policy should be posted in conspicuous locations throughout the workplace.

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FARM SERVICE AGENCY
CIVIL RIGHTS ACCOUNTABILITY POLICY
AND PROCEDURES STATEMENT

The Farm Service Agency (FSA) is fully committed to the federal goal of equal opportunity in employment for all employees and applicants regardless of race, color, national origin, sex, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status or protected genetic information.

FSA must reflect an environment that is free of discrimination and harassment of any kind. This means that agency officials, managers and other employees will be held accountable for civil rights and misconduct violations. The department's civil rights office has published Departmental Regulation (DR) 4300-010, "Civil Rights Accountability Policy and Procedures," to strengthen existing civil rights policies within the United State Department of Agriculture (USDA).

Agencies are required by USDA's civil rights office to provide this notice to each FSA employee. This DR can be found at http://www.ocio.usda.gov/directives/files/dr/DR4300-010.pdf. Upon receipt of this policy letter, all Washington, D.C., state, district and service center managers must print this policy and provide it to all employees under their span of management.

Publication: This policy should be posted in conspicuous locations throughout the workplace.

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Farm Service Agency Administrator

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FARM SERVICE AGENCY
POLICY ON THE PREVENTION OF SEXUAL HARASSMENT

The Farm Service Agency (FSA) is committed to maintaining a high standard of conduct in the workplace and providing a work environment free from sexual harassment.

Sexual harassment is a form of sex discrimination prohibited by Title VII of the Civil Rights Act of 1964, as amended. It involves unwanted and unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of such conduct is used as the basis for decisions about an individual's employment (promotions, work assignments, etc.);
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Each FSA employee has the responsibility to refrain from such unacceptable conduct in the workplace. Managers and supervisors bear the additional responsibility for taking immediate, appropriate and effective action to enforce this policy when they become aware of or should have been aware of a potential sexual harassment situation.

Any FSA employee who is found to have engaged in sexual harassment is subject to immediate disciplinary action, up-to and including removal from federal service. Managers and supervisors who fail to appropriately respond to reports of sexual harassment may be disciplined for failure to take swift and appropriate action.

This policy also applies to incidents of sexual harassment involving private contractors and customers. Managers and supervisors have the responsibility to maintain a work environment where employees are free from sexual harassment from private contractors and FSA customers, as well as employees.

Any employee who believes he or she has been subjected to sexual harassment should immediately report this to his or her supervisor or manager for corrective action. If the harasser is an employee's supervisor, then a report should be made to the employee's second-line supervisor. If the supervisor or manager does not take immediate and appropriate action to stop the harassing activity, the employee may bring the matter to the attention of an Equal Employment Opportunity (EEO) Counselor, Branch Chief, EEO Counseling/Mediation, or any EEO official within the Office of Civil Rights.

Preventing sexual harassment is everyone's responsibility, and any reports of sexual harassment will be taken seriously and handled appropriately.

Publication: This policy should be posted in conspicuous locations throughout the workplace.

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Farm Service Agency Administrator

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FARM SERVICE AGENCY
CIVIL RIGHTS
POLICY STATEMENT

The Farm Service Agency (FSA) will ensure the civil rights of every individual who requests access to the programs administered by the agency. Individuals will be provided employment opportunities without regard to race, color, creed, national origin, religion, gender, age, disability, marital status or sexual orientation. This is policy.

We are charged with, and expected to uphold, the highest level of professionalism and public trust in the mission and delivery of employment opportunities and programs at FSA. We have an obligation to assume and maintain direct personal responsibility for the way employees and applicants for employment are treated.

We will see that there is no discrimination in our employment practices and in our program delivery system. We will reach out to groups who have historically been neglected, identify areas where we are underrepresented in our workforce, and deliver programs that are inclusive, rather than exclusive, when selecting participants.

The success of our agency depends on our commitment to uphold this policy. By our words and actions, each of us must have responsibility for equal treatment and opportunities. Your commitment to these goals is critical to FSA's mission. Avoidance of discrimination in any form must be our daily, regular and constant practice.

We will not tolerate reprisal or retaliation of any kind against customers or employees who have sought to redress a grievance arising from a violation of their rights.

I urge FSA employees to do your part to ensure the protection of civil rights for all. As a team, we must work together and we must respect the rights of our coworkers at every level. I believe that each of us, individually and collectively, can make a difference in the way we serve the public.

Publication: This policy should be posted in conspicuous locations throughout the workplace.

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