

USPS Zero Tolerance Policy

February 4, 2015

HEADQUARTERS AND HEADQUARTERS FIELD UNIT EMPLOYEES

SUBJECT: Zero Tolerance Policy

This memorandum reaffirms the Postal Service's position on violence and inappropriate behavior in the workplace. Every Postal Service employee has a right to perform his or her assigned duties in an atmosphere free of threats and assaults. We are committed in the effort to ensure a safe working environment for all employees.

Threats or assaults made directly or indirectly toward any employee or postal customer, even in jest, will not be tolerated. This misconduct causes very real concern and apprehension on the part of employees and customers to whom this type of action is directed.

The Postal Service's Zero Tolerance Policy places all employees on notice that threats, assaults, or other acts of violence committed against other postal employees or customers means that each and every act or threat of violence, regardless of the initiator, elicits an immediate and firm response, which will result in corrective action, up to and including removal from the Postal Service. Employees should report any unusual situation that has the potential to cause workplace violence. Reports to the Inspection service, at the request of the employee who reports the incident, will be handled anonymously.

Our commitment is to provide a violence free workplace.

Report emergency situations to the Postal Police at 202-268-4566 and Postal Inspection Service at 877-876-2455 or call 911.



Jeffrey C. Williamson
Chief Human Resources Officer
and Executive Vice President

Guy J. Cottrell
Chief Postal Inspector

Zero tolerance

Promoting a respectful work environment

Posted 2/27/14 at 4:57 p.m.

USPS is committed to promoting a respectful and safe work environment for all employees — one that's free of threats, violence and fear. In support of that commitment, members of every Threat Assessment Team (TAT) want employees to know how to get help if they need it.

TAT members are trained to assess the danger or harm of threats — implied, made in jest or directly to victims. The team's goals are to reduce risks to USPS employees and customers. The TAT makes recommendations to address inappropriate behavior and resolve conflicts. After assessing reported threats, the team recommends a plan to help reduce the risk of violence and to support the care of employees.

Employees who have been threatened or believe they are in a potentially unsafe situation involving a co-worker, supervisor or customer — or are experiencing a domestic violence situation that could pose a threat in the workplace — should notify their immediate supervisors or managers and contact the appropriate TAT. Headquarters and each district office have their own teams.

Be on the lookout for Zero Tolerance Policy and Reporting Procedures from district offices, to be distributed the second quarter of fiscal year 2014. For an example of a policy, read the [Headquarters "Zero Tolerance" Policy and Reporting Procedures on Blue](#).

Report emergency situations to the Postal Inspection Service at 877-876-2455, or call 911.



USPS Publication 308

Know Your Rights



Know Your Rights:

**A Guide for Victims &
Witnesses of
Federal Crimes**



Your rights

As a victim or witness of a federal crime, you have these rights:

- The right to be treated with fairness and with respect for your dignity and privacy.
- The right to be reasonably protected from the accused offender.
- The right to be notified of court proceedings.
- The right to information about the conviction, sentencing, imprisonment, and release of the offender.
- The right to be present at all public court proceedings related to the offense, unless the court determines that testimony by the victim would be materially affected if you as the victim heard other trial testimony.
- The right to confer with the attorney for the government in the case.
- The right to request restitution.

As federal law enforcement professionals, the Postal Inspection Service is concerned about the problems often experienced by victims and witnesses of crime. We know that, as a victim or witness, you may feel anger, confusion, frustration or fear as a result of your experience.

We have prepared this information to help you deal with the problems and questions that may surface during an investigation and to provide you with a better understanding of how the federal criminal justice system works. We have included information and services available to you as a federal victim or witness.

We hope this information will be helpful and we encourage you to contact your Victim/Witness Coordinator if you have any questions.

Investigating your case

Although the days and months ahead may be difficult for you and your family, your continued assistance is important to ensure that the aims of justice are fully achieved.

During the investigation, you will be informed of the status of the case at your request. Throughout the investigation process, a Victim/Witness Coordinator will remain your primary contact. If you have any questions, be sure to contact the Coordinator as soon as possible. A federal investigation can be complex and lengthy. It may involve several organizations, some federal and some local.

Remember, your interests are important to us, and we are here to help answer any questions you may have.

If an arrest is made

If you request, you will be notified if a defendant is apprehended. Following the arrest, the Victim/Witness Coordinator will make every effort to keep you advised of the status of the case.

If your case is accepted for prosecution, you will be contacted by the Assistant U.S. Attorney assigned to handle your case. Each U.S. Attorney's Office has a Victim/Witness Coordinator to help answer your questions and deal with your concerns during the pretrial and court phases of the case.

If you are threatened or harassed

If anyone threatens you or you feel you are being harassed because of your cooperation with authorities, report it to your Victim/Witness Coordinator. There are penalties for

harassment and other threats. The Coordinator may discuss other protective measures with you if necessary.

If you were physically injured

If you were injured or threatened with physical injury as a result of the crime and lack insurance or other means to pay for medical bills, check your state's crime victim compensation program. In many states, the cost of counseling, lost wages, and certain funeral expenses may be covered. The law varies by state. Your Victim/Witness Coordinator can provide you with contact information for your state's program.

If you had property stolen

As part of our investigation, we hope to recover any property or money stolen from you. If we recover it, we will notify you and make every effort to have it returned as quickly as possible.

Restitution may be available for property not recovered, or for the cost of any necessary repair.

Assisting with your employer

Upon request, during the investigation and court process, we can call your employer to discuss the importance of your role as a victim or witness to the government's case and to explain any absences you may need to take from your workplace.

Restitution

If an individual is arrested and successfully prosecuted in your case, you may be eligible for restitution. This is a court-ordered payment made to you as a victim of a crime. Upon conviction, payment is made by the offender to cover out-of-pocket expenses resulting from your victimization.

If the court orders restitution at sentencing, it may consider the offender's present and future ability to pay. If the defendant has assets, the court may order restitution to be paid immediately or in scheduled payments. However, in many cases the proceeds of the crime are no longer available and the defendant does not have sufficient assets to pay restitution. It is possible, therefore, that a victim may not receive restitution.

Other remedies may include a civil suit or small claims court action. Restitution cannot be avoided through bankruptcy.

Assisting with your recovery

Victims and witnesses are emotionally affected by crime. Although everyone reacts differently, victims and witnesses report some common behaviors:

- Increased concern for personal safety and that of family members. You may naturally be more cautious.
- Trouble concentrating on the job.
- Difficulty handling everyday problems, or feeling overwhelmed.
- Going over the circumstances of the crime again and again, thinking about what might have gone differently.
- Difficulties from financial loss.

All of these problems are normal, and they may decrease with time. Talking with your Victim/Witness Coordinator may assist in your recovery.

If the defendant either pleads guilty or is found guilty, you have the opportunity, before sentencing, to submit an “impact statement” detailing the emotional, physical and financial effects of the crime on your life and the lives of members of your family. Your Victim/Witness Coordinator will assist you in preparing such a statement, if appropriate.

For assistance

Call the Case Inspector at your local Postal Inspection Service office for information on the status of your case. If your case is referred for prosecution, you may also call the Victim/Witness Coordinator at the U.S. Attorney’s Office, Department of Justice, who is handling the case. To keep you advised of information you request, please notify your Victim/Witness Coordinator if your address or phone number changes.

Other programs

U.S. DEPARTMENT OF JUSTICE, OFFICE FOR VICTIMS OF CRIME
202-307-5983
<http://www.ojp.usdoj.gov/ovc/>

NATIONAL ORGANIZATION FOR VICTIM ASSISTANCE
1-800-879-6682
<http://www.access.digex.net/~nova/>

NATIONAL VICTIM CENTER
1-800-394-2255
<http://www.nvc.org>

U.S. POSTAL INSPECTION SERVICE
475 L’ENFANT PLAZA SW, RM 3100
WASHINGTON DC 20260-2175
Fax: 202-268-4563
<http://www.usps.gov/websites/depart/inspect/>

USPS Poster 159

(from USPS Intranet Blue Pages)

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WORKPLACE HARASSMENT: KNOW YOUR RIGHTS! TAKE RESPONSIBILITY!

ELIMINATING WORKPLACE HARASSMENT

The United States Postal Service® is committed to providing a work environment free of harassment or other inappropriate conduct based upon race, color, religion, sex (including sexual orientation, gender identity, and gender stereotypes), national origin, age, mental or physical disability, genetic information, uniformed military service (past, present, or future), or in reprisal for an employee or applicant's complaint about or opposition to discrimination or participation in any process or proceeding designed to remedy discrimination.

The Postal Service workplace must be one in which all employees are treated with dignity and respect by supervisors, subordinates, and coworkers. Supervisors and managers will take prompt action to prevent, address, and remedy workplace conduct that is contrary to this policy.

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STOPPING INAPPROPRIATE BEHAVIOR

Inappropriate behavior in the workplace, even if it does not meet the legal definition of harassment, undermines morale and violates the Postal Service's policies and standards of conduct. The Postal Service may use disciplinary action even if the conduct does not rise to the level of harassment as defined under the law as such conduct violates Postal Service policy and will not be tolerated. The Postal Service owes its employees a safe, productive, and inclusive workplace and will tolerate nothing less.

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WORKPLACE HARASSMENT IS AGAINST THE LAW

Under federal antidiscrimination laws, harassment is defined as unwelcome verbal or physical conduct that demeans or shows hostility or aversion toward an individual or group of individuals. Employees will be subject to disciplinary action, up to and including removal, for engaging in harassing behavior such as, but not limited to:

- Making offensive or derogatory comments, nicknames, or slurs.
- Engaging in physically threatening, intimidating, or humiliating actions.
- Making derogatory comments relating to or arising out of a person's military service.
- Complaining about a person's absence to perform military service.
- Making or threatening to make employment decisions based on an employee's submission to, or rejection of, sexual advances or requests for sexual favors.
- Deliberate or repeated unsolicited remarks with a sexual connotation, or physical contact of a sexual nature that is unwelcome to the recipient.
- Behavior that creates a sustained hostile or abusive work environment so severe or pervasive that it unreasonably interferes with or changes the conditions of one's employment.

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OBLIGATION TO REACT PROMPTLY

Postal Service employees who believe that they are the victims of workplace harassment or inappropriate conduct, or who have witnessed such harassment, should bring the situation to the attention of any one of the following:

- Their immediate supervisor or manager.
- Any supervisor or manager.
- The manager, Human Resources.
- A union representative or coworker who will speak to a manager on the employee's behalf.
- A special agent of the Office of Inspector General.

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CONFIDENTIALITY

The Postal Service, to the extent possible, protects the confidentiality of an employee's workplace harassment complaint.

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WHAT THE POSTAL SERVICE REQUIRES OF MANAGERS AND SUPERVISORS

Any manager or supervisor who receives a complaint must act to stop any inappropriate behavior, ensure that a prompt and thorough investigation is conducted, and ensure that the harassing or inappropriate conduct does not persist—even if the behavior does not rise to the legal definition of harassment.

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MANAGEMENT INQUIRY

All managers and supervisors must follow the Management Inquiry Process materials available in Publication 552, *Manager's Guide to Understanding, Investigating, and Preventing Harassment*, when a complaint is brought to their attention. If workplace harassment or inappropriate conduct is found, managers must take prompt and appropriate remedial action.

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ADDITIONAL RELIEF

- In addition, you can seek relief through:
- The EEO complaint process;
- Grievance arbitration procedures established through the collective bargaining agreements with the unions; and
- The appeal procedures for employees not subject to the provisions of the collective bargaining agreement, as described in the *Employee and Labor Relations Manual* (ELM), 650.

If you elect to pursue an EEO complaint, you must contact the EEO Centralized Intake Center by calling toll free: 1-888-EEO-USPS (888-336-8777), TTY: 1-888-325-2914, within 45 days of the act or acts giving rise to the claim to preserve your rights under federal law. You also have a right to pursue a complaint involving employment matters covered by USERRA to the Department of Labor, Veterans Employment and Training Service, by calling toll free: 1-866-4-USA-DOL. If you are deaf or hard of hearing, you can call toll free: 1-877-889-5627. You may also file a complaint with the Merit Systems Protection Board electronically at <https://e-appeal.mspb.gov>.

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CRIMINAL MISCONDUCT

Report any possible criminal misconduct, sexual or otherwise, to local law enforcement and Postal Management. Report any physical assault, threat of a physical assault or stalking to the Postal Inspection Service. Report any threatening or harassing communications or obscene or indecent images and materials, which are transmitted through the use of any electronic device, computer or the Internet, to the Office of Inspector General.

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RETALIATION IS ILLEGAL

Retaliation against employees who raise a claim of workplace harassment, report inappropriate conduct, or provide evidence in any investigation is illegal and can result in disciplinary action.

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ZERO TOLERANCE

The Postal Service will not tolerate any workplace harassment or other inappropriate conduct based on race, color, religion, sex (including sexual orientation, gender identity, and gender stereotypes), national origin, age, mental or physical disability, genetic information, uniformed military service (past, present, or future) or in reprisal for prior EEO or USERRA activity.

WORKPLACE HARASSMENT KNOW YOUR RIGHTS! TAKE RESPONSIBILITY!

ELIMINATING WORKPLACE HARASSMENT

The United States Postal Service® is committed to providing a work environment free of harassment or other inappropriate conduct based upon race, color, religion, sex (including sexual orientation, gender identity, and gender stereotypes), national origin, age, mental or physical disability, genetic information, uniformed military service (past, present, or future) or in reprisal for an employee or applicant's complaint about or objection to discrimination or participation in any process or proceeding designed to remedy discrimination.

The Postal Service workplace must be one in which all employees are treated with dignity and respect by supervisors, subordinates, and coworkers. Supervisors and managers will take prompt action to prevent, address, and remedy workplace conduct that is contrary to this policy.

STOPPING INAPPROPRIATE BEHAVIOR

Inappropriate behavior in the workplace, even if it does not meet the legal definition of harassment, undermines morale and violates the Postal Service's policies and standards of conduct. The Postal Service may use disciplinary action even if the conduct does not rise to the level of harassment as defined under the law as such conduct violates Postal Service policy and will not be tolerated. The Postal Service owes its employees a safe, productive, and inclusive workplace and will tolerate nothing less.

WORKPLACE HARASSMENT IS AGAINST THE LAW

Under federal anti-discrimination laws, harassment is defined as unwelcome verbal or physical conduct that denigrates or shows hostility or aversion toward an individual or group of individuals.

Employees will be subject to disciplinary action, up to and including removal, for engaging in harassing behavior such as, but not limited to:

- Making offensive or derogatory comments, nicknames, or slurs.
- Engaging in physically threatening, intimidating, or humiliating actions.
- Making derogatory comments relating to or arising out of a person's military service.
- Complaining about a person's status to perform military service.
- Making or threatening to make employment decisions based on an employee's submission to, or rejection of, sexual advances or requests for sexual favors.
- Deliberate or repeated unwelcome remarks with a sexual puncheon, or physical contact of a sexual nature that is unwelcome to the recipient.
- Behaving in a manner that creates a hostile work environment or severe or pervasive threat, harassment, or interference with or changes the conditions of one's employment.

OBLIGATION TO REACT PROMPTLY

Postal Service employees who believe that they are the victims of workplace harassment or inappropriate conduct, or who have witnessed such harassment, should bring the situation to the attention of any one of the following:

- Their immediate supervisor or manager.
- Any supervisor or manager.
- The manager, Human Resources.
- A union representative or coworker who will speak to a manager on the employee's behalf.

- A special agent of the Office of Inspector General.

CONFIDENTIALITY

The Postal Service, to the extent possible, protects the confidentiality of an employee's workplace harassment complaint.

WHAT THE POSTAL SERVICE REQUIRES OF MANAGERS AND SUPERVISORS

Any manager or supervisor who receives a complaint must act to stop any inappropriate behavior, assure that a prompt and thorough investigation is conducted, and assure that the harassing or inappropriate conduct does not persist—even if the behavior does not rise to the legal definition of harassment.

MANAGEMENT INQUIRY

All managers and supervisors must follow the Management Inquiry Process materials available in Publication 552, *Manager's Guide to Understanding, Investigating and Preventing Harassment*, when a complaint is brought to their attention. If workplace harassment or inappropriate conduct is found, managers must take prompt and appropriate remedial action.

ADDITIONAL RELIEF

In addition, you can seek relief through:

- The EEO complaint process.
- Grievance arbitration procedures established through the collective bargaining agreements with the unions and
- The special procedures for employees not subject to the provisions of the collective bargaining agreement, as described in the *Employee and Labor Relations Manual (ELM)*, 650.

If you elect to pursue an EEO complaint, you must contact the EEO Centralized Intake Center by

calling toll free: 1-888-531-USA-PS, 1-888-335-8777, TTY: 1-888-335-7914, within 45 days of the act or acts giving rise to the claim to preserve your rights under federal law. You also have a right to pursue a complaint involving employment matters covered by USERRA to the Department of Labor, Veterans Employment and Training Service, by calling toll free: 1-895-4-USA-DOE. If you are deaf or hard of hearing, you can call toll free: 1-877-899-5627. You may also file a complaint with the Merit Systems Protection Board electronically at <https://www.mspb.gov>.

CRIMINAL MISCONDUCT

Report any possible criminal misconduct, sexual or otherwise, to local law enforcement and Postal Management. Report any physical assault, threat of a physical assault, or stalking to the Postal Inspection Service. Report any threatening or harassing communications or obscene or racist images and materials, which are transmitted through the use of any electronic device, computer or the Internet, to the Office of Inspector General.

RETALIATION IS ILLEGAL

Retaliation against employees who raise a claim of workplace harassment, report inappropriate conduct, or provide evidence in any investigation is illegal and can result in disciplinary action.

ZERO TOLERANCE

The Postal Service will not tolerate any workplace harassment or other inappropriate conduct based on race, color, religion, sex (including sexual orientation, gender identity, and gender stereotypes), national origin, age, mental or physical disability, genetic information, uniformed military service (past, present, or future) or in reprisal for prior EEO or USERRA activity.

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NATIONAL EEO COMPLIANCE & APPEALS PROGRAMS

May 18, 2015

VICE PRESIDENTS, AREA OPERATIONS

SUBJECT: Poster 159, Workplace Harassment: Know Your Rights! Take Responsibility!

Attached is the revised Poster 159, Workplace Harassment: Know Your Rights! Take Responsibility! This poster incorporates federal laws which make it clear that an employer's anti-harassment policy should prohibit all harassment in violation of federal discrimination laws. These revisions include an updated list of harassment behaviors and information regarding an employee's right to pursue a complaint involving employment matters covered by the Uniformed Service Employment and Reemployment Rights Act (USERRA). In addition, these revisions reflect recent updates to Publication 553, Employee's Guide to Understanding, Preventing, and Reporting Harassment. Please post Poster 159 in prominent locations throughout your facility (e.g., bulletin boards and swing rooms).

To successfully identify and eliminate workplace harassment, we must make sure everyone knows what it is and what to do about it. Please require your managers to provide a service talk to all employees to ensure they know their rights and take responsibility for their role in providing a work environment free of harassment.

Poster 159, Sexual Harassment: Know Your Rights! Take Responsibility! dated September 2008, is now obsolete and should be removed from all bulletin boards.

You can order copies of Poster 159 from the Topeka Material Distribution Center. Please use PSN 7690-07-000-7099. You can also access Poster 159 online through the Postal Service PolicyNet website on the corporate intranet at <http://lb/ue.usps.gov/cpim>; click on Posters.

Eloise Lance
Manager, EEO Compliance & Appeals Programs

Attachment

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**USPS Publication 553
Employee's Guide to
Understanding, Preventing
and Reporting Harassment**

Employee's Guide to Understanding, Preventing, and Reporting Harassment

March 2015


Dear Postal Service Employee:

The United States Postal Service® wants you to know that harassment and other inappropriate conduct based on race, color, religion, sex (including gender identity and gender stereotypes), national origin, age (40+), mental or physical disability, genetic information, past, present, or future uniformed (military) service, or in retaliation for previous Equal Employment Opportunity (EEO) or Uniformed Services Employment and Reemployment Rights Act (USERRA) activity will not be tolerated in the workplace. Although not every instance of inappropriate behavior may fit the legal definition of harassment, such behavior in the workplace undermines morale and violates the Postal Service's standards of conduct.

Publication 553 provides information about workplace harassment and inappropriate conduct. This is important because the only way to achieve a workplace free of harassment and inappropriate behavior is to make sure everyone knows what it is, what to do if it happens, and how to prevent it. You, as an employee, must do your part. Read and become familiar with this guide and report improper behavior.

The Supreme Court has ruled that workplace harassment is improper and unlawful. The law requires employers to take reasonable steps to end harassment in the workplace. If you feel you are being harassed, report it to your immediate supervisor or manager; another supervisor or manager; the manager of Human Resources; or a special agent of the Office of the Inspector General. Help is available, but you must do your part by reporting it.

Know your rights. Take responsibility.



Megan J. Brennan
Postmaster General, CEO

What You Should Know About Workplace Harassment

You have a right to work in an environment free of harassment.

The Postal Service is committed to providing its employees with a safe, productive, and inclusive workplace. To achieve a workplace free of harassment, the Postal Service wants to make sure that every employee knows what harassment is, what to do if it happens, and what they can do to prevent it. These three topics are covered in this publication.

Please also read the “Postal Service Policy on Workplace Harassment” which is available on the Postal Service’s *PolicyNet* Web site.

Use these instructions to find the policy on the *PolicyNet* Web site:

- Go to <http://blue.usps.gov>.
- Under “Essential Links” in the left-hand column, click *PolicyNet*.
- Click on MOPs.
- The policy can be found under both the “Human Resources” and “Postmaster General” categories.

The direct URL for the Postal Service’s *PolicyNet* Web site is <http://blue.usps.gov/cpim>.

Violation of the “Postal Service Policy on Workplace Harassment” may result in disciplinary action up to and including removal. Any inappropriate conduct, even that which does not meet the legal definition of harassment, may result in disciplinary action. Such inappropriate behavior in the workplace undermines morale and violates the Postal Service’s policies and standards of conduct. See *Employee and Labor Relations Manual* (ELM) 660, Conduct, and 670, Diversity, Equal Employment Opportunity, and Affirmative Employment, and Handbook EL-312, *Employment and Placement*, Section 777, Enforcement of USERRA.

What Harassment Is

Although it's a familiar term, *harassment* is not always easy to define. What one person might think of as harassing behavior, another may think of as kidding or joking around, or, if the harassment is sexual in nature, as mild, inoffensive flirtation. Harassment can cover a wide variety of behaviors. It may consist of words, actions, or, most often, a combination of the two. It can range from the display of derogatory cartoons to the crime of rape. In situations involving EEO prohibited activity, the victim may not be the only person who is harassed, but may be anyone who hears or witnesses the offensive conduct and is affected by it.

Under federal antidiscrimination law, harassment is defined as unwelcome verbal or physical conduct that demeans or shows hostility or aversion toward an individual or group of individuals because of their race, color, religion, sex (including gender identity and gender stereotypes), national origin, age (40+), mental or physical disability, genetic information, past, present, or future uniformed (military) service, or in retaliation for EEO or USERRA activity. To be considered harassment under the law, the behavior must also (1) result in an intimidating, hostile, offensive work environment; (2) unreasonably interfere with an individual's work performance; or (3) otherwise adversely affect an individual's employment opportunities.

Harassment under the law is unwelcome conduct based on race, color, religion, sex (including gender identity and gender stereotypes), national origin, age (40+), mental or physical disability, genetic information, past, present, or future uniformed (military) service, or in retaliation for previous EEO or USERRA activity that, **in its totality**, alters the terms, conditions, and privileges of employment, thereby violating the antidiscrimination laws.

Examples of harassment may include: (1) making offensive or derogatory comments, nicknames, or slurs; (2) engaging in negative stereotyping; or (3) engaging in physically threatening, intimidating, or humiliating actions. Harassment also may include circulating written or graphic material (by

paper or email message or by making it viewable in the workplace) that belittles or shows hostility or aversion toward an individual or group.

However, the antidiscrimination statutes are not a “general civility code.” Petty slights, simple teasing, annoying behavior, offhand comments, or isolated incidents (unless extremely serious) will not rise to the level of illegality. To be considered harassment under the law, the conduct must be so objectively offensive that it changes the “conditions” of the victim’s employment. The Equal Employment Opportunity Commission describes two types of harassment that change the conditions of employment: (1) harassment that results in a *tangible employment action*; and (2) harassment that is so severe or pervasive that it creates a *hostile work environment*.

Sexual harassment includes obvious things such as an invitation to have sex in exchange for favors or unwelcome intimate touching, patting, or grabbing. It can also include less obvious behaviors such as making repeated comments about a person’s appearance. Other behaviors — such as brushing up against someone, displaying sexually explicit pictures or email messages, and making frequent sexual comments or jokes — may also constitute sexual harassment.

Rape or other actions involving physical violence, force, or coercion are also criminal offenses. Report these immediately to local law enforcement agencies and the Postal Inspection Service.

Two Types of Harassment Under the Law

Tangible Employment Action or Quid Pro Quo Harassment

Tangible employment action harassment is the harassment of a subordinate by someone with supervisory authority that results in a tangible employment action. A tangible employment action is an action that significantly changes an employee’s employment status, such as hiring, firing, promoting, demoting, changing work assignments, and reassigning an employee.

This is usually called “*Quid Pro Quo*” harassment. *Quid pro quo* means “something for something,” and it usually involves sexual harassment. Following are examples of *quid pro quo* harassment: (1) a supervisor fires or demotes a subordinate because he or she rejects the supervisor’s sexual demands; (2) a supervisor promotes a subordinate because he or she submits to the supervisor’s sexual demands; or (3) a manager denies an applicant a promotion or assignment because the applicant frequently has military duty.

Quid pro quo harassment is the use of power and authority to alter an employee’s job conditions or economic benefits because the employee or applicant either submits to or refuses to submit to the unwelcome demands of the person in authority. If a subordinate rejects the demands of a person in authority and the threat is not carried out, the threat of a tangible employment action in itself could constitute hostile environment harassment.

Hostile Environment Harassment: Crossing the Line Between Social Nuisance and Harassment

Hostile environment harassment covers a broad range of behaviors and situations. It is most often defined as a pattern of continuing unwelcome behavior that unreasonably interferes with an employee’s work performance or that creates an intimidating, hostile, or offensive work environment.

Examples of behavior that could result in a finding of hostile environment harassment include:

- Using racially derogatory words, phrases, or nicknames.
- Telling jokes or stories with national origin themes.
- Making derogatory comments relating to and arising out of a person’s military service.
- Complaining about the person’s absence to perform military service.
- Displaying posters or symbols offensive to individuals of a certain race, sex, national origin, religion, etc.
- Making derogatory or intimidating references to an employee’s mental or physical impairment.

- Applying pressure for dates.
- Repeatedly requesting that an employee leave military service or ask to be excused from military duties.
- Making offensive remarks about a person's looks, clothing, or body parts.
- Whistling or catcalling.
- Using sexual innuendo.
- Spreading false rumors about a person's sex life.
- Blocking a person's path.
- Following a person continually (stalking).

Keep in mind that behavior which is not necessarily sexual in nature but which is nonetheless demeaning or abusive toward members of one sex may also constitute hostile environment harassment.

A single incident, unless it is severe, generally does not constitute harassment. The conduct must be severe or continuing and pervasive. Factors considered in a legal determination of hostile environment harassment include frequency of the discriminatory conduct, its severity, whether it was physically threatening or humiliating (as opposed to a mere offensive utterance), and whether it unreasonably interferes with work performance.

Determining whether the conduct at issue rises to the level of harassment is not easy. Behavior that is insensitive, juvenile, or boorish — even though it may be offensive to some people — may not constitute harassment as defined under the law. However, employees should not, and managers must not, tolerate inappropriate behavior in the workplace. The Postal Service does not condone inappropriate behavior.

Who Is Protected From Harassment

Under the law, all employees are protected from harassment based on their race, color, religion, sex (including gender identity and stereotypes), national origin, age (40+), mental or physical disability, genetic information, past, present, or future uniformed (military) service, or in retaliation for previous EEO or USERRA activity. Both men and women are

protected from sexual harassment by the opposite or the same sex.

The Problem of Perception

What one person considers offensive, another may consider harmless. Distinguishing between harassment and social insensitivity is very difficult. Unfortunately, the law does not provide a “bright-line rule” that identifies which comments and behaviors constitute harassment. However, if a “reasonable person” would find the behavior so offensive as to interfere with his or her work performance, then it is likely to be considered harassment. The Postal Service’s policy is to act to stop any inappropriate behavior, investigate, and ensure that the inappropriate conduct does not recur — even if the behavior doesn’t rise to the legal definition of harassment.

Importance of Communicating That Words or Actions Are Unwelcome

If you are being harassed, you should let the harasser know in no uncertain terms to stop the behavior. If you are not able to do so alone, you could ask a friend, a union representative, or a trusted coworker to help you talk to the harasser. This does not mean that you have to confront the alleged harasser or put it in writing. For instances of sexual harassment, nonverbal behavior may be sufficient in some cases to communicate that the behavior is unwelcome. “No” means “no,” whether it is communicated verbally or nonverbally. However, a clearly communicated verbal “no” is generally more effective in stopping harassment.

In all cases of harassment, you also should report the incident to your immediate supervisor or manager, to another supervisor or manager, or to the Manager of Human Resources.

Sexual Harassment and the Office Romance

The Postal Service strongly discourages supervisory and managerial employees from engaging in romantic and/or physical relationships with their subordinate employees.

Perceptions of unfair treatment often arise under these circumstances and undermine employee morale.

When a supervisor or manager who engages in office romances appears to favor those with whom he or she is involved, the supervisor's or manager's behavior tends to foster a belief among other employees that their chances for advancement depend upon their willingness to engage in similar conduct with the supervisor or manager. Relationships between supervisors or managers and employees that are based on such a belief are not considered fully consensual. Therefore, to avoid allegations of harassment and/or unfair treatment, supervisors and managers should not engage in relationships with their subordinate employees.

How to Tell If Your Behavior Amounts to Harassment

Sometimes actions intended as innocent fun may be perceived as harassing behavior. The line between harassment and overly friendly actions or joking around is often a fine one. The important distinction is that harassment is unwelcome. Also, keep in mind that your behavior may offend someone other than the person to whom it is directed.

The workplace should not be a place where people are subject to offensive comments, actions, or behavior. Be alert for signs, verbal or nonverbal, that your behavior is unwelcome. If you are unsure, consider asking.

Inappropriate Behavior

Inappropriate behavior in the workplace, even if it does not rise to the legal definition of harassment, may violate the Postal Service's policies and/or standards of conduct. Inappropriate behavior often leads to incidents of harassment. Make sure that your behavior does not offend anyone.

If you are offended by someone else's behavior, report the behavior to your supervisor or manager so that it can be addressed. If the offending person is your supervisor or manager, report the behavior to another supervisor or manager, or to the Manager of Human Resources.

What to Do If You Are Harassed

First, Tell the Harasser to Stop!

Sometimes, people are unaware that their behavior is offensive or harassing until it is brought to their attention. Communicating your belief that the behavior is offensive and making it clear that you want it to stop may be sufficient to end the offensive or harassing behavior. Reminding people that harassment is illegal or inappropriate behavior can also help to reinforce your message.

If you are not comfortable confronting the harasser alone, ask a friend, union representative, or a trusted coworker to help you talk to the harasser. However, you are not required to tell the harasser to stop before reporting the matter to those in authority.

Second, Report It!

Whether or not you get the harasser to stop, report harassing behavior to those in authority who are responsible for stopping the harassment, and who will make a record of it.

You can write, or just talk, to any of the following:

- Your immediate supervisor or manager.
- Any supervisor or manager.
- The manager of Human Resources.
- A Special Agent of the Office of the Inspector General.
- A Postal Service Inspector, when you believe that criminal misconduct is involved.

If you are uncomfortable making a report yourself, you can ask a union representative or a coworker to speak to a manager on your behalf. The Postal Service will protect the confidentiality of harassment complaints to the extent possible.

Once you report the harassing behavior, it is management's responsibility to act to stop any inappropriate behavior, investigate, and ensure that harassing or inappropriate conduct does not recur — even if the behavior doesn't rise to the legal definition of harassment.

Keep a written record of everyone you speak to about the incident(s), including supervisors and witnesses and the dates you spoke to them. In some circumstances, you could lose your right to pursue a successful legal action if you fail to take advantage of these internal Postal Service procedures for reporting and resolving harassment complaints. To preserve all of your rights, use the process and report harassing behavior.

The Employee Assistance Program (EAP) is available to give you emotional support for problems that may result from being harassed. Contact an EAP counselor at 800-EAP-4-YOU (800-327-4968).

You also have the right to pursue a complaint through the EEO process. If you choose to do so, you must contact the EEO Centralized Intake Center within 45 days of the act(s) giving rise to the claim. Employees making a complaint can call toll-free: 888-EEO-USPS (888-336-8777). Deaf and Hard of Hearing employees can call toll-free: 888-325-2914. Your filing must be timely, or you could lose your right to pursue your complaint under federal law.

You also have a right to pursue a complaint involving employment matters covered by USERRA to the Department of Labor, Veterans Employment and Training Service by calling toll free: 866-4-USA-DOL (866-487-2365). Deaf and Hard of Hearing employees can call toll free: 877-889-5627. Employees may also file a complaint with the Merit Systems Protection Board (MSPB) electronically at <https://e-appeal.mspb.gov>.

Bargaining unit employees also may seek relief through grievance-arbitration procedures. Some nonbargaining unit employees also may use the grievance procedures described in ELM 652.4, Other Appealable Actions.

What Supervisors and Managers Must Do to Prevent Harassment

The law requires employers to take reasonable steps to end harassment in the workplace and to remedy the situation when harassment is found.

Managers or supervisors who receive information regarding a situation that may involve harassment are required to:

- Conduct a thorough inquiry, or ensure that the information reaches a manager or supervisor who has the authority to conduct the inquiry.
- Determine if the employees involved need to be moved apart.
- Take prompt action to put an end to the harassment.
- Follow up with corrective action when appropriate.

If you believe that a person to whom you have reported harassment has not taken prompt action, discuss the matter with another appropriate person. Even if you use the EEO or USERRA complaint process or another process, Postal Service management is still required to address your report of workplace harassment.

What You Can Do to Prevent Harassment

You can help stop harassment in the workplace by the following actions:

- Do not condone harassment or inappropriate behavior by participating in the activity or remaining silent.
- Do not ignore teasing, jokes, remarks, or questions directed at you or at others that may be hurtful, inappropriate, or illegal.
- Ask the person or persons doing the harassing or behaving inappropriately to stop, even if the behavior is not directed at you.
- Report harassing behavior to your immediate supervisor or manager, another supervisor or manager, or the Manager of Human Resources.

When you report harassing behavior, those in authority have the responsibility to see that a prompt and thorough investigation is conducted and to remedy the situation.

Help is available. Do your part. Take appropriate action.

Why You Need Not Fear Retaliation

Retaliation against an employee who raises a claim of harassment, reports inappropriate conduct, or provides evidence in an investigation is illegal and will not be tolerated. As a Postal Service employee, you need to understand that you are protected. Report retaliation to a supervisor, manager, the Manager of Human Resources, or a Special Agent of the Office of the Inspector General.

You also may initiate an EEO complaint by contacting the EEO Centralized Intake Center to begin the EEO counseling process or a USERRA complaint by contacting the Department of Labor, Veterans Employment and Training Service (DOL/VETS) or the Merit Systems Protection Board (MSPB). Bargaining unit employees also may seek relief through grievance-arbitration procedures. Some non-bargaining unit employees also may use the grievance procedures described in ELM 652.4, Other Appealable Actions. ELM 666.3, Whistleblower Protection, describes procedures for reporting allegations of reprisal for making whistleblower-protected disclosures as described in ELM 666.18, Reprisal for Release of Information, to the Office of Inspector General.

When Harassment Becomes Assault

If you believe you are the victim of a criminal assault, sexual or otherwise, contact local law enforcement and Postal Service Inspectors and seek immediate medical attention.

Contractors, Vendors, and Other Third Parties

Just as the Postal Service will not tolerate harassment by or against its employees, it also will not tolerate harassment by or against anyone in the workplace, including contractors, vendors, and other third parties who may be in the workplace only temporarily. If you feel you are being harassed, you should report the incident to a manager, supervisor, or the Manager of Human Resources.

Other Resources

For further assistance and support contact the following:

USPS EEO Centralized Intake Center

888-EEO-USPS (888-336-8777)

Deaf and Hard of Hearing Employees

888-325-2914

Office of Inspector General Hotline

888-USPS-OIG (888-877-7644)

Deaf and Hard of Hearing Employees

866-OIG-TEXT (866-644-8398)

You may also contact the Office of Inspector General Hotline by email at hotline@uspsig.gov.

Department of Labor/Veterans Employment and Training Service

866-4-USA-DOL (866-487-2365)

Employer Support of the Guard

800-336-4590, select option 1

USPS Employee Assistance Hotline

800-327-4968

National Domestic Violence Hotline

800-799-7233

National Sexual Assault Hotline

800-656-4673

Publication 553

PSN 7610-04-000-5098

**USPS Publication 552
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Understanding,
Investigating, and
Preventing Harassment**

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Publication 552

March 2010

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Steps for Managers to Address Workplace Harassment

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Respond Promptly	Obtain Information	Begin IMIP	Evaluate Information	Plan of Action	Follow Up
<p>If approached with a harassment complaint or situation, schedule a meeting in a private location.</p> <p>Review relevant:</p> <ul style="list-style-type: none"> ■ Information. ■ Policies. ■ Procedures. <p>Listen objectively.</p> <p>Advise on:</p> <ul style="list-style-type: none"> ■ Confidentiality. ■ Responsibility. ■ Rights. <p>Address sensitivity of situation during inquiry</p>	<p>Define:</p> <ul style="list-style-type: none"> ■ Issue. ■ Nature. ■ Scope. <p>Consider:</p> <ul style="list-style-type: none"> ■ Safety issues. ■ Reporting structure. <p>Communicate EAP and EEO options.</p> <p>Inform and confer with Manager, HR, local district or area office (for HQ and HQ field units, next-higher-level manager).</p> <p>Discuss remedies.</p> <p>If further inquiry is warranted, proceed to IMIP.</p>	<p>Gather Initial Management Inquiry Process (IMIP) forms.</p> <p>Arrange separate interviews for all parties involved.</p> <p>Advise on IMIP process.</p> <p>Gather detailed data.</p> <p>Request that a written statement be prepared.</p> <p>Establish timelines for follow-up.</p> <p>If, in the course of this IMIP, you believe that the nature and scope of the complaint warrant outside investigation or that resolution is not feasible, you must refer complaint to Manager, HR, local district or area office (for HQ and HQ field units, next-higher-level manager).</p>	<p>Assess credibility of statements.</p> <p>Gather missing data.</p> <p>Identify the type of harassment discussed.</p> <p>Evaluate employment status change.</p> <p>Inform and confer with Manager, HR, local district or area office (for HQ and HQ field units, next-higher-level manager).</p> <p>Determine corrective action.</p> <p>If criminal action has occurred, notify Postal Inspection Service and local law enforcement.</p> <p>Report to the OIG any use of electronic devices, computer, or internet to transmit harassing communications.</p>	<p>Consult about remedies or discipline with Manager, HR, and Labor Relations (for HQ and HQ field units, next-higher-level manager).</p> <p>Ensure that the investigation was conducted properly.</p> <p>Deliver the determination separately to harasser and harassee.</p> <p>Emphasize:</p> <ul style="list-style-type: none"> ■ Retaliation is illegal. ■ Report future incidents. <p>Resolve issues.</p> <p>Document action taken.</p>	<p>Send IMIP documents to Manager, HR, local district or area (for HQ and HQ field units, next-higher-level manager).</p> <p>Maintain confidentiality.</p> <p>Convey Postal Service's Zero Tolerance Harassment Policy in:</p> <ul style="list-style-type: none"> ■ Remedial training. ■ Stand-up talks. ■ Staff meetings. <p>Educate yourself and personnel on up-to-date policy.</p> <p>Enforce Postal Service policy.</p> <p>Follow up and monitor the workplace.</p>

Overview of Steps

When encountering a harassment complaint or situation, **your role as a manager is to stop, listen, inquire, and try to resolve the harassment complaint.** Keep in mind that the employee is addressing a sensitive topic.

1

Respond Promptly

RESPOND PROMPTLY to the complaint regardless of its form or content. Remember that you could receive a complaint with no prior warning. Any report of harassment is enough to start an inquiry. So whenever possible:

1. Set time aside to discuss concerns.
2. Assess the location of the conversation due to its sensitive nature; be aware of your surroundings and the effect the environment can have on an individual's willingness to provide information.
3. Briefly review the information, policies, and procedures surrounding the issue being discussed.
4. Advise parties of confidentiality rights and their limitations; discuss your responsibility in handling the complaint.
5. Advise the alleging party that he or she has a right to report any inappropriate conduct without fear of retaliation and that you take harassment and allegations of harassment seriously.

2

Obtain the Information

Remember: Your responsibility is to ensure that a fair, impartial, prompt, and thorough investigation of the alleged misconduct takes place. In order to **OBTAIN THE INFORMATION** you need to begin the Initial Management Inquiry Process (IMIP), you should:

1. Determine preliminarily if the conduct being described would be considered harassment or inappropriate workplace behavior.
2. Assess the nature and scope of the problem in the workplace.
3. Determine whether there is a potential safety issue and if there is an immediate need to separate the parties involved or modify reporting relationships.
4. Inform the individual who reported the harassment of his or her Employee Assistance Program (EAP) options.
5. Inform the alleging harassee that he or she has a right to file a complaint with an Equal Employment Opportunity (EEO) Representative within 45 days of the inappropriate conduct.
6. Determine whether you can remedy the problem or whether a referral or involvement of a manager, supervisor, or Manager, Human Resources (for HQ and HQ field units, the next-higher-level manager) is warranted.
7. Determine whether formal documentation is warranted.

3

Begin IMIP Process

If an inquiry is warranted, **BEGIN IMIP PROCESS.** Gather guideline forms provided in this publication. There is a separate form for each party involved (i.e., alleging harassee, alleged harasser, and witness). Conduct interviews with involved parties separately. Ask questions in an open-ended manner to allow for elaboration. Remain consistent throughout the process, as follows:

1. Interview the alleging harassee and the alleged harasser. Arrange a meeting in an appropriate location. Advise of confidentiality rights and their limitations. Advise that the allegations and the IMIP are taken very seriously.
 - a. For the alleging harassee — Establish that the person is comfortable having you handle the inquiry and discuss your responsibility in handling the complaint. Display candor and listen with an open mind. Do not form any judgments.

3

Begin IMIP Process

(continued)

- b. For the alleged harasser — Advise that this is an initial inquiry to gather facts. Be fair and remain objective; remember the concept of “innocent until proven guilty.”
2. Gather information from both parties and take detailed notes of facts such as: who, what, where, why, when, type, time period, frequency, reaction, communication, impact, or adverse action.
3. Request that a written statement be prepared. However, this is not a prerequisite to taking action and is not a requirement if the alleging harassee refuses to document the incident.
4. Advise that retaliation is illegal, will not be tolerated, and will be reported.
5. Thank the alleging harassee, alleged harasser, and participating witnesses separately for their cooperation with the inquiry, and invite all parties involved to come back if they have more facts to provide.
6. Inform both the alleging harassee and the alleged harasser that you will keep them informed during the process and establish a timeline to follow up.
7. Be sure to use this guideline to document the interview appropriately, so you can be prepared to send your report to the Manager, Human Resources, local or area office (for HQ and HQ field units, the next-higher-level manager). Maintain confidentiality.
 - a. You must document all serious and recurring cases of alleged harassment and inappropriate action, including corrective actions taken.
 - b. Some complaints can be resolved simply between parties without a formal written record.
 - c. You are not required to document the interview for a minor, single incident. However, you should make a personal note of the incident and make sure that these confidential records are retained for further reference when necessary. When in doubt, document.
8. Do not insist on collaboration or detailed evidence. While helpful, its absence should not deter you from taking action.

4

Evaluate Information

EVALUATE INFORMATION, review notes, and determine the next steps by doing the following:

1. Assess the credibility of all information collected. Ensure that the facts are based on observation and evidence rather than conclusion or assumption. Stick to the facts.
2. Consider whether you need to conduct further interviews to clarify inconsistencies or gather missing information.
3. Determine whether the employee suffered a significant change in employment status due to the alleged harassment (e.g., demotion, denial, or discharge).
4. Assess whether management knew or should have known about the harassment or inappropriate workplace behavior. Throughout the inquiry and resolution process, confer with the Manager, Human Resources, in your local district or area office (for HQ and HQ field units, the next-higher-level manager).
5. Determine corrective action in accordance with Postal Service policies, procedures, guidelines, rules, regulations, and collective bargaining agreements. Consult with your district or area Labor Relations office, as applicable. Remember that consistency in the application of discipline is critical.
6. In the event of possible criminal actions (such as physical assault or stalking), notify the Postal Inspection Service and local law enforcement. Report the use of any electronic device, computer, or the Internet to transmit threatening or harassing communications, indecent images, or materials to the Office of Inspector General (OIG).



Plan of Action

Develop a **PLAN OF ACTION**, consult with Human Resources, and take remedial action as appropriate. Be sure to convey that the Postal Service is committed to eliminating harassment and inappropriate workplace behavior. It is your responsibility to see that a fair, impartial, prompt, and thorough investigation of the alleged misconduct has taken place. With regard to determinations:

1. If an inquiry is **INCONCLUSIVE** or shows that harassment or inappropriate workplace behavior **HAS NOT** occurred, inform both the alleging harassee and the alleged harasser (separately) of the determination and report the reasons for the conclusion.
 - a. When reporting to the alleging harassee:
 - Acknowledge that the harassee did the right thing by reporting the incident and/or cooperating with the inquiry.
 - Emphasize that if another incident occurs, he or she should report it immediately.
 - b. When reporting to alleged harasser:
 - Inform the harasser that nothing will be placed in his or her personnel folder.
2. If an inquiry shows that harassment or inappropriate workplace behavior **HAS** occurred:
 - a. Take prompt action to end current harassment or improper conduct:
 - Consult with the Manager, Human Resources, in your local district or area office (for HQ and HQ field units, the next-higher-level manager) and your field counsel or Labor Relations office on how to consistently determine the appropriate remedy or disciplinary action.
 - Resolve the problem and take remedial action, if necessary.
 - b. Inform both the alleging harassee and alleged harasser separately of the determination of the IMIP inquiry, the reason for the conclusion, and the actions to be taken.
 - c. When reporting to the harassee:
 - Acknowledge that the harassee did the right thing by coming forward and cooperating with the inquiry. Apologize to the employee on behalf of the organization, including upper management.
 - Emphasize that if another incident occurs, he or she should report it immediately.
 - d. Resolve the problem and take remedial action if necessary:
 - When a remedy is determined, administer the chosen remedy appropriately. Make sure that discipline is consistent with the severity of the conduct and is executed consistently.
 - Remedial actions may include: discussion, remedial training, letter of warning, suspension, transfers, demotion, and/or discharge.
 - Documentation is confidential:
 - For a minor, single incident, inform the harassee that the notes can be placed in the manager's personnel folder for future reference.
 - For a serious or recurring incident, inform the harassee that records will be kept for 4 years at the appropriate Human Resources office.

5

Plan of Action

(continued)

3. Consulting with each party separately, assess whether all parties involved feel able to continue to work in the area. If not, consult with Manager, Human Resources, at the local or area office (for HQ and HQ field units, the next-higher-level manager) to explore the possibilities available.
4. Record the date and subject matter for your notes. Fully document actions taken on the appropriate guideline forms (on pages 26-31) and ensure that all IMIP files are sent, under confidential cover, to your Manager, Human Resources, at the applicable district or area office (for HQ and HQ field units, the next-higher-level manager) via Certified Mail™ service with Return Receipt, promptly upon completion. The Manager, Human Resources (for HQ and HQ field units, the next-higher-level manager), will review the information to ensure that the inquiry is appropriately resolved. The files must be kept for 4 years after the management inquiry is completed.

Note: Regardless of determination, in all cases reiterate that retaliation against any person for reporting or providing information on potential harassment is illegal and will not be tolerated.

6

Follow Up

Always **FOLLOW UP** in the workplace to ensure that employees are aware of and follow the appropriate standards of conduct and monitor the workplace openly for harassment issues. Seriously consider if:

1. Remedial training will address issue raised during the inquiry.
2. Periodic stand-up talks or staff meetings can be used as forums to reinforce your commitment and message of zero tolerance for harassment.

Understanding Harassment

Purpose of This Guide

This guide provides you, the manager, postmaster, or supervisor, with:

- A definition and examples of workplace harassment, including harassment that is illegal under federal discrimination laws.
- Information on costs and effects of harassment in the workplace.
- Investigative action you must take when you receive allegations of harassment or become aware of harassing behavior.
- Action you must take to stop any harassing behavior found in your investigation.
- The follow-up and appropriate corrective actions you must take.

Definition of Harassment

The term *harassment* is commonly used by the general public and is also defined by law. Federal laws and the laws of each state define harassment, resulting in many different definitions. Because of this complexity, it is difficult to come up with a standard definition of harassment that is correct in every context. However, in general, harassment is unwelcome behavior directed at an individual, which the person finds offensive and harmful, and that a reasonable person would view as unwelcome or offensive.

Workplace harassment includes personal interactions characterized by bullying behaviors, personal attacks, acts of intimidation or threats, and behavior that may humiliate, embarrass, and belittle others. Harassment can take the form of verbal comments, actions, gestures, and displays. Usually the offensive behavior occurs often, over a period of time.

Illegal workplace harassment is harassment based on one or more of the bases protected by federal antidiscrimination laws, including Title VII of the Civil Rights Act, the Rehabilitation Act, and the Age Discrimination in Employment Act. These federal laws prohibit discrimination, which includes harassment based on race, color, religion, national origin, sex, age (40+), physical or mental disability. For example, sexual harassment is a type of harassment based on sex and is, therefore, prohibited by federal law. These laws also prohibit retaliation for participating in EEO activity.

To make you aware of the potential legal liability of the Postal Service for the behavior of its employees, the definition of illegal harassment under federal law and Equal Employment Opportunity Commission (EEOC) regulations and guidance is defined more fully on page 10. Be aware that Postal Service policy requires managers, supervisors, and postmasters to follow the procedures outlined in this publication. They must investigate, stop, and correct all forms of harassment and inappropriate behavior they become aware of — whether or not the behavior is illegal under federal law.

Be sure to read the *Postal Service Policy on Workplace Harassment*, which can be found at:

<http://blue.usps.gov/cpim/ftp/policy/dd/092506.pdf>; or

<http://blue.usps.gov/cpim/ftp/policy/dd/092506.pdf/welcome.htm>;

and the *Postal Service Policy Statement on Sexual Orientation, Gender Identification, and Gender Stereotyping*, which can be found at:

<http://blue.usps.gov/cpim/ftp/policy/dd/022106.pdf>; or

<http://blue.usps.gov/cpim/ftp/policy/dd/022106.pdf/welcome.htm>

Costs and Effects of Harassment

Harassment, including harassing behavior that may not be illegal under federal law, undermines morale in the workplace. It undermines the morale of the individual being targeted, persons witnessing the harassment, and persons who hear about the harassment from the target and witnesses. Workplace harassment can affect a person's emotional and physical well-being, reputation, and physical safety. Targets of workplace harassment may experience stress, depression, low self-esteem, loss of sleep, and even post-traumatic stress disorder. Harassment can also impact the home environment of those affected at work.

These effects on individual employees also have a negative effect on productivity, product quality, job satisfaction, attendance, and employee retention in the workplace. The costs of illegal harassment can also include attorney fees, settlements, and court costs. Harassment can also affect workers' compensation costs.

Research indicates that one-third to one-half of all stress-related illness is attributable to bullying in the workplace.¹ Even basic incivility has an effect on the workplace. For example, one study shows the following responses of 775 people who were targets of incivility at work.² Incivility included rudeness, insensitivity, and disrespect inflicted by another worker ("the instigator").

Percent Affected	Effect of Incivility on Targeted Individual
28	Lost work time avoiding the instigator.
53	Lost work time worrying about the incident or future interactions.
37	Believed that their commitment to the organization declined.
22	Decreased their effort at work.
10	Decreased the amount of time that they spent at work.
46	Contemplated changing jobs to avoid the instigator.
12	Actually changed jobs to avoid the instigator.

Harassing behavior is unprofessional. Postal Service managers, postmasters, and supervisors are responsible for setting the parameters of appropriate behavior at work and for addressing inappropriate behavior by their employees. Successful managers, postmasters, and supervisors do not harass, bully, or speak to employees in a condescending or threatening manner. Successful managers, postmasters, and supervisors lead by example; they stop and correct harassing and inappropriate behavior by their employees.

Never take harassment allegations lightly. The costs of harassment to our employees and our bottom line are costs the Postal Service cannot afford.

Your Role as Management

As Postal Service management, you must:

- Avoid behavior that could be interpreted as harassment. Lead by example!
- Identify and stop workplace behavior that could constitute harassment.
- Respond promptly³ and appropriately to those who come forward with complaints of harassing conduct.

¹ Cary L. Cooper, Heige Hoel, and Charlotte Rayner, University of Manchester Institute of Science and Technology, *Workplace Bullying*, Taylor & Francis, 2002.

² Christine M. Pearson, Lynne M. Andersonn, and Christine L. Porath, Kenan-Flagler Business School, University of North Carolina at Chapel Hill, *Assessing and Attacking Workplace Incivility*, Psychological Abstracts by American Psychological Association, 2001, page 1205.

³ What is considered "prompt" depends upon the circumstances, but an inquiry or investigation should begin as soon as possible after an allegation, and it should be completed in no more time than is needed to thoroughly inquire into and, where applicable, document the matter.

This guide provides you — the managers, postmasters, and supervisors of the Postal Service — with tools to address allegations of harassment in the workplace and to address harassing or inappropriate behavior that you may witness.

Eliminating all harassing behavior from the workplace will enable you to have a more efficient operation and will contribute to a more productive, healthier work environment. Even if a certain behavior does not seem to be “harassment” as defined by law, if it is inappropriate, take corrective action, if applicable, and **STOP IT!**

What Illegal Harassment Is

Illegal harassment is a form of discrimination that violates federal antidiscrimination laws including Title VII of the Civil Rights Act, the Rehabilitation Act, and the Age Discrimination in Employment Act.

Under federal antidiscrimination law, harassment is defined as unwelcome verbal or physical conduct that demeans or shows hostility or aversion toward an individual or group of individuals because of their race, color, religion, sex, national origin, age (40+), mental or physical disability, or in retaliation for EEO activity. To be considered harassment under the law, the behavior must also (1) result in an intimidating, hostile, or offensive work environment; (2) unreasonably interfere with an individual’s work performance; or (3) otherwise adversely affect an individual’s employment opportunities. The behavior must, **in its totality**, alter the terms, conditions, and privileges of employment.

Examples of harassment may include: (1) making offensive or derogatory comments, nicknames, or slurs; (2) engaging in negative stereotyping; or (3) engaging in physically threatening, intimidating, or humiliating actions. Harassment also may include circulating written graphic material (by paper or e-mail or by making it viewable in the workplace) that belittles or shows hostility or aversion toward an individual or group protected under the antidiscrimination laws.

Rape is a criminal offense. Report it immediately to local law enforcement agencies and the Postal Inspection Service. Other acts involving force or coercion may constitute criminal offenses. (Assault and battery and should be reported to local law enforcement and/or the Inspection Service.)

Why You Must Know About Workplace Harassment

Your reaction to complaints of harassment plays a large part in whether the Postal Service will be held responsible for workplace harassment, particularly when claims of a hostile work environment are involved.

The law requires managers, postmasters, and supervisors to take action in the face of harassing behavior. As the person in charge, you are often the first person to whom an employee complains about improper conduct. You are also in a position to do something about harassment. In short, you are expected to manage your workplace and foster an atmosphere conducive to work. You must conduct a thorough inquiry⁴ into a harassment complaint, see that inappropriate conduct stops, and take action to ensure that such conduct does not recur.

You cannot ignore the problem, because it may likely continue. Consequently, productivity will continue to suffer. Even worse, some employees may suffer serious emotional and psychological harm from such harassment. **The bottom line: Harassment in the workplace is bad for your employees and bad for the Postal Service. You must respond promptly to all complaints and eliminate harassing behaviors.**

⁴ A thorough inquiry or investigation includes interviews with all parties involved and all witnesses to the alleged conduct.

Two Types of Illegal Harassment Under the Law

Tangible Employment Action or *Quid Pro Quo* Harassment

A *tangible employment action* is an action that significantly changes an employee's employment status, such as hiring, firing, promoting, demoting, changing work assignments, or reassigning an employee. *Tangible employment action harassment* is the harassment of a subordinate by someone with supervisory authority that results in a tangible employment action.

This is usually called *quid pro quo harassment*. *Quid pro quo* means "something for something," and it usually involves sexual harassment. Following are examples of *quid pro quo* harassment:

- A supervisor fires or demotes a subordinate because he or she rejects the supervisor's sexual demands.
- A supervisor makes statements such as:
 - "Have dinner with me tonight, or I'll see to it that you don't pass your probationary period."
 - "You'll get that promotion, but only if you go out with me."

Quid pro quo harassment is the use of power and authority to alter an employee's job conditions or economic benefits because the employee or applicant either submits to or refuses to submit to the unwelcome demands of the person in authority.

Be aware that if the employee does not submit to the demand and the manager, postmaster, or supervisor then carries out the threat so that a tangible employment action (e.g., demotion, denial of promotion, or discharge) results, it is *quid pro quo* harassment. The Postal Service could be automatically liable for harassment. Even if the threat is not carried out, the statement could still constitute hostile environment harassment.

Hostile Environment Harassment

Definition and Examples

Hostile environment harassment covers a broad range of behaviors and situations. It is most often defined as a pattern of continuing unwelcome behavior that unreasonably interferes with an employee's work performance or that creates an intimidating, hostile, or offensive work environment.

Examples of behavior that could result in a finding of hostile environment harassment include:

- Using racially derogatory words, phrases, or nicknames.
- Telling jokes or stories with national origin themes.
- Displaying posters or symbols offensive to individuals of a certain race, sex, national origin, religion, etc.
- Making derogatory or intimidating references to an employee's mental or physical impairment.
- Applying pressure for dates.
- Making offensive remarks about a person's looks, clothing, or body parts.
- Whistling or catcalling.
- Using sexual innuendo.
- Spreading false rumors about a person's sex life.
- Blocking a person's path.

- Following a person continually (i.e., stalking).

Keep in mind that behavior which is not necessarily sexual in nature, but which is nonetheless demeaning or abusive toward members of one sex, may also constitute hostile environment harassment.

A single incident, unless it is severe, generally does not constitute illegal harassment. The conduct must be severe or continuing and pervasive. Factors considered in a legal determination of hostile environment harassment include frequency of the discriminatory conduct, its severity, whether it was physically threatening or humiliating (as opposed to a mere offensive utterance), and whether it unreasonably interferes with work performance.

Crossing the Line Between Social Nuisance and Harassment

One of the most difficult aspects of the hostile work environment claim is differentiating between conduct that is overly friendly, rude, or tasteless, and conduct that is so offensive, relentless, and severe that it warrants being labeled as harassment. Neither behavior should be tolerated, and corrective action should be implemented in either case. The following points are helpful in determining what constitutes workplace harassment:

- The inappropriate behavior must be severe or pervasive enough to interfere with the employee's work conditions or create an abusive work environment. As a general rule, there must be multiple incidents of verbal misconduct to create enough of a pattern of discriminatory behavior to alter the work environment. Isolated incidents of offensive sexual displays or remarks generally are not enough to create a hostile work environment. The exception is conduct that is extremely severe, such as sexual assault, which could constitute an abusive work environment the first time it happens. It is helpful to investigate whether the employee has previously complained about inappropriate behavior.
- The conduct must be unwelcome. It is neither invited nor solicited, and the person must consider it undesirable and offensive.
- The conduct must be evaluated from the perspective of a "reasonable person." Harassment laws are not designed to protect the hypersensitive individual from offense. This does not mean that a good manager allows employees to provoke even a hypersensitive colleague; harassing behavior is inappropriate, even if it is not illegal.
- Hostile work environment claims can encompass harassing behavior that is not necessarily sexual in nature. For example, it can be singling out one sex with acts of aggression, intimidation, hostility, rudeness, name calling, or other types of abusive conduct.
- Behavior or actions can be considered harassment even if the alleged harasser did not intend to offend.

Sexual Harassment

Examples of Sexual Harassment

Jane's supervisor subjected her to frequent obscenities, crowded her in her office, made knee-to-knee contact with her, and slapped her on the buttocks. The court found sexual harassment, saying, "A slap on the buttocks in the office setting has yet to replace the handshake."

Darla and two other women were subject to crude and obscene name calling; were intimately touched; and, when they used the restroom at their station, were spied upon by the men. The men also flashed pictures of couples engaged in sexual acts and scrawled obscenities on the women's vehicles. The women reported the abuse to their supervisor, but nothing was done. The three women eventually moved to lesser positions in other facilities. The court found sexual harassment was so severe and pervasive as to alter the women's working environment.

The Problem of Perception

What one person considers offensive, another may consider harmless. Distinguishing between harassment and social insensitivity is very difficult. Unfortunately, the law does not provide a “bright-line” rule about exactly what comments and behaviors constitute harassment. However, bear in mind that, if a “reasonable person” would find the behavior so offensive as to interfere with his or her work performance, then it is likely to be considered harassment. Postal Service policy is to act to STOP any inappropriate behavior, investigate, and ensure that the inappropriate conduct does not recur — even if the behavior doesn't rise to the legal definition of harassment.

The Importance of Communicating That Words or Actions Are Unwelcome

If someone is being harassed, he or she should tell the alleged harasser in no uncertain terms to stop the behavior. If the employee is not able to do so alone, the employee can ask a friend or a trusted coworker to help him or her talk to the alleged harasser. This does not mean that the victim has to confront the alleged harasser or put the allegation in writing. Nonverbal behavior can also be sufficient in some cases to communicate that the behavior is unwelcome. **“No” means “no,”** whether it is communicated verbally or nonverbally. However, a clearly communicated verbal “no” is usually more effective in stopping harassment. In all cases of harassment, employees should also report the incident to their immediate supervisor or manager, to another supervisor or manager, or to the Manager, Human Resources (for HQ and HQ field units, the next-higher-level manager).

Sexual Harassment and the Office Romance

The Postal Service strongly discourages supervisory and managerial employees from engaging in romantic and/or physical relationships with their subordinate employees. Perceptions of unfair treatment often arise under these circumstances and undermine employee morale.

When a supervisor or manager who engages in office romances appears to favor those with whom he or she is involved, the supervisor's or manager's behavior tends to foster a belief among other employees that their chances for advancement depend upon their willingness to engage in similar conduct with the supervisor or manager. Relationships between supervisors or managers and employees that are based on such a belief are not considered fully consensual. Therefore, to avoid allegations of harassment and/or unfair treatment, supervisors or managers should not engage in relationships with their subordinate employee.

Same-Sex and Sexual Orientation Harassment

Harassment by a coworker or manager of the same sex as the employee is a violation of the law. Although the law does not provide a remedy for employees discriminated against based on sexual orientation, gender identify, or gender stereotyping, Postal Service policy prohibits such discrimination, and it will not be tolerated.

Contractors, Vendors, and Other Third Parties

Just as the Postal Service will not tolerate harassment by or against its employees, it also will not tolerate harassment by or against anyone in the workplace, including contractors, vendors, and other third parties who may be in the workplace only temporarily. Employees have the right to complain about harassment by such individuals. Conversely, these individuals can also complain about harassment by Postal Service employees. Either way, once improper behavior is brought to the attention of the Postal Service, management must promptly take steps to investigate and stop it.

Retaliation Is Illegal

Retaliation against an employee who raises a harassment claim or provides evidence in an investigation is illegal. Management employees who fail to fulfill their obligation under Postal Service policy regarding harassment claims may also be found to have retaliated against an employee because of the adverse effect of their willful indifference.

What You Must Do to Prevent Workplace Harassment

Role and Responsibility of the Manager, Postmaster, and Supervisor

It is your role to listen, inquire, and try to resolve a harassment complaint. If you do not have the authority to conduct an inquiry, you must take it to a manager, postmaster, or supervisor who does.

Educate Yourself and Others

- Educate yourself on the topic of workplace harassment. Make sure your staff is aware that harassment is illegal, and also ensure that your staff is aware of the Postal Service policy against harassment.
- Identify for employees some of the possible consequences of engaging in improper behavior, whether or not it meets the definition of illegal workplace harassment. In addition, express strong disapproval of harassment in any form.
- Educate your employees and supervisors in identifying harassment, the remedies available, and how to stop inappropriate behavior.
- Inform your employees of their right to report inappropriate conduct without fear of retaliation. Make sure they know that complaints will be kept confidential during the investigation (to the extent possible). Ask Human Resources professionals in your local district or area office for help as necessary, and keep your Manager, Human Resources (for HQ and HQ field units, the next-higher-level manager) informed as you resolve complaints that may arise in your unit.
- Document employee training on harassment.

Enforce Policies

- Take every incident or complaint seriously. Do not ignore harassing or improper behavior or believe it to be only a personal matter between the alleged harasser and alleging harassee.
- Conduct harassment inquiries promptly and, where necessary, take inquiries to the next appropriate level.
- Stop all inappropriate behavior.
- Confer with and inform the Manager, Human Resources, in your local district or area office (for HQ and HQ field units, the next-higher-level manager) of any harassment allegations and inquiries. If Human Resources personnel or others conduct an inquiry or investigation, stay informed of their progress. It is your responsibility to ensure that any inquiry or investigation is brought to appropriate closure.

- Take remedial action when appropriate. The action should be commensurate with the severity of the conduct.
- Follow up to ensure that harassment does not continue and that retaliation does not occur.
- Inform employees of their rights and remedies, including their right to file a complaint by requesting EEO Counseling and calling one of these toll-free numbers within 45 days of the inappropriate conduct:

1-888-EEO-USPS (888-336-8777)

TTY: 1-888-325-2914

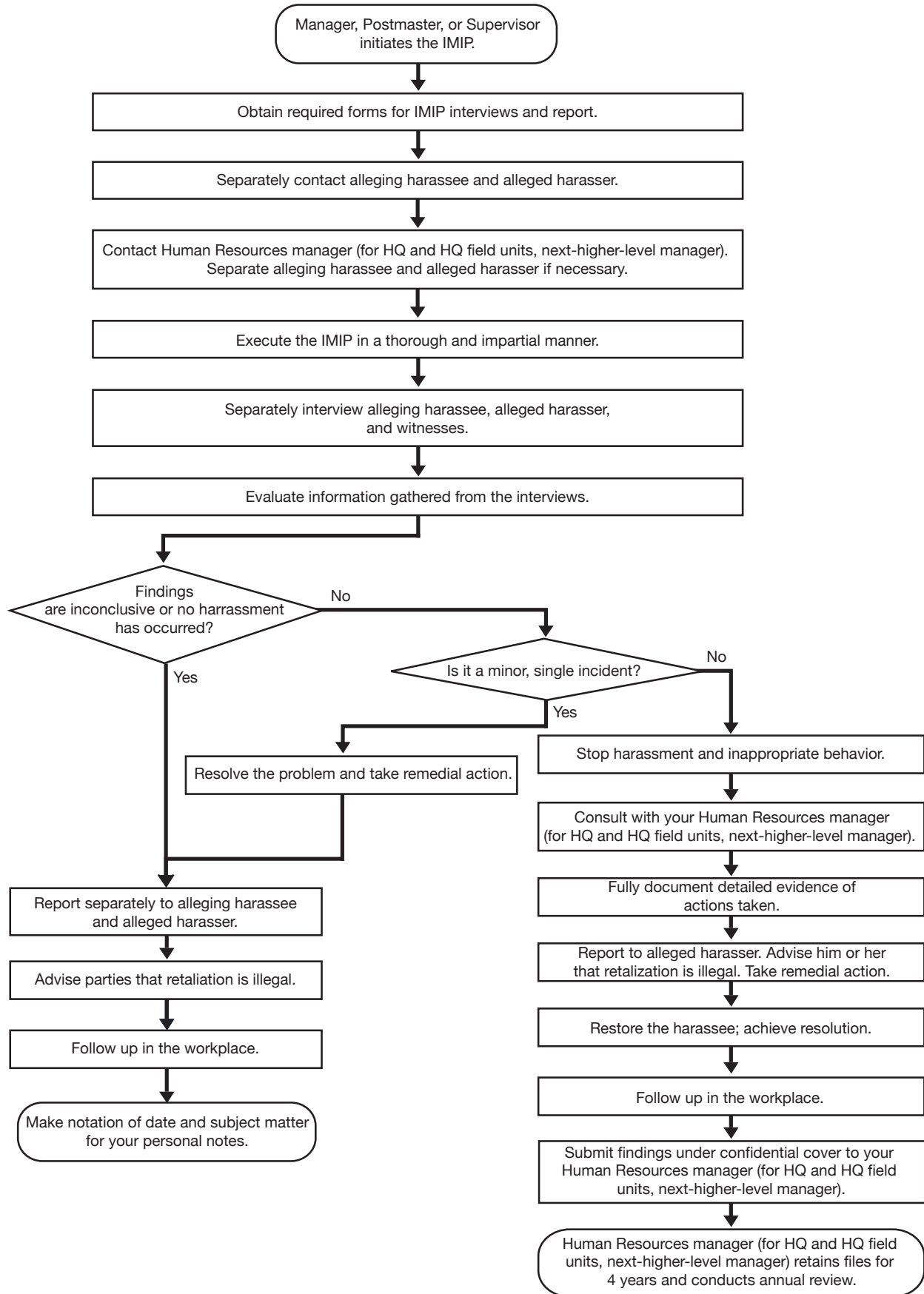
However, do not dismiss employees by telling them to file an EEO complaint or a grievance. You must manage the problem yourself, even if the employee also chooses to file a grievance, EEO complaint, or both.

Maintain Confidentiality

It is very important to let employees know that confidentiality will be maintained to the greatest extent possible. However, it is equally important to remind them that at certain points in the management inquiry process and (if applicable) the EEO process, it may be necessary to provide information that will identify the harassee, harasser and all witnesses to officials such as the:

- Manager, Human Resources (for HQ and HQ field units, the next-higher-level manager).
- EEO Alternate Dispute Resolution (ADR) specialist.
- EEO investigator.

Initial Management Inquiry Process at-a-Glance



Initial Management Inquiry Process

Purpose

The initial management inquiry process (IMIP) allows managers, postmasters, and supervisors to whom a complaint is brought to get enough information at the outset to:

1. Determine whether there is an immediate need to separate the harasser and harassee.
2. Determine whether there is an immediate need to recommend that an employee seek Employee Assistance Program (EAP) counseling.
3. Determine whether other employees are being harassed.
4. Assess the nature and scope of the problem in the workplace.
5. Decide whether the manager or supervisor can remedy the problem, or whether referral to your Manager, Human Resources (for HQ and HQ field units, the next-higher-level manager) for further investigation is warranted because of the individuals involved or the nature and scope of the charges.

The IMIP requires you to react promptly to complaints alleging harassment and compels you to deal with the problem. In short, an inquiry prevents both blanket dismissal of such complaints or only referring the issue to an EEO ADR specialist. While the latter is appropriate when the employee wishes to bring a complaint, it is not appropriate only to refer the employee to an EEO ADR specialist instead of dealing with the employee's problem.

If for some reason supervisory employees do not have the authority to launch an inquiry, they must bring the complaint to the attention of a higher-level supervisor or manager who does. As a general rule, the IMIP will not replace or serve as a substitute for the harassment investigation normally conducted by Human Resources. If, in the course of this initial management inquiry, you believe that the nature and scope of the complaint warrant outside investigation or that resolution is not feasible, you must refer the complaint to the Manager, Human Resources, in your local district or area office (for HQ and HQ field units, the next-higher-level manager).

Receiving the Complaint and Beginning the Inquiry

Listed below are steps to follow when you receive a complaint and begin the IMIP:

1. Listen carefully to the person making the complaint.
Note: You may receive a complaint with no prior warning.
2. Confer with the Manager, Human Resources (or designee), in your local district or area office (for HQ and HQ field units, the next-higher-level manager) about any harassment allegations and inquiries.
3. Gather the necessary inquiry forms by following the process set forth in this publication. Conduct a thorough and impartial inquiry.
4. Separately interview the alleging harassee, the alleged harasser, and all witnesses. (See "Conducting the Interviews," on page 16 for more information on this topic.) Begin with broad questions, and then ask questions specific to the complaint. Remember to pose your questions in a nonthreatening manner. Thoroughness is important.
5. Gather pertinent information (e.g., policies, procedures, laws, and practices). If necessary, contact your Manager, Human Resources (or designee), in your local district or area office (for HQ and HQ field units, the next-higher-level manager).
6. Act promptly. Do not let the complaint languish. Failure to act promptly may result in loss of evidence or a finding that the employer did not act reasonably to correct harassing behavior.

Conducting the Interviews

Interviewing the Alleging Harassee

Here are the steps to follow when you are interviewing the alleging harassee:

1. Find an appropriate place that ensures confidentiality to hear the complaint. Remain objective; listen with an open mind.
2. Ensure that the alleging harassee is comfortable with having you handle the inquiry.
3. Advise the alleging harassee of the need for confidentiality and its limitations — i.e., that confidentiality will be maintained to the greatest extent possible, but that at certain points in the management inquiry process it may be necessary to provide information that will identify the harassee to officials such as the Manager, Human Resources (for HQ and HQ field units, the next-higher-level manager) or an EEO ADR specialist.
4. Discuss your responsibilities in handling the complaint, such as the possible need to take it to another level or to take immediate action against the alleged harasser if it is found that harassment or inappropriate behavior has occurred.
5. Listen carefully and empathetically, repeating what you hear if necessary for clarification. Take detailed notes of the facts (e.g., who, what, when, where, why, and how). Did anyone else observe the alleged harassment or have knowledge of the behavior at issue? Get the specific details, for example:
 - Type of conduct.
 - Time period over which the conduct occurred.
 - Frequency of occurrence. (For example, is this an isolated event or one of a pattern of similar events?)
6. Determine the identity of the alleged harasser (or harassers). Has the alleged harasser engaged in similar behavior toward other employees?
7. Ask for the alleging harassee's reaction to the behavior at issue. Did he or she ask the alleged harasser to stop? If not, determine, in a non-accusatory manner, why not. Did the alleging harassee indicate in any other way that he or she objected to the conduct?
8. Get information on the effect of this conduct on the alleging harassee. Try to discern whether the person suffered any adverse employment action, economic harm, or both.
9. Determine the time between the conduct at issue and when the alleging harassee made the report. If there was a time delay, find out, in a non-accusatory manner, why.
10. Ask if the alleging harassee has spoken to others (in or outside the workplace), has taken notes, has received letters, saved e-mails or otherwise documented the incident.
11. Determine the alleging harassee's safety. Consider whether the alleged harasser should be moved. In general, if you believe the person could benefit from counseling, suggest a referral to the EAP, which is available to provide employees with emotional support for problems that may result from being harassed. Notify the Postal Inspection Service and local law enforcement in the event of possible criminal action.
12. Find out what the alleging harassee needs to perform his or her work effectively. Can he or she continue to work for or with the alleged harasser?
13. Request a written statement either before or after you act. However, do not insist on a written statement if the alleging harassee refuses to document the incident.
14. Realize that another person's report is enough to start the inquiry. Do not insist that the alleging harassee personally report the allegation of harassment before you act.
15. Do not insist on corroboration or detailed evidence. While it is certainly helpful, its absence should not deter your action.

16. Show empathy and do not pass judgment on the allegations presented.
17. Advise the alleging harassee that retaliation against any person for reporting or providing information on charges is illegal and will not be tolerated. Advise the alleging harassee to report any retaliation to you immediately.
18. Thank the alleging harassee for making the report and invite him or her to come back if he or she has more facts to add.
19. Document the interview and send your written report to the Manager, Human Resources, in your local district or area office (for HQ and HQ field units, the next-higher-level manager). You must document all serious and recurring cases of alleged harassment or inappropriate actions, including corrective actions taken. You are not required to document the interview for a minor, single incident. However, you should make a personal note of the incident. Personal notes must be kept confidential and retained for future reference when necessary.
20. Follow up with the alleging harassee to:
 - Advise him or her of the progress of the investigation.
 - Ensure that the harassment has not resumed.
 - Ensure that the alleging harassee has not suffered retaliation.

Note: Confidentiality is important to prevent libel, slander, or invasion of privacy claims.

Interviewing the Alleged Harasser

Here are the steps to follow when you are interviewing the alleged harasser:

1. Contact the alleged harasser and set a time to meet with him or her. Do it promptly.
2. Advise the alleged harasser that this is an initial inquiry and that the purpose is to gather the facts. Emphasize that you take both the allegations and this IMIP seriously.
3. Advise the alleged harasser of the need for confidentiality and its limitations — i.e., that confidentiality will be maintained to the greatest extent possible, but that at certain points in the management inquiry, it may be necessary to provide information that will identify him or her to the Manager, Human Resources, an EEO ADR specialist, or both.
4. Be fair and remain objective; remember the concept of “innocent until proven guilty.”
5. Ask the alleged harasser open-ended questions in an open-ended manner to allow for elaboration.
6. Ask the alleged harasser to explain the incident (or incidents). Request a written statement. However, if the alleged harasser refuses to put something in writing, do not insist on a written statement either before or after you act. Obtain as many details as possible. Ask the alleged harasser, “Do you know of the incidents the alleging harassee is reporting?” Respond as follows, based on the alleged harasser’s “response” or “answer”.
 - If he or she admits to the incident, determine:
 - When and where the incident occurred.
 - Specific details about the incident.
 - Whether there were observers or whether the alleged harasser spoke to anyone else about the incident.
 - How the alleging harassee reacted to his or her comments or actions.
 - If he or she does not admit to the incident, determine:
 - The alleged harasser’s perception of his or her working relationship with the alleging harassee.

- The alleged harasser's perception of the reported incident.
 - Whether the alleged harasser and alleging harassee socialize outside the workplace.
 - The alleged harasser's perception of why the alleging harassee made the allegation.
 - Whether the alleged harasser has recently taken any action relative to the alleging harassee that the alleging harassee found objectionable. Also determine whether the alleging harassee suffered any adverse employment action or tangible job detriment.
7. Repeat answers for clarification without changing what the alleged harasser says.
 8. Based on the answers provided, address new concerns and ask any necessary additional questions, such as who, what, when, where, why, and how, and:
 - Are there other people I should talk to?
 - Were there other incidents that need to be discussed?
 9. Ask the alleged harasser to tell you in his or her own words how the alleging harassee reacted to his or her comments or actions.
 10. Inform the alleged harasser of the possibility of disciplinary action that could result because of his or her actions.
 11. Advise the alleged harasser that retaliation against the alleging harassee or anyone providing evidence is illegal and will not be tolerated. Advise him or her of the need to avoid contact with the alleging harassee until the inquiry is completed.
 12. Thank the alleged harasser for responding, and invite him or her to come back if he or she has more facts to add.
 13. Document the interview and send the information to the Manager, Human Resources, in your local district or area office (for HQ and HQ field units, the next-higher-level manager). You must document all cases involving allegations of harassment or inappropriate actions, including corrective actions taken, if the actions are serious, recurring, or both. You are not required to document the interview for a minor, single incident. However, you should make a personal note of the incident. Personal notes must be kept confidential and retained for future reference when necessary.
 14. Keep the alleged harasser informed by establishing a time when you will get back to him or her. Keep the scheduled time, or make contact with him or her to reschedule if more time is needed.

Interviewing the Witnesses

Here are the steps to follow when you are interviewing the witness (or witnesses):

1. Assure the witness that his or her cooperation is important.
2. Inform the witness of the need for confidentiality and its limitations — i.e., that confidentiality will be maintained to the greatest extent possible, but that at certain points in the management inquiry process, it may be necessary to provide information that will identify him or her to the Manager, Human Resources (for HQ and HQ field units, the next-higher-level manager) or an EEO ADR specialist
3. Share the seriousness of the allegation.
4. Avoid giving details about the allegation. **Your job is to get details.**

5. Ask the witness what he or she knows of the incident. Get as many details as possible, such as who, what, when, where, why, and how, and:
 - Were there other observers of the incident (or incidents)?
 - How did the alleging harassee react?
 - Has the witness spoken to anyone else about the incident?
 - Is the witness aware of similar behavior by the alleged harasser toward other employees?
 - Is the witness aware of any other improper conduct in the workplace?
6. Based on the answers provided, address new concerns and ask any necessary additional questions, such as who, what, when, where, why, and how, and...
 - Are there other people you should talk to?
 - Are there other incidents that need to be discussed?
7. Advise the witness that retaliation against him or her for providing information on charges is illegal and will not be tolerated. Advise the witness to report any retaliation to you immediately.
8. Thank the witness for providing information and invite him or her to come back if he or she has more facts to add.
9. Document the interview and send the information to the Manager, Human Resources, in your local district or area office (for HQ and HQ field units, the next-higher-level manager). You must document all cases involving allegations of harassment or inappropriate actions. Your documentation should include corrective actions taken if the actions are serious, recurring, or both. You are not required to document the interview for a minor, single incident. However, you should make a personal note of the incident. Personal notes must be kept confidential. They should be retained for future reference when necessary.

Evaluating the Information

Here are the steps to follow when evaluating the information:

1. Determine your next step by reviewing your notes.
2. Assess the credibility of the information given by the alleging harassee, alleged harasser, and all witnesses. Stick to the facts. For example:
 - Do the stories of the alleged misconduct match or come close?
 - What is the chronology of events?
 - Did the alleged harasser deny anything?
 - Did the alleged harasser admit to anything?
 - Did the alleged harasser contradict himself or herself?
3. Consider whether you need to conduct another interview to get missing information. Ask yourself these questions:
 - Have all inconsistencies between the people interviewed been clarified?
 - If not, what other questions need to be asked?
4. Ask yourself the following:
 - Did behavior occur that was sexual or based on sex, race, religion, disability, etc.?
 - Was the behavior unwelcome? Are all the facts based on observations and evidence rather than conclusions or assumptions?

5. Consider:
 - The nature and severity of the conduct. Was it hostile, abusive, or threatening toward members of one sex, race, religion, etc.?
 - The effect of the conduct on the alleging harassee and on a reasonable person.
 - The relationship of the two employees. Is there a difference in power (e.g., levels of employees in the organization)? Was there past, or is there present, romantic involvement? Is there an ongoing personal feud? Do the alleging harassee and alleged harasser get along well?
 - Did the alleging harassee communicate, verbally or nonverbally, that the alleged harasser's conduct was unwelcome? Did the alleged harasser continue the conduct?
6. If the alleged harasser is a postmaster, manager, or supervisor, determine whether the employee suffered a significant change in employment status due to his or her reaction to the alleged harassment (e.g., demotion, denial of promotion, or discharge). Use the following questions to help determine the reasons:
 - What reasons did the alleged harasser give for the personnel action (i.e., not to hire or promote or to give a poor performance evaluation or discipline)?
 - Does the evidence support the alleged harasser's reasons for the personnel action?
7. If the alleged harassment is by a coworker, contractor, or other third party, assess whether management knew or should have known of the harassment.
 - Was the alleged harasser told that his or her behavior was unwelcome? Did he or she continue? Who else received or participated in the alleged harassment?
 - How widespread or pervasive was the conduct?
 - Did the alleged misconduct occur in private or in public areas?
 - Were other complaints lodged against the alleged harasser?
8. Confer with the Manager, Human Resources, in your local district or area office (for HQ and HQ field units, the next-higher-level manager) throughout the inquiry and resolution processes.
9. Determine corrective action in accordance with Postal Service policies, procedures, guidelines, rules, regulations, and bargaining agreements. Consult with your district or area Labor Relations office as applicable. It is critical that you be consistent in the application of discipline and Postal Service policies and procedures.

Maintaining Confidentiality and Documenting the Inquiry

Some complaints can be resolved simply and directly between the parties without the need for a formal written record. You need to decide early in the process whether formal documentation is warranted. A good rule of thumb: **When in doubt, document.** Always remember that confidentiality is key.

To maintain confidentiality:

- Do **not** leave documents exposed on your desk or on your computer.
- Do **not** give documents or notes to anyone to type for you.
- Place all documents in a separate, locked personal file. If you do not have a locked file, get one! Do **not** file by any identifier. File as "inquiry" only.
- Do **not** place documents in any of the involved parties' personnel files.

- When the inquiry is completed, place all documents in a sealed envelope marked “CONFIDENTIAL — to be opened by Manager, Human Resources (for HQ and HQ field units, the next-higher-level manager), ONLY.” Sign your name on the seal.
- Send your documents to your applicable district or area Manager, Human Resources (for HQ or HQ field units, the next-higher-level manager) by Certified Mail service with Return Receipt. Store all management inquiry files in a central location at the applicable district or area Human Resources office. Keep the files for 4 years after the management inquiry is completed.

Consulting With Human Resources and Taking Remedial Action

Determination 1: Inquiry Is Inconclusive

1. If the inquiry is inconclusive:
 - a. Report to the alleging harasser.
 - Inform him or her that the investigation is inconclusive and why.
 - Emphasize that if another incident occurs, he or she should report it immediately.
 - Ask whether he or she feels able to continue to work in that area; if not, consult with your Manager, Human Resources, at the local or area office (for HQ and HQ field units, the next-higher-level manager) to explore the possibility of transfer or relocation.
 - If appropriate, refer him or her to the Employee Assistance Program (EAP). The Postal Service EAP Hotline number is 1-800-EAP-4-YOU (1-800-327-4968) or TTY 1-888-325-2914.
 - b. Report to the alleged harasser.
 - Inform him or her that the investigation is inconclusive.
 - Inform him or her that nothing was placed in his or her personnel folder.
 - Advise him or her that if he or she engages in inappropriate behavior in the future, disciplinary action will result.
 - Emphasize that any other reported incidents will be thoroughly investigated.
 - Advise the alleged harasser that it is illegal to retaliate against a person who has either made a complaint of harassment or who offers evidence in an investigation.
 - c. Follow up and check in on the workplace to ensure that employees are aware of and are following appropriate standards of conduct.
 - Seriously consider whether remedial training will address the issues raised in the inquiry. For example, depending on the circumstances, training in workplace harassment awareness and prevention, communication skills, or diversity could be effective in remedying workplace issues.
 - Monitor the workplace and make your monitoring actions known to the workforce. This way, employees will be aware that future misconduct will not be tolerated. Let employees know that you are available as a resource should any misconduct occur in the future.
 - Consider periodic stand-up talks or staff meetings as forums to reinforce your message that harassment will not be tolerated in the workplace.

Determination 2: Harassment Has Not Occurred

2. If you find that harassment has not occurred:
 - a. Inform both the alleging harassee and alleged harasser — separately — of the determination that harassment did not occur and the reasons for your conclusions.
 - b. Ask whether the alleging harassee feels able to continue to work in that area; if not, then consult with your Manager, Human Resources (for HQ and HQ field units, the next-higher-level manager), and explore the possibility of transfer or relocation.
 - c. Deal promptly with any conduct other than harassment that needs improvement (e.g., rudeness, disparate treatment, or poor judgment).
 - d. Advise the alleged harasser that retaliation is illegal.
 - e. Follow up by monitoring the workplace to see that additional harassment, retaliation, or both does not occur and continue employee education. Consider whether workplace harassment training or EAP counseling would be helpful for the entire workgroup.
 - f. Note the date and subject matter for your personal notes.

Determination 3: Harassment or Improper Conduct Has Occurred

3. If you find that harassment or improper conduct has occurred, you must do the following for a:
 - a. Minor, single incident:
 - Stop the conduct. Resolve the problem. Take remedial action as necessary.
 - Advise the alleged harasser that retaliation against any person for reporting or providing information on charges is illegal and will not be tolerated.
 - Report results to the alleging harassee.
 - Follow up in the workplace to see that additional harassment and/or retaliation does not occur.
 - Note the date and subject matter for your personal records or notes.
 - b. Serious or recurring incident:
 - Take prompt action to end current harassment or improper conduct and to deter it in the future. Concerning remedies, consult with the Manager, Human Resources in your local district or area office (for HQ and HQ field units, the next-higher-level manager) and your Managing Counsel, Area, or the Managing Counsel, Employment and Labor Law (HQ), as appropriate.
 - Fully document actions taken. Use the interview guidelines and forms in this publication.
 - Advise the alleged harasser that retaliation against any person for reporting or providing information on charges is illegal and will not be tolerated. Take disciplinary action if appropriate.

- Make sure discipline is prompt and commensurate with the severity of the conduct. Remedial actions may include:
 - Discussion.
 - Remedial training.
 - Letter of warning.
 - Suspension.
 - Transfer (when appropriate).
 - Demotion.
 - Discharge.
- Restore the alleging harassee to achieve satisfactory resolution of the matter. For example, consider apologizing to the employee on behalf of the organization, including upper management.
- Follow up and check the workplace to see that additional harassment or retaliation does not occur and continue employee education.
- Submit your findings under confidential cover to the Manager, Human Resources, in your local district or area office (for HQ and HQ field units, the next-higher-level manager). Human Resources will keep files on the inquiry for 4 years. Human Resources will conduct annual reviews to ensure a work climate that is free from inappropriate and unlawful behavior.

Initial Management Inquiry Process Checklist

Before you finalize your Initial Management Inquiry (IMIP), make sure that you:

- Advise all parties of the need for confidentiality and its limitations.
- Advise all parties of your responsibility to conduct an inquiry and mention the potential for requesting further investigation by Human Resources.
- Investigate promptly. Conduct a thorough and impartial inquiry. Get detailed facts from the parties involved (e.g., who, what, when, where, why, and how). Follow all procedures in this publication and conduct a thorough impartial inquiry. Use the guidelines in this publication for interviewing the alleging harassee, alleged harasser, and all witnesses. Use additional sheets as necessary.
- Take immediate remedial action when necessary (e.g., separate employees and offer counseling). Consult with the Manager, Human Resources, in your local district or area office (for HQ and HQ field units, the next-higher-level manager).
- Advise all parties that retaliation against any person for reporting or providing information on potential harassment is illegal and will not be tolerated.
- Follow up with the alleging harassee to advise on what he or she can expect to occur during the inquiry, and keep the alleging harassee advised of the progress of your inquiry.
- Remember that the inquiry is an ongoing process; invite all persons interviewed to come back if they have more facts to add.
- Take prompt disciplinary action where appropriate, after consulting with Labor Relations.
- Advise harassee of his or her rights with regard to resolving the complaint.
- Convey the Postal Service's commitment to eliminating harassment and your responsibility to see that a fair, impartial, prompt, and thorough investigation of the alleged misconduct takes place.
- Contact the Manager, Human Resources (or designee), promptly after receiving a complaint.
- When the IMIP is complete, submit all forms under confidential cover to the local district or area Manager, Human Resources (for HQ and HQ field units, the next-higher-level manager). The Manager, Human Resources, or the next-higher-level manager reviews the information to ensure that the inquiry is appropriately resolved.

Workplace Harassment Interview Guidelines

Date: (DD/MM/YYYY)

INTERVIEW WITH ALLEGING HARASSEE

ALLEGING HARASSEE INFORMATION

Name: (First Name, Last Name)

Title:

Job Location: (Name of Facility, Street, City, State, Zip™ Code)

Tour and Hours of Duty:

Dates and times the event(s) occurred:

Note: Advise alleging harassee of your responsibility to see that a prompt and thorough management inquiry of the conduct takes place.

CONTACT INFORMATION OF INDIVIDUALS WHO ALLEGEDLY COMMITTED HARASSMENT

1. Name: (First Name, Last Name)

Title:

Job Location: (Name of Facility, Street, City, State, Zip™ Code)

2. Name: (First Name, Last Name)

Title:

Job Location: (Name of Facility, Street, City, State, Zip™ Code)

3. Name: (First Name, Last Name)

Title:

Job Location: (Name of Facility, Street, City, State, Zip™ Code)

INCIDENT / ACTION INFORMATION

Date of Alleged Incident/Action: (DD/MM/YYYY)

Describe specifically the actions and the dates on which they occurred.

ALLEGING HARASSEE INFORMATION

Name of Harassee: *(First Name, Last Name)*

Job Location: *(Name of Facility, Street, City, State, Zip Code)*

Was this an isolated event or a pattern of similar events or behavior?

What was your reaction?

How did this conduct or behavior affect you? How did it make you feel?

Can you continue to work at your current location?

Can you identify other individuals with knowledge of the alleged conduct at issue or of similar actions or behaviors by the charged individual(s) in the past? (Include observations, what people heard, and who you told about the events in question.)

Are there any documents or other physical evidence that may support the claim of the alleged occurrences? If so, identify them.

ALLEGING HARASSEE INFORMATION

Name of Harassee: *(First Name, Last Name)*

Job Location: *(Name of Facility, Street, City, State, Zip Code)*

Have you previously complained about this or related acts of harassment to a supervisor or manager? If so, please identify the individual(s) to whom you complained, the date(s) of the complaint(s), and the resolution(s), if any.

Ask the alleging harassee how he or she would like the matter resolved.

Ask the alleging harassee if there is any question not asked that should have been, and if there is anything else about the allegations or any other information related to the inquiry that he or she would like to provide.

FORMS AND FOLLOW UP

Submit all forms under confidential cover to the Manager, Human Resources, local district or area (for HQ and HQ field units, the next-higher-level manager) upon prompt completion of the management inquiry. The Manager, Human Resources, or next-higher-level manager reviews the information to ensure appropriate resolution of the inquiry.

Date: (DD/MM/YYYY)

INTERVIEW WITH ALLEGED HARASSER

ALLEGED HARASSER INFORMATION

Name: (First Name, Last Name)

Title:

Job Location: (Name of Facility, Street, City, State, Zip™ Code)

Tour and Hours of Duty:

Dates of Interview: (DD/MM/YYYY)

INCIDENT/ACTION INFORMATION – Provide a factual statement regarding the allegations.

Date of Alleged Incident/Action: (DD/MM/YYYY)

Do you recall the incident? If yes, then what is your recollection of the incident?

How did the alleging harassee react to your words or actions?

Can you identify any witness with knowledge of this incident, either directly or indirectly through you?

Can you identify any documents or other supporting evidence?

Is there any other information that should be considered in evaluating this case—e.g., perception of working relations with alleging harassee or perception of why the charge was made?

ALLEGED HARASSER INFORMATION

Name of Harasser: *(First Name, Last Name)*

Job Location: *(Name of Facility, Street, City, State, Zip Code)*

Has anyone ever made allegations of this type against you before? When? And Where? Describe the circumstances, including whether the allegations were investigated and the outcome?

Have you ever been disciplined for improper conduct or harassment?

FORMS

Submit all forms under confidential cover to the Manager, Human Resources, local district or area (for HQ and HQ field units, the next-higher-level manager) upon prompt completion of the management inquiry. The Manager, Human Resources, or next-higher-level manager reviews the information to ensure appropriate resolution of the inquiry.

Date: (DD/MM/YYYY)

INTERVIEWS WITH WITNESSES

WITNESS INFORMATION

Name: (First Name, Last Name)

Title:

Job Location: (Name of Facility, Street, City, State, Zip Code)

Tour and Hours of Duty:

Length of time the witness has known the alleging harasser:

Length of time the witness has known the alleged harasser:

Date of Interview: (DD/MM/YYYY)

INCIDENT/ACTION INFORMATION

Provide a factual statement regarding the allegations, noting what you saw or heard, where and when the incident occurred, and anyone else who was there.

Date of Alleged Incident/Action: (DD/MM/YYYY)

Do you recall the incident? If yes, then what is your recollection of the incident? Describe the parties' reactions.

Provide identities of other persons with knowledge of information relevant to this inquiry—either because (1) they are aware of similar behavior by the alleged harasser toward other employees, or (2) you spoke to anyone else about the incidents.

Provide any other information that should be considered in this case.

FORMS

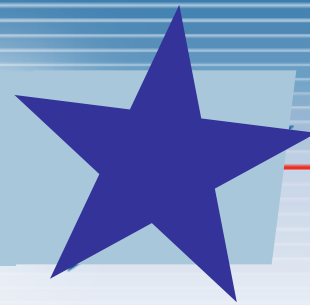
Submit all forms under confidential cover to the Manager, Human Resources, local district or area (for HQ and HQ field units, the next-higher-level manager) upon prompt completion of the management inquiry. The Manager, Human Resources, or next-higher-level manager reviews the information to ensure appropriate resolution of the inquiry.

Policy Statements, Regulations, and Publications

The following policy statements and publications can be accessed from the Blue Page (Postal Service Intranet) links listed below. The *Employee and Labor Relations Manual* (ELM) and the publications (PUBs) can be ordered from the Material Distribution Center. Memorandums of Policy (MOPS) are only available online.

- MOP DD-05-10-2009, *Equal Employment Opportunity Policy Statement*:
<http://blue.usps.gov/cpim/ftp/policy/dd/050109.pdf>.
- MOP DD-02-21-2006, *Policy Statement on Sexual Orientation, Gender Identification, and Gender Stereotyping*: <http://blue.usps.gov/cpim/ftp/policy/dd/022106.pdf>.
- MOP DD-09-25-2006, *Postal Service Policy on Workplace Harassment*:
<http://blue.usps.gov/cpim/ftp/policy/dd/092506.pdf>.
- ELM Subchapter 660, Conduct, <http://www.usps.com/cpim/manuals/elm/elm.htm>:
 - 662, Federal Standards of Ethical Conduct
 - 665, Postal Service Standards of Conduct
- PUB 552, *Manager's Guide to Understanding, Investigating, and Preventing Harassment*:
<http://blue.usps.gov/cpim/ftp/pubs/pub552.pdf>.
- PUB 553, *Employee's Guide to Understanding, Preventing, and Reporting Harassment*:
<http://blue.usps.gov/cpim/ftp/pubs/pub553.pdf>.

**USPS Workplace
Harassment PowerPoint
Presentation
What It is and What
Managers Must Do**



Workplace Harassment

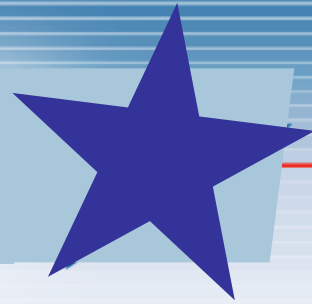
What It is and What Managers Must Do





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Workplace Harassment : A Modern Conundrum

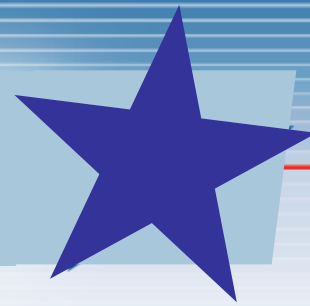
Workplace Harassment in the workplace raises sensitive and complex concerns.

- ▶ **What is fair?**
- ▶ **What is foul?**

“The extremes are easy . . . But deciding between them is not an easy task and won’t get any easier in the future.”

Judy Terence T. Evans, *Hennessy v. Penril Datacomm Networks*, 69 F. 3d 1344 (7th Cir. 1995)





What exactly is Workplace Harassment

- ▶ **Workplace harassment is a form of employment discrimination that violates Title VII of the Civil Rights Act of 1964, the Age and Discrimination in Employment Act of 1967, and the Americans with Disabilities Act of 1990.**
- ▶ **Workplace harassment includes unwelcome actions and comments directed at an individual because of his or her gender.**

WORKPLACE HARASSMENT

KNOW YOUR RIGHTS! TAKE RESPONSIBILITY!

ELIMINATING WORKPLACE HARASSMENT

The United States Postal Service™ is committed to providing a work environment free of harassment based upon race, color, religion, sex (including sexual orientation, gender identity, or gender stereotyping), national origin, age (40+), mental or physical disability, or in retaliation for prior Equal Employment Opportunity (EEO) activity and other inappropriate conduct.

The Postal Service workplace must be one in which all employees are treated with dignity and respect by supervisors, subordinates, and coworkers. There is no place in the Postal Service for intimidating, threatening, or coercive behavior.

STOPPING INAPPROPRIATE BEHAVIOR

Although not every instance of inappropriate behavior may meet the legal definition of harassment, such behavior in the workplace undermines morale and violates the Postal Service's policies and standards of conduct. Disciplinary action may result even if the conduct does not rise to the level of harassment as defined under the law, as such conduct nonetheless violates Postal Service policy and will not be tolerated. The Postal Service owes its employees a safe, productive, and inclusive workplace and will tolerate nothing less.

WORKPLACE HARASSMENT IS AGAINST THE LAW

Under federal antidiscrimination laws, harassment is defined as unwelcome verbal or physical conduct that demeans or shows hostility or aversion toward an individual or group of individuals. Employees will be subject to disciplinary action, up to and including removal, for engaging in harassing behavior such as, but not limited to:

- Making offensive or derogatory comments, nicknames, or slurs.
- Engaging in physically threatening, intimidating, or humiliating actions.
- Making or threatening to make employment decisions based on an employee's submission to, or rejection of, sexual advances or requests for sexual favors.
- Deliberate or repeated uncomplimentary remarks with a sexual connotation, or physical contact of a sexual nature that is unwelcome to the recipient.
- Behavior that creates a sustained hostile or abusive work environment so severe or pervasive that it unreasonably interferes with or changes the conditions of one's employment.

OBJECTION TO REACT PROMPTLY

Postal Service employees who believe that they are the victims of workplace harassment or inappropriate conduct, or who have witnessed such

harassment, should bring the situation to the attention of any one of the following:

- Your immediate supervisor or manager.
- Any supervisor or manager.
- The manager of Human Resources.
- A union representative or coworker to speak to a manager on your behalf.

CONFIDENTIALITY

The Postal Service, to the extent possible, protects the confidentiality of an employee's workplace harassment complaint.

WHAT USPS REQUIRES OF MANAGERS AND SUPERVISORS

Any manager or supervisor who receives a complaint must act to stop any inappropriate behavior, ensure that a prompt and thorough investigation is conducted, and ensure that harassing or inappropriate conduct does not recur—even if the behavior does not rise to the legal definition of harassment.

MANAGEMENT INQUIRY

All managers and supervisors should follow the Management Inquiry Process materials available in Publication 552 when a complaint is brought to their attention. If workplace harassment or inappropriate conduct is found, managers must take prompt and appropriate remedial action.

ADDITIONAL RELIEF

In addition, employees can seek relief through the EEO complaint process, grievance arbitration procedures established through the collective bargaining agreements with the unions, and the non-binding grievance procedures described in the Employee and Labor Relations Manual (ELRM), 650. Employees pursuing an EEO complaint must contact the EEO Centralized Intake Center within 45 days of the act or acts giving rise to the claim in order to preserve their rights under federal law.

CRIMINAL ASSAULT

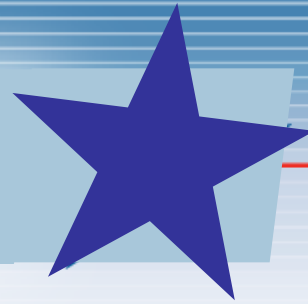
Report all possible criminal misconduct, sexual or otherwise, to local law enforcement, Postal Management, and the Postal Inspection Service.

RETALIATION IS ILLEGAL

Retaliation against employees who raise a claim of workplace harassment, report inappropriate conduct, or provide evidence in any investigation is illegal and can result in disciplinary action.

ZERO TOLERANCE

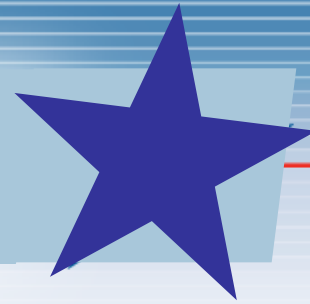
The Postal Service will not tolerate any workplace harassment based on race, color, religion, sex (including sexual orientation, gender identity, or gender stereotyping), national origin, age (40+), mental or physical disability, or in retaliation for prior EEO activity, or other inappropriate conduct in the workplace.



What exactly is Workplace Harassment

- ▶ **Workplace harassment covers a wide range of behaviors and can consist of words, actions, or a combination of the two.**
- ▶ **The harassment must be objectively hostile, i.e., a reasonable person would find it offensive.**
- ▶ **The harassment must also be subjectively offensive to the harassee, otherwise the conduct would not alter the terms or conditions of employment.**





Recognizing Types of Workplace Harassment

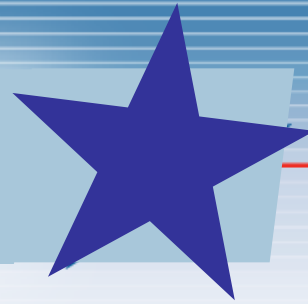
Two Types of Harassment Under the Law:

- ▶ **Tangible Employment Action or Quid Pro Quo Harassment**
- ▶ **Hostile Environment Harassment: Crossing the Line Between Social Nuisance and Harassment**

Types of Workplace Harassment

Tangible Employment Action or Quid Pro Quo:

- ▶ **Tangible Employment Action** is the harassment of a subordinate by someone with supervisory authority that results in a tangible employment action.
- ▶ A tangible employment action that significantly changes an employee's employment status such as hiring, firing, promoting, demoting, changing work assignments, and reassigning an employee.
- ▶ This is usually called "Quid Pro Quo" harassment. Quid Pro Quo is Latin and it means "something for something". It is the use of power and authority to alter an employee's job conditions or economic benefits because the employee or applicant either submits to or refuses to submit to the unwelcome demands of the person in authority.



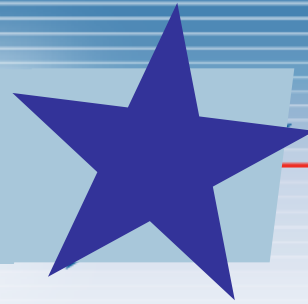
Types of Workplace Harassment

Elements of Tangible Employment Action or Quid Pro Quo:

- ▶ Employee is subject to unwelcome advances or other unwelcome conduct or behavior.
- ▶ Acceptance or rejection of the harassment is an express or implied condition to receipt of a job benefit or cause of a job detriment.

Example:

- 1) Supervisor tells employee that they should have drinks after work since she is on the Review Board considering his promotion.
- 2) Supervisor fires or demotes a subordinate because he or she rejects the supervisor's demands.

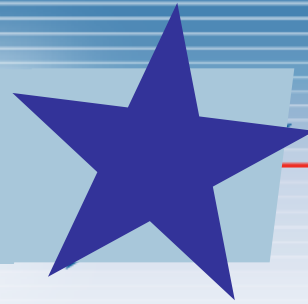


Hostile Work Environment

Covers a broad range of behaviors and situations. It is most often defined as a pattern of continuing unwelcome behavior that unreasonably interferes with an employee's work performance or that creates a intimidating, hostile, or offensive work environment.



Poster 143



Forms of Harassment

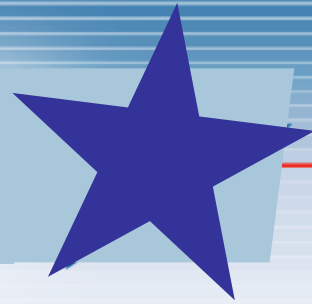
- **Verbal**
- **Non-Verbal**
- **Graphic**
- **Physical**
- **Third-Party**





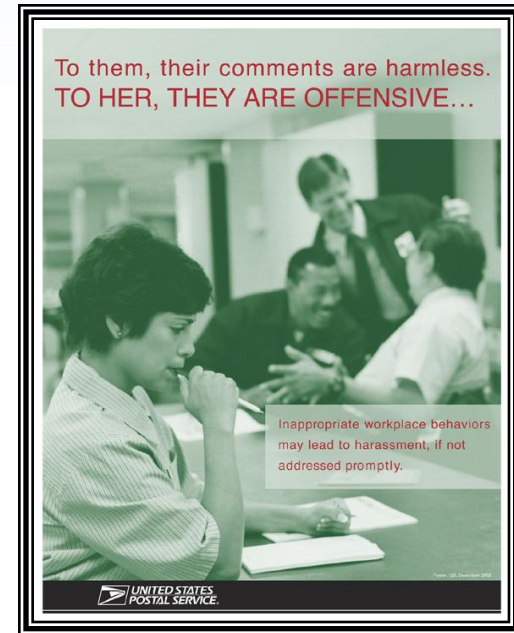
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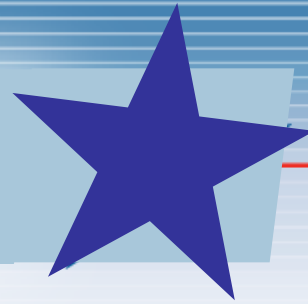


Third Party Harassment

Harassment caused by behavior that is not directed at the harassee *per se*, but that indirectly affects or offends the person.



Poster 128



Inappropriate Conduct

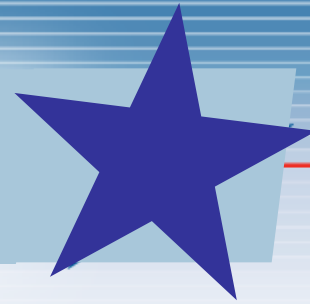
Postal policy and regulations prohibit inappropriate conduct and conduct that could lead to workplace harassment.

- ▶ Giving preferential treatment to an applicant because a manager desires to date her may not amount to harassment, but it violates postal regulations and standards of ethical conduct.
- ▶ A manager must not allow employees to provoke colleagues, no matter how seemingly harmless or whether they intend to offend.



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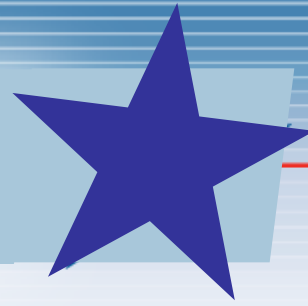


Inappropriate Conduct

“In this environment, office romances have serious legal complications today that they didn’t have 20 years ago . . . It’s not the relationship, it’s the judgment that got you into the relationship that can get you into trouble.”



Charles M. Elson, Professor of Corporate Governance, University of Delaware, as reported in *The Washington Post*, “Boeing CEO Resigns Over Affair with Subordinate,” March 8, 2005



Legal Consequences

Tangible Employment Action – Quid Pro Quo

The employer is automatically liable for harassment by managers/supervisors when the harassment culminates in a tangible employment action.

Tangible Employment Action

- ▶ Demotion
- ▶ Denial or Promotion
- ▶ Termination
- ▶ Unfavorable Reassignment



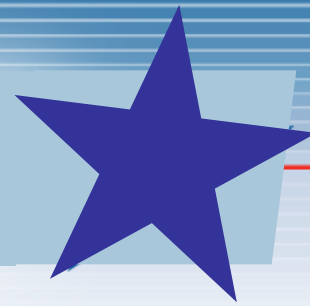
A tangible employment action requires an official act of the company and in most cases, inflicts direct economic harm.

Legal Consequences Hostile Environment Harassment

When harassment does not result in a tangible employment action, it is hostile environment harassment.

The employer can raise a defense by showing that:

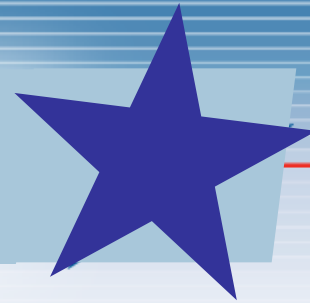
- ▶ It exercised reasonable care to prevent and promptly correct harassing behavior; and
- ▶ The employee unreasonably failed to use the corrective measures as provided by the employer (e.g., fails to report the harassment).



Reasonable Care to Prevent and Correct

- ▶ Employer has a policy against harassment
- ▶ The policy is distributed to all employees
- ▶ The policy provides for alternative avenues to report harassment
- ▶ The policy gives assurances of confidentiality and provides for no retaliation
- ▶ Employees receive harassment training
- ▶ Investigations are, in fact, prompt, thorough, and effective
- ▶ Harassers are stopped and corrective action is taken





Rationale for Making Employee Jointly Responsible

When an employee promptly complains of inappropriate conduct or harassing behavior, she/he can often deter creation of a hostile environment by preventing the behavior from becoming pervasive or severe.



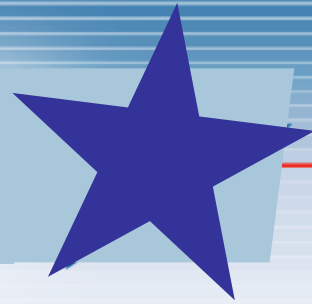


Initial Management Inquiry Process (IMIP)

When any person in management receives a complaint of harassment, he/she must:

- ▶ **Take it seriously**
- ▶ **Meet promptly with the employee**
- ▶ **Stop the behavior**
- ▶ **Ensure a full IMIP is done**
- ▶ **Take appropriate final action**

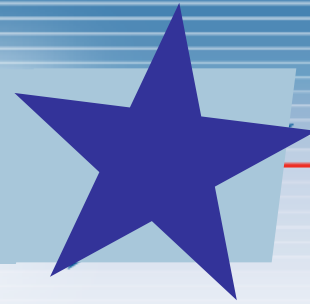




Initial Management Inquiry Process (IMIP)

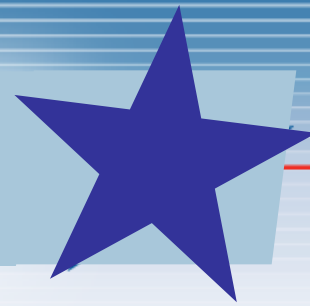
What not to do upon receipt of a complaint:

- ▶ **Do not label the conduct Workplace Harassment**
- ▶ **Do not dismiss the behavior/conduct as harmless fun or make excuses for it**
- ▶ **Do not tell the employee he/she is overreacting**
- ▶ **Do not offer your personal opinion**



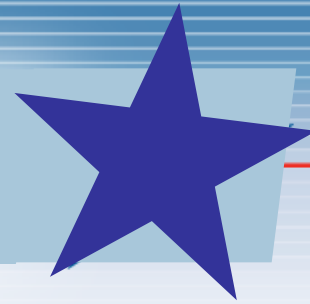
Initial Management Inquiry Process: Practical Pointers

- ▶ Meet promptly with the employee
- ▶ Advise of need for confidentiality and its limits
- ▶ Listen to his/her story
- ▶ Ask questions
- ▶ Take notes
- ▶ Advise that retaliation is illegal
- ▶ Advise that you will pursue the inquiry and get back to him/her with updates
- ▶ Reference and download the checklist and interview guidelines from Publication 552, *Manager's Guide to Understanding, Investigating, and Preventing Harassment* for ease of use at:
<http://blue.usps.gov/cpim/ftp/pubs/pub552.pdf>



Initial Management Inquiry Process (IMIP)

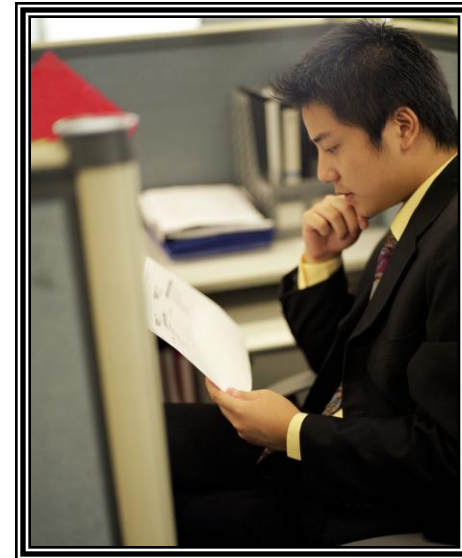
- ▶ **Determine whether there is an immediate need to separate the parties and/or recommend EAP counseling.**
- ▶ **Assess the nature and scope of the problem in the workplace.**
- ▶ **Together with HR (HQ and HQ field units – next higher level manager), decide whether you can continue with your IMIP and remedy the problem or whether referral to HR or next higher level manager is warranted to complete the investigation.**

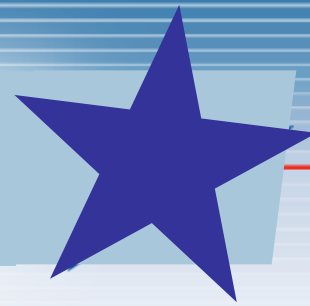


Initial Management Inquiry Process (IMIP)

Determine whether inappropriate conduct of workplace harassment has occurred:

- ▶ **Weigh all the evidence**
- ▶ **Assess credibility of witnesses**
- ▶ **Consider totality of circumstances**
 - *Nature and severity of conduct*
 - *Pervasiveness of conduct*

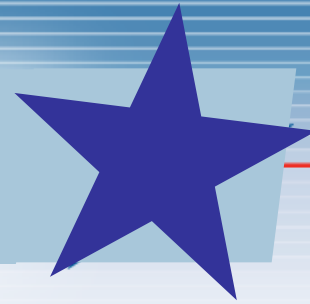




Initial Management Inquiry Process (IMIP)

If your inquiry is inconclusive or you find workplace harassment has not occurred

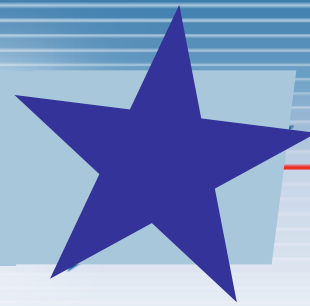
- ▶ **Separately report to alleging harasser and alleged harasser**
- ▶ **Advise parties retaliation is illegal**
- ▶ **Follow up in the workplace and take remedial action if necessary**
- ▶ **Make notation of date and subject matter for your personal notes**



Initial Management Inquiry Process (IMIP)

If you find a minor, single incident of workplace harassment has not occurred:

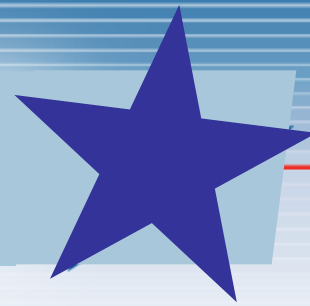
- ▶ Resolve the problem and take remedial action**
- ▶ Separately report to alleging harassee and alleged harasser**
- ▶ Advise parties retaliation is illegal**
- ▶ Follow up in the workplace**
- ▶ Make notation of date and subject matter for your personnel notes**



Initial Management Inquiry Process (IMIP)

If you find a serious and/or recurring incident of workplace harassment has occurred:

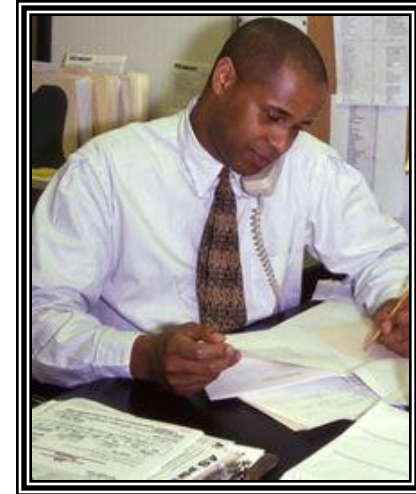
- ▶ **Stop harassment/inappropriate behavior**
- ▶ **Consult with your Manager, Human Resources or next higher level manager for HQ and HQ field units.**
- ▶ **Take appropriate remedial action to stop and deter harassment**
- ▶ **Fully document detailed evidence of actions taken**
- ▶ **Advise harasser of remedial/disciplinary action and that retaliation is illegal**

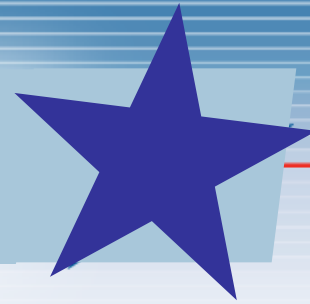


Initial Management Inquiry Process (IMIP)

If you find a serious and/or recurring incident of workplace harassment has occurred:

- ▶ Restore the harassee; achieve resolution
- ▶ Follow up in the workplace
- ▶ Submit findings under confidential cover to your Mgr. Human Resources or next higher level manager for HQ and HQ field units.
- ▶ Human resources retains files for 4 years; conducts annual review.

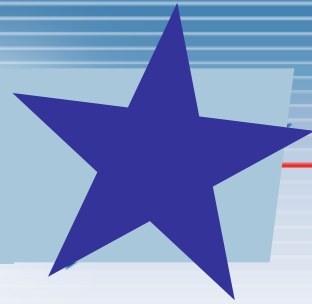




Fixing the Problem – Remedial Action

Remedial or Corrective Action

- ▶ **Corrective action must be taken to end the inappropriate conduct**
- ▶ **Impose progressive discipline, as necessary**
- ▶ **Consider supplementing corrective action with stand-up talks, training, EAP Counseling, and monitoring the workplace.**



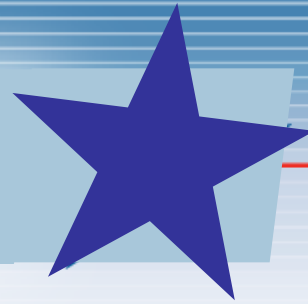
Fixing the Problem – Remedial Action

- ▶ Discussion
- ▶ Remedial training
- ▶ Letter of Warning
- ▶ Suspension
- ▶ Transfer
- ▶ Demotion
- ▶ Discharge



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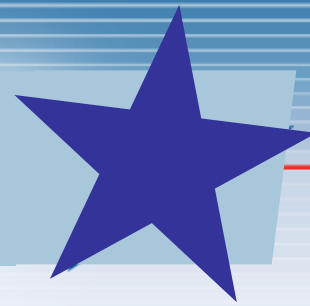
*Employee
Development &
Diversity*



Fixing the Problem – Remedial Action

Discipline must be in proportion to the severity of the conduct.

- ▶ **A minor, single event:**
Discussion and/or Training
- ▶ **Serious, recurring conduct:**
Suspension or Discharge



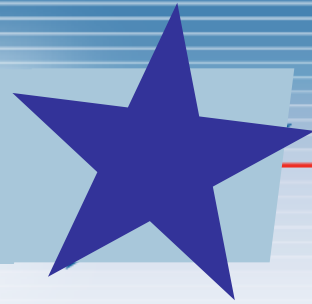
Practical Points for Managers

Weingarten Rule

- ▶ **Bargaining unit employees have the right to union representation, upon request, when the employee has a reasonable belief that discipline could result from the interview.**
- ▶ **Requests for representation and attendance by a union representative should be documented.**

Deaf and Hard of Hearing:

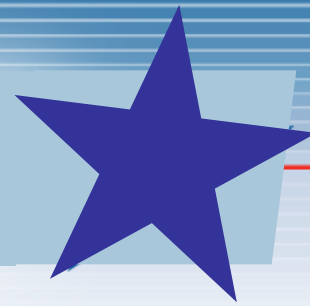
For deaf and hard of hearing employees, you must provide them a certified interpreter for all stages of the IMIP process.



Practical Points for Managers

- ▶ **Keep all records, notes and documents confidential and secured in a locked cabinet.**
- ▶ **When the inquiry is complete, forward documents to Manager, Human Resources or for HQ and HQ field units to the next higher level manager under confidential cover.**





Workplace Harassment

Read publication 552, *Manager's Guide to Understanding, Investigating, and Preventing Harassment*

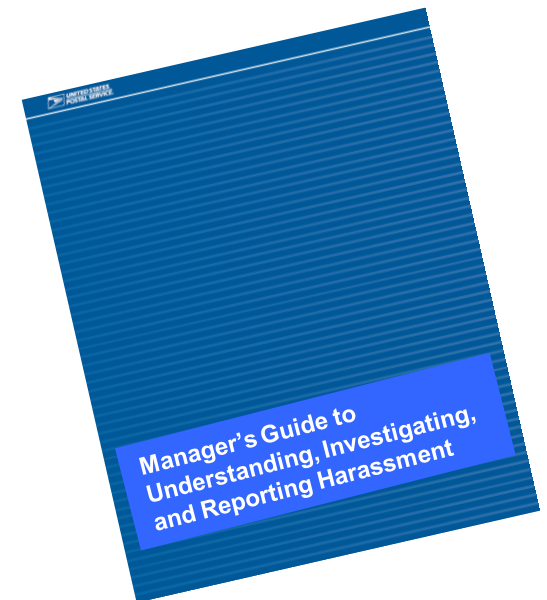
The Initial Management Inquiry Process materials available in Publication 552 should be used by all managers and supervisors.

- ▶ When a complaint is brought to their attention or
- ▶ When they become aware of behavior that may be workplace harassment.

You can access publication 552 at:

<http://blue.usps.gov/cpim/ftp/pubs/pub552.pdf>

Take responsibility and ownership of your workplace.



USPS Publication 108 Threat Assessment Team Guide

Threat Assessment Team Guide

Publication 108

May 2015
Transmittal Letter 7

- A. Purpose.** Under federal law (the Occupational Safety and Health Act of 1970), the Postal Service has an obligation to provide its employees with a safe and healthful place to work. Among the ways the Postal Service proactively meets its obligation is by implementing strategies and tools for reducing workplace violence. One such tool is Publication 108, *Threat Assessment Team Guide*, which provides guidance to Postal Service management in responding to and assessing the seriousness of violent and potentially violent situations.
- B. Explanation.** This revision:
1. Establishes Headquarters and Area Threat Assessment Teams.
 2. Integrates Workplace Environment Tracking System into Publication 108.
 3. Changes the Threat Assessment Team Composition:
 - a. Removes (Area) Manager, Workplace Environment. The position does not exist in our organization.
 - b. Adds Workplace Environment Improvement (Headquarters).
 - c. Adds Area Threat Assessment Team (TAT) Contacts as Situational Advisor.
 - d. Adds National Preparedness Specialists (NPS) and Manager, National Preparedness Headquarters as Situational Advisor.
 - e. Changes Occupational Health Nurse Administrator (OHNA) from Ad Hoc to Situational Advisor.
 4. Updates and clarifies training requirements for Core, Ad Hoc, and Situational Advisor TAT members.
- C. Availability.** Publication 108 appears online on the Postal Service PolicyNet Web site: <http://blue.usps.gov/cpim>.
- D. Rescission.** This document supersedes the June 2011 edition of Publication 108. Recycle all previous editions.

E. Comments. Submit questions and suggestions in writing to:

WORKPLACE ENVIRONMENT IMPROVEMENT
US POSTAL SERVICE
475 L'ENFANT PLAZA SW RM 9326
WASHINGTON, DC 20260-9326

F. Effective Date. This handbook is effective on May 1, 2015.

A handwritten signature in black ink, appearing to read "D. Tulino". The signature is fluid and cursive, with a large initial "D" and a stylized "Tulino".

Doug A. Tulino
Vice President
Labor Relations

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1 Workplace Violence Prevention

1-1 Workplace Violence Prevention Program

1-1.1 Introduction

Every business organization, whether it is a federal or state program, in the private or nonprofit sectors, large or small, is susceptible to workplace violence. Workplace violence was not identified or recognized as a workplace issue until the mid-1980s.¹ Since that time, broad-based attention has been directed towards workplace violence research and prevention. Local, state, and federal governments, as well as private industry, labor, and academic organizations have all invested efforts to develop workplace violence prevention measures.

The Postal Service remains dedicated to violence prevention through purposefully developed policies and programs. A major component of the Postal Service's workplace violence prevention program is the Headquarters, Areas, and Districts Threat Assessment Teams (TAT).

The most effective way to respond to the problem of workplace violence is to engage prevention measures. A workplace violence prevention program provides the foundation for establishing a violence-free workplace. This program depends on a universal zero tolerance policy statement and a consistently implemented action plan for the management of threats and assaults.

This publication sets forth provisions to:

- Ensure consistency throughout the organization.
- Enhance the development of each TAT.
- Outline the TAT guidelines for Headquarters, Areas, and Districts to implement.

The Postal Service will continue to make revisions to this TAT Guide as advances in workplace violence prevention are evidenced through research and the experience of our organization's efforts. All of the supporting information and training materials associated with this guide have been updated to incorporate the revisions put forth in this guide.

The Postal Service has an image that rests in the literature and review of the history of workplace violence. The August 20, 1986, tragedy at Edmond,

1. Watson, Eleanor Lynn (2006). Active Inaction-Symbolic Politics, Agenda Denial or Incubation Period: Twenty Years of U.S. Workplace Violence Research and Prevention Activity. Dissertation, West Virginia University.

Oklahoma, is often viewed as a threshold event in categorizing workplace violence. The Edmond tragedy was not the first of its kind to occur in the private or public sector. However, the magnitude of the loss of life was a mark in time and raised public awareness of workplace violence.

Commitment to a violence-free workplace is a priority for the Postal Service. We remember each and every workplace violence fatality — in homage to our employees who lost their lives, those whose lives have been impacted by workplace violence and in our determination to prevent further acts of violence.

1-1.2 **Zero Tolerance Policy and Action Plan**

Zero tolerance means that every act or threat of violence, regardless of the initiator, elicits an immediate and firm response. The response may involve the issuance of corrective action, up to and including termination of the offender from employment in the Postal Service.

The concept of *zero tolerance* is based on the belief that no employee should have to work in the atmosphere of fear and intimidation that occurs when threats and inappropriate behavior remain unaddressed. Every employee is entitled to a safe work environment. Thus, *zero tolerance* is the most important facet of an organization's commitment to providing employees with a violence-free workplace.

The meaning of the term *zero tolerance* is commonly interpreted as resulting in a uniform and automatic response to all reported incidents. Even though the meaning of *zero tolerance* is set out correctly in Postal Service policy, many employees focus on a very narrow interpretation of the concept. Therefore, it is important for TAT members and management to be knowledgeable about the correct interpretation regarding the *Zero Tolerance Policy*. Local management and TAT members can educate employees by explaining the term **Zero Tolerance** sets a standard of workplace behavior (violent and threatening conduct is not acceptable), not a system of corrective action.²

Corrective action may be imposed for a violation of the *zero tolerance* policy, but such decisions should be based on the specific factual circumstances of each separate incident.

By implementing a **Zero Tolerance Policy Statement**, the Postal Service reaffirms the objectives of the Joint Statement on Violence and Behavior in the Workplace. See [Exhibit 1-1.2a](#) for a sample of the Postal Service's *Zero Tolerance Policy Statement*.

It is essential to issue an action plan that delineates reporting procedures for Postal Service management to deal with acts of workplace violence. See [Exhibit 1-1.2b](#) for a sample of the action plan that can be used as a model for developing local plans.

2. National Center for the Analysis of Violent Crime (2002). Workplace Violence: Issues in Response. Critical Incident Response Group. FBI Academy, Quantico, Virginia.

1-1.3 Violence Prevention Strategies

The six organizational strategies for reducing workplace violence are the following:

- *Selection* — Hire the right individual for the right job.
- *Security* — Ensure appropriate safeguards for employees, customers, and property.
- *Communication of policy* — Consistently communicate and enforce Postal Service policy regarding violent and/or inappropriate behavior.
- *Environment and culture* — Create a work setting and maintain an atmosphere that is perceived to be fair and free from unlawful and inappropriate behavior.
- *Employee support* — Ensure that all Postal Service employees are aware of the resources available to assist them in coping with problems at work and at home.
- *Separation* — When separation is necessary, handle the process professionally, including an assessment for potential violent and inappropriate behavior. See Publication 106, *Guide to Professional Parting*, for details on handling separations.

1-2 Threat Assessment Team

A TAT utilizes a cross-functional, multidisciplinary team approach to help assess threatening situations and to develop risk abatement plans that minimize the potential risk for violence. The TAT is one component of the Postal Service's comprehensive Workplace Violence Prevention Program. Headquarters, Areas, and Districts must establish and maintain a TAT.

1-3 Glossary

- **Area Threat Assessment Team Contacts** — Due to an organizational redesign, the Manager, Workplace Environment position was eliminated. In November 2011, Headquarters WEI asked the Area Human Resource Managers for the name of a person from each Area Office who would be overseeing the District Threat Assessment Teams. The Area Threat Assessment Team contact provides oversight to District TATs to ensure compliance of policies and procedures regarding Publication 108.
- **Assault** (broadly defined) — Any willful attempt to inflict injury on another person, coupled with the apparent ability to inflict injury, or any intentional display of force that would give the victim reason to fear or expect immediate bodily harm.
Note: An assault may be committed without touching, striking, or doing bodily harm to another person (e.g., throwing a brick at a person that does not actually strike the person).

- **Credible threat** (as defined by the Inspection Service) — A statement or action that has the apparent capability of inflicting harm and is directed in a manner that causes individuals to know they are the target of the threat and that puts them in fear for their safety or that of their immediate family.
- **Emergency Management Team** — A team which establishes emergency management procedures, team roles and responsibilities and Postal Service emergency management activities for integration with the country's National Response Plan. The current Integrated Emergency Management Plan (IEMP) Annex 1K, Violence in the Workplace, integrates the existing TAT and Workplace Violence Prevention Program into the Incident Command System. The Emergency Management Team (EMT) will work in cooperation with the TAT to provide care and support for victims and their families, and establish an orderly return to normal operations.
- **Situation or incident** — A difficult or risky state of affairs or a combination of circumstances over time that has led to or could lead to violence.
- **Threat** (broadly defined) — A statement or act that carries the intention to inflict harm or injury on any person, or on his or her property. Threats also include words or actions intended to intimidate another person or to interfere with the performance of his or her official duties (e.g., standing in front of a corridor with a menacing posture and not permitting another person access to load a Postal Service vehicle).
- **Threat Assessment Team (TAT) Membership and Meeting Tool** — An online tool to track and capture information regarding mandated Publication 108, *Threat Assessment Team Guide, Compliance Measures*.
- **Threat maker** — A person reported to the TAT or later identified by the TAT as a person with a risk of violence toward others or oneself, or a person who has committed an act of physical violence.
- **Violence** (as defined by the Postal Service) — Any verbal or physical threat or assault on a person that has the intention of injuring or results in injury.

Note: Violence is not limited to fatalities or physical injuries. Intentional words, acts, or actions meant to provoke another can escalate and result in an injury if not immediately and appropriately addressed by management. Threats of suicide are considered acts of violence.
- **Workplace Environment Tracking System (WETS)** — A nationwide, central repository for the four workplace environment processes: Initial Management Inquiries (IMI), Workplace Harassment Fact Finding Investigations (WHFF), Threat Assessment Case Tracking (TACT), and Workplace Environment Interventions (WEI).
- **Workplace Environment Tracking System End-users** — Headquarters, Area, and District Human Resources will designate users respectively that will enter sensitive information regarding workplace environment cases.

2 Threat Assessment Team Purpose and Objectives

2-1 Mission Statement

The mission of the TAT is to prevent workplace violence.

2-2 Purpose

The TAT assesses the danger or harm that may result from a threat, both to the victim and to others affected, and recommends an appropriate risk abatement plan.

2-3 Goals

The goals of the TAT are to:

- Identify individuals who have shown signs of violence toward others in the workplace, toward themselves, or who have committed acts of physical violence.
- Assess the risk posed by the overall circumstances of the threats.
- Manage the case to reduce risk to employees, customers, and the organization.
- Contribute toward a safe workplace for every employee.
- Help reduce incidents of inappropriate behavior and resolve conflicts.

2-4 Proactive Measures to Achieve Goals

To achieve these goals, the TAT must be prepared to:

- Respond quickly to incidents that may endanger employees and customers or disrupt the workplace.
- Support management personnel, labor unions, and management organizations in handling difficult situations.
- Act as a resource and offer support, including information and recommendations.

- Act in the best interests of the Postal Service, its employees, and its customers.
- Follow up on any incident to ensure that the threat is mitigated.
- Identify proactive strategies and procedures to maintain a safer workplace.

The TAT addresses issues defined within the scope of the Postal Service definitions of violence and credible threat (see the glossary at [1-3](#)).

2-5 Three Primary Tasks

The three primary tasks of the TAT are to:

- **Identify threat makers** — The TAT must identify the threat makers and the environmental conditions, societal factors and contributing events in a situation.
- **Assess risk** — The TAT must assess the risk level of a situation or incident.
- **Recommend a risk abatement plan** — The TAT must develop a recommended risk abatement plan for managing an identified situation or incident. The primary focus of the risk abatement plan is to reduce risk and liability.

2-6 Paramount Considerations

2-6.1 General

TAT members are responsible for being careful and diligent in guarding the individual's contractual, civil and legal rights. TAT members must evaluate the workplace environmental conditions and risk factors that may indicate a potential for violence. See [Exhibit 2-6a](#) for risk indicators and [Exhibit 2-6b](#) for environmental conditions, societal factors, and contributing events — additional factors are provided to remind TAT members that *final assessment and planning are not accomplished until all relevant factors and events that contribute to the potential for violence are examined*.

When appropriate, the local TAT alerts the District Emergency Manager and the designated National Preparedness personnel to the potential for or serious nature of the incident. For more information, consult the Integrated Emergency Management Plan (IEMP) homepage on the Postal Service intranet, *Blue*.

2-6.2 Domestic Violence and Stalking

Workplace violence includes domestic violence. Domestic violence awareness needs to be an integral part of any workplace violence prevention program. “Every year, according to a Justice Department study, approximately 18,700 violent workplace events are committed by an intimate of the victim: a current or former spouse, lover, partner, or boyfriend/girlfriend.”³ Further, according to a study by the University of Iowa Injury Prevention Research Center, 5 percent of workplace homicides (that is about one-third of homicides not associated with a robbery or other “stranger” crime) fall into this category.⁴ See [Exhibit 2-6c](#) for behavior that may suggest to a manager that an employee is being victimized in a violent relationship.

A victim of domestic violence may be particularly susceptible in the workplace because the abuser knows the victim’s work location, and it is easier for a victim to change residence or phone numbers than to change jobs. Also, a domestic violence victim may work at the same location as the abuser or the abuser may have access to the work site from another job function.

The domestic violence abuser can exhibit stalking behavior. However, stalking is not always from a prior relationship. Stalking may be the result of a person’s desired or imagined relationship with another. Stalking legislation has existed in the United States since 1991; however, it varies from state to state.

In some cases, stalking begins in the workplace and follows the victim outside the workplace. In other cases, stalking begins outside the workplace and follows the victim into the workplace. Regardless of how stalking arrives at the workplace, organizations should manage reports of stalking similar to traditional workplace threat and violence cases.⁵

It may be difficult to navigate the boundary between personal and work-related issues. The report of a threat emanating from a personal relationship merits the same attention as any other threat in order to assess the risk and implement measures to reduce any likelihood of harm to employees, their co-workers, or the workplace at large. The TAT should involve Employee Assistance Program (EAP) services and utilize the EAP Consultant as a situational advisor to threat assessments. The EAP consultant will also be available to provide information and services to the employee.

-
3. ASIS International (2005). *Workplace Violence Prevention and Response Guideline*. Alexandria, VA: ASIS.
 4. National Center for the Analysis of Violent Crime (2002). *Workplace Violence: Issues in Response*. Critical Incident Response Group. FBI Academy, Quantico, Virginia.
 5. Beatty, D., and Beatty, T. (2002). *Bureau of Justice Assistance, South Carolina Department of Public Safety. Workplace Stalking: A Guide for Criminal Justice Professionals*. Washington, DC: Justice Solutions.

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3 Establishing a Threat Assessment Team

3-1 Threat Assessment Team Composition

The TAT comprises three categories of members:

- Core members.
- Situational advisors.
- Ad hoc members.

3-2 TAT Members and Their Responsibilities

3-2.1 Core Membership

Core members of the TAT are:

- Human Resources Manager.
- Labor Relations Manager.
- Safety Manager.
- District Manager or Operations Designee.
- Senior Plant Manager or Operations Designee.
- Postal Inspector.

3-2.2 Core Member Responsibilities

3-2.2.1 General

Core team members of the TAT normally address incidents of extreme or high-priority risk (see the Priority Risk Scale in [Exhibit 3-2.2](#)). All core members should become subject matter experts in the area of workplace violence because they serve as both specialists and generalists.

The major responsibilities of each core team member are described below. These lists are not intended to be all-inclusive; other responsibilities may be assigned to core team members.

3-2.2.2 Human Resources Manager

- Coordinating and overseeing the TAT.
- Determining whether or not to convene the TAT.
- Determining whether or not ad hoc members are to participate.
- Assigning TAT member duties and monitoring core-team assignments.
- Determining what outside resources are needed and who is to contact them.
- Determining who is to prepare and maintain official hard copy TAT records, TACT module of the WETS National Database, and the TAT Membership and Meeting Tool.
- Reviewing history of workplace interventions and climate assessments.

3-2.2.3 Labor Relations Manager

- Providing guidance on issues regarding an employee's work status (e.g., placing employees on administrative leave or in a non-duty, non-pay status).
- Serving as a resource to postmasters, managers, or supervisors regarding administrative and/or corrective action.
- Meeting with employees, witnesses, and concerned employees as needed.
- Reviewing an employee's disciplinary record.
- Communicating to the TAT relevant information regarding contractual issues.

3-2.2.4 Safety Manager

- Reviewing the employee's safety or accident profile.
- Communicating relevant information to the TAT.
- Preparing a brief summary of the employee's safety record for the TAT.
- Suggesting preventive measures and/or safety talks.

3-2.2.5 District Manager or Operations Designee

- Providing knowledge on how to minimize disruption of work-site operations.
- Providing information about security needs.

3-2.2.6 Senior Plant Manager or Operations Designee

- Providing knowledge on how to minimize disruption of work-site operations.
- Providing information about security needs.

3-2.2.7 Postal Inspector

- Reviewing a current or former employee's military records.
- Contacting Federal Bureau of Investigation (FBI), state, and local law enforcement agencies for an employee's criminal record.

- Reviewing gun registration records, vehicle identification information, or both.
- Conducting criminal background checks.
- Interviewing current or former employees and customers.
- Conducting a formal investigation of an incident.
- Preparing an Investigative Memorandum or Assault Threat Specialty Report and submitting it to Postal Service management.
- Preparing a Presentation Letter (Consider for Presentation) of an incident for the United States Attorney or District Attorney.
- Acting as a liaison with other law enforcement agencies.
- Consulting with management about security for affected work sites.

3-2.3 **Situational Advisors**

The responsibilities of situational advisors are described below. These lists are not intended to be all-inclusive; other responsibilities may be assigned.

Situational advisors include:

- Workplace Environment Improvement (Headquarters).
- Postal Service legal counsel.
- EAP Consultant.
- Occupational Health Nurse Administrator.
- Outside mental health professional.
- Area Threat Assessment Team Contacts.
- National Preparedness Specialist or Manager, National Preparedness (Headquarters).

3-2.4 **Situational Advisor Responsibilities**

3-2.4.1 **Workplace Environment Improvement (Headquarters)**

- Providing organizational development recommendations and resources to the Headquarters TAT core team on abatement strategies.
- Providing guidance to address issues impacting the workplace where the incident occurred.
- Serving as a consultant to the Area Human Resources Managers and/or Area Threat Assessment Team Contacts as requested or as needed.

3-2.4.2 **Postal Service Legal Counsel**

- Providing legal guidance in the best interests of the organization.
- Providing legal advice to management.
- Advising on confidentiality and privacy concerns.
- Providing legal developments in the area of workplace violence.
- Providing the latest information on statutes, regulations, and guidelines about violence prevention.

3-2.4.3 EAP Consultant

- Providing guidance on how to approach the situation or incident.
- Recommending and assisting, when indicated, the need to refer an employee to the EAP.
- Serving as an information expert on domestic violence, suicide, substance abuse, and mental health issues.

3-2.4.4 Occupational Health Nurse Administrator

- Reviewing an employee's medical records, fitness-for-duty examinations, and current medical history.
- Contacting an employee's private treating physician.
- Providing specific employee medical information to the TAT on a need-to-know basis.
- Scheduling fitness-for-duty examinations when warranted.

3-2.4.5 Outside Mental Health Professional

- Providing guidance to defuse a situation or incident.
- Interviewing an employee at the first indication of potentially violent behavior for an initial risk assessment.

3-2.4.6 Area Threat Assessment Team Contacts

- Oversee the Area TAT Compliance Measures.
- Monitoring District TATs' Compliance Measures using the TAT Membership and Meeting Tool.
- Reviewing Districts' quarterly TAT Meeting Minutes.
- Reviewing Districts' annual TAT Self-Audit.
- Ensuring Districts' disseminate and post their annual *Zero Tolerance Policy and Reporting Procedures*.
- Ensuring Districts' Core Team Members complete the Threat Assessment Team Training Course, either #10015093 or the Threat Assessment Team Orientation classroom course #22203-00 that is no longer available. Also, Core Team Members must complete the current Advanced Threat Assessment Team Training.

3-2.4.7 National Preparedness Specialist or Manager, National Preparedness (Headquarters)

- Acting as the subject matter expert (SME) on emergency preparedness, response, and Emergency Management Team (EMT) related matters.
- Advising on cases that may impact operations on a macro level beyond an individual work unit.
- Advising when a case may need to be elevated from the TAT to the EMT.
- Facilitating and preparing district management for operational resiliency before, during, and after critical incidents.

3-2.5 **Ad Hoc Members**

Factors to be considered in ad hoc members' assignments are:

- Representation of bargaining and nonbargaining employees.
- Diversity of the workplace (e.g., gender, race, and cultural differences).

The coordinator for the ad hoc team is the Human Resources Manager.

Ad hoc members may include:

- Postmaster, manager or supervisor (at the site of an incident).
- Human Resources Generalist Principal.
- Health and Resource Management Manager.
- Equal Employment Opportunity (EEO) Alternative Dispute Resolution (ADR) Specialist.
- Security Control Officer.
- Union organization and management association officials.
- Others as deemed necessary.

The inclusion of union organization and management association officials is encouraged whenever appropriate to assist the TAT in managing a case. Teams are encouraged to develop a collaborative relationship with union organizations and management associations with respect to workplace violence prevention efforts. At the highest level of collaboration, their role should include:

- a. Supporting the Postal Service's workplace violence and prevention program;
- b. Participating in designing and carrying out prevention efforts;
- c. Attending TAT meetings by the team's invitation; and
- d. Cooperating with and participating in training efforts.⁶

3-2.6 **Ad Hoc Member Responsibilities**

3-2.6.1 **General**

Although the TAT deals with higher-level incidents of risk, the team may benefit from having these ad hoc members assist in dealing with lower-level incidents.

- Ad hoc members are employees who may be available to assist the TAT with assessing, intervening, and abating a given situation before it escalates further.
- Ad hoc members may visit sites where low-level complaints have been received to gather information for the TAT.

The major responsibilities of ad hoc members are described below. These lists are not intended to be all-inclusive; other responsibilities may be assigned to ad hoc members.

6. National Center for the Analysis of Violent Crime (2002). Workplace Violence: Issues in Response. Critical Incident Response Group. FBI Academy, Quantico, Virginia.

3-2.6.2 **Postmaster, Manager, or Supervisor at the Site of an Incident**

- Continuing to manage the incident site.
- Determining whether or not security measures are adequate.
- Submitting the employee's work performance history to the TAT.
- Preparing a brief summary of the incident or situation for the TAT.
- Obtaining employee's written and assigned statement regarding the incident.
- Consulting with Labor Relations about administrative and/or corrective action.

3-2.6.3 **Health and Resource Management Manager**

- Reviewing an employee's injury compensation files.
- Noting whether an Office of Workers' Compensation Programs (OWCP) claim has been controverted based on medical documentation.
- Noting whether an OWCP claim has been accepted or rejected.
- Communicating relevant information to the TAT.
- Preparing a brief summary of the employee's injury compensation records for the TAT.

3-2.6.4 **Human Resources Generalist Principal**

- Reviewing an employee's electronic Official Personnel Folder (eOPF).
- Reviewing an employee's work history.
- Determining any history of wage garnishments.
- Preparing a brief summary of the employee's eOPF for the TAT.
- Communicating relevant information to the TAT.

3-2.7 **Criteria for Selecting Ad Hoc Members**

Persons identified to assist the TAT must have the knowledge, skills, and abilities outlined in the roles of ad hoc members. Although any single person does not need to meet all of the following criteria, ad hoc team members should be able to demonstrate knowledge of the skills and abilities listed below.

- Ability to analyze problems and complaints by listening to and observing employee behavior.
- Ability to gather, organize, and interpret information.
- Ability to communicate with difficult employees.
- Knowledge of Postal Service regulations and policies.
- Ability to demonstrate sensitivity to a wide variety of issues, to be flexible and open, and not to have a rigid belief structure regarding labor-management relationships.

Districts are encouraged to use TAT core members, ad hoc members and/or situational advisors to assist in work needs assessments and other formal workplace interventions. The experience of the ad hoc members for the TAT prepares them to be in a support role and contribute knowledge of their respective functions.

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4 Threat Assessment Team Process

4-1 TAT Notification of an Incident or Situation

An employee who is involved in or witnesses an incident should immediately report it to management or the Inspection Service. This instruction does not supersede guidelines established by local management.

4-2 Workplace Environment Tracking System

The Postal Service Headquarters Equal Employment Opportunity and Workplace Environment Improvement departments developed a user friendly, online Workplace Environment Tracking System (WETS) database to provide a nationwide, central repository for the four workplace environment processes:

- Initial Management Inquiries (IMI)
- Workplace Harassment Fact Finding Investigations (WHFF)
- Threat Assessment Case Tracking (TACT)
- Workplace Environment Interventions (WEI)

The purpose of WETS is to collect and record information that will allow the Postal Service to achieve its goal of providing a workplace environment that is safe and free of workplace harassment, discrimination, threats, and assaults.

WETS ensures standardization of documentation, operating procedures, and outcome measures when addressing workplace environment issues.

All Headquarters and Headquarters related sites, Areas and District offices are required to use the WETS National Database when managing cases related to the four processes outlined above. All Area and District Managers of Human Resources, along with end-users from their offices, will be responsible for entering data, and maintaining all cases in the WETS National Database until closure.

4-3 Incident Response

The following action steps provide guidance for addressing an incident or situation:

1. Make an Initial Assessment

The Human Resources Manager makes an initial assessment to determine if the TAT needs to convene.

- If the TAT convenes, enter the case data into the Threat Assessment Case Tracking (TACT) module of the WETS National Database. Please see the sample Threat Assessment Data Entry Template in Exhibit 4. You may use this form to collect the initial information on the incident.
- The TAT will assign an **initial priority risk rating** of the incident based on the preliminary information.

2. Assign Resources

- If a meeting *is called*, refer to the roles of the involved team members.
- If a formal meeting *is not called*, the Human Resources Manager assigns resources to ensure that the incident or situation receives appropriate attention. If the situation appears to be one of workplace harassment, it may be appropriate to utilize the processes outlined in **Publication 552, Manager's Guide to Understanding, Investigating, and Preventing Harassment**.
- Enter assignments and response activities in the WETS National Database.

3. Contact the Inspection Service

TAT members should contact the Inspection Service in the situations described below. This instruction does not supersede local guidelines established by Postal Service managers or the Inspection Service:

- An emerging situation poses a risk to an employee.
- Incidents, such as physical assaults or credible threats, occurring at the work site.
- Suicide threats or attempts and deaths by suicide.

4. Collect Information

- Obtain documentation from employees reporting the situation and from any witnesses.
- Arrange for the incident site's postmaster, manager or supervisor to participate in the TAT meeting to provide the team with additional information and insight. When a management representative is not available to attend, a TAT member should have summary information to present at the meeting.

The initial collection of information may determine that there is no further need for in-depth investigatory measures as outlined in steps 5 through 8 below. This situation is applicable where a priority risk level of 4 is indicated. Steps 9 and 10 should be completed regardless of the risk level.

5. **Make a Background Inquiry**

Check the following information sources:

- Personnel records.
- Disciplinary records.
- Safety records.
- Medical records.
- Injury compensation records.
- Other sources such as the employee's postmaster, manager, supervisor, and co-workers, as well as former employees.

Identify and document, if already publicly known, any current psychosocial stressors, such as:

- Job-related difficulties.
- Financial difficulties.
- Legal difficulties.
- Marriage and family difficulties.
- Medical issues.
- Mental health issues.
- Substance abuse issues.

6. **Review and Analyze the Case**

- Review and consider all data.
- Assess the need for further interviews with victims and witnesses.
- In the **TACT General Information Section**, TACT module of the WETS National Database, the following categories are required entries:
 - Priority Risk Rating.
 - Type of Incident.
 - Typology.
 - Location of Incident.
 - Description of Participants.
 - Threat Communicated by.
 - Weapons Involved.
 - Injuries.
 - Incident Summary.

7. Document the Final Assessment

- Keep incident notes and TAT minutes to a minimum. In view of the Privacy Act and the Freedom of Information Act, it is recommended that employee names are not recorded in the TAT minutes.
- Document the case summary in the WETS National Database. Include in the case summary all noted risk indicators, workplace environmental conditions, societal factors, and potential contributing events that have influenced or may influence the situation and the final assessed level of risk for the incident (see [Exhibit 2-6a](#), [Exhibit 2-6b](#), and [Exhibit 2-6c](#)).
- Assign a **final priority risk rating** to the incident at case closure (see the Priority Risk Scale in [Exhibit 3-2.2 \(p. 1 of 3\)](#)).

8. Develop a Risk Abatement Plan

Recommend a plan to alter the conditions or situation to reduce the current and future potential for violence (see [Exhibit 2-6a](#), [Exhibit 2-6b](#), [Exhibit 2-6c](#), and [Exhibit 3-2.2](#)). The risk abatement plan is a collaborative effort among (a) the TAT; (b) the incident or situation site postmaster, manager, or supervisor; and (c) the next higher level manager. Current plans should take into account all past interventions or actions.

Risk abatement plans may include the following as warranted by the situation:

- Providing EAP information.
- Assessing workplace needs.
- Recommending fitness-for-duty examinations.
- Identifying labor-management issues.
- Monitoring the work site, as appropriate.
- Increasing site security
- The TACT module of the WETS National Database provides four sections to delineate specific Risk Abatement Plan actions:
 - Administrative actions.
 - Consultation/Educational actions.
 - Inspection Service actions.
 - Safety actions.

This list is not all-inclusive. The risk abatement plan should be communicated timely to the incident manager and the TAT Outcome Memo issued. (See the Threat Assessment Team Outcome Memo in [Exhibit 4-3.8](#).) The samples and fillable forms of the memo for Priority Risk Ratings 1-4 are available in the TACT Module of the WETS National Database.

9. Disposition

- Enter the incident disposition (open or closed) in the WETS National Database.
- Include discussion of the situation or incident on the agenda for the next official TAT meeting.
- Under the **WETS TACT Case Disposition section**, the following categories are listed:
 - Final Priority Risk Rating.
 - Reason for Closure.
 - Date of Closure.
 - Date TAT Outcome Memo issued.
 - Corrective action.
 - Priority Risk Ratings 1 and 2 Post Incident Analysis.
 - Brief Narrative of Case Closure section.

10. Follow Up

- Monitor the progress of the risk abatement plan by providing updates and the status at TAT meetings.
- Assess the impact of the risk abatement plan.
- Use WETS National Database to track TAT activities.
- It is mandatory to conduct a post-incident review and analysis of each Priority 1 and Priority 2 incident when the case closes.
 - Enter the completion date of the Post-Incident Analysis into the TACT Module of the WETS National Database.
 - If the case is rated a Priority 3 or 4, then the Post-Incident Analysis is not applicable.
 - See the sample Post Incident Analysis form in [Exhibit 4-3.10](#). The fillable form of the Post Incident Analysis is located under the Resource link, TACT Module of the WETS National Database.

11. WETS TACT Module Reports

- The **Threat Assessment Team Tracking Case Log Report** captures the data required in accordance with Publication 108. This report replaces the Excel spreadsheets previously maintained locally.
- Districts will no longer have to send their TAT Tracking Logs to the Area TAT Contacts as this data can be pulled from WETS.
- The **Case Detail Report** serves as the fact sheet for a TAT case; TATs can print their report for their hard copy files.
- TATs are required to keep hard copy files locked and secured.

4-4 Meetings and Minutes

The TAT must meet *at least once a quarter* to review team responsibilities, address unresolved action items, and discuss updates on open TAT cases.

- The quarterly TAT meetings should have all available core members in attendance, as well as those in designated roles of situational advisors and ad hoc members particular to cases under review or discussion.
- In addition to having updated information from the site managers of the individual cases, teams are encouraged, when reasonable, to have management representation in attendance at the meeting.
- Each TAT should foster an environment of involvement and direct communication of individual cases with the management at the particular work site.
- Union officials may be considered for invitation at times when there is an opportunity for maintaining or advancing risk abatement.
- Minutes must be kept of each TAT meeting.
- Although they should be kept to a minimum, the minutes must include risk assessment findings and risk abatement actions.
- As noted in 4-3, Incident Response action step #7, it is recommended that employee names are not recorded in the TAT minutes.

To manage cases, the TAT determines what is to be done, who is to do it, when it is to be completed, and time frames for reporting updates and completion of actionable items. The TAT also assigns action items related to a specific incident and regularly follows up on an agreed-upon risk abatement plan.

Copies of quarterly minutes must be sent to the district manager, all TAT members, and the Area TAT Contact. Verification that minutes were disseminated within seven (7) business days must be entered in the TAT Membership and Meeting Tool.

5 Training and Communication

5-1 TAT, Postmaster, Manager, and Supervisor Training

5-1.1 Threat Assessment Team Training

All core members are required to complete Threat Assessment Team Training. The courses that meet this requirement are either the Threat Assessment Team Training LMS course #10015093 or the Threat Assessment Team Orientation classroom course #22203-00 that is no longer available.

- Training dates must be entered for each core member in the TAT Membership and Meeting Tool.
- Situational Advisors and ad hoc members should take the training course. Training dates must be entered into the TAT Membership and Meeting Tool.

Upon completion of the training course, the participants will be aware of:

- The Postal Service's commitment to a strategic plan for reducing violence in the workplace.
- The Postal Service's approach to the TAT process.
- The importance of implementing a local TAT.
- Behavioral signs of potential workplace violence.
- Steps to take when an incident of workplace violence occurs.

5-1.2 Advanced Threat Assessment Team Training

All core members are required to complete the current Advanced Threat Assessment Team Training. Situational Advisors and ad hoc members should complete the training. The topics may include areas such as current trends in workplace violence research, case studies of workplace incidents or domestic violence. Prerequisites for the Advanced TAT training are either completion of the Threat Assessment Team Training LMS course #10015093 or the Threat Assessment Team Orientation classroom course #22203-00 that is no longer available.

5-2 Workplace Violence Awareness Training

5-2.1 Postmaster, Supervisor, and Manager Training

Situations in day-to-day operations may arise where postmasters, managers, and/or supervisors may have to cope with some degree of workplace violence (e.g., disrespect, bullying, harassment, or threats). Being able to identify potential threatening situations and behavioral warning signs of at-risk employees can actually prevent more serious acts from occurring. All postmasters, managers, and supervisors with subordinate employees are required to complete the Workplace Violence Awareness training LMS course #10014893 or the classroom course #21558-00 that is no longer available. In order to accommodate offices of all sizes, and contractors such as the Occupational Health Nurse Administrators (OHNA) and the EAP staff, this training course is also available on a compact disc (course #10015196) from the Manager, Human Resources.

To keep informed of the most current information and practices affecting the workplace environment, including workplace violence awareness and prevention, the Office of Employee Workplace Programs develops periodic articles, posters and procedures to assist postmasters, managers and supervisors in addressing and managing incidents as they arise. To find these support materials go to the Workplace Environment Improvement homepage on the Postal Service intranet, *Blue*.

5-2.2 Acting Supervisor (204b) Training

When an employee is detailed to a supervisory position frequently or for extended periods, local management will determine whether to schedule the employee for Workplace Violence Awareness Training.

5-3 Information Is Prevention

It is imperative that all employees be made aware that the Postal Service has a *Zero Tolerance Policy* mandate, as defined in the 1992 *Joint Statement on Violence in the Workplace*. It is equally important to ensure that all employees are made aware of the existence of their local TAT and the local systems and processes put in place to support *zero tolerance*. ***The Zero Tolerance Policy and Reporting Procedures are required to be disseminated to employees and posted in facilities by Quarter 2 of each fiscal year.*** In addition, all new employees should be introduced to the *Zero Tolerance Policy* as part of Postal Service employee orientation efforts. This information can be disseminated through a number of field communication methods, such as:

- Area updates.
- District newsletters.
- Pay envelope inserts.

- Bulletin board postings.
- Direct mailings.
- New employee orientation sessions.
- Publication 45, *Achieving a Violence-Free Workplace Together*.
- Other employee communications.

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6 Workplace Violence Prevention Compliance Measures

The following list identifies tasks and action items for TATs to ensure the consistent application of violence prevention measures. All TATs must be able to demonstrate their adherence to the following items.

- Core team assembled as described in chapter [3](#).
- All workplace violence incidents tracked in the **TACT Module of the WETS National Database**.
- Core team, selected Situational Advisors, and ad hoc team members trained via either the Threat Assessment Team Training LMS course #10015093 or the Threat Assessment Team Orientation classroom course #22203-00 that is no longer available. All core members are required to complete the current Advanced Threat Assessment Team Training. Situational Advisors and ad hoc members should complete this training.
- Core team members, Situational Advisors, and ad hoc members' training dates entered in the TAT Membership and Meeting Tool. District LMS training reports are required to be sent to the respective Area TAT Contact at the end of each fiscal year.
- All postmasters, managers, and supervisors with subordinate employees are required to complete Workplace Violence Awareness training.
- Quarterly TAT meeting requirements:
 - Meeting dates entered in the TAT Membership and Meeting Tool.
 - Only Quarterly TAT meeting minutes are required to be disseminated to the District Manager, all TAT members, and Area TAT Contacts within seven (7) business days of the date entered in the TAT Membership and Meeting Tool.
- Upon completion of the **Risk Abatement Plan**, the **TAT Outcome Memo** needs to be issued to the incident manager where the threat occurred. The completion date of the TAT Outcome Memo (see [Exhibit 4-3.8](#)) needs to be entered in the TACT Module of the WETS National Database.
- Post-incident analysis conducted on all cases ranked Priority 1 or Priority 2 (see [Exhibit 4-3.10](#)) and the completion date entered in the TACT Module of the WETS National Database.

- Threat Assessment Team Self-Audit completed during Quarter 4 each fiscal year and date entered in the TAT Membership and Meeting Tool. District TATs are required to send a copy of their Annual Self-Audit to their respective Area TAT Contact. Headquarters and Area TATs must also complete an annual Self-Audit.
- **WETS TACT Tracking Case Log** report cross-referenced with the hard copy TAT case files at the end of each quarter.
- The *Zero Tolerance Policy and Reporting Procedures* disseminated to employees and posted in facilities by Quarter 2 of each fiscal year. An example is provided in [Exhibit 1-1.2a](#). The dissemination date must be entered in the TAT Membership and Meeting Tool.
- TAT Membership and Meeting Tool should be updated and in compliance by the end of each quarter of the fiscal year.

Exhibits

Exhibit 1-1.2a

Sample Zero Tolerance Policy Statement



All Employees [District, Area, or Headquarters unit name]

A Postal Service employee has a right to perform his or her assigned duties in an atmosphere free of threats, assaults and other/or acts of workplace violence. We are committed in the effort to ensure a safe working environment for all employees.

Threats or assaults made directly or indirectly toward any employee or Postal Service customer, even in jest, will not be tolerated. This misconduct causes very real concern and apprehension on the part of employees and customers to whom this type of action is directed.

This *Zero Tolerance Policy* places all employees on notice that threats, assaults or other acts of violence committed against other Postal Service employees or customers indicates that each and every act or threat of violence, regardless of the initiator, elicits an immediate and firm response. This response will result in corrective action, up to and including removal from the Postal Service. Any employee who has been subjected to a threat or assault is by this policy instructed to immediately report the incident to a postmaster, manager or supervisor and/or to the Inspection Service. Employees should report any unusual situation that has the potential to cause workplace violence. This includes threats of suicide which are considered acts of violence. Reports to the Inspection Service, at the request of the employee who reports the incident, will be handled anonymously.

Below are definitions to help you understand and clarify when a threat, assault or other act of workplace violence has occurred:

Threat (broadly defined) — A statement or act that carries the intention to inflict harm or injury on any person, or on his or her property. Threats also include words or actions intended to intimidate another person or to interfere with the performance of his or her official duties (e.g., standing in front of a corridor with a menacing posture and not permitting another person access to load a Postal Service vehicle).

Assault (broadly defined) — Any willful attempt to inflict injury upon the person of another, when coupled with an apparent ability to do so, or any intentional display of force that would give the victim reason to fear or expect immediate bodily harm. Note: An assault may be committed without touching, striking, or doing bodily harm to another person (e.g., throwing a brick at a person that does not actually strike the person).

Violence is not limited to fatalities or physical injuries. We recognize that any intentional words, acts, or actions meant to provoke another can escalate and result in injury if they are not immediately and appropriately addressed by management.

[_name_] District Manager

[_name_] Senior Plant Manager

Sample Action Plan for Threats and Assaults



DATE:

MEMORANDUM FOR MANAGERS, POSTMASTERS, AND SUPERVISORS

SUBJECT: Action Plan for Threats and Assaults

A Postal Service employee has a right to perform his or her assigned duties in an atmosphere free of threats and assaults. We are committed in the effort to ensure a safe working environment for all employees.

Due to the seriousness of these situations, threats or assaults made directly or indirectly toward any employee or Postal Service customer, even in jest, will not be tolerated. This misconduct causes very real concern and apprehension on the part of employees and customers to whom this type of action is directed.

All threats and assaults are to be taken seriously and reported immediately to the appropriate Postal Service management officials and to the Inspection Service. Also, all unusual situations that have the potential to cause workplace violence should be reported immediately to these officials.

All management personnel must recognize when these circumstances exist and take prompt, appropriate action when necessary to eliminate the possible causes of violence in the workplace. Failure to take the necessary appropriate action, as determined by a thorough investigation, may result in disciplinary action.

In light of the above, the attached Action Plan has been developed to aid you in dealing with potential situations of violence. This plan should be strictly adhered to by all management employees in all Postal Service facilities.

[_name_]

District Manager

[_name_]

Senior Plant Manager

Exhibit 1-1.2b (page 2 of 4)

Sample Action Plan for Threats and Assaults

1. An employee who has been the victim of a threat or assault will immediately report the situation to any Postal Service management official. The management official to whom the incident is reported will immediately report the matter to the Postal Inspection Service and the Human Resources Manager. In those cases where an employee has been the victim of a threat or assault perpetrated by his or her supervisor, the employee will report the incident to the manager of the supervisor concerned, who will immediately report the incident to the Inspection Service and the Human Resources Manager. This reporting requirement must be adhered to without exception for all incidents involving threats and assaults. Upon receiving notification, the Inspection Service will determine the extent to which they will or will not become involved in the matter.
2. Immediately following an incident, all parties to the incident should be interviewed by a local manager or supervisor, as directed by the Human Resources Manager or the TAT team member tasked to review the incident. Every effort must be made to have witnesses, including the participants, provide a written statement. In most instances of actual physical violence, if possible, and with the employee's permission, the management official should obtain photographs of the employee's injuries.
3. Any employee found to be responsible for a threat or assault is to be immediately placed in a non-duty, non-pay status pending further investigation of the matter. This should be done in accordance with the appropriate article of the applicable craft national agreement, unless the Inspection Service advises to keep the employee on-site in support of their investigation. A third-party supervisor will be assigned to the employee to address issues such as escorting the employee to obtain personal items from his or her locker or to pick up a paycheck. The employee is required to provide a telephone number and address where he or she can be reached during regularly scheduled working hours. After receipt of this information, it is recommended to advise the employee that they will be contacted concerning their return to duty. If nonbargaining unit employees are involved in inappropriate behavior, refer to ***Employee and Labor Relations Manual 651.4, Emergency Placement in Off-Duty Status***. Normally, within 72 hours of the incident, a determination should be made as to the appropriate action to be taken. Ensure that the parties in an incident are issued corrective action appropriate to each party's involvement.
4. If the situation does not appear dangerous, take the following actions: (a) separate the employees involved and isolate them until interviewed; (b) interview all employees (individually) who have information concerning the incident immediately, while the facts are fresh in their minds; (c) establish circumstances leading to the incident; (d) obtain written statements from each witness and employees who were present but claim they did not hear or see anything; and (e) do not allow witnesses to discuss what happened with each other before preparing their statements.
5. If the situation appears dangerous, e.g., there is a likelihood of physical violence, order the employee to leave the facility immediately. If an employee refuses to leave, contact the local police and the Postal Inspection Service. Under no circumstance should a supervisor personally attempt to physically remove an employee from a facility.
6. All incidents of employee altercations are to be reported to the Human Resources Manager and to the Labor Relations Manager. To ensure that timely action is taken in these instances, requests for disciplinary action, with all supporting documentation, should be sent to the Labor Relations Manager by the management officials where the incident occurred, as soon as possible after the investigation. Additionally, every effort should be made to notify the employee of his or her status within 72 hours.
7. Any employee found responsible for a threat or assault on another employee or customer should be encouraged to make an appointment with the Employee Assistance Program (EAP) by his or her postmaster, manager, or supervisor upon return to duty. Any employee who is found to be a victim in connection with an altercation should also be offered the opportunity to visit with the EAP counselor.

Exhibits

Exhibit 1-1.2b (page 3 of 4)

Sample Action Plan for Threats and Assaults

Listed below are definitions to help you understand and clarify what is meant by a threat or an assault. The next page contains a checklist of tests to determine whether or not an actual threat has occurred.

Threat (broadly defined)

A statement or act that carries the intention to inflict harm or injury on any person, or on his or her property. Threats also include words or actions intended to intimidate another person or to interfere with the performance of his or her official duties (e.g., standing in front of a corridor with a menacing posture and not permitting another person access to load a Postal Service vehicle).

Assault (broadly defined)

Any willful attempt to inflict injury on the person of another, when coupled with an apparent ability to do so, or any intentional display of force that would give the victim reason to fear or expect immediate bodily harm.

Exhibit 1-1.2b (page 4 of 4)

Sample Action Plan for Threats and Assaults

Checklist for Threats and Assaults

If you believe that a crime has been committed (persons have been injured or property has been damaged):

1. Seek first aid and medical treatment for all those injured.
2. Immediately call the local police and the Inspection Service (and/or postal police officers).
3. Preserve the scene; **do not** allow **anyone** to touch anything.
4. Identify witnesses, especially if they cannot or will not remain at the scene.
5. To the extent possible, ensure that information received remains confidential.
6. Seek additional assistance if needed.

Otherwise, immediately:

7. Restore order and safety to the work area.
8. Assign involved employees to separate rooms. Instruct or order involved employees to leave the workroom floor, if appropriate. If an employee refuses, call the **Postal Inspection Service and, if necessary, local law enforcement**.
9. Advise your manager of the incident.
10. Notify the Human Resources Manager and/or Labor Relations Manager.
11. Contact the Inspection Service for guidance, if necessary.

Then:

12. Identify participants and witnesses and obtain statements from them (with concurrence of Inspection Service and/or local police if called).
13. Investigate all observed or reported altercations.
14. Obtain the telephone number and address of each participant.
15. If necessary, place the employee in a non-duty status. When placing an employee in this status, remember to obtain the most current address and telephone number before he or she leaves.
16. Complete the investigation.
17. Notify the Human Resources Manager and the Labor Relations Manager as well as the appropriate management officials in the chain of command.
18. Normally, if circumstances allow, within 72 hours, the employee's supervisor renders a decision and notifies the employee of his or her duty status. If the decision is not to return the employee to duty, the supervisor must send a request for emergency off-duty placement to Labor Relations within 72 hours of that decision.
19. If additional corrective action is to be issued, forward a properly completed request with all supporting documentation to Labor Relations.
20. Encourage the employee found responsible for a threat or assault on another employee or customer to make an appointment with the EAP. Offer the other affected party (or parties) the opportunity to have an on-the-clock appointment with an EAP counselor.

Remember, prompt and appropriate action is essential to reducing and/or eliminating employee altercations. Failure to conduct an immediate and thorough investigation can be detrimental to disciplinary proceedings.

Exhibits

Exhibit 2-6a

Risk Indicators

Risk indicators include the following:

- Past history of violent behavior, e.g., physical assaults or verbal altercations.
- Having a concealed weapon or flashing a weapon in the workplace.
- Fascination with semiautomatic or automatic weapons and their capability to cause great harm.
- History of mental health problems requiring treatment, especially a history of arrest leading to hospitalization.
- Altered consciousness (including blackouts and “lost” or unaccounted-for time lapses).
- History of suicide or homicide risk.
- Odd or bizarre beliefs (magical or satanic beliefs, or sexually violent fantasies).
- Fascination with homicidal incidents of workplace violence and empathy for those who commit acts of violence.
- Preoccupation with violent themes (in movies and literature).
- Instilling fear in others. (This exceeds mere intimidation).
- Romantic obsession with a co-worker characterized by harassment, intimidation, and/or stalking.
- Intimidation and harassment of others.
- Current or history of alcohol or drug abuse.
- Obsessive focus on grudges — often quick to perceive unfairness or malice in others, especially supervisors and managers.
- Especially for males, great concern or emphasis on sexual fidelity of mate.
- Recent stressful events or severe losses.
- Perceived loss of options.
- Direct or veiled threats of bodily harm toward management personnel, co-workers or customers.
- Physical deterioration or medical conditions causing concern (head injuries, cancer, disability, kidney failure, etc.).
- Extreme sense of moral righteousness about things in general as well as believing that the organization does not follow its own policy and procedures.
- History of poor impulse control and poor interpersonal skills.
- Inability to handle constructive criticism well and projecting blame on others.
- Demonstrated disregard for safety of co-workers.
- Tendency to be a loner with minimal family or social support and often having an excessive investment in the job.

Note: Remember, no definite profile exists to determine whether or not a threat maker will ultimately commit an act of workplace violence. However, these signs, especially if they are in a cluster, can help to determine risk abatement action(s) relative to the TAT’s initial risk assessment of a potentially violent person. Actions, such as a fitness-for-duty examination, may be necessary to assess the risk more adequately.

Exhibit 2-6b

Environmental Conditions, Societal Factors, and Contributing Events

Evaluation of additional information may help the TAT better understand a pattern of behavior and/or events and thereby help the TAT develop preventive measures to abate risk and liability. The TAT must evaluate workplace climate issues and potential contributing events that may escalate the potential for violence. For example, additional information such as the following environmental conditions and societal factors and contributing events are relevant considerations:

Environmental conditions at the work site:

- Labor-management relations are strained.
- Ineffective communications between and among managers and employees prevent dissemination of information.
- Preferential treatment and inconsistent application of rules and standards are apparent.
- Conflict management mechanisms (e.g., grievances, EEO complaints and due process) are not understood or used.
- Discipline is perceived as inappropriate, unfair or ineffective.
- Complement or resources are inadequate for performance expectations.
- Employees feel depersonalized.
- Changes in management behavior or style have occurred.
- The accident rate is up; safety is compromised or is perceived as compromised.

Societal factors:

- The level of violence in the surrounding community or neighborhood of the threat maker (assaults, rape, suicide and homicide rates).
- Local news coverage (both amount and detail) of violent events (e.g., September 11, 2001, or the Virginia Tech shootings).
- Activity of violent groups in the community (gangs, militant groups, etc.)
- The level of violence on television, in the movies, etc.

Contributing events:

- Pending divorce.
- Pending financial or legal problems.
- Perceived or pending job suspension or termination.
- Loss of a loved one.
- Onset of a serious health problem.
- Alcohol or other drug abuse.
- Discontinuance of medication or medication not working.
- Discontinuance of therapy sessions with psychiatrist or other mental health professional.

Note: The above does not constitute an all-inclusive listing.

Recognizing the Warning Signs of Domestic Violence at Work

These behaviors do not necessarily signify that a relationship is abusive. They are listed here to provide the scope of behaviors that could indicate someone is a victim of domestic violence. If you have concerns that an employee may be a victim, the manifestation of these behaviors increases the likelihood that they could be victims. Managers should ensure that EAP information and contact numbers are posted or available at their facility. Managers must be sensitive and attentive when approaching employees who are suspected to be victims of domestic violence. Managers should immediately contact the EAP if they are seeking additional information or the TAT to report a threat.⁷

Physical Indications:

Abusers know where to strike their victims to inflict pain and not leave any evidence. Look for any of the following apparent physical signs that the victim is in pain or hurting:

- Visible injuries or signs of trauma, like bruises or scars.
- Bruises or handprints on wrist or throat.
- Signs of hair being pulled out.
- Excessive make-up.
- Clothing or accessories that might be worn to cover injured area.
- Limping or tenderness in joints or muscles.
- Moving slowly or carefully because of pain or soreness.

Behavioral Indications:

- | | |
|--------------|--------------------------------------|
| ■ Depression | ■ Anger |
| ■ Guilt | ■ Sadness |
| ■ Fear | ■ Irritability |
| ■ Anxiety | ■ Fatigue |
| ■ Withdrawal | ■ Dependency |
| ■ Indecision | ■ Distracted, unfocused, preoccupied |

Job Productivity and Performance:

- Tardiness.
- Leaving early.
- Increased use of sick benefits.
- Mistakes or forgetfulness.
- Fear or reluctance to answer the phone.
- Fear or anxiety about leaving the building or going to the parking lot.
- Absenteeism.
- Excessive time spent on phone or personal tasks.

7. Lee, J. (2005) Addressing Domestic Violence in the Workplace. Amherst, MA: HRD Press.

Exhibit 3-2.2 (p. 1 of 3)

Priority Risk Scale

Priority Rank	Explanation
Priority 1 (Extreme Risk)	A clear and immediate threat of violence to an identifiable target. a. Directly stated threat of violence; b. Clearly identified target (person, work site, or organization); and c. Specific description of the intended violent act.
Priority 2 (High Risk)	A threat of violence, usually to an identifiable target, but currently lacking immediacy and/or a specific plan; or a specified plan of violence, but currently lacking a specific target.
Priority 3 (Low or Moderate Risk)	A relatively nonspecific threat of violence from a person expressing concerns with personal and/or organizational issues. a. The threat maker does not indicate a clear and immediate threat of violence to an identifiable target. b. The threat maker appears to be insufficiently influenced by current circumstances to engage in a dangerous act. <i>Such threats frequently arise from a volatile workplace climate, or deterioration of an employee's personal appearance and workplace relationships.</i>
Priority 4 (No Risk)	No threat of violence indicated. a. No suggestion of current danger or threat of violence. b. Possibility of verbal or other inappropriate communications, which include derogatory comments without specific or implied threats of violence.

Priority Risk Scale

Discussion of Priority Risk Scale

Priority 1 (Extreme Risk)

A clear and immediate threat of violence to an identifiable target.

Priority 1 means that the threat maker has:

- Directly stated a threat of violence;
- Clearly identified a target (person, work site, or organization); and
- Appears to have communicated a specific description of the intended violent act, including the means, opportunity and motivation to carry out the threat.

Priority 1 threats:

- Are specific and credible.
- Have a stated intention by the threat maker to seriously harm or kill themselves or others, or may be directed at a specific work site.
- May be communicated to a third party, e.g., social media, co-workers, friends, spouse, instead of directly to the potential victim.
- Often have a vindictive, revengeful quality in which retribution plays a role.

At priority 1, the degree of danger increases and credibility is enhanced by:

- Signs that the threat maker has specific knowledge of the location, activities, and/or personal life of the target.
- Specific plans and preparation such as a recent purchase of weapons or driving by a potential victim's residence or workplace.
- The extent to which the threatened action is realistic or practical in design.
- Repeated, escalating, and increasingly detailed threats.
- A progressive decline in the employee's physical and/or psychological health.
- A person experiencing intolerable levels of frustration or stress, as specified in [Exhibit 2-6a](#).
- Substance abuse.

The TAT should give immediate priority to threats at this level, including:

- Active review of the safety and security for the identified targeted person and/or work site.
- A response that should incorporate the continuation of case management, documentation of a risk abatement plan that includes support to the identified target and intervention with the threat maker and/or work unit.
- Consulting with the Inspection Service. Notifying Local Law Enforcement when necessary.
- Planning immediate action to prevent a violent outcome.
- Monitoring implementation of the risk abatement plan to determine if additional actions are necessary.

Exhibit 3-2.2 (p. 3 of 3)

Priority Risk Scale

Priority 2 (High Risk)

A threat of violence, usually to an identifiable target, but currently lacking immediacy and/or a specific plan; or a specified plan of violence, but currently lacking a specific target.

A priority 2 rating indicates a threat that is real and feasible, often with a vengeful, menacing quality, but lacking the level of specificity and credibility of a priority 1 threat.

- The threat maker does not know or has not identified a specific target.
- The threatened action may be vaguely defined, unrealistic, or impractical in design.
- A priority 2 threat may also result from a volatile workplace climate or close connection to work sites previously or currently experiencing threats of violence.
- High-risk indicators may be present (see [Exhibit 2-6a](#)).

The TAT's response should incorporate the continuation of case management, documentation of a risk abatement plan that includes support to any identified target and intervention with the threat maker and/or work unit.

- Consult with Inspection Service regarding safety and security measures.
- Monitor implementation of the risk abatement plan to determine if additional actions are necessary.

Priority 3 (Low or Moderate Risk)

A relatively nonspecific threat of violence from a person expressing concerns with personal and/or organizational issues.

A priority 3 rating does not indicate:

- A clear and immediate threat of violence to an identifiable target.
- That the threat maker is sufficiently influenced by current circumstances to perform a violent act.

Priority 3 threats may include:

- General expressions of concern or dissatisfaction with personal issues and/or interpersonal relationships.
- General expressions of concern or dissatisfaction with organizational issues that may result from a volatile workplace climate.

The TAT's response to a Priority 3 risk should include an assessment of the validity of specific complaints or concerns, a reasonable amount of monitoring and a risk abatement plan that intervenes at the individual and/or work unit level. Specific concerns include a progressive decline in an employee's physical health, psychological health or a declining organizational climate.

Priority 4 (No Risk)

No threat of violence indicated.

Priority 4 means that no current danger or threat of violence exists. The threat maker may engage in verbal or nonverbal communication that includes offensive, inappropriate, or derogatory content, or expressions of anger or dissatisfaction without a specific or implied threat of violence.

The TAT's response to a Priority 4 risk should include an assessment of the validity of specific complaints or concerns and a risk abatement plan as deemed appropriate. The TAT should consult with Human Resources to develop strategies to resolve issues and improve the workplace environment.

Exhibit 4
Sample Threat Assessment Data Entry Template

District: _____		Threat Report Date _____	
1. Summary of Incident			
Date of Occurrence:		Reported By:	Injury: <input type="checkbox"/> YES <input type="checkbox"/> NO
Location (Station/Facility):			
Phone Contact:		Station/Facility Manager Contact:	
Describe Incident:			
Priority Risk Scale: <input type="checkbox"/> Priority 1 <input type="checkbox"/> Priority 2 <input type="checkbox"/> Priority 3 <input type="checkbox"/> Priority 4			
2. Employee 1			
Last Name:	First Name:	Middle Initial:	
Current Position:	DOB:	<input type="checkbox"/> Male <input type="checkbox"/> Female	
Description of Involvement:			
3. Employee 2			
Last Name:	First Name:	Middle Initial:	
Current Position:	DOB:	<input type="checkbox"/> Male <input type="checkbox"/> Female	
Description of Involvement:			
4. Inspection Service or Police Action			
Inspection Service Involved: <input type="checkbox"/> YES <input type="checkbox"/> NO		Investigative Memorandum: <input type="checkbox"/> YES <input type="checkbox"/> NO	
Weapons Used: <input type="checkbox"/> YES <input type="checkbox"/> NO	Police Involved: <input type="checkbox"/> YES <input type="checkbox"/> NO <i>(If YES, Complete Next Line.)</i>		
Police Action Taken:		Police Report Number:	
5. Threat Assessment Team Assignments			
TAT Members Assigned:			
Recommendations:			
Actions Taken <i>(check all that apply)</i> : <input type="checkbox"/> Administrative <input type="checkbox"/> Legal <input type="checkbox"/> Other <input type="checkbox"/> N/A			
6. Additional Witnesses/Employees			
Last Name:	First Name:	Middle Initial:	
Current Position:	Contact Information:		
Last Name:	First Name:	Middle Initial:	
Current Position:	Contact Information:		
Last Name:	First Name:	Middle Initial:	
Current Position:	Contact Information:		
TAT Member Signature:		Date:	

Exhibit 4-3.8

Sample Threat Assessment Team Outcome Memo (Priority Risk Rating 2)

DATE:

TO: [Name and Title of Incident Manager]

RE: Threat Assessment Team Outcome Memo

CASE: [WETS TACT Case Number]

The _____ (HQ/Area/District Name) TAT has completed the inquiry in response to your request for a TAT review of the incident that occurred on _____ (date). The inquiry included the review of Inspection Service interviews with the alleged victim, alleged threat maker and witnesses. The inquiry included the review of management interviews with the alleged victim, alleged threat maker and witnesses. The Postal Inspection Service conducted a criminal background and weapons check with negative findings. The Inspection Service provided an Investigative Memorandum for your consideration.

Using the Priority Risk Scale, the TAT assigned a Priority Risk Rating (PRR) of 2 to this incident. The TAT determined that the overt threat by the alleged threat maker towards the intended target was feasible but lacking the level of specificity and credibility of a PRR 1 threat.

Priority 2 – High Risk

A threat of violence, usually to an identifiable target, but currently lacking immediacy and/or a specific plan or a specified plan of violence, but currently lacking a specific target.

The TAT's response to a Priority Risk Rating 2 should incorporate the continuation of case management and documented risk abatement plan that includes support to the identified target, threat maker and organizational unit. The TAT will conduct a follow up review to assess any needs.

TAT Risk Abatement Recommendations:

- The Manager will consult with the Manager, Labor Relations, to determine if immediate action is required and appropriate corrective action, as warranted.
- Alleged victim to immediately notify management and the Inspection Service of any subsequent threats.
- Consult with the Inspection Service regarding safety and security measures.
- Monitor implementation of the risk abatement plan to determine if additional actions are necessary.
- The Manager will offer EAP information to the alleged victim and alleged threat maker.

If you have any questions or concerns, please contact me at _____ (phone number).

[Name and Title of TAT Member]

CC: Manager Human Resources

Exhibits

Exhibit 4-3.10

Sample Post-Incident Analysis Form (Incidents ranked Priority Risk Rating 1 & 2)

Review and Analyze Incident after Final Resolution

WETS Case Number:

DATE OF INCIDENT:

INCIDENT MANAGER:

PHONE:

FACILITY:

PHONE:

ALLEGED THREAT MAKER:

PHONE:

VICTIM THREATENED:

PHONE:

REPORTING PERSON:

PHONE:

1. DESCRIPTION OF INCIDENT: (What happened?)

2. ANALYSIS: (Why did the incident happen? Could it have been prevented? How?)

3. PREVENTION: (How could the situation have been handled differently by management and the TAT?)

4. STATUS AT CLOSURE: (What was done to resolve it? Describe the current conditions in the workplace.)

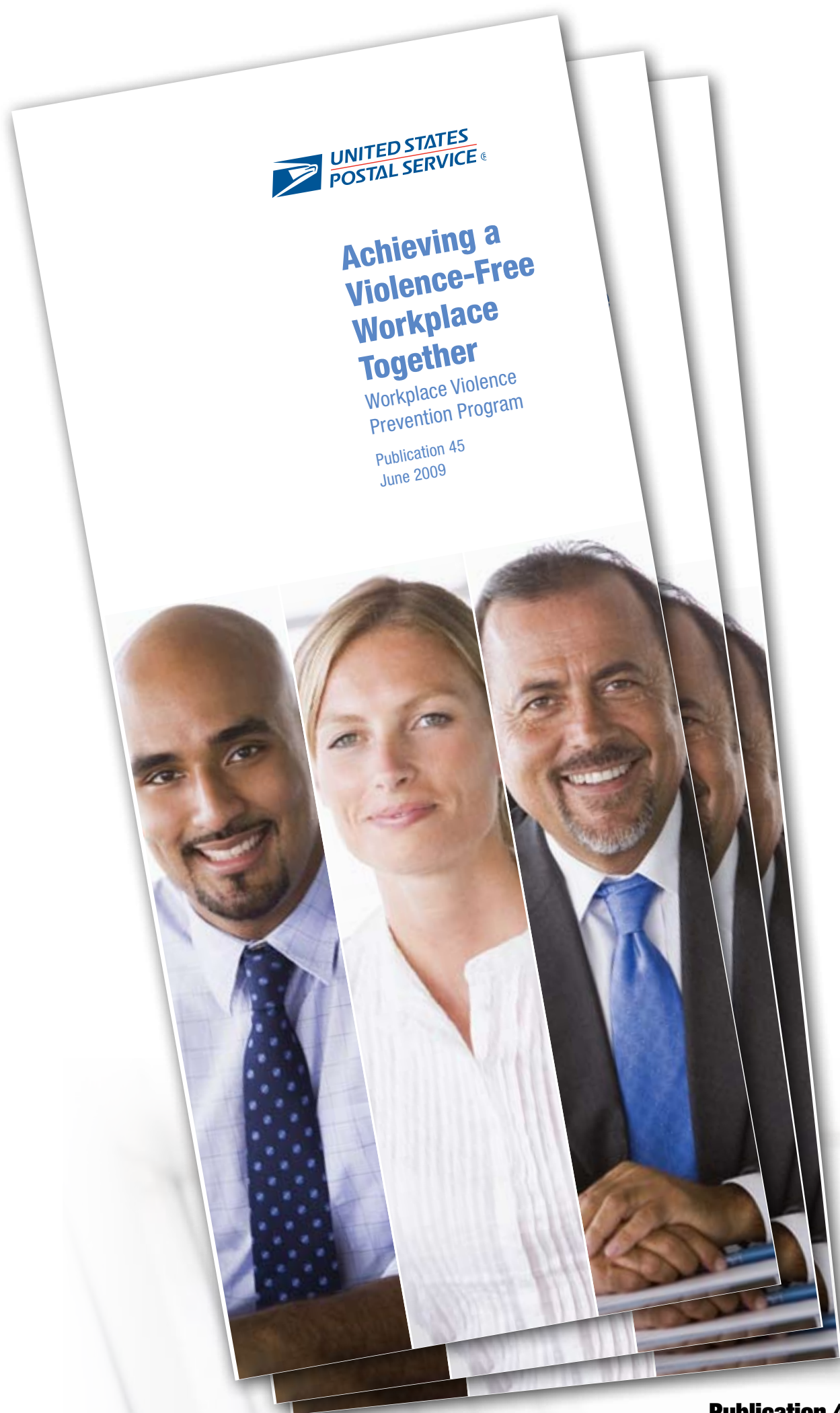
CASE CLOSED (DATE):

FINAL PRIORITY RISK RATING:

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USPS Poster 62
Achieving a Violence-Free
Workplace Together

Achieving a Violence-Free Workplace Together



Your role in creating and maintaining a violence-free workplace is critical to our success.

Know Your Resources

- Human Resources
- Union Leadership
- Management Associations
- Threat Assessment Teams
- Medical Units
- Inspection Service
877-876-2455 (24 Hours)
- Employee Assistance Program
800-EAP-4YOU
800-327-4968 (24 Hours)
877-492-7341 TTY

**Publication 45
June 2009**

USPS Publication 45
Achieving a Violence-Free
Workplace Together
Workplace Violence
Prevention Program



Achieving a Violence-Free Workplace Together

Workplace Violence
Prevention Program

Publication 45
November 2011





Postmaster General's Foreword

The Postal Service's Workplace Violence Prevention Program provides employees with resources and awareness of prevention and response measures. Everyone, every day, must do their part in maintaining a safe work environment by reporting all perceived acts of aggression, violence, or threats.

Patrick R. Donahoe
Postmaster General

Workplace Violence Zero Tolerance Policy

Zero tolerance means that every act or threat of violence, regardless of the initiator, elicits an immediate and firm response. The response could result in corrective action, up to and including, removal of the offender from employment with the Postal Service.

The concept of zero tolerance is based on the belief that no employee should have to work in an atmosphere of fear and intimidation. Every threat and every act of inappropriate behavior must be addressed.

The zero tolerance policy provides the foundation for prevention, but that is only part of our prevention efforts and strategies.

Workplace Violence Prevention

There are six organizational strategies for reducing workplace violence.

- **Selection.** Hire the right individual for the right job in the first place.
- **Security.** Ensure appropriate safeguards for employees, customers, and property.
- **Communication of policy.** Consistently communicate and enforce Postal Service policy regarding violent and inappropriate behavior.
- **Environment and culture.** Create a work setting and maintain an atmosphere that is perceived to be fair and free from unlawful and inappropriate behavior.
- **Employee support.** Ensure that managers, supervisors, and employees are aware of the resources available to assist them in dealing with the problems at work and at home.
- **Separation.** When separation is necessary, handle the process professionally, including assessing inappropriate behavior and potentially violent circumstances. See Publication 106, *Guide to Professional Parting*, for details on handling separations.



Training and Development

The Postal Service offers a number of training courses and developmental initiatives designed to improve violence prevention efforts.

- **Workplace violence awareness training.** This course assists managers and supervisors in identifying behavioral warning signs of at-risk employees and potentially threatening situations.
- **Threat Assessment Teams (TATs).** Each district has a TAT, a cross-functional, multidisciplinary team, that assesses threatening situations and develops risk abatement plans to prevent violence.
- **TAT member training course.** This course is mandatory for TAT members, and it provides information on the threat assessment process and workplace violence prevention strategies. Updates are also provided to team members on workplace violence prevention statistics, research issues, and trends.
- **National Committee on Workplace Violence Prevention.** The committee brings field experts to provide oversight and recommendations on the maintenance, development, and enhancement of policies and procedures that guide the Workplace Violence Prevention Program.

Postal Inspection Service

Callers can reach the appropriate Postal Inspection Service office by dialing 1-877-876-2455 from 8 a.m. to 4:30 p.m. in all time zones. After business hours, press Option No. 2, for Emergency situations, and your call is automatically routed to a special operator for assistance.

Know Your Resources

- Human Resources
- Union Leadership
- Management Associations
- Threat Assessment Teams
- Medical Units
- Inspection Service
877-876-2455 (24 Hours)
- Employee Assistance Program
800-EAP-4YOU
800-327-4968 (24 Hours)
877-492-7341 TTY

Your role in creating and maintaining a violence-free workplace is critical to our success.

What can you do?

Choose to behave in a way that promotes a positive work environment. Act in a professional manner, even when you are having a bad day.

Report all threats to management officials, your Threat Assessment Team (TAT) or the Postal Inspection Service.

Remember that the Employee Assistance Program is available 24 hours a day for all postal employees and their families. The EAP provides crisis counseling, referral, and short-term counseling for all of life's challenges. Call for yourself or a family member.



Workplace Violence Statistics

- Workplace violence is a problem worldwide and the third leading cause of death in the workplace.
- Most workplace violence is not reported.
- Men are statistically more likely to be victims of violence at work; however, homicide is the leading cause of work-related death for women.
- Domestic violence victims who are actively trying to leave the relationship are at an increased risk of being assaulted or stalked in the workplace.
- Workplace-related psychological aggression is far more prevalent than work-related physical violence.
- Employees in professional and service occupations reported the highest level of physical violence at work.

References:

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