

	DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE		EFFECTIVE DATE:	February 6, 2024	Page 1 of 27
			SUPERSEDES:	3310.4J July 21, 2017	
			OPI:	HUMAN RESOURCES	
			REVIEW DATE:	February 6, 2025	
			Approving Authority	Thomas Faust Director	
SUBJECT:		SEXUAL HARASSMENT AGAINST EMPLOYEES			
NUMBER:		3310.4K			
Attachments:		Attachments: Attachment A – Contractor Acknowledgement of Mayor’s Order Attachment B-1 – Complainant Notification Letter Attachment B-2 – Complainant Closure Letter Attachment C-1 – Alleged Harasser Notification Letter Attachment C-2 – Alleged Harasser Closure Letter			

SUMMARY OF CHANGES:

Section	Change
Revisions	<i>Major changes throughout the policy.</i>
	<i>New Attachments have been added to the policy.</i>
	<i>Policy was revised to reflect updates in the Mayor’s Order 2023-131.</i>

APPROVED:



Thomas Faust, Director

2/6/2024

Date Signed

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1. **PURPOSE AND SCOPE:** To implement procedures for prevention, reporting, investigating, and disciplining staff in regards to claims of sexual harassment and/or retaliation for reporting sexual harassment within the District of Columbia Department of Corrections (DOC). This directive applies to employees, contract employees, volunteers, and interns under the direction or control of the DOC.

2. **POLICY.** DOC does not tolerate any form of inappropriate workplace conduct, including sexual harassment, nor does it tolerate sexual harassment in non-employment interactions between District Government employees and the public. DOC does not tolerate sexual harassment, as well as retaliation for, objecting to, or reporting incidents of sexual harassment or any other inappropriate workplace conduct of a sexual nature.

3. **NOTICE OF NONDISCRIMINATION:** In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code § 2-1401.01 et seq., (hereinafter, "the Act") the District of Columbia does not discriminate on the basis of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intrafamily offense, or place of residence or business. Sexual harassment is a form of sexual discrimination that is also prohibited by the Act. In addition, harassment based on any of the above-protected categories is prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.

4. **POLICY OBJECTIVES.** Sexual harassment is recognized as one of the most unjust, demeaning, and demoralizing examples of workplace misconduct. The expected result of this policy will provide:
 - a. DOC employees with a clear understanding of what constitutes sexual harassment and retaliation;
 - b. The penalties for engaging in such conduct;
 - c. What the proper procedures are for reporting incidents of sexual harassment and related retaliation; and

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- d. How such incidents are investigated within DOC.

5. DIRECTIVES AFFECTED

a. Directives Rescinded

- 1) PP 3310.4J Sexual Harassment Against Employees (7/21/17)

b. Directives Referenced. None

6. AUTHORITY

- a. Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-2.
- b. D.C Municipal Regulations Title 4, Human Rights and Relations
- c. Mayor’s Order 2023-131, “Updated District Government Sexual Harassment Policy, Guidance and Procedures”, dated 10/31/23.
- d. Human Rights Enhancement Amendment Act of 2022, D.C. Law 24-172, effective September 21, 2022; D.C. Official Code § 2-1402.11(c-2)
- e. D.C. Code § 2-1402.11, Prohibitions
- f. Working Conditions Collective Bargaining Agreement Between District of Columbia Government Department of Corrections and Fraternal Order of Police – Department of Corrections Labor Committee (Effective FY 2016 – 2019).

7. STANDARDS REFERENCED

- a. American Correctional Association (ACA) 5th Edition Standards for Adult Local Detention Facilities 5-ALDF-7C-03.

8. DEFINITIONS. For the purpose of this PP, the following definitions apply:

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- a. **Adverse Employment Action** - any negative change in the terms and conditions of an employee’s employment. It can include such things as transfers, shift changes, negative performance evaluations, unwarranted discipline, harassment or denial of promotion or shift requests. It also can include the creation of a hostile work environment because the employee engaged in a legally protected activity (ex. such as filing a complaint of discrimination or sexual harassment) related to a claim of sexual harassment.
- b. **Complainant** - An employee, contract employee, grantee, volunteer, intern, or customer of an agency who alleges he or she is the victim of inappropriate conduct of a sexual nature, sexual harassment and/or retaliation via the filing of a sexual harassment and/or retaliation complaint.
- c. **DOC OFFICE OF EEO AND DIVERSITY MANAGEMENT.** The Office of EEO and Diversity Management (EEO/DM) acts as the investigating body in cases at DOC involving employees, contractors, volunteers, and interns, involving inappropriate conduct of a sexual nature, sexual harassment or related retaliation. DOC employees in the EEO/DM Office have been designated as the agency Sexual Harassment Officers (SHO) and Alternate SHOs.
- d. **Disciplinary Action/Discipline** - Action taken against employees who have violated DOC policy, rules or regulations established by the District Personnel Manual (DPM), any Mayor’s Orders or any District of Columbia law or regulation.
- e. **Equal Opportunity Specialists** – Persons who are assigned by the EEO Office to conduct inquiries into allegations of violations of law, regulation or DOC policy.
- f. **Formal Complaint** – A written complaint filed at the D.C. Office of Human Rights (OHR), U.S. Equal Employment Opportunity Commission, or a court of competent jurisdiction.
- g. **Informal Complaint** - A matter of alleged sexual harassment and/or related retaliation which an aggrieved person files either verbally or in writing within DOC.

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- h. **Legally Protected Activity** - resisting, opposing or reporting sexual harassment, inappropriate conduct of a sexual nature, making oral or written complaints about sexual harassment, or testifying in, assisting in, or otherwise participating in the investigation of a sexual harassment complaint. Such activities are protected regardless of whether the conduct complained of is ultimately proven to have constituted sexual harassment.
- i. **Notice of Complaint and Allegations** - A letter notifying an employee, contractor, intern, or volunteer that they are being investigated for an allegation of sexual harassment, inappropriate conduct of a sexual nature, or related retaliation. The letter prohibits unnecessary contact between the complainant and respondent while the allegation of harassment or retaliation is investigated. However, to ensure the continued efficient operation of the agency, it does not always prohibit interaction between the complainant and the respondent as may be required to carry out their' respective duties and responsibilities.
- j. **Respondent (aka Alleged Harasser)** - The employee who is accused of inappropriate conduct of a sexual nature, sexual harassment and/or retaliation.
- k. **Retaliation** – For purposes of this policy and procedure, retaliation is defined as taking, or threatening to take, an adverse personnel action affecting an employee's work environment or employment status because that employee has engaged in the legally protected activity of reporting sexual harassment. The following behavior is legally protected activity: reporting or filing a claim of harassment, assisting another person in reporting or asserting a claim of sexual harassment, opposing sexual harassment, acting as a witness in a sexual harassment investigation, refusing to follow orders that would result in sexual harassment, intervening to protect others from sexual harassment or advances, or challenging an allegation of sexual harassment.
- l. **Sexual Harassment** - Sexual harassment includes conduct of a sexual nature, whether direct or indirect, verbal or nonverbal, that unreasonably alters an individual's terms, conditions, or privileges of employment or has the purpose or effect of creating an intimidating, hostile, or offensive work environment. In addition, sexual harassment includes sexual advances, requests for sexual favors, or other conduct of a sexual nature where

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submission to the conduct is made either explicitly or implicitly a term or condition of employment or where submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual’s employment. This is sometimes referred to as quid pro quo sexual harassment.

In determining whether sexual harassment has taken place, the D.C. Human Rights Act states that “conduct need not be severe or pervasive to constitute harassment” and that “no specific number of incidents or specific level of egregiousness is required.”

Examples of conduct that can contribute to or constitute sexual harassment or an intimidating, hostile, or offensive work environment include:

- 1) Sex acts;
- 2) Display of sexual organs;
- 3) Using sexually oriented or sexually degrading language describing an individual or their body, clothing, hair, accessories, or sexual experiences;
- 4) Sexually offensive comments or off-color language, jokes, or innuendo that a reasonable person would consider to be of a sexual nature, or belittling or demeaning to an individual or a group’s sex, sexual orientation, or gender identity;
- 5) “Sexting” or seeking or sending pictures of intimate body parts;
- 6) Taking or displaying pictures of body parts meant to be covered up (such as “upskirting” pictures);
- 7) Displaying or disseminating sexually suggestive objects, books, screensavers, magazines, photographs, music, cartoons, or computer internet sites or references;
- 8) Unnecessary and inappropriate touching or physical contact, such as intentional and repeated brushing against a colleague’s body, touching or brushing a colleague’s hair or clothing, massages, groping, patting, pinching, or hugging, that a reasonable person would consider to be of a sexual nature;
- 9) Leering, ogling, or making sexually suggestive gestures or sounds, such as whistling or kissing noises;
- 10) Making inquiries about someone’s private sex life or describing one’s own sex life;
- 11) Workplace sexual comments, conduct, displays and suggestions between

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two willing parties in the presence of another that are inconsistent with professional workplace norms;

- 12) Any unwanted repeated contact, including, but not limited to in-person, or telephonic, for romantic or sexual purposes;
- 13) Giving a preference to someone who is engaged in a dating, romantic, or sexual relationship based on the relationship to the disadvantage of someone who is not engaged in a dating, romantic, or sexual relationship; and
- 14) Sexual assault, stalking, trapping someone such that they are not free to leave and a sexual encounter is expected or threatened, threats of bodily harm relating to sex or the refusal to have sex, or other crimes related to acts of sexual harassment.
- 15) The District may treat some conduct of a sexual nature as misconduct, even when it does not rise to the level of unlawful sexual harassment actionable under the D.C. Human Rights Act. As an example, an employee who tends to greet people with a hug may have been warned that the conduct was offensive to some employees and then hugs an employee whom they have not seen in many months. The conduct may not rise to the level of “unreasonably altering the individual’s terms, conditions, or privileges of employment,” but it could constitute misconduct since they had been warned that some employees associate hugging with unwanted sexual contact that is offensive in the work environment.

- m. **Sexual Harassment Officer (SHO)** - DOC shall designate a primary SHO and an alternate SHO and shall update the designations, as needed, on an ongoing basis. SHOs shall be trained and qualified to serve. To be qualified to serve as a SHO, individuals must have taken and continue to take annual training provided by DCHR and OHR. SHOs may but are not required to be an agency’s Equal Employment Opportunity (“EEO”) officer, or human resources manager; they must be competent in EEO laws and be designated by the agency to accept sexual harassment complaints and to review and investigate claims. SHOs need not be attorneys. DOC has designated employees in its EEO/DM Office as the SHO for the agency.
- n. **Substantiated** – An allegation was investigated and produced sufficient evidence to support the allegation(s).

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- o. **Unsubstantiated** – An allegation was investigated, and **failed to** produce sufficient evidence to support the allegation(s) .

9. GENERAL PROHIBITION AGAINST SEXUAL HARASSMENT AND RETALIATION

a. Prohibition against sexual harassment

- 1) **Employees:** The District of Columbia prohibits workplace sexual harassment by all District Government employees, including DOC employees and officials. The prohibition applies to harassment of other employees and officials and to harassment of third parties and members of the public interacting with DOC, such as vendors, contractors, volunteers, customers, clients, and other persons visiting or working DOC worksites, other District government worksites or service sites inside and outside District Government agencies. It also prohibits harassment of inmates, as outlined in PP 3350.2 - Elimination of Sexual Abuse, Sexual Assault, and Sexual Misconduct and PP 3300.2 - Nonfraternization.
- 2) **Contractors and Volunteers:** Contractors and volunteers carrying out work on behalf of the District Government (including at DOC facilities) shall not sexually harass colleagues who carry out work on behalf of DOC, and the District Government, including DOC employees, fellow District Government employees; customers, clients, or beneficiaries of the services the contractors and volunteers provide on behalf of DOC and the District Government. DOC employees, DOC clients, DOC customers, and fellow colleagues of the contractor and/or visitor may file complaints that trigger sexual harassment investigations and possibly remedies. Remedies may include requiring the contractor or volunteer to use alternate personnel to provide services, and other remedies available under the contract or volunteer agreements up to and including contract or volunteer termination or non-renewal of the contract or agreement. It also prohibits harassment of inmates, as outlined in PP 3350.2 - Elimination of Sexual Abuse, Sexual Assault, and Sexual Misconduct.
- 3) **Visitors, Clients and Customers:** Sexual harassment by District Government clients (including returning citizens), customers, or visitors against any DOC employees, District Government employees,

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contractors, or volunteer, or other clients, customers, or visitors, at District Government worksites or service sites, is prohibited.

- 4) Complaints made against any DOC employees accused of sexually harassing contractors, volunteers, agency clients, customers or visitors, upon investigation, may result in discipline of the employee and accommodations of the contractor, volunteer, customer or visitor, such as having another DOC employee assigned to work with the contractor, volunteer, visitor or client.

b. Prohibition against Retaliation

- 1) All DOC employees are prohibited from engaging in retaliatory behavior against fellow DOC employee(s):
 - a) For reporting or filing a claim of sexual harassment,
 - b) Assisting another person in reporting or asserting a claim of sexual harassment, opposing sexual harassment,
 - c) Acting as a witness in a sexual harassment investigation,
 - d) Refusing to follow orders that would result in sexual harassment,
 - e) Intervening to protect others from sexual harassment or advances, and/or
 - f) Challenging an allegation of sexual harassment.
- 2) Employees shall not be penalized as a result of their assertion of their rights under the D.C. Human Rights Act or for providing truthful information in connection with an investigation (whether on behalf of a complainant or a respondent).
- 3) Retaliatory behavior may include, but is not limited to:
 - a) Unwarranted reprimands,
 - b) Unfairly downgrading personnel evaluations,
 - c) Transfers to less desirable positions,
 - d) Verbal, or physical abuse, and
 - e) Altered and more inconvenient work schedule.
- 4) Employees found to have engaged in retaliatory behavior shall be

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recommended for appropriate disciplinary action, up to and including termination.

10. PROHIBITIONS TO CERTAIN DATING, ROMANTIC AND SEXUAL

RELATIONSHIPS IN THE WORKPLACE: Prohibitions on certain dating, romantic, or sexual relationships in the workplace exist to prevent real or perceived impropriety, favoritism, conflicts of interest due to power dynamics, control of an employee’s assignments and performance reviews, as well as to advance fairness for all other employees, contractors, grantees, and clients. Even consensual dating, romantic, or sexual relationships can generate allegations of favoritism based on sexual relationships or sexual harassment by one of the parties or a third party. Relationships, or aspects of relationships, that may be perceived as consensual by one party may be considered coerced or harassing by the other party due to power dynamics, and relationships that start consensually may evolve into sexual harassment.

- a. It is the policy of the District Government that a dating, romantic, or sexual relationship between a supervisor and any employee in the chain of command they supervise – whether supervision is direct or indirect, operational or situational – is prohibited. Note: that chain of command in this definition may span agencies or divisions within an agency.
- b. DOC employees shall not initiate a dating, romantic, or sexual relationship with trainees, recruits, or interns, regardless of the employee’s assignment in relation to the trainee, recruit, or intern if the employee is in the same agency as the trainee, recruit, or intern.
- c. The District Government prohibits dating, romantic, and sexual relationships when they are prohibited by applicable professional or ethical standards, such as lawyer-client, doctor-patient, or social worker-client.
- d. DOC employees shall not participate personally and substantially in particular matters that affect or could affect the financial interests of someone with whom they are in a dating, romantic, or sexual relationship, whether that person is an employee, volunteer, contractor, or client of DOC.

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- e. **Legal Representation** - If legal action is commenced against the District of Columbia and/or a supervisor who engaged in a dating, romantic, or sexual relationship with an employee, or a person engaged in a potentially-conflictual relationship, the existence of the sexual or romantic relationship will be a factor in the District of Columbia’s decision to provide legal representation to the supervisor or the employee(s) engaged in a relationship.

11. PREVENTION OF SEXUAL HARASSMENT

- a. The DOC Office of Policy and Procedure (OPP) implements policies and procedures, consistent with federal and District of Columbia law, as necessary to carry out DOC’s responsibilities relating to claims of sexual harassment and/or retaliation and to ensure its culture is supported by enforceable policy.
- b. The DOC Training Administrator designs and makes available training programs that new employees must attend promptly upon hire, and that current employees must attend at least annually that relate to sexual harassment and related retaliation.
- c. The DOC Training Administrator will maintain records of employees who receive sexual harassment/retaliation training. All contractors shall be required to review Mayor Order 2023-131 and acknowledge receipt and understanding of Mayor’s Order 2023-131. (See *Attachment A*).
- d. In addition, posters and other forms of communication about the DOC’s lack of tolerance for sexual harassment and related retaliation will be made available to all persons working within DOC and this policy shall be disseminated at all required sexual harassment trainings and signed for by all employees.

12. PROCEDURES FOR FILING A COMPLAINT

- a. **Hotline.** Employees may contact the Sexual Harassment of Employees hotline by phone or email to report allegations of sexual harassment/retaliation or to receive information on procedures for pursuing a complaint. The hotline telephone number is (202) 673-3334 and the email address is eeo.doc@dc.gov.

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- b. **Report to any DOC Supervisor, DOC Office of General Counsel (OGC) or to the EEO/DM Investigator and/or EEO Manager.** Employees, volunteers, and contractors may report allegations to the supervisor or manager of the employee engaging in inappropriate conduct, to their own supervisor, to the DOC Office of the General Counsel (OGC), or may report verbally or in writing to the EEO/DM investigator or EEO Manager. Any DOC supervisor who receives an oral complaint of sexual harassment and/or retaliation must put the complaint in writing immediately and submit the complaint to the EEO/DM Office. Failure to do so may result in disciplinary action against the supervisor.
- c. **Report to the Warden or Deputy Warden’s Office**
 - 1) Employees, volunteers or contractors may report verbally or in writing directly to the Warden or Deputy Warden any sexual harassment or related retaliation, which will be immediately forwarded to the EEO/DM Office.
 - 2) Complaints may be submitted either by employees and/or their representatives who believe they have experienced harassment and/or related retaliation, or by witnesses of such conduct.
- d. **Report to Sexual Harassment Officer.** Employees may report to DOC’s SHO (EEO/DM Office) or any other District Agency SHO. Contractors, volunteers, and customers of DOC may also report allegations of inappropriate conduct of a sexual nature to the DOC SHO (EEO/DM). A person seeking to report a violation of Mayor’s Order 2023-131 may file with any agency SHO, not solely the SHO at DOC or the agency at which the alleged sexual harassment occurred. Persons filing complaints, however, are not entitled to have the investigation conducted by the person of their choosing.
- e. **Time Limits.** Complaints of sexual harassment shall be reported as promptly as possible. DOC will investigate alleged acts of sexual harassment beyond the legal statute of limitations, or deadlines otherwise provided by regulation or collective bargaining agreement, taking into consideration the sensitive nature of the alleged offense, the pressure the complainant may have felt not to report the conduct, when the victim became aware of behavior that was not

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immediately apparent, or a pattern of harassing behavior that developed over time. Some remedies or sanctions may be unavailable due to delays in filing, but even delayed investigations may yield information to the agency in its ongoing efforts to prevent and remediate sexual harassment or may add to the credibility of similar, future allegations should a pattern emerge of allegations against a particular person or practice.

f. Notice of Complaint and Allegations

- 1) The EEO/DM Office, upon receiving allegations of sexual harassment, shall notify the complainant and respondent in writing that a case is open and being investigated. Notice shall also be made to the Deputy Director and/or the supervisor of accused employee of the open investigation (See Attachment B-1 – Complainant Notification Letter). Once the investigation is complete, notice of the finding shall be sent to the complainant and respondent within 10 business days of the completion date (See Attachment B-2 – Complainant Closure Letter).
- 2) Any employee who is found to have engaged in such behavior will be subject to discipline that, according to the severity of the offense, may include termination.
- 3) Consistent with all applicable personnel laws and regulations regarding employee discipline, any corrective or adverse action against an employee for sexual harassment or retaliation will be placed in the employee’s official personnel file and will be considered a significant negative factor in DOC performance evaluations, promotion decisions and consideration for reemployment as set forth in District Personnel Manual (DPM).
- 4) All current District government employees, and particularly DOC employees, are required to cooperate fully and promptly with requests by investigators to provide interviews and other information. Any employee who, on the direct request of DOC, declines to participate in a sexual harassment investigation, may be subject to disciplinary action. If the employee is the alleged victim of sexual harassment the DOC General Counsel shall be consulted.

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- 5) If an employee who alleges, or is alleged, or believed to be or to have been the victim of sexual harassment, declines to assist and/or participate in the investigation of the allegation, DOC may unilaterally initiate and conduct an investigation.
- 6) Failure of employees to attend interviews as scheduled by investigators, and to cooperate in investigations, or failure of DOC supervisors to arrange for employee attendance, may subject the employee or supervisor to disciplinary action
- 7) Whenever possible, employees will be interviewed while in work status, however, if that is not possible, administrative leave will be afforded to employees to allow them to be interviewed. Pursuant to the collective bargaining agreement, Complainants and union representatives will be permitted reasonable use of official time for preparation and presentation of the complaint or to attend meetings with the EEO/DM Investigator and to attend hearings on the matter.
- 8) In general, DOC management shall avoid moving the alleged victim or changing the alleged Complainant’s shift, or taking similar action affecting the alleged victim, unless the alleged Complainant requests the action. If Director, Deputy Director, or DOC management takes such an action absent a request from the alleged Complainant, the manager or supervisor should make clear to the alleged Complainant that the action is being taken in pursuit of an effective and prompt stop to any alleged harassment, and not in retaliation for reporting the alleged harassment.
- 9) DOC managers and supervisors are encouraged to find alternative, reasonably comparable placement during the pendency of an investigation for the alleged harasser in lieu of administrative leave with pay, where possible and if consistent with any collective bargaining agreements.

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13. OPTIONAL: FILING A COMPLAINT WITH THE U.S. Equal Employment Opportunity Commission (EEOC) OR DC OFFICE OF HUMAN RIGHTS (DC OHR)

- a. A Complainant may forego filing an informal complaint with DOC, but may instead file a complaint directly with the DC OHR, EEOC, or any court of competent jurisdiction.
- b. DOC employees who are alleging retaliation for reporting sexual harassment shall meet with an EEO Counselor at the DOC or any EEO Counselor within the District government prior to filing with the DC OHR. A Complainant may forego filing an informal complaint of retaliation with DOC, but may instead file a retaliation complaint directly with the EEOC or court to seek relief. All retaliation reports will be taken seriously and investigated according to policy.

14. RESPONSIBILITIES

- a. **Managers and Supervisors.** All managers and supervisors are responsible for the following:
 - 1) Managers and supervisors should take particular care to avoid conduct that could lead to allegations of sexual harassment, considering time, place, and situations of interactions with employees.
 - 2) Ensuring that the policies regarding sexual harassment and retaliation are implemented and enforced.
 - 3) Promoting a workplace that is free of sexual harassment and retaliation, and ensuring that complaints of such conduct are promptly forwarded to the EEO/DM Office in accordance with DOC Policy and Procedure.
 - 4) Monitoring his/her workplace to ensure that incidents of sexual harassment and/or retaliation are detected promptly and that each employee is aware of DOC’s sexual harassment/retaliation policy and complaint procedures.
 - 5) Ensuring that employees who file sexual harassment complaints are

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protected from retaliation.

- 6) Maintaining, to the greatest extent possible, the confidentiality of those employees who lodge sexual harassment/retaliation complaints, report evidence of sexual harassment or retaliation, and of those employees accused of sexual harassment while the investigation is still pending.
 - 7) Complying with procedures for immediately forwarding complaints from employees, volunteers or contractors to the EEO/DM Office, cooperating with investigations of allegations of sexual harassment/retaliation, and carrying out remedial and disciplinary orders of the EEO/DM and Human Resources.
- b. **Employees.** Each DOC employee is responsible for the following:
- 1) Refrain from engaging in behavior that constitutes sexually harassing conduct;
 - 2) Refrain from initiating or conducting a prohibited dating, romantic, or sexual relationship as described in Section 9;
 - 3) Disclose their own dating, romantic, or sexual relationships with other employees if required in Section 9 of this Policy;
 - 4) Affirm their agreement to comply with Mayor’s Order 2023-131 via Peoplesoft;
 - 5) Complete annual sexual harassment training;
 - 6) Cooperate fully in any inquiry or investigation into an alleged violation of Mayor’s Order 2023-131; and
 - 7) Refrain from any behavior that may call into question the impartial and harassment-free provision of services to constituents, agency clients or customers, contractors, or grantees.

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- 8) **Employee Communication** - To avail themselves of the procedures and protections of this Policy, when a DOC employee finds conduct unwelcome, intimidating, or offensive, they may:
 - a) Tell the person who is engaging in offensive or inappropriate sexual conduct to stop and that such conduct is unwelcome; or
 - b) Ask the employee’s supervisor, General Counsel, or Sexual Harassment Officer to advise the person that the conduct is offensive and unwelcome; or
 - c) Proceed immediately to file a complaint of sexual harassment under this Policy.

- 9) Employees and others engaged in intervention are encouraged to document all intervention efforts or requests to cease reported inappropriate sexual conduct, including conversations, texts, or email exchanges.

- c. **DOC Sexual Harassment Officer (SHO):** DOC shall designate a primary SHO and an alternate SHO and shall update the designations, as needed, on an ongoing basis. DOC shall provide the names of its SHOs to DCHR, and DCHR shall maintain a current District-wide list of agencies SHOs. Further, pursuant to D.C. Official Code § 1-546.01(2), SHOs shall be registered with the DC OHR.
 - 1) SHOs shall be trained and qualified to serve. To be qualified to serve as a SHO, individuals must have taken and continue to take annual training provided by DCHR and OHR. SHOs may but are not required to be an agency’s EEO officer, or human resources manager; they must be competent in EEO laws and be designated by the agency to accept sexual harassment complaints and to review and investigate claims. SHOs need not be attorneys.
 - 2) DOC SHO may also obtain assistance from another agency’s SHO in handling a particular investigation, including having another agency’s SHO carry out an investigation, where there is a possibility of the appearance of a conflict of interest, or for administrative convenience.

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- 3) A person seeking to report a violation of this Mayor’s Order 2023-131 may file with any agency SHO, not solely the SHO at DOC or the agency at which the alleged sexual harassment occurred. Persons filing complaints, however, are not entitled to have the investigation conducted by the person of their choosing.
- 4) If a complaint is reported to someone other than the SHO and/or EEO/DM, the person receiving the complaint must notify the agency SHO and EEO/DM, unless giving notice would raise conflict of interest concerns, in which case the person must notify DOC OGC.
- 5) Unless the complaint is against the DOC General Counsel, the SHO shall immediately notify DOC’s General Counsel of the complaint, and the General Counsel shall thereafter notify the Mayor’s Office of Legal Counsel (“MOLC”). The SHO may consult with DOC’s General Counsel, or the General Counsel’s designee, for legal guidance on conducting the investigation and shall notify the General Counsel of any issue that may require higher-level support. If the complaint is against the General Counsel, the SHO shall notify the MOLC directly.
- 6) SHOs should review DCHR’s SHO training materials before initiating an investigation. DCHR has training materials on duties to inform the bargaining unit, the right to union representation during investigatory questioning, assessing credibility, unconscious bias, conducting interviews, gathering evidence, protecting confidentiality, preservation of evidence, when to stop an investigation and refer a matter for criminal investigation and more.
- 7) The primary function of a SHO is to accept complaints alleging violations of Federal, District Laws and Mayoral Orders and to gather, investigate and review the factual basis of the claim(s). SHOs may corroborate or refute factual allegations; SHOs may provide impressions and evidence regarding the credibility of witnesses. They weigh such evidence and may take into account their impressions of the credibility of witnesses. Ultimately, SHOs make and submit to DOC Director recommended determinations of whether the allegations are substantiated or are not substantiated. They are not to make legal conclusions about whether sexual harassment occurred.

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15. INVESTIGATING AUTHORITY AND PROCEDURE

- a. The DOC Office of EEO and Diversity Management acts as the investigating body in cases of sexual harassment or related retaliation at the DOC. Complaints made by former DOC employees, however, must be investigated by the DC Office of Human Rights.
- b. **Authority of Office of EEO and Diversity Management (EEO/DM) and Sexual Harassment Officer (SHO).** The EEO/DM Office shall investigate all complaints of sexual harassment and/or retaliation related to such complaints. EEO/DM Office is to accept complaints alleging violations of District laws and Orders and to gather, investigate and review the factual basis of the claim(s). The EEO/DM Office investigator may:
 - 1) Corroborate or refute factual allegations;
 - 2) May provide impressions and evidence regarding the credibility of witnesses.
 - 3) Weigh such evidence and may take into account their impressions of the credibility of witnesses.
 - 4) Make and submit to DOC Director recommended determinations of whether the allegations are substantiated or are unsubstantiated. They are not to make legal conclusions about whether sexual harassment occurred.
- c. Investigations of allegations of inappropriate conduct of a sexual nature shall be conducted, and the associated investigation report completed, as soon as practicable, within sixty (60) days after the filing of the report of the alleged sexual harassment, absent unusual circumstances.
- d. The Supervisor of the EEO/DM will adopt or reject the investigator’s findings. If the Supervisor rejects the findings and recommendations, he or she will return the findings to the EEO investigator with an explanation regarding the basis of the remand and request further case development or review. If the Supervisor accepts the findings and recommendations, the Supervisor’s review becomes the document submitted to the Director and OGC.

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e. The investigative report shall include:

- 1) A description of the allegations,
- 2) A description of the SHO’s investigation,
- 3) A description of the evidence adduced by the EEO/DM Office; and
- 4) The EEO/DM recommended determination as to whether the allegations were substantiated.
- 5) The EEO/DM shall transmit the report to the Director of DOC or the Director’s designee and DOC General Counsel.

f. **DOC Interim Remedial Actions**

- 1) Pending the completion of the EEO/DM Office investigation and report, the issuance of the agency report, and the imposition of any disciplinary action, and to protect the rights of the alleged victim as well as the alleged harasser, DOC may take temporary personnel actions that do not result in any adverse employment action to either party.
- 2) When DOC EEO/DM Office becomes aware of an allegation of misconduct of a sexual nature, DOC EEO/DM shall notify the alleged harasser (*Attachment C-1 - Alleged Harasser Notification Letter*) of the reported behavior and may demand that the alleged behavior cease immediately and not be repeated.
- 3) DOC Director, Deputy Directors and DOC Managers shall take such other remedial steps as it deems appropriate to mitigate the possibility of the alleged harassing conduct continuing.
- 4) Interim remedial actions are administrative rather than disciplinary and may include, but are not limited to, transfers, reassignment of duty station, changed shifts, duties or reporting requirements, mandatory administrative leave with pay, or other appropriate measures that do not result in reduction of pay, demotion in title or responsibility, or other loss of employee benefits. In general, DOC management shall avoid moving the alleged victim or changing the alleged victim’s shift, or taking similar action affecting the alleged victim, unless the alleged victim requests the action. If Director, Deputy Director, or DOC management takes such an action absent a request from the alleged victim, the manager or

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supervisor should make clear to the alleged victim that the action is being taken in pursuit of an effective and prompt stop to any alleged harassment, and not in retaliation for reporting the alleged harassment.

- 5) DOC managers and supervisors are encouraged to find alternative, reasonably comparable placement during the pendency of an investigation for the accuser or accused in lieu of administrative leave with pay, where possible and if consistent with any collective bargaining agreements.

g. DOC Post Investigation Actions

- 1) The DOC Director or Director’s designee may reject an EEO/DM report and return it to the EEO/DM Office for further investigation, information, documentation, or analysis if the Director or designee considers the report to be incomplete, inadequate, or otherwise unacceptable.
- 2) If the report is not rejected, the Director, or the Director’s designee, within fourteen (14) days of receiving the EEO/DM report, shall issue an agency report that accepts, modifies, or rejects the EEO/DM findings and substantiation recommendations, describes the rationale for any such modifications or rejections, and makes conclusions as to whether the substantiated allegations constitute a violation of Mayor’s Order 2023-131. The EEO/DM report shall be included as an attachment to the Director or Director’s designee’s report. The Director or designee shall consult with the agency’s General Counsel during the preparation of the report regarding relevant legal standards or other legal issues.
- 3) If the report determines that a violation of Mayor’s Order 2023-131 has occurred, the report shall be submitted to the agency’s human resource officer for appropriate disciplinary action, up to and including termination. The agency shall require that any employee found to have violated Mayor’s Order 2023-131 whose employment is not terminated must attend mandatory sexual harassment training within sixty (60) days after the issuance of the agency report.
- 4) DOC must provide the employee and the alleged harasser with a summary written notification of its findings and conclusions (final agency

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decision) after the sixty (60) day period and shall convey the same to MOLC within five (5) days after it is issued. The notice shall include a description of each allegation and the agency’s determination as to whether the allegations were substantiated or were unsubstantiated. Such notice shall **not** include summaries of witness interviews, credibility determinations, or legal analysis; the notice is a simple recitation of the allegations and the determination as to whether the allegations were substantiated or were unsubstantiated. *(See Attachment C-2 – Alleged Harasser Closure Letter).*

- 5) Any conclusion in the EEO/DM or Director’s report that a violation of Mayor’s Order 2023-131 occurred does not constitute a final legal conclusion that sexual harassment under the D.C. Human Rights Act or federal law occurred. Conversely, a finding that was not substantiated is not a legal conclusion that no violation of the D.C. Human Rights Act or federal law occurred.
 - 6) Consistent with norms regarding the privacy of personnel actions, the complaining party shall not be informed of any disciplinary actions against the alleged harasser.
 - 7) Regardless of whether a complaint has been substantiated, relevant staff, including the General Counsel, are authorized to work together to advise the Director or deciding official as to whether to recommend or implement personnel actions or management procedures to reduce the possibility of recurrence of any inappropriate behavior or behavior that poses risks for the District. Any meetings among the General Counsel, human resources staff, and agency management shall endeavor to preserve the confidentiality of the complaint generating the meeting or consultation to the greatest extent possible.
- h. **Process for Alleging Retaliation** - Employees who believe they have been retaliated against must file a complaint with an EEO Counselor within one hundred and eighty (180) days of the alleged retaliation and subsequently file a complaint with Office of Human Resources (OHR) within fifteen (15) days of receipt of the Exit Letter if the employee is not satisfied with the outcome of EEO counseling.

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16. EMPLOYEE RESPONSIBILITY TO PARTICIPATE IN AGENCY INVESTIGATIONS

- a. DOC employees are required to cooperate fully in an EEO/DM or independent investigation of a workplace sexual harassment complaint.
- b. If an employee who alleges sexual harassment or is believed to have been the victim of sexual harassment declines to assist and/or participate in the investigation of the allegation, or requests DOC not conduct an investigation, DOC may on its own initiative investigate or refer the matter for investigation.
- c. Employees who were not themselves victimized, who, after a direct request by EEO/DM or other investigator, decline to participate in a sexual harassment investigation, may be subject to disciplinary action.
- d. Any consideration of whether to recommend disciplinary action for failure to cooperate in an investigation on the part of an alleged victim requires heightened sensitivity on the part of the agency and should be conducted in consultation with the agency’s General Counsel and MOLC.

17. DISCIPLINE FOR MAKING FALSE STATEMENTS OR REPRESENTATIONS

- a. Making materially false statements, and misrepresentation, falsification or concealment of material facts or records in an investigation of allegations of sexual harassment is conduct warranting disciplinary action, up to and including termination.
- b. Consideration of whether to recommend disciplinary action against an employee who is also the alleged victim of sexual harassment requires heightened sensitivity on the part of the agency and should be conducted in consultation with the agency’s General Counsel and MOLC.

18. CONFIDENTIALITY

- a. Protecting confidentiality is critical to encouraging victims of sexual harassment to come forth and share their stories. It encourages witness

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cooperation and protects the reputations of those involved. For those reasons, EEO/DM (SHO) investigations should be kept confidential.

- b. Confidentiality is not absolute. EEO/DM investigations must disclose information to the alleged harasser for the alleged harasser to have a full and fair opportunity to respond. EEO/DM investigators may have to disclose information to witnesses to gather more information from them. DOCs General Counsel must be kept updated for reporting purposes and for investigation support purposes. EEO/DM investigator’s may also have to disclose criminal conduct or threats to law enforcement.
- c. Investigative reports are confidential, highly private, and deliberative and shall not be released without a court order. Neither the complainant nor the alleged harasser shall be provided with a copy of the investigative report.
- d. EEO/DM, DOC, and MOLC shall take all reasonable steps to ensure that no information contained in the complaint file is disseminated except in furtherance of the investigation; for entry into a risk management system; to assist in resolution of the allegations; as necessary for execution of any consequences stemming from the investigation; when lawfully released; or when required by court order.

19. PENALTIES. DOC shall recommend appropriate disciplinary action, such as described in Chapter 16 of the DPM, up to and including termination of any employee found to have engaged in sexual misconduct or sexual harassment as defined in this Policy.

20. RIGHTS OF THE ALLEGED HARASSER

- a. Persons accused of sexual harassment deserve the full protections afforded to them under the law in administrative matters, including, but not limited to, the right to respond to allegations of sexual harassment; to counsel and representation, including a union representative or other representative of their choosing, and including the presumption of innocence, unless and until there is a finding of harassment after an investigation by the agency or where appropriate, OHR. The right to counsel does not include the right to have counsel paid for by the government.

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- b. Each employee against whom an adverse action has been proposed will be entitled to a reasonable amount of official time to prepare their response, not to exceed ten (10) hours of administrative leave. Such preparation will not take place at the employee’s duty station or any nonpublic area of a government office, unless authorized by the Director.

21. DISSEMINATION. DOC will ensure that the poster explaining employee rights and procedures for filing complaints under this Policy and Procedure is displayed permanently on employee bulletin boards and this policy will be provided at relevant employee trainings.

22. RECORDS

- a. DOC shall maintain records of complaints and investigations conducted for three (3) years from the date of the complaint.
- b. For each fiscal year, DOC EEO/DM Office shall track how many complaints of sexual harassment were made by the agency’s employees; were made about its DOC employees by customers/clients of the agency; volunteers or contractors of DOC, and how many complaints were made of sexual harassment of DOC employees by customers/clients, volunteers or contractors, or members of the public during the agency’s duties.
- c. In addition to the number of complaints, DOC EEO/DM Office shall track how many matters were investigated; were resolved by mediation; were substantiated; were deemed unsubstantiated; resulted in administrative or disciplinary action against one or more individuals determined to have violated Mayor’s Order 2023-131 or sexually harassed the complainant; have resulted in legal action; have resulted in a settlement (including the amount of any financial settlement); and how many are pending. Pursuant to the Sexual Harassment Data Collection Act, annual fiscal year data required to be produced under D.C. Official Code § 1-546.02 shall be transmitted to the Office of Human Rights on or before October 15 of each year.
- d. Any warnings to an employee(s) to halt a particular type of behavior – whether generally or as to a particular employee(s) – shall be recorded and transmitted to the DOC’s human resource office and to the Mayor’s Office of

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Legal Counsel. In the context of addressing complaints of sexual harassment, any other interventions made for an employee, customer/client, volunteer or contractor shall also be recorded, whether or not they arose from an informal counseling session, a complaint of sexual harassment, a complaint regarding behavior in a dating, romantic, or sexual relationship, anonymous report, or any other means.

23. CRIMINAL REMEDIES AND REFERRALS

- a. Where there is an allegation of criminal misconduct, including for example, sexual assault, kidnapping, stalking, or a threat to do bodily harm, DOC may, after consulting its General Counsel, place the victim and/or the alleged harasser on administrative leave with pay pending final administrative resolution of the complaint or any criminal proceeding.
- b. The complainant at his or her choice may report the alleged criminal violation to a law enforcement agency, including the Metropolitan Police Department (MPD). Where a criminal violation occurred, DOC shall recommend discipline of the perpetrator up to, and including, termination.
- c. While it is generally the alleged victim’s decision to report sexual harassment offenses for possible criminal prosecution, if during an investigation DOC EEO/DM Office uncovers evidence of ongoing crimes (such as sexual extortion of beneficiaries of government services) or criminal activity collateral to or extending beyond the reported allegations of sexual harassment, such as gun-related offenses, EEO/DM after consultation with the DOC Director and Office of General Counsel shall notify law enforcement.

24. CRIME VICTIMS HOTLINE. All employees are reminded that complainants of sexual assault or other possible crimes of the existence of the DC Victim Hotline. The hotline, 1-844-443-5732, is available 24/7 by telephone, text, or online chat to seamlessly connect victims of crime to free resources to help them navigate the physical, financial, legal, and emotional repercussions of crime. Through the hotline, victims may be matched with an advocate who can help them decide whether to pursue a matter through the criminal justice process.

25. ANNUAL REVIEW AND CERTIFICATION. This PP will be reviewed at least annually and revised, as necessary.

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DOC/PP3310.4K/2/6/24/OPP



THE GOVERNMENT OF THE DISTRICT OF COLUMBIA
Sexual Harassment and Workplace Relationship Disclosure Form for Contractors
DC Department of Corrections
Mayor's Order 2023-131

I. Introduction

According to the [Mayor's Order 2023-131 | mayormb \(dc.gov\)](#), "Employees" for the purpose of this Order include contractors engaged by the District Government performing work on behalf of the District similar to that as its employees, such as at District worksites. Contractors carrying out work on behalf of the District Government and the DC Department of Corrections (DOC) shall not sexually harass colleagues who carry out work on behalf of the District Government; (2) District Government employees; or customers, clients, or beneficiaries of the services the contractors and volunteers provide on behalf of the District Government; and those clients, customers, beneficiaries, employees, and colleagues may file complaints that trigger sexual harassment investigations and possibly remedies. The Mayor's Order provides that remedies may include (1) requiring the contractor or volunteer agency to use alternate personnel to provide services, and (2) other remedies available under the contract or MOA up to and including contract or MOA termination or (3) non-renewal of the MOA or contract.

II. Sexual Harassment

The Mayor's Order defines sexual harassment to include conduct of a sexual nature, whether direct or indirect, verbal or nonverbal, that unreasonably alters an individual's terms, conditions, or privileges of all employment or has the purpose or effect of creating an intimidating, hostile, or offensive work environment. In addition, to include, "sexual advances, requests for sexual favors, or other conduct of a sexual nature where submission to the conduct is made either explicitly or implicitly a term or condition of employment or where submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual's employment." This sometimes is referred to as quid pro quo sexual harassment.

In addition, sexual harassment by District Government clients, customers, or visitors against District Government employees, contractors, or volunteers, or other clients, customers, or visitors, at District Government worksites or service sites, is prohibited and complaints made against District Government employees who sexually harass contractors, volunteers, agency clients, customers or visitors, upon investigation, may result in discipline of the employee and accommodations of the contractor, volunteer, customer or visitor, such as having another government official assigned to the matter.

III. Contractor's Obligations

1. Refrain from engaging in behavior that constitutes sexually harassing conduct.
2. Refrain from initiating or conducting a prohibited dating, romantic, or sexual relationship as described in Section IV.A. **See: Mayor's Order 2023-131** (Prohibition: Dating, Romantic, and Sexual Relationships in the Workplace).
3. Disclose their own dating, romantic or sexual relationships with other employees if required in Section IV.D. **See: Mayor's Order 2023-131.** (New Relationships: Dating, Romantic, and Sexual Relationships in the Workplace).
4. Refrain from any behavior that may call into question the impartial and harassment-free provision of services to constituents, agency clients or customers, contractors, or volunteers.

IV. Reporting

All District Government employees are encouraged to help ensure that District Government workplaces are free of sexual harassment. Employees who know of incidents of inappropriate conduct of a sexual nature, as well as behavior that may create an intimidating, hostile, or offensive work environment, or who are victims of inappropriate

conduct of a sexual nature, should report the inappropriate conduct. Contractors, volunteers, and customers of agencies may report allegations of inappropriate conduct of a sexual nature to the Sexual Harassment Officer (SHO) of the DOC (Office of EEO/DM) or the SHO at any other agency, DOC's General Counsel, the supervisor of the employee who engaged in the alleged inappropriate conduct, or their grant or contract administrator.

V. Sexual Harassment Acknowledgment

I hereby attest that I have read and understand the above summary of the District Government's Sexual Harassment policy. I agree to adhere to the policy, and acknowledge that I have access to an electronic copy of the Mayor's Order in the above link.

Date

Contractor Signature

VI. Relationship Disclosure

I understand that there are prohibitions on certain dating, romantic, or sexual relationships in the workplace that exist to prevent real or perceived impropriety, favoritism, conflicts of interest due to power dynamics, control of an employee's assignments and performance reviews, as well as to advance fairness for all other employees, contractors, volunteers and clients. I also understand that the failure to disclose can result in alternative personnel being allowed to provide services, other remedies provided under the contract or MOA up to and including contract or MOA termination or non-renewal of the MOA or contract.

As required under the Mayor's Order, I confirm that I **am in a potentially prohibited relationship. I will, truthfully, respond to the questions listed below. I understand that the DOC's Workplace Relationship Committee will review the information submitted and provide further instructions.**

Parties to the Relationship

Name: _____

Name: _____

Agency's Name: _____

Agency's Name: _____

Job title: _____

Job title: _____

Job Location: _____

Job location: _____

Date

Contractor Signature

As required under the Mayor's Order, I confirm that I **am not engaged in a relationship that violates the rules prohibiting certain dating, romantic, or sexual relationships, and requiring disclosure of certain relationships.**

Date

Contractor Signature

DOC Policy 3310.4 - Sexual Harassment Against
Employees
Attachment B-1 – Complainant Notification Letter

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Corrections



Office of EEO & Diversity

[DATE]

[COMPLAINANT NAME]

[COMPLAINANT AGENCY]

[COMPLAINANT ADDRESS]

Dear **[NAME]**,

I am writing to confirm that I received your sexual harassment complaint on **[DATE]**. As **[AGENCY'S]** Sexual Harassment Officer, I have been assigned to investigate the events described in your complaint. As next steps, **please respond to this notice within 3 days** with your availability for a formal interview. Your cooperation is vital to a thorough and accurate investigation of your complaint.

My hope is to complete my investigation within 60 days or less. Thereafter, you will receive a notice from **[AGENCY]** informing you of the resulting findings and conclusions regarding your complaint. If you have any questions or concerns regarding the investigation process, please contact me at: **[PHONE]**, or email me at **[EMAIL]**.

Sincerely,

[SEXUAL HARASSMENT OFFICER]

[SHO CONTACT]

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Corrections



Office of Equal Employment Opportunity and Diversity

[DATE]

[COMPLAINANT NAME]

[COMPLAINANT AGENCY]

[COMPLAINANT ADDRESS]

RE: Case Name:
Case Number:

Dear Complainant Name:

The Office of Equal Employment Opportunity (EEO) and Diversity has completed its investigation into the [Case Name]. Specifically, the complaint you filed with this office you alleged **[ALLEGED HARASSER]** harassed you in the workplace.

After a review of all relevant documents and applicable statutes and policies and investigatory interviews were conducted with each party/witnesses it has been determined that there is sufficient/insufficient evidence to substantiate/unsubstantiated as the allegations outline in the complaint. Be advised, agency officials have been notified of this finding/closure and they will determine next steps.

You are reminded that the EEO related matters are considered protected activity under District and federal anti-discrimination laws and all EEO related matters and should not be discuss with or disclosed to any non-related party.

Requests for departmental records, should be directed to the agency's Records Information and Privacy Officer, Mr. Oluwasegun Obebe, who will determine what, if any documents and information may be released in accordance with District of Columbia laws and regulations. Mr. Obebe's contact information is as follows:

Oluwasegun Obebe
Department of Corrections
3924 Minnesota Avenue, N.E., 2nd floor

DOC Policy 3310.4 - Sexual Harassment Against
Employees
Attachment B-2 – Complainant Closure Letter

Washington, DC 20019
segun.obebe@dc.gov
Phone: (202) 671-2055
Fax: (202) 671-1705

Please know that the agency takes seriously all incidents of discrimination and we thank you and appreciate the time you took to bring this matter to the attention of this office. to take in addressing your concerns with this office. If you have any questions or concerns, I may be reached at: **[PHONE NUMBER]** and by email: **[SHO EMAIL ADDRESS]**.

Sincerely,

[SEXUAL HARASSMENT OFFICER]

[SHO CONTACT]

DOC Policy 3310.4 - Sexual Harassment Against
Employees
Attachment C-1 – Alleged Harasser Notification Letter

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Corrections



Office of Equal Employment Opportunity and Diversity

[DATE]

[ALLEGED HARASSER/WITNESS NAME]

[ALLEGED HARASSER/WITNESS AGENCY]

[ALLEGED HARASSER/WITNESS ADDRESS]

Dear **[NAME]**,

On [DATE], [AGENCY] received a sexual harassment complaint. I am writing because you have been identified as the Alleged Harasser/a Witness who may have information related to the alleged events described in the complaint.

As **[AGENCY'S]** Sexual Harassment Officer, I have been assigned to investigate these allegations. as a District government employee, Mayor's Order 2023-131 requires you to cooperate in any internal sexual harassment investigation.

To ensure the efficient resolution of this matter, **please respond to this notice within 3 days** with your availability for a formal interview. [AGENCY] is treating this matter with the necessary level of sensitivity and confidentiality, and will take reasonable steps to address any claims of retaliation by witnesses as a result of their cooperation in the investigation process. To preserve the integrity of the investigative process, [AGENCY] ask that you please exercise discretion when discussing the details of the investigation with others while the investigation is still pending. with your availability for a formal interview. Your cooperation is vital to a thorough and accurate investigation of your complaint.

My hope is to complete my investigation within 60 days or less. After which you [ALLEGED HARASSER] will receive a notice from **[AGENCY]** informing you of the resulting findings and conclusions regarding your complaint. If you have any questions or concerns regarding the investigation process, please contact me at: **[PHONE]**, or email me at **[EMAIL]**.

Sincerely,

DOC Policy 3310.4 - Sexual Harassment Against
Employees
Attachment C-1 – Alleged Harasser Notification Letter

[SEXUAL HARASSMENT OFFICER]

[SHO CONTACT]

DOC Policy 3310.4 - Sexual Harassment Against
Employees
Attachment C-2 – Alleged Harasser Closure Letter
GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Corrections



Office of Equal Employment Opportunity and Diversity

[DATE]

[ALLEGED HARASSER NAME]

[ALLEGED HARASSER AGENCY]

[ALLEGED HARASSER ADDRESS]

RE: Case Name:
Case Number:

Dear Alleged Harasser:

The Office of Equal Employment Opportunity (EEO) and Diversity has completed its investigation into the [Case Name]. Specifically, the complaint alleged you harassed **[COMPLAINANT]** you in the workplace.

After a review of all relevant documents and applicable statutes and policies and investigatory interviews were conducted with each party/witnesses it has been determined that there is sufficient/insufficient evidence to substantiate/unsubstantiated as the allegations outline in the complaint. Be advised, agency officials have been notified of this finding/closure and they will determine next steps.

You are reminded that the EEO related matters are considered protected activity under District and federal anti-discrimination laws and **RETALIATION** is strictly prohibited. You are reminded these matters are confidential and should not be discussed with or disclosed to any non-related party.

Requests for departmental records, should be directed to the agency's Records Information and Privacy Officer, Mr. Oluwasegun Obebe, who will determine what, if any documents and information may be released in accordance with District of Columbia laws and regulations. Mr. Obebe's contact information is as follows:

Oluwasegun Obebe
Department of Corrections

DOC Policy 3310.4 - Sexual Harassment Against
Employees
Attachment C-2 – Alleged Harasser Closure Letter
3924 Minnesota Avenue, N.E., 2nd floor
Washington, DC 20019
segun.obebe@dc.gov
Phone: (202) 671-2055
Fax: (202) 671-1705

Please know that the agency takes seriously all incidents of discrimination and we thank you and appreciate the time you took to bring this matter to the attention of this office. to take in addressing your concerns with this office. If you have any questions or concerns, I may be reached at: **[PHONE NUMBER]** and by email: **[SHO EMAIL ADDRESS]**.

Sincerely,

[SEXUAL HARASSMENT OFFICER]

[SHO CONTACT]