

**EQUAL EMPLOYMENT OPPORTUNITY PROGRAM
(INCLUDING THE POLICY FOR THE PREVENTION OF SEXUAL HARASSMENT)**

1. PURPOSE:

- a. To state the medical center's Equal Employment Opportunity (EEO) policy and programs.
- b. To update employees having primary program responsibility and delineate duties.
- c. To outline procedures to be followed in the handling of complaints involving allegations of race, color, religion, sex, age, national origin, physical or mental disability discrimination, reprisal for prior EEO activity, and sexual harassment.
- d. This policy delineates EEO program responsibilities and how the EEO program will be administered at the Birmingham VA Medical Center (BVAMC) and its community-based outpatient clinics (CBOCs).

2. POLICY:

- a. It is BVAMC policy to provide equitable opportunity for employment to all qualified persons.
- b. To prohibit discrimination in employment matters based on race, color, religion, sex, age, national origin, physical or mental disability, reprisal for prior EEO activity or harassment; both non-sexual and sexual in nature and sexual orientation.
- c. To maintain a work environment that is free of any form of unlawful discrimination, including sexual harassment through proactive measures such as initial and refresher training, and ready access to an onsite EEO Program Manager.
- d. To eradicate barriers to employment and achieve a diverse and inclusive work force representative of the community and civilian labor force; with special emphasis on minorities, women, people with disabilities and Veterans.
- e. To recognize and address the special employment needs of minorities, women, people with disabilities and Veterans.

f. To provide for the prompt, fair and impartial review and adjudication of complaints involving allegations of EEO violations that remains confidential to the maximum extent possible, and ensures protection against retaliation or reprisal.

g. In those cases where unlawful discrimination is found, the medical center will take immediate and appropriate corrective action.

h. EEO objectives:

(1) Eliminate barriers that impede the full realization of EEO for minorities and women, people with disabilities and Veterans through proactive actions that address all employment practices, to include but not be limited to recruitment, selection, promotion, professional development and recognition.

(2) Identify Relevant Civilian Labor Force (RCLF) disparities in the minority and women labor force and establish annual EEO objectives and strategies focused on reducing/eliminating disparities.

(3) Establish annual EEO strategies focused on meeting / exceeding Veterans Affairs Central Office (VACO) and Veterans Integrated Service Network (VISN) performance plan goals for the hiring and retention of people with disabilities and veterans.

(4) Draft and implement a medical center Federal Equal Opportunity Recruitment Program (FEORP) Plan that incorporates the objectives of paragraph (2) and goals of paragraph (3) within a progress tracking report to monitoring quarterly progress toward achievement of the medical center's annual FEORP goals.

(5) Define responsibilities associated with drafting and implementing general EEO and annual FEORP objectives and goals, effectively communicating the same throughout all levels of the medical center hierarchy.

(6) Assure that all employees are trained on the VA EEO process within 60-days of employment, specifically addressing complaint filing timeframes and what elements constitute unlawful discrimination. Provide medical center-wide EEO refresher training through Training Management System (TMS), within the schedule delineated by higher authority.

(7) Incorporate diversity appreciation and inclusion programs into the work routine as a contributing factor to the medical center remaining a highly competitive healthcare provider of choice for veterans and a preferred employer of the RCLF.

(8) Ensure medical center staff awareness and compliance with the center's EEO and Prevention of Sexual Harassment policies.

3. ACTION:

a. The Medical Center Director is responsible for:

(1) The effective implementation of a positive EEO program as specified in Management Directive - 110, Equal Employment Opportunity Management. Ensuring that sufficient financial, manpower, equipment, material and time resources are allocated to achieve positive results as measured by BVAMCs annual FEORP goals and the All Employee Survey (AES).

(2) Updating and communicate to medical center staff annually the medical center's EEO policy (Attachment A) and Prevention of Sexual Harassment policy (Attachment B).

(3) Appointing a qualified fulltime EEO Program Manager and provide sufficient additional medical center staffing to collateral duty positions, to support VACO/medical center EEO and Diversity & Inclusion programs and initiatives.

b. The EEO Program Manager is responsible for:

(1) The overall daily administration of the medical center's EEO and discrimination complaint programs, providing confidential, impartial and non-judgmental EEO counseling to all medical center staff, maintaining current EEO discrimination complaint process (Attachment C & F) and prevention of sexual harassment programs (Attachment D), assuring that all EEO program officials, managers, supervisors, and employees receive required EEO training, coordinating the EEO Alternative Dispute Resolution (ADR) program.

(2) Acting as liaison between the BVAMC and the Office of Resolution Management (ORM), the Office of Employee Discrimination Complaint Adjudication (OEDCA), the Office of EEO Complaint Compliance, Office of Regional and General Counsel, the Birmingham Equal Employment Opportunity Commission (EEOC) District Office, the U.S. Attorney's Office, VACO and VISN-7 on all EEO related matters.

(3) Coordinating the drafting of the medical center's annual FEORP and disseminating the Director's annual FEORP recruitment goals to Service Chiefs in a timely manner.

(4) Reviewing and updating all EEO related instructions and policy statement as required. Promptly answering all EEO related correspondence and requests for information.

(5) Administration and annual reporting of the EEO Status report, Disabled Veterans Affirmative Action Plan (DVAAP) and FEORP.

(6) Monitoring the EEO complaint process. Developing and maintaining a user-friendly EEO complaint case status report and brief the Director on the status of all medical center EEO complaints as directed.

c. Service Chiefs, managers and supervisors are responsible for:

(1) Remaining aware of, disseminating and enforcing the medical center's EEO and Prevention of Sexual Harassment policy statements.

(2) Awareness of RCLF disparities within their organizational unit(s) and making a good faith effort to reduce disparities and comply with the medical center's annual FEORP goals.

(3) Analyzing employment patterns and conditions in their organizational unit(s) to determine any problem areas either actual or potential which act as barriers to equal employment opportunity, and taking appropriate measures to eliminate them.

(4) Evaluating all appointments, assignments, promotions and training practices within their operations to assure selections are based on merit and qualification of the applicant(s), with consideration given to annual FEORP goals when the group of best qualified applicants are for the most part rated equally qualified.

(5) Aggressively seeking out and mentoring minorities, women and people with disabilities who have displayed positive professional qualities and potential for leadership advancement.

(6) Supporting employees under their supervision who have collateral duty EEO responsibilities by adjusting work schedules and workloads when possible, and making reasonable accommodation to ensure their successful performance of assigned EEO related tasks.

(7) Demonstrating a good faith effort to resolve disputes and EEO complaints at the earliest possible opportunity by encouraging effective proactive communication and the use of the ADR/mediation process, when appropriate and in accordance with VA policy.

(8) Monitoring throughout the year and ensures all staff complete mandatory EEO and Diversity related training within established time frames. Encourage staff professional development through completion of elective diversity and inclusion training and reading of electronically distributed EEO and Diversity/Inclusion newsletters.

d. The Human Resource office, Labor Relations Specialists and the VA Regional Counsel's office as applicable, are responsible for:

(1) Providing technical advice and strategy to management on human resource management policy and legal issues related to EEO complaints.

(2) Representing the medical center and management staff at depositions, EEOC hearings, etc., and acting in the capacity of agency representative and/or subject matter expert as required throughout the formal EEO complaint process.

(3) Human Resource staff are responsible for concurrent drafting of the annual FEORP with the EEO Program Manager, monitoring progress toward achieving the medical center's annual FEORP goals, providing a quarterly FEORP progress report to the Director with a copy to the EEO Program Manager and Service Chiefs, aggressively utilizing targeted outreach and special hiring authorities to achieve FEPRP goals, reminding Selecting Officials of their responsibility to take annual FEORP goals in to consideration when making selections as delineated in paragraph c.(3), and focusing recruitment efforts toward elimination of RCLF disparities.

e. Employees, management and non-management have the vital responsibility of:

(1) Maintaining a positive attitude toward diversity appreciation and incorporating diversity inclusion principles throughout the daily work routine.

(2) Awareness of and compliance with the medical center's EEO and Prevention of Sexual Harassment policy statements and VA EEO complaint process.

(3) Supporting the overall objectives of the EEO and diversity inclusion programs including attending cultural diversity and inclusion professional development and events.

(4) Supporting selection and advancement opportunities based on merit, qualification and personal achievement for all persons to achieve their highest potential in employment.

4. REFERENCES:

29 CFR Part 1614, Regulations Concerning Federal Sector Equal Employment Opportunity.

Executive Order 13087, Further Amendment to Executive Order 11478, Equal Employment Opportunity in the Federal Government.

MD-110, Equal Employment Opportunity Commission Management Directive.

OPM OWR-25, Office of Personnel Management Guide to Employee Rights Addressing Sexual Orientation Discrimination in Federal Civilian Employment.

Public Law 105-114, An Act to Amend Title 38, United States Code, to Revise, Extend, and Improve Programs for Veterans.

VHA DIRECTIVE 2009-057, Prohibiting Retaliation or Reprisal Against Employees.

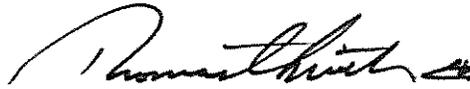
VHA Directive 2009-067, Veterans Health Administration's (VHA) Equal Employment Opportunity (EEO) Program Manager Position.

VHA Dir 2009-071, Prevention of Workplace Harassment.

5. **RESPONSIBILITY:** The EEO Program Manager is responsible for the contents, update, and recertification of this MCM.

6. **RESCISSIONS:** MCM 00-EEO-01, EEO Program /Prevention of Sexual Harassment, dated October 31, 2011.

7. **REISSUE:** This policy will be reissued on or before November 2017.



Thomas C. Smith, III, FACHE
Medical Center Director

Attachments:

Attachment A: Birmingham VA Medical Center EEO Policy Statement

Attachment B: Birmingham VA Medical Center Policy for the Prevention of Sexual Harassment

Attachment C: VA EEO Discrimination Complaint Procedures

Attachment D: Policy for the Prevention of Sexual Harassment

Attachment E: Overview of VA EEO Complaint Process, Public Law 105-114

**BIRMINGHAM VA MEDICAL CENTER
EEO POLICY STATEMENT**

It is the policy of this Medical Center including its community-based outpatient clinics (CBOC) to provide equal opportunity in employment for all employees and applicants for employment regardless of race, color, religion, gender, age, national origin, disability, sexual orientation (per Executive Order), or status as a parent, and to maintain a work environment that is free of any form of unlawful discrimination, including all forms of workplace harassment, both sexual and non-sexual.

Equal employment opportunity encompasses all personnel and employment programs, management practices, and decisions including, but not limited to: recruitment & hiring, merit promotion, transfer, reassignment, training & career development, benefits, and separation. Discrimination against employees based on protected genetic information, or on information about a request for or the receipt of, genetic services is also prohibited.

No individual on the basis of race, gender, color, national origin, disability, religion, age, sexual orientation, or status as a parent, shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any Federally-conducted education or training, program or activity. Furthermore, Federally-conducted programs or activities operated with VA funds will comply with established Limited English Proficiency (LEP) guidelines.

This Medical Center and its CBOCs will promote a proactive and ongoing Federal Equal Opportunity Recruitment Program (FEORP) to eradicate barriers to employment and achieve an ever increasingly diverse work force; with special emphasis on minorities, women, handicapped individuals and disabled veterans, in accordance with Public Law 95-454 and subsequent regulations and guidance issued by the Office of Personnel Management.

As the Director at this facility, I am committed to a work environment that is free of any form of unlawful discrimination, including sexual harassment. I will frequently communicate to the Medical Center's Service Chiefs, managers and supervisors the importance of remaining mindful of EEO obligations and encourage them to communicate this message to their staff. This responsibility is incorporated into performance assessment and will be routinely emphasized through administrative staff meetings and training programs. To ensure staff remain educated on both their rights and responsibilities in support of a discrimination-free work place, all employees will receive initial and refresher EEO training, and ready access to an onsite impartial and non-judgmental EEO Program Manager for confidential counseling.

All employees have the right to compete on a fair and level playing field and will be provided prompt, fair, and impartial review and adjudication of complaints alleging issues of employment discrimination. Reprisal against one who engages in protected activity will not be tolerated; this facility supports the rights of all employees to exercise their rights under EEO civil rights statutes.

Staff believing they have been discriminated against, are encouraged to immediately contact the Medical Center's EEO Program Manager for counseling. Additionally, in accordance with EEO complaint processing timeframe policy, staff and applicants believing they have been discriminated against with regard to race, color, religion, gender, age, national origin, disability, reprisal or harassment (both sexual and non-sexual), and desiring to inquire and/or file a complaint of discrimination **must** contact an Office of Resolution Management (ORM) counselor within 45-calendar days of the alleged discrimination at (888) 737-3361 in order to commence the EEO Complaint process in a timely manner. Staff and applicants believing they have been discriminated against based upon sexual orientation may appeal the Agency action through ORM, MSPB, OSC, Negotiated Grievance Procedure or Agency Grievance Procedure as deemed appropriate.

**AFFIRMATIVE EMPLOYMENT PROGRAM FOR MINORITIES AND WOMEN
POLICY FOR THE PREVENTION OF SEXUAL HARASSMENT**

It is the policy of this Medical Center including its community-based outpatient clinics (CBOC) that all employees enjoy a working environment free from all forms of discrimination, including sexual harassment and discrimination based upon one's sexual orientation. No employee, either male or female, should be subject to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical. Sexual harassment lowers morale and is damaging to the work environment; it also is illegal. Therefore, this Medical Center will treat sexual harassment like any other form of employee misconduct - it will not be tolerated.

Specifically, it is illegal and against the policies of the VA for any employee, male or female, to sexually harass another employee by (1) making acceptance of unwelcome sexual advances or request for sexual favors or other verbal or physical conduct of a sexual nature, a condition of an employee's continued employment, or (2) making submission to or rejections of such conduct the basis for employment decisions affecting the employee, or (3) creating an intimidating, hostile, or offensive working environment through conduct, pictures, posters, calendars or comments of a sexual nature.

Management will enforce disciplinary action against any person who creates a hostile work environment as described above or who threatens or insinuates, either explicitly or implicitly that an employee's refusal to submit to sexual advances will adversely affect the employee's employment, evaluation, wages, advancement, assigned duties, shifts, or any condition of employment or career development. This discipline can include termination for a first offense. The VA recognizes that the question of whether a particular action or incident is purely personal, social relationship without a discriminatory employment effect requires a factual determination based on all facts in each case. Therefore, this Medical Center will act positively to investigate alleged sexual harassment claims and to effectively remedy them when an allegation is determined to be valid. Given the nature of this type of discrimination, the VA also recognizes that false accusations of sexual harassment can have serious effects on innocent men and women. Therefore, employees who knowingly submit false accusations of sexual harassment will be subject to the same disciplinary action applicable to one found guilty of sexual harassment.

Reprisal against one who engages in protected activity will not be tolerated, and this facility supports the rights of all employees to exercise their rights under the civil rights statutes.

Persons believing they have been subjected to sexual harassment are encouraged to promptly discuss their concerns with their immediate supervisor or first level supervisor not involved in the sexual harassment, service line director, AND the EEO Program Manager, or an Office of Resolution Management (ORM) EEO counselor. All information disclosed during the discussion will be held in the strictest confidence and will only be disclosed on a "need to know" basis in order to investigate and resolve the matter.

In accordance with VA EEO complaint processing timeframe policy, staff believing they have been sexually harassed **must** contact an ORM counselor within 45-calendar days of the alleged discrimination at (888) 737-3361 in order to commence the EEO Complaint process in a timely manner.

VETERANS AFFAIRS EQUAL EMPLOYMENT OPPORTUNITY DISCRIMINATION COMPLAINT PROCEDURES

1. PRE-COMPLAINT – INFORMAL COUNSELING STAGE:

a. The first step in the Equal Employment Opportunity (EEO) discrimination process for an employee, former employee or applicant for employment who believes s/he has been discriminated against on the basis of race, color, religion, sex, national origin, age (40+), disability or reprisal for prior EEO activity is to contact the Office of Resolution Management (ORM) in Bay Pines, Florida, at 1-888-737-3361 for consultation with an EEO Counselor. **Contact with the Office of Resolution Management (ORM) must be made within 45-calendar days of the alleged act of discrimination in order to be considered timely.** A counselor from the Bay Pines ORM will be assigned to:

- (1) Conduct an informal interview with the complainant, the Responsible Management Official (RMO), and witnesses.
- (2) Examine any records and documentation related to the alleged incident.
- (3) Seek resolution of the complaint. Offer Alternative Dispute Resolution (ADR) as a means of resolving the complaint.
- (4) Discuss the findings with the complainant and prepare a written summary of counseling activities.
- (5) Conduct a final counseling with the complainant usually within 30 days of initial contact. Explain the informal and formal complaint process procedures to the complainant. If a resolution of the complaint is not reached, the ORM counselor will inform the complainant of their right to file a formal complaint of discrimination.
- (6) Issue the complainant with a Notice of Final Interview and Notice of Rights to File.

2. FORMAL COMPLAINT STAGE:

a. Filing a Formal EEO Complaint: **Upon receipt of the ORM counselor's Notice of Rights to File, the complainant has 15-calendar days within which to file a Formal EEO Complaint.** The Notice of Rights to File will delineate the procedure for filing a Formal EEO Complaint and include the necessary form(s) required as well as instructions on where to submit the Formal EEO Complaint.

b. Acceptability determination: Upon receipt of the Formal EEO Complainant at the Office of Resolution Management, the Intake Specialist will review the Formal EEO Complaint for completeness and procedural correctness to determine if the Formal EEO Complaint is acceptable in whole or part for processing:

- In determining acceptability, a formal EEO complaint will be reviewed for three elements - timeliness in submission, stating a basis, and stating a claim(s). At this stage, the complaint will not be judged on its merit.

(1) Timeliness in submission:

(a) The matter was brought to the attention of an EEO counselor within 45-calendar days of the date of the alleged incident or of the effective date of the personnel action in question.

(b) The formal EEO complaint was submitted within 15-calendar days following the issuance of a Notice of Right to file a formal EEO complaint.

(c) The formal EEO complaint was submitted in person, by mail, or by FAX, signed and dated by the complainant and directed to the address delineated in the Notice of Right.

(2) Stating a basis: The complainant must identify the alleged discrimination basis at issue. One or a combination of race, color, religion, sex/gender, national origin, age (40+), disability, reprisal for prior EEO activity and/or sexual harassment.

(3) Stating a claim(s): The complainant must identify an adverse action(s)/harm directly associated to the basis. In stating a claim(s), the issues must be sufficiently defined with date(s) so the claim(s) may be investigated under applicable law.

(4) **Under law, 5 United States Code 7121(g) that addresses dual filing of complaints, the formal EEO complaint may not be the basis of a pending civil action, negotiated grievance procedure or merit system protection board action.**

- Complaint Dismissal: If the ORM EEO officer believes a complaint does not meet the three conditions of timeliness, stating a basis and stating a claim(s), the complaint may be dismissed in whole or part by the ORM. Should a complaint be dismissed in its entirety, a Final Agency Decision setting forth specific reasons why the complaint was dismissed along with a Notice of Rights to appeal will be issued to the complainant. If a complaint is partially dismissed, the complainant will be issued a Notice of Rights to File an appeal after the accepted elements of the Formal EEO Complaint have completed the EEO process through a Final Agency Decision.

c. Investigation: Once the Formal EEO Complaint is accepted in whole or part, the ORM Intake Specialist will appointment an ORM EEO Investigator to conduct a thorough investigation of the alleged discrimination and claim(s).

d. Investigation Completion/Issuance of Notice of Rights: Usually within 180-days of the filing of the initial Formal EEO Complaint for un-amended complaints, the investigation will be completed and the investigator will submit an investigator's report (IR), to the ORM EEO Officer via the ORM Intake Specialist. The IR will include all documentation and depositions taken as well as discussing case law relevant to the complaint. The IR conclusion will not state any findings. The ORM will furnish the complainant or complainant's representative with a copy of the IR and a proposed disposition statement outlining the complainant's options. **Upon receipt of the IR and Notice of Rights, the complainant has 30-calendar days to notify the ORM EEO Officer of their choice on how to proceed.** If the complainant does not notify the ORM EEO Officer of their complaint disposing desire within the 30-calendar day period, the complaint and IR will be forwarded to the Office of Employment Discrimination Complaint Adjudication (OEDCA) for a Final Agency Decision.

e. Equal Employment Opportunity Commission (EEOC) Hearing: If the complainant requests an EEOC Hearing, the ORM Field Office will request the local EEOC Regional Office assign an Administrative Judge to the case. Simultaneously, the ORM Field Office will request the medical center designate an Agency Representative. The ORM Field Office will forward the EEOC Administrative Judge and medical center Agency Representative a copy of the case file and IR. After the hearing is completed, the Administrative Judge will forward a decision with findings to the Office of Employment Discrimination Complaint Adjudication for issuance of a Final Agency Order (FAO) by OEDCA. Included within the FAO will be a Notice of Rights to appeal.

f. Immediate Final Agency Decision (FAD): The complainant may also opt for an OEDCA FAD in lieu of an EEOC Hearing. If this option is elected, the ORM Field Office will forward a copy of the case file and IR directly to OEDCA for review and issuance of a FAO. Included within the FAD will be a Notice of Rights to appeal.

3. SUPPLEMENTAL INFORMATION:

a. Freedom from Reprisal or Interference: A complainant, a representative, or witness who alleges restraint, interference, coercion, discrimination, or reprisal in connection with the presentation of a complaint may file a complaint within 15-calendar days of the alleged occurrence. The complaint will be investigated with appropriate disciplinary action taken where the charges are sustained.

b. Age Discrimination Complaints: EEO law provides an opportunity for aggrieved persons to file civil actions directly when based on age (between 40 and 70 years of age) after giving the EEOC 30-calendar day notice of the intent to sue.

c. Class Complaints: A class complaint is a written discrimination complaint filed on behalf of a class of people by an agent of the alleged group in cases where the class believes that it has been adversely affected by management, based on race, color, religion, sex, national origin, age, disability, or reprisal.

POLICY FOR THE PREVENTION OF SEXUAL HARASSMENT

1. PURPOSE:

- a. To publish the medical center's plan for the prevention of sexual harassment in the workplace including steps to prevent this type of discriminatory conduct.
- b. To educate and advise employees, managers, and supervisors of their responsibilities, rights, and remedies under the federal government's sexual harassment prevention guidelines.
- c. This policy applies to all medical center and community-based outpatient clinics staff.

2. POLICY:

- a. It is the policy of this medical center to provide a work environment free of sexual harassment. Since sexual harassment is a form of employee misconduct that undermines the integrity of the employment relationship, it will not be permitted or tolerated. All employees at this medical center are expected to conduct themselves in accordance with VA standards of appropriate ethical conduct in order to assure a hostile-free work environment.
- b. Substantiated allegations of sexual harassment will lead to disciplinary action that may include immediate termination of employment.
- c. Definitions:
 - (1) Sexual harassment is deliberate, unsolicited, verbal comments, gestures, or physical contacts of a sexual nature that are unwelcome. Sexual harassment includes behaviors, jokes, remarks, teasing, pictures, posters, calendars and questions that a reasonable person could infer contain sexual overtures.
 - (2) Sexual harassment is also discrimination for or against an employee on the basis of conduct not related to performance, such as the taking or refusing to take a personnel action, including promotion of employees who submit to sexual advances or refusal to promote employees who resist or protest sexual overtures.

(3) A supervisor who uses implicit or explicit coercive sexual behavior to control, influence, or affect the career, salary, or job of an employee is engaging in tangible employment or quid-pro-quo sexual harassment.

3. Action:

a. The Medical Center Director has ultimate responsibility for ensuring measures are in place and enforced to prevent sexual harassment and administration of the medical center's sexual harassment program.

b. The EEO Program Manager:

(1) Will inform all employees, managers, and supervisors of regulations and procedures related to sexual harassment and its prevention through the distribution of written and verbal information at in-service training, staff awareness of on-line training, discussion at new employee orientation and policy distribution.

(2) Act as the primary point of contact for sexual harassment counseling and resolution of matters related to allegations of sexual harassment discrimination.

(3) Coordinate the ongoing VACO mandatory center-wide training programs on sexual harassment and its prevention.

c. Service Chiefs, Managers and Supervisors:

(1) Review, develop a thorough understanding of, comply with and enforce the medical center's Prevention of Sexual Harassment policy.

(2) Accept responsibility for ensuring sexual harassment does not take place in their service/work units. Maintain a proactive posture against any form of sexual harassment and take immediate action on any instances of sexual harassment reported to them by employees under their supervision to include advising the EEO Program Manager immediately upon notification of a potential sexual harassment issue. Furthermore, fully cooperate with the medical center's EEO Program Manager, ORM counselors and investigators who seek to investigate and/or resolve complaints of sexual harassment.

(3) Ensure that their employees are informed of the medical center's sexual harassment policy and support employee attendance at sexual harassment training.

(4) Ensure that the medical center's sexual harassment policy is posted in high traffic, high visibility areas throughout their service spaces.

d. Employees:

(1) Are responsible for discouraging unwelcome sexual overtures. If an employee is unsuccessful at discouraging unwelcome sexual overture or does not desire to directly confront alleged violators, the employee should promptly report the

specific instances to their Supervisor, Manager, Service Chief, or the EEO Program Manager.

(2) Are responsible for knowing and upholding the medical center's prevention of sexual harassment policy.

**OVERVIEW OF VA EEO COMPLAINT PROCESS
PUBLIC LAW 105-114**

