

## Harassment, Discrimination and Retaliation Policy

It is the policy of The Office of Job Training Programs, Inc. to assure a work environment free from harassment and discrimination against staff, customers, and partner employees. This policy prohibits retaliation against harassment and discrimination complaints.

Harassment of an individual based on race, color, religion, sex, national origin, age, disability, or political affiliation or belief, or, for beneficiaries, applicants, and participants only, based on citizenship status or participation in any WIOA Title I-financially assisted program or activity, is a violation of the nondiscrimination provisions of WIOA and this part<sup>1</sup>.

(a) Unwelcome sexual advances, requests for sexual favors, or offensive remarks about a person's race, color, religion, sex, national origin, age, disability, political affiliation or belief, or citizenship or participation, and other unwelcome verbal or physical conduct based on one or more of these protected categories constitutes unlawful harassment on that basis when:

(1) Submission to such conduct is made either explicitly or implicitly a term or condition of accessing the aid, benefit, service, or training of, or employment in the administration of or in connection with, any WIOA Title I-financially assisted program or activity;

(2) Submission to or rejection of such conduct by an individual is used as the basis for limiting that individual's access to any aid, benefit, service, training, or employment from, or employment in the administration of or in connection with, any WIOA Title I-financially assisted program or activity; or

(3) Such conduct has the purpose or effect of unreasonably interfering with an individual's participation in a WIOA Title I-financially assisted program or activity creating an intimidating, hostile or offensive program environment.

(b) Harassment because of sex includes harassment based on gender identity; harassment based on failure to comport with sex stereotypes; harassment based on pregnancy, childbirth, and related medical conditions; and sex-based harassment that is not sexual in nature but that is because of sex or where one sex is targeted for the harassment.

**Discriminatory harassment** occurs when one individual disparages, shows hostility or treats one another inequitably and unfairly on the basis of age, ancestry, color, disability, genetic information, military/veteran status, national origin, pregnancy, race, religion, or sex (including sexual orientation and gender identity). Discriminatory harassment might include verbal, non-verbal, physical, or visual harassment based on or related to an individual's protected category. Discriminatory harassment is against the law if: 1) it interferes with an employee's work performance or employment opportunities or 2) creates an intimidating, hostile, or offensive environment.

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<sup>1</sup> [29 CFR 38.10](#)

**Sexual harassment** is unwelcome verbal, non-verbal or physical conduct of a sexual nature that affects an employment decision, unreasonably interferes with a individual's work performance or creates an intimidating, hostile, or abusive work environment. Sexual harassment can be physical and/or psychological in nature.

**Retaliation** should be reported immediately when an individual believes they have experienced retaliation as a result of filing an incident of harassment, discrimination or due to participation in a related investigation. Employees who retaliate against another employee for filing a complaint or participating in an investigation of harassment or discrimination shall be subject to disciplinary action.

Employees who feel they have witnessed or been subject to conduct prohibited by this policy in connection with their employment with the Office of Job Training Programs should bring the matter to the supervisor; or to the next supervisory level if the alleged harassment originated with the direct supervisor. At any point, the employee may bring the matter directly to the agency's Equal Opportunity Officer.

Inquiries, complaints, and investigations related to harassment, discrimination and retaliation are confidential unless legally required to be disclosed and is revealed strictly on a need-to-know basis. Confidential information is maintained in a secure file, separate from the employee's personnel file.

Individuals who engage in harassment, discrimination and retaliation will be subject to disciplinary action, up to and including termination from employment

If you think you have been subjected to discrimination under a WIOA Title I financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation:

**Leanna Eckhoff, Equal Opportunity Officer**  
**Office of Job Training Programs**  
**3675 West Outer Rd. Suite 201**  
**Arnold, MO 63010**  
**(636) 524-8593**  
**Relay Missouri 711**  
**[leckhoff@jeff-frankjobs.com](mailto:leckhoff@jeff-frankjobs.com)**

or

**Director, Civil Rights Center (CRC), U.S. Department of Labor**  
**200 Constitution Avenue NW, Room N-4123**  
**Washington, DC 20210**

or

**electronically as directed on the CRC website at [www.dol.gov/crc](http://www.dol.gov/crc)**