



UNITED STATES GOVERNMENT
National Labor Relations Board

Date: September 30, 2025

To: All Employees

From: William B. Cowen, Acting General Counsel
David M. Prouty, Board Member

Subject: Policy Statement on the Prevention of Harassment, Including Sexual Harassment

The NLRB is strongly committed to providing a workplace free from all forms of unlawful discrimination, including harassment. Harassment based on an individual's race, color, national origin, religion, sex, age (40 or older), marital status, political affiliation, status as a parent, disability, or genetic information (including family medical history) is unlawful and will not be tolerated. Similarly, retaliatory harassment of an individual who has complained about or reported prohibited discrimination or otherwise participated in EEO activity is also unlawful and will not be tolerated.

Scope

The Agency's [policy](#) against harassment applies to all Agency employees, including political appointees, and includes harassment by supervisors/managers of subordinates, harassment by subordinates of supervisors/managers, and harassment of Agency employees by their co-workers. This policy covers employees within the workplace, while conducting Agency business outside of the workplace, and while attending Agency-sponsored training conferences or events. The policy also covers employees who are not themselves the subject of harassment, but who work in a setting where harassment of others is sufficiently severe or pervasive to alter the conditions of their employment. In addition, the Agency's policy against harassment provides a mechanism to address harassment by non-employees who conduct business with the Agency.

Harassment is unlawful when (a) the offensive conduct becomes a condition of continued employment, or (b) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Unwelcome conduct may include, but is not limited to, offensive jokes, slurs, epithets or name calling, negative stereotyping, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures,

and interference with work performance.

Sexual harassment is also a form of sex discrimination. Sexual harassment is defined by the EEOC as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, including offensive remarks about a person's sex, when any of the following criteria are met:

- a) submission to the conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
- b) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or
- c) the conduct has the purpose or effect of unreasonably interfering with the individual's work performance and/or creating an intimidating, hostile, or offensive work environment.

Harassment based on any protected bases, whether engaged in by a manager, supervisor, co-worker, or non-employee, violates both Agency policy and the law. The Agency also does not tolerate inappropriate and offensive harassing behavior even if it does not rise to the level of unlawful harassment. Such conduct violates the Agency's code of conduct and employees engaging in such behavior may be subject to disciplinary action up to and including discharge.

Procedures

There are two separate and independent processes where employees may submit complaints of harassment. The first process available to employees is the Agency's Anti-Harassment Program, which establishes an internal, investigative process to respond to allegations of harassment in a prompt, thorough and impartial manner. Any employee who believes they are a victim of harassment, including sexual harassment, should immediately report the offending behavior to any supervisor or other appropriate management official. Supervisors or managers who receive complaints of harassment shall promptly notify the Harassment Prevention Officer at antiharassment@nrlb.gov. Employees also have the option to report any type of unlawful harassment directly to the Harassment Prevention Officer at antiharassment@nrlb.gov. Employees covered by a collective-bargaining agreement may seek assistance from a union representative and may also choose to file a contractual grievance.

The second process available to employees is the EEO complaint process. If an employee wishes to initiate the EEO complaint process, an allegation of harassment must be raised with an EEO Counselor or with the Office of EEO at oeeo@nrlb.gov or (202) 273-3891 within 45 calendar days of the incident of alleged harassment. The Office of EEO is also required to report harassment complaints it receives to the Harassment Prevention Officer. Employees have the option to initiate the EEO complaint process, submit a complaint to the Harassment Prevention Officer or pursue both processes.

Employees are encouraged to review the [Anti-Harassment Program page](#) on rights and responsibilities. Questions regarding harassment should be directed to antiharassment@nlrb.gov.

We expect every NLRB employee to conduct themselves in a manner consistent with this policy so that all employees are treated with dignity and can work in a respectful environment.

/s/ William B. Cowen
William B. Cowen
Acting General Counsel

/s/ David M. Prouty
David M. Prouty
Board Member