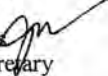




U.S. Immigration  
and Customs  
Enforcement

MAR 23 2006

MEMORANDUM FOR: All Employees  
FROM: Julie L. Myers   
Assistant Secretary  
SUBJECT: Prevention of Sexual Harassment in the Workplace

Sexual harassment is a very serious and real concern in the workplace. As your Assistant Secretary, I am committed to upholding a positive and safe work environment at ICE, which allows each of you to perform your daily responsibilities free of harassment of any kind.

Sexual harassment is defined as unwelcome verbal or physical conduct of a sexual nature. It includes, but is not limited to, sexual advances, pressure for sexual favors, deliberate physical contact, repeated unsolicited comments or gestures, or displaying offensive pictures. Conduct violates federal law (Title VII) when: (1) an employee's submission to or rejection of the conduct is used as a basis for employment decisions; and/or (2) the conduct is so frequent and/or severe that it creates an intimidating, hostile or offensive working environment. ICE prohibits any harassment, whether or not it amounts to a Title VII violation, and encourages employees to report conduct before it rises to the level of a Title VII violation.

Any employee who believes he or she has been the victim of sexual harassment of any kind or severity must promptly report it to:

- The ICE OPR Joint Intake Center Hotline by phone at 1-877-2INTAKE (toll-free), or by e-mail at [Joint.Intake@dhs.gov](mailto:Joint.Intake@dhs.gov); or
- The nearest OPR field Office; or
- The DHS OIG at 1-800-323-8603
- In addition to (but not instead of) reporting the misconduct to these entities, employees may also file an EEO Complaint. Those who elect to pursue an EEO Complaint must contact the EEO Office within 45 calendar days of the alleged discriminatory event.

All ICE employees are required to take the 1-hour *Prevention of Sexual Harassment* course located online in the ICE Virtual University, <https://vu.ice.dhs.gov> annually. All newly hired ICE employees are required to take the 1-hour course within 90 days of entrance on duty.

Our goal is for all employees to take sexual harassment seriously and to immediately report any conduct of which they are aware to appropriate officials. Any employee who reports harassment or provides related information will be protected against retaliation. The confidentiality of complaints will be protected to the extent possible. All allegations will be investigated promptly, thoroughly, and impartially. If it is determined that sexual harassment has occurred, immediate corrective action will be taken.

HQEE0 60/5.4

425 I Street NW  
Washington, DC 20536

OCT 20 2003

MEMORANDUM FOR: ALL EMPLOYEES,  
IMMIGRATION AND CUSTOMS

FROM: Michael J. Garcia  
Acting Assistant Secretary



SUBJECT: Prevention of Sexual Harassment (POSH) in the Workplace

Sexual harassment is prohibited by Title VII of the Civil Rights Act 1964. I am committed to creating a positive work environment at U.S. Immigration and Customs Enforcement (ICE) that promotes individual growth and allows each employee to perform his or her job free of harassment of any kind.

Sexual harassment includes, but is not limited to, unwelcome acts or conduct of a sexual nature. It could, for example, be deliberate physical contact, repeated unsolicited comments or gestures, pressure for sexual favors, or putting an offensive picture on an office wall. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to this conduct is termed—whether explicitly or implicitly—a condition of the job; (2) submission to or rejection of this conduct by an individual is used as a basis for employment decisions affecting the individual; and/or (3) this conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Any employee who believes that he or she has been the focus of some form of sexual harassment should promptly notify appropriate management officials or seek immediate assistance from the servicing Office of Equal Employment Opportunity (EEO) and Office of Internal Audit. In addition, employees in a collective bargaining unit may wish to seek assistance through appropriate provisions of their collective bargaining agreement.

I am holding ICE managerial and supervisory personnel responsible for enforcing this policy and expect each member of our management team to set the example in his or her organization. To help ensure that the workplace is free of this denigrating behavior, managers and supervisors must:

be sensitive to the potential signs of sexual harassment in their work environment;

take all necessary steps to prevent such harassment from occurring;

if it does occur, make certain that any harassment is eliminated in a manner that is prompt and effective, but minimizes the effect on the victim to the extent possible;

demonstrate support for the Assistant Secretary's policy statement on "Prevention of Sexual Harassment in the Workplace" by re-issuing it annually, together with a written endorsement of its principles, to each employee under their responsibility; and

immediately report all allegations of sexual harassment and their responses to the ICE Coordinator, (b) (6), (b) (7)(C) Acting Chief, Affirmative Employment Programs Branch, Headquarters, Office of EEO. Ms. (b) (6), (b) (7)(C) is designated to monitor incidents reported to see that credible allegations of harassment are handled promptly and effectively. She can be reached at (202) 514-(b) (6), (b) (7)(C) or by calling the POSH Hotline at (202) 305-(b) (6), (b) (7)(C)

I expect all employees to recognize the difference between appropriate and inappropriate behavior relevant to sexual harassment, which begins with a heightened awareness of the issue and sensitivity to its signs. Together with the efforts of the management and supervisory team to ensure standards of conduct aimed at preventing and eliminating this harassment in the workplace, I am confident that ICE employees will demonstrate their respect for each individual in a manner that reflects positively on the organization.

SUPERSEDED