



Civil Rights Directorate

USCG Anti-Harassment and Hate Incident Procedures Policy: Frequently Asked Questions

Q: What is harassment?

A: USCG policy defines harassment as unwelcome conduct, whether verbal, nonverbal, or physical conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, offensive, or hostile environment on the basis of an individual's protected status, which includes: race, color, religion, sex, national origin, age, disability, genetic information, sexual orientation, marital status, parental status, political affiliation, or any other basis protected by law.

Q: What are some examples of harassment as defined above?

A: Harassment that violates USCG policy can occur in a number of ways. Various examples include:

- Making jokes, remarks or displaying images, pictures, or other materials that unreasonably interfere with work performance or creates an intimidating, hostile, or offensive work environment.
- A supervisor coercing an employee into an unwelcome sexual relationship and then rewarding the employee with a promotion.
- A supervisor taking disciplinary action or denying a promotion to an employee because he or she rejected sexual advances from the supervisor.
- Retaliating against an employee for alleging harassment or participating in fact-finding interviews.
- Being the target of offensive or demeaning remarks because the employee is a single mother with children.
- Denying the opportunity of an employee to participate in an off-site training because he or she is over 40 years of age.
- Verbal abuse/put-downs, name-calling or the use of racial epithets or slang that creates an intimidating, offensive, or hostile work environment.
- Intimidating behavior such as asking for, or offering, sexual favors in return for positive performance appraisal or promotion.

Q: What is a hate incident, and how is it different from harassment

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A: USCG defines hate incidents as intentional acts of intolerance committed against a person, a group of individuals, or property which is motivated, in whole or in part, by bias against a protected group and which is intended to or is more likely than not to have the effect of intimidating others to similar conduct.

Q: What are some examples of hate incidents as described above?

A: Hate incidents usually, but not always, involve public displays. Examples include the display, presentation, creation or depiction of a noose, swastika, or any other symbol widely identified with oppression or hatred, photographs, images or other printed or electronic material that evidences oppression or hatred, irrespective of size, type, or how it is displayed or presented.

Q: Why does the USCG have an anti-harassment and hate incident procedures policy?

A: The anti-harassment procedures allows USCG management to address employee allegations of harassment or hate incidents and take immediate and appropriate corrective action, including the use of disciplinary actions, to eliminate harassing conduct regardless of whether the conduct violated the law. The goal is to address harassing conduct at the earliest possible stage, before it can become “severe or pervasive” harassment within the meaning of anti-discrimination laws.

Q: Where should I go to report harassment or hate incidents?

A: USCG civilian and military members who believe they have been the victims or witnesses of harassment or hate incidents should report the matter immediately to their chain of command. They may also report the matter to their servicing Civil Rights Service Provider (CRSP), or to headquarters, Civil Rights Directorate.

Q: What if I believe I have been harassed, but not based on the reasons above?

A: Harassment covered under USCG policy is limited to the definition and protected categories, e.g., race, gender, etc., provided above. If the alleged conduct you report does not meet the definition of harassment under this policy, there are other options you may wish to explore to address your concerns. Your chain of command, Personnel Officer, Human Resource Officer, or Command Staff Advisor (CSA), can provide additional information regarding these options.

Q: Is reporting harassment the same as filing an EEO/EO complaint

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A: No. The anti-harassment procedures do not affect the rights of an individual or group to initiate a complaint under the EEO complaints process. The anti-harassment process is entirely separate and apart from the EEO complaints process. This means that if an employee reports allegations of harassment in accordance with the anti-harassment procedures, he or she has not filed an EEO/EO complaint. An employee who wishes to file an EEO/EO discrimination complaint should contact his/her servicing CRSP within 45 days of the alleged harassing conduct.

Q: What is the role of managers and supervisors?

A: Managers and supervisors represent the USCG and are responsible for maintaining a work environment free of harassment. Managers or supervisors who observe or are made aware of allegations of harassment are required to act promptly, effectively, and in accordance with USCG anti-harassment policy and procedures to determine the scope of the alleged harassing conduct and take corrective or disciplinary action as appropriate and necessary.

Q: If I report harassment, will the information provided be kept confidential?

A: All information shall remain confidential to the greatest extent possible in accordance with the Privacy Act. Information is restricted to those who have a “need to know” and may include fact-finders, the servicing CRSP, witnesses, the alleged harasser, and supervisors who are required to take action on the matter raised.

Q: If I report harassment and then change my mind about going forward with the allegations, what happens?

A: The USCG is still obligated to look into the allegations raised.

For more information, please refer to the Civil Rights Manual, COMDTINST M5350.4C, Chapter 2, Section C, Part 1, or speak to your servicing civil rights service provider.