



# National Transportation Safety Board

## Memorandum

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**Date:** October 30, 2020

**To:** All NTSB Employees

**From:** Robert L. Sumwalt, III  
Chairman

**Subject:** Anti-Harassment Policy

The National Transportation Safety Board (NTSB) takes great pride in our rich history and unwavering commitment to making transportation safer for the traveling public. I would like to take this opportunity to restate our steadfast commitment to creating and maintaining a work environment in which all people are treated with dignity, fairness, and respect, and are free from harassment. This commitment extends to anyone in the workplace—including, but not limited to, supervisors, co-workers and contractor personnel—at any NTSB facility or other worksite where NTSB work is being conducted, and even offsite. A harassment-free workplace enables every employee to perform at his or her best. Accordingly, the NTSB will not tolerate harassment of any kind, even if it does not rise to a level that violates the law.

Harassing Conduct is a pattern of inappropriate conduct that would be considered by a reasonable person to be offensive, demeaning, or threatening. Harassing conduct includes, but is not limited to, persistently annoying, pestering, teasing, distressing, disturbing, personally degrading, tormenting, intimidating, humiliating, or insulting behavior that, to a reasonable person, adversely affects the work environment.

Unlawful Harassment is defined as any unwelcome conduct based on race, color, religion, sex (including sexual orientation, pregnancy, and gender identity), national origin, age (40 or older), disability, genetic information, or retaliation for making reports or allegations of harassment or providing information related to such allegations when (1) the employee's acceptance or rejection of such conduct explicitly or implicitly forms the basis for a tangible employment action affecting the individual or (2) the conduct is sufficiently severe or pervasive as to alter the terms, conditions, or privileges of the employee's employment or otherwise create a hostile or abusive work environment.

Unlawful harassment and other types of harassing behavior are defined in NTSB Operations Bulletin EEO-GEN-003. I encourage you to read the bulletin and become familiar with its contents. If you believe that you have been subjected to harassment, you should report the matter to your first-line supervisor; any other management official in the supervisory chain; or the Chief, Human Resources Division. You also should make a report if you observe an NTSB employee or

contractor engage in unlawful harassment or other types of harassing behavior directed at another person. The agency will conduct prompt, thorough, impartial, and confidential inquiries into any allegation it receives in accordance with the procedures outlined in Operations Bulletin EEO-GEN-003 and will take appropriate corrective action, disciplinary or otherwise, as necessary.

We encourage the participation and cooperation of all employees to report harassing behavior without the fear of reprisal. The NTSB will not tolerate retaliation against any employee for making a good-faith allegation of unlawful harassment or harassing conduct or for assisting in an inquiry, complaint, or investigation about such allegations. If you think you have been subjected to such retaliation, I encourage you to report it, following the procedures outlined above and in Operations Bulletin EEO-GEN-003.

Reports of alleged harassment or harassing conduct and any related documentation prepared under the procedures of Operations Bulletin EEO-GEN-003 will be considered Confidential. Accordingly, management officials and administrative personnel having access to information under the procedures of this program will, to the greatest extent possible, safeguard such information and share it only on a need-to-know basis. Disclosure is warranted under limited situations, for example, when it affects the conduct of an appropriate inquiry or investigation into an allegation or when otherwise required by law (for example, to meet the requirements of due process when disciplinary action is warranted).