



U.S. General Services Administration (GSA)

GSA Order: Policy Statement on Harassment, Including Sexual and Non-sexual

ADM 2325.8B

Office of Civil Rights

eeo@gsa.gov

Purpose:

This directive defines and prescribes the GSA policy on harassment (sexual harassment, non-sexual harassment, and sexual misconduct). This policy supports GSA's well-established commitment to providing a workplace free from harassment. This policy ensures that GSA is taking all reasonable steps to prevent harassment from occurring and to address such conduct before it becomes unlawful.

Background:

Harassment in the Federal workplace is defined as any unwelcome conduct, including oral, written, physical or on-line conduct, based on an individual's membership in a group as described in Section 7(b) below. Harassment also includes retaliation, which is adverse action taken against an individual because the individual reported harassment, supported another individual's harassment claim, or opposed harassing conduct.

Applicability:

This order applies to all GSA employees, former employees, and applicants for employment with GSA.

The following is an exception:

The Office of Inspector General (OIG), given its independence under the Inspector General Reform Act of 2008 (Title 5 United States Code Sections 401-424).

Cancellation:

This policy supersedes GSA Order ADM 2325.8A, GSA's Policy Statement on Harassment, including Sexual and Non-sexual, dated August 21, 2023 and canceled February 6, 2025. It rescinds and replaces any and all existing policy statements in GSA Regional offices regarding harassment, including sexual harassment and sexual misconduct.

Summary of Changes:

This order is updated to remove references to gender identity. Additionally, this order removes references to Executive Order 13672, *Further Amendments to Executive Order 11478 Equal Employment Opportunity in the Federal Government* and Executive Order 11246, *Equal Employment Opportunity*, both of which were rescinded on January 21, 2025, by Executive Order 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity*.

Roles and Responsibilities:

- a. The Associate Administrator for GSA's Office of Civil Rights (OCR) is responsible for developing and disseminating this policy.
- b. The Chief Human Capital Officer for GSA's Office of Human Resources Management (OHRM) is responsible for administering [GSA's Anti-Harassment Procedures in the Workplace](#) (Anti-Harassment Procedures).
- c. GSA executives, managers and supervisors are responsible for carrying out the provisions of this policy by: (i.) maintaining an environment free from harassment; (ii.) ensuring that individuals who engage in protected EEO activity are not subject to retaliation; (iii.) cooperating with investigations of harassment complaints; and (iv.) reporting to OHRM any harassing conduct witnessed, or reports or complaints of harassing conduct received.
- d. Employees are responsible for abiding by this policy by promptly reporting any conduct that violates this policy, and fully cooperating in any investigation of harassment.

Signature

/S/ _____
Stephen Ehikian
Acting Administrator

5/29/25 _____
Date

1. Policy

1.1 GSA's Commitment

GSA is committed to providing a workplace free from all forms of harassment, including sexual and non-sexual harassment. GSA strictly prohibits and does not tolerate harassing conduct that adversely affects the work environment, impacts tangible job benefits, or unreasonably interferes with the performance of the Agency's business. Individuals who report harassment, whether sexual or non-sexual, are protected against any adverse action taken because they exercised their rights under this directive.

1.2 Definition of Harassment

Harassment, as used in this directive, refers to any unwelcome conduct—including oral, written, physical, or on-line conduct—based on race, national origin, color, religion (belief, practice, or observation), sex, age, disability, genetic information (including family medical history), retaliation, marital status, parental status, or political affiliation.

1.3 Definition of Sexual Harassment

Sexual harassment, as used in this directive, means any conduct based on an individual's sex, without limitation, through oral or written communication, gestures, physical contact, sexual advances or requests for sexual favors, including when:

- a. submission to or tolerance of such behavior is made either explicitly or implicitly a condition of employment; or
- b. submission to, tolerance of, or rejection of such behavior is used as the basis for an employment decision; or
- c. such behavior has the purpose or effect of substantially or unreasonably interfering with an employee's ability to perform their work or creates a work environment which is intimidating, threatening, coercive, humiliating, belittling, or offensive to a reasonable person.

1.4 Definition of Sexual Misconduct

Sexual misconduct as used in this directive, means any conduct of a sexual nature by or between employees that interferes with the performance of their official duties or the official duties of other employees, including conduct that

results in or gives the appearance of favoritism in employment decisions concerning one of the participants.

2. Reporting Harassment

Harassment may be reported through two processes and both may be pursued at the same time.

2.1 GSA's Anti-Harassment Procedures

Any employee who believes that they have been the victim of non-sexual harassment, sexual harassment, or sexual misconduct must follow the procedures outlined in GSA's Anti-Harassment Procedures. Reporting harassment allegations under the Anti-Harassment Procedures allows the Agency to promptly address the allegations and determine whether disciplinary action is warranted.

An employee may report harassment under GSA's Anti-Harassment Procedures to their first-line supervisor, another management official in the employee's supervisory chain, or the Anti-Harassment Coordinator assigned to their office.

2.2 GSA's Equal Employment Opportunity (EEO) Procedures

2.2.1 An employee, former employee, or applicant for employment who wishes to initiate an EEO complaint arising out of an alleged incident of harassment, including sexual harassment or sexual misconduct, must contact an EEO official in OCR within **45** calendar days of the date of the last act of the alleged harassment. Even if unwelcome harassment is reported to a supervisor, management official, or OHRM, in order to proceed under the EEO process, the complaint must also be filed with OCR within 45 days of the last act of the alleged harassment.

2.2.2 If an individual contacts OCR regarding claims of unlawful harassment, OCR will advise the individual: (1) how to pursue the complaint through the EEO complaint process; (2) of OCR's reporting obligation to GSA's Anti-Harassment Program; and (3) that the confidentiality of the harassment complaint will be protected to the extent possible. Subsequent to the contact, OCR will notify the Anti-Harassment Program of the harassment allegation for appropriate processing.

2.2.3 The most efficient way to initiate an EEO complaint related to harassment is by using eFile (available at insite.gsa.gov/efile). An EEO complaint may also be initiated by contacting OCR by email (eeo@gsa.gov); by phone

(202-501-4571) or Speech-to-Speech Relay: 800-898-0740. To file an EEO complaint by mail, contact OCR. For detailed information on filing a harassment complaint through the EEO process, see GSA's Policy Statement on Equal Employment Opportunity and OCR 2300.1, Civil Rights and Equal Employment Opportunity.

2.2.4 The process under GSA's Anti-harassment Procedures does not affect an employee's right to file an EEO complaint, nor does it change the required timelines for filing such a complaint. Employees may access either or both processes.

2.3 Distinction between the EEO Process and the Anti-harassment Procedures

The EEO complaint process and the Anti-harassment Procedures process are separate and distinct. The EEO complaint process is designed to make individuals whole for discrimination that has already occurred, correct unlawful harassment, and prevent it from happening again. GSA's Anti-harassment Procedures process seeks to address and resolve harassing conduct before it ever reaches the level of discrimination, as defined under the anti-discrimination laws.

3. Sexual Orientation

For harassment claims involving sexual orientation, in addition to the reporting processes and procedures stated in paragraph 2, above, an individual may also seek assistance, as appropriate, from the [U.S. Office of Special Counsel](#) (OSC).

4. Parental Status, Marital Status, or Political Affiliation Claims

4.1 EEO Procedures

For harassment claims based on parental status, marital status, or political affiliation, an individual may use the reporting processes and procedures stated in paragraph 2 above. With respect to the EEO process, an individual may utilize the EEO pre-complaint (informal) process, which includes EEO counseling and alternative dispute resolution. However, these claims may not proceed under the formal EEO complaint process because the laws covering parental status, marital status, and political affiliation claims are not enforced by the EEOC.

4.2 Office of Special Counsel

Additionally, an individual may pursue harassment claims based on parental status, marital status, or political affiliation with [OSC](#). An appeal of certain employment actions based on marital status or political affiliation may be submitted to the [U.S. Merit Systems Protection Board](#). Please be advised that attempts to resolve these claims through GSA's informal EEO process **may not suspend the time frames** for pursuing such claims in other administrative forums.

5. References

- [Title VII of the Civil Rights Act of 1964](#);
- [The Age Discrimination in Employment Act of 1967, as amended](#);
- [The Rehabilitation Act of 1973, as amended](#);
- [The Pregnancy Discrimination Act of 1978](#);
- [Title 29 Code of Federal Regulations Part 1614](#);
- [The Genetic Information Nondiscrimination Act of 2008](#);
- [Executive Order 11478](#);
- [Civil Service Reform Act of 1978](#)
- [Executive Order 13152, Further Amendment to Executive Order 11478](#);
- [Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002](#);
- [Elijah E. Cummings Federal Employee Antidiscrimination Act of 2020](#);
- [Pregnant Workers Fairness Act](#);
- [Providing Urgent Maternal Protections for Nursing Mothers Act](#);
- [EEOC Enforcement Guidance: Vicarious Liability for Unlawful Harassment by Supervisors](#); and
- [GSA's Anti-Harassment Procedures in the Workplace](#).