



To enhance mission performance, TSA is committed to promoting a culture founded on its values of Integrity, Innovation and Team Spirit.

NOTE: Pursuant to Section 101 of the Aviation and Transportation Security Act (49 U.S. C. 114(n)), this directive, and all related Handbook, Attachments, and Appendices establish Transportation Security Administration (TSA) policy and supersedes the Federal Aviation Administration (FAA) orders, policies, guidance, and bulletins regarding the prevention and elimination of sexual harassment in the workplace issued under the FAA Personnel Management System. This directive is TSA policy and must be applied accordingly.

REVISION: This directive supersedes TSA Management Directive 1100.73-3, dated March 1, 2005.

SUMMARY OF CHANGES: Section 4, Definitions, has been moved to the Handbook and expanded to include additional terms; Section 5, Responsibilities, adds the role of the Sexual Harassment Prevention Coordinator; and Section 7, Procedures, now references the accompanying handbook, which contains applicable procedures, guidance regarding the appointment of fact-finders, the drafting of fact-finding reports, revised contact information for the Sexual Harassment Prevention Coordinator.

1. **PURPOSE:** This directive provides TSA policy and procedures for preventing and eliminating sexual harassment in the workplace.
2. **SCOPE:** This directive applies to all TSA organizational elements and all TSA employees and contractors.
3. **AUTHORITIES:**
 - A. The Aviation and Transportation Security Act, Pub. L. 107-71 (ATSA).
 - B. Sections 403(2) and 423 of the Homeland Security Act.
4. **DEFINITIONS:** See [TSA Handbook on Prevention and Elimination of Sexual Harassment in the Workplace](#).
5. **RESPONSIBILITIES:**
 - A. TSA employees are responsible for:
 - (1) Maintaining a work environment free from sexual harassment, where employees maintain the public trust and are held to high standards of honesty, integrity, impartiality, and conduct;
 - (2) Ensuring that his or her conduct is not sexually offensive to other employees, contractors, job applicants, or the public;
 - (3) Cooperating with inquiries into complaints of alleged sexual harassment;

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PREVENTION AND ELIMINATION OF
SEXUAL HARASSMENT IN THE WORKPLACE**

- (4) Notifying his or her immediate supervisor, higher-level management official, or any of the offices described in Section E of the handbook, upon becoming aware of any conduct or actions that might appear to constitute sexual harassment; and
- (5) Not engaging in any intimidating, retaliatory, or demeaning conduct against the affected person.

B. Office of Civil Rights and Liberties (OCRL) is responsible for:

- (1) Administering TSA's Civil Rights and Liberties Program, including processing Equal Employment Opportunity (EEO) complaints of discrimination by TSA employees, applicants for employment or former employees, when those individuals believe that they have been discriminated against, harassed, or retaliated against in violation of EEO laws, regulations and Executive Orders; and
- (2) Providing guidance and assistance to employees regarding the identification, prevention, and elimination of sexual harassment in the workplace.

C. Office of Human Capital (OHC) is responsible for:

- (1) Developing and managing human capital policies, handbooks, and programs regarding Sexual Harassment; and
- (2) Designating a Sexual Harassment Prevention Coordinator.

D. The Sexual Harassment Prevention Coordinator (SHPC) is responsible for:

- (1) Coordinating all fact-finding inquiries of allegations of sexual harassment;
- (2) Serving as the point of contact for management officials when they become aware of an allegation of sexual harassment if the airport does not have a local Sexual Harassment Point of Contact (POC);
- (3) Providing advice and guidance to employees and managers on matters relating to sexual harassment; and
- (4) Serving as the official custodian of fact-finding reports.

E. Local Sexual Harassment POC is responsible for:

- (1) Serving as the point of contact for management officials; and
- (2) Serving as a point of contact for employees who do not feel comfortable informing their supervisor or manager of allegations of sexual harassment.

F. Federal Occupational Health (FOH) is responsible for:

- (1) Providing Employee Assistance Program services to TSA employees; and
- (2) Offering confidential counseling, information and other assistance to help employees with difficult personal situations, including crisis management, stress, and workplace issues.

G. Supervisors and Management Officials are responsible for ensuring that the workplace is free from sexual harassment, and taking immediate corrective steps to mitigate the alleged harassment as soon as he or she becomes aware of an allegation of sexual harassment.

H. Office of the Ombudsman is responsible for:

- (1) Providing a confidential (as appropriate), independent, and neutral venue for all TSA customers, employees, and contractors;
- (2) Providing a forum for workplace issues to be raised and resolved without fear of retaliation; and
- (3) Recommending and facilitating solutions to ensure fair and equitable processes and procedures in the workplace.

I. Office of Inspection is responsible for conducting investigations based on allegations of employee misconduct, including certain cases of sexual harassment involving management officials as indicated in section H(1) of the handbook.

J. Office of the Chief Counsel is responsible for providing legal advice regarding this directive.

6. POLICY:

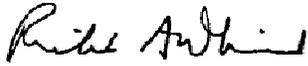
A. TSA is committed to maintaining a work environment free from sexual harassment, where employees maintain the public trust and are held to high standards of honesty, integrity, impartiality, and conduct. Sexual Harassment is a violation of these standards and therefore, sexual harassment of or by any TSA employee in any form is not acceptable and will not be tolerated.

B. Management officials must ensure that prompt and effective corrective action is taken when sexual harassment allegations occur. This includes, but is not limited to, initiating a fact-finding inquiry and informing the alleged harasser. Refer to the section F of the Handbook for additional information.

7. PROCEDURES: See [TSA Handbook on Prevention and Elimination of Sexual Harassment in the Workplace.](#)

8. EFFECTIVE DATE AND IMPLEMENTATION: This policy is effective immediately upon signature.

APPROVAL



1/06/09

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Date

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