



OFFICE OF THE CHIEF COUNSEL

DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
WASHINGTON, D.C. 20224

November 1, 2024

MEMORANDUM FOR ALL OFFICE OF CHIEF COUNSEL EMPLOYEES

FROM: Margie Rollinson, Chief Counsel

SUBJECT: Anti-Harassment Policy

The mission of the Office of Chief Counsel is to provide effective legal advice to the IRS and to serve taxpayers fairly and with integrity. Fundamental to our mission is our obligation to honor the diversity of our workforce and ensure all employees are treated with respect and dignity.

Counsel will not tolerate harassment in the workplace. Consistent with EEO policy, harassment based on race, ethnicity, color, religion, sex (including gender identity and sexual orientation or pregnancy), national origin, age (beginning at age 40), disability, pregnancy accommodation, genetic information (including family medical history) or protected EEO activity, is unlawful and is prohibited. In addition, harassment based on other conduct that is threatening, intimidating, sexual, and/or bullying is also harmful to our workplace environment and will not be tolerated.

To provide management with the opportunity to address any potentially harassing conduct, this policy requires that all allegations of harassment (even harassment an employee witnessed) be reported. All Counsel employees, including supervisors and other management officials, have a duty to immediately report harassing conduct.

Harassment of any kind should be reported immediately. Allegations may be reported to supervisors; managers; Counsel Labor Relations; the Anti-Harassment Coordinator; or through Counsel's harassment hotline number, (202) 317-3028. If the first-line supervisor is the alleged harasser, the harassment should be reported to a second-line supervisor in her or his chain of command, a higher-level supervisor or Counsel LR. Harassment can also be reported to Counsel Labor Relations, the Anti-Harassment Coordinator, or through Counsel's harassment hotline number, (202) 317-3028. Counsel will conduct a prompt, thorough, and impartial inquiry into the allegation of harassment. Established EEO guidelines will be used in evaluating the findings of the inquiry.

Retaliation against any person who reports harassment, or who participates in an investigation of alleged harassment, is prohibited, and may result in disciplinary action, up to and including removal.

Counsel's procedures for addressing allegations of workplace harassment are not intended to replace or impede the Equal Employment Opportunity Commission discrimination complaint process found at Title 29 C.F.R. Part 1614, Counsel's administrative grievance or negotiated grievance process, and do not alter or delay the filing deadlines for invoking those processes.

Reporting an allegation of harassment under those procedures does not satisfy the requirements for filing an EEO complaint or a grievance. Those procedures set forth a procedure separate from the EEO and grievance processes. Reports of harassment may be made under those procedures irrespective of whether any other applicable process is invoked and may be made in addition to other applicable processes.

Counsel employees or applicants for employment who choose to file an EEO employment discrimination complaint process pursuant to 29 CFR Part 1614 must contact Counsel's EEO Office within 45 days of an alleged incident of harassment. Should you have any questions related to the EEO complaint process, please contact the EEO Office at (202) 317-6858.

Counsel employees who choose to file a grievance pursuant to the collective bargaining agreement must file a grievance within 30 days after the incident giving rise to the grievance or within 30 days after the grievant became aware of the matter.

For an appeal to the Merit Systems Protection Board (MSPB) pursuant to 5 C.F.R. §1201.22, file a written appeal with the Board within 30 days of the effective date of an appealable adverse action as defined in 5 C.F.R. § 1201.3, or within 30 days of the date of receipt of the agency's decision, whichever is later.

Authorities:

- (a) Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000e-16;
- (b) The Civil Service Reform Act, 5 U.S.C. § 2302(b)(10);
- (c) Executive Order 11478, as amended July 21, 2014;
- (d) Equal Employment Opportunity Commission Management Directive 715, "Federal Responsibilities Under Section 717 of Title VII and Section 501 of the Rehabilitation Act" (October 1, 2003);
- (e) EEOC's Enforcement Guidance: "Enforcement Guidance on Harassment in the Workplace" (April 29, 2024), available at [Enforcement Guidance on Harassment in the Workplace | U.S. Equal Employment Opportunity Commission \(eoc.gov\)](https://www.eeoc.gov/enforcement/guidance/harassment-workplace).