



U.S. Customs and Border Protection

Commissioner

October 10, 2023

MEMORANDUM FOR: All CBP Employees

FROM: Troy A. Miller
Senior Official Performing the Duties of the Commissioner

SUBJECT: Anti-Discrimination and Anti-Harassment Policy Statement

A handwritten signature in black ink, appearing to read "Troy A. Miller", written over a horizontal line.

U.S. Customs and Border Protection (CBP) values the diversity of our employees and is committed to building and maintaining a workplace free of discrimination and harassment. To promote a positive and effective work environment, all employees must adhere to equal employment opportunity principles and strive to embody CBP's core values of Vigilance, Service to Country, and Integrity.

In General

It is CBP policy to treat all individuals with dignity, respect and in a non-discriminatory manner, without regard to their protected status under federal law, executive order, regulation, or policy. These protections extend to all personnel, employment programs, and management practices/decisions, including, but not limited to: benefits; merit promotion; reassignment; recruitment and hiring; separation; and training and career development programs. Unlawful discrimination, which is the unfavorable treatment of a person or class of persons based on their membership in a protected class, will not be tolerated. Protected classes include: race; national origin; color; sex (including pregnancy, gender identity, gender expression, and sexual orientation); age; genetic information; disability; religion; and status as a parent. CBP executives, managers, and supervisors shall take appropriate action to create a diverse and inclusive work environment where all employees can compete fairly and equally, and advance based on merit.

Harassment

CBP strictly prohibits discriminatory harassment, a form of unlawful discrimination. Such harassment includes, but is not limited to, unwelcome verbal, non-verbal, or physical behavior directed towards an individual because of their membership in a legally protected class, when such conduct has the purpose or effect of unreasonably interfering with an individual's ability to perform their assigned duties.

This policy prohibits harassment by or of any employee, supervisor, manager, contractor, vendor, applicant, or other individual with whom CBP employees come into contact by virtue of their work for CBP. This policy covers conduct that occurs on duty, off duty, face to face, or remotely via electronic means such as telephone, email, social media, and chat applications. Moreover, CBP will not tolerate other forms of harassment, disruptive behavior, or bullying in

the workplace. Such behaviors go against CBP's core values and negatively impact mission effectiveness. Furthermore, even if an individual's behavior does not rise to the level of unlawful discrimination as defined by federal law, executive order, regulation, or policy, it may still violate CBP's Standards of Conduct and may subject the individual to discipline.

Examples of Harassment

Examples of prohibited conduct include: making abusive, derisive, profane, or harassing statements; using epithets or slurs; engaging in stereotyping or intimidating acts; making or sharing racially derisive social media posts; and circulating or posting written or graphic materials that show hostility toward individuals because of their protected status.

Retaliation

CBP will not tolerate retaliation against any employee or applicant for engaging in protected activity. Protected activity includes participating in an EEO process or opposing discrimination, such as making a report of harassment, filing a complaint of discrimination or harassment, helping another employee file a complaint, or participating in an inquiry into potential violations of this policy. Employees found to have engaged in retaliatory conduct or behavior will be subject to corrective or disciplinary action.

Employee Responsibility

Maintaining a workplace free from prohibited discrimination and harassment is the responsibility of all CBP employees. CBP policy requires all employees to report misconduct, which includes discriminatory or harassing behavior.

Reporting Harassment and Misconduct

Employees can report misconduct, including discriminatory harassment, by:

- Informing their immediate supervisor or another management official within their chain of command;
- Calling the toll-free Joint Intake Center Hotline at 1-877-2INTAKE, or sending a fax to 202-344-3390;
- Sending an email message to JointIntake@cbp.dhs.gov;
- Writing to the Joint Intake Center at P.O. Box 14475, 1200 Pennsylvania Avenue, NW, Washington, DC 20044;
- Contacting their servicing CBP Office of Professional Responsibility;
- Calling the DHS Office of Inspector General (OIG) at 1-800-323-8603;
- Submitting a DHS OIG Complaint/Allegation Form at <https://hotline.oig.dhs.gov/hotline/hotline.php>; or,
- Submitting a complaint to the Office of Special Counsel at <https://osc.gov/pages/file-complaint.aspx>.

Addressing Reports of Harassment

Reports of harassment are addressed through a prompt, thorough, and impartial investigation. Individuals responding to alleged incidents of harassment will uphold confidentiality to the greatest extent possible, except as necessary to conduct a thorough and fair investigation or as required by law. As necessary, CBP will take interim measures to correct harassing conduct before it becomes severe or pervasive, and will take immediate and appropriate corrective action if harassment has been found to have occurred.

Filing an Equal Employment Opportunity (EEO) Complaint

Reporting harassment does not automatically result in the filing of an EEO complaint. Employees or applicants who believe they have been subjected to unlawful discrimination and want to initiate an informal EEO complaint must contact CBP's Privacy and Diversity Office within 45 calendar days from the date of the alleged discriminatory event by:

- Emailing the CBP EEO Complaint Filing Mailbox at cbpeeocomplaintfiling@cbp.dhs.gov;
- Calling 1-877-MY-EEO-HELP (1-877-693-3643); or
- Contacting their servicing EEO Officer.