

Consumer Financial Protection Bureau
1700 G Street NW
Washington, D.C. 20552



September 2021

MEMORANDUM TO: All CFPB Employees, Former Employees, and Applicants for Employment at CFPB

FROM: David Uejio
Acting Director

SUBJECT: FY 2021 EEO and Anti-Harassment Policy Statement

**CFPB Policy Statement on
Equal Employment Opportunity and Workplace Harassment**

General EEO Policy

CFPB has an [Equal Employment Opportunity and Non-Discrimination Policy](#). The CFPB-NTEU Collective Bargaining Agreement also contains an [Equal Employment Opportunity Article](#). It is the unequivocal and longstanding policy of the Consumer Financial Protection Bureau (CFPB or Bureau) to provide equal employment opportunity (EEO) to all employees and applicants for employment.

We all deserve to work in an environment where we will be treated fairly and equitably, and where we can participate fully in all benefits of employment, including in recruitment, hiring, compensation, appraisals, awards, training and career development, promotions, transfers, reassignments, and other terms, conditions, and privileges of employment.

Accordingly, the Bureau does not and will not tolerate any discrimination against any employee or applicant for employment based on **race, color, religion, sex (including pregnancy, sexual orientation, transgender status, gender identity or expression, gender non-conformity, or sex stereotyping of any kind), national origin, age (40 and above), disability, genetic information, marital status, parental status, political affiliation, military service, union activities, protected EEO activity, whistleblower activity, or any other non-merit factor.**

Discrimination (including harassment) on any of these protected bases also is prohibited by Federal statutes and/or Executive Orders.

As Bureau employees, it is up to each one of us to ensure we understand and adhere to these principles. Each one of us will be held accountable for compliance with EEO laws and merit system principles and policies, and for treating colleagues with respect, dignity, and professionalism.

Anti-Harassment Policy

CFPB has an [Anti-Harassment Policy and Related Procedures](#). The goal of the Bureau's anti-harassment policy and related procedures is to prevent harassing conduct from occurring and to stop it *before* it becomes unlawful. Accordingly, it is the unequivocal and longstanding policy of the Bureau to maintain a workplace free from any harassing conduct.

The Bureau will not tolerate harassing conduct against any applicant, employee, or contractor. The Bureau prohibits harassing conduct in the workplace by anyone, including senior leaders, managers, supervisors, coworkers, or non-employees such as staff at examination sites, contract workers, security guards, and delivery or maintenance staff.

Harassing conduct includes *unwelcome* conduct based on any (or a combination of) protected traits or characteristics. Such conduct may take the form of any of the following (whether occurring in person, online or by email, on social media, or in any other manner):

- Offensive jokes, comments, objects, or pictures
- Questions about a person's identity (e.g., disability status, gender identity, sexual orientation, national origin, etc.)
- Undue attention
- Ridicule or mockery
- Insults or put-downs
- Touching/physical contact
- Slurs or epithets
- Threats or other forms of intimidation
- Physical or sexual assault.

Examples include (but are not limited to), allegations that:

- My coworkers constantly make derogatory comments about my disability.
- My supervisor reassigned me when I declined his invitation to a dinner date.
- My supervisor makes racially insensitive remarks and jokes at work.

Bureau policy does not prohibit all workplace-related conduct or misconduct individuals may find objectionable. Conduct based on a characteristic or trait that is *not* protected under federal employment civil rights laws or related federal authorities falls outside the scope of the Bureau's anti-harassment policy. Similarly, harassing conduct does not include ordinary supervisory actions (such as telling an employee that they are not performing a job adequately) not based on a protected characteristic or trait. Generally, allegations concerning performance issues, merely impolite behavior, or personality conflicts not based on any, or a combination of, protected characteristics or traits will not fall under the Bureau's anti-harassment policy. Also, occasional and innocuous compliments generally will not constitute harassing conduct. Individuals with concerns or complaints about conduct that falls outside the scope of the Bureau's anti-harassment policy may raise such issues through alternative means, such as the Bureau's Alternative Dispute Resolution (ADR) program or the negotiated or administrative grievance procedures.

How to Report Possible Harassment

The Bureau cannot eliminate or address harassing conduct unless officials know about it. The best way to create a workplace culture free from harassing conduct is to ensure that individuals who witness or are the subject or object of such conduct feel encouraged, empowered, and obligated to report it. Every individual at the Bureau is in part responsible for creating this workplace culture.

Individuals who observe, experience, or otherwise learn about harassing conduct *must* report the conduct to any of the individuals or offices listed below. The Bureau will protect the confidentiality of the individuals making complaints to the fullest extent possible.

In general, anyone who is subjected to conduct that they experience as harassing should tell the person who engaged in the conduct to stop it. If the subject or object of the alleged harassing conduct is uncomfortable confronting the person who engaged in the conduct, or if the conduct continues following a request to stop, the subject or object of the alleged harassing conduct must come forward promptly and report the conduct to ***any*** of the following:

- The subject's immediate supervisor;
- The supervisor of the person responsible for the alleged conduct;
- Any management official with supervisory authority;
- The Office of Employee and Labor Relations (ELR), which can be reached at CFPB_harassmentreferral@cfpb.gov; and/or
- The Office of Civil Rights (OCR), which can be reached at CFPB_EEO@cfpb.gov or 202-435-9EEO, 1-855-233-0362, or 202-435-9742 (TTY).

These individuals and offices have been trained on how to respond to reports of harassing conduct and will be held accountable for responding appropriately to such reports. Managers and supervisors will also receive periodic mandatory anti-harassment training and are required to immediately report such conduct to OHC/ELR.

Protection Against Retaliation

The Bureau supports the right of any employee who believes they have been discriminated against or harassed (or who believes they have witnessed discrimination or harassment) to reasonably oppose such conduct, to file a complaint about it, or to participate in any related inquiry or investigation *without fear of retaliation*.

Accordingly, the Bureau will not tolerate retaliation against any applicant, employee, or contractor for opposing harassing conduct, reporting harassing conduct, or participating or assisting in any inquiry, investigation, lawsuit, or other proceeding concerning harassing conduct.

Any employee who engages in prohibited retaliation is subject to disciplinary action, as appropriate. Management will be held accountable for preventing and promptly stopping and correcting any retaliatory conduct.

Filing an EEO Complaint for Violations of Law and Executive Orders

Employees who believe they have experienced *unlawful* prohibited conduct have the right to seek legal redress under the applicable EEO law. To preserve this right, an employee must promptly contact the [Office of Civil Rights](#) (OCR) to discuss their rights under the EEO laws. ***You must contact OCR to request EEO counseling within 45 calendar days of the occurrence of conduct you believe is unlawful; failure to meet these timeframes could result in the forfeiture of your legal right to redress the harassment.*** (Contact information for OCR is provided below.)

Reporting harassment to a management official or to OHC/ELR does *not* satisfy the above requirement. You must contact OCR within 45 calendar days to preserve your legal right to redress harassment for violations of EEO laws and Executive Orders. Further, if you contact OCR to report unlawful harassment, OCR has an obligation to also refer the matter to OHC/ELR for investigation (as appropriate) under Bureau policy. OHC may undertake its own independent internal investigation of the allegations to satisfy its obligations to exercise due care to promptly eliminate all harassing conduct in the workplace.

Additional Information

You can [read the complete CFPB Anti-Harassment and Related Procedures.](#)

You can [read the complete CFPB EEO and Non-Discrimination Policy.](#)

You can [read the *Equal Employment Opportunity Article*](#) in the CFPB-NTEU Collective Bargaining Agreement.

You can read some [FAQs about the Office of Civil Rights](#) and its work.

You can find more information regarding Federal antidiscrimination, whistleblower protection, and retaliation laws on:

- the CFPB's intranet at <http://team.cfpb.local/wiki/index.php/EEO>
- the U.S. Equal Employment Opportunity Commission website at <http://www.eeoc.gov>
- the U.S. Office of Special Counsel website at <http://www.osc.gov>
- the U.S. Department of Labor Veterans' Employment and Training Service website at <https://www.dol.gov/vets/>
- the U.S. Merit Systems Protection Board website at <http://www.mspb.gov>
- the U.S. Federal Labor Relations Authority website at <http://www.flra.gov>

Contact Information for the CFPB's Office of Civil Rights

E-mail (preferred method given the current operating posture):

CFPB_EEO@cfpb.gov

U.S. Postal Service Mail:

Office of Civil Rights
Consumer Financial Protection Bureau
1700 G Street, NW
Washington, D.C. 20552

Hand-Delivery:

Office of Civil Rights
Consumer Financial Protection Bureau
1700 G Street, NW
Fourth Floor
Washington, D.C. 20552

Phone:

202-435-9EEO

1-855-233-0362

202-435-9742 (TTY)

Fax:

202-435-9598