

February 25, 2003

JON M. STEELE
VICE PRESIDENT, NORTHEAST AREA OPERATIONS

SUBJECT: Audit Report – Sexual Harassment Prevention Measures in the Albany and Southeast New England Districts – Northeast Area
(Report Number LH-AR-03-004)

This report presents the results of our audit of sexual harassment prevention measures in the Albany and Southeast New England Districts, Northeast Area (Project Number 02YG010LH004). Our overall objective was to determine if the districts had adequate policies and procedures in place to prevent sexual harassment in the workplace, and to effectively address sexual harassment complaints to mitigate liability. This report is based on a self-initiated review, and is the fourth in a series of ten reports we will be issuing regarding sexual harassment prevention measures Postal Service-wide.

We found that the Albany and Southeast New England Districts' sexual harassment policies and procedures were adequate, employees found responsible for sexual harassment or inappropriate actions/comments were appropriately disciplined or corrective action was taken, and managers/supervisors were considered for exclusion from the Pay for Performance Program. In addition, although no Postal Service national policy existed regarding the retention time for informal complaint files, both districts were retaining files indefinitely and storage of files was adequate. We also found, however, that some sexual harassment complaints in both districts were not effectively addressed.

The report included two recommendations to help the Albany and Southeast New England Districts improve their sexual harassment prevention program. Management agreed with part of recommendation 1 and all of recommendation 2. The actions taken or planned should correct some of the issues identified in this report. Management disagreed, however, with part of the finding that some complaints were not effectively addressed, and disagreed with part of recommendation 1 to fully document detailed evidence of the actions taken to address complaints. The Office of Inspector General (OIG) considers that part of recommendation 1 as unresolved and will address it in a separate capping report to the senior vice president, Human Resources. Management's comments and our evaluation of these comments are included in this report.

The OIG considers recommendations 1 and 2 significant and, therefore, requires OIG concurrence before closure. Consequently, the OIG requests written confirmation when corrective actions are completed. These recommendations should not be closed in the follow-up tracking system until the OIG provides written confirmation that the recommendations can be closed.

We appreciate the cooperation and courtesies provided by your staff during the audit. If you have any questions, please contact Chris Nicoloff, director, Labor Management, at (214) 775-9114, or me at (703) 248-2300.

B. Wayne Goleski
Assistant Inspector General
for Core Operations

cc: Suzanne F. Medvidovich
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EXECUTIVE SUMMARY

Introduction

This report presents the results of our audit of sexual harassment prevention measures in the Albany and Southeast New England Districts, located in the Northeast Area. This review was self-initiated to determine if the districts had adequate policies and procedures in place to prevent sexual harassment in the workplace, and to effectively address sexual harassment complaints to mitigate liability.

Results in Brief

The audit revealed that the Albany and Southeast New England Districts' sexual harassment policies and procedures were adequate and that employees found responsible for sexual harassment or inappropriate actions/comments were appropriately disciplined or corrective action was taken. We also found that managers/supervisors responsible for sexual harassment or inappropriate actions/comments were considered for exclusion from the Pay for Performance Program. In addition, although no Postal Service national policy existed regarding the retention time for informal complaint files, both districts were retaining files indefinitely and storage of files was adequate. Finally, we found some sexual harassment complaints in both districts were not effectively addressed.

Summary of Recommendations

The report included two recommendations to help the Albany and Southeast New England Districts improve their sexual harassment prevention program. We recommended management, instruct the Albany and Southeast New England District managers to establish controls to ensure managers and supervisors effectively address all sexual harassment complaints and inappropriate actions/comments of a sexual nature and fully document detailed evidence of the actions taken to address complaints; and the Equal Employment Opportunity office notifies district management of all complaints of sexual harassment or inappropriate actions/comments of a sexual nature.

Summary of Management's Comments

Management agreed with part of recommendation 1 that managers and supervisors must effectively address all sexual harassment complaints and all of recommendation 2. Management stated that by March 15, 2003, the Northeast

Area would reissue a 1999 policy that developed and put into place an investigation process to respond quickly to any claims of sexual harassment to remind districts of their responsibilities.

Management disagreed, however, with the finding that some sexual harassment complaints were not effectively addressed and with the part of the recommendation to fully document detailed evidence of the actions taken to address complaints. They stated Postal Service guidelines allow managers maximum flexibility to address complaints simply and directly between the parties without a formal written record; and although all matters of sexual harassment will be fully investigated, not all will result in a full written record.

Management agreed with recommendation 2 that the district Equal Employment Opportunity office notifies management of all complaints of sexual harassment or inappropriate actions/comments of a sexual nature and stated that all Equal Employment Opportunity offices will be notified by March 31, 2003, of this policy. Management's comments, in their entirety, are included in Appendix B of this report.

**Overall Evaluation of
Management's
Comments**

Management's actions taken or planned are responsive to the first part of recommendation 1 and all of recommendation 2. Management's comments are not responsive to the second part of recommendation 1. We believe documentation plays an important role in determining creditably and mitigating liability. We do not agree with management's rationale for not documenting actions taken to address complaints. Postal Service policy is clear that serious complaints must be documented, and further provides that "When in doubt, document." The OIG considers recommendation 1 unresolved and will address it in a separate capping report.¹

¹ We will issue a capping report on the audit results for the nine areas we visited, including Northeast Area, where recommendations regarding national policy will be made to the senior vice president, Human Resources.

INTRODUCTION

Background

Sexual harassment is defined by law as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that becomes a term or condition of employment. According to a Postal Service Law Department report, in fiscal years (FY) 2000 and 2001, the Postal Service paid approximately \$1,192,619² for sexual harassment judgments and settlements in the Northeast Area.

Objective, Scope, and Methodology

Our overall objective was to determine if the districts had adequate policies and procedures in place to prevent sexual harassment in the workplace, and to effectively address sexual harassment complaints to mitigate liability. Our objective, scope, and methodology are discussed in Appendix A.

Prior Audit Coverage

We did not identify any prior audits or reviews related to the objective of this audit in these two districts.

² This amount represents 12 complaints. None of these complaints were within the scope of our review.

AUDIT RESULTS

Policies and Procedures Adequate

We found that the Albany and Southeast New England Districts had adequate policies and procedures that should enable district management to identify and prevent sexual harassment or inappropriate actions/comments, and provide management with guidance to respond effectively to complaints, thus mitigating liability and costs.

We also found that the districts:

- Established as district policies, Postal Service Publication 552, Manager's Guide to Understanding Sexual Harassment, and Publication 553, Employee's Guide to Understanding Sexual Harassment.
- Established investigative teams at the district level to investigate all complaints.
- Used Voice of the Employee surveys³ to monitor the work environment and when necessary provided additional training to raise awareness.

³ The Voice of the Employee survey was a data collection instrument that the Postal Service had established to help improve workplace relationships and to ensure all employees were treated with fairness, felt safe in their workplace, had opportunities to participate in improvements, and took pride in being Postal Service employees.

Employees Appropriately Disciplined or Corrective Action Taken

We found that employees responsible for sexual harassment or inappropriate actions/comments were appropriately disciplined, or corrective action was taken.

Equal Employment Opportunity Commission 1990 and 1999 guidelines recommended agencies take immediate and appropriate corrective action, including discipline, when sexual harassment occurred. Postal Service policy stated employees engaged in sexual harassment would be subject to disciplinary action, up to and including removal. The policy also stated that disciplinary action might result even if the conduct was not sexual harassment as defined by the law, but was inappropriate and of a sexual nature.

Our review of formal and informal⁴ complaints in the Albany and Southeast New England Districts showed that:

- Of the 12 formal and informal sexual harassment complaints filed in the Albany District, sexual harassment or inappropriate actions/comments were not substantiated in 2, and substantiated in 6. For the remaining four complaints, management did not conduct an inquiry or investigation to determine whether sexual harassment or inappropriate actions/comments had occurred, and thus no discipline or corrective action was considered or taken.
 - In the six substantiated complaints, five employees⁵ were involved and all were appropriately disciplined or corrective action was taken.
- Of the ten formal and informal complaints filed in the Southeast New England District, sexual harassment or inappropriate actions/comments were substantiated in five, and inconclusive in five.

⁴ The term “informal” complaint refers to those not filed using the Equal Employment Opportunity process.

⁵ One employee was involved in two complaints.

- In the five substantiated complaints, five employees were involved and all were appropriately disciplined or corrective action was taken.

- In the five inconclusive complaints, four employees and one contractor were involved. The four employees received refresher sexual harassment prevention training, and the contractor's contract was terminated.

**Managers/
Supervisors
Considered for
Exclusion from Pay
for Performance**

We found that managers/supervisors found responsible for sexual harassment or inappropriate actions/comments were considered for exclusion from the Pay for Performance Program⁶ in the Albany and Southeast New England Districts.

Equal Employment Opportunity Commission guidelines included a reduction in wages as an effective corrective measure to stop harassment and ensure it does not reoccur. Postal Service policy stated an employee whose conduct was clearly unacceptable may be excluded from the Pay for Performance Program. The Postal Service described unacceptable behavior as “notoriously disgraceful or immoral conduct, or other conduct prejudicial to the Postal Service.”

We found:

- Five employees in the Albany District were found responsible for sexual harassment or inappropriate actions/comments. One was a manager/supervisor who was eligible for the Pay for Performance Program and was excluded.
- Five employees in the Southeast New England District were found responsible for sexual harassment or inappropriate actions/comments. Three were managers/supervisors who were eligible for the Pay for Performance Program. Of the three, one was excluded and the remaining two were considered for exclusion.
 - One manager/supervisor received \$2,558 in FY 2000, and was demoted voluntarily, to a nonsupervisory Executive and Administrative Schedule position. According to district management, the manager/supervisor’s conduct did not warrant exclusion.

⁶ The Pay for Performance Program, formerly referred to as the Economic Value Added Program, was an incentive award program for nonbargaining employees. The amount of money received by each employee was based on a group achievement of performance targets and financial measurements.

- The other manager/supervisor received \$2,864 in FY 2001, and was demoted from an Executive and Administrative Schedule level 21 to a level 15. District management stated exclusion from the program would not have been appropriate, as the employee worked the entire fiscal year in a lower level position without incident.

Some Complaints Not Effectively Addressed

Our audit disclosed that 7 of the 22 complaints were not effectively addressed in the Albany and Southeast New England Districts. Equal Employment Opportunity Commission guidelines defined an “effective” investigation as a prompt, thorough, and impartial review with documented evidence. Postal Service policy required managers to conduct sexual harassment inquiries promptly and investigate all complaints, and document “serious” complaints with detailed evidence.⁷

We found that:

- Postal Service national policy did not require that “all” complaints be documented—only those that managers believed were “serious.”
- Of the 12 formal and informal complaints filed in the Albany District, 7 were effectively addressed and 5 were not.
 - For the five not effectively addressed, one was not documented and four were not investigated.
 - District management said for the four complaints not investigated, the complaints were filed directly with the Equal Employment Opportunity office and that office did not notify district management. This precluded them from conducting their own investigation.
 - District management stated for the one not documented, an inquiry/investigation was conducted, however, they did not document that the employees were immediately separated.
- Of the ten formal and informal complaints filed in the Southeast New England District, eight were effectively addressed and two were not.

⁷ Publication 552 was revised effective September 2001, and replaced the term “serious” with the statement “some complaints can be resolved simply and directly between the parties without the need for a formal written record.” The revised policy also provided that managers/supervisors needed to decide early in the process whether formal documentation was warranted, and that a good rule of thumb was when in doubt, document.

- For the two not effectively addressed, both were investigated, neither was prompt.
- In one complaint, district management stated the complainant was unavailable due to termination.
- In the other complaint, the facility postmaster did not immediately conduct an investigation due to the December mail volume.

Complaints not effectively addressed could result in liability because the Postal Service cannot demonstrate it exercised reasonable care to prevent and promptly correct harassing behavior. We believe the lack of a Postal Service policy requiring documentation of all complaints and the lack of communication between the Equal Employment Opportunity office and district management may have been factors. We will address these issues in a separate report.

Recommendation

We recommend the vice president, Northeast Area Operations, instruct the Albany and Southeast New England District managers to establish controls to ensure:

1. Managers and supervisors effectively address all sexual harassment complaints and inappropriate actions/comments of a sexual nature and fully document detailed evidence of the actions taken to address complaints.

**Management's
Comments**

Management agreed with part of the recommendation that all sexual harassment complaints be promptly, thoroughly, and impartially investigated. Management also stated an effective investigation is one that produces sufficient and timely information that allows management to take appropriate corrective action, or to close the matter. Management stated that by March 15, 2003, the Northeast Area would reissue a 1999 area wide policy that requires the districts to respond quickly to any claims of sexual harassment.

Management disagreed, however, with part of the recommendation to fully document detailed evidence of the actions taken to address complaints. Management stated

Postal Service guidelines allow managers maximum flexibility to address complaints simply and directly between the parties without a formal written record. Management stated all matters of alleged sexual harassment will be fully investigated, however, not all will result in a full written record with detailed evidence of the actions taken to address the complaints.

Management also disagreed with the finding that some complaints were not effectively addressed and stated in one Albany District complaint, the audit team's main concern was that management did not document it had immediately separated the employees involved. They also stated this complaint was timely investigated, documented, and brought to a conclusion. Management further stated the incident occurred three months before it was reported to management; therefore, management had no opportunity to immediately separate the employees.

Management also stated two Southeast New England District complaints were investigated as soon as possible and that any delay was due to the unavailability of the complainants—one of which was away from work, and the other who did not complain until almost a month after quitting the Postal Service.

Management further stated that pursuant to Postal Service policy, the first step in an investigation following receipt of a complaint is to interview the complainant. They stated until the complainant is interviewed, management would not know what to investigate, and runs the risk of investigating the wrong matter. Management stated if the complainant was unavailable for an interview when the complaint is received, it would be counter to Postal Service policy and a waste of resources to immediately start the investigation.

**Evaluation of
Management's
Comments**

Management's planned action is responsive to the first part of our recommendation, however, it is not responsive to the second part of the recommendation. We believe documentation plays an important role in determining creditably and mitigating liability. Specifically, it provides a record of the action management took to address and resolve sexual harassment complaints. We do not agree with management's rationale for not documenting actions taken to address complaints. Postal Service policy is clear

that serious complaints must be documented, and further provides that “When in doubt, document.” We believe the policy does not limit management from documenting all actions; it simply establishes a floor, not a ceiling for addressing complaints. We view the disagreement on this recommendation as unresolved and it will be addressed in our capping report.

We disagree with management that complaints identified in the report were effectively addressed. The report states our definition of effective included whether or not a complaint was documented or promptly addressed. The date and time employees were separated in the one Albany case was not documented. Management’s actions in response to the two New England complaints were not prompt. In these cases, management’s position that it could not interview the complainants appears to be based on the complainants’ absence from the workplace, which we do not believe is an adequate reason. To our knowledge, there was nothing to preclude management from reaching the complainants at their residences.

Recommendation

We recommend the vice president, Northeast Area Operations, instruct the Albany and Southeast New England District managers to establish controls to ensure:

2. The Equal Employment Opportunity office notifies district management of all complaints of sexual harassment or inappropriate actions/comments of a sexual nature.

**Management’s
Comments**

Management agreed with our recommendation that the Equal Employment Opportunity office notifies district management of all complaints of sexual harassment or inappropriate actions/comments. They stated that the Equal Employment Opportunity offices will be directed by March 31, 2003, to notify district management of all complaints of sexual harassment when the complainant has waived anonymity during the Equal Employment Opportunity counseling phase and all complaints of sexual harassment when a formal complaint is filed.

**Evaluation of
Management's
Comments**

Management's actions taken or planned should correct the issues identified in the report.

**File Retention and
Storage Adequate**

Our audit found there was no Postal Service policy regarding the retention time for informal complaint files. However, both districts retained informal complaint files indefinitely and storage of files was also adequate.

Equal Employment Opportunity Commission guidance stated formal sexual harassment complaint files should be retained for at least 4 years after resolution of the complaint. Postal Service policy stated once an inquiry/investigation was conducted, files should be forwarded for storage, to the district Human Resources manager. According to a headquarters senior Postal Service manager, the intent of this policy was to centrally locate the files with the Human Resources manager.

Retaining and storing informal complaint files in a central location ensures file availability if needed to mitigate liability. We will address the need for a national retention policy in a separate report.

APPENDIX A. OBJECTIVE, SCOPE, AND METHODOLOGY

Our objective was to determine if the Albany and Southeast New England Districts, in the Northeast Area, implemented adequate policies and procedures to prevent sexual harassment⁸ in the workplace and to effectively address sexual harassment complaints to mitigate liability. Our district selections were based on interviews with the senior vice president, Human Resources; vice president, Diversity Development; and vice president, Northeast Area. We also considered the number of closed formal sexual harassment complaints in each of the nine Northeast Area districts.

To accomplish our objective, we reviewed applicable laws, policies, procedures, and other documents including Equal Employment Opportunity Commission guidelines, Postal Service national policies, the Northeast Area, and the Albany and Southeast New England District policies for preventing sexual harassment in the workplace. We also reviewed Postal Service national policy regarding the Pay for Performance Program. In addition, we reviewed previously issued OIG reports related to sexual harassment issues. Further, we interviewed Postal Service Headquarters, Northeast Area, and Albany and Southeast New England District officials.

To determine if adequate policies and procedures were in place to prevent sexual harassment from occurring in the workplace, we identified Equal Employment Opportunity Commission key recommendations to agencies regarding policies and procedures that should be in place to prevent sexual harassment and reduce the risk of agency liability. We then reviewed the Postal Service national, Northeast Area, and Albany and New England Districts' policies and procedures to determine if the recommendations were included.

To determine whether district managers effectively addressed informal sexual harassment complaints to mitigate liability, we analyzed the documentation contained in formal and informal complaint files that were filed and closed⁹ in FYs 2000 and 2001,¹⁰ for the two districts we selected. We recorded information related to promptness, thoroughness, impartiality, and the level of documentation. These fiscal years were chosen because they were the most recent and complete fiscal years at the time of our fieldwork. The number of formal and informal closed complaints was obtained from the Postal Service Equal Employment Opportunity case file database and district management, respectively. We then excluded those complaints where the employees filed their complaints directly with the Equal Employment Opportunity office and requested confidentiality. These were excluded because honoring the request for

⁸ For the purpose of this report, we used the legal definition of sexual harassment as unwelcome sexual conduct that is a term or a condition of employment (29 C.F.R. § 1604.11(a)). In addition, we included the Postal Service policy regarding inappropriate actions/comments of a sexual nature when reviewing sexual harassment complaint files.

⁹ Sexual harassment complaints may be considered closed for a number of reasons including (1) the inquiry/investigation was completed, (2) a settlement had been reached, (3) the complaint was withdrawn, or (4) discipline or corrective action was taken.

¹⁰ We used Postal Service fiscal years that started September 11, 1999, and ended September 7, 2001.

confidentiality precluded the Equal Employment Opportunity office from notifying district management that a complaint had been made. This in turn precluded management from conducting an investigation. We then determined there were 22 closed complaint files as follows:

District	Complaints		Total Complaints Per District
	Formal	Informal	
Albany	5	7	12
Southeast New England	4	6	10
Total	9	13	22

We also determined if the retention and storage of informal files were adequate using Postal Service national, area, and district policies as well as Equal Employment Opportunity Commission guidelines.

In addition, we determined whether employees found responsible for sexual harassment received appropriate discipline using Equal Employment Opportunity Commission guidelines, Postal Service policies and procedures, and some elements of the Douglas Factors.¹¹ We included in this determination whether or not managers or supervisors found responsible for sexual harassment or inappropriate actions/comments were considered for exclusion from the Pay for Performance Program.

This audit was conducted from February 2002 through February 2003 in accordance with generally accepted government auditing standards and included such tests of internal controls as were considered necessary under the circumstances. We discussed our conclusions and observations with appropriate management officials and included their comments, where appropriate.

¹¹ The Douglas Factors were developed as a result of case law (*Douglas v. the Veterans' Administration*) where the Merit Systems Protection Board ruled that management must document certain factors to be considered in making a determination of appropriate disciplinary action.

APPENDIX B. MANAGEMENT'S COMMENTS

JON M. STEELE
VICE PRESIDENT, NORTHEAST AREA OPERATIONS



UNITED STATES
POSTAL SERVICE™

January 13, 2003

MEMORANDUM FOR B. WAYNE GOLESKI
ASSISTANT INSPECTOR GENERAL FOR
CORE OPERATIONS

SUBJECT: Addendum to Response to Draft Audit Report- - SEXUAL
HARASSMENT MEASURES IN THE ALBANY AND SOUTHEAST
NEW ENGLAND DISTRICTS
(REPORT NO. LH-AR-03-DRAFT)

This is to supplement the January 8, 2003 response by the Northeast Area to the above referenced draft audit report.

Recommendation- Establish controls to ensure managers and supervisors effectively address all sexual harassment complaints and fully document detailed evidence of the actions taken to address complaints.

Response- Management agrees with the recommendation that all sexual harassment complaints be promptly, thoroughly and impartially investigated. However, management disagrees with the latter part of the recommendation that all sexual harassment complaint investigations fully document detailed evidence of the actions taken to address complaints. Postal guidelines allow that some matters can be resolved simply and directly between the parties without a formal written record. The rationale is to allow managers maximum flexibility and speed to deal with those minor, one-time events such as an off-color joke or careless remark. In addition, when frivolous and baseless charges of harassment are levied, managers need not create a written record on the unjustly accused employee. In 1999, the Northeast Area developed and put into place a formal area-wide Management Investigation process to respond quickly to any claims of sexual harassment. The Albany and Southeast New England District comply with this process. Nonetheless, by March 15, 2003 I will re-issue the 1999 policy, and remind the Districts of their responsibilities under the process. However, in accordance with Postal Service guidelines identified above, although all matters of alleged sexual harassment will be fully investigated, not all complaints will result in a full written record with detailed evidence of the actions taken to address the complaints.

Recommendation- Establish controls to ensure the Equal Employment Opportunity offices notify district management of all complaints of sexual harassment or inappropriate actions/comments.

Response- Management agrees with the recommendation that the Equal Employment Opportunity office notify district management of all complaints of sexual harassment or inappropriate actions/comments, except in cases where the complainant has requested confidentiality during the counseling portion of the process. EEO guidelines allow a complainant to request that their name not be used during the counseling portion of the EEO complaint process. Directing the EEO office to notify district management in all cases would violate the confidentiality guaranteed in the EEO process. Notifying district management of complaints of sexual harassment without being able to identify the complaining party would lead to ineffective and wasteful investigations. The EEO offices will be directed by March 15, 2003 to notify district management of all complaints of sexual harassment when the complainant has waived anonymity and all complaints of sexual harassment when a formal complaint is filed.


Jon M. Steele

cc: Kathy Dial, Manager, Human Resources, Northeast Area
Tim Healy, District Manager, Albany District
Don Marshall, District Manager, SENE District
Susan Duchek
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JON M. STEELE
VICE PRESIDENT, NORTHEAST AREA OPERATIONS



**UNITED STATES
POSTAL SERVICE™**

January 8, 2003

MEMORANDUM FOR B. WAYNE GOLESKI
ASSISTANT INSPECTOR GENERAL
FOR CORE OPERATIONS

SUBJECT: RESPONSE TO DRAFT AUDIT REPORT- SEXUAL
HARASSMENT MEASURES IN THE ALBANY AND SOUTHEAST
NEW ENGLAND DISTRICTS
(REPORT NO. LH-AR-03-DRAFT)

Please find attached the response of the Northeast Area to the above referenced draft audit report. We look forward to receipt of the capping report, identified in footnote 7, and the recommendations regarding national policy.

Please let me know if the Northeast Area can be of further assistance on this matter.


Jon M. Steele

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**AUDIT RESULTS
MANAGEMENT RESPONSE**

Policies and Procedures Adequate

Management agrees that the Albany and Southeast New England Districts had adequate policies and procedures that should enable district management to identify and prevent sexual harassment or inappropriate actions/comments, and provide management with guidance to respond effectively to complaints.

Employees Appropriately Disciplined or Corrective Action Taken

Management agrees that employees found responsible for sexual harassment or inappropriate actions/comments were appropriately disciplined, or corrective action taken.

Managers/Supervisors Considered for Exclusion from Pay for Performance

Management agrees that managers/supervisors found responsible for sexual harassment or inappropriate actions/comments were considered for exclusion from the Pay for Performance Program in the Albany and Southeast New England Districts.

Some Complaints Not Effectively Addressed

Management agrees in part with this finding. Management's position is that an "effective" investigation is one that produces sufficient, timely information that allows management either to take appropriate corrective action, or to close the matter.

With respect to the complaints that the Audit Team found not to be effectively addressed, one matter in the Albany District was investigated timely, documented, and brought to a conclusion. Notwithstanding our belief that the allegations were subject to a prompt, thorough and impartial review with documented evidence, it appears that the Audit Team's concern was that it was not documented that the employees were separated immediately. In fact, in this case, the sole alleged incident of harassment occurred three months before it was reported to management. Accordingly, management had no opportunity to separate the employees immediately.

With respect to the two Southeast New England District cases deemed by the Audit Team to have been not effectively investigated, each case was investigated as soon as possible. To the extent there was any delay, both were delayed due to the unavailability of the complainant. In one case the complainant was unavailable due to the fact that the allegations were first raised in a voice mail message to the Postmaster when complainant was out of work while under

investigation by the Inspection Service. In the second case, the complainant did not raise any allegations of harassment until almost a month after she had quit the Postal Service. In that case, the allegations of harassment were first raised in a telephone call by the individual to the EEO office to complain that the individual's Form 50 indicated that she had been terminated, when she felt she had quit. Accordingly, the facility Postmaster was not even aware of the allegations of harassment.

Pursuant to Postal Service policy, the first step in an investigation following receipt of a complaint is to interview the complainant. *See Manager's Guide to Understanding Sexual Harassment*, Publication 552, September 2001. The reason for this policy is well founded. Until a complainant is interviewed, the investigator(s) does not know what to investigate, and runs the risk of investigating the wrong matter. If the complainant is unavailable for interview when the complaint is first lodged, even though due to termination, it would be counter to Postal Service policy and a waste of limited Postal Service resources to immediately start the investigation.

The report states that some recommendations, although made to the Northeast Area Vice President, will also be made in a separate capping report to the Senior Vice President, Human Resources. Since these recommendations concern national policy, it would be inappropriate for the Northeast Area to comment at this time. We, however, hereby reserve our right to comment on recommendations made in that capping report.

File Retention and Storage Adequate

Management agrees with the Audit Team's finding that file retention and storage are adequate in the Albany and Southeast New England District.