



FY 2021

SI Civil Program
Annual Report on Harassment and
Workplace Culture at the Smithsonian
Institution

Prepared by:
SI Civil Coordinator
Smithsonian Institution
Office of Human Resources
Labor and Employee Relations

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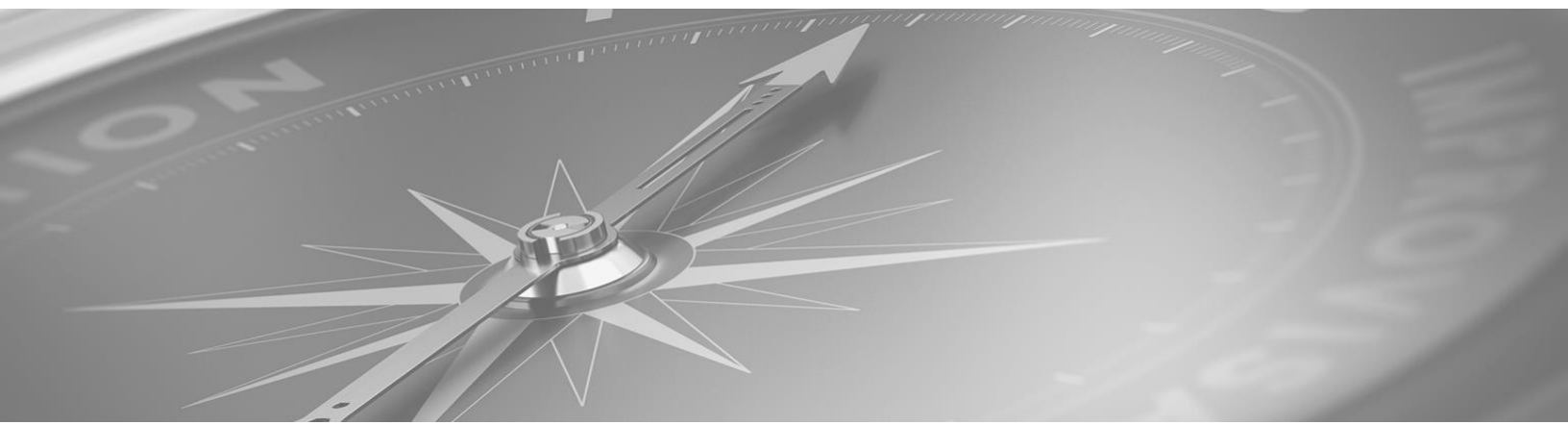


Introduction

Where we are.

The Smithsonian has always been committed to maintaining a work environment that is free from harassment and workplace violence. The purpose of this report is to highlight the Smithsonian's harassment and workplace violence prevention efforts and how SI responds to reports of concerning behaviors. In FY 2021, the Smithsonian implemented enhanced harassment and workplace violence-related resources, policies, and procedures. The goal was to make it easier for employees and affiliated individuals to report concerns and resolve those concerns as quickly as possible. To further this goal, we announced a new program within the Office of Human Resources called the SI Civil Program.

The updated *Workplace Violence Prevention Policy* (SD 217), new *Anti-Harassment Policy* (SD 225), and associated SI Civil Handbook outline how individuals may report harassing conduct, threats of violence, or incidents of intimidation, and get information about appropriate next steps. We are already seeing a positive impact and are confident the new resources SI Civil provides to individuals will make meaningful contributions to the Smithsonian work environment now and in the future. The information and data contained in this report focuses on reports compiled by SI Civil for FY 2021. It does not include data related to EEO complaints, which is administered by the Office of Equal Employment and Supplier Diversity (OEESD).





Executive Summary

SI Civil Program Development and Implementation

- New SI Civil Program announced SI-wide January 4, 2021.
- Began coordinating investigations and resolution of reports brought by individual employees, affiliated individuals, and management.
- Partnered with units and museums across the Institution to train staff and spread awareness of the new program, policies, and reporting process.

FY21 Cases and Trends

- *Cases*
 - SI Civil received **65 reports related to harassment and workplace violence** (including sexual harassment, non-sexual harassment, retaliation, threats, intimidation, and physical violence).
 - In **18%** of cases, a violation of Smithsonian policy was established and resulted in some form of discipline (including reprimand, suspension, demotion, and removal).
- There is no trend analysis for FY21 SI Civil data because we are still building trust in the reporting process and awareness of the SI Civil Program in general. We expect to conduct basic trend analysis next year as we compile more reliable data and have more confidence that individuals know how to report if they choose to do so.

Future Plans

- Continue outreach and building awareness of the new program, reporting process, and supportive resources available to individuals.
- Offer additional training courses, partner with external organizations on training and outreach events, and build partnerships within SI to reach as many individuals as possible.
- Update policies to reflect feedback from stakeholders after 1+ year of implementation.
- Strengthen and expand guidance/toolkits related to SI Civil policies and topics, the reporting process, and conducting administrative investigations.



FY21 Highlights

SI Civil Program Launch

- Drafted and finalized two new Smithsonian Directives after extensive stakeholder review in late 2020: *Anti-Harassment Policy* (SD 225) and *Workplace Violence Prevention Policy* (SD 217).
- SI-wide email, sent January 4, 2021, from the Secretary announcing the new policies and the new “SI Civil Program,” which includes an enhanced reporting process and resources for all Smithsonian employees and affiliated individuals.
- Program marketing commenced in January 2021.
- Coordinated investigations and resolution of reports related to threats of violence, incidents of intimidation, harassment, or other concerning behaviors (including allegations of non-SI Civil misconduct) brought by individual employees, affiliated individuals, and management.

Training and Outreach

- Provided training to 19 Smithsonian units, employee resource groups, individual divisions/offices, and new supervisory groups related to the new SI Civil Program and policies.
- Partnered with a local DC advocacy organization to plan Smithsonian’s first Domestic Violence Awareness Month webinar for October 2021.
- Developed and conducted training related to anti-harassment and workplace violence prevention, workplace dispute resolution, and bystander intervention strategies.
- Assisted individual units on workplace climate issues and provided guidance to supervisors on handling specific cases.



SI Civil Program Overview

SI Civil Program Goals

The SI Civil Program, implemented in January 2021, is a resource for Smithsonian employees and affiliated individuals may use to report threats of violence, incidents of intimidation, harassment, or other concerning behaviors, and get information about appropriate next steps.

SI Civil's goals are simple:

- **prevent** potentially violent situations from occurring in the workplace;
- **address** harassing behaviors before it becomes severe or pervasive;
- promptly and objectively **investigate** incidents, when necessary; and
- take immediate and appropriate **corrective action** when violations of policy occur.

SI Civil Policies

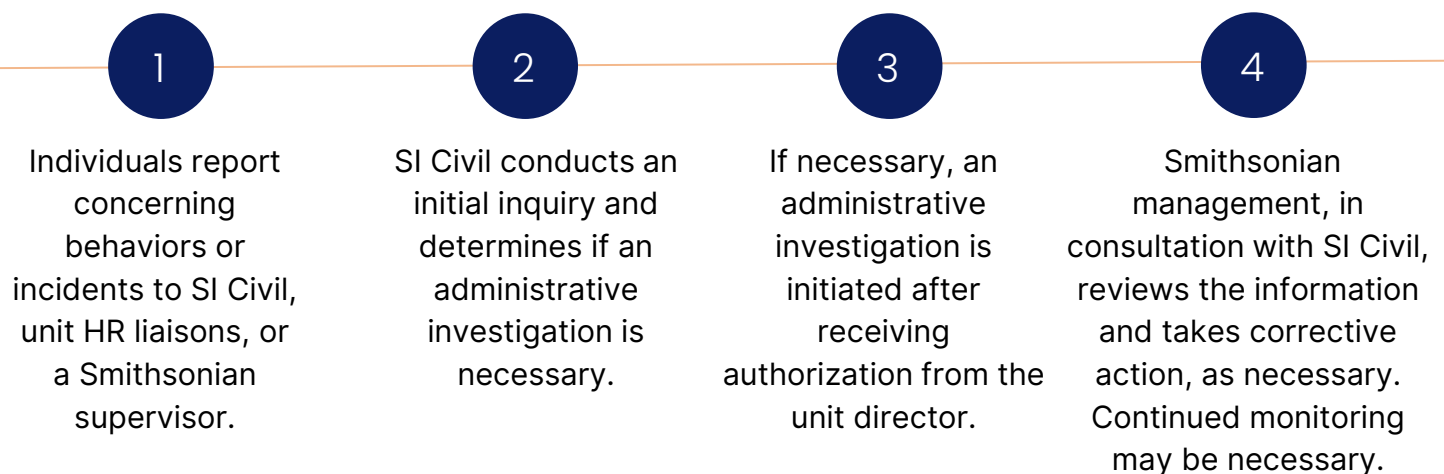
- **Anti-Harassment Policy** (SD 225)
 - The goal of SD 225 is to address harassing conduct at the earliest possible stage, regardless of whether the conduct is based on a protected class (e.g., race, sex, disability).
 - The Smithsonian will not wait for harassing conduct to become severe or pervasive before investigating and taking corrective action.
- **Workplace Violence Prevention Policy** (SD 217)
 - The goal of SD 217 is to provide guidance for preventing and appropriately addressing threatening or intimidating behavior, potentially violent situations, or incidents of workplace violence .
 - All known incidents of threats, intimidation, or workplace violence will be taken seriously and addressed promptly.
 - If the behavior involves a crime in progress or a specific threat of imminent bodily harm, individuals should treat it as an emergency and contact local law enforcement.



Reporting Process

SI Civil Reporting Process

The SI Civil reporting process is designed to be simple and keep the reporting individual informed throughout the process.



Notes on the Reporting Process

- Supervisors (including those in supervisory-like positions) are required to report incidents covered by these policies to SI Civil within 24 hours.
- Generally, there is no specific time limit for filing a report with SI Civil. However, individuals are encouraged to report incidents as soon as possible so Smithsonian can conduct a thorough inquiry.
- SI Civil will notify the reporting party of the status of the report, when the issue has been referred to the appropriate management officials, and when the matter has been addressed. However, because of privacy rights and procedures, no further information will be provided.
- Corrective action may include discipline (e.g., removal or suspension), counseling, reassignment, coaching, training, or a voluntary facilitated conversation.
- Reporting includes required notifications to the Board of Regents and Office of Sponsored Projects (OSP). OSP coordinates reporting to certain federal funding agencies that have reporting requirements in specific situations related to individuals receiving awards.



Other Resources

Finding Support at Smithsonian

In addition to the option of reporting to SI Civil, there are multiple Smithsonian resources available to support individuals.

If an individual would like to discuss an incident or issue in a completely confidential setting, they should contact the Employee Assistance Program or the Ombudsperson, both of which operate under principles of confidentiality. Once an allegation is raised to a Smithsonian management official or to SI Civil, the Smithsonian is required to initiate a prompt, objective, and thorough investigation.

- The **Employee Assistance Program** offers confidential guidance and counseling, free of charge, on any issue. Additionally, the Smithsonian partnered with Inova Employee Assistance to provide employees and members of their households additional services (counseling in multiple languages available).
- The **Ombudsperson** provides Smithsonian and affiliated individuals with a neutral, independent, informal, and confidential alternative to address workplace issues and conflicts.

Office of Equal Employment and Supplier Diversity

Employees and affiliated individuals who wish to file a formal discrimination complaint may do so by contacting the Office of Equal Employment and Supplier Diversity (OEESD) within 45 calendar days of the date of the alleged discriminatory conduct. The EEO complaint process is separate and distinct from the SI Civil reporting process.



FY21 Cases

SI Civil Aggregate Data and Trends

As the SI Civil Program establishes itself as an integral part of the Smithsonian workplace culture, the total number of cases is expected to grow for at least the next 3 years. Although this upward trend may initially seem concerning, it speaks to the enhanced reputation of the program and that individuals feel comfortable enough to come forward and report concerns. We expect to conduct basic trend analysis next year as we compile more reliable data and have more confidence that individuals know how to report if they choose to do so.

SI Civil Cases

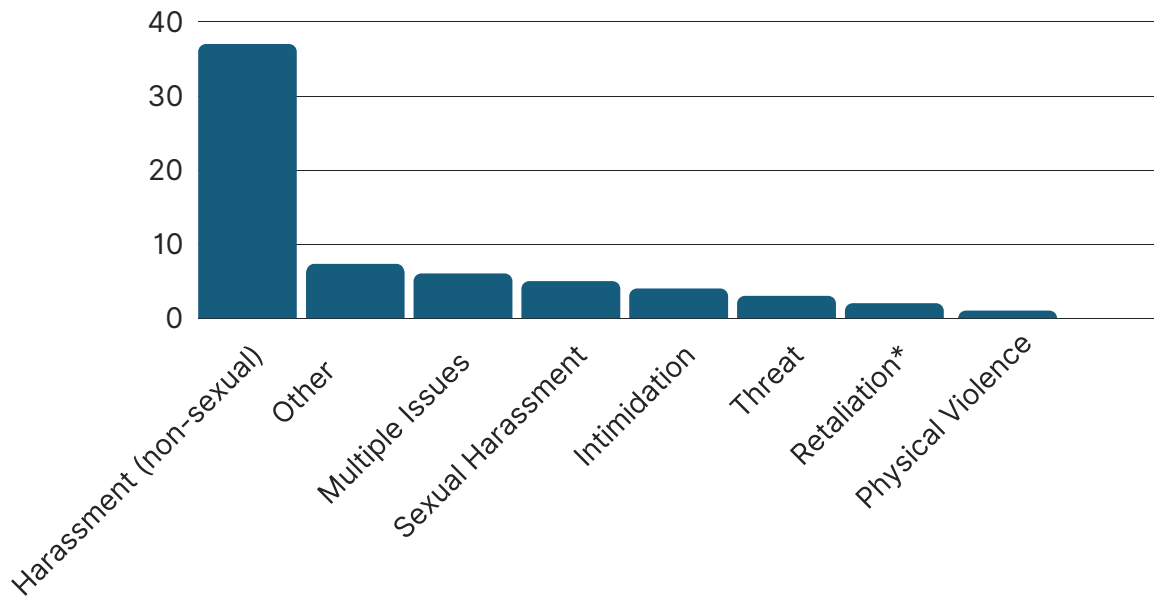
In FY 2021, there were a total of **65 reports**. This includes every category of behavior covered by SI Civil policies: sexual harassment, non-sexual harassment, threats, physical violence, or multiple issues. The categories are fully defined in the SI Civil policies (SD 217 and SD 225).

The majority of reports were made by employees (53 reports). The remainder of reports were initiated by affiliated individuals (10 reports) and visitors/external individuals (2 reports). Although the facts of each case are unique and will result in various outcomes, we grouped the case resolutions by category of outcome. A description of each category is included at the bottom of page 10.



FY21 Cases

Case by Category



Case Count by Category	
Harassment (non-sexual)	37
Other	7
Multiple Issues	6
Sexual Harassment	5
Intimidation	4
Threat	3
Retaliation*	2
Physical Violence	1
Total	65

*Allegations of retaliation are typically included with other issues in the “Multiple Issues” category.

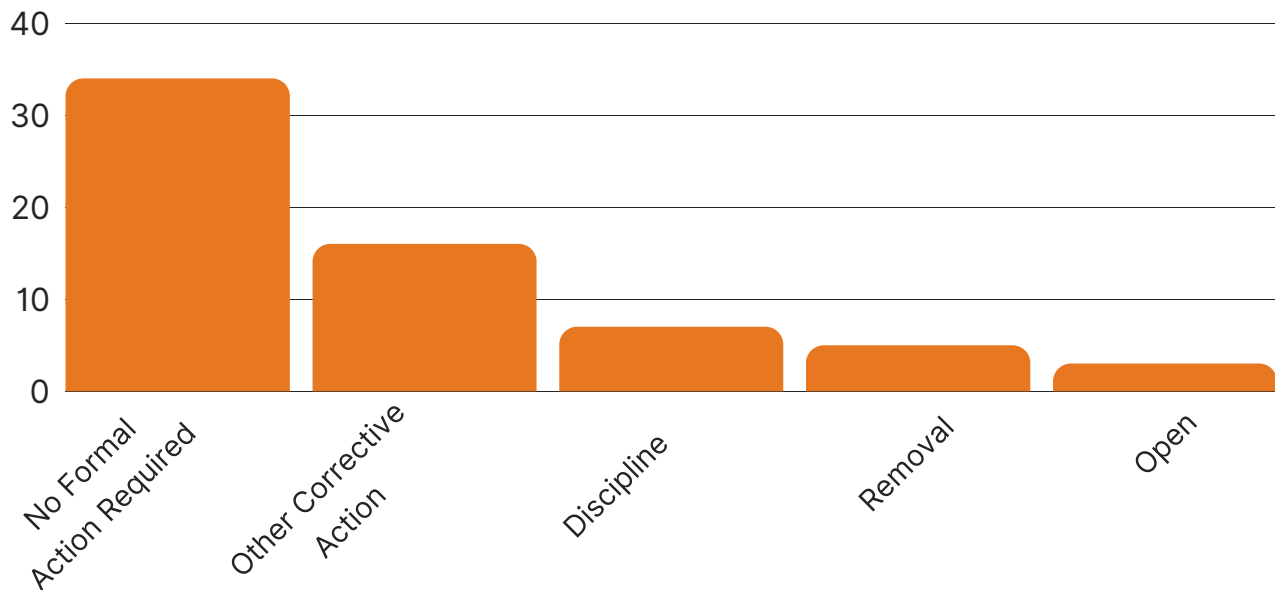


FY21 Cases

Case Outcome

Case Count by Outcome*

No Formal Action Required	34
Other Corrective Action	16
Discipline	7
Removal	5
Open	3
Total	65



Description of Outcome Categories:

- ❖ *No Formal Action Required:* This category includes complaints that were unsubstantiated or not related to SI Civil's scope.
- ❖ *Discipline:* This category includes letters of reprimand, suspensions and demotions.
- ❖ *Other Corrective Action:* This category includes actions that are not disciplinary, such as facilitated conversations, coaching, letters of counseling, and reassignments.
- ❖ *Removal:* This refers to the termination of employment or affiliated individual privileges.
- ❖ *Open:* This refers to active cases where an outcome has yet to be determined.