

Summary: BIA Seasonal Firefighter Sexually Harassed and Inappropriately Touched BIA Employee

Report Date: April 13, 2020

Report Number: 19-0585

We investigated allegations that a Bureau of Indian Affairs (BIA) seasonal firefighter sexually harassed and inappropriately touched a BIA employee. The employee alleged that the firefighter had harassed her since 2009. She further alleged that in 2019, while at work, the firefighter inappropriately touched her, used sexually explicit language, and left her a handwritten note proposing a sexual relationship. The employee said she told the firefighter to stop on multiple occasions and decided to report him after the 2019 incident.

We determined that the firefighter's behavior toward the employee was unwelcome and based on her sex and that his comments, written note, and conduct could reasonably be considered to have adversely affected her work environment. Therefore, we concluded that the firefighter's conduct violated DOI Personnel Bulletin No. 18-01, the Department's policy on preventing and eliminating harassing conduct. The firefighter denied making sexually explicit comments to the BIA employee, but admitted to hugging her on occasion and writing her the note to see if she was interested in him sexually.

We found that BIA management took appropriate and timely action and addressed the reported misconduct in accordance with DOI policy. We referred this case to the U.S. Attorney's Office for the District of New Mexico, which declined to prosecute.

This is a summary of an investigative report we issued to the BIA Director.

