



**THE SECRETARY OF VETERANS AFFAIRS
WASHINGTON**

AUG 27 2018

TO ALL EMPLOYEES

SUBJECT: The Equal Employment Opportunity, Diversity and Inclusion, No FEAR, and Whistleblower Rights and Protection Policy Statement

As Secretary of the Department of Veterans Affairs (VA), I am overwhelmingly honored to serve alongside an extraordinarily talented, committed, and diverse workforce. To ensure we can remain focused on the VA mission, I am firmly committed to a VA that is a workplace free from unlawful discrimination, harassment, and retaliation.

To deliver the highest quality services that our Veterans deserve, we must ensure an environment that eliminates barriers to full participation, encourages diverse perspectives, and actively supports constructive conflict resolution. For this reason, VA does not tolerate behaviors that interfere with an individual's work performance or that create an intimidating, offensive, or hostile environment.

I fully expect all executives, managers, and supervisors to take prompt, appropriate, and effective action when faced with behaviors that can compromise the quality of VA care or services for our Nation's Veterans. As we continue to modernize VA, it is imperative that we communicate and adhere to the requirements and provisions contained in this Policy Statement that summarizes VA's workplace rules of behavior and employee protections. Review this Policy Statement with your staff and colleagues and encourage discussion of these expectations. Your firm leadership and active participation remain key to this effort.

Thank you for your commitment to a safe and respectful workplace.

A handwritten signature in black ink, appearing to read "Robert L. Wilkie".

Robert L. Wilkie

Attachment

**Department of Veterans Affairs
Equal Employment Opportunity, Diversity and Inclusion, No FEAR, and
Whistleblower Rights and Protection Policy Statement**

The Department of Veterans Affairs (VA) is committed to ensuring Equal Employment Opportunity (EEO), promoting workforce diversity, workplace inclusion, and constructively resolving conflict to sustain a high-performing organization in service to our Nation's Veterans. VA will vigorously enforce all applicable Federal EEO laws, regulations, executive orders, and management directives to ensure equal opportunity in the workplace for all VA employees. This document summarizes the VA's EEO, Diversity and Inclusion, Notification and Federal Employee Antidiscrimination and Retaliation Act (No FEAR), and Whistleblower Rights and Protection policies.

EEO and Prohibited Discrimination

VA does not tolerate unlawful discrimination, including workplace harassment, based on race, color, religion, national origin, sex (including gender identity, transgender status, sexual orientation, and pregnancy), age (40 or older), disability, genetic information, marital status, parental status, political affiliation, or retaliation for opposing discriminatory practices or participating in the discrimination-complaint process. This applies to all terms and conditions of employment, including recruitment, hiring, promotions, transfers, reassignments, training, career development, benefits, and separation.

Gender identity refers to an individual's internal sense of being male or female. Transgender refers to people whose gender identity and/or expression is different from the sex assigned to them at birth. The General Services Administration (GSA), which governs use of Federal facilities, prohibits discrimination or segregation of any person because of his or her gender identity or transgender status in refusing to provide each person the use of any facility of a public nature, including all services, privileges, accommodations, and activities provided on the property. Accordingly, VA will not restrict, segregate, or otherwise discriminate against any individual on the basis of gender identity in the use of public facilities.

Prohibited Workplace Harassment Covered by EEO Laws

Harassment is a form of employment discrimination that violates Title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act of 1967, the Rehabilitation Act of 1973, as amended, and the Genetic Information Nondiscrimination Act of 2009. Anti-discrimination laws also prohibit harassment against individuals in retaliation for filing a discrimination charge, testifying, or participating in any way in an investigation, proceedings, or lawsuit under these laws; or opposing employment practices that they reasonably believe discriminate against individuals, in violation of these laws.

Harassment by or against VA employees, applicants, contract employees, clients, customers, or anyone doing business with VA is strictly prohibited. Harassment becomes unlawful when: (1) enduring the offensive conduct affects a term or condition of continued employment, or (2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Harassment is considered unlawful conduct that is based on race, color, religion, national origin, sex (including gender identity, transgender status, sexual orientation, and pregnancy), age (40 or older), disability, genetic information, marital status, parental status, political affiliation, or retaliation for opposing discriminatory practices or participating in the discrimination-complaint process.

Harassment may also extend to harassing or discriminatory comments posted about another employee on social media. For example, if a VA employee makes a derogatory or discriminatory comment about another employee on social media that results in the targeted employee being subjected to harassing comments or actions by others in the workplace, management has a duty to intervene and take prompt and effective action to end the harassment and prevent the offending employee from posting any other similar comment. Otherwise, both the Agency and the employee who wrote the posting could be found liable by the Equal Employment Opportunity Commission (EEOC) of creating a hostile work environment.

Sexual Harassment

Anyone can be a victim of workplace harassment. When VA employees engage in sexual harassment, it affects the agency's mission, reputation, and credibility. Sexual harassment and misconduct create a hostile work environment that lowers employees' morale and productivity. Due to the seriousness of this issue, the Department has a zero-tolerance sexual harassment policy.

Sexual harassment occurs when: (1) acceptance or rejection is required (explicitly or implicitly) for continued employment; (2) acceptance or rejection of the harassment by an individual impacts his/her treatment by the harasser; or (3) the harassment unreasonably interferes with individual's work performance or creates an intimidating hostile, or offensive working environment for the target of the harassment or for observers. Sexual harassment can also include behaviors that are not overtly sexual in nature, but that reflect disparaging attitudes based on sex or gender.

Sexual harassment behaviors can be grouped into three broad categories: (1) gender harassment; (2) unwanted sexual attention of a sexual nature that is directed toward a person; and (3) sexual coercion.

Gender harassment involves unwelcome behaviors that disparage or objectify others based on their sex or gender. Examples include: (1) derogatory or unprofessional terms related to sex or gender; (2) unwelcome sexual teasing, joking, comments, or questions; (3) exposure to sexually oriented material (e.g., photos, videos, or written material); and (4) exposure to sexually-oriented conversations.

Unwanted sexual attention includes unwelcome behaviors of a sexual nature that are directed toward an individual. Examples include: (1) unwelcome invasion of personal space (e.g., touching, crowding, leaning over); (2) unwelcome communications of a sexual nature; and (3) unwelcome sexually suggestive looks or gestures (e.g., emails, phone calls, notes, text messages, social media contacts).

Sexual coercion occurs when an individual is pressured or forced to engage in unwanted sexual behavior. Examples include: (1) offer of preferential treatment in the workplace in exchange for sexual favors (tangible employment action); (2) pressure for sexual favors; (3) pressure for dates; (4) stalking (e.g., unwanted physical or electronic intrusion into one's personal life); and (5) sexual assault or attempted sexual assault.

Harassment Prevention Program

The Harassment Prevention Program (HPP) is an enterprise-wide program within the Office of Resolution Management (ORM) that provides centralized tracking, monitoring, and reporting processes to proactively respond to all allegations of harassment, whether or not accompanied by an EEO claim. HPP is responsible for providing education and awareness training on the harassment prevention program and the reporting process. HPP is committed to establishing transparency and accountability at every employment level. For additional information on HPP, visit: <https://www.va.gov/ORM/HPP.asp>.

Supervisors or managers who observe or are notified of harassing conduct are required to assess the situation immediately and consult with their local Harassment Prevention Coordinator or the Harassment Prevention Program within ORM. It is the supervisor's responsibility to ensure every employee is aware of the harassment prevention policy and reporting procedures. This means that supervisors should disseminate and enforce the harassment prevention policy and reporting procedures and take other responsible steps to promptly prevent and abate harassment. It is also the supervisor's responsibility to conduct an effective inquiry of a harassment allegation and initiate appropriate corrective actions, as warranted.

Employees have multiple avenues to report harassing conduct: (1) contact your internal departmental resources, including, but not limited to, your first line supervisor or the next level in your supervisory chain, if the harassment involves your direct supervisor; (2) contact the local Harassment Prevention Coordinator for your office; or (3) contact the ORM Harassment Prevention Program at (888) 566-3982, option 3.

EEO Complaint Process

Employees and applicants for employment seeking redress under the EEO complaint process must contact an EEO counselor in VA's ORM in person, by phone, or in writing within 45 calendar days of the date of the alleged discriminatory event. However, certain waivers and exceptions may apply. ORM is responsible for

administering an impartial and effective complaints management process to receive, resolve, and investigate complaints of employment discrimination at the earliest possible stage, in accordance with the regulations governing the Federal EEO complaint process (29 Code of Federal Regulations Part 1614). Employees may initiate the complaint process by calling ORM at (888) 566-3982, option 2.

Employees may also raise allegations of discrimination to their supervisor or a management official in their chain of command. Additionally, employees may raise discrimination issues through the VA Negotiated Process, Administrative Grievance Process, or the U.S. Merit Systems Protection Board (MSPB), as appropriate. While an allegation of discrimination may be raised through these additional avenues, this action does not constitute initiation of an EEO complaint with an EEO counselor through the Federal Sector EEO complaint process, and it does not extend the 45-calendar day time-limit to initiate an EEO complaint with ORM.

Complaints of discrimination filed on the basis of marital status or political affiliation may be investigated as prohibited personnel practices and are processed under the jurisdiction of the MSPB or the U.S. Office of Special Counsel (OSC). While parental status is not covered under the EEOC regulations, it is also a form of prohibited discrimination involving Federal employees. Complaints filed on the basis of parental status may be processed through ORM only if there is a connection to Title VII or the Rehabilitation Act.

Conflict Management and Alternative Dispute Resolution

Workplace conflict is often the result of miscommunication or creative tension in the organization. Properly managed, it can yield improvements in business processes and positive outcomes in the organizational climate. It is important we maintain an organizational culture in VA that does not suppress creative conflict or constructive dissent. To maintain a respectful, productive, and effective work environment, it is VA's policy to address and resolve workplace disputes and EEO complaints at the earliest possible stage.

VA offers Alternative Dispute Resolution (ADR) services such as mediation, facilitation, and conflict management coaching to assist parties in constructively resolving disputes. ADR involves a neutral third party working with the employee, supervisor, or group to engage in constructive communication, identify issues, and develop collaborative solutions. Employees and supervisors are encouraged to consult with their ADR Program Manager or refer to VA's ADR Directive 5978 for guidance and assistance in resolving workplace disputes of any kind.

Prohibited Workplace Violence and Bullying

Workplace violence, the threat of violence, or bullying of workers is strictly prohibited. This type of prohibited behavior can occur at or outside the workplace and can range from threats and verbal abuse to physical assaults. Bullying conduct includes fighting, verbal and non-verbal hate messages, threats, or expression of

intention to inflict harm, and abusive, offensive, unprofessional, intimidating, slanderous, malicious, derogatory, or otherwise inappropriate or unacceptable language or other behavior intended to degrade or humiliate a particular person or group of people. Any employee who is subject to bullying behavior or other workplace violence should immediately report the matter to his or her supervisor or another appropriate official. It is the duty of the supervisors to intervene and take prompt and effective corrective action to end the bullying conduct to prevent workplace violence.

Violence in the workplace is an occupational safety hazard citable under the Department of Labor's Occupational Safety and Health Administration standards and in VA's Directive 7700. Under Secretaries, Assistant Secretaries, and other Key Officials are required to implement a violence prevention program. VA's Office of Administration oversees the Occupational Safety and Health and Workers' Compensation programs in support of VA's Designated Agency Safety and Health Official.

Prohibited Personnel Practices

The Civil Service Reform Act of 1978, as amended, protects Federal Government applicants and employees from Prohibited Personnel Practices (PPP) including discrimination, coercion, intimidation, preferential treatment, and other prohibited practices in violation of merit systems principles. VA vigorously supports these protections. OSC is authorized to investigate and ensure that appropriate action is taken to correct prohibited conduct. Injured persons may bring actions before the MSPB, if OSC declines to act. With respect to personnel actions, the 13 PPPs are: Discrimination, Considering Inappropriate Recommendations, Coercing Political Activity, Obstructing Competition, Influencing Withdrawal from Competition, Granting Unfair Advantage, Nepotism, Whistleblower Retaliation, Retaliation for Protected Activity, Other Discrimination, Violating Veterans Preference, Violating Rules that Implement a Merit System Principle (MSP), and Imposing a Nondisclosure Agreement that Doesn't Allow Whistleblowing. All employees are responsible for upholding MSPs and preventing violations of PPPs. Executives, managers, and supervisors have special responsibility as officials who make decisions affecting the hiring, working conditions, utilization, and retention of Federal employees.

No FEAR Act

The No FEAR Act is intended to reduce the incidence of workplace discrimination within the Federal Government by making agencies and departments more accountable. It is imperative that all VA employees, supervisors, and officials understand the protections afforded by the No FEAR Act of 2002, as amended, and the Whistleblower Protection Act of 1989. Additionally, the No FEAR Act protects Federal employees from unlawful discrimination and retaliation for opposition to or participation in protected EEO or whistleblowing activity. VA will not tolerate discrimination or retaliation for engaging in protected EEO or whistleblowing activity.

Whistleblower Rights and Protection

The Whistleblower Protection Act of 1989 prohibits retaliation against employees or applicants for employment for reporting a violation of law, rule, or regulation; gross mismanagement; gross waste of funds; an abuse of authority; or a substantial and special danger to public health or safety. Retaliation against individuals for whistleblowing, opposing discrimination, or participating in the discrimination-complaint process is unlawful and will not be tolerated. This includes retaliation against complainants, witnesses, and others who provide information concerning such claims.

The Whistleblower Protection Enhancement Act of 2012 amended the law regarding whistleblowers' rights by: (1) making a whistleblower's oral disclosures legally sufficient; no longer must a disclosure be in writing; (2) making disclosures that fall within the whistleblower's job duties an eligible basis of a whistleblower claim; (3) strengthening anti-retaliation restrictions; and (4) allowing damages that could be obtained by a whistleblower to include consequential damages such as emotional distress. Avenues of redress available to address claims of reprisal for whistleblowing include, but are not limited to, Congressional representatives, MSPB, and OSC. VA will not tolerate violations of the spirit or letter of these Federal statutes.

In 2017, Congress passed the VA Accountability and Whistleblower Protection Act, which further increases the protections afforded to VA employees who engage in whistleblower activity. The Act established VA's Office of Accountability and Whistleblower Protection (OAWP). The Act also establishes an expedited procedure for disciplining an employee who retaliates against a whistleblower and bars the Secretary from using his removal authority if an employee has an open whistleblower complaint/case pending with the Office of Special Counsel or has a complaint/case set up under OAWP.

Every VA employee is responsible for safeguarding the privacy of Veterans and other individuals served by VA and for complying with laws that protect patient health information and other sensitive personal information. A whistleblower's disclosure of information is protected only if the release is not otherwise prohibited by law. Any wrongful disclosure of sensitive personal information, such as medical or personnel records, may be subject to civil and criminal penalties as well as disciplinary or other adverse action.

A Whistleblower may:

- Disclose VA Sensitive Personal Information (individually identifiable information) to an authorized outside entity in the course of reporting alleged violations of law, rule, regulation, or gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety. Accordingly, whistleblowers may always disclose any information to

the VA Office of Inspector General (OIG) or to a Congressional Committee or Subcommittee having oversight authority over VA.

- Disclose any information, except information protected by 38 United States Code (U.S.C.) § 5705 (Quality Assurance) or by 38 U.S.C. § 7332 (HIV, Sickle Cell, Drug, and Alcohol Treatment) to OSC.
- Never disclose information containing VA Sensitive Personal Information to the media, a Veterans Service Organization, or any other member of the public.
- Not disclose VA Sensitive Personal Information to an attorney, even one who is representing them in the context of whistleblowing.

Reasonable Accommodations

VA is committed to the employment and retention of individuals with disabilities. All Federal employees and members of the public with disabilities must have access to and use of information and data, comparable to that of employees and members of the general public without disabilities, unless an undue hardship would be imposed on the agency. To that end, VA will vigorously enforce Sections 501, 504, 505, and 508 of the Rehabilitation Act of 1973 as amended, which mirror the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act (ADAAA) of 2008. This includes maintaining accessibility of electronic and information technology for individuals with disabilities.

Title I (Employment) of the ADA is designed to help people with disabilities access the same employment opportunities and benefits available to people without disabilities. An important component in hiring and retaining individuals with disabilities is the provision of reasonable accommodations to employees and applicants on the basis of disability in accordance with law. For individuals with disabilities, a reasonable accommodation is any change in the work environment or in the manner work is accomplished that enables them to perform the essential functions of their jobs and enjoy equal benefits and privileges of employment. The procedures for requesting and processing requests for reasonable accommodation are contained in VA Handbook 5975.1.

Reasonable accommodations may also include the use of properly-trained service animals. A doctor's note does not turn an animal into a service animal. A service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or task performed by a service animal must be directly related to the individual's disability. Emotional support animals, comfort animals, and therapy animals are not service animals under Title III of ADA. Other species of animals, whether wild or domestic, trained or untrained, are not considered service animals and will not be permitted in VA facilities, unless expressly allowed as an exception under the regulation for activities such as animal-assisted therapy or for other reasons such as law enforcement purposes. However, the EEOC has held that an Agency may be required to allow an employee to bring his or her comfort animal to work as a reasonable accommodation.

Additionally, Title III (Public Accommodations) of ADA makes it clear that service animals are allowed in public facilities and accommodations. A service animal must be allowed to accompany the handler to any place in the building or facility where members of the public, program participants, customers, or clients are allowed. Even if the business or public program has a “no pets” policy, it may not deny entry to a person with a service animal.

Religious Accommodations

In accordance with Title VII of the Civil Rights Act of 1964, VA also provides religious accommodations to employees unless doing so imposes an undue hardship to the organization. Accommodations may include adjustments to work schedules to accommodate religious observances, allowances regarding religious attire, allowances to be excused from compulsory activities that conflict with employees sincerely held religious beliefs or practices, and other modifications. Individuals who believe they need a religious accommodation should request the accommodation from their immediate supervisors.

Religious expression and exercise are permitted in the VA workplace provided that such expression does not suggest Government endorsement or preference for one faith over another, interfere with efficient working of Government operations, nor intrude upon the legitimate rights of other employees. For example, a supervisor may not treat a LGBT employee adversely in terms of work assignments, promotions because the supervisor’s religion is anti-LGBT. Likewise, a supervisor may not allow a LGBT employee’s co-workers to harass a LGBT employee or refuse to work with that employee because of the coworker’s religious beliefs. However, any employee is permitted to discuss his or her religious beliefs with others until the employee makes clear that he or she does not want to continue the discussion.

Limited English Proficiency

VA prohibits discrimination against any person who is limited in English proficiency. In accordance with Title VI of the Civil Rights Act of 1964 and Executive Order 13166, VA will take reasonable steps to provide persons meaningful access to such programs and activities. This commitment applies to all VA federally-conducted programs and activities and VA programs receiving Federal financial assistance.

Language Usage in the Workplace

VA recognizes and respects the right of employees who speak languages other than English in the workplace outside of the performance of their work duties. Employees may speak another language when the conversation is not related to the performance of their duties; for example, when they are in the break room or making personal telephone calls.

EEOC has stated that rules requiring employees to speak English only in the workplace violate the law unless they are reasonably necessary to the operation of the business. A rule requiring employees to speak English only in the workplace at all times, including breaks and lunch time, should be limited to the circumstances in which it is needed for the employer to operate safely or efficiently. Circumstances in which an English-only rule may be justified include: communications with customers or co-workers who speak English only; emergencies or other situations in which workers must speak a common language to promote safety; or cooperative work assignments in which the English-only rule is needed to promote efficiency. Even if there is a need for an English-only rule, supervisors may not take disciplinary action against employees for violating the rule unless VA has notified workers about the rule and the consequences of violating it.

Uniformed Services Employment and Reemployment Rights Act

An employee has the right to be reemployed in his or her civilian job, if he or she leaves a civilian job to perform service in the Armed Forces, Reserves, National Guard, or other "uniformed services" as defined by the Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994. USERRA ensures that persons who serve or have served in the uniformed services: (1) are not disadvantaged in their civilian careers because of their services in the uniformed service; (2) are promptly reemployed in their civilian jobs upon their return from duty; and (3) are not discriminated against in employment based on past, present, or future military service.

Wounded Warriors Federal Leave Act

Under the Wounded Warriors Federal Leave Act of 2015, disabled Veteran leave will be available to eligible Federal employees hired on or after November 5, 2016, and undergoing medical treatment of a qualifying service-connected disability incurred or aggravated in the line of duty. The Act is only applicable to Veterans with a 30 percent or more disability rating and allows the disabled Veteran to take up to 104 hours of applicable leave for treatment during the Veteran's first year of employment. VA is committed to supporting our service members who have sacrificed their own health and well-being to serve the United States of America.

Mandatory EEO, Diversity and Inclusion Training

In order to sustain a fair, safe, and high-performing culture, VA employees must engage in continuous learning in the topics addressed in this Policy Statement. VA is committed to educating its workforce on its EEO and diversity-related policies and workforce protections to maintain a discrimination-free workplace. VA requires that all employees regularly complete the mandatory Prevention of Workplace Harassment and No FEAR Act training in the Talent Management System (TMS Item No. 8872) within 90 days of their initial hire and every 2 years thereafter. This training includes information on your whistleblower rights and protections.

In addition, all executives, managers, and supervisors are required to take the mandatory biennial training on EEO, Diversity & Inclusion, and Conflict Management Training (TMS Item No. 1328672), and the mandatory biennial training on Whistleblower Rights and Protection and Prohibited Personnel Practices (TMS Item No. 3883649).

Diversity and Inclusion

To be a high-performing organization, VA must cultivate an inclusive work culture and create an environment that reflects the rich diversity of our global community. Organizational inclusion involves leveraging the diversity of our workforce and empowering all employees to be fully engaged and to contribute to the VA's important and non-negotiable mission. Studies have shown that workplace inclusion drives employee engagement which yields higher organizational performance. To achieve full inclusion, we must protect all voices and foster a climate of psychological safety for all our human resources. Together, the principles of diversity and inclusion provide the cornerstones on which to build a high performing organization.

We all share the responsibility to promote and embed the complementary principles of equity, diversity, and inclusion throughout VA, and embody the VA's Core Values of Integrity, Commitment, Advocacy, Respect, and Excellence. Every VA employee must adhere to these principles so that we can provide the best possible care and services to our Nation's Veterans and their families.

R. L. Wilkie

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Secretary of Veterans Affairs

Date

REFERENCES

FEDERAL EEO LAWS

Age Discrimination in Employment Act of 1967:

<http://www.eeoc.gov/laws/statutes/adea.cfm>

Americans with Disabilities Amendments Act of 1990:

<http://www.eeoc.gov/laws/statutes/adaaa.cfm>

Civil Rights Act of 1964, as amended –Titles VI and VII:

<https://www.eeoc.gov/laws/statutes/titlevii.cfm>

Civil Service Reform Act of 1978 – Prohibited Personnel Practices:

https://www.eeoc.gov/eeoc/history/50th/thelaw/civil_service_reform-1978.cfm

Genetic Information Nondiscrimination Act of 2009:

<https://www.eeoc.gov/laws/statutes/gina.cfm>

Equal Pay Act of 1963, as amended:

<https://www.eeoc.gov/laws/statutes/epa.cfm>

Lilly Ledbetter Fair Pay Act of 2009: https://www.eeoc.gov/eeoc/publications/brochure-equal_pay_and_ledbetter_act.cfm

Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002, as amended:

<https://www.opm.gov/information-management/no-fear-act>

The Pregnancy Discrimination Act of 1978:

<http://www.eeoc.gov/laws/statutes/pregnancy.cfm>

Rehabilitation Act of 1973, as amended:

<https://www.eeoc.gov/laws/statutes/rehab.cfm>

The Whistleblower Protection Enhancement Act of 2012:

<https://www.gpo.gov/fdsys/pkg/BILLS-112s743enr/pdf/BILLS-112s743enr.pdf>

Uniform Services Employment and Reemployment Rights Act of 1994:

<https://osc.gov/Pages/USERRA.aspx>

Wounded Warriors Federal Leave Act of 2015:

<https://www.opm.gov/news/releases/2016/08/newly-established-leave-policy-gives->

[disabled-veterans-more-time-to-address-medical-issues-1](#)

Affirmative Action for Individuals with Disabilities in Federal Employment; Final EEOC Rule: <https://www.gpo.gov/fdsys/pkg/FR-2017-01-03/html/2016-31397.htm>

EXECUTIVE ORDERS

Executive Order 13583, Establishing a Coordinated Government-wide Initiative to Promote Diversity and Inclusion in the Federal Workforce:

<http://www.whitehouse.gov/the-press-office/2011/08/18/executive-order-establishing-coordinated-government-wide-initiative-prom>

Executive Order 11478, as amended by Executive Order 13152: Extending protection based on parental status:

https://clintonwhitehouse4.archives.gov/WH/EOP/First_Lady/html/teens/order1.html

Executive Order 13087 - Expands equal employment policy in the Federal Government by prohibiting discrimination based on sexual orientation:

<https://www.eeoc.gov/laws/executiveorders/13087.cfm>

Executive Order 13548, Increasing Federal Employment of Individuals with Disabilities:

<http://www.gpo.gov/fdsys/pkg/FR-2010-07-30/pdf/2010-18988.pdf>

Executive Order 13166, Language Access Obligation:

https://www.justice.gov/sites/default/files/crt/legacy/2012/05/04/language_access_memo.pdf

Presidential Executive Order Promoting Free Speech and Religious Liberty:

<https://www.whitehouse.gov/presidential-actions/presidential-executive-order-promoting-free-speech-religious-liberty>

DIRECTIVES

Note - To access VA directives using the links below: Copy, paste to your browser and save to your desktop then open as PDF.

Alternative Dispute Resolution, VA Directive 5978, February 7, 2013:

http://www.va.gov/vapubs/viewPublication.asp?Pub_ID=643&FTYPE=2

EEO Discrimination Complaints Process, VA Directive 5977, May 5, 2011:

https://www.va.gov/vapubs/viewPublication.asp?Pub_ID=593&FTYPE=2

Diversity and Inclusion, Management Directive VA Directive 5975, March 29, 2013:

http://www.diversity.va.gov/policy/files/Directive_5975.pdf

Processing Requests for Reasonable Accommodation by Employees and Applicants with Disabilities, VA Handbook 5975.1:

https://www.diversity.va.gov/programs/files/pwd/Handbook_5975-1.pdf

Occupational Safety and Health, VA Directive 7700, February 11, 2009:

https://www1.va.gov/vapubs/viewPublication.asp?Pub_ID=428&FTYPE=2

GUIDANCE

Federal Management Regulation; Nondiscrimination Clarification in the Federal Workplace:

<https://www.federalregister.gov/documents/2016/08/18/2016-19450/federal-management-regulation-nondiscrimination-clarification-in-the-federal-workplace>

OSHA Guide to Restroom Access for Transgender Workers:

https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=NEWS_RELEASES&p_id=28062

GSA: Federal Management Regulation; Nondiscrimination Clarification in the Federal Workplace Regarding Sex Discrimination to include Transgender Status:

<https://www.federalregister.gov/articles/2016/08/18/2016-19450/federal-management-regulation-nondiscrimination-clarification-in-the-federal-workplace>

Bathroom Access rights for Transgender Employees Under Title VII of the Civil Rights Act of 1964. EEOC Fact Sheet:

<https://content.govdelivery.com/accounts/USEEOC/bulletins/146d151>

OPM Guidance Regarding the Employment of Transgender Individuals in the Federal Workplace:

<https://www.opm.gov/policy-data-oversight/diversity-and-inclusion/reference-materials/gender-identity-guidance>

VA Establishment of Harassment Prevention Office:

https://www.va.gov/ORM/images/Anti_Harassment_Secretary_Memorandum.pdf

Guidance on Religious Exercise and Expression in VA Facilities and Property Under the Charge and Control of VA:

<http://www.diversity.va.gov/policy/religion.aspx>

White House Guidelines on Religious Exercise and Religious Expression in the Federal Workplace:

<http://clinton2.nara.gov/WH/New/html/19970819-3275.html>

Guidance for Language Use by Employees in the Department of Veterans Affairs:

http://www.diversity.va.gov/policy/files/language_use.pdf

Office of Special Counsel Whistleblower Disclosures:

<https://osc.gov/Pages/DOW.aspx>

VA, Office of Inspector General:

<https://www.va.gov/oig>

The Office of Accountability and Whistleblower Protection:

<https://www.va.gov/accountability>

Filing Whistleblower Disclosures:

<https://www.va.gov/accountability/VA10177.pdf>

Rules Regarding Service Animals in VA Facilities:

<http://www.gpo.gov/fdsys/pkg/FR-2015-08-17/html/2015-20182.htm>

VA Workplace Alternative Dispute Resolution:

<http://www1.va.gov/adr/workplaceADR.asp>

Violence in the Workplace:

<https://www.va.gov/OFCADMIN/FAQ/OSH.asp>