

SECRETARY OF LABOR
WASHINGTON, D.C. 20210

September 23, 2023
Equal Employment Opportunity Policy
U.S. Department of Labor

As the Acting Secretary of Labor, I believe we must all do our part at the Department to protect and enrich not only the legal tenets of equal employment opportunity (EEO) but also greater principles of equity, civil rights, anti-racism, and equal treatment. Working together in this endeavor, we will cultivate an environment that is diverse, equitable, inclusive, and accessible (DEIA) for all Department employees and applicants for employment. By emphasizing DEIA, the Department will strive to ensure that all employees have the freedom to compete on a fair and level playing field, free of discrimination, in a manner that maximizes our ability to fulfill the Department's mission.

Though we have taken steps towards addressing inequality and emphasizing the importance of DEIA, systemic racism and the damage it does to historically underserved communities nevertheless persists in our society. We must continue to take an explicit stand against racism and discrimination, including by taking affirmative steps to ensure there are no inequities in our policies and programs that serve as barriers to equal opportunity, and we must seek to constructively advance equity and racial justice.

For this purpose, "equity" means the consistent and systemically fair and just treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino/a/x, American Indian and Alaska Native, Asian American, Native Hawaiian, and Pacific Islander, and other persons of color; women; members of religious minorities; lesbian, gay, bisexual, transgender, queer and intersex (LGBTQI+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.¹

To best realize EEO in our approach to continue advancing equity, we must make certain that Department of Labor (DOL) employees, applicants, and contractors are treated fairly and consistently on the basis of merit. DOL employees, applicants, and contractors are protected from discrimination and prohibited personnel practices by federal statutes and regulations, Presidential Executive Orders, and federal case law. EEO covers all personnel/employment programs, management practices, and decisions, including, but not limited to, recruitment, hiring, merit promotion, transfer, reassignments, training and career development, benefits, and separation. As such, no employee will be denied EEO, subjected to harassment, retaliated against, or denied equal pay or compensation because of race (including race-related characteristics, which may include an individual's grooming and hair), color, ancestry (including ancestry-related characteristics, which may include an individual's dress), national origin (including ethnicity, accent, use of a language other than English, and immigration experience), religion or religious creed (including reasonable accommodation of religious beliefs, observances, or practices), physical or mental disability (including reasonable accommodation of physical or mental disability), medical condition, genetic information, sex

¹ Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, January 20, 2021.

(including pregnancy, childbirth, lactation, abortion, and related medical conditions), sexual orientation, transgender status, gender identity, gender expression, intersex traits, sex stereotyping, sex characteristics, age (40 and up), parental status, marital status, military or veteran status, citizenship, political affiliation or belief, or any other prohibited factor.

Employees shall not be subjected to discrimination due to their membership in a protected group; the perception of membership in a protected group; or association with members of a protected group. To better protect all employees in the exercise of their rights under federal civil rights statutes, we also prohibit DOL managers, supervisors, and employees from engaging in unlawful retaliation. Unlawful retaliation includes intimidating, harassing, and/or taking any other action(s) that is reasonably likely to deter protected EEO activity because a person engaged in EEO activity by participating in any stage of administrative or judicial proceedings under, relevant employment discrimination laws, including requesting a reasonable accommodation for a disability or sincerely held religious belief, observance, or practice. Protected EEO activity also includes opposing a discriminatory practice.

We continue to value our role as the Government's lead organization for disability employment policy, particularly our emphasis on inclusion, equity, accessibility, and intersectionality in promoting disability inclusive workplaces by reasonably accommodating employees with disabilities. As such, we will promptly and without unreasonable scrutiny provide effective reasonable accommodations that enable qualified employees with disabilities to perform the essential functions of their jobs and enjoy benefits and privileges of employment that are equal to those enjoyed by other DOL employees. Moreover, since the enactment of the Pregnant Workers Fairness Act (PWFA) on June 27, 2023, the Department will provide reasonable accommodations to a worker's known limitations related to pregnancy, childbirth, abortion, or related medical conditions.

We are all responsible for upholding and advancing EEO at DOL. The Department remains committed to educating managers, supervisors, employees, and contractors on their rights and responsibilities under federal law and will hold them accountable for the effective implementation of related EEO and diversity programs. To accomplish this, DOL will develop, implement, and mandate appropriate training for managers and supervisors, and encourage participation for DOL employees. Any DOL employee found to have engaged in any prohibited conduct will be held accountable for their actions, up to and including removal from federal service. Pursuant to the Elijah E. Cummings Federal Employee Antidiscrimination Act of 2020, which amended the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), DOL will notate adverse action in an employee's personnel records when such action is taken against an employee due to an act of discrimination or retaliation and will publish notices of final findings of discrimination on DOL's public-facing website.

DOL agencies will widely publicize this policy and the procedures available for filing complaints; address allegations and remedy any violation of this policy swiftly and appropriately; provide for accountability by including an EEO and reasonable accommodation element in the performance standards of every DOL manager and supervisor; and take additional appropriate actions to provide full support to DOL's internal programs related to nondiscrimination, equal opportunity, and DEIA. This policy and the EEO complaints program generally are separate and apart from the Department's Harassing Conduct Policy and

Procedures, although both reflect the Department's commitment to address allegations of improper discriminatory or harassing conduct proactively and effectively. The Civil Rights Center (CRC) is a neutral and impartial agency that is responsible for implementing the Department's EEO complaints policy and program, including mediating, investigating, and adjudicating complaints of discrimination, whereas agency Workplace Equality Compliance Offices (WECOs) are responsible for administering the Department's Harassing Conduct Policy and Procedures, including preventing, mitigating, or correcting harassing conduct, as an affirmative defense to allegations of a hostile work environment.

A person wishing to file an EEO complaint must contact an EEO counselor or the Civil Rights Center (CRC) within 45 calendar days of the most recent incident of discrimination (including retaliation). Failure to contact an EEO counselor or the CRC within 45 calendar days of the most recent incident of discrimination (including retaliation) may result in the dismissal of an EEO complaint. For additional information on how to file an EEO complaint, please visit the [Civil Rights Center's](#) webpage.

Complaints may also be filed with the appropriate Workplace Equality Compliance Office (WECO) under the Department's Harassing Conduct Policy, in accordance with Department of Labor Management Series (DLMS) 6-300: Policy & Procedures for Preventing & Eliminating Harassing Conduct in the Workplace. Filing a complaint under the Department's Harassing Conduct Policy, however, is not the same thing as filing an EEO complaint with an EEO Counselor or with the Civil Rights Center in accordance with 29 C.F.R. 1614 and does not modify or extend the time limitation to contact an EEO counselor or the CRC. Workplace Equality Compliance Officers cannot accept EEO complaints. You may view a list of the current WECO Managers here: [Workplace Equality Compliance Officers – LaborNet – U.S. Department of Labor \(dol.gov\)](#)

In addition to current mandatory training on EEO-related topics, DOL will further expand course offerings made available through LearningLink as well as those offered in-person and virtually by the CRC, WECOs, and the Office of Human Resources (OHR) in the Office of the Assistant Secretary for Administration and Management (OASAM), as well as other entities. CRC, WECOs, and OHR will work with any DOL agency to conduct assessments and to provide requested training on the EEO-complaint filing process, the Department's Harassing Conduct Policy and Procedures, Reasonable Accommodations, Alternative Dispute Resolution, and other appropriate topics. Finally, CRC will vigorously ensure compliance so that this pledge is reflected in the practices of the Department.

I am deeply committed to building a workplace that advances DEIA. I am similarly committed to advancing long-term organizational and culture change to create a workplace where everyone is treated with respect and dignity. To realize our potential and ability of cultivating a diverse and inclusive work environment, I encourage all employees to strictly adhere to and promote the spirit of this EEO policy.



JULIE A. SU
Acting Secretary of Labor