

Department of Homeland Security
EEO & Civil Rights Policy

It is the policy of DHS to provide equal employment opportunity for all persons. DHS seeks to eliminate discrimination in any aspect (terms, conditions, and privileges) of employment because of race, color, religion, sex (including sexual harassment), national origin, disability, or age.

Harassment is against the law if it involves discriminatory treatment based on race, color, sex, religion, national origin, age, or disability. Harassment occurs when conduct is sufficiently frequent or severe to create a hostile work environment or to result in an employment action such as demotion or firing.

Moreover, retaliation against an individual who files a charge of discrimination, participates in an investigation of discrimination, or opposes discriminatory practices is a prohibited practice.

Sexual harassment is a form of prohibited discrimination. It includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Acts of reprisal against employees who allege sexual harassment are likewise prohibited.

Acts of sexual harassment in DHS Headquarters or in any work-related situation at any other location during or outside of normal duty hours may result in a range of disciplinary actions, including dismissal. The same is true for acts of reprisal against those who allege sexual harassment.

Any individual who believes that he or she has been the victim of any form of unlawful employment discrimination, including harassment or an act of reprisal for alleging discrimination or harassment, should talk to an Equal Employment Opportunity (EEO) Counselor as soon as possible, but no later than 45 calendar days after the incident. Those with questions or concerns regarding any form of unlawful employment discrimination should talk to the EEO counselor at DHS Headquarters.

After seeking help from the EEO counselor, the individual has the right to file a formal complaint. The law permits pursuit of the EEO discrimination complaint process or the

filing of a grievance through administrative or negotiated grievance procedures, as appropriate. This agency will give all discrimination complaints prompt, fair, and impartial review and adjudication. Individuals may also seek the assistance of the Employee Assistance Program.

DHS also may discipline employees for improper conduct even if it is not serious enough to be discrimination under the law. Therefore, DHS employees are encouraged to report any improper conduct to a supervisor, or to the Office of the Chief Human Capital Officer, as soon as possible. They can use this information to decide if corrective action or discipline is appropriate, even if the conduct does not constitute discrimination or harassment.

For more information on the DHS EEO & Civil Rights policy please refer to DHS Management Directive Number 3090 or contact the Office of the Chief Human Capital Officer.