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## MEMORANDUM TO OPDIV AND REGIONAL PERSONNEL AND EEO OFFICERS

Subj: Implementation of Department's Equal Employment Opportunity Policy

By memoranda dated December 6, 1993, the Secretary informed all HHS employees of the Department's policy on equal employment opportunity and advised OPDIV and STAFFDIV Heads of their accountability for assuring that the policy is fully understood and complied with throughout their organizations. A copy of the policy is attached for your ready reference. The purpose of this memorandum is to provide guidance of implementation of the Department's policy.

Please review all of your internal issuances and local procedures which may be affected by this policy and revise them as necessary to comply with this revised policy. For example, nondiscrimination statements on vacancy announcements, as well as posters providing information concerning EEO counseling must be revised to add sexual orientation to existing bases. Training programs which cover diversity issues should be updated to reflect the Department's revised policy.

Existing policies and procedures regarding discrimination because of race, color, religion, gender, national origin, age, and disability remain in full force and effect, including procedures for addressing allegations of discrimination on these bases. With respect to allegations of discrimination or harassment because of sexual orientation, employees may elect to have such allegations addressed either under the procedures described in the attachment or under any other procedure which covers them. Nothing contained in this memorandum should be interpreted to abridge an employee's existing entitlement to present appropriate matters under a negotiated grievance procedure or to present to the Office of Special Counsel allegations concerning matters within that Office's jurisdiction.

As reflected in the attachment, allegations of discrimination or harassment because of sexual orientation may, at the employee's election, be the subject of a procedure which mirrors the existing precomplaint counseling and investigation processes. This procedure, which provides for an impartial decision on the allegations by the appropriate OPDIV official or RD, and, if necessary, an appellate decision by the Department's Director of EEO, is designed to ensure compliance with the Department's EEO policy.

Thomas S. McFee  
Assistant Secretary for  
Personnel Administration

Attachments