



Date: **FEB 12 2010**

From: Acting Director

Subj: Equal Employment Opportunity and Diversity Policy Statement

To: All Employees, Albuquerque Area Indian Health Service

The Indian Health Service (IHS) is fully committed to ensuring equal employment opportunities for all employees and applicants regardless of race, color, religion, gender, national origin, age, disability, or sexual orientation. Discrimination or retaliation for opposing discriminatory practices and/or participating in the discriminating complaint process within the IHS will not be tolerated at any level.

I strongly support and enforce all applicable Federal Equal Employment Opportunity (EEO) laws, regulations, Executive Orders, and management directives to ensure that all our employees are afforded an equal opportunity for success in the workplace. The laws governing EEO include the following: Title VII of the Civil Rights Act of 1964; the Rehabilitation Act of 1973; as amended; the Age Discrimination in Employment Act of 1967; and the Equal Pay Act of 1963. These requirements apply to all personnel practices and terms and conditions of employment, including recruitment, hiring, promotions, transfers, reassignments, training, career development, benefits, and separation. Additionally, the IHS will provide reasonable accommodation to qualified individuals with disabilities as outlined in the Agency Circular No. 2004-06.

As the IHS seeks to position itself to attract, develop and retain a highly skilled workforce that can deliver results and ensure our nation's continued growth and prosperity, equal employment in the workforce is essential. This involves providing a workforce environment free of discrimination, with the necessary tools, and support systems that employees need to develop to their fullest potential. Each of us is responsible for creating a workplace that acknowledges each individual and treats everyone with respect, dignity and professionalism.

Managers and supervisors have both a moral and legal responsibility to make equal opportunity a reality by fully implementing EEO policies and programs to address the employment concerns of all workers, including women, minorities, and people with disabilities. Ensuring a more diverse workforce means actively supporting Diversity Management/EEO staff, including the EEO Special Emphasis Program Manager and EEO Counselors. Managers and supervisors must also partner with Human Resources to recruit and retain qualified staff and applicants.

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The EEO Commission (EEOC) encourages all Federal Government agencies to attempt resolution of discrimination complaints at the earliest possible stage of the process. The IHS supports alternative dispute resolution in accordance with EEOC recommendations. Early resolution allows the involved parties to put the dispute behind them and direct their attention to making effective and productive contributions to work goals and Agency objectives. Should an IHS employee elect mediation at any stage of the EEO process, management is required to participate.

Employees have fundamental protections specified in Federal EEO laws and the Notification and Federal Employee Anti-discrimination and Retaliation (NO FEAR) Act of 2002. Under these provisions, all IHS employees are required to take NO FEAR training. All new employees must complete NO FEAR training within 90 days of their initial appointment.

Any employee who believes that he or she has experienced discrimination should contact their local EEO official within 45 calendar days of the aggrieved action. Employee procedures for Public Health Service (PHS) Commissioned Corps staff require that an EEO representative be contact within 15 days of the aggrieved action. A list of all EEO offices and contacts are available at the following Web Site: <http://www.ihs.gov/AdminMngrResources/eo/index.cfm>

Discrimination is costly, nonproductive and affects everyone. Any IHS employee, who tolerates or promotes discriminatory conduct or behavior, engages in reprisal, or acts in a manner contrary to this policy will be held accountable. Engaging in discriminatory conduct or reprisal will be subject to disciplinary action and may be considered a violation of the employee standards of conduct.

We must all work together to demonstrate fairness, cooperation, and respect toward our colleagues and customers while diligently striving to maintain a productive and nondiscriminatory work environment. In accomplishing this, we will have a workplace that values employees and is free from discrimination.

/Leonard Thomas, M.D./