



DEPARTMENT OF VETERANS AFFAIRS  
ASSISTANT SECRETARY FOR HUMAN RESOURCES AND ADMINISTRATION  
WASHINGTON DC 20420  
JUL - 8 2011

MEMORANDUM FOR UNDER SECRETARIES, ASSISTANT SECRETARIES, OTHER  
KEY OFFICIALS, AND FIELD FACILITY DIRECTORS

SUBJECT: Prohibited Discrimination: Retaliation


The Department of Veterans Affairs (VA) is strongly committed to equal employment opportunity (EEO) and diversity in the VA workplace. To this end, on June 13, 2011, Secretary Shinseki issued a Policy Statement to all employees summarizing VA's EEO, Diversity, and No FEAR Policies. The Statement clearly articulates that all forms of prohibited discrimination, including retaliation, would not be tolerated in VA.

Recent EEO reports have indicated that retaliation/reprisal continues to be the most prevalent basis upon which discrimination complaints are filed in VA. I want to take this opportunity to reaffirm VA's policy and remind managers and supervisors of their obligations to maintain an environment free from discrimination and reprisal.

In the area of employment discrimination, retaliation or reprisal is defined as any negative treatment or adverse action imposed upon an individual for engaging in protected activity, which includes filing a charge of discrimination, participating in an employment discrimination proceeding, or otherwise opposing unlawful discrimination. This includes any behavior that may reasonably dissuade someone from exercising his or her rights granted by the applicable civil rights laws.

Managers and supervisors bear a special responsibility and legal obligation to ensure that they don't engage in or tolerate retaliation in the workplace. To assist you with gaining a better understanding in this area, please see the attached Frequently Asked Questions on what constitutes unlawful retaliation or reprisal. Supervisors and managers are encouraged to contact their local EEO Manager, the Office of Resolution Management, or the Office of General Counsel for more guidance on this topic. Additionally, the Office of Diversity and Inclusion provides training and consultation in the area of EEO and diversity.

As we continue to transform VA into a high performing 21<sup>st</sup> century organization, it is imperative that we cultivate a fair and inclusive work environment that protects the rights of all individuals in the workplace. Please ensure that all managers and supervisors are informed about this and understand their responsibilities. Thank you for your support.

  
John U. Sepúlveda

Attachments