

AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

Subject: Equal Employment Opportunity and EEO Complaints Process

Memo from the Director

The Agency for Healthcare Research and Quality (AHRQ) is committed to ensuring and promoting the full realization of equal employment opportunity (EEO). As part of the Department of Health and Human Services (HHS), we have a proud heritage of protecting and advancing the health of the American people, a Nation of the most diverse people in the world.

I pledge my unequivocal commitment to continue to carry out AHRQ's long tradition of vigorously enforcing all applicable Federal EEO laws, regulations, Executive Orders, and management directives. Such efforts will ensure the integrity of our mission at AHRQ by affording our highly talented employees the opportunity for success in the workplace and every protection under the law. These important laws include Title VII of the Civil Rights Act of 1964; the Rehabilitation Act of 1973, as amended; the Age Discrimination in Employment Act of 1975; the Equal Pay Act of 1963; and the Whistleblower Protection Act of 1989.

AHRQ will not tolerate discrimination or harassment on the basis of that individual's race, color, religion, sex (including sexual orientation, gender identity, or pregnancy), national origin, age (beginning at age 40), disability, genetic information (including family medical history), pregnancy accommodation, or protected EEO activity. The Pregnant Workers Fairness Act requires agencies to provide reasonable accommodations to employees' known limitations related to pregnancy, childbirth, or related medical conditions, unless such an accommodation would pose an undue hardship to the agency.

This also applies to all personnel practices and terms and conditions of employment, including recruitment, hiring, promotions, transfers, reassignments, training, career development, benefits, and separation. AHRQ is further committed to providing reasonable accommodation(s) to all qualified individuals with disabilities and for religious practices, as provided by the applicable laws and procedures.

The EEO Complaint Process

To enforce this policy, AHRQ has partnered with the Health Resources and Services Administration's (HRSA) Office of Civil Rights, Diversity, and Inclusion to administer an impartial and effective complaint management process and to address and resolve complaints of discrimination at the earliest possible stage. Employees may and should report allegations of discrimination to HRSA's Office of Civil Rights, Diversity, and Inclusion at eeocomplaints@hrsa.gov, their immediate supervisor, another management official, and/or the HHS Employee and Labor Relations Office, as appropriate. Please note that under Title 29 of the Code of Federal Regulations (CFR), Part 1614, employees who wish to go file an EEO complaint must report allegations to HRSA's Office of Civil Rights, Diversity, and Inclusion within 45 calendar days of the date of the alleged incident.

Harassment

As the Director of AHRQ, I have made it my priority to ensure that AHRQ employees, contract employees, clients, customers, applicants, guests and anyone doing business with AHRQ are not subject to harassment. Harassment, defined below, is a form of prohibited discrimination just as the other basis covered by Title VII and will not be tolerated.

Harassment is any unwelcome, hostile, or offensive conduct instigated on the basis of race, color, religion, national origin, gender (including pregnancy), gender identity, sexual orientation, age, or disability that interferes with an individual's performance or creates an intimidating, hostile, or offensive environment.

Sexual harassment is a form of discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to or rejection of such conduct is made either explicitly or

implicitly a term or condition of one's employment, or (2) submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person, or (3) such conduct interferes with an individual's performance or creates an intimidating, hostile, or offensive environment.

I assure all AHRQ employees and on-site AHRQ contractors that allegations of discrimination and harassment, including those of a sexual and non-sexual nature, will be taken seriously by Agency management and will be immediately addressed. Appropriate corrective action – up to and including termination – will be taken if allegations are substantiated.

Reporting Discrimination or Harassment

Both supervisors and employees bear responsibility to maintain a work environment free from discrimination and harassment. Employees must not engage in harassing conduct and should report such conduct to their supervisor, another management official, and/or HRSA's Office of Civil Rights, Diversity, and Inclusion, as appropriate. The official who receives such harassment claims will ensure the confidentiality of the individual making the claims to the greatest extent possible. If an employee brings an issue of harassment to a supervisor's attention, the supervisor must promptly investigate the matter in a thorough and impartial manner, share the outcome of such inquiries with the affected parties, and take appropriate and decisive corrective action. Supervisors are encouraged to seek guidance from HRSA's Office of Civil Rights, Diversity, and Inclusion when addressing issues of discrimination or harassment. Both employees and supervisors should seek to resolve such issues at the earliest possible stage. Moreover, every supervisor is responsible for informing his or her staff of this policy and ensuring that discrimination and workplace harassment of any type is not tolerated.

Retaliation Protection

Retaliation against employees for opposition to discrimination or participation in the discrimination complaint process is unlawful and will not be tolerated. This includes complainants, witnesses, and others who provide information concerning such claims. We will work aggressively and in concert with the law to protect employees from reprisal for participation in such protected activity, including the reporting of waste, fraud, and abuse in Government practices.

Training

HRSA's Office of Civil Rights, Diversity, and Inclusion provides mandatory EEO compliance training for managers and supervisors. This training educates supervisory employees on their legal responsibilities in the area of EEO and promotes early conflict resolution.

A Discrimination-Free AHRQ

The unique attributes of each employee at AHRQ offer incalculable benefits to our organization. Therefore, I am committed to creating an environment at AHRQ that is free of barriers to full participation and empowers every individual to contribute to the Agency's mission. To this end, each of us is responsible for ensuring that discrimination in the workplace is not tolerated. Supervisors and managers bear a special responsibility to ensure that the work environment is free from discrimination and harassment while simultaneously retaining and developing an inclusive workforce that reflects the pluralistic society we serve. AHRQ remains committed to these principles as it pursues its critical mission of protecting and promoting America's health.



Robert Valdez, PhD, MHSA
Director

This memorandum supersedes the Equal Employment Opportunity and EEO Complaints Process Memorandum dated March 27, 2023, to all AHRQ employees.