## PROHIBITING DISCRIMINATION BASED ON STATUS AS A PARENT

- **1. REASON FOR ISSUE.** This Veterans Health Administration (VHA) Directive provides policy prohibiting discrimination within VHA on the basis of an individual's status as a parent. **AUTHORITY:** Executive Order 11478, as amended by Executive Order 13152.
- **2. SUMMARY OF MAJOR CHANGES.** This VHA Directive defines "parent" and line responsibility for ensuring the policy is implemented.
- **3. RELATED ISSUES.** None.
- **4. RESPONSIBLE OFFICE.** The Chief Workforce Management and Consulting Officer and EEO/Affirmative Employment Office (10A2A5), are responsible for the contents of this Directive. Questions may be directed to (202) 632-7615.
- **5. RESCISSIONS.** VHA Directive 2008-012 is rescinded.
- **6. RECERTIFICATION.** This VHA Directive is due to be recertified on or before May 31, 2018.

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## 2. BACKGROUND

- a. Executive Order 11478 prohibits discrimination in Federal employment. On May 2, 2000, Executive Order 13152 was issued "in order to provide for a uniform policy for the Federal Government to prohibit discrimination based on an individual's status as a parent." Department of Veterans Affairs (VA) employees should be able to perform their jobs in workplaces free from discrimination, including intentional discrimination based upon status as a parent.
- b. <u>Definition of "status as a parent.</u>" Executive Order 13152 states that "status as a parent" refers to the status of an individual who, with respect to an individual who is under the age of 18 or who is 18 or older but is incapable of self-care because of a physical or mental disability is: a biological parent, an adoptive parent, a foster parent, a stepparent, a custodian of a legal ward, in loco parentis over such individual, or actively seeking legal custody or adoption of such an individual.
- **3. POLICY:** It is VHA policy to provide equal opportunity to all employees and applicants for employment without discrimination of parental status.
- **4. RESPONSIBILITIES:** VHA Chief Officers, Veterans Integrated Service Network Directors, facility Directors, and Supervisors are responsible for ensuring:
- a. The protection of parents in the workplace through the procedures provided for in Executive Order 11478 as amended by Executive Order 13152.
- b. Applicants or employees who believe they have been subjected to discrimination based on their status as a parent may seek assistance from VA's Office of Resolution Management (ORM). (See attached ORM's Parental Status Notice)
  - c. A person's status as a parent is not the basis for the denial of a job or promotion.

## 5. REFERENCES

- a. Executive Order 11478, Equal Employment Opportunity in the Federal Government.
- b. Executive Order 13152, Further Amendment to Executive Order 11478, Equal Employment Opportunity in Federal Employment.
- c. U.S. Equal Opportunity Commission. Facts about Discrimination in Federal Government Employment Based on Marital Status, Political Affiliation, Status as a Parent, Sexual Orientation, or Transgender (Gender Identity) Status. Available at <a href="http://www.eeoc.gov/federal/otherprotections.cfm">http://www.eeoc.gov/federal/otherprotections.cfm</a>.