

March 12, 2008

DISCRIMINATION BASED ON STATUS AS A PARENT

1. PURPOSE: This Veterans Health Administration (VHA) Directive provides policy prohibiting discrimination within VHA on the basis of an individual's status as a parent.

2. BACKGROUND: Executive Order 11478 of 1969, 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. A person's status as a parent should not be the basis for the denial of a job or promotion.

3. POLICY: It is VHA policy to provide an equal opportunity to all of its employees and applicants for employment without discrimination of parental status.

4. ACTION: VHA Chief Officers, Veterans Integrated Service Network (VISN) 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.

b. Employees are notified that:

(1) Applicants or employees who believe they have been subjected to discrimination based on the status as a parent may seek assistance under certain circumstances from the Merit Systems Protection Board, the Office of Special Counsel, the Agency's Negotiated Grievance Procedure, or the Agency's Internal Grievance Procedure.

(2) Employees and applicants may not seek relief from the Equal Employment Opportunity Commission or file a discrimination complaint under title VII of the Civil Rights Act of 1964, as amended, because that law does not prohibit discrimination based upon status as a parent.

5. REFERENCES

a. Executive Order 13152, Addressing Discrimination Based on Status as a Parent in Federal Civilian Employment.

b. Executive Order 11478 of 1969.

c. Guidance on Executive Order 13152, see Status as a Parent, Marital Status and Political Affiliation at http://www.eeoc.gov/facts/fs-orientation_parent_marital_political.html

THIS VHA DIRECTIVE EXPIRES ON MARCH 31, 2013

VHA DIRECTIVE 2008-012

March 12, 2008

6. FOLLOW-UP RESPONSIBILITY: The Chief Workforce Management and Consulting Officer and EEO/Affirmative Employment Team (10A2E), are responsible for the contents of this Directive. Questions may be directed to (202) 273-8907.

7. RESCISSIONS: VHA Directive 2002-062 is rescinded. This VHA Directive expires on March 31, 2013.

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