September 15, 2010

MEMORANDUM FOR: All DHS Employees

FROM: Secretary Napolitano

SUBJECT: Department of Homeland Security Anti-Discrimination Policy Statement and No FEAR Act Notice

As Secretary of the Department of Homeland Security, I am honored to lead an exceptionally talented, dedicated, and diverse workforce. I expect all DHS personnel to join me in creating a work environment free from unlawful discrimination, promoting awareness of employee rights and responsibilities, and providing a fair and neutral process for adjudicating complaints without fear of retaliation. DHS has issued a new Anti-Discrimination Policy Statement, which sets out Department policy and provides important information for all DHS personnel regarding their rights and responsibilities, as well as available information and resources.

I. DHS Anti-Discrimination Policy Statement

I am dedicated to continually identifying and implementing meaningful initiatives to advance the full range of equal rights to all employees. The attached new DHS Anti-Discrimination Policy Statement reinforces our commitment to a work environment free from unlawful discrimination and emphasizes your obligations as employees to prevent and promptly correct harassment in the workplace, as set forth in DHS's Anti-Harassment Policy (Directive Number 256-01). If you believe you have been subjected to discrimination or retaliation, the Statement provides information on avenues through which you may seek redress.

II. No FEAR Act Notice

All DHS employees should be aware of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), enacted by Congress on May 15, 2002. The No FEAR Act requires DHS to provide a notice to Federal employees, former Federal employees, and applicants for Federal employment to inform them of their rights and protections available under Federal antidiscrimination, whistleblower protection, and retaliation laws. That notice is available at http://edocket.access.gpo.gov/2009/E9-376.htm and at http://www.dhs.gov/xutil/editorial_0478.shtm.

The Office for Civil Rights and Civil Liberties (CRCL), in coordination with the DHS Chief Human Capital Officer, provides an on-line training course for all DHS employees regarding their rights and remedies under the Federal antidiscrimination, whistleblower, and retaliation laws listed in the No FEAR Act. Current employees who have not already taken the training are required to complete this training as soon as possible, and new employees are required to complete this training within 90 days of entering on duty. Please contact CRCL or the appropriate Component-servicing EEO office for more information (including the link for each Component's employees).

Questions concerning this memorandum can be directed to CRCL at crcl.eeo@dhs.gov, or at (202) 254-8200.

Thank you for working together to uphold the highest levels of professionalism and performance at DHS, and for your critical work in securing our homeland.