



FEDERAL MEDIATION AND CONCILIATION SERVICE
OFFICE OF THE DIRECTOR

February 13, 2023

From: Greg Goldstein, Acting Director

To: All Employees

Subject: FMCS EEO Policy Statement

Our agency's mission is to promote the development of sound and stable labor management relationships. Fundamental to this mission is our steadfast support and responsibility to honor the diversity of the FMCS workforce and treat all employees with respect and dignity.

I am committed to the principles of Equal Employment Opportunity (EEO), and to creating and sustaining a diverse workforce where all individuals can reach their full potential in support of our mission. I will continue to enforce zero tolerance toward any forms of discriminatory behavior or workplace harassment. It is vital each employee cultivates and maintains a culture where all are valued and respected for who they are and the skills and talents they bring to the workforce. Together, we will ensure equitable access to career enhancing opportunities and promotions, training, and awards, and that we base all employment decisions solely on merit and ability.

FMCS promotes EEO, diversity, equity, inclusion, and accessibility to encourage a climate of innovation and success that capitalizes on the diversity and professionalism of our exceptional workforce. Although we are a small agency, we are strong, and our accomplishments and positive impacts greatly exceed our limited resources: we make a difference! We have frequent and many examples of our accomplishments, from our efficient and effective administrative requirements to preventing and mitigating labor disputes which supports our economy. By the nature of who we are and what we do we must continue to be a leader in treating employees with dignity and respect, and promoting an ethical, equitable, and inclusive culture.

Pursuant to the anti-discrimination statutes, including (but not limited to) Title VII of the Civil Rights Act of 1964, as amended, ("Title VII") and the Rehabilitation Act of 1973, employment decisions at FMCS are based on equal employment opportunity for all employees and applicants for employment, regardless of their race, religion, color, sex (including pregnancy, gender identity and sexual orientation), national origin, age, genetic information, disability, retaliation, or any other status protected by federal laws and regulations. Accordingly, these protections extend to all management practices and decisions, including, but not limited to, recruitment and hiring practices, transfers, reassignments, benefits, separations, appraisal systems, merit promotions, training, and career development programs. All employees will have the freedom to compete on a fair and level playing field with equal opportunity for competition.

To this end, in accordance with the anti-discrimination statutes, and EEOC guidance, FMCS promotes an environment free of discrimination and any form of harassment, where all employees may work without fear of reprisal; where all employees and applicants with qualified disabilities and targeted disabilities receive reasonable accommodations, so they can be successful at their work; and where all employees are recognized for their individual performance and contributions to FMCS. To promote an environment that is free of discrimination and harassment, every employee (including supervisors and managers), will receive training about the rights and remedies available under the anti-discrimination statutes and Whistleblower Protection statutes consistent with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002.

Additionally, FMCS remains equally committed to the full and meaningful implementation of EEO policies for all employees and applicants consistent with applicable federal civil rights laws. Keeping this commitment will ensure FMCS prevents, stops, and remedies all forms of discrimination or harassment that may occur within our outstanding agency. Examples of prohibited conduct include making abusive, derisive, profane, or harassing statements; using epithets or slurs; engaging in stereotyping or intimidating acts; making or sharing racially derisive social media posts; and circulating or posting of written or graphic materials that show hostility toward individuals regardless of their protected status.

All FMCS managers and supervisors are expected to respond appropriately to allegations of discrimination or harassment and are required to uphold governing laws, regulations, and this policy. We all must ensure workplace discrimination or harassment is not tolerated and is corrected before it becomes severe or pervasive. Therefore, managers and supervisors will complete periodic required training to ensure they clearly understand their roles and responsibilities in addressing and eliminating all forms of discrimination or harassment.

Employees who believe they are experiencing unlawful discrimination or harassment should bring their concerns to the attention of their supervisor, a member of their management team, or to the FMCS EEO office. Employees who wish to pursue a discrimination complaint must do so through the FMCS EEO office within 45 days of the alleged incident or 45 days from the date the employee became aware of the alleged discrimination or in the case of personnel action, within 45 days of the effective date of the action at eeo@fmcs.gov. Additionally, retaliation in any form against an employee who reports unlawful discrimination or harassment is strictly prohibited as FMCS will not tolerate workplace harassment or reprisal against anyone who engages in protected activity.

All employees and applicants must be able to exercise their right to elect the EEO process, to oppose discriminatory practices, and to engage in whistleblowing or exercise any other right provided by law, without fear of retaliation. Employees may obtain further information to report harassment to the FMCS EEO Office. Additionally, employees may report allegations of reprisal for whistleblowing to the Office of Special Counsel at <https://osc.gov/> or 1 (800) 872-9855. Employees may also raise such allegations to the FMCS Inspector General via phone (202) 273-

7936 or email at FMCSHotline@nrlb.gov (administered by the Office of Inspector General, National Labor Relations Board).

All employees, including managers and supervisors, must abide by this policy and strive to meet FMCS overarching goal to be a model organization committed to innovation, opportunity, and success. Through this policy and other initiatives, FMCS will be at the forefront of EEO, diversity, equity, inclusion, and accessibility in the federal government.

Each of us depends on our colleagues to maintain an atmosphere that fosters respect for all people. Prevention of unlawful discrimination is one of the greatest tools for our continued success. Thank you for your personal support and commitment to upholding a positive work environment where all employees are free to perform at their highest capacity to further our mission.