United States Department of Agriculture

NRCS

Natural Resources Conservation Service
P.O. Box 2890
Washington, D.C. 20013

MAR 1 3 2013

SUBJECT: EOP – NRCS Civil Rights Policy Statement

TO: All NRCS Employees File Code: 230-15

The Natural Resources Conservation Service (NRCS) employees represent an array of cultures, ethnicities, and backgrounds, and that diversity helps us meet our mission. I am committed to enforcing the Secretary's zero tolerance policy on discrimination. Prohibited discrimination is a violation of Title VI and Title VII of the 1964 Civil Rights Act.

It is NRCS' policy to treat all customers and employees equitably regardless of race, color, national origin, sex (including gender identity and expression), religion, age, disability, political beliefs, sexual orientation, marital or familial status, parental status, and protected genetic information. It is also our policy that customers and employees be free from reprisal or harassment in the pursuit of fairness and equal employment opportunities.

Complainants, representatives, and witnesses involved in complaints of discrimination must be unimpeded and free from restraint, coercion, or retaliation in the exercise of eliminating discrimination in the workplace. Reprisal of any kind against customers or employees will not be tolerated. Agency officials, managers, supervisors, and other employees will be held accountable for discrimination, reprisal or harassment, civil rights violations, and related misconduct.

Managers and supervisors are responsible for the environment in which their employees work and have a duty to take both affirmative and corrective action to ensure equal opportunity and civil rights for customers and employees. To deter violations, managers and supervisors are required to take appropriate corrective or disciplinary action on findings of discrimination, reprisal, civil rights violations, and related misconduct in employment and program matters. They must demonstrate an elevated regard by supporting civil rights, equal employment opportunity, and diversity in the workplace.

All NRCS employees are expected to adhere to this policy. NRCS will ensure appropriate corrective or disciplinary action is taken against violators who engage in discriminatory behavior.

Helping People Help the Land

An Equal Opportunity Provider and Employer

NRCS CHIEF'S CIVIL RIGHTS POLICY STATEMENT
Acting Chief Jason Weller
March 2013

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PUBLIC DISPLAY
Required Display: NRCS Offices.
Available at:
www.ia.nrcs.usda.gov/about/Posters.html

Page 2

The Civil Rights Division will continue to provide guidance and ensure the agency's compliance with the laws and principles of equality for employment and programs. If you have questions, concerns, suggestions, or complaints of discrimination, contact the Civil Rights Division at (301) 504-2181.

Jason A. Weller
Acting Chief

NRCS CHIEF'S CIVIL RIGHTS POLICY STATEMENT
Acting Chief Jason Weller
March 2013

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United States Department of Agriculture

NRCS

Natural Resources Conservation Service
P.O. Box 2890
Washington, D.C. 20013

FEB 14 2012

SUBJECT: EOP – Anti-Harassment Policy Statement

TO: All NRCS Employees File Code: 230-15

The Natural Resource Conservation Service (NRCS) Anti-Harassment Policy Statement reaffirms my commitment to prohibit sexual and non-sexual harassment in the agency's work environment and program delivery.

Sexual and non-sexual harassment (a form of discrimination) based on a prohibited basis of race, color, national origin, sex (including gender identity and expression) gender, religion, age (40 and over), mental or physical disability, political affiliation or belief, sexual orientation, marital or familial status, genetic information, and reprisal (retaliation) for prior Equal Employment Opportunity activity is prohibited by the agency.

For the purpose of this policy, harassment is defined as any objectionable verbal or physical conduct, comment, or display which demeans, disparages, aggravates, intimidates, or causes humiliation or embarrassment to another person. Harassment is a reasonably known unwelcome offense and serves no legitimate work purpose. Harassment occurs based on any of the above protected characteristics when:

(a) The behavior can reasonably be considered to adversely affect the work environment (create an intimidating, hostile, or offensive work environment);

(b) An employment decision affecting the employee is based upon the employee's acceptance or rejection of such conduct;

(c) Unreasonable interference with an individual's work performance; and

(d) An individual's employment opportunities are affected.

Harassing conduct includes, but not limited to:

Physical – Actual or threatened assault including hitting, tripping, kicking, punching, or unwanted touching: malicious or insulting gestures.

Verbal – Unwelcome remarks, jokes, innuendos, or taunts causing offense or embarrassment; name calling, swearing, bullying, expressing or insinuating threats, incessant teasing, wolf whistling, or spreading rumors.

Helping People Help the Land

An Equal Opportunity Provider and Employer

NRCS ANTI-HARASSMENT POLICY STATEMENT
Chief Dave White
February 2012

Page 1

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NRCS ANTI-HARASSMENT POLICY STATEMENT
Chief Dave White
February 2012

Psychological – Shunning or ostracizing, stalking, staring; gesturing; preventing someone from joining in an activity; hiding, damaging, or taking another's property; and displaying objectionable materials, graffiti or pictures.

Intimidation – Use of physical or organizational power to coerce a person to perform a particular action or to instill a feeling of humiliation or intimidation. Intimidation does not include the exercise of supervisory authority in the ordinary course of agency business.

NRCS strictly prohibits the use of abuse or official authority or position to intimidate, coerce, or harass employees or customers. Managers and supervisors are subject to receive disciplinary or adverse action for tolerating harassment and failing to take appropriate and immediate action when harassment is reported.

Personnel actions that a supervisor or manager takes for valid reasons do not constitute harassment in the workplace. Please note that this notice does not limit the supervisor's right to manage effectively. All employees must be proactive in preventing harassment and promoting a discrimination free workplace.

Any employee who is subjected to or witnesses conduct which is unwelcome and perceived to be harassment, or receives a report of alleged harassment, should immediately report the incidents to a NRCS official. If an informal attempt at resolution fails or is impractical, employees may seek relief from harassment based on one or more of the above-cited prohibited basis by contacting the NRCS Civil Rights Division, Complaints Branch at 1-866-NRCS-295 or TTY at (301) 504-2439 within 45 days of the alleged incident. All other allegations of harassment (non-discriminatory) may be reported directly to an official.

As Chief of NRCS, I am fully committed to ensuring that every employee and customer is treated with respect and dignity. Managers, supervisors, and employees must remain cognizant of this policy and refrain from perpetuating acts of harassment. All employees, including contractors and others performing official work for the agency, must fully support this zero tolerance harassment policy.

Dave White

Dave White
Chief

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Required Display: NRCS Offices
Available at:
www.ia.nrcs.usda.gov/about/Posters.html

USDA

United States Department of Agriculture

Office of the Secretary
Washington, D.C. 20250

Civil Rights Policy Statement

As Secretary of Agriculture, I fully support the U.S. Department of Agriculture's (USDA) civil rights, equal employment opportunity, and diversity policies and programs. Improving civil rights throughout USDA is one of my top priorities, and by pursuing this goal together in a transparent and ethical manner we can lead the way in making USDA a model organization. We can turn our challenges into opportunities to strengthen our service.

The success of today's "People's Department" requires the steadfast support and commitment of every USDA employee. We will have zero tolerance for any form of discrimination or reprisal. There exists *no reason to discriminate* based on race, color, religion, national origin, age, sex (including gender identity and expression), sexual orientation, disability, marital or familial status, political beliefs, parental status, receipt of public assistance, or protected genetic information. Our policy at USDA is not only to understand that there will be zero tolerance for any form of discrimination, but to ensure that this standard is maintained throughout the Department. This standard is *applicable to every employee and manager* at USDA and to every action taken at USDA.

USDA must become a model department of tolerance and inclusion. Only then will we live up to President Lincoln's description of USDA as "The People's Department." Strengthening "The People's Department" is my commitment to you. I expect every employee and manager to demonstrate respect for and adherence to USDA civil rights, equal employment opportunity, and diversity policies and our program civil rights responsibilities.

To this end, accountability is key. I will hold all employees and managers accountable for doing their part to ensure that all USDA applicants, customers, constituents, and stakeholders are provided equal access to the opportunities, programs, and services available through "The People's Department." Accordingly, I am counting on all senior leaders, managers, and supervisors to model appropriate behavior and to lead by example.

We must all strive to create an inclusive environment in which every employee is respected, trusted, and valued. As we approach the 50th Anniversary of the Civil Rights Act of 1964, USDA must continue to ensure that the civil rights of USDA constituents and employees are respected and protected. We have corrected past errors, learned from past mistakes, and moved into a new era of equitable service and access for all. Let us continue to cultivate and reap the benefits of a diverse USDA workforce that is rich in talent, ideas, background, and experience. The USDA mission depends on it.

Thomas J. Vilsack
Secretary
July 24, 2013

An Equal Opportunity Employer

USDA SECRETARY CIVIL RIGHTS POLICY STATEMENT
Secretary Tom Vilsack
July 24, 2013

Updated

PUBLIC DISPLAY
Required Display: NRCS Offices.
Available at:
www.ia.nrcs.usda.gov/about/Posters.html

AND JUSTICE FOR ALL

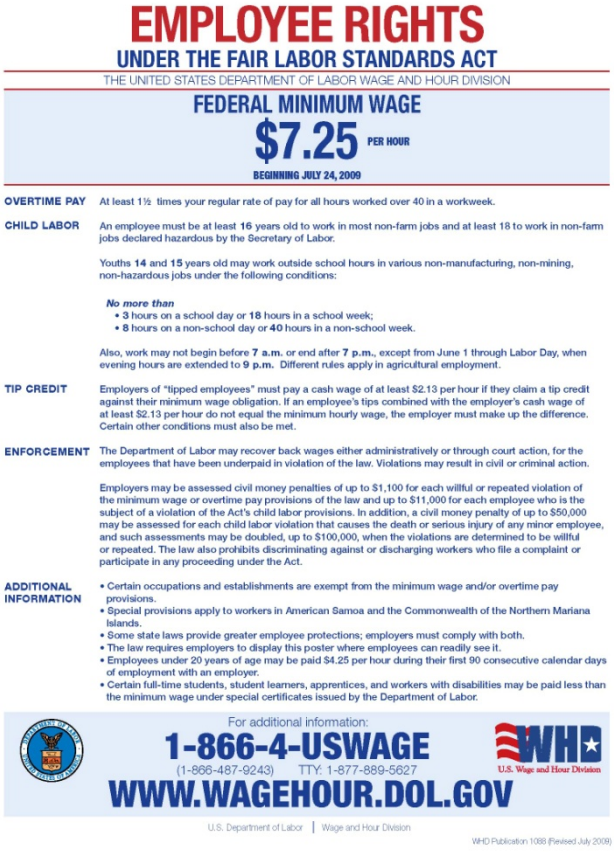
PUBLIC DISPLAY
Required Display: NRCS Offices
Red and white.
REQUIRED SIZE: 11 X 17
Available at:
www.ia.nrcs.usda.gov/about/Posters.html

NRCS EEO COUNSELING PROGRAM
January 2002

IN-HOUSE DISPLAY
Required Display: NRCS Offices
REQUIRED SIZE: 11 X 17
Available at:
www.ia.nrcs.usda.gov/about/Posters.html

USDA EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW
AD-1181 Rev 09/03

PUBLIC DISPLAY
Required Display: NRCS Offices
REQUIRED SIZE: 11 X 17
Available at:
www.ia.nrcs.usda.gov/about/Posters.html



EMPLOYEE RIGHTS
UNDER THE FAIR LABOR STANDARDS ACT
THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

FEDERAL MINIMUM WAGE
$7.25 PER HOUR
BEGINNING JULY 24, 2009

OVERTIME PAY At least 1½ times your regular rate of pay for all hours worked over 40 in a workweek.

CHILD LABOR An employee must be at least **16** years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor.

Youths **14** and **15** years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs under the following conditions:

No more than
- **3** hours on a school day or **18** hours in a school week;
- **8** hours on a non-school day or **40** hours in a non-school week.

Also, work may not begin before **7 a.m.** or end after **7 p.m.**, except from June 1 through Labor Day, when evening hours are extended to **9 p.m.** Different rules apply in agricultural employment.

TIP CREDIT Employers of "tipped employees" must pay a cash wage of at least $2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least $2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference. Certain other conditions must also be met.

ENFORCEMENT The Department of Labor may recover back wages either administratively or through court action, for the employees that have been underpaid in violation of the law. Violations may result in civil or criminal action.

Employers may be assessed civil money penalties of up to $1,100 for each willful or repeated violation of the minimum wage or overtime pay provisions of the law and up to $11,000 for each employee who is the subject of a violation of the Act's child labor provisions. In addition, a civil money penalty of up to $50,000 may be assessed for each child labor violation that causes the death or serious injury of any minor employee, and such assessments may be doubled, up to $100,000, when the violations are determined to be willful or repeated. The law also prohibits discriminating against or discharging workers who file a complaint or participate in any proceeding under the Act.

ADDITIONAL INFORMATION
- Certain occupations and establishments are exempt from the minimum wage and/or overtime pay provisions.
- Special provisions apply to workers in American Samoa and the Commonwealth of the Northern Mariana Islands.
- Some state laws provide greater employee protections; employers must comply with both.
- The law requires employers to display this poster where employees can readily see it.
- Employees under 20 years of age may be paid $4.25 per hour during their first 90 consecutive calendar days of employment with an employer.
- Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

For additional information:
1-866-4-USWAGE
(1-866-487-9243) TTY: 1-877-889-5627
WWW.WAGEHOUR.DOL.GOV
WHD U.S. Wage and Hour Division

U.S. Department of Labor | Wage and Hour Division

WHD Publication 1088 (Revised July 2009)

NOTICE TO EMPLOYEES -- FEDERAL MINIMUM WAGE
Revised July 2009
Required by US Dept of Labor, Employment Standards Administration, Wage and Hour Division.

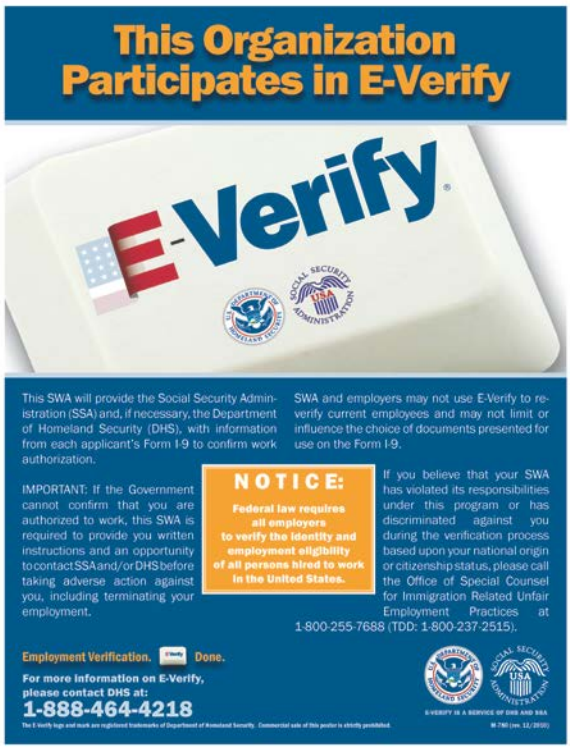
IN-HOUSE DISPLAY
Required Display: NRCS Offices.
Available at:
www.ia.nrcs.usda.gov/about/Posters.html

EMPLOYEE ASSISTANCE PROGRAM POSTER
The Sand Creek Group Ltd.

IN-HOUSE DISPLAY
Required Display: NRCS Offices
Available at:
www.ia.nrcs.usda.gov/about/Posters.html

EMPLOYEES' RIGHT TO KNOW

IN-HOUSE DISPLAY
Required Display: NRCS Offices.
Available at:
www.ia.nrcs.usda.gov/about/Posters.html



Employment Eligibility Verification Program (E-Verify) December 2010

PUBLIC DISPLAY
Required Display: NRCS Offices
Available at:
www.ia.nrcs.usda.gov/about/Posters.html

EMPLOYEE RIGHTS AND RESPONSIBILITIES
UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement
FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- for incapacity due to pregnancy, prenatal medical care or child birth;
- to care for the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, son, daughter or parent, who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements
Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service-member during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

***The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition".**

Benefits and Protections
During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements
Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months*, and if at least 50 employees are employed by the employer within 75 miles.

***Special hours of service eligibility requirements apply to airline flight crew employees.**

Definition of Serious Health Condition
A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave
An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave
Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities
Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities
Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers
FMLA makes it unlawful for any employer to:

- interfere with, restrain, or deny the exercise of any right provided under FMLA; and
- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement
An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulation 29 C.F.R. § 825.300(a) may require additional disclosures.

For additional information:
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627
WWW.WAGEHOUR.DOL.GOV

U.S. Department of Labor | Wage and Hour Division

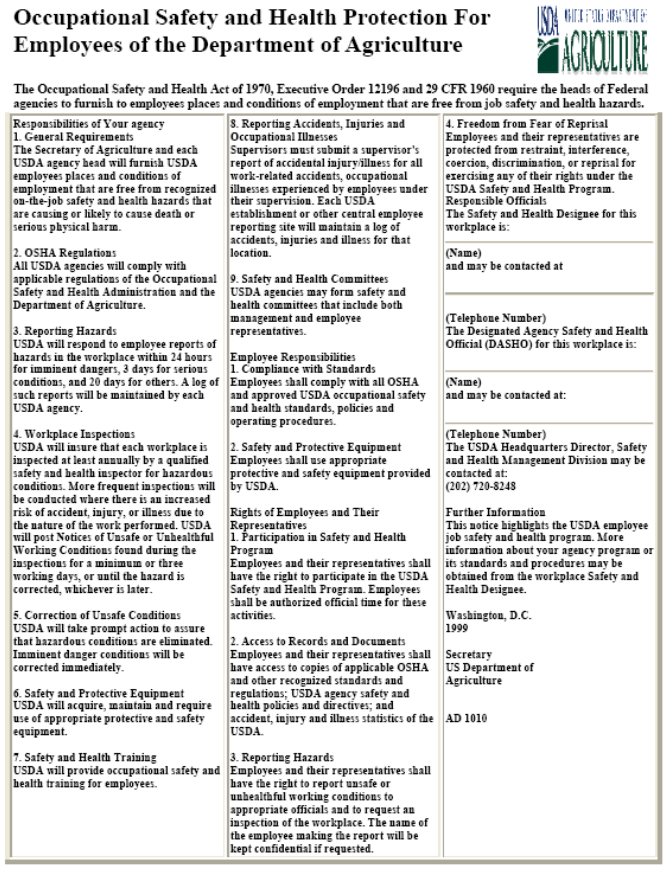
WHD Publication 1420 · Revised February 2013

FAMILY & MEDICAL LEAVE ACT

WH Publication 1420 Revised February 2013
Required by US Dept of Labor, Employment Standards Administration, Wage and Hour Division.

IN-HOUSE DISPLAY

Required Display: NRCS Offices.
Available at:
www.ia.nrcs.usda.gov/about/Posters.html



Occupational Safety and Health Protection For Employees of the Department of Agriculture

The Occupational Safety and Health Act of 1970, Executive Order 12196 and 29 CFR 1960 require the heads of Federal agencies to furnish to employees places and conditions of employment that are free from job safety and health hazards.

Responsibilities of Your agency

1. General Requirements
The Secretary of Agriculture and each USDA agency head will furnish USDA employees places and conditions of employment that are free from recognized on-the-job safety and health hazards that are causing or likely to cause death or serious physical harm.

2. OSHA Regulations
All USDA agencies will comply with applicable regulations of the Occupational Safety and Health Administration and the Department of Agriculture.

3. Reporting Hazards
USDA will respond to employee reports of hazards in the workplace within 24 hours for imminent dangers, 3 days for serious conditions, and 20 days for others. A log of such reports will be maintained by each USDA agency.

4. Workplace Inspections
USDA will insure that each workplace is inspected at least annually by a qualified safety and health inspector for hazardous conditions. More frequent inspections will be conducted where there is an increased risk of accident, injury, or illness due to the nature of the work performed. USDA will post Notices of Unsafe or Unhealthful Working Conditions found during the inspections for a minimum or three working days, or until the hazard is corrected, whichever is later.

5. Correction of Unsafe Conditions
USDA will take prompt action to assure that hazardous conditions are eliminated. Imminent danger conditions will be corrected immediately.

6. Safety and Protective Equipment
USDA will acquire, maintain and require use of appropriate protective and safety equipment.

7. Safety and Health Training
USDA will provide occupational safety and health training for employees.

8. Reporting Accidents, Injuries and Occupational Illnesses
Supervisors must submit a supervisor's report of accidental injury/illness for all work-related accidents, occupational illnesses experienced by employees under their supervision. Each USDA establishment or other central employee reporting site will maintain a log of accidents, injuries and illness for that location.

9. Safety and Health Committees
USDA agencies may form safety and health committees that include both management and employee representatives.

Employee Responsibilities
1. Compliance with Standards
Employees shall comply with all OSHA and approved USDA occupational safety and health standards, policies and operating procedures.

2. Safety and Protective Equipment
Employees shall use appropriate protective and safety equipment provided by USDA.

Rights of Employees and Their Representatives
1. Participation in Safety and Health Program
Employees and their representatives shall have the right to participate in the USDA Safety and Health Program. Employees shall be authorized official time for these activities.

2. Access to Records and Documents
Employees and their representatives shall have access to copies of applicable OSHA and other recognized standards and regulations; USDA agency safety and health policies and directives; and accident, injury and illness statistics of the USDA.

3. Reporting Hazards
Employees and their representatives shall have the right to report unsafe or unhealthful working conditions to appropriate officials and to request an inspection of the workplace. The name of the employee making the report will be kept confidential if requested.

4. Freedom from Fear of Reprisal
Employees and their representatives are protected from restraint, interference, coercion, discrimination, or reprisal for exercising any of their rights under the USDA Safety and Health Program.

Responsible Officials
The Safety and Health Designee for this workplace is:

(Name)
and may be contacted at

(Telephone Number)
The Designated Agency Safety and Health Official (DASHO) for this workplace is:

(Name)
and may be contacted at:

(Telephone Number)
The USDA Headquarters Director, Safety and Health Management Division may be contacted at:
(202) 720-8248

Further Information
This notice highlights the USDA employee job safety and health program. More information about your agency program or its standards and procedures may be obtained from the workplace Safety and Health Designee.

Washington, D.C.
1999

Secretary
US Department of Agriculture

AD 1010

OCCUPATIONAL SAFETY AND HEALTH PROTECTION FOR EMPLOYEES OF THE DEPARTMENT OF AGRICULTURE

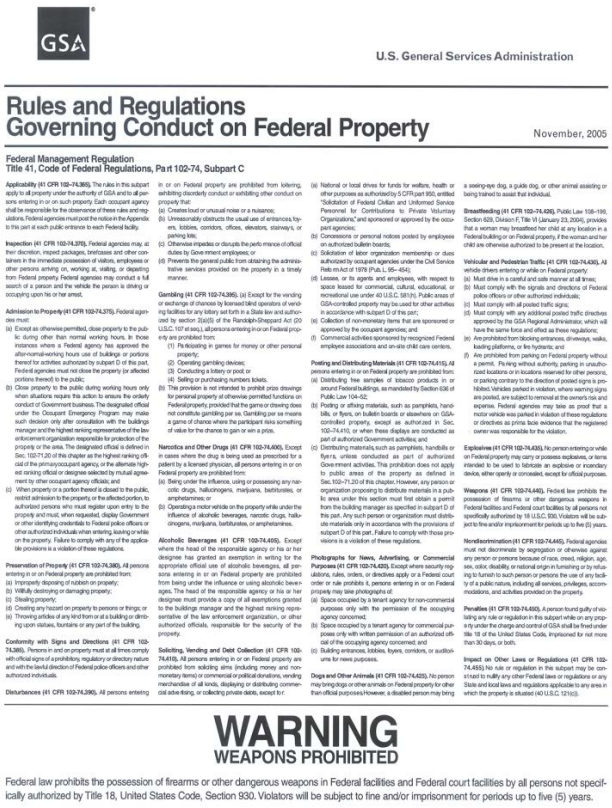
Form AD 1010 - 1999

IN-HOUSE DISPLAY

Required Display: NRCS Offices
Available at:
www.ia.nrcs.usda.gov/about/Posters.html

Ask for a Receipt for Service.
March 2012

PUBLIC DISPLAY – Must be posted at each public entrance to each federal facility.
http://www.outreach.usda.gov/docs/RFS_Poster.En.Fem.dk150.pdf

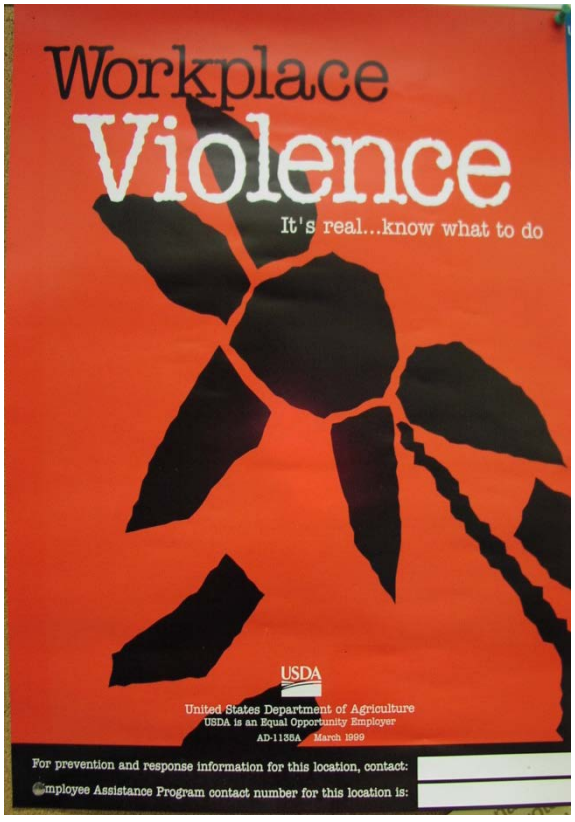


Rules and Regulations
Governing Conduct on Federal Property
November 2005

PUBLIC DISPLAY – Must be posted at each public entrance to each federal facility. Available at:
www.ia.nrcs.usda.gov/about/Posters.html

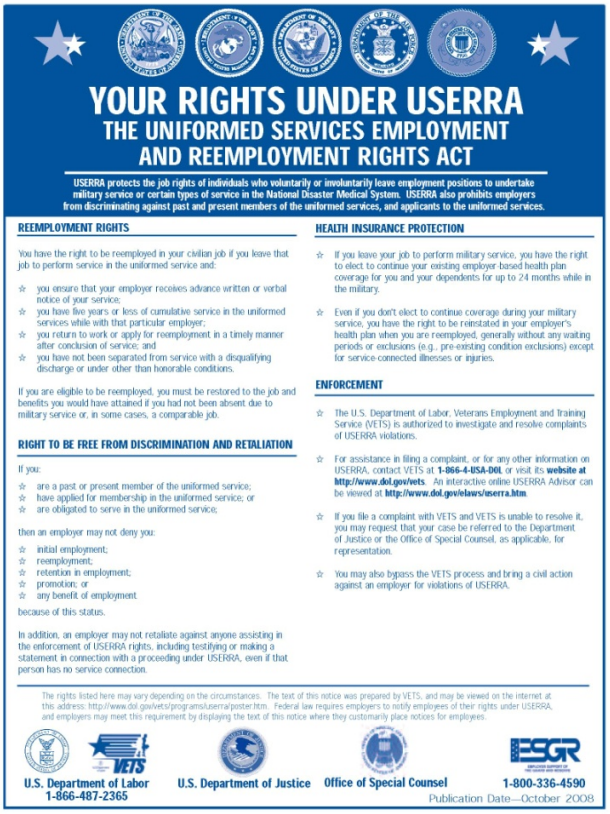
USDA SEXUAL HARASSMENT IS ILLEGAL
AD 1085, September 2003

IN-HOUSE DISPLAY
Required Display: NRCS Offices
REQUIRED SIZE: 11 X 17
Available at:
www.ia.nrcs.usda.gov/about/Posters.html



WORKPLACE VIOLENCE
AD-1135A

IN-HOUSE DISPLAY
Required Display: NRCS Offices.
NOTE: Each office must place their contact information, as contained in the USDA Service Center's or NRCS Office *Emergency Preparedness Plan.* The phone number for the EAP must be included, as well. The numbers are: **1-888-243-5744 (TDD) 1-800-627-3529**
Available at:
www.ia.nrcs.usda.gov/about/Posters.html



YOUR RIGHTS UNDER USERRA
THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

REEMPLOYMENT RIGHTS

You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:

- you ensure that your employer receives advance written or verbal notice of your service;
- you have five years or less of cumulative service in the uniformed services while with that particular employer;
- you return to work or apply for reemployment in a timely manner after conclusion of service; and
- you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

If you:

- are a past or present member of the uniformed service;
- have applied for membership in the uniformed service; or
- are obligated to serve in the uniformed service;

then an employer may not deny you:

- initial employment;
- reemployment;
- retention in employment;
- promotion; or
- any benefit of employment

because of this status.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

HEALTH INSURANCE PROTECTION

- If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military.
- Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

ENFORCEMENT

- The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.
- For assistance in filing a complaint, or for any other information on USERRA, contact VETS at **1-866-4-USA-DOL** or visit its **website at http://www.dol.gov/vets**. An interactive online USERRA Advisor can be viewed at **http://www.dol.gov/elaws/userra.htm**.
- If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation.
- You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: http://www.dol.gov/vets/programs/userra/poster.htm. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.

U.S. Department of Labor 1-866-487-2365 | U.S. Department of Justice | Office of Special Counsel | 1-800-336-4590

Publication Date—October 2008

YOUR RIGHTS UNDER USERRA
Revised October 2008

IN-HOUSE DISPLAY
Required Display: NRCS Offices
Available at:
www.ia.nrcs.usda.gov/about/Posters.html

USDA Hotline

REPORT VIOLATIONS OF LAWS AND REGULATIONS RELATING TO USDA PROGRAMS

- ✔ Criminal Activity, such as:
  - Bribery
  - Smuggling
  - Theft
  - Fraud
  - Endangerment of Public Health or Safety
- ✔ Mismanagement / Waste of Funds
- ✔ Workplace Violence
- ✔ Employee Misconduct
- ✔ Research Misconduct
- ✔ Conflict of Interest

call ➤ **800.424.9121**
202.690.1622
202.690.1202 (TDD)

fax ➤ **202.690.2474**

or

write ➤ United States Department of Agriculture
Office of Inspector General
PO Box 23399
Washington, DC 20026-3399

website ➤ **www.usda.gov/oig**
e-mail ➤ **usda.hotline@oig.usda.gov**

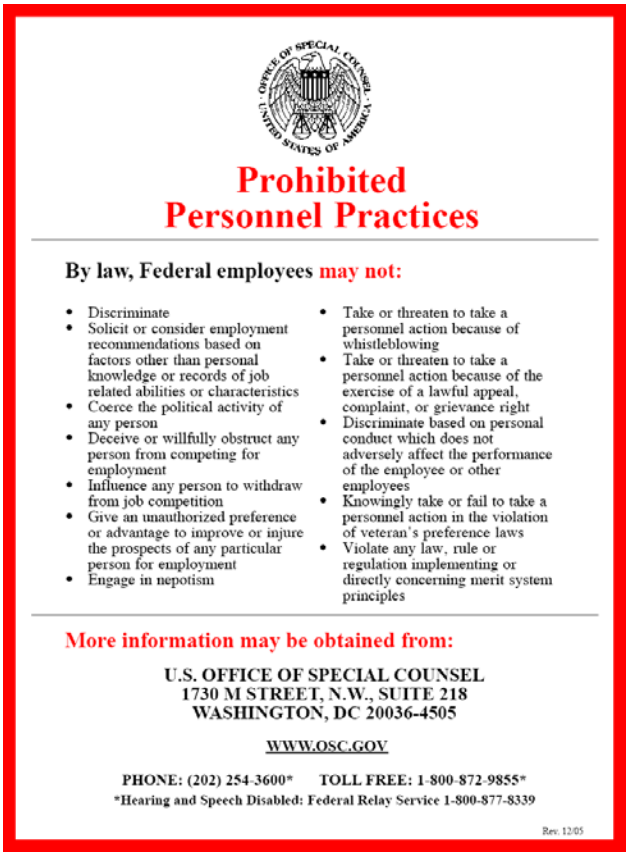
reward ➤ Cash rewards may be paid for information leading to the conviction of individuals involved in the commission of particular felonies.

The identity of writers and callers is protected under the provisions of the Whistleblower Protection Act of 1989.

USDA United States Department of Agriculture • Office of Inspector General

USDA HOTLINE

PUBLIC DISPLAY
Required Display: NRCS Offices
REQUIRED SIZE: 11 x 17
Available at:
www.ia.nrcs.usda.gov/about/Posters.html



Prohibited Personnel Practices

By law, Federal employees may not:

- Discriminate
- Solicit or consider employment recommendations based on factors other than personal knowledge or records of job related abilities or characteristics
- Coerce the political activity of any person
- Deceive or willfully obstruct any person from competing for employment
- Influence any person to withdraw from job competition
- Give an unauthorized preference or advantage to improve or injure the prospects of any particular person for employment
- Engage in nepotism
- Take or threaten to take a personnel action because of whistleblowing
- Take or threaten to take a personnel action because of the exercise of a lawful appeal, complaint, or grievance right
- Discriminate based on personal conduct which does not adversely affect the performance of the employee or other employees
- Knowingly take or fail to take a personnel action in the violation of veteran's preference laws
- Violate any law, rule or regulation implementing or directly concerning merit system principles

More information may be obtained from:

U.S. OFFICE OF SPECIAL COUNSEL
1730 M STREET, N.W., SUITE 218
WASHINGTON, DC 20036-4505

WWW.OSC.GOV

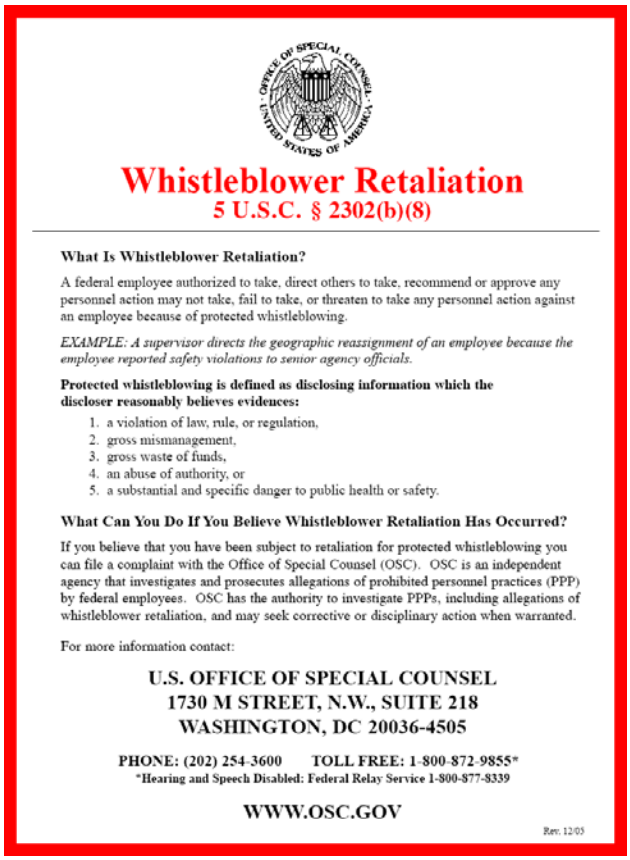
PHONE: (202) 254-3600* TOLL FREE: 1-800-872-9855*
*Hearing and Speech Disabled: Federal Relay Service 1-800-877-8339

Rev. 12/05

PROHIBITED PERSONNEL PRACTICES

Revised 12/05

IN-HOUSE DISPLAY
Required Display: NRCS Offices
Available at:
www.ia.nrcs.usda.gov/about/Posters.html



Whistleblower Retaliation
5 U.S.C. § 2302(b)(8)

What Is Whistleblower Retaliation?

A federal employee authorized to take, direct others to take, recommend or approve any personnel action may not take, fail to take, or threaten to take any personnel action against an employee because of protected whistleblowing.

EXAMPLE: A supervisor directs the geographic reassignment of an employee because the employee reported safety violations to senior agency officials.

Protected whistleblowing is defined as disclosing information which the discloser reasonably believes evidences:

1. a violation of law, rule, or regulation,
2. gross mismanagement,
3. gross waste of funds,
4. an abuse of authority, or
5. a substantial and specific danger to public health or safety.

What Can You Do If You Believe Whistleblower Retaliation Has Occurred?

If you believe that you have been subject to retaliation for protected whistleblowing you can file a complaint with the Office of Special Counsel (OSC). OSC is an independent agency that investigates and prosecutes allegations of prohibited personnel practices (PPP) by federal employees. OSC has the authority to investigate PPPs, including allegations of whistleblower retaliation, and may seek corrective or disciplinary action when warranted.

For more information contact:

U.S. OFFICE OF SPECIAL COUNSEL
1730 M STREET, N.W., SUITE 218
WASHINGTON, DC 20036-4505

PHONE: (202) 254-3600 TOLL FREE: 1-800-872-9855*
*Hearing and Speech Disabled: Federal Relay Service 1-800-877-8339

WWW.OSC.GOV

Rev. 12/03

WHISTLEBLOWER RETALIATION

Revised 12/05

IN-HOUSE DISPLAY
Required Display: NRCS Offices
Available at:
www.ia.nrcs.usda.gov/about/Posters.html

	No Firearms of Weapons Allowed in USDA Service Center **IN-HOUSE DISPLAY** Optional: To be displayed in a front door at a Service Center Available at: www.ia.nrcs.usda.gov/about/Posters.html
	No Firearms of Weapons Allowed in USDA Office **IN-HOUSE DISPLAY** Option: To be displayed in a front door at NRCS Offices not part of a service center Available at: www.ia.nrcs.usda.gov/about/Posters.html