



U.S. General Services Administration (GSA)

GSA Order: Policy Statement on Equal Employment Opportunity

ADM 2310.7B

Office of Civil Rights

eeo@gsa.gov

Purpose:

This directive defines and prescribes the policy of the U.S. General Services Administration (GSA or Agency) on equal employment opportunity (EEO). This Policy supports GSA's commitment to provide a workplace free of discrimination, harassment and retaliation in accordance with all federal civil rights laws, executive orders, regulations, policies, and guidance.

Background:

GSA's goal is to prevent and address workplace discrimination, harassment, and retaliation in order to create and maintain a fair and equitable workplace where all GSA employees, former employees, and applicants for employment have equal employment opportunities.

Applicability:

This Order applies to all GSA employees, former employees, and applicants for employment at GSA. EEO covers a broad spectrum of GSA's employment programs as well as management practices and decisions including, but not limited to:

- a. Recruitment;
- b. Hiring;
- c. Merit promotion;
- d. Transfer;
- e. Reassignments;
- f. Training and career development;
- g. Benefits; and
- h. Separation.

This Order does not apply to The Office of Inspector General (OIG), given its independence under the Inspector General Reform Act of 2008 (Title 5 United States Code Sections 401-424); or

Cancellation:

This Order supersedes ADM 2310.7A, issued on August 15, 2023 and canceled February 6, 2025.

Summary of Changes:

In accordance with Executive Order 14168, *Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government*, this order has been updated to remove references to gender identity. This order also removes references to Executive Order 13672 and Executive Order 11246, which were rescinded by the January 21, 2025, Executive Order 14173 *Ending Illegal Discrimination and Restoring Merit-Based Opportunity*. Additionally, in accordance with Executive Order 14251, *Federal Labor Relations-Management Relations Program*, references to negotiated grievance procedures, and labor unions have been removed.

Responsibilities:

- a. The Associate Administrator for GSA's Office of Civil Rights (OCR) is responsible for developing and disseminating this policy. The processing and resolution of EEO complaints are the responsibility of OCR. OCR is responsible for managing GSA's nationwide civil rights programs.
- b. The processing and prospective resolution of harassment allegations (outside of the EEO context) are the responsibility of the Office of Human Resources Management (OHRM). OHRM is responsible for managing GSA's nationwide human capital programs.
- c. GSA executives, managers, supervisors, and employees share the responsibility for creating and maintaining a workplace that is free from discrimination, harassment, and retaliation, and in which all employees, former employees, and applicants for employment have a fair and equitable work environment which promotes equal opportunity.

Signature

/S/_____

Michael J. Rigas
Acting Administrator

7/30/25_____

Date

1. Policy

It is the policy of GSA that all employees, former employees, and applicants for employment with GSA be treated equitably and without regard to race, color, religion, sex, national origin, reprisal, age (40 or older), disability (physical or mental), genetic information, parental status, marital status, and political affiliation in accordance with the applicable federal civil rights laws, regulations, executive orders, policies, and guidance. Additionally, reprisal against anyone who engages in protected EEO activity (e.g., reporting discrimination or harassment, participating in the EEO process, or exercising any rights provided by the civil rights statutes) will not be tolerated at GSA. Moreover, GSA supports employees in exercising their rights under the civil rights statutes. Workplace harassment will not be tolerated. At GSA, we are committed to correcting harassing conduct before it becomes severe or pervasive.

- a. Discriminatory conduct, harassment, or reprisal will not be condoned or tolerated in any form in GSA's programs and activities.
- b. Employees who are found to have violated this policy may be subject to disciplinary action, up to and including, removal.
- c. The EEO complaint process is a neutral process in which OCR does not advocate for management, employees, former employees, or applicants for employment. The EEO process is separate from operations and activities under the control of OHRM and GSA's Office of the General Counsel.

2. Sexual Orientation Claims

Individuals who believe they have been discriminated against based on sexual orientation may file a complaint through GSA's EEO complaint process. When individuals believe that they have been subjected to a prohibited personnel practice based on sexual orientation, they may also file a claim with the [U.S. Office of Special Counsel](#) (OSC).

Federal applicants for employment, employees, and former employees may file sexual orientation discrimination complaints with OCR and with OSC. Complaints filed with OCR will determine if the conduct violated federal workplace discrimination laws. Complaints filed with OSC will determine if the conduct constituted a prohibited personnel practice.

3. Parental Status, Marital Status, or Political Affiliation Claims

- a. For a claim of discriminatory treatment based on parental status, marital status, or political affiliation, an applicant, employee, or former employee may attempt resolution through the EEO informal process using the traditional EEO counseling process or alternative dispute resolution (ADR). Claims related to parental status, marital status, and political affiliation may not be investigated through the formal EEO complaint process because the laws covering parental status, marital status and political affiliation are not enforced by the U.S. Equal Employment Opportunity Commission (EEOC).
- b. Additionally, individuals may pursue an investigation of claims related to marital status, and political affiliation with [OSC](#). An appeal of certain employment decisions based on marital status or political affiliation may be submitted to the [U.S. Merit Systems Protection Board](#) (MSPB). If a complaint has been filed with OSC, OSC's decision on the complaint may also be appealed to the MSPB. More information on how to file a prohibited personnel practice complaint based on marital status or political affiliation can be found at [OSC](#).

4. Related Processes

4.1 Mixed Cases

In cases where a personnel action, such as a disciplinary action, is appealable to the MSPB **and** discrimination is alleged, the aggrieved person may elect to file either a mixed-case appeal to the MSPB, which must be filed within 30 days after the effective date of the action being appealed, **or** a mixed-case EEO complaint with OCR, **but not both**.

4.2 Whistleblower Cases

In cases where an individual seeks protection from retaliation for disclosing allegations of wrongdoing, or engaging in protected activity, the individual should contact GSA's Office of Inspector General (OIG) [Hotline](#) or [OSC](#). An individual who appeals an appealable action (such as certain disciplinary actions) to the MSPB may assert a Whistleblower reprisal claim in that appeal.

4.3 Cases Under the Age Discrimination in Employment Act of 1967

Under the Age Discrimination in Employment Act of 1967, as amended, employees, applicants, and former employees may file a civil lawsuit in a United States district court without having to exhaust their administrative remedies

through the EEO process. Individuals may also file an age discrimination complaint with OCR in accordance with the procedures in paragraph 6 below.

5. Harassment Claims

5.1 GSA's Relevant Policies

GSA Policy Statement on Harassment, Including Sexual Harassment and Non-sexual, ADM 2325.8B, and Anti-Harassment Procedures in the Workplace, 9700.6 HRM CHGE 2, define the policy and procedures GSA follows to address allegations of workplace harassment. The Anti-Harassment Program is administered by GSA's OHRM. Employees who believe that they have been subjected to unwelcome harassing conduct must promptly report the conduct to a supervisor, another management official, or OHRM. Supervisors must immediately report harassment allegations to an Anti-harassment Coordinator. Employees who also wish to pursue a harassment claim through the EEO process must contact OCR within 45 days of the last act of the alleged harassment. Reporting unwelcome harassment to a supervisor, management official, or OHRM does not relieve an individual of the responsibility to file an EEO complaint with OCR within 45 days of the last act of alleged harassment.

5.2 OCR's Harassment Complaint Process

If an employee or former employee contacts OCR regarding claims of unlawful harassment, OCR will advise the employee: (1) how to pursue the complaint through the EEO complaint process; (2) of OCR's reporting obligation to GSA's Anti-Harassment Program; and (3) that the confidentiality of the harassment complaint will be protected to the extent possible during the informal stage of the EEO complaint process. Applicants for employment may contact OCR for information on how to pursue a harassment complaint through the EEO process. Subsequent to the contact, OCR will notify the Anti-Harassment Program of the harassment allegation for appropriate processing.

6. EEO Complaint Procedures and Requirements

6.1 How to file an EEO Complaint

An employee (current or former) or applicant for employment with GSA who wishes to initiate an EEO complaint must contact OCR within 45 calendar days of: (1) the date of the incident alleged to be discriminatory or (2) in the case of a personnel action, within 45 calendar days of the effective date of the action. Employees should not wait until an internal GSA inquiry (such as on a

harassment claim) is completed to contact OCR if waiting will result in the 45-day time limit expiring. This timeframe may be extended in certain circumstances.

6.2 Requirement to Cooperate with the Process

All Federal employees must fully cooperate during the processing of an EEO complaint, which includes providing testimony, information, documentation, and signed statements under oath or affirmation in connection with an EEO investigation or hearing. Failure to provide requested information during the investigative process within the time set by the investigator may result in disciplinary action for a federal employee and may result in sanctions being imposed against the Agency by the EEOC.

6.3 Alternative Dispute Resolution

An employee may wish to participate in GSA's EEO alternative dispute resolution (ADR). If an employee elects to participate in ADR, management is required to participate. However, management may consult with OGC for guidance on requesting an exception to mediation.

6.4 Ways to File an EEO complaint

The most efficient way to initiate an EEO complaint is by using eFile (available at insite.gsa.gov/efile). An EEO complaint may also be initiated by contacting OCR by email (eeo@gsa.gov); by phone (202-501-4571) or Speech-to-Speech Relay: 800-898-0740. To file an EEO complaint by mail, contact OCR.

6.5 Additional Information

Further information on how to file an EEO complaint, along with information regarding EEO laws, regulations, and policies, and "Frequently Asked Questions" regarding the EEO complaint process are available on OCR's webpage on [InSite](#). For comprehensive information about GSA's EEO program and complaint procedures, please refer to the Civil Rights Manual. Information on the EEOC's enforcement guidance related to employment discrimination may be found at [eeoc.gov](https://www.eeoc.gov).

7. Agency Reporting on EEO Complaint Activity and Compliance

7.1. The Notice to Federal Employees and Anti-retaliation Act of 2002

The Notice to Federal Employees and Anti-retaliation Act of 2002 (No FEAR Act) was enacted to hold Federal agencies accountable for violations of

anti-discrimination and whistleblower protection laws. This Act requires each Federal agency to post quarterly on its public website statistical data relating to EEO complaints. GSA posts No FEAR Act data in the [No FEAR Act Library](#) on GSA InSite. Additionally, GSA reports aggregate complaint activity and compliance annually to the EEOC in the Annual Federal Equal Employment Opportunity Statistical Report of Discrimination Complaints and the EEOC's the Annual Agency EEO Program Status Report (MD-715).

7.2 The Elijah E. Cummings Federal Employee Antidiscrimination Act of 2020

The [Elijah E. Cummings Federal Employee Antidiscrimination Act of 2020](#) (Cummings Act) was enacted to amend the No FEAR Act. The Cummings Act requires GSA to post on its public website findings of discrimination and laws that were violated after all appeals have been exhausted. Additionally, when there is a final determination of a finding of discrimination, the agency must submit a report to the EEOC stating whether disciplinary action was proposed against a Federal employee resulting from the finding of discrimination. GSA is required to annotate an employee's official personnel (OPF) folder when disciplinary action has been taken subject to the requirements of [GSA's Order on Maintaining Discipline 9751.1A HRM](#).

8. References

- [The Equal Pay Act of 1963](#);
- [Title VII](#);
- [The Age Discrimination in Employment Act of 1967, as amended](#);
- [The Rehabilitation Act, as amended](#);
- [The Pregnancy Discrimination Act of 1978](#);
- [Title 29 Code of Federal Regulations Part 1614](#);
- [The Genetic Information Nondiscrimination Act of 2008](#);
- [Executive Order 11478, Equal Employment Opportunity in the Federal Government](#); [Civil Service Reform Act of 1978](#);
- [Executive Order 13152, Further Amendment to Executive Order 11478, Equal Employment Opportunity in Federal Government](#);
- [No FEAR Act of 2002](#);
- [The Cummings Act](#);
- [Pregnant Workers Fairness Act](#);
- [PUMP Act](#);
- [Information on the Pregnant Workers Fairness Act](#);
- [Maintaining Discipline 9751.1A HRM](#);
- [Executive Order 14168](#);
- [Executive Order 14173](#); and
- [Executive Order 14251](#).