

HUMAN RELATIONS

1. Purpose

This directive establishes Department of Homeland Security (DHS) policy regarding human relations.

2. Scope

This directive applies to all DHS organizational elements, not otherwise covered by an existing policy.

3. Authorities

This directive is governed by numerous Public Laws, such as:

- A. 5 U.S.C, Sections 2301 and 2302

4. Definitions

- A. **Employee**: An individual who has been appointed in the Federal civil service, is engaged in the performance of a Federal function under authority of law or regulation, and is not otherwise exempt from 5 USC, Sections 2301 and 2302.
- B. **Applicant**: An individual who has an interest, and has made known that interest through the process or manner specified by the hiring agency, in being considered for a specific position within the Federal civil service.

5. Responsibilities

- A. **The Secretary** (or his/her designee) is responsible for ensuring that DHS organizational elements comply with applicable merit principles.
- B. **The Under Secretary for Management** shall be responsible for all aspects of this directive.
- C. **The Chief Human Capital Officer** shall be responsible for developing a unified human relations policy for DHS.

- D. **DHS Managers and Supervisors** shall be responsible for ensuring a workplace based on merit and free of discrimination.

6. Policy & Procedures

- A. **Policy**. It is the policy of the Department of Homeland Security to observe all merit principles and to not engage in the prohibited personnel practices.

1. The merit system principles, as adapted from 5 U.S.C., Section 2301(b) are:
 - (a) Recruit, select, and advance employees of merit after fair and open competition.
 - (b) Treat employees and applicants fairly and equitably.
 - (c) Provide equal pay for equal work and reward excellent performance.
 - (d) Maintain high standards of integrity, conduct, and concern for the public interest.
 - (e) Manage employees efficiently and effectively.
 - (f) Retain or separate employees on the basis of their performance.
 - (g) Educate and train employees if it will result in better organizational or individual performance.
 - (h) Protect employees from improper political influence.
 - (i) Protect employees against reprisal for the lawful disclosure of information (“whistleblowing.”)
2. Prohibited personnel practices, as adapted from 5 U.S.C., Section 2302(b), are:
 - (a) Illegal discrimination for or against any employee/applicant.
 - (b) Solicitation or consideration of improper employment recommendations.
 - (c) Coercion of an employee’s political participation.
 - (d) Obstruction of a person’s right to compete for employment.
 - (e) Influence of any person to withdraw from competition for a position.

- (f) Giving unauthorized preference or improper advantage.
- (g) Employment or promotion of a relative.
- (h) Retaliation against employees or applicants for filing an appeal.
- (i) Retaliation against a whistleblower, whether an employee or applicant.
- (j) Unlawful discrimination for off duty conduct.
- (k) Violation of any law, rule, or regulation which implements or directly concerns the merit principles.
- (l) Knowing violation of veterans' preference requirements.

B. **Questions or Concerns Regarding the Process.** Any questions or concerns regarding this directive should be addressed to the Office of the Under Secretary for Management.