

Virginia Department of Health Non-Discrimination Policy

Application

All Virginia Department of Health (VDH) workers, including classified employees, wage employees, volunteers, assignees, interns, and contractors.

This policy does not apply to:

- Safety Events governed by [04.02.101 Safety Events Policy](#)
- Complaints or grievances regarding discrimination in employment practices governed by [Office of Human Resources \(OHR\) #2.05 Equal Employment Opportunity Policy](#)
- Conduct governed by [OHR #2.35 Civility in the Workplace Policy](#)

Purpose

This policy establishes a framework for compliance with all applicable laws regarding discrimination and reviewing and resolving complaints of discrimination related to the provision of or access to services provided by VDH.

Policy

General

VDH complies with all applicable federal and state civil rights laws and does not discriminate on the basis of race, color, national origin (including English proficiency), age, religion, disability, or sex. VDH does not exclude people or treat them differently because of race, color, national origin (including English proficiency), age, religion, disability, or sex. VDH will not tolerate any act of discrimination and takes seriously any complaint or allegation that an individual has been discriminated against in the attempt to receive public health services or information on the basis of any classification protected by federal or state civil rights laws. To ensure that allegations or complaints of discrimination receive prompt attention, VDH has established a procedure to review and resolve discrimination complaints in a timely manner and in accordance with applicable federal and state civil rights laws and regulations, as well as other VDH policies, procedures, and contract requirements.

Non-Retaliation

In accordance with the applicable federal and state civil rights laws, no VDH worker will intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured under those federal and state regulations, or because such person has made a complaint, testified, assisted, or participated in any manner in an investigation under these policies and procedures. VDH will not tolerate any act of retaliation. Complainants may submit a grievance if they believe they have been subject to retaliation by a VDH worker due to the filing or anticipated filing of a Complaint.

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Confidentiality of Information

The existence of a Complaint and identity of Complainants is kept confidential except to the extent necessary to carry out the complaint investigation or to respond to requests from federal or state agencies authorized to receive such information. Likewise, the result of the investigation and decision on the grievance is confidential and will only be disseminated if required by law.

Complaints

If an individual believes that VDH has discriminated on the basis of race, color, national origin (including English proficiency), age, religion, disability, sex, or any other classification protected by federal or state civil rights laws, the individual has the right to submit a Complaint to VDH and have that Complaint reviewed and resolved in a timely manner in accordance with the Discrimination Complaint Procedures. Complaints must be filed within 90 days from the date of the alleged discrimination.

Complaints may be filed with VDH via the following means:

- Mail: ATTN: Non-Discrimination Coordinator, VDH, 109 Governor St., Richmond, VA 23219
- E-mail: Civil_Rights@VDH.Virginia.gov
- Online: <https://redcap.link/VDHComplaint>
- Telephone: (804) 489-7269 (TTY: 1-800-828-1120)
- Fax: (804) 864-7022

Complainants may also directly file a complaint with the U.S. Department of Health and Human Services (HHS), Office for Civil Rights (OCR).

- Online: <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf>
- Mail/Delivery Service: U.S. Department of Health and Human Services, Hubert H. Humphry Building 200 Independence Avenue, SW, Room 509F, Washington, D.C. 20201
- Telephone: 1-800-368-1019 (TDD: 800-537-7697)

Complaint forms are available at <http://www.hhs.gov/ocr/office/file/index.html>.

Complaints filed with OCR are investigated by OCR, not VDH. OCR has its own policies and procedures.

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Related Policies, Procedures, and/or Resources

01.01.150 P - Discrimination Complaint Procedures

VDH Discrimination Complaint Form

[01.06.103 Code of Ethics](#)

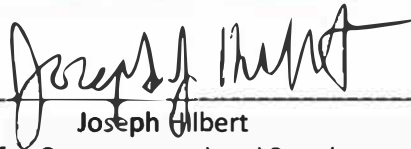
[Laws and Regulations Enforced by OCR](#)

[Hill-Burton Act Overview](#)

[Office for Civil Rights "Know Your Rights Against Discrimination!" Fact Sheet](#)

Policy Approval

Reviewer: _____


Joseph Hilbert

Deputy Commissioner for Governmental and Regulatory Affairs

Date: 10/3/23

Approver: _____



Karen Shelton, MD

State Health Commissioner

Date: 10/5/23

Contact(s):

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Policy History

EFFECTIVE DATE	DESCRIPTION
11/01/2023	Policy established.