Subject: Equal Employment Oportunity		Policy Number: ADM: 07
Revision Number: 06	Effective Date: 11/17/2025	Original Issue Date: 06/28/1991

1) PURPOSE

a) The purpose of this policy is to define equal employment opportunity, provide procedures for the reporting and investigation of discrimination claims, and ensure that violations are fully remedied.

2) POLICY

a) It is the policy of the Department of Public Safety to provide equal employment opportunities for all persons regardless of race, age, sex, national origin, ancestry, disability, religion, color, sexual orientation or gender identity, genetic information, spousal affiliation, or veteran's status.

3) APPLICABILITY

a) This policy applies to all employees of the Department of Public Safety regardless of their employment relationship with the Department, and extends to applicants for employment and contractors with the Department. This policy also applies to sub-recipients and beneficiaries of Department of Public Safety funding.

4) REFERENCES

a) Age Discrimination in Employment Act of 1967
b) Americans with Disabilities Act of 1990
c) CALEA Chapter 31.2.3 Recruitment
d) Civil Rights Act of 1991
e) Equal Pay Act of 1963
f) Genetic Information Nondiscrimination Act of 2008 (GINA)
g) Lilly Ledbetter Fair Pay Act of 2009
h) New Mexico Human Rights Act
i) Section 504 of the Rehabilitation Act of 1973, as amended
j) Title VI and Title VII of the Civil Rights Act of 1964

5) DEFINITIONS

a) **Department** – The Department of Public Safety (DPS).
b) **Discrimination** – Any action that unlawfully or unjustly results in unequal treatment of persons or groups based on race, sex, age, national origin, disability, religion, color, sexual orientation, sexual identity, or genetic information.
c) **DPS Funding** – Money which New Mexico Department of Public Safety received from the US Department of Justice and allocated as grants.
d) **Employee** – A person in a position in the Department.
e) **Genetic Information** – Information about an individual's genetic tests and the genetic tests of an individual's family members, as well as information about the manifestation of a disease or disorder in an individual's family members (i.e. family medical history).
f) **Secretary** – The DPS Cabinet Secretary. G. Sub-recipient – Grantees of the DPS who are implementing funding from the US Department of Justice.

6) OPERATIONAL PROCEDURES

a) This policy provides protection for all individuals regardless of their employment relationship with the Department. This includes applicants for employment, contractors with the Department, and employees and beneficiaries of sub-recipients.
   i) Equal opportunity extends to all aspects of the employment relationship including: hiring, transfers, promotions, training, disciplinary actions, working conditions, compensation, benefits, and other terms and conditions of employment. Department sponsored educational, social, grant supported programs, and recreational programs are also covered.
   ii) The Department complies with federal and state equal employment opportunity laws and strives to keep the workplace free from all forms of discrimination, harassment including sexual harassment, and retaliation.
   iii) The Department has a zero-tolerance policy for any form of discrimination or harassment based on race, age, sex, national origin, ancestry, disability, religion, color, sexual orientation or gender identity, genetic information, spousal affiliation, or veteran's status. Retaliation resulting from opposing discrimination and harassment or participating in the investigation of such opposition is also prescribed under the zero-tolerance policy.
   iv) The Department's Cabinet Secretary designates the Equal Employment Opportunity (EEO) Officers within the Department to administer Title VI

and Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Americans with Disabilities Act of 1990 as amended, the New Mexico Human Rights Act, Section 504 of the Rehabilitation Act of 1973, as amended, the Equal Pay Act of 1963, the Lilly Ledbetter Fair Pay Act of 2009, the Genetic Information Nondiscrimination Act of 2008 (GINA), and the Civil Rights Act of 1991.

v) The EEO Officer is responsible for overseeing complaints involving DPS subrecipients.

b) **The Department's Supervisors are responsible for:**
   i) Creating and maintaining a work environment free of discrimination and harassment.
   ii) Promptly reporting discrimination and harassment complaints, as required in the Sexual Harassment and Equal Opportunity policies.
   iii) Taking corrective action to prevent prohibited conduct from recurring.

c) Department employees are responsible for respecting the rights of their co-workers, and all others covered by this policy, and avoiding discriminatory or harassing conduct.

d) Any alleged violation of EEO or civil rights laws, DPS policy *ADM: 34 AntiDiscrimination, Harassment, and Retaliation*, or this policy, will be responded to by using the procedures outlined in DPS policy, *ADM: 36 Investigation and Resolution of Complaints Procedures*. Supervisors or employees found to have engaged in discriminatory conduct or harassment are subject to disciplinary action up to and including dismissal.

e) Employees who discriminate or retaliate against an employee who files a complaint or participates in an investigation of such complaints are subject to disciplinary action up to and including dismissal.

7) ATTACHMENTS

a) **NONE**

8) APPROVAL

APPROVED BY: _____ **DATE:** 11/17/25

DPS Cabinet Secretary