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### No.04 An Order Mandating Nondiscrimination in Employment Practices of the Executive Branch

Bill Lee

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SECRETARY OF STATE  
PUBLICATIONS

STATE OF TENNESSEE  
**EXECUTIVE ORDER**  
BY THE GOVERNOR

No. 4

**AN ORDER MANDATING NONDISCRIMINATION IN EMPLOYMENT PRACTICES  
OF THE EXECUTIVE BRANCH**

**WHEREAS**, this Administration is committed to fair and equal opportunity under the law;  
and

**WHEREAS**, this Administration intends to set an example illustrating the highest standards of employment practices, policies, and procedures to attract, train, promote, and retain qualified employees who are performing at the highest level; and

**WHEREAS**, a policy that the Executive Branch does not discriminate on the bases of race, color, national origin, age, sex, pregnancy, religion, creed, disability, veteran's status, or any other category protected by state and/or federal civil rights laws in employment matters is not only mandated by law, but also is critical to maintaining the integrity and trust in state government and setting the standard for all employers in the State of Tennessee, both present and future; and

**WHEREAS**, one of the principal initiatives of this Administration is the recruitment of additional jobs and the development of a workforce with the education, training, and skills necessary (i) to attract new employers and induce existing employers to increase their workforces, and (ii) to perform and carry out those responsibilities in an exemplary manner; and

**WHEREAS**, this Executive Order No. 4 underscores the commitment of this Administration to the highest standards of nondiscriminatory employment practices in the Executive Branch.

**NOW THEREFORE**, I, Bill Lee, Governor of the State of Tennessee, by virtue of the power vested in me by the Tennessee Constitution and the laws of the Tennessee, do hereby declare that it is the resolute and steadfast policy of the State of Tennessee to afford equal employment opportunity in all aspects of State government.

This policy specifically prohibits discrimination on the bases of race, color, national origin, age, sex, pregnancy, religion, creed, disability, veteran's status, or any other category protected by state and/or federal civil rights laws.

The Commissioner of Human Resources is hereby directed to review current employment practices and procedures to ensure compliance with this policy of nondiscrimination. In particular, the Commissioner of Human Resources and the Commissioner of Labor and Workforce Development are directed to take appropriate measures to emphasize the recruitment, training, employment, promotion, recognition, and retention of qualified minorities, veterans, women, disabled individuals, and older Tennesseans to serve at all levels of state government. Those responsible in the Executive Branch for employing and appointing persons to positions with boards, commissions, agencies, and divisions of the Executive Branch shall take comparable steps to comply with this overriding policy of nondiscrimination.

In furtherance of this policy of nondiscrimination, the Commissioner of Human Resources and the Commissioner of Labor and Workforce Development are directed to take appropriate measures to train those in the Executive Branch responsible for hiring, firing, promoting, demoting, or otherwise managing employees regarding nondiscrimination practices. Such training is directed to occur within 120 days of this Order and to recur with reasonable frequency to promote this overriding policy of nondiscrimination.

The Commissioner of Economic and Community Development is hereby directed to inform and instruct all companies considering Tennessee as a business location that this prevailing policy of nondiscrimination must be reflected in their employment practices and workforces in Tennessee.

It is imperative that the workforce filling Executive Branch positions accurately reflect the citizens they serve. The Commissioner of Labor and Workforce Development and the Commissioner of Human Resources shall report periodically to the Deputy Governor and Chief of Staff on the steps taken to comply with and carry out the policy and directives of this Order. Any employee of the Executive Branch found in violation of the policy shall be subject to appropriate disciplinary action.

This Executive Order is intended only to improve the internal management of the Executive Branch of the State of Tennessee and does not create any right to administrative or judicial review, or any other right or benefit, substantive or procedural, enforceable at law or equity by a party against the State of Tennessee, its agencies or instrumentalities, its officers or employees, or any other person. Nor does it permit or in any way require the lowering of any job requirements, performance standards, or qualifications for positions.

A copy of this Order shall be placed in conspicuous locations in all state facilities.

This Executive Order No. 4 supersedes and rescinds Governor Haslam's Executive Order No. 3, dated January 15, 2011, and all other directives and memoranda concerning the same subject. All previous executive orders, the terms of which are inconsistent with the terms of this Executive Order No. 4, are hereby repealed.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 24th day of January, 2019.



GOVERNOR

ATTEST:



SECRETARY OF STATE

