

## No Fear Act

### The Notification and Federal Employee Anti-discrimination and Retaliation (No FEAR) Act of 2002, Public Law 107-174

On May 15, 2002, President George W. Bush signed the Notification and Federal Employee Anti-discrimination and Retaliation Act (No FEAR Act). The No FEAR Act increases the accountability of Federal departments and agencies for acts of discrimination or reprisal against employees.

Section 301 of the No FEAR Act requires each Federal agency to post summary statistical data pertaining to complaints of employment discrimination filed against it by employees, former employees and applicants for employment under 29 C.F.R. Part 1614, "Federal Sector Equal Employment Opportunity." The specific data to be posted is described in section 301(b) of the No FEAR Act and at 29 CFR 1614.704. The required summary statistical data for formal Equal Employment Opportunity (EEO) complaints is provided below.

In addition, section 302(a) of the No FEAR Act requires the Federal Law Enforcement Training Centers (FLETC) to post government-wide, summary statistical data pertaining to hearings requested pursuant to 29 C.F.R. Part 1614.706 and appeals filed with the Equal Employment Opportunity Commission. That data is also available below. The posting of EEO data on an agency's public web site is intended to assist Congress, Federal agencies and the public in assessing whether, and to what extent, Federal agencies are in compliance with their equal employment responsibilities.

The data reported below reflects the status of FLETC's formal EEO complaints for the fiscal year 2015 through 1st Quarter fiscal year 2020.

- Complaint Activity
- Complainants
- Complaints by Basis
- Complaints by Issue
- Complaints Pending
- Average Processing Time of Pending Complaints in Days
- Pending Investigations Over 180 Days
- Complaints Dismissed Without an Investigation
- Final Agency Action Taken on Findings of Discrimination - Total
- Final Agency Action Taken on Findings of Discrimination – by Basis
- Final Agency Action Taken on Findings of Discrimination – by Issue

# Equal Employment Opportunity Data Posted Pursuant to the No Fear Act: FLETC (and below)

For 1st Quarter 2020 for period ending December 31, 2019

| Complaint Activity   | Comparative Data          |      |      |      |      |               |
|--|---------------------------|------|------|------|------|---------------|
|  | Previous Fiscal Year Data |      |      |      |      | 2020Thru12-31 |
|  | 2015                      | 2016 | 2017 | 2018 | 2019 |               |
| Number of Complaints Filed   | 8                         | 6    | 8    | 2    | 3    | 4             |
| Number of Complainants   | 8                         | 6    | 8    | 2    | 3    | 4             |
| Repeat Filers  | 0                         | 0    | 0    | 0    | 0    | 0             |
| Complaints by Basis  | Comparative Data          |      |      |      |      |               |
|  | Previous Fiscal Year Data |      |      |      |      | 2020Thru12-31 |
|  | 2015                      | 2016 | 2017 | 2018 | 2019 |               |
| <i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i> |                           |      |      |      |      |               |
| Race   | 5                         | 2    | 4    | 0    | 1    | 0             |
| Color  | 2                         | 0    | 2    | 0    | 0    | 0             |
| Religion   | 0                         | 0    | 0    | 0    | 0    | 0             |
| Reprisal   | 7                         | 6    | 5    | 2    | 2    | 3             |
| Sex  | 2                         | 4    | 6    | 0    | 3    | 1             |

|  |                                  |             |             |             |             |                      |
|--|----------------------------------|-------------|-------------|-------------|-------------|----------------------|
| PDA  | 0                                | 0           | 0           | 0           | 0           | 0                    |
| National Origin  | 0                                | 0           | 1           | 0           | 0           | 0                    |
| Equal Pay Act  | 0                                | 0           | 2           | 0           | 0           | 0                    |
| Age  | 0                                | 1           | 4           | 1           | 0           | 0                    |
| Disability   | 2                                | 2           | 1           | 1           | 1           | 1                    |
| Genetics   | 0                                | 0           | 0           | 0           | 0           | 0                    |
| Non-EEO  | 0                                | 0           | 2           | 0           | 0           | 1                    |
| <b>Complaints by Issue</b>   | <b>Comparative Data</b>          |             |             |             |             |                      |
|  | <b>Previous Fiscal Year Data</b> |             |             |             |             | <b>2020Thru12-31</b> |
| <i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i> | <b>2015</b>                      | <b>2016</b> | <b>2017</b> | <b>2018</b> | <b>2019</b> |                      |
| Appointment/Hire   | 1                                | 2           | 0           | 0           | 0           | 0                    |
| Assignment of Duties   | 1                                | 1           | 4           | 1           | 0           | 0                    |
| Awards   | 2                                | 0           | 0           | 0           | 0           | 0                    |
| Conversion to Full Time/Perm Status  | 0                                | 0           | 0           | 0           | 0           | 0                    |
| <b>Disciplinary Action</b>   |                                  |             |             |             |             |                      |
| Demotion   | 0                                | 0           | 0           | 0           | 0           | 0                    |
| Reprimand  | 1                                | 1           | 0           | 0           | 0           | 0                    |
| Suspension   | 0                                | 0           | 1           | 0           | 0           | 0                    |
| Removal  | 0                                | 0           | 0           | 0           | 0           | 0                    |
| Duty Hours   | 0                                | 0           | 0           | 0           | 0           | 0                    |

|  |   |   |   |   |   |   |
|--|---|---|---|---|---|---|
| Perf. Eval./ Appraisal                 | 2 | 1 | 3 | 0 | 0 | 1 |
| Examination/Test                       | 0 | 0 | 0 | 0 | 0 | 0 |
| <b>Harassment</b>                      |   |   |   |   |   |   |
| Non-Sexual                             | 4 | 3 | 4 | 2 | 1 | 2 |
| Sexual                                 | 1 | 1 | 1 | 0 | 2 | 1 |
| Medical Examination                    | 0 | 0 | 0 | 0 | 0 | 0 |
| Pay including overtime                 | 0 | 0 | 2 | 0 | 0 | 0 |
| Promotion/Non-Selection                | 3 | 0 | 4 | 0 | 0 | 0 |
| <b>Reassignment</b>                    |   |   |   |   |   |   |
| Denied                                 | 0 | 0 | 0 | 0 | 0 | 0 |
| Directed                               | 0 | 0 | 2 | 0 | 0 | 0 |
| Reasonable Accommodation<br>Disability | 0 | 0 | 1 | 0 | 0 | 0 |
| Reinstatement                          | 0 | 0 | 0 | 0 | 0 | 0 |
| Religious Accommodation                | 0 | 0 | 0 | 0 | 0 | 0 |
| Retirement                             | 0 | 0 | 0 | 0 | 0 | 0 |
| Sex-Stereotyping                       | 0 | 0 | 0 | 0 | 0 | 0 |
| Telework                               | 0 | 0 | 0 | 0 | 0 | 0 |
| Termination                            | 0 | 0 | 0 | 0 | 0 | 0 |
| Terms/Conditions of Employment         | 4 | 0 | 2 | 0 | 1 | 1 |
| Time and Attendance                    | 1 | 0 | 0 | 1 | 0 | 1 |
| Training                               | 1 | 0 | 2 | 0 | 0 | 0 |
| <b>Other</b>                           |   |   |   |   |   |   |

| Processing Time  | Comparative Data          |        |        |        |        |               |
|--|---------------------------|--------|--------|--------|--------|---------------|
|  | Previous Fiscal Year Data |        |        |        |        | 2020Thru12-31 |
|  | 2015                      | 2016   | 2017   | 2018   | 2019   |               |
| Complaints pending during fiscal year                                |                           |        |        |        |        |               |
| Average number of days in investigation                              | 247.50                    | 260.88 | 195.00 | 202.00 | 249.00 | 163.00        |
| Average number of days in final action                               | 35.00                     | 0      | 162.33 | 56.00  | 44.50  | 40.00         |
| Complaint pending during fiscal year where hearing was requested     |                           |        |        |        |        |               |
| Average number of days in investigation                              | 247.50                    | 252.86 | 208.75 | 216.00 | 249.00 | 163.00        |
| Average number of days in final action                               | 35.00                     | 0      | 0      | 0      | 44.50  | 40.00         |
| Complaint pending during fiscal year where hearing was not requested |                           |        |        |        |        |               |
| Average number of days in investigation                              | 0                         | 317.00 | 176.67 | 146.00 | 0      | 0             |
| Average number of days in final action                               | 0                         | 0      | 162.33 | 56.00  | 0      | 0             |
| Complaints Dismissed by Agency                                       | Comparative Data          |        |        |        |        |               |
|  | Previous Fiscal Year Data |        |        |        |        | 2020Thru12-31 |
|  | 2015                      | 2016   | 2017   | 2018   | 2019   |               |
| Total Complaints Dismissed by Agency                                 | 0                         | 0      | 0      | 0      | 0      | 0             |
| Average days pending prior to dismissal                              | 0                         | 0      | 0      | 0      | 0      | 0             |
| <b>Complaints Withdrawn by Complainants</b>                          |                           |        |        |        |        |               |

















|                                |   |   |   |   |   |   |   |   |   |   |   |   |   |
|--------------------------------|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Telework                       | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Termination                    | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Terms/Conditions of Employment | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Time and Attendance            | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Training                       | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Other - User Define            |   |   |   |   |   |   |   |   |   |   |   |   |   |

| Pending Complaints Filed in Previous Fiscal Years by Status | Comparative Data          |      |      |      |      |               |
|---|---------------------------|------|------|------|------|---------------|
|   | Previous Fiscal Year Data |      |      |      |      | 2020Thru12-31 |
|   | 2015                      | 2016 | 2017 | 2018 | 2019 |               |
| Total complaints from previous Fiscal Years                 | 2                         | 6    | 10   | 14   | 8    | 9             |
| Total Complainants  | 2                         | 6    | 10   | 14   | 8    | 9             |

| Number complaints pending                     |   |   |    |    |   |   |
|---|---|---|----|----|---|---|
| Investigation                                 | 0 | 0 | 0  | 0  | 0 | 0 |
| ROI issued, pending Complainant's action      | 0 | 0 | 0  | 0  | 0 | 0 |
| Hearing                                       | 2 | 5 | 10 | 12 | 6 | 8 |
| Final Agency Action                           | 0 | 1 | 0  | 2  | 2 | 1 |
| Appeal with EEOC Office of Federal Operations | 0 | 0 | 2  | 2  | 4 | 4 |

| Complaint Investigations | Comparative Data          |      |      |      |      |               |
|--------------------------|---------------------------|------|------|------|------|---------------|
|                          | Previous Fiscal Year Data |      |      |      |      | 2020Thru12-31 |
|                          | 2015                      | 2016 | 2017 | 2018 | 2019 |               |
|                          |                           |      |      |      |      |               |

|   |   |   |   |   |   |   |
|---|---|---|---|---|---|---|
| Pending Complaints Where Investigations Exceed Required Time Frames | 0 | 0 | 0 | 0 | 0 | 0 |
|---|---|---|---|---|---|---|