

**United States
Department of the Treasury
No FEAR Act Annual Report
Fiscal Year (FY) 2023**



Prepared by
The Office of Civil Rights and
EEO

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United States Department of the Treasury
No FEAR Act Report, as amended¹
Fiscal Year (FY) 2023

Section I. Summary of District Court Cases (FY 2019 to FY 2023)

Data was derived from reports submitted by counsel in each bureau of the Department of the Treasury (the Department or Treasury). These charts show all cases and payments to the Judgment Fund in Fiscal Year (FY) 2019 to FY 2023, regardless of when the case was filed. Because the charts show cases filed under multiple statutes, numbers will not total. The total number of cases settled, pending, and adjudicated will not equal the total number filed due to cases filed prior to the five-year reporting period.

1. *The number of cases arising under each of the respective provisions of law covered by paragraphs (1) and (2) of section 201(a) in which discrimination on the part of the agency was alleged.*

	TOTAL FILED: 104 cases				
	FY 19	FY 20	FY 21	FY 22	FY 23
Title VII (race, color, religion, sex, national origin)	20	8	21	18	21
Age	8	3	3	3	7
Sex (Equal Pay Act)	0	1	0	0	0
Disability (Section 501 of the Rehabilitation Act of 1973)	11	5	10	8	7
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	0	0	0

¹ Elijah E. Cummings Federal Employee Antidiscrimination Act (CFEA Act) of 2020 amends the Notification and Federal Employee Anti-discrimination and Retaliation Act (No FEAR Act) to include additional reporting and posting requirements when discrimination has been found in EEO administrative and District Court cases.

2. *The status or disposition of cases described in paragraph (1).*

	TOTAL SETTLED: 23 cases				
	FY 19	FY 20	FY 21	FY 22	FY 23
Title VII (race, color, religion, sex, national origin)	5	4	4	2	2
Age	1	0	0	1	0
Sex (Equal Pay Act)	0	0	0	0	0
Disability (Section 501 of the Rehabilitation Act of 1973)	4	1	1	2	1
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	0	0	0

	PENDING: 42 cases*				
	FY 19	FY 20	FY 21	FY 22	FY 23
Title VII (race, color, religion, sex, national origin)	42	46	38	40	42
Age	21	14	6	8	9
Sex (Equal Pay Act)	1	1	1	1	1
Disability (Section 501 of the Rehabilitation Act of 1973)	24	22	15	12	14
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	0	0	0

* Figure reflects total number of cases pending at the end of FY 2023 regardless of the year in which it was filed.

	JUDGMENT FOR AGENCY: 89				
	FY 19	FY 20	FY 21	FY 22	FY 23
Title VII (race, color, religion, sex, national origin)	11	12	24	25	17
Age	4	6	5	9	3
Sex (Equal Pay Act)	0	1	1	0	0
Disability (Section 501 of the Rehabilitation Act of 1973)	2	4	7	11	5
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	1	0	0	0

	JUDGMENT FOR PLAINTIFF: 1				
	FY 19	FY 20	FY 21	FY 22	FY 23
Title VII (race, color, religion, sex, national origin)	1	0	0	0	0
Age	0	0	0	0	0
Sex (Equal Pay Act)	0	0	0	0	0
Disability (Section 501 of the Rehabilitation Act of 1973)	0	0	0	0	0
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	0	0	0

3. *The amount of money required to be reimbursed by such agency under section 201 in connection with each of such cases, separately identifying the aggregate amount of such reimbursements attributable to the payment of attorneys' fees, if any.*

	TOTAL AMOUNT PAID (SETTLEMENTS AND JUDGMENTS FOR PLAINTIFFS): \$1,832,444				
	FY 19	FY 20	FY 21	FY 22	FY 23
FY Totals	\$915,348	\$256,363	\$70,860	\$238,624	\$351,249

FY Totals	TOTAL ATTORNEY'S FEES PAID (SETTLEMENTS AND JUDGMENTS FOR PLAINTIFFS): \$925,864				
	FY 19	FY 20	FY 21	FY 22	FY 23
	\$ 355,000	\$ 80,000	\$70,239	\$161,875	\$258,750

4. *The number of employees disciplined for discrimination, retaliation, harassment, or any other infraction of any provision of law referred to in paragraph (1).*

FY Totals	TOTAL NUMBER EMPLOYEES DISCIPLINED: 1				
	FY 19	FY 20	FY 21	FY 22	FY 23
	0	1	0	0	0

5. *The final year-end data posted under section 301(c)(1)(B) for such fiscal year (without regard to section 301(c)(2)).*

See Attachment A.

6. *A detailed description of the policy implemented by that agency relating to appropriate disciplinary actions against a Federal employee who-*
- i. discriminated against any individual in violation of any of the laws cited under section 201(a)(1) or (2), or*
 - ii. committed another prohibited personnel practice that was revealed in the investigation of a complaint alleging a violation of any of the laws cited under section 201(a)(1) or (2), and with respect to each of such laws, the number of employees who are disciplined in accordance with such policy and the specific nature of the disciplinary action taken.*

The Department’s policy, *Disciplinary Action for Employees who Violate Antidiscrimination and Whistleblower Protection Laws*, requires bureaus to establish a disciplinary policy and/or table of penalties providing for appropriate disciplinary actions for employees who have intentionally engaged in discrimination or retaliatory actions, including retaliation for whistleblowing activities. Bureaus are asked to provide a copy of their disciplinary policy and/or table of penalties as part of a program audit review the Department conducts at each bureau. In addition, the Department of the Treasury’s Rules of Conduct (31 CFR §0.217) state that:

- (a) Employees shall not discriminate against or harass any other employee, applicant for employment, contractor, or person dealing with the Department on official business on the basis of race, color, religion, national origin, sex, sexual orientation, age, disability, political affiliation, marital status, parental status, veteran status, or genetic information.
- (b) Supervisors shall not retaliate against an employee for complaining about suspected unlawful discrimination or harassment, seeking accommodation for a disability, or otherwise exercising their right to be free from unlawful discrimination.
- (c) An employee who engages in discriminatory or retaliatory conduct may be disciplined under these regulations, as well as other applicable laws[...].

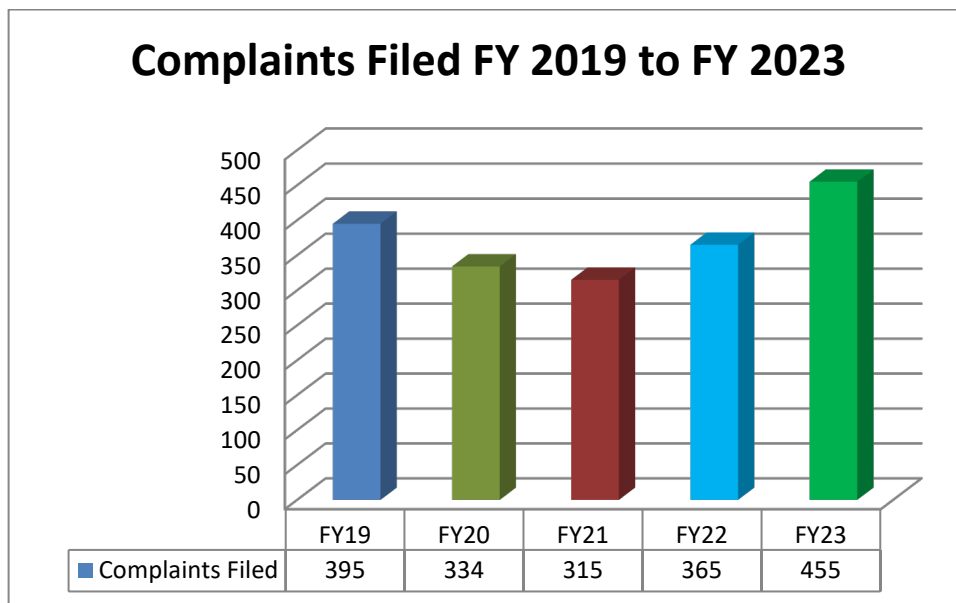
For FY 2023, the Department had four (4) findings of discrimination in the EEO administrative process, which the Department issued. For a list of corrective actions taken for the four cases with a finding of discrimination, see Attachment C.

Section II. Analysis of Administrative Complaints*

7. An analysis of the information described under paragraphs (1) through (6) (in conjunction with data provided to the Equal Employment Opportunity Commission in compliance with part 1614 of title 29 of the Code of Federal Regulations) including:
- an examination of trends;
 - causal analysis;
 - practical knowledge gained through experience; and
 - any actions planned or taken to improve complaint or civil rights programs of the agency.

A. Examination of Trends, Causal Analysis, and Practical Knowledge Gained Through Experience

Treasury’s complaint activity data demonstrated a 24.6% increase in complaints filed from FY 2022 (365 complaints filed) to FY 2023 (455 complaints filed). The per capita rate of formal equal employment opportunity (EEO) complaints filed in FY 2023 saw an increase as well, from 0.33% in FY 2022 (326 complainants) to 0.39% in FY 2023 (413 complainants). The per capita rate is derived from the total workforce (permanent and temporary employees) divided by the number of complainants who file formal.



*Administrative complaint data by fiscal year is based on the annual Equal Employment Opportunity Commission’s (EEOC) 462 Report. Federal agencies are required to submit their administrative complaint data annually no later than October 31st. The 462 Report figures include EEO “mixed case” complaints but do not include class complaints.

For the last five fiscal years of EEO complaints filed, the top basis was reprisal and the top issue was harassment (non-sexual). To deter harassment and reprisal in the workplace, the Department provides multiple training courses through its Integrated Talent Management System (ITM) dealing with the prevention of harassment in the workplace for employees and supervisors. Treasury has updated its policy titled, *Procedures for Addressing Allegations of Discriminatory Harassment*, which instructs bureaus to establish and publicize procedures for reporting allegations of discriminatory harassment, conducting an inquiry, and making appropriate determinations based on the results of the inquiry. It also requires bureaus to report all allegations of sexual harassment to their respective Inspector General office. Treasury has a brochure titled, *Workplace Harassment: Your Rights and Responsibilities*, to

educate Treasury employees on their rights and responsibilities as well as about the prevention of harassment in the workplace, which employees can access through the Department’s intranet site. In addition, the Department developed a sexual harassment training module, available on ITM, for use throughout the Department. As part of ongoing EEO training conducted by Treasury bureaus, managers receive information on the EEO complaint process, prohibited discrimination, retaliation, and agency liability when discrimination or retaliation is found. The topic of reprisal is addressed in the Secretary’s annual EEO policy statement, as well as in No FEAR Act training provided to new hires and biennially to all employees.

Top Three Bases		Top Three Issues	
FY 2022		FY 2023	
Reprisal	57.1%	Harassment (non-sexual)	46.5%
Disability (Physical)	47.7%	Terms/Condition of Employment	30.3%
Age	25.4%	Reasonable Accommodation	23.9%
FY 2022		FY 2022	
Reprisal	60.3%	Harassment (non-sexual)	38.6%
Disability (Physical)	40.3%	Terms/Condition of Employment	27.1%
Age	25.7%	Time and Attendance	16.4%
FY 2021		FY 2021	
Reprisal	63.2%	Harassment (non-sexual)	44.1%
Disability (Physical)	34.3%	Evaluation/Appraisal	19.1%
Age	28.3%	Terms/Condition of Employment	17.8%
FY 2020		FY 2020	
Reprisal	58.3%	Harassment (non-sexual)	48.2%
Disability (Physical)	36.5%	Promotion/Non-Selection	17.1%
Age	30.2%	Evaluation/Appraisal	14.9%
FY 2019		FY 2019	
Reprisal	53.4%	Harassment (non-sexual)	40.0%
Disability (Physical)	31.4%	Evaluation/Appraisal	17.9%
Age	29.1%	Time and Attendance	15.4%

During FY 2023, the Department completed 98.3% of all investigations of EEO complaints in a timely manner, a 2.0% increase from the timely completion rate of 96.3% in FY 2022. The Department continued to utilize a contract with the United States Postal Service to provide EEO investigative services, as well as a secondary contract with Martin-Miser, Inc. to supplement investigative services on an as needed basis. The Office of Civil Rights and EEO (OCRE) continued to maintain the acceptance/dismissal and final agency decision functions for the Department.

Fiscal Year	Complaints Filed	Completed Investigations	Average Days	% Timely
FY 2023	455	291	157	98.3%
FY 2022	365	272	148	96.3%
FY 2021	315	232	152	94.4%
FY 2020	334	342	154	96.8%
FY 2019	395	344	165	93.6%

In FY 2023, the Department had a 32% increase in informal counselings from FY 2022 (786 counseling). The Department completed 1,038 informal EEO counselings, of which 98.3% were timely processed and 56.5% reached resolution through settlement or withdrawal. The Department’s 56.5% resolution rate of informal EEO counselings demonstrates the Department’s commitment to minimize the effect of conflict that detracts from employee satisfaction and undermines organizational efficiency.

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Total # Completed Counselings	711	680	650	786	1,038
# Timely	631	658	643	768	1,020
% Timely	88.7%	96.7%	98.9%	97.7%	98.3%
% of Completed Counselings Resolved (Settlement/Withdrawal)	47.5%	51.9%	52.1%	54.4%	56.5%

The Department also provides information to managers and supervisors on alternative dispute resolution (ADR) techniques and encourages employees to consider this avenue when a complaint has been filed. The Department has a policy titled, *Management Participation in Alternative Dispute Resolution (ADR) During the Equal Employment Opportunity (EEO) Process*, which requires management participation in ADR if the issue is suitable for ADR and ADR is elected by the complainant. For FY 2023, the Department established a goal of 50% ADR participation rate in the informal and 20% in the formal complaint process. For ADR in the informal process, the Department had a 43.7% participation rate, and in the formal process had a 12.7% participation rate.

Fiscal Year	Counselings	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2022 Completed Pre-Complaint Counselings	786	701	89.2%	382	48.6%
FY 2023 Completed Pre-Complaint Counselings	1038	924	89.1%	454	43.7%
% Change FY 2022 to FY 2023	+32.1%	+31.8%		+18.8%	
Fiscal Year	Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2022 Formal Complaints Closures	415	344	82.9%	38	9.2%
FY 2023 Formal Complaints Closures	408	344	84.3%	52	12.7%
% Change FY 2022 to FY 2023	-1.6%	0%		+36.8%	

Additionally, as part of the Department’s annual dispute prevention in the workplace training, a virtual training titled, *The Art of the Inquiry*, was held in June 2023 which 68 employees attended.

Lastly, during FY 2023, there was one (1) class complaint filed against the Department.

Department of the Treasury Class Complaints Filed in FY 2023			
Date Class Case Filed	Summary of Class Allegation	Total Number of Plaintiffs (if known)	Current Status of Case
11/10/2022	Reprisal for participation in protected EEO activity and a pattern of harassment when Program Coordination Branch (PCB) within the Internal Revenue Service was dissolved on 7/31/22.	4	On August 23, 2023, the EEOC Administrative Judge dismissed this complaint for not meeting the criteria for class certification under 29 C.F.R. §1614.204(a)(2).

B. Actions Taken to Improve Agency Complaint or EEO Program

The Department continually reviews all aspects of its workforce demographics to ensure we are putting in place the right human capital and EEO initiatives, policies, and training programs to meet the needs of our workforce to accomplish our mission. Through this ongoing analysis, the Department gains practical knowledge and makes determinations on how best to address any shortcomings identified and how to advance the needs of the workforce.

In FY 2023, the Department conducted the following activities based on its analysis of workforce demographics, training needs, and human capital initiatives:

- Continued to implement the requirements to ensure compliance with Administration priorities in the following Executive Orders (EOs): 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*; 13988, *Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation*; 14035, *Advancing Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce*; and 14091, *Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*.
- Through Treasury’s Bureau Audit Program, reviewed all phases of TTB’s EEO programs and provided recommendations on how to correct deficiencies.
- Continued quarterly EEO Directors meetings with the Bureau EEO Officers to discuss EEO emerging issues, best practices, and concerns, and the various EEO programs and activities conducted by the Bureau EEO Offices.
- Improved Treasury’s internal and external websites related to EEO programs resulting in clear, accurate, informative, and user-friendly content.
- Initiated Applicant Flow data transfer from USA Staffing to Treasury data systems for more efficient and effective review and analysis.

- Conducted one-on-one training sessions with new EEO staff and MD-715 preparers on workforce data systems and the Treasury MD-715 reporting structure.
- Made a tentative offer to a candidate for Treasury's Chief Diversity, Equity, Inclusion and Accessibility (DEIA) Officer, who reports directly to the Deputy Secretary.
- Issued the Secretary's annual EEO policy statement for FY 2023.
- Launched the Implementation Accountability Process of the Treasury FY 2022-2026 DEIA Strategic Plan.
- Issued a policy titled, *DEIA-002: Equal Treatment Based on Gender Identity*.
- Continued to support all five Treasury-wide Employee Resource Groups (ERGs) through regular meetings, training events, and other outreach opportunities, including three Fireside Chats with the Treasury Deputy Secretary and ERGs, engaging 24 ERG members in an open dialogue with Treasury senior leadership.
- Hosted the first-ever agency-wide Employee Resource Group (ERG) Fair designed to promote inclusion, belonging, equip employees to better support DEIA goals.
- Supported special emphasis programs (SEP) with education and awareness using trainings, observances, and activities. Created formal SEP working groups to develop Treasury-wide educational webinars and cultural events. Held 12 Commemorative Month Programs to recognize culture, heritage, and build DEIA-related competencies.
- Launched the DEIA Learning Journeys through the Treasury Integrated Talent Management System (ITM).
- Continued to provide personal assistance services (PAS) for the Department's severely disabled employees.
- Continued implementation of a contract to provide Communication Access Real-Time and Video Remote Interpreting services to deaf and hard of hearing employees of the Department of the Treasury and its bureaus.
- Continued to successfully implement the Treasury-wide Reasonable Accommodation (RA) Tracking System to improve the timeliness and efficiency of providing reasonable accommodations for qualified persons with disabilities (PWD) and qualified persons with targeted disabilities (PWTD) to improve ability to track data around RAs.
- Treasury exceeded EEOC's established goals for PWD (14.37%) and PWTD (3.10%) in the overall workforce, as well as for PWD new hires (12.03%).
- Treasury exceeded EEOC's established goals for PWD (14.16%) and PWTD (3.48%) in the GS-10 and below grades, as well as in the GS-11 and above grades for PWD (14.45%) and PWTD (2.68%).

- Successfully moved informal counselings and formal complaints mediation coordination responsibility to bureau EEO Program Offices following the sunset of the Treasury Shared Neutrals Program.
- Timely issued 97.33% of Final Agency Decisions (FADs), including mixed FADs (90.00% is EEOC benchmark) and 100% of Final Orders were timely issued.
- Maintained secondary EEO investigation services contract with Martin-Miser & Associates.
- Provided training to the Office of Diversity, Equity, Inclusion, and Accessibility staff titled, *Trauma Informed Approach: Understanding and Complying with the New Requirements*.
- Conducted one 8-hour EEO counselor refresher training to support EEO credentialing of Bureau EEO Counselors.
- Transitioned to a new EEO Complaint Tracking System (ETK EEO) and trained all OCRE and bureau EEO staff.
- Provided continuing professional education training to approximately 60 members of the Internal Revenue Service, Equity, Diversity Inclusion Office at their in-person and virtual Reasonable Accommodation Coordinator Conference in Kansas City, Missouri. The training focused on the agency responsibility to provide effective reasonable accommodations to employees and applicants in a timely manner.

Attachment A

Administrative Equal Employment Opportunity (EEO) Complaint Data (FY 2019 to FY 2023)

Data provided through Treasury’s EEO case management system, ETK EEO. The report reflects case data in ETK EEO as of 10/31/2023 for the current and past five fiscal years. Mixed cases are included in this report. Class cases are not included.

Complaint Activity	Comparative Data				
	Previous Fiscal Year Data				
	2019	2020	2021	2022	2023
Number of Complaints Filed	395	334	315	365	455
Number of Complainants	363	318	281	330	413
Repeat Filers	28	13	27	31	36

Complaints by Basis	Comparative Data				
	Previous Fiscal Year Data				
	2019	2020	2021	2022	2023
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>					
Race	151	138	151	145	155
Color	47	51	61	60	81
Religion	18	19	24	40	25
Reprisal	211	195	200	222	260
Sex	149	108	98	114	148
Pregnancy Discrimination Act (PDA)	0	0	1	7	5
National Origin	47	42	37	29	37
Equal Pay Act	1	1	0	2	1
Age	118	105	90	95	118
Disability	151	140	123	168	242
Genetic Information Nondiscrimination Act (GINA)	5	5	4	9	4
Non-EEO	33	18	31	72	29

Complaints by Issue	Comparative Data				
	Previous Fiscal Year Data				
	2019	2020	2021	2022	2023
<i>Note: Complaints can be filed regarding multiple issues. The sum of the issues may not equal total complaints filed.</i>					
Appointment/Hire	25	22	12	10	8
Assignment of Duties	40	26	32	0	0
Awards	7	7	7	0	8
Conversion to Full-time	2	1	0	0	0
Disciplinary Action					
○ Demotion	2	1	6	2	4
○ Reprimand	17	21	11	0	0
○ Suspension	12	11	21	10	20
○ Removal	6	9	2	1	6
○ Other	14	0	0	15	25
Duty Hours	13	4	4	0	0
Performance Appraisal	71	50	61	54	69
Examination/Test	0	2	0	3	0
Harassment					
○ Non-Sexual	160	153	141	143	211
○ Sexual	15	9	3	1	4
Medical Examination	0	0	0	1	1
Pay (Including Overtime)	11	16	13	11	15
Promotion/Non-Selection	57	56	57	44	54
Reassignment					
○ Denied	4	2	4	4	5
○ Directed	16	7	3	3	5
Reasonable Accommodation (Disability)	55	47	32	56	109
Reinstatement	0	0	0	0	0
Religious Accommodation	0	0	0	8	3
Retirement	3	3	4	0	0

Complaints by Issue	Comparative Data				
	Previous Fiscal Year Data				
	2019	2020	2021	2022	2023
<i>Note: Complaints can be filed regarding multiple issues. The sum of the issues may not equal total complaints filed.</i>					
Sex-Stereotyping	1	0	1	1	0
Telework	20	8	4	3	14
Termination	27	22	26	30	57
Terms/Conditions of Employment	59	43	56	109	136
Time and Attendance	62	40	48	62	72
Training	7	13	12	6	12
Other	0	0	0	0	0

Processing Time	Comparative Data				
	Previous Fiscal Year Data				
	2019	2020	2021	2022	2023
Complaints pending during fiscal year					
Average number of days in investigation	169.46	154.77	149.82	146.90	157.61
Average number of days in final action	33.16	40.35	28.39	35.88	38.97
Complaints pending during fiscal year where hearing was requested					
Average number of days in investigation	172.25	158.81	148.56	148.07	159.02
Average number of days in final action	29.59	37.77	22.51	28.66	39.59
Complaints pending during fiscal year where hearing was not requested					
Average number of days in investigation	170.78	151.10	139.47	149.13	162.58
Average number of days in final action	29.59	37.77	22.51	25.38	49.12

Complaints Dismissed by Agency	Comparative Data				
	Previous Fiscal Year Data				
	2019	2020	2021	2022	2023
Total Complaints Dismissed by Agency	53	35	43	73	56
Average days pending prior to dismissal	55.92	40.06	32.84	28.03	25.68

Complaints Dismissed by Agency	Comparative Data				
	Previous Fiscal Year Data				
	2019	2020	2021	2022	2023
Complaints Withdrawn by Complainants					
Total Complaints Withdrawn by Complainants	30	39	39	19	29

Total Final Agency Actions Finding Discrimination	Comparative Data									
	Previous Fiscal Year Data									
	2019		2020		2021		2022		2023	
	#	%	#	%	#	%	#	%	#	%
Total Number Findings	11		5		3		7		4	
Without Hearing	1	9	4	80	2	67	6	86	4	100
With Hearing	10	91	1	20	1	33	1	14	0	0

Findings of Discrimination Rendered by Basis	Comparative Data									
	Previous Fiscal Year Data									
	2019		2020		2021		2022		2023	
	#	%	#	%	#	%	#	%	#	%
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>										
Total Number Findings	5		11		5		3		4	
Race	7	64	2	40	2	67	0	0	0	0
Color	2	18	2	40	0	0	0	0	0	0
Religion	0	0	0	0	1	33	1	14	0	0
Reprisal	7	64	1	20	1	33	2	29	2	50
Sex	2	18	1	20	1	33	1	14	0	0
PDA	0	0	0	0	0	0	0	0	0	0
National Origin	2	40	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0
Age	3	27	0	0	0	0	1	14	0	0
Disability	4	36	3	60	3	100	4	57	4	100

Findings of Discrimination Rendered by Basis	Comparative Data									
	Previous Fiscal Year Data									
	2019		2020		2021		2022		2023	
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>	#	%	#	%	#	%	#	%	#	%
GINA	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	1	20	1	33	0	0	0	0
Findings After Hearing	10		1		1		1		0	
Race	7	70	1	100	0	0	0	0	0	0
Color	2	20	1	100	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0
Reprisal	6	60	0	0	1	100	1	100	0	0
Sex	2	20	0	0	0	0	0	0	0	0
PDA	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	1	100	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0
Age	3	30	0	0	0	0	0	0	0	0
Disability	4	40	0	0	1	100	0	0	0	0
GINA	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing	1		4		2		6		4	
Race	0	0	1	25	2	100	0	0	0	0
Color	0	0	1	25	0	0	0	0	0	0
Religion	0	0	0	0	1	50	1	16	0	0
Reprisal	1	100	1	25	0	0	1	16	2	50
Sex	0	0	1	25	1	50	1	16	0	0
PDA	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	1	25	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Basis	Comparative Data									
	Previous Fiscal Year Data									
	2019		2020		2021		2022		2023	
	#	%	#	%	#	%	#	%	#	%
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>										
Age	0	0	0	0	0	0	1	16	0	0
Disability	0	0	3	75	2	100	4	66	4	100
GINA	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	1	25	1	50	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data									
	Previous Fiscal Year Data									
	2019		2020		2021		2022		2023	
	#	%	#	%	#	%	#	%	#	%
Total Number Findings	11		5		3		7		4	
Appointment/Hire	1	9	0	0	0	0	0	0	0	0
Assignment of Duties	1	9	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0
Disciplinary Action										
○ Demotion	0	0	0	0	0	0	0	0	0	0
○ Reprimand	0	0	0	0	0	0	0	0	0	0
○ Suspension	0	0	0	0	0	0	0	0	0	0
○ Removal	0	0	0	0	0	0	0	0	0	0
○ Other	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	1	9	1	20	0	0	1	14	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0
Harassment										
○ Non-Sexual	4	36	3	60	0	0	0	0	0	0
○ Sexual	0	0	0	0	0	0	1	14	0	0

Findings of Discrimination Rendered by Issue	Comparative Data									
	Previous Fiscal Year Data									
	2019		2020		2021		2022		2023	
	#	%	#	%	#	%	#	%	#	%
Medical Examination	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	5	45	0	0	0	0	0	0	0	0
Reassignment										
○ Denied	0	0	0	0	0	0	0	0	0	0
○ Directed	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation Disability	1	9	2	40	2	67	4	57	2	50
Reinstatement	0	0	0	0	0	0	0	0	0	0
Religious Accommodation	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0
Sex-Stereotyping	0	0	0	0	0	0	0	0	0	0
Telework	0	0	1	20	0	0	0	0	0	0
Termination	0	0	1	20	0	0	1	14	2	50
Terms/Conditions of Employment	2	18	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	1	33	0	0	0	0
Training	0	0	0	0	0	0	1	14	0	0
Other	0	0	0	0	0	0	0	0	0	0
Findings After Hearing	10		1		1		1		0	
Appointment/Hire	1	10	0	0	0	0	0	0	0	0
Assignment of Duties	1	10	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0
Disciplinary Action										
○ Demotion	0	0	0	0	0	0	0	0	0	0
○ Reprimand	0	0	0	0	0	0	0	0	0	0
○ Suspension	0	0	0	0	0	0	0	0	0	0

	Comparative Data									
	Previous Fiscal Year Data									
	2019		2020		2021		2022		2023	
	#	%	#	%	#	%	#	%	#	%
Findings of Discrimination Rendered by Issue										
○ Removal	0	0	0	0	0	0	0	0	0	0
○ Other	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	1	10	1	100	0	0	1	100	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0
Harassment										
○ Non-Sexual	4	40	1	100	0	0	0	0	0	0
○ Sexual	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	5	50	0	0	0	0	0	0	0	0
Reassignment										
○ Denied	0	0	0	0	0	0	0	0	0	0
○ Directed	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation Disability	1	10	0	0	1	100	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0
Sex-Stereotyping	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0
Religious Accommodation	0	0	0	0	0	0	0	0	0	0
Telework	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	1	10	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing	1		4		2		6		4	

Findings of Discrimination Rendered by Issue	Comparative Data									
	Previous Fiscal Year Data									
	2019		2020		2021		2022		2023	
	#	%	#	%	#	%	#	%	#	%
Appointment/Hire	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0
Disciplinary Action										
○ Demotion	0	0	0	0	0	0	0	0	0	0
○ Reprimand	0	0	0	0	0	0	0	0	0	0
○ Suspension	0	0	0	0	0	0	0	0	0	0
○ Removal	0	0	0	0	0	0	0	0	0	0
○ Other	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0
Harassment										
○ Non-Sexual	0	0	2	50	0	0	0	0	0	0
○ Sexual	0	0	0	0	0	0	1	16	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0
Reassignment										
○ Denied	0	0	0	0	0	0	0	0	0	0
○ Directed	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation Disability	0	0	2	50	1	50	4	66	2	50
Reinstatement	0	0	0	0	0	0	0	0	0	0
Sex-Stereotyping	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0
Religious Accommodation	0	0	0	0	0	0	0	0	0	0

	Comparative Data									
	Previous Fiscal Year Data									
	2019		2020		2021		2022		2023	
	#	%	#	%	#	%	#	%	#	%
Findings of Discrimination Rendered by Issue										
Telework	0	0	1	25	0	0	0	0	0	0
Termination	0	0	1	25	0	0	1	16	2	50
Terms/Conditions of Employment	1	100	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	1	50	0	0	0	0
Training	0	0	0	0	0	0	1	16	0	0
Other	0	0	0	0	0	0	0	0	0	0

	Comparative Data				
	Previous Fiscal Year Data				
	2019	2020	2021	2022	2023
	Pending Complaints Filed in Previous Fiscal Years by Status				
Total complaints from previous Fiscal Years	329	267	183	144	118
Total Complainants	312	235	167	125	133
Number complaints pending					
Investigation	0	0	1	0	1
ROI issued, pending Complainant's action	0	0	0	0	3
Hearing	299	240	173	128	70
Final Agency Action	31	26	10	17	13

	Comparative Data				
	Previous Fiscal Year Data				
	2019	2020	2021	2019	2023
	Complaint Investigations				
Pending Complaints Where Investigations Exceed Required Time Frames	0	0	0	0	0

Attachment B

Department of the Treasury No FEAR Act Training Plan

The Department of the Treasury’s bureaus determine the training and tracking methods and timeframe to conduct biennial No FEAR Act, as amended, training. In FY 2023, the Department offered two No FEAR Act training modules, one a refresher training for current employees and the other for new hires. Both training modules’ content contains information on the Whistleblower Protection Enhancement Act (WPEA), as amended.

Bureau	Delivery of Training	Training Schedule	Training Completion Date
Office of the Special Inspector General for Troubled Asset Relief Program (SigTARP) Office of the Inspector General (OIG) Departmental Offices (DO) Office of the Comptroller of the Currency (OCC) Bureau of Engraving and Printing (BEP) Bureau of Fiscal Service (BFS) Alcohol and Tobacco Trade and Tax Bureau (TTB) Office of the Special Inspector General for Pandemic Recovery (SigPR) United States Mint (Mint)	Treasury’s Integrated Talent Management System (ITM). Training records in ITM were used to demonstrate employees received the No FEAR Act training. ITM automatically updated the training records of employees who completed the training. When employees receive the No FEAR Act training via a method other than ITM, EEO Office worked with their ITM point of contacts (POCs) to update the employee’s training record. Bureau EEO Offices cross-checked their current list of employees against the ITM training records to verify how many current employees completed the training.	EEO Office and Training Office notified their workforce of this mandatory training requirement and provided alternative means of training delivery when needed.	Training will be conducted by the end of FY 2024.

<p>Treasury Inspector General for Tax Administration (TIGTA)</p>	<p>Treasury’s Integrated Talent Management System (ITM). Training records in ITM were used to demonstrate</p>	<p>Bureau EEO Offices are responsible for notifying their workforce of this mandatory training requirement and providing alternative means of training delivery when needed.</p>	<p>Biennial training was completed in FY 2023.</p>
<p>Financial Crimes Enforcement Network (FinCEN)</p>	<p>employees received the No FEAR Act training. ITM automatically updated the training records of employees who completed the training. When employees receive the No FEAR Act training via a method other than ITM, EEO Office worked with their ITM point of contacts (POCs) to update the employee’s training record.</p>		<p>The percentage of employees who completed No FEAR refresher training by bureau:</p>
<p>Internal Revenue Service (IRS)</p>			<p>TIGTA: 100%</p>
<p>Internal Revenue Service Office of the Chief Counsel (IRSCC)</p>			<p>FINCEN: 99%</p>
			<p>IRS: 98%</p>
			<p>IRSCC: 90%</p>

Attachment C

Department of the Treasury FY 2023 Administrative EEO Complaints Findings of Discrimination and Corrective Actions

The No FEAR Act, as amended, requires the Department to publicly post as well as report on the following information regarding administrative EEO complaints findings of discrimination: the date of the finding; the affected Federal agency; the law violated; and whether a decision has been made regarding disciplinary action because of the finding. The Department’s public posting can be found at: <https://home.treasury.gov/footer/no-fear-act>. The Department had a total of four (4) administrative EEO complaints findings of discrimination in FY 2023.

Department of the Treasury Administrative EEO Findings of Discrimination for FY 2023					
Finding of Discrimination Made By	Date of Finding	Date On Which Each Discriminatory Act Occurred	Law Violated by Each Discriminatory Act	Employee(s) Disciplined	Corrective Actions Due to Finding
Agency	10/31/2022	02/01/2022	Rehabilitation Act	0	<ul style="list-style-type: none"> • Compensatory Damages. • Attorney Fees. • Post Notice in workplace or internal website for 60 days. • Return files to complainant that were improperly stored. • Conduct review to ensure all medical files on site are being properly stored and for the appropriate amount of time. • Provide medical confidentiality training to two managers and one supervisor. • Consider disciplinary action against supervisor.

Agency	09/05/2023	12/19/2022 7/13/2022	Title VII and Rehabilitation Act	0	<ul style="list-style-type: none"> • Compensatory Damages. • Attorney Fees. • Post Notice in workplace or internal website for 60 days. • Reinstate to position prior to termination. • Engage in interactive process regarding finding an effective reasonable accommodation. • Reinstate sick leave and annual leave. • Pay backpay and benefits, plus interest. • Provide two managers a minimum of six hours of training as it relates to reasonable accommodation process and disability discrimination. • Consider taking disciplinary action against two managers.
Agency	10/27/2022	7/19/2021 1/18/2021	Rehabilitation Act	0	<ul style="list-style-type: none"> • Compensatory Damages. • Attorney Fees. • Post Notice in workplace or internal website for 60 days. • Provide two managers a minimum of six hours of training as it relates to

					<p>reasonable accommodation process and disability discrimination.</p> <ul style="list-style-type: none"> • Consider taking disciplinary action against two managers.
Agency	06/12/2023	03/09/2022	Rehabilitation Act	0	<ul style="list-style-type: none"> • Compensatory Damages. • Attorney Fees. • Post Notice in workplace or internal website for 60 days. • Provide two managers a minimum of six hours of training as it relates to reasonable accommodation process and disability discrimination. • Engage in interactive process regarding finding an effective reasonable accommodation. • Provide temporary full time telework accommodation until permanent accommodation is found. • Examine actual work duties to see whether 10% of her non-portable work can be adjusted as an accommodation.

					<ul style="list-style-type: none">• If medical provider requires fulltime telework, conduct a search of available positions.• Reinstatement sick and annual leave.• Pay backpay and benefits, plus interest.
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