



**United States  
Department of the Treasury**

**No FEAR Act Annual Report  
Fiscal Year (FY) 2019**

**Prepared by the  
Office of Civil Rights and Diversity**

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**United States Department of the Treasury**  
**No FEAR Act Report**  
**Fiscal Year (FY) 2018**

**Section I. Summary of District Court Cases (FY 2015 to FY 2019)**

Data was provided by the Department of the Treasury's Office of General Counsel, derived from reports submitted by each bureau. These charts show all cases and payments to the Judgment Fund in FY 2015 to FY 2019, 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.*

	<b>TOTAL FILED: 130 cases</b>				
	<b>FY15</b>	<b>FY16</b>	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>
Title VII (race, color, religion, sex, national origin)	14	21	20	17	20
Age	6	8	6	9	8
Sex (Equal Pay Act)	0	1	1	1	0
Disability (Section 501 of the Rehabilitation Act of 1973)	5	9	6	10	11
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	1	1	0	0

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

	<b>TOTAL SETTLED: 29 cases</b>				
	<b>FY15</b>	<b>FY16</b>	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>
Title VII (race, color, religion, sex, national origin)	5	3	6	2	5
Age	0	1	4	0	1
Sex (Equal Pay Act)	0	0	1	0	0
Disability (Section 501 of the Rehabilitation Act of 1973)	1	0	0	1	4
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	0	0	0

	<b>PENDING: 58 cases*</b>				
	<b>FY15</b>	<b>FY16</b>	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>
Title VII (race, color, religion, sex, national origin)	33	35	33	39	42
Age	15	16	11	17	21
Sex (Equal Pay Act)	0	1	0	1	1
Disability (Section 501 of the Rehabilitation Act of 1973)	12	14	13	18	24
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	1	1	0	0

\* Figure reflects total number of cases pending at the end of FY 2019 regardless of the year in which it was filed.

	<b>JUDGMENT FOR AGENCY: 92</b>				
	<b>FY15</b>	<b>FY16</b>	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>
Title VII (race, color, religion, sex, national origin)	20	14	18	14	11
Age	6	6	5	5	4
Sex (Equal Pay Act)	0	0	0	0	0
Disability (Section 501 of the Rehabilitation Act of 1973)	6	5	5	3	2
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	0	1	0

	<b>JUDGMENT FOR PLAINTIFF: 2</b>				
	<b>FY15</b>	<b>FY16</b>	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>
Title VII (race, color, religion, sex, national origin)	1	0	0	0	1
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.*

FY Totals	TOTAL AMOUNT PAID (SETTLEMENTS AND JUDGMENTS FOR PLAINTIFFS): \$1,602,778				
	FY15	FY16	FY17	FY18	FY19
	\$120,000	\$110,780	\$404,150	\$52,500	\$915,348

FY Totals	TOTAL ATTORNEY'S FEES PAID (SETTLEMENTS AND JUDGMENTS FOR PLAINTIFFS): \$410,000				
	FY15	FY16	FY17	FY18	FY19
	\$5,000	\$ 0	\$50,000	\$ 0	\$ 355,000

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: 8				
	FY15	FY16	FY17	FY18	FY19
	2	4	0	2	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.*

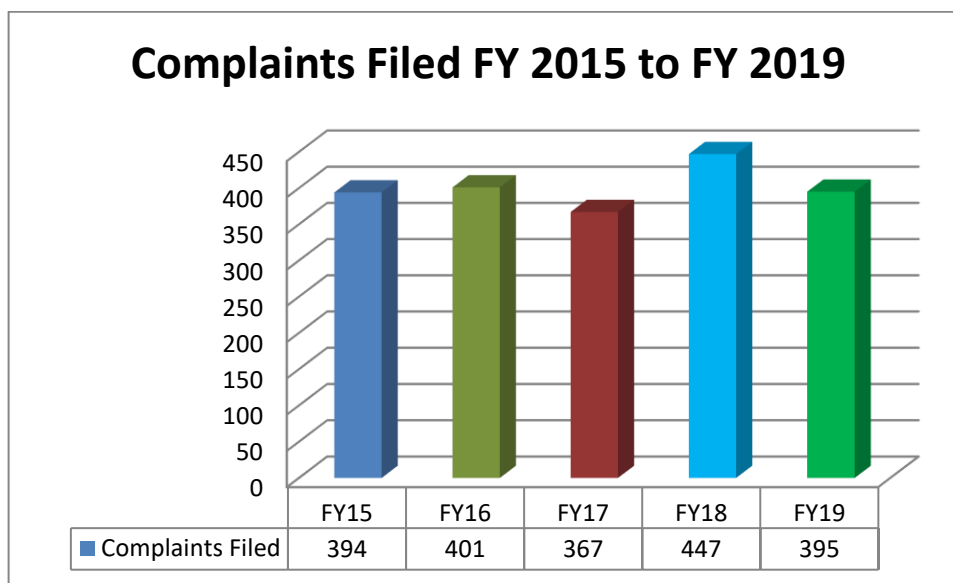
The Department's policy, *Disciplinary Action for Employees who Violate Antidiscrimination and Whistleblower Protection Laws*, requires bureaus to establish a disciplinary policy and/or table of penalties providing for appropriate disciplinary actions for employees who have intentionally engaged in discrimination 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, veterans 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[...]."

## 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 an 11.6% decrease in complaints filed from FY 2018 (447 complaints filed) to FY 2019 (395 complaints filed). The per capita rate of formal equal employment opportunity (EEO) complaints filed in FY 2018 saw a decrease as well, from 0.44% in FY 2018 (411 complainants) to 0.39% in FY 2019 (362 complainants).



\* Administrative complaint data by fiscal year is based on the Equal Employment Opportunity Commission's annual 462 Report. Federal agencies are required to submit their administrative complaint data annually no later than October 31<sup>st</sup>. The 462 Report figures include EEO "mixed case" complaints but do not include class complaints.

For the last five fiscal years of 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 the Integrated Talent Management System (ITMS) dealing with the prevention of harassment in the workplace for employees and supervisors. Treasury has a 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 ITMS, 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	
<b>FY 2019</b>		<b>FY 2019</b>	
Reprisal	53.4%	Harassment (non-sexual)	40.0%
Disability (Physical)	31.4%	Evaluation/Appraisal	17.9%
Age	29.1%	Time and Attendance	15.4%
<b>FY 2018</b>		<b>FY 2018</b>	
Reprisal	51.9%	Harassment (non-sexual)	41.8%
Disability (Physical)	33.5%	Evaluation/Appraisal	21.2%
Race (Black)	26.3%	Disciplinary Actions	19.4%
<b>FY 2017</b>		<b>FY 2017</b>	
Reprisal	49.8%	Harassment (non-sexual)	38.4%
Disability (Physical)	34.3%	Evaluation/Appraisal	20.9%
Age	28.1%	Disciplinary Actions	19.6%
<b>FY 2016</b>		<b>FY 2016</b>	
Reprisal	58.3%	Harassment (non-sexual)	44.3%
Disability (Physical)	33.9%	Evaluation/Appraisal	20.9%
Age	30.1%	Promotion/Non-Selection & Disciplinary Actions	16.4%
<b>FY 2015</b>		<b>FY 2015</b>	
Reprisal	55.6%	Harassment (non-sexual)	42.1%
Age	30.4%	Promotion/Non-Selection	21.5%
Disability (Physical)	27.6%	Evaluation/Appraisal	21.1%

\* In FY 2016, Promotion/Non-Selection and Disciplinary Actions tied at 16.4% each for the third top issue of EEO complaints filed.

During FY 2019, the Department completed 93.6% of all investigations of EEO complaints in a timely manner, a slight decrease from the timely completion rate of 95.6% in FY 2018; this was partly attributable to the delay in obtaining witness statements during the government shut-down. The Department continued to utilize a contract with the United States Postal Service to provide EEO investigative services as well as add a secondary contract with Martin-Miser, Inc. to supplement investigative services on an as needed basis. The Office of Civil Rights and Diversity (OCRD) continued to maintain the acceptance/ dismissal/final agency decision functions for the Department.



<b>Fiscal Year</b>	<b>Complaints Filed</b>	<b>Completed Investigations</b>	<b>Average Days</b>	<b>% Timely</b>
FY 2019	395	344	165	93.6%
FY 2018	447	385	167	95.6%
FY 2017	367	314	187	90.4%
FY 2016	401	352	198	77.5%
FY 2015	394	307	203	79.1%

In FY 2019, the Department completed 711 informal counselings, of which 88.7% were timely processed and 47.5% reached resolution through settlement or withdrawal. The Department's 47.5% resolution rate of informal counselings demonstrates the Department's commitment to minimize the effect of conflict that detracts from employee satisfaction and undermines organizational efficiency.

	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>
Total # Completed Counselings	721	709	722	823	711
# Timely	690	679	680	790	631
% Timely	95.7%	95.7%	94.1%	95.9%	88.7%
% of Completed Counselings Resolved (Settlement/Withdrawal)	46.3%	47.2%	50.2%	46.9%	47.5%

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 2019, the Department established a goal of 45% ADR participation rate in the informal and 20% in the formal complaint process. For ADR in the informal process, the Department had a 53.5% participation rate, and in the formal process had an 11.7% participation rate.

Fiscal Year	Counselings/ Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2018 Completed Pre-Complaint Counselings	823	764	92.8%	467	56.7%
FY 2019 Completed Pre-Complaint Counselings	711	653	91.8%	381	53.5%
% Change FY 2018 to FY 2019	-13.6%	-14.5%		-18.4%	
FY 2018 Formal Complaints Closures	416	363	87.2%	49	11.7%
FY 2019 Formal Complaints Closures	478	429	89.7%	56	11.7%
% Change FY 2018 to FY 2019	14.9%	18.1%		14.2%	

Through the Treasury Shared Neutrals (TSN) Program, Treasury maintains a nationwide cadre of certified and highly trained neutrals (also known as mediators). TSN mediators are employees from various Treasury bureaus trained in the art of mediation who voluntarily serve on a collateral-duty basis. Their objective is to assist bureaus in resolving all types of workplace disputes at the earliest stages of the conflict and to provide a resolution through mediation, facilitation, and coaching. In FY 2019, the TSN program completed 213 mediations and had a 40% resolution rate.

To educate Treasury employees on various tools to deal with conflicts in the workplace, employees and managers were provided a lunch and learn webinar training titled, *Trust & Boundaries: How to Cultivate Healthy Relationships to Avoid Conflict*. The training explored the foundations on how to build trust and establish boundaries for cultivating healthy workplace relationships as a way to keep conflict in check.

## **B. Actions Taken to Improve Agency Complaint or Civil Rights 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 in order 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 2019, the Department conducted the following activities based on its analysis of workforce demographics, training needs, and human capital initiatives:

- Reinstated the bureau audit program and conducted a review of the United States Mint's and Internal Revenue Service's diversity and inclusion, external civil rights, ADR, reasonable accommodation, anti-harassment, and EEO complaint programs.

- Improved the Department's Workforce Analytics site in order to meet new EEOC workforce demographics requirements. Trained 100% of the bureaus point of contacts in Workforce Analytics new data analysis capabilities.
- Developed automated diversity dashboards to enhance the Department's and bureau leadership's knowledge of the state of their workforce, help identify any areas of potential concern, and provide insight towards identifying where new or additional strategies are warranted to improve overall workforce diversity and inclusion.
- Procured a Treasury-wide reasonable accommodation tracking system.
- Held quarterly meetings with the Bureaus' EEO Officers to discuss EEO emerging issues, best practices and any programmatic concerns.
- Procured a vendor to provide personal assistance services (PAS) for the Department's severely-disabled employees through the PAS program.
- Updated and posted the Department's sexual harassment brochure.
- Updated and posted the Department policy titled, *Procedures for Addressing Allegations of Discriminatory Harassment*.
- Procured a secondary EEO investigative services contract with Martin Miser Associates.
- Established an Alternative Dispute Resolution (ADR) work group to identify best practices to increase Treasury's ADR participation and settlement rates.
- Eight (8) employees completed their certification requirements to become active Treasury Shared Neutrals (TSN) cadre members.
- Provided a lunch and learn presentation titled, *Trust & Boundaries: How to Cultivate Healthy Relationships to Avoid Conflict*, and provided one refresher training for current TSN mediators.
- Transitioned the TSN administrator functions from the U.S. Mint to Bureau of Engraving and Printing (BEP).
- Completed a total of 213 mediations and successfully resolved 40% of these completed mediations.
- Provided training to the bureau MD-715 preparers on the use of the new MD-715 V2 workforce data tables and monitored bureau strategies to eliminate any identified barriers.
- Updated the Department's "Be a Champion" leadership message to encourage managers and hiring officials to use special hiring authorities for hiring of qualified persons with targeted disabilities (PWTD) and disabled veterans.

- Promoted the use of Operation Warfighter Internships as a tool to increase the hiring of veterans with disabilities.
- Exceeded EEOC's goal that 12% of all new permanent hires be persons with disabilities (PWD) (12.67%) and exceeded the sub goal that 2% of those hires be PWTD (3.49%).
- Established a cadre of 21 certified trainers to provide Civil Treatment training to managers and supervisors throughout the Department.
- Published four OCRD Advisory Newsletters and two Manager's Alerts to provide information on relevant EEO complaint program matters, changes to policy and/or procedures, workforce statistics, and important upcoming agency events/activities.
- Participated in the 26th Annual Federal Inter-Agency Days of Remembrance observation.
- Issued the Secretary's annual EEO policy statement for FY 2019.

8. *Any adjustment (to the extent the adjustment can be ascertained in the budget of the agency) to comply with the requirements under section 201.*

Not Applicable.

## **Attachment A**

### **Administrative Equal Employment Opportunity (EEO) Complaint Data (FY 2015 to FY 2019)**

Data provided through Treasury's complaint tracking system, iComplaints. The report reflects case data in iComplaints as of 10/31/19 for the current and past five fiscal years. Mixed cases are included in this report. Class cases are not included.

<b>Complaint Activity</b>	<b>Comparative Data</b>					
	<b>Previous Fiscal Year Data</b>					
		<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
Number of Complaints Filed		394	401	367	447	395
Number of Complainants		372	373	348	411	363
Repeat Filers		16	23	18	32	28

<b>Complaints by Basis</b>	<b>Comparative Data</b>					
	<b>Previous Fiscal Year Data</b>					
		<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<i><b>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</b></i>						
Race		175	155	170	177	150
Color		56	51	61	56	47
Religion		23	17	26	18	18
Reprisal		221	240	200	231	211
Sex		150	153	134	147	149
Pregnancy Discrimination Act (PDA)		2	3	2	2	0
National Origin		48	43	42	54	47
Equal Pay Act		3	1	2	3	1
Age		125	126	114	102	118
Disability		139	155	141	177	151
Genetic Information Nondiscrimination Act (GINA)		3	0	1	3	5
Non-EEO		26	30	20	27	33

Complaints by Issue	Comparative Data					
	Previous Fiscal Year Data					
<i>Note: Complaints can be filed regarding multiple issues. The sum of the issues may not equal total complaints filed.</i>		2015	2016	2017	2018	
Appointment/Hire		23	27	33	18	25
Assignment of Duties		55	50	61	80	40
Awards		11	6	16	8	7
Conversion to Full-time		0	1	1	1	2
Disciplinary Action						
○ Demotion		6	5	4	6	2
○ Reprimand		16	19	16	23	17
○ Suspension		16	25	19	25	12
○ Removal		6	6	4	3	6
○ Other		24	14	26	18	14
Duty Hours		14	10	11	19	13
Performance Appraisal		85	86	81	96	71
Examination/Test		0	0	1	0	0
Harassment						
○ Non-Sexual		170	183	151	189	160
○ Sexual		14	9	12	12	15
Medical Examination		4	1	4	2	0
Pay (Including Overtime)		10	6	16	13	11
Promotion/Non-Selection		86	66	72	68	57
Reassignment						
○ Denied		6	7	6	4	4
○ Directed		11	16	5	15	16
Reasonable Accommodation (Disability)		54	58	53	71	55
Reinstatement		1	2	1	0	0
Religious Accommodation		0	1	0	1	0
Retirement		3	5	3	3	3
Sex-Stereotyping		0	4	3	1	1

Complaints by Issue	Comparative Data					
	Previous Fiscal Year Data					
		2015	2016	2017	2018	
<i>Note: Complaints can be filed regarding multiple issues. The sum of the issues may not equal total complaints filed.</i>		2015	2016	2017	2018	2019
Telework		0	11	14	11	20
Termination		16	28	28	40	27
Terms/Conditions of Employment		82	61	62	78	59
Time and Attendance		64	61	58	63	62
Training		25	20	17	22	7
Other		0	2	5	0	0

Processing Time	Comparative Data					
	Previous Fiscal Year Data					2019
		2015	2016	2017	2018	
Complaints pending during fiscal year						
Average number of days in investigation		206.70	203.10	187.25	167.62	169.46
Average number of days in final action		32.47	39.20	33.86	36.08	33.16
Complaints pending during fiscal year where hearing was requested						
Average number of days in investigation		210.29	210.16	191.22	167.55	172.25
Average number of days in final action		9.75	27.55	23.83	27.46	29.59
Complaints pending during fiscal year where hearing was not requested						
Average number of days in investigation		199.54	200.68	186.39	172.42	170.78
Average number of days in final action		44.27	51.14	45.56	47.04	40.45

Complaints Dismissed by Agency	Comparative Data				
	Previous Fiscal Year Data				2019
	2015	2016	2017	2018	
Total Complaints Dismissed by Agency	55	58	47	51	53
Average days pending prior to dismissal	47.8	30.69	52.47	22.3	55.92
<b>Complaints Withdrawn by Complainants</b>					

Complaints Dismissed by Agency	Comparative Data					
	Previous Fiscal Year Data					2019
		2015	2016	2017	2018	
Total Complaints Withdrawn by Complainants		22	32	21	23	30

Total Final Agency Actions Finding Discrimination	Comparative Data									
	Previous Fiscal Year Data									2019
			2015	2016	2017	2018				
			#	%	#	%	#	%	#	%
Total Number Findings			0		8		13		7	
Without Hearing			0	0	6	75	12	92	6	86
With Hearing			0	0	2	25	1	8	1	14

Findings of Discrimination Rendered by Basis	Comparative Data									
	Previous Fiscal Year Data									2019
			2015	2016	2017	2018				
			#	%	#	%	#	%	#	%
<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			4		8		8		5	
Race			1	25	1	13	1	13	1	20
Color			0	0	1	13	1	13	1	20
Religion			0	0	1	13	0	0	0	0
Reprisal			2	50	2	25	5	63	2	40
Sex			0	0	2	25	4	50	0	0
PDA			0	0	0	0	1	13	0	0
National Origin			0	0	1	13	0	0	0	0
Equal Pay Act			0	0	0	0	0	0	0	0
Age			0	0	1	13	0	0	0	0
Disability			3	75	3	38	6	75	4	80
GINA			0	0	0	0	0	0	0	0
Non-EEO			0	0	0	0	0	0	0	0



Findings of Discrimination Rendered by Basis	Comparative Data											
	Previous Fiscal Year Data										2019	
			2015		2016		2017		2018			
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>			#	%	#	%	#	%	#	%	#	%
Findings After Hearing			0		2		1		1		10	
Race			0	0	1	50	0	0	0	0	7	70
Color			0	0	1	50	0	0	0	0	2	20
Religion			0	0	0	0	0	0	0	0	0	0
Reprisal			0	0	0	0	1	100	1	100	6	60
Sex			0	0	0	0	0	0	0	0	2	20
PDA			0	0	0	0	0	0	0	0	0	0
National Origin			0	0	0	0	0	0	0	0	0	0
Equal Pay Act			0	0	0	0	0	0	0	0	0	0
Age			0	0	1	50	0	0	0	0	3	30
Disability			0	0	1	50	1	100	0	0	4	40
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			4		6		7		4		1	
Race			1	25	0	0	1	14	1	25	0	0
Color			0	0	0	0	1	14	1	25	0	0
Religion			0	0	1	17	0	0	0	0	0	0
Reprisal			2	50	2	33	4	57	1	25	1	100
Sex			0	0	2	33	4	57	0	0	0	0
PDA			0	0	0	0	1	14	0	0	0	0
National Origin			0	0	1	17	0	0	0	0	0	0
Equal Pay Act			0	0	0	0	0	0	0	0	0	0
Age			0	0	0	0	0	0	0	0	0	0
Disability			3	75	2	33	5	71	4	100	0	0

Findings of Discrimination Rendered by Basis	Comparative Data											
	Previous Fiscal Year Data										2019	
			2015		2016		2017		2018			
<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	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										2019	
			2015		2016		2017		2018			
			#	%	#	%	#	%	#	%	#	%
Total Number Findings			4		8		8		5		11	
Appointment/Hire			0	0	1	13	0	0	0	0	1	9
Assignment of Duties			0	0	1	13	0	0	0	0	1	9
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	1	9
Examination/Test			0	0	0	0	0	0	0	0	0	0
Harassment												
○ Non-Sexual			3	75	1	13	2	25	1	20	4	36
○ Sexual			0	0	2	25	2	25	0	0	0	0
Medical Examination			1	25	0	0	0	0	0	0	0	0
Pay (Including Overtime)			0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										2019	
			2015		2016		2017		2018			
			#	%	#	%	#	%	#	%	#	%
Promotion/Non-Selection			0	0	1	13	0	0	0	0	5	45
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	1	13	5	63	3	60	1	9
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	0	0	0	0	0	0	0	0
Termination			0	0	0	0	1	13	0	0	0	0
Terms/Conditions of Employment			0	0	0	0	1	13	0	0	2	18
Time and Attendance			1	25	1	13	0	0	1	20	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 After Hearing			0		2		1		1		10	
Appointment/Hire			0	0	0	0	0	0	0	0	1	10
Assignment of Duties			0	0	0	0	0	0	0	0	1	10
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

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										2019	
			2015		2016		2017		2018			
			#	%	#	%	#	%	#	%	#	%
Duty Hours			0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal			0	0	0	0	0	0	0	0	1	10
Examination/Test			0	0	0	0	0	0	0	0	0	0
Harassment												
○ Non-Sexual			0	0	0	0	0	0	1	100	4	40
○ 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			0	0	1	50	0	0	0	0	5	50
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	1	50	0	0	0	0	1	10
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			0	0	0	0	1	100	0	0	1	10
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			4		6		7		4		1	
Appointment/Hire			0	0	1	17	0	0	0	0	0	0
Assignment of Duties			0	0	1	17	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										2019	
			2015		2016		2017		2018			
			#	%	#	%	#	%	#	%	#	%
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			3	75	1	17	2	29	0	0	0	0
○ Sexual			0	0	2	33	2	29	0	0	0	0
Medical Examination			1	25	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	0	0	5	71	3	75	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	1	14	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										2019	
			2015		2016		2017		2018			
			#	%	#	%	#	%	#	%	#	%
Terms/Conditions of Employment			0	0	0	0	0	0	0	0	1	100
Time and Attendance			1	25	1	17	0	0	1	25	0	0
Training			0	0	0	0	0	0	0	0	0	0
Other			0	0	0	0	0	0	0	0	0	0

Pending Complaints Filed in Previous Fiscal Years by Status	Comparative Data					
	Previous Fiscal Year Data					2019
		2015	2016	2017	2018	
Total complaints from previous Fiscal Years		394	401	367	447	329
Total Complainants		372	373	348	411	312
Number complaints pending						
Investigation		3	4	1	1	0
ROI issued, pending Complainant's action		0	0	0	0	0
Hearing		359	405	401	382	299
Final Agency Action		11	11	9	8	31

Complaint Investigations	Comparative Data					
	Previous Fiscal Year Data					2019
		2015	2016	2017	2018	
Pending Complaints Where Investigations Exceed Required Time Frames		17	6	3	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 training. In FY 2019, 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.

<b>Bureau</b>	<b>Delivery of Training</b>	<b>Training Schedule</b>	<b>Training Completion Date</b>
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)	Treasury's Integrated Talent Management System (ITMS). Training records in ITMS were used to demonstrate employees received the No FEAR Act training. ITMS automatically updated the training records of employees who completed the training. When employees receive the No FEAR Act training via a method other than ITMS, EEO Office worked with their ITMS POCs to update the employee's training record. Bureau EEO Offices cross-checked their current list of employees against the ITMS 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 in FY 2020.
United States Mint (Mint)  Treasury Inspector General for Tax	Treasury's Integrated Talent Management System (ITMS). Training records in ITMS will be used to demonstrate	Bureau EEO Offices are responsible for notifying their workforce of this mandatory training requirement and	Biennial training was completed in FY 2019. The percentage of employees who completed No FEAR

Administration (TIGTA)	employees received the No FEAR Act training. ITMS will automatically update the training records of employees who complete the training.	providing alternative means of training delivery when needed.	refresher training by bureau:
Financial Crimes Enforcement Network (FinCEN)	When employees receive the No FEAR Act training via a method other than ITMS, EEO Office will work with their ITMS POCs to update the employee's training record.		Mint: 100%
Internal Revenue Service (IRS)	Bureau EEO Offices will cross-check the current list of all employees against the ITMS training records to verify how many current employees have in fact completed the training.		TIGTA: 100%
Internal Revenue Service Office of the Chief Counsel (IRSCC)			FinCEN: 95%
			IRS: 86%
			IRSCC: 97%