

**United States
Department of the Treasury
No FEAR Act Annual Report
Fiscal Year (FY) 2020**



Prepared by
The Office of Civil Rights and
Diversity

Report Contents

Section I. Summary of District Court Cases (FY 2016 to FY 2020)

Section II. Analysis of Administrative Complaints

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

B. Actions Taken to Improve Agency Complaint or Civil Rights Program

Attachment A Administrative Equal Employment Opportunity (EEO) Complaint Data (FY 2016 to FY 2020)

Attachment B Department of the Treasury No FEAR Act Training Plan

United States Department of the Treasury
No FEAR Act Report¹
Fiscal Year (FY) 2020

Section I. Summary of District Court Cases (FY 2016 to FY 2020)

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 2016 to FY 2020, 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: 127 cases				
	FY 16	FY 17	FY 18	FY 19	FY 20
Title VII (race, color, religion, sex, national origin)	21	20	17	20	8
Age	8	6	9	8	3
Sex (Equal Pay Act)	1	1	1	0	1
Disability (Section 501 of the Rehabilitation Act of 1973)	9	6	10	11	5
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	1	1	0	0	0

¹ Elijah E. Cummings Federal Employee Antidiscrimination Act (CFEA Act) of 2020 amends the No FEAR Act to include additional reporting and posting requirements when discrimination has been found in EEO administrative and District Court cases. Agencies have until January 1, 2022 to implement these new reporting and posting requirements. The Department’s FY 2021 Report will reflect the CFEA Act changes.

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

	TOTAL SETTLED: 29 cases				
	FY 16	FY 17	FY 18	FY 19	FY 20
Title VII (race, color, religion, sex, national origin)	3	6	2	5	4
Age	1	4	0	1	0
Sex (Equal Pay Act)	0	1	0	0	0
Disability (Section 501 of the Rehabilitation Act of 1973)	0	0	1	4	1
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	0	0	0

	PENDING: 53 cases*				
	FY 16	FY 17	FY 18	FY 19	FY 20
Title VII (race, color, religion, sex, national origin)	35	33	39	42	46
Age	16	11	17	21	14
Sex (Equal Pay Act)	1	0	1	1	1
Disability (Section 501 of the Rehabilitation Act of 1973)	14	13	18	24	22
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	1	1	0	0	0

* Figure reflects total number of cases pending at the end of FY 2020 regardless of the year in which it was filed.

	JUDGMENT FOR AGENCY: 85				
	FY 16	FY 17	FY 18	FY 19	FY 20
Title VII (race, color, religion, sex, national origin)	14	18	14	11	12
Age	6	5	5	4	6
Sex (Equal Pay Act)	0	0	0	0	1
Disability (Section 501 of the Rehabilitation Act of 1973)	5	5	3	2	4
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	1	0	1

	JUDGMENT FOR PLAINTIFF: 1				
	FY 16	FY 17	FY 18	FY 19	FY 20
Title VII (race, color, religion, sex, national origin)	0	0	0	1	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): \$1,739,141				
	FY 16	FY 17	FY 18	FY 19	FY 20
FY Totals	\$110,780	\$404,150	\$52,500	\$758,984	\$256,363

FY Totals	TOTAL ATTORNEY'S FEES PAID (SETTLEMENTS AND JUDGMENTS FOR PLAINTIFFS): \$485,000				
	FY 16	FY 17	FY 18	FY 19	FY 20
	\$ 0	\$50,000	\$ 0	\$ 322,000	\$ 80,000

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: 7				
	FY 16	FY 17	FY 18	FY 19	FY 20
	4	0	2	0	1

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[...].”

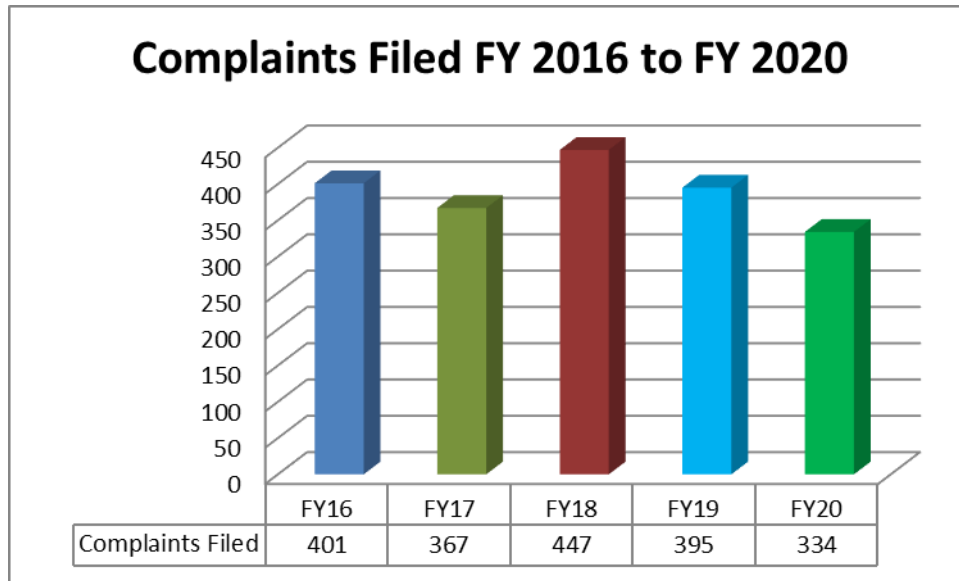
Section II. Analysis of Administrative Complaints*

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:*
- a. an examination of trends;*
 - b. causal analysis;*

- c. *practical knowledge gained through experience; and*
- d. *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 15.4% decrease in complaints filed from FY 2019 (395 complaints filed) to FY 2020 (334 complaints filed). The per capita rate of formal equal employment opportunity (EEO) complaints filed in FY 2020 saw a decrease as well, from 0.39% in FY 2019 (362 complainants) to 0.33% in FY 2020 (312 complainants).



* Administrative complaint data by fiscal year is based on the annual Equal Employment Opportunity Commission’s 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 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 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 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	
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%
FY 2018		FY 2018	
Reprisal	51.9%	Harassment (non-sexual)	41.8%
Disability (Physical)	33.5%	Evaluation/Appraisal	21.2%
Race (Black)	26.3%	Disciplinary Actions	19.4%
FY 2017		FY 2017	
Reprisal	49.8%	Harassment (non-sexual)	38.4%
Disability (Physical)	34.3%	Evaluation/Appraisal	20.9%
Age	28.1%	Disciplinary Actions	19.6%
FY 2016		FY 2016	
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%

* 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 2020, the Department completed 96.8% of all investigations of EEO complaints in a timely manner, an increase from the timely completion rate of 93.6% in FY 2019. The Department continued to utilize a contract with the United States Postal Service to provide EEO investigative services and added 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.

Fiscal Year	Complaints Filed	Completed Investigations	Average Days	% Timely
FY 2020	334	342	154	96.8%
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%

In FY 2020, the Department completed 680 informal counselings, of which 96.7% were timely processed and 51.9% reached resolution through settlement or withdrawal. The Department's 51.9% 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.

	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Total # Completed Counselings	709	722	823	711	680
# Timely	679	680	790	631	658
% Timely	95.7%	94.1%	95.9%	88.7%	96.7%
% of Completed Counselings Resolved (Settlement/Withdrawal)	47.2%	50.2%	46.9%	47.5%	51.9%

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 2020, 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 56.9% participation rate, and in the formal process had an 8.9% participation rate.

Fiscal Year	Counselings/ Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2019 Completed Pre-Complaint Counselings	711	653	91.8%	381	53.5%
FY 2020 Completed Pre-Complaint Counselings	680	618	90.8%	387	56.9%
% Change FY 2019 to FY 2020	-4.3%	-5.3%		+1.5%	
FY 2019 Formal Complaints Closures	478	429	89.7%	56	11.7%
FY 2020 Formal Complaints Closures	459	417	90.8%	41	8.9%
% Change FY 2019 to FY 2020	-3.9%	-2.7%		-26.7%	

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 2020, the TSN program completed 210 mediations and had a 43.8% resolution rate. Due to the COVID-19 pandemic, we were not able to hold planned lunch and learn seminars to educate Treasury employees on various tools to deal with conflicts in the workplace in FY 2020, but plan to reinstitute such training, even if remote, in FY 2021.

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 2020, the Department conducted the following activities based on its analysis of workforce demographics, training needs, and human capital initiatives:

- Conducted a review of the Financial Crimes Enforcement Network's (FINCEN) diversity and inclusion, external civil rights, ADR, reasonable accommodation, anti-harassment, and EEO complaint programs.
- Worked with Enterprise Data Management (EDM) and Monster Analytics to improve reporting capability of new Data Insight (formerly Workforce Analytics) system, resulting in improved data analysis capabilities around workforce demographics. Trained 100% of the bureaus in using new system's features.
- Continued to provide personal assistance services (PAS) for the Department's severely disabled employees through the PAS program.
- Participated in the 27th Annual Federal Inter-Agency Days of Remembrance observation.
- Issued the Secretary's annual EEO policy statement for FY 2020.
- Collaborated with Bureau EEO and Diversity and Inclusion staff to draft Treasury's *FY 2021-FY 2024 Diversity and Inclusion (D&I) and EEO Strategic Plan*.
- Held quarterly meetings with the Bureaus' EEO Officers to discuss EEO emerging issues, best practices and any programmatic concerns.
- Maintained a secondary EEO investigation services contact with Martin-Miser & Associates.
- Conducted one 8-hour refresher mediator training for current mediators.
- Completed a total of 210 mediations and successfully resolved 44% 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.
- Promoted the use of Operation Warfighter Internships as a tool to increase the hiring of veterans with disabilities.
- Implemented the Treasury-wide Reasonable Accommodation (RA) Tracking System to improve the timeliness and efficiency of providing reasonable accommodations for persons with disabilities (PWD).

- Exceeded EEOC's goal that 12% of all new permanent hires be PWD (15.6%) and exceeded the subgoal that 2% of those hires be persons with targeted disabilities (PWTD) (3.1%).
- Maintained a cadre of 21 certified trainers to assist the Department in providing Civil Treatment Training to the workforce.
- Published OCRD Advisory Newsletters and 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.
- Established the Treasury Asian Pacific American (TAPA) Employee Resource Group.
- Assisted the Office of the Deputy Assistant Secretary of Human Resources/Chief Human Capital Officer (DASHR/CHCO) with Human Capital Evaluation of the Bureau of Fiscal Service's EEO and D&I programs.

Attachment A

Administrative Equal Employment Opportunity (EEO) Complaint Data (FY 2016 to FY 2020)

Data provided through Treasury's iComplaints system. The report reflects case data in iComplaints as of 10/31/2020 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				
	2016	2017	2018	2019	2020
Number of Complaints Filed	401	367	447	395	334
Number of Complainants	373	348	411	363	318
Repeat Filers	23	18	32	28	13

Complaints by Basis	Comparative Data				
	Previous Fiscal Year Data				
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	2016	2017	2018	2019	2020
Race	155	170	177	150	138
Color	51	61	56	47	51
Religion	17	26	18	18	19
Reprisal	240	200	231	211	195
Sex	153	134	147	149	108
Pregnancy Discrimination Act (PDA)	3	2	2	0	0
National Origin	43	42	54	47	42
Equal Pay Act	1	2	3	1	1
Age	126	114	102	118	105
Disability	155	141	177	151	140
Genetic Information Nondiscrimination Act (GINA)	0	1	3	5	5
Non-EEO	30	20	27	33	18

Complaints by Issue	Comparative Data				
	Previous Fiscal Year Data				2020
<i>Note: Complaints can be filed regarding multiple issues. The sum of the issues may not equal total complaints filed.</i>	2016	2017	2018	2019	
Appointment/Hire	27	33	18	25	22
Assignment of Duties	50	61	80	40	26
Awards	6	16	8	7	7
Conversion to Full-time	1	1	1	2	1
Disciplinary Action					
o Demotion	5	4	6	2	1
o Reprimand	19	16	23	17	21
o Suspension	25	19	25	12	11
o Removal	6	4	3	6	9
o Other	14	26	18	14	0
Duty Hours	10	11	19	13	4
Performance Appraisal	86	81	96	71	50
Examination/Test	0	1	0	0	2
Harassment					
o Non-Sexual	183	151	189	160	153
o Sexual	9	12	12	15	9
Medical Examination	1	4	2	0	0
Pay (Including Overtime)	6	16	13	11	16
Promotion/Non-Selection	66	72	68	57	56
Reassignment					
o Denied	7	6	4	4	2
o Directed	16	5	15	16	7
Reasonable Accommodation (Disability)	58	53	71	55	47
Reinstatement	2	1	0	0	0
Religious Accommodation	1	0	1	0	0
Retirement	5	3	3	3	3
Sex-Stereotyping	4	3	1	1	0

Complaints by Issue	Comparative Data				
	Previous Fiscal Year Data				2020
<i>Note: Complaints can be filed regarding multiple issues. The sum of the issues may not equal total complaints filed.</i>	2016	2017	2018	2019	
Telework	11	14	11	20	8
Termination	28	28	40	27	22
Terms/Conditions of Employment	61	62	78	59	43
Time and Attendance	61	58	63	62	40
Training	20	17	22	7	13
Other	2	5	0	0	0

Processing Time	Comparative Data				
	Previous Fiscal Year Data				2020
	2016	2017	2018	2019	
Complaints pending during fiscal year					
Average number of days in investigation	203.10	187.25	167.62	169.46	154.77
Average number of days in final action	39.20	33.86	36.08	33.16	40.35
Complaints pending during fiscal year where hearing was requested					
Average number of days in investigation	210.16	191.22	167.55	172.25	158.81
Average number of days in final action	27.55	23.83	27.46	29.59	37.77
Complaints pending during fiscal year where hearing was not requested					
Average number of days in investigation	200.68	186.39	172.42	170.78	151.10
Average number of days in final action	51.14	45.56	47.04	40.45	43.93

Complaints Dismissed by Agency	Comparative Data				
	Previous Fiscal Year Data				2020
	2016	2017	2018	2019	
Total Complaints Dismissed by Agency	58	47	51	53	35
Average days pending prior to dismissal	50.69	52.47	52.3	55.92	40.06
Complaints Withdrawn by Complainants					

Complaints Dismissed by Agency	Comparative Data										
	Previous Fiscal Year Data										2020
	2016		2017		2018		2019				
Total Complaints Withdrawn by Complainants			32		21		23		30		39

Total Final Agency Actions Finding Discrimination	Comparative Data												
	Previous Fiscal Year Data												2020
	2016		2017		2018		2019						
	#	%	#	%	#	%	#	%	#	%	#	%	
Total Number Findings	8		13		7		11		5				
Without Hearing	6	75	12	92	6	86	1	9	4	80			
With Hearing	2	25	1	8	1	14	10	91	1	20			

Findings of Discrimination Rendered by Basis	Comparative Data												
	Previous Fiscal Year Data												2020
	2016		2017		2018		2019						
	#	%	#	%	#	%	#	%	#	%	#	%	
<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	8		8		5		11		5				
Race	1	13	1	13	1	20	7	64	2	40			
Color	1	13	1	13	1	20	2	18	2	40			
Religion	1	13	0	0	0	0	0	0	0	0			
Reprisal	2	25	5	63	2	40	7	64	1	20			
Sex	2	25	4	50	0	0	2	18	1	20			
PDA	0	0	1	13	0	0	0	0	0	0			
National Origin	1	13	0	0	0	0	0	0	2	40			
Equal Pay Act	0	0	0	0	0	0	0	0	0	0			
Age	1	13	0	0	0	0	3	27	0	0			
Disability	3	38	6	75	4	80	4	36	3	60			
GINA	0	0	0	0	0	0	0	0	0	0			
Non-EEO	0	0	0	0	0	0	0	0	1	20			

Findings of Discrimination Rendered by Basis	Comparative Data											
	Previous Fiscal Year Data										2020	
	2016		2017		2018		2019					
<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		2		1		1		10		1	
Race		1	50	0	0	0	0	7	70	1	100	
Color		1	50	0	0	0	0	2	20	1	100	
Religion		0	0	0	0	0	0	0	0	0	0	
Reprisal		0	0	1	100	1	100	6	60	0	0	
Sex		0	0	0	0	0	0	2	20	0	0	
PDA		0	0	0	0	0	0	0	0	0	0	
National Origin		0	0	0	0	0	0	0	0	1	100	
Equal Pay Act		0	0	0	0	0	0	0	0	0	0	
Age		1	50	0	0	0	0	3	30	0	0	
Disability		1	50	1	100	0	0	4	40	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		6		7		4		1		4		
Race		0	0	1	14	1	25	0	0	1	25	
Color		0	0	1	14	1	25	0	0	1	25	
Religion		1	17	0	0	0	0	0	0	0	0	
Reprisal		2	33	4	57	1	25	1	100	1	25	
Sex		2	33	4	57	0	0	0	0	1	25	
PDA		0	0	1	14	0	0	0	0	0	0	
National Origin		1	17	0	0	0	0	0	0	1	25	
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		2	33	5	71	4	100	0	0	3	75	

Findings of Discrimination Rendered by Basis	Comparative Data										
	Previous Fiscal Year Data										2020
	2016		2017		2018		2019		2020		
<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
Non-EEO		0	0	0	0	0	0	0	0	1	25

Findings of Discrimination Rendered by Issue	Comparative Data										
	Previous Fiscal Year Data										2020
	2016		2017		2018		2019		2020		
	#	%	#	%	#	%	#	%	#	%	
Total Number Findings		8		8		5		11		5	
Appointment/Hire		1	13	0	0	0	0	1	9	0	0
Assignment of Duties		1	13	0	0	0	0	1	9	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											
o Demotion		0	0	0	0	0	0	0	0	0	0
o Reprimand		0	0	0	0	0	0	0	0	0	0
o Suspension		0	0	0	0	0	0	0	0	0	0
o Removal		0	0	0	0	0	0	0	0	0	0
o 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	1	9	1	20
Examination/Test		0	0	0	0	0	0	0	0	0	0
Harassment											
o Non-Sexual		1	13	2	25	1	20	4	36	3	60
o Sexual		2	25	2	25	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

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										2020	
	2016		2017		2018		2019		2020			
	#	%	#	%	#	%	#	%	#	%	#	%
Promotion/Non-Selection			1	13	0	0	0	0	5	45	0	0
Reassignment												
o Denied			0	0	0	0	0	0	0	0	0	0
o Directed			0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation Disability			1	13	5	63	3	60	1	9	2	40
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	1	20
Termination			0	0	1	13	0	0	0	0	1	20
Terms/Conditions of Employment			0	0	1	13	0	0	2	18	0	0
Time and Attendance			1	13	0	0	1	20	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 After Hearing												
			2		1		1		10		1	
Appointment/Hire			0	0	0	0	0	0	1	10	0	0
Assignment of Duties			0	0	0	0	0	0	1	10	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												
o Demotion			0	0	0	0	0	0	0	0	0	0
o Reprimand			0	0	0	0	0	0	0	0	0	0
o Suspension			0	0	0	0	0	0	0	0	0	0
o Removal			0	0	0	0	0	0	0	0	0	0
o Other			0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data										
	Previous Fiscal Year Data										2020
	2016		2017		2018		2019				
	#	%	#	%	#	%	#	%	#	%	
Duty Hours		0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal		0	0	0	0	0	0	1	10	1	100
Examination/Test		0	0	0	0	0	0	0	0	0	0
Harassment											
○ Non-Sexual		0	0	0	0	1	100	4	40	1	100
○ 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		1	50	0	0	0	0	5	50	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	50	0	0	0	0	1	10	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		0	0	1	100	0	0	1	10	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											
Appointment/Hire		1	17	0	0	0	0	0	0	0	0
Assignment of Duties		1	17	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										2020	
	2016		2017		2018		2019					
	#	%	#	%	#	%	#	%	#	%		
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												
o Demotion			0	0	0	0	0	0	0	0	0	0
o Reprimand			0	0	0	0	0	0	0	0	0	0
o Suspension			0	0	0	0	0	0	0	0	0	0
o Removal			0	0	0	0	0	0	0	0	0	0
o 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												
o Non-Sexual			1	17	2	29	0	0	0	0	2	50
o Sexual			2	33	2	29	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	0	0	0	0	0	0	0	0
Reassignment												
o Denied			0	0	0	0	0	0	0	0	0	0
o Directed			0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation Disability			0	0	5	71	3	75	0	0	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
Telework			0	0	0	0	0	0	0	1	25	
Termination			0	0	1	14	0	0	0	0	1	25

Findings of Discrimination Rendered by Issue	Comparative Data										
	Previous Fiscal Year Data										2020
	2016		2017		2018		2019				
		#	%	#	%	#	%	#	%	#	%
Terms/Conditions of Employment		0	0	0	0	0	0	1	100	0	0
Time and Attendance		1	17	0	0	1	25	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

Pending Complaints Filed in Previous Fiscal Years by Status	Comparative Data										
	Previous Fiscal Year Data										2020
	2016		2017		2018		2019				
		#	%	#	%	#	%	#	%	#	%
Total complaints from previous Fiscal Years		401		367		447		329		267	
Total Complainants		373		348		411		312		235	
Number complaints pending											
Investigation		4		1		1		0		0	
ROI issued, pending Complainant's action		0		0		0		0		0	
Hearing		405		401		382		299		240	
Final Agency Action		11		9		8		31		26	

Complaint Investigations	Comparative Data										
	Previous Fiscal Year Data										2020
	2016		2017		2018		2019				
		#	%	#	%	#	%	#	%	#	%
Pending Complaints Where Investigations Exceed Required Time Frames		6		3		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 training. In FY 2020, 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														
<p>Office of the Special Inspector General for Troubled Asset Relief Program (SigTARP)</p> <p>Office of the Inspector General (OIG)</p> <p>Departmental Offices (DO)</p> <p>Office of the Comptroller of the Currency (OCC)</p> <p>Bureau of Engraving and Printing (BEP)</p> <p>Bureau of Fiscal Service (BFS)</p> <p>Alcohol and Tobacco Trade and Tax Bureau (TTB)</p>	<p>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.</p>	<p>EEO Office and Training Office notified their workforce of this mandatory training requirement and provided alternative means of training delivery when needed.</p>	<p>Biennial training was completed in FY 2020.</p> <p>The percentage of employees who completed No FEAR refresher training by bureau:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 70%;">SIGTARP:</td> <td style="text-align: right;">100%</td> </tr> <tr> <td>OIG:</td> <td style="text-align: right;">100%</td> </tr> <tr> <td>DO:</td> <td style="text-align: right;">98%</td> </tr> <tr> <td>OCC:</td> <td style="text-align: right;">98%</td> </tr> <tr> <td>BEP:</td> <td style="text-align: right;">56%</td> </tr> <tr> <td>BFS:</td> <td style="text-align: right;">99%</td> </tr> <tr> <td>TTB:</td> <td style="text-align: right;">100%</td> </tr> </table>	SIGTARP:	100%	OIG:	100%	DO:	98%	OCC:	98%	BEP:	56%	BFS:	99%	TTB:	100%
SIGTARP:	100%																
OIG:	100%																
DO:	98%																
OCC:	98%																
BEP:	56%																
BFS:	99%																
TTB:	100%																
<p>United States Mint (Mint)</p> <p>Treasury Inspector General for Tax</p>	<p>Treasury's ITMS. Training records in ITMS will be used to demonstrate employees received the No FEAR Act</p>	<p>Bureau EEO Offices are responsible for notifying their workforce of this mandatory training requirement and</p>	<p>Training will be conducted by the end of FY 2021.</p>														

Administration (TIGTA)	training. ITMS will automatically update the training records of employees who	providing alternative means of training delivery when needed.	
Financial Crimes Enforcement Network (FinCEN)	complete the training. When employees receive the No FEAR Act training via a method other than ITMS, the EEO Office will work with their ITMS POCs to update the employee's training record.		
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.		
Internal Revenue Service Office of the Chief Counsel (IRSCC)			