

**United States
Department of the Treasury
No FEAR Act Annual Report
Fiscal Year (FY) 2021**



Prepared by
The Office of Civil Rights and
Diversity

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**United States Department of the Treasury
No FEAR Act Report, as amended¹
Fiscal Year (FY) 2021**

Section I. Summary of District Court Cases (FY 2017 to FY 2021)

Data was provided by the Department of the Treasury’s (the Department or Treasury) Office of General Counsel, derived from reports submitted by each bureau. These charts show all cases and payments to the Judgment Fund in FY 2017 to FY 2021, 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: 118 cases				
	FY 17	FY 18	FY 19	FY 20	FY 21
Title VII (race, color, religion, sex, national origin)	20	17	20	8	21
Age	6	9	8	3	3
Sex (Equal Pay Act)	1	1	0	1	0
Disability (Section 501 of the Rehabilitation Act of 1973)	6	10	11	5	10
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	1	0	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.

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

	TOTAL SETTLED: 30 cases				
	FY 17	FY 18	FY 19	FY 20	FY 21
Title VII (race, color, religion, sex, national origin)	6	2	5	4	4
Age	4	0	1	0	0
Sex (Equal Pay Act)	1	0	0	0	0
Disability (Section 501 of the Rehabilitation Act of 1973)	0	1	4	1	1
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	0	0	0

	PENDING: 40 cases*				
	FY 17	FY 18	FY 19	FY 20	FY 21
Title VII (race, color, religion, sex, national origin)	33	39	42	46	38
Age	11	17	21	14	6
Sex (Equal Pay Act)	0	1	1	1	1
Disability (Section 501 of the Rehabilitation Act of 1973)	13	18	24	22	15
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	1	0	0	0	0

* Figure reflects total number of cases pending at the end of FY 2021 regardless of the year in which it was filed.

	JUDGMENT FOR AGENCY: 84				
	FY 17	FY 18	FY 19	FY 20	FY 21
Title VII (race, color, religion, sex, national origin)	18	14	11	12	24
Age	5	5	4	6	5
Sex (Equal Pay Act)	0	0	0	1	1
Disability (Section 501 of the Rehabilitation Act of 1973)	5	3	2	4	7
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	1	0	1	0

	JUDGMENT FOR PLAINTIFF: 1				
	FY 17	FY 18	FY 19	FY 20	FY 21
Title VII (race, color, religion, sex, national origin)	0	0	1	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): \$1,699,221				
	FY 17	FY 18	FY 19	FY 20	FY 21
FY Totals	\$404,150	\$52,500	\$915,348	\$256,363	\$70,860

FY Totals	TOTAL ATTORNEY'S FEES PAID (SETTLEMENTS AND JUDGMENTS FOR PLAINTIFFS): \$555,239				
	FY 17	FY 18	FY 19	FY 20	FY 21
	\$50,000	\$ 0	\$ 355,000	\$ 80,000	\$70,239

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: 3				
	FY 17	FY 18	FY 19	FY 20	FY 21
	0	2	0	1	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[...].”

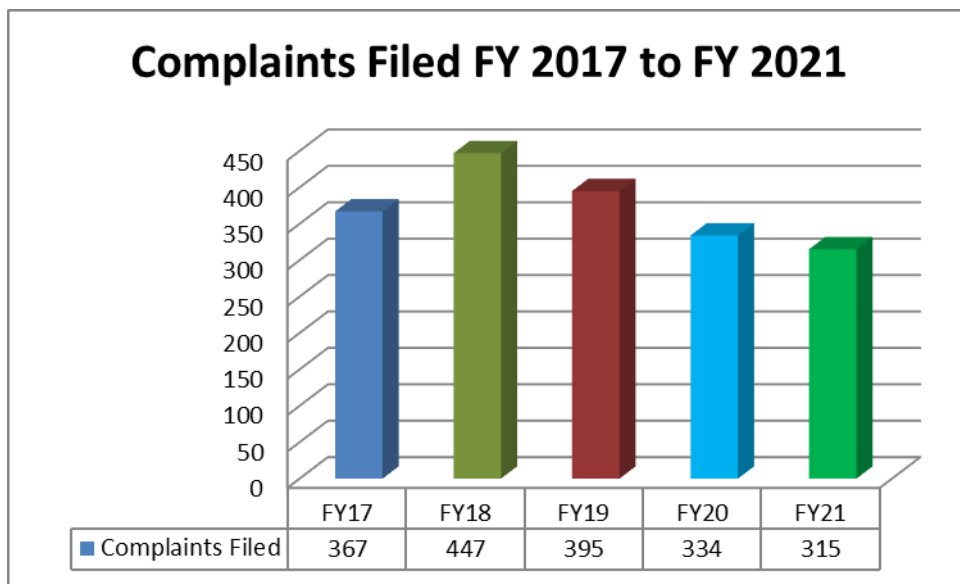
For FY 2021, the Department had three findings of discrimination in the EEO administrative process. Two findings were issued by the agency and one finding was issued by an administrative judge. For two cases, no corrective actions were taken due to settlements being reached. For one case corrective actions were implemented, which included training for, and disciplinary action taken against the manager of the complainant. 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 5.7% decrease in formal equal employment opportunity (EEO) complaints filed from FY 2020 (334 complaints filed) to FY 2021 (315 complaints filed). The per capita rate of formal EEO complaints filed in FY 2021 saw a decrease as well, from 0.33% in FY 2020 (312 unique complainants) to 0.29% in FY 2021 (281 unique 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 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 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%
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%

During FY 2021, the Department completed 94.4% of all investigations of EEO complaints in a timely manner, a slight decrease from the timely completion rate of 96.8% in FY 2020. 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 Diversity (OCRD) continued to maintain the acceptance/dismissal and final agency decision functions for the Department.

Fiscal Year	Complaints Filed	Completed Investigations	Average Days	% Timely
FY 2021	315	232	152	94.4%
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%

In FY 2021, the Department completed 650 informal counselings, of which 98.9% were timely processed and 52.1% reached resolution through settlement or withdrawal. The Department's 52.1% 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 2017	FY 2018	FY 2019	FY 2020	FY 2021
Total # Completed Counselings	722	823	711	680	650
# Timely	680	790	631	658	643
% Timely	94.1%	95.9%	88.7%	96.7%	98.9%
% of Completed Counselings Resolved (Settlement/Withdrawal)	50.2%	46.9%	47.5%	51.9%	52.1%

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 2021, 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 50.5% participation rate, and in the formal process had an 14.3% participation rate.

Fiscal Year	Counselings/ Complaints #	ADR Offers		ADR Participation	
		#	%	#	%
FY 2020 Completed Pre-Complaint Counselings	680	618	90.8%	387	56.9%
FY 2021 Completed Pre-Complaint Counselings	650	600	92.3%	328	50.5%
% Change FY 2020 to FY 2021	-4.4%	-2.9%		-15.2%	
FY 2020 Formal Complaints Closures	459	417	90.8%	41	8.9%
FY 2021 Formal Complaints Closures	398	354	88.9%	57	14.3%
% Change FY 2020 to FY 2021	-13.3%	-15.1%		+39.0%	

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 2021, the TSN program completed 189 mediations and had a 35% 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 2021.

Lastly, during FY 2021, there were one (1) class complaint filed against the Department.

Department of the Treasury Class Complaints Filed in FY 2021			
Date Class Case Filed	Summary of Class Allegation	Total Number of Plaintiffs (if known)	Current Status of Case
5/5/2021	Management repeatedly denied African American employees the access to justice by ensuring complaints from this disenfranchised group of employees receive the benefit of an investigation into their claims of harassment and hostile work environment.	Not Known	Complainant withdrew class case in FY 2022.

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 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 2021, the Department conducted the following activities based on its analysis of workforce demographics, training needs, and human capital initiatives:

- Conducted a review of the Departmental Offices’ (DO) diversity and inclusion (D&I), external civil rights, ADR, reasonable accommodation, anti-harassment, and EEO complaint programs.
- Assisted the Office of the Deputy Assistant Secretary of Human Resources/Chief Human Capital Officer (DASHR/CHCO) with the Human Capital Evaluation of the U.S. Mint’s and Internal Revenue Services’ EEO and D&I programs.
- Worked 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*; 13950, *Combating Race and Sex Stereotyping* (until it was revoked in January 2021), 13988, *Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation*; and 14035, *Advancing Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce*.
- 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.

- Worked with Enterprise Data Management (EDM) to prepare the FY 2022 transition from Monster Analytics to USAStaffing for applicant flow data.
- Hired the Department's first ever Counselor for Racial Equity, who is located within the Office of the Deputy Secretary.
- Issued the Secretary's annual EEO policy statement for FY 2021.
- Continued to provide personal assistance services (PAS) for the Department's severely disabled employees through the PAS program.
- Distributed Treasury's D&I and EEO Strategic Plan (FY 2021-2024) to Treasury Bureau EEO and D&I Officers.
- Continued to support all five Treasury-wide ERGs through regular meetings, training events, and other outreach opportunities.
- Maintained secondary EEO investigation services contract with Martin-Miser & Associates.
- Conducted one 8-hour refresher mediator training for current mediators as well as two 8-hour EEO counselor refresher trainings.
- Continued the use of 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 (13.9%) and exceeded the subgoal that 2% of those hires be persons with targeted disabilities (PWTD) (3.4%).
- Maintained a cadre of 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.
- Started the process to transition to a new EEO Complaint Tracking System (ETK), which is on track to be fully implemented in FY 2022.

Attachment A

Administrative Equal Employment Opportunity (EEO) Complaint Data (FY 2017 to FY 2021)

Data provided through Treasury's iComplaints system. The report reflects case data in iComplaints as of 10/31/2021 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				
	2017	2018	2019	2020	2021
Number of Complaints Filed	367	447	395	334	315
Number of Complainants	348	411	363	318	281
Repeat Filers	18	32	28	13	27

Complaints by Basis	Comparative Data				
	Previous Fiscal Year Data				
	2017	2018	2019	2020	2021
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>					
Race	170	177	151	138	151
Color	61	56	47	51	61
Religion	26	18	18	19	24
Reprisal	200	231	211	195	200
Sex	134	147	149	108	98
Pregnancy Discrimination Act (PDA)	2	2	0	0	1
National Origin	42	54	47	42	37
Equal Pay Act	2	3	1	1	0
Age	114	102	118	105	90
Disability	141	177	151	140	123
Genetic Information Nondiscrimination Act (GINA)	1	3	5	5	4
Non-EEO	20	27	33	18	31

Complaints by Issue	Comparative Data				
	Previous Fiscal Year Data				
	2017	2018	2019	2020	2021
<i>Note: Complaints can be filed regarding multiple issues. The sum of the issues may not equal total complaints filed.</i>					
Appointment/Hire	33	18	25	22	12
Assignment of Duties	61	80	40	26	32
Awards	16	8	7	7	7
Conversion to Full-time	1	1	2	1	0
Disciplinary Action					
○ Demotion	4	6	2	1	6
○ Reprimand	16	23	17	21	11
○ Suspension	19	25	12	11	21
○ Removal	4	3	6	9	2
○ Other	26	18	14	0	0
Duty Hours	11	19	13	4	4
Performance Appraisal	81	96	71	50	61
Examination/Test	1	0	0	2	0
Harassment					
○ Non-Sexual	151	189	160	153	141
○ Sexual	12	12	15	9	3
Medical Examination	4	2	0	0	0
Pay (Including Overtime)	16	13	11	16	13
Promotion/Non-Selection	72	68	57	56	57
Reassignment					
○ Denied	6	4	4	2	4
○ Directed	5	15	16	7	3
Reasonable Accommodation (Disability)	53	71	55	47	32
Reinstatement	1	0	0	0	0
Religious Accommodation	0	1	0	0	0
Retirement	3	3	3	3	4

Complaints by Issue	Comparative Data				
	Previous Fiscal Year Data				
	2017	2018	2019	2020	2021
<i>Note: Complaints can be filed regarding multiple issues. The sum of the issues may not equal total complaints filed.</i>					
Sex-Stereotyping	3	1	1	0	1
Telework	14	11	20	8	4
Termination	28	40	27	22	26
Terms/Conditions of Employment	62	78	59	43	56
Time and Attendance	58	63	62	40	48
Training	17	22	7	13	12
Other	0	0	0	0	0

Processing Time	Comparative Data				
	Previous Fiscal Year Data				
	2017	2018	2019	2020	2021
Complaints pending during fiscal year					
Average number of days in investigation	187.25	167.62	169.46	154.77	149.82
Average number of days in final action	33.86	36.08	33.16	40.35	28.39
Complaints pending during fiscal year where hearing was requested					
Average number of days in investigation	191.22	167.55	172.25	158.81	148.56
Average number of days in final action	23.83	27.46	29.59	37.77	22.51
Complaints pending during fiscal year where hearing was not requested					
Average number of days in investigation	186.39	172.42	170.78	151.10	139.47
Average number of days in final action	45.56	47.04	40.45	43.93	39.99

Complaints Dismissed by Agency	Comparative Data				
	Previous Fiscal Year Data				
	2017	2018	2019	2020	2021
Total Complaints Dismissed by Agency	47	51	53	35	43
Average days pending prior to dismissal	52.47	52.3	55.92	40.06	32.84

Complaints Dismissed by Agency	Comparative Data				
	Previous Fiscal Year Data				
	2017	2018	2019	2020	2021
Complaints Withdrawn by Complainants					
Total Complaints Withdrawn by Complainants	21	23	30	39	39

Total Final Agency Actions Finding Discrimination	Comparative Data									
	Previous Fiscal Year Data									
	2017		2018		2019		2020		2021	
	#	%	#	%	#	%	#	%	#	%
Total Number Findings	13		7		11		5		3	
Without Hearing	12	92	6	86	1	9	4	80	2	67
With Hearing	1	8	1	14	10	91	1	20	1	33

Findings of Discrimination Rendered by Basis	Comparative Data									
	Previous Fiscal Year Data									
	2017		2018		2019		2020		2021	
	#	%	#	%	#	%	#	%	#	%
<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		5		11		5		3	
Race	1	13	1	20	7	64	2	40	2	67
Color	1	13	1	20	2	18	2	40	0	0
Religion	0	0	0	0	0	0	0	0	1	33
Reprisal	5	63	2	40	7	64	1	20	1	33
Sex	4	50	0	0	2	18	1	20	1	33
PDA	1	13	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	2	40	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	3	27	0	0	0	0
Disability	6	75	4	80	4	36	3	60	3	100

Findings of Discrimination Rendered by Basis	Comparative Data									
	Previous Fiscal Year Data									
	2017		2018		2019		2020		2021	
<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	1	20	1	33
Findings After Hearing										
	1		1		10		1		1	
Race	0	0	0	0	7	70	1	100	0	0
Color	0	0	0	0	2	20	1	100	0	0
Religion	0	0	0	0	0	0	0	0	0	0
Reprisal	1	100	1	100	6	60	0	0	1	100
Sex	0	0	0	0	2	20	0	0	0	0
PDA	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	1	100	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	3	30	0	0	0	0
Disability	1	100	0	0	4	40	0	0	1	100
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										
	7		4		1		4		2	
Race	1	14	1	25	0	0	1	25	2	100
Color	1	14	1	25	0	0	1	25	0	0
Religion	0	0	0	0	0	0	0	0	1	50
Reprisal	4	57	1	25	1	100	1	25	0	0
Sex	4	57	0	0	0	0	1	25	1	50
PDA	1	14	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	1	25	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									
	2017		2018		2019		2020		2021	
	#	%	#	%	#	%	#	%	#	%
<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	0	0	0	0
Disability	5	71	4	100	0	0	3	75	2	100
GINA	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	1	25	1	50

Findings of Discrimination Rendered by Issue	Comparative Data									
	Previous Fiscal Year Data									
	2017		2018		2019		2020		2021	
	#	%	#	%	#	%	#	%	#	%
Total Number Findings	8		5		11		5		3	
Appointment/Hire	0	0	0	0	1	9	0	0	0	0
Assignment of Duties	0	0	0	0	1	9	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	1	9	1	20	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0
Harassment										
○ Non-Sexual	2	25	1	20	4	36	3	60	0	0
○ Sexual	2	25	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data									
	Previous Fiscal Year Data									
	2017		2018		2019		2020		2021	
	#	%	#	%	#	%	#	%	#	%
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	5	45	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	5	63	3	60	1	9	2	40	2	67
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	1	20	0	0
Termination	1	13	0	0	0	0	1	20	0	0
Terms/Conditions of Employment	1	13	0	0	2	18	0	0	0	0
Time and Attendance	0	0	1	20	0	0	0	0	1	33
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	1		1		10		1		1	
Appointment/Hire	0	0	0	0	1	10	0	0	0	0
Assignment of Duties	0	0	0	0	1	10	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									
	2017		2018		2019		2020		2021	
	#	%	#	%	#	%	#	%	#	%
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	0	0	0	0	1	10	1	100	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0
Harassment										
○ Non-Sexual	0	0	1	100	4	40	1	100	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	0	0	0	0	5	50	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	1	10	0	0	1	100
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	100	0	0	1	10	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	7		4		1		4		2	

Findings of Discrimination Rendered by Issue	Comparative Data									
	Previous Fiscal Year Data									
	2017		2018		2019		2020		2021	
	#	%	#	%	#	%	#	%	#	%
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										
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	2	29	0	0	0	0	2	50	0	0
o Sexual	2	29	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	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	5	71	3	75	0	0	2	50	1	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

Findings of Discrimination Rendered by Issue	Comparative Data									
	Previous Fiscal Year Data									
	2017		2018		2019		2020		2021	
	#	%	#	%	#	%	#	%	#	%
Telework	0	0	0	0	0	0	1	25	0	0
Termination	1	14	0	0	0	0	1	25	0	0
Terms/Conditions of Employment	0	0	0	0	1	100	0	0	0	0
Time and Attendance	0	0	1	25	0	0	0	0	1	50
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				
	2017	2018	2019	2020	2021
Total complaints from previous Fiscal Years	411	391	329	267	183
Total Complainants	354	344	312	235	167
Number complaints pending					
Investigation	1	1	0	0	1
ROI issued, pending Complainant's action	0	0	0	0	0
Hearing	401	382	299	240	173
Final Agency Action	9	8	31	26	10

Complaint Investigations	Comparative Data				
	Previous Fiscal Year Data				
	2017	2018	2019	2020	2021
Pending Complaints Where Investigations Exceed Required Time Frames	3	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 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
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 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 2022.

<p>Treasury Inspector General for Tax Administration (TIGTA)</p> <p>Financial Crimes Enforcement Network (FinCEN)</p> <p>Internal Revenue Service (IRS)</p> <p>Internal Revenue Service Office of the Chief Counsel (IRSCC)</p>	<p>Treasury's ITM. Training records in ITM will be used to demonstrate employees received the No FEAR Act training. ITM will automatically update the training records of employees who complete the training. When employees receive the No FEAR Act training via a method other than ITM, the EEO Office will work with their ITM POCs to update the employee's training record. Bureau EEO Offices will cross-check the current list of all employees against the ITM training records to verify how many current employees have in fact completed the training.</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 2021.</p> <p>The percentage of employees who completed No FEAR refresher training in FY 2021 by bureau:</p> <table border="0"> <tr> <td>IRS:</td> <td>94.4%</td> </tr> <tr> <td>TIGTA:</td> <td>100.0%</td> </tr> <tr> <td>FINCEN:</td> <td>97.1%</td> </tr> <tr> <td>IRSCC:</td> <td>99.0%</td> </tr> </table>	IRS:	94.4%	TIGTA:	100.0%	FINCEN:	97.1%	IRSCC:	99.0%
IRS:	94.4%										
TIGTA:	100.0%										
FINCEN:	97.1%										
IRSCC:	99.0%										

*The U.S. Mint was due to conduct biennial training in FY 2021. However, the U.S. Mint did not and will conduct its required biennial training by the end of FY 2022.

Attachment C

Department of the Treasury FY 2021 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 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.

Department of the Treasury Administrative EEO Findings of Discrimination for FY 2021					
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	11/5/2020	2/6/2019	Rehabilitation Act	1	<ul style="list-style-type: none"> • Compensatory Damages • Attorney Fees • Post Notice for 30 days Manager Actions: <ul style="list-style-type: none"> • 4 hours of training with respect to elimination of discrimination in the workplace • Take appropriate disciplinary action within 30 days of final decision.
Agency	6/30/2021	3/21/2019	Rehabilitation Act & Title VII	0	None. Settlement reached.
EEOC Office of Federal Operations (OFO)	9/13/2021	5/29/2019; 7/1/2019	Title VII	0	None. Settlement reached.