

# No FEAR Act Data – [FY 2021 Quarter 2]

## **Equal Employment Data Pursuant to Title III of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107–174**

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## Complaint Activity

Complaint Activity	2016	2017	2018	2019	2020	2021 Q1	2021 Q2
Number of complaints filed	0	1	6	5	15	0	1
Number of complainants	0	1	5	5	15	0	1
Repeat filers	0	0	1	0	0	0	0

## Complaints by Basis

Complaints by Basis	2016	2017	2018	2019	2020	2021 Q1	2021 Q2
Race	0	1	4	3	9	0	1
Color	0	0	2	2	4	0	0
Religion	0	0	1	0	0	0	0
Reprisal	0	0	6	4	8	0	0
Sex	0	0	2	3	9	0	1
National Origin	0	0	0	1	0	0	0
Equal Pay Act	0	0	1	1	2	0	0
Age	0	1	2	2	7	0	0
Disability	0	1	2	3	2	0	0
Genetic information	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0

*Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.*

## Complaints by Issue<sup>1</sup>

Complaints by Issue	2016	2017	2018	2019	2020	2021 Q1	2021 Q2
Appointment/Hire	0	0	0	0	2	0	0
Assignment of Duties	0	0	0	0	2	0	0
Awards	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0
Disciplinary Action: Demotion	0	0	1	0	0	0	0
Disciplinary Action: Reprimand	0	0	1	1	2	0	0
Disciplinary Action: Removal	0	0	1	0	1 <sup>2</sup>	0	0
Disciplinary Action: Suspension	0	0	0	0	0	0	0
Disciplinary Action: Other	0	0	1	0	2	0	0
Duty Hours	0	0	0	1	0	0	0
Evaluation/Appraisal	0	0	2	2	5	0	1
Examination/Test	0	0	0	0	0	0	0
Harassment: Non-Sexual	0	0	2	2	8	0	0
Harassment: Sexual	0	0	1	0	0	0	0
Medical Examination	0	0	0	0	0	0	0
Pay (including Overtime)	0	0	1	1	2	0	1
Promotion/Non-Selection	0	1	2	0	1	0	0
Reassignment: Denied	0	0	0	0	0	0	0

<sup>1</sup> Based on EEOC guidance and after careful review of issues alleged in complaints this year, we have changed some issues, thus causing a discrepancy in the total number of alleged issues in FY2020.

<sup>2</sup> Based on EEOC guidance and upon review of Q2 cases, we are adding “Disciplinary removal” to one of the issues alleged in formal complaints filed this year.

<b>Complaints by Issue</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021 Q1</b>	<b>2021 Q2</b>
Reassignment: Directed	0	0	0	1	0	0	0
Reasonable Accommodation	0	0	0	2	0	0	0
Reinstatement	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	2	4	5	0	1
Time and Attendance	0	0	0	0	0	0	0
Training	0	0	0	1	0	0	0
Other	0	0	0	0	0	0	0

*Note: Complaints can be filed alleging multiple issues. The sum of the issues may not equal total complaints filed.*

## Processing Time

### Complaints Pending During the Fiscal Year

<b>Complaints Pending During the Fiscal Year</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021 Q1</b>	<b>2021 Q2</b>
Average number of days in investigation stage	276	285	111	155	140	165	168
Average number of days in final action stage	41	34	59	32	49	16	52

### Complaints Pending During Fiscal Year Where Hearing Was Requested

<b>Complaints Pending During Fiscal Year Where Hearing Was Requested</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021 Q1</b>	<b>2021 Q2</b>
Average number of days in investigation stage	313	321	185	199	175	177	176
Average number of days in final action stage	24	15	0	7	0	0	0

### Complaints Pending During Fiscal Year Where Hearing Was Not Requested

<b>Complaints Pending During Fiscal Year Where Hearing Was Not Requested</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021 Q1</b>	<b>2021 Q2</b>
Average number of days in investigation stage	192	189	81	110	122	148	152
Average number of days in final action stage	48	54	59	57	49	16	52





<b>Findings After Hearing</b>	<b>2016 #</b>	<b>2016 %</b>	<b>2017 #</b>	<b>2017 %</b>	<b>2018 #</b>	<b>2018 %</b>	<b>2019 #</b>	<b>2019 %</b>	<b>2020 #</b>	<b>2020 %</b>	<b>2021Q1#</b>	<b>2021Q1%</b>	<b>2021Q2#</b>	<b>2021Q2%</b>
Sex	0	0	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Genetic Information	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0	0	0

### Findings Without Hearing

<b>Findings Without Hearing</b>	<b>2016 #</b>	<b>2016 %</b>	<b>2017 #</b>	<b>2017 %</b>	<b>2018 #</b>	<b>2018 %</b>	<b>2019 #</b>	<b>2019 %</b>	<b>2020 #</b>	<b>2020 %</b>	<b>2021Q1#</b>	<b>2021Q1%</b>	<b>2021Q2#</b>	<b>2021Q2%</b>
Findings Without Hearing	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Race	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Genetic Information	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0	0	0

*Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.*











## Pending Complaints Filed in Previous Fiscal Years by Status

<b>Pending Complaints Filed in Previous Fiscal Years by Status</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021 Q1</b>	<b>2021 Q2</b>
Total Complaints from Previous Fiscal Years	13	10	1	5	8	12	10
Total Complainants	13	9	1	4	8	12	10

## Number Complaints Pending

<b>Number Complaints Pending</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021 Q1</b>	<b>2021 Q2</b>
Investigation	1	1	3	5	7	4	1
Hearing	6	7	2	1	3	6	8
Final Action	2	0	0	1	0	1	1
Appeal with EEOC Office of Federal Operations	4	3	0	0	0	0	1

## Complaint Investigations

<b>Complaint Investigations</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021 Q1</b>	<b>2021 Q2</b>
Pending complaints where investigations exceed required time frames	1	0	1	1	1	2	0