



**United States
Department of the Treasury**

**No FEAR Act Annual Report
Fiscal Year (FY) 2013**

**Prepared by the Office of the Deputy Assistant Secretary for Human Resources
and Chief Human Capital Officer, Office of Civil Rights and Diversity**



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United States Department of the Treasury
No FEAR Act Report
Fiscal Year (FY) 2013

Section I. Summary of District Court Cases (FY 2009 to FY 2013)

Data was provided by 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 FY09 - FY13, regardless of when the case was filed. Since 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: 228 cases				
	FY 09	FY 10	FY 11	FY 12	FY 13
Title VII (race, color, religion, sex, national origin)	109	21	26	25	25
Age	28	6	9	6	11
Sex (Equal Pay Act)	0	7	14	0	0
Disability (Section 501 of the Rehabilitation Act of 1973)	27	11	7	9	11
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	0	0	0

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

	TOTAL SETTLED: 48 cases				
	FY 09	FY 10	FY 11	FY12	FY13
Title VII (race, color, religion, sex, national origin)	8	11	10	5	6
Age	0	3	3	2	1
Sex (Equal Pay Act)	0	3	4	0	0
Disability (Section 501 of the Rehabilitation Act of 1973)	3	2	5	5	4
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	0	0	0

	PENDING: 51 cases*				
	FY 09	FY 10	FY 11	FY 12	FY 13
Title VII (race, color, religion, sex, national origin)	76	55	51	53	51
Age	22	16	17	15	12
Sex (Equal Pay Act)	0	18	22	0	0
Disability (Section 501 of the Rehabilitation Act of 1973)	28	24	18	16	17
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	1	2	1	0

* Figure reflects total number of cases pending at the end of FY 2013 regardless of the year in which it was filed.

	JUDGMENT FOR AGENCY: 141				
	FY 09	FY 10	FY 11	FY 12	FY13
Title VII (race, color, religion, sex, national origin)	32	32	24	21	28
Age	8	8	4	5	5
Sex (Equal Pay Act)	0	5	7	0	0
Disability (Section 501 of the Rehabilitation Act of 1973)	5	15	8	4	8
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	0	1	1

	JUDGMENT FOR PLAINTIFF: 3				
	FY 09	FY 10	FY 11	FY 12	FY 13
Title VII (race, color, religion, sex, national origin)	0	0	1	1	1
Age	0	0	1	0	0
Sex (Equal Pay Act)	0	0	1	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): \$1,244,453				
	FY 09	FY 10	FY 11	FY 12	FY13
FY Totals	417,773	340,880	343,100	0	142,700

	TOTAL ATTORNEY'S FEES PAID (SETTLEMENTS AND JUDGMENTS FOR PLAINTIFFS): \$81,000				
	FY 09	FY 10	FY 11	FY12	FY 13
FY Totals	0	4,500	6,500	70,000	0

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

	TOTAL NUMBER EMPLOYEES DISCIPLINED: 27				
	FY 09	FY 10	FY 11	FY12	FY13
FY Totals	3	8	7	6	3

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.*

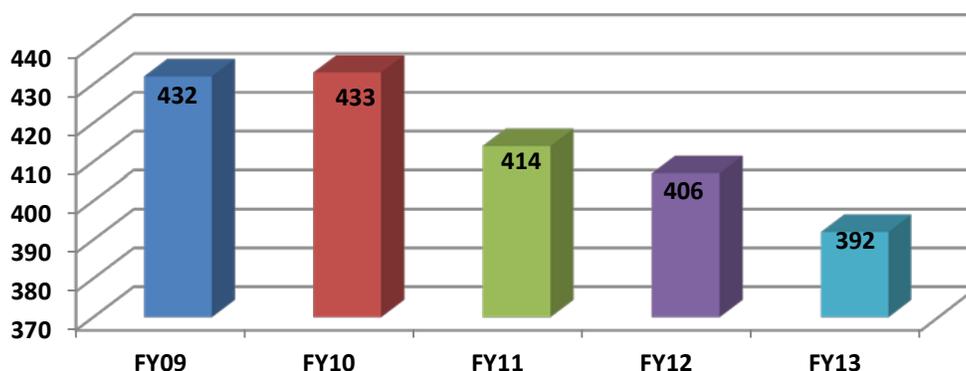
The Department's policy, *Disciplinary Action for Employees who Violate Antidiscrimination and Whistleblower Protection Laws*, requires bureaus to establish a disciplinary policy and/or table of penalties providing for appropriate disciplinary actions for employees who have intentionally engaged in discrimination or retaliatory actions, including retaliation for whistleblowing activities. All bureaus have established a disciplinary policy and/or table of penalties. In addition, the Department of the Treasury's Rules of Conduct (31 CFR §0.214) state that "employees shall not discriminate against or harass any other employee, applicant for employment or person dealing with the Department on official business on the basis of race, color, religion, national origin, sex, sexual orientation, age, or disability. Sexual harassment is a form of sex discrimination and is prohibited. An employee who engages in discriminatory conduct may be disciplined under these rules."

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.*

➤ **Examination of Trends, Causal Analysis, and Practical Knowledge Gained Through Experience**

Treasury’s complaint activity data demonstrated a 3.7% decrease in complaints filed from FY 2012 (406 complaints filed) to FY 2013 (392 complaints filed). The percentage of Treasury employees who filed formal EEO complaints saw a minor increase from 0.32% in FY 2012 (370 complainants) to 0.34% of the workforce in FY 2013 (369 complainants).



* Administrative complaint data is based on the Equal Employment Opportunity Commission’s 462 Report FY 2013, which Treasury submitted on October 30, 2013. FY 2009 –FY 2013 figures include EEO “mixed case” 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 in the workplace, the Department provides multiple training courses dealing with the prevention of harassment in the workplace for employees and supervisors through the Treasury Learning Management System (TLMS) and Employee Learning Management System (for IRS employees only). 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. 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. As part of ongoing EEO training conducted by Treasury bureaus, managers receive information on the EEO complaint process, prohibited discrimination, retaliation, and on agency liability when discrimination or retaliation is found. The topic of reprisal also is addressed in No FEAR Act training provided to new hires and biennially to all employees.

Top Three Bases		Top Three Issues	
FY 2013		FY 2013	
Reprisal	49.40%	Harassment (non-sexual)	44.60%
Disability (Physical)	29.10%	Terms/Condition of Employment	31.80%
Race (Black)	27.50%	Evaluation/Appraisal	17.30%
FY 2012		FY 2012	
Reprisal	48.00%	Harassment (non-sexual)	41.80%
Disability (Physical)	30.00%	Terms/Condition of Employment	21.40%
Age & Race (Black)*	24.30%	Evaluation/Appraisal	19.90%
FY 2011		FY 2011	
Reprisal	45.60%	Harassment (non-sexual)	39.30%
Race (Black)	24.80%	Evaluation/Appraisal	20.50%
Age	23.60%	Assignment of Duties	14.90%
FY 2010		FY 2010	
Reprisal	46.60%	Harassment (non-sexual)	43.40%
Age	28.60%	Promotion/Non Selection	22.80%
Race (Black)	28.60%	Evaluation/Appraisal	17.10%
FY 2009		FY 2009	
Reprisal	45.30%	Harassment (non-sexual)	42.80%
Age	30.70%	Promotion/Non Selection	23.80%
Race (Black)	25.20%	Evaluation/Appraisal	16.80%

*In FY 2012, Age and Race (Black) tied for the third top basis of complaints filed.

During FY 2013, the Department completed 64.8% of all investigations of EEO complaints in a timely manner, a decrease from timely completing 87% in FY 2012. The Department has implemented service level standards at the Treasury Complaint Center to address the timeliness of investigations and to address other accountability controls in the formal complaint process in an effort to increase the percent of timely completed investigations. The Department will continue to monitor investigation processing time on a weekly basis and has set a goal of completing 80% of FY 2014 investigations in fewer than 180 days, unless extended by amendment (360 days) or extension (270 days).

Fiscal Year	Complaints Filed	Total Completed Investigations	Average Days	% Timely
FY 2013	392	276	245	64.8%
FY 2012	406	285	198	87.0%
FY 2011	414	339	170	94.9%
FY 2010	433	351	182	85.7%
FY 2009	432	357	252	61.3%

In the administrative process, in FY 2013, Treasury closed 73 EEO complaints with monetary corrective actions, totaling \$652,063 in back pay/front pay, lump sum payments, compensatory damages, or attorney's fees and costs.

Fiscal Year	# of Cases Closed with Monetary Corrective Actions	Total Amount Paid*
2013	73	\$652,063
2012	61	\$792,477
2011	65	\$743,267
2010	89	\$1,778,525
2009	76	\$1,832,095

* Figures include back pay/front pay, lump sum payments, compensatory damages, or attorney's fees and costs. Figures do not reflect payments made in the settlement of class complaints.

In FY 2013, the Department completed 704 informal counselings, of which 98.0% were timely processed and 47.8% reached resolution through settlement or withdrawal. The Department's 47.8% resolution rate of informal counselings demonstrates the Department's commitment to minimize the impact of conflict that detracts from employee satisfaction and undermines organizational efficiency.

	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Total # Completed Counselings	818	731	745	746	704
# Timely	770	693	717	721	721
% Timely	94.1%	94.7%	96.2%	96.6%	98.0%
% of Completed Counselings Resolved (Settlement/Withdrawal)	50.7%	44.3%	46.9%	49.1%	47.8%

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 2013, the Department established a goal of 45% ADR participation rate in both the informal and formal complaint process. For ADR in the informal process, the Department had a 59.8% participation rate, and in the formal process had a 13.7% participation rate.

Fiscal Year	Counselings/ Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2012 Completed Pre-Complaint Counselings	746	727	97.4%	429	57.5%
FY 2013 Completed Pre-Complaint Counselings	704	678	96.3%	421	59.8%
% Change FY 2012 to FY 2013	-5.6%	-6.7%		-1.8%	
FY 2012 Formal Complaints Closures	407	330	81%	41	10%
FY 2013 Formal Complaints Closures	342	280	81.8%	47	13.7%
% Change FY 2012 to FY 2013	-15.9%	-15.1%		14.6%	

To educate Treasury employees on various tools to deal with conflicts in the workplace, the Department designated the month of June 2013 as Dispute Prevention Month. Employees were encouraged to take advantage of training opportunities available through the Treasury Learning Management System (TLMS) or Enterprise Learning Management System (ELMS). Online conflict resolution training highlighted during the month of June 2013 included:

- Workplace Conflict: Recognizing and Responding to Conflict,
- Leading Teams: Dealing with Conflict
- Analyzing Workplace War Zones, and
- Conflict Resolution – Resolve Conflict by Changing Beliefs

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 organizations 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 September 2013, the Department provided basic and advance mediation training to 20 employees in order to begin the process of becoming certified as a TSN neutral. In FY 2013, the TSN program provided skilled mediators for 30 mediations/facilitations and had a 57% resolution rate.

➤ **Practical Knowledge Gained through Experience**

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, practical knowledge is gained and determinations are made on how best to address any shortcomings identified and how to advance the needs of the workforce.

In FY 2013, the Department conducted the following activities based on its analysis of workforce demographics, training needs, and human capital initiatives:

- Conducted reviews of bureau compliance with the requirements outlined in the Department's Strategic Diversity and Inclusion Plan.
- Continued the use of an automated Exit Survey tool. This automated analysis tool developed through our human resources system, HR Connect, provides the user with an analysis of the exit responses received for their bureau. Those results, when compared to the separation rates, types of separations, and the results of the Employee Viewpoint Survey, provide telling information that will assist the Department in identifying barriers to retention and in developing effective plans to create a better workplace climate.
- Continued to see improvements in its FY 2013 Federal Employee Viewpoint Survey (Fed VIEW) results. Treasury was ranked as one of the top five agencies in the following categories: effective leadership (5th), teamwork (3rd), performance-based rewards and advancement (5th) and alternative work and employee support programs (3rd).
- Established and/or maintained partnerships with existing external internship programs that attract highly qualified, educated and diverse students. The Department hired 16 Hispanic Association of College and Universities (HACU) interns in fiscal year (FY) 2013. The Department also placed 3 interns under the International Leadership Foundation (ILF), 5 interns under The Washington Center, 21 interns under the INROADS Program, 10 interns under the National Association of Equal Opportunity (NAFEO), 3 interns under the Washington Internship for Native Students (WINS), 42 DC Youth Summer Program interns, and 4 interns under the Workforce Recruitment Program (WRP).
- Continued to take full advantage of special hiring authorities designed to reduce the processing time to non-competitively hire qualified disabled veterans. As a result, 14% of the Department's new hires in FY 2013 were appointed through a veteran's preference hiring authority.
- Continued to support the recruitment of disabled veterans by partnering with the Department of Defense's Operation Warfighter Program (OWF). Operation Warfighter provides Service members, who are undergoing treatment or rehabilitation at Walter Reed Army Medical Center, with a formal means of transitioning back into the workforce. As a result, the Department placed 25 OWF candidates while they were rehabilitating and converted two OWFs to permanent positions.
- Piloted a new outreach/recruitment partnership with the University of Incarnate Word (UIW) in San Antonio, Texas. The Bureau of Financial Crimes Enforcement (FinCEN) held a 45 minute panel web chat with Accounting II summer session students in July 2013. The Department piloted this panel web chat as a more cost effective way to

inform college students with high Hispanic enrollment of resources, internships, and job opportunities available at bureaus with limited recruiting resources. Over 90% of the UIW students found the information provided informative and useful. The Department will be exploring ways to expand panel web chats in FY14.

➤ **Actions Taken to Improve Agency Complaint or Civil Rights Program**

During FY 2013, the Department took the following actions in support of its EEO Program:

- Issued the Secretary's EEO Policy Statement on September 13, 2013;
- Issued the Secretary's Diversity Policy Statement on August 28, 2013;
- Ensured all Treasury EEO counselors and investigators participated in mandatory 8 hour refresher training;
- Conducted quarterly data integrity reviews of Treasury/bureau workforce data to ensure accuracy;
- As part of the Office of Civil Rights and Diversity's oversight responsibility, participated in one comprehensive audit of the Office of the Comptroller of the Currency's (OCC) EEO Program and released a final report on an audit begun in FY12 on the Internal Revenue Service's Criminal Investigation (CI) Office EEO Program. These audits are designed to provide guidance and recommendations to assist bureaus in obtaining and maintaining a model EEO Program;
- Published quarterly EEO newsletters which provided Treasury's EEO practitioners, managers and supervisors, as well as employees, with information on relevant complaint issues, workforce statistics and important upcoming agency events/activities;
- Published quarterly Treasury-wide and bureau-specific dashboards to keep Treasury leaders current on the state of Treasury's workforce and progress in meeting disability and veteran hiring goals;
- Continued the Treasury Shared Neutrals Program, providing neutrals to Treasury bureaus to help in early resolution of complaints and trained 20 new neutrals; and
- Provided feedback to each bureau on its Federal Equal Opportunity Recruitment Program. Feedback included a comprehensive analysis of the bureau's program successes and identified program areas that would benefit from more bureau attention.

Workforce Diversity:

- Developed Treasury-wide and bureau-specific Relevant Civilian Labor Force (RCLF) data that provide more realistic benchmark comparators based on overall occupational workforce composition at Treasury and within each of its bureaus.

- Continued to maintain one of the highest participation rates for Hispanic employees (10.7% compared to the RCLF 8.8% and Civilian Labor Force availability rate of 9.9%) among cabinet level agencies.
- Exceeded the Department's goal that 10% of all new permanent hires be persons with disabilities (PWD) (12.12%).
- Continued to hold the highest participation rate for persons with targeted disabilities (1.73 %) among cabinet level agencies.
- Increased veteran new hires from 13% in FY 2012 to 14% in FY 2013.
- Maintained an 11.1% veterans participation rate in FY 2013, of which 1.7% were disabled veterans.

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 2009-FY 2013)**

- **No FEAR Act Training Plan**

Equal Employment Opportunity Data Posted Pursuant to the No FEAR Act:

Department of the Treasury

FY 2009- FY 2013

Note: Data provided through Treasury's I-trak Complaint Management System (ICMS). The report reflects case data in ICMS as of 10/30/13 for the current and past five fiscal years. Mixed cases are included in this report.

Complaint Activity	Comparative Data					
	Previous Fiscal Year Data					2013 Thru 09-30
		2009	2010	2011	2012	
Number of Complaints Filed		432	433	414	406	392
Number of Complainants		395	412	359	370	369
Repeat Filers		37	19	35	36	19

Complaints by Basis	Comparative Data					
	Previous Fiscal Year Data					2013 Thru 09-30
		2009	2010	2011	2012	
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>		2009	2010	2011	2012	
Race		173	191	151	159	149
Color		25	27	20	34	25
Religion		11	18	21	10	15
Reprisal		197	207	185	199	198
Sex		150	130	120	123	102
National Origin		32	32	27	42	23
Equal Pay Act		4	2	0	1	2
Age		136	125	94	107	86
Disability		107	108	117	145	140
Non-EEO		28	22	25	19	18

Complaints by Issue	Comparative Data				
	Previous Fiscal Year Data				2013 Thru 09-30
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	2009	2010	2011	2012	
Appointment/Hire	22	17	11	15	19
Assignment of Duties	50	49	59	56	54
Awards	13	11	9	10	11
Conversion to Full-time	1	1	1	1	1
Disciplinary Action					
Demotion	1	0	5	5	4
Reprimand	19	20	19	17	18
Suspension	22	27	17	18	12
Removal	8	3	8	6	6
Other	14	13	6	22	22
Duty Hours	12	12	5	8	5
Evaluation Appraisal	72	76	86	84	68
Examination/Test	0	3	1	2	2
Harassment					
Non-Sexual	191	195	164	172	179
Sexual	14	13	16	8	9
Medical Examination	2	4	3	0	1
Pay (Including Overtime)	16	20	12	12	8
Promotion/Non-Selection	108	99	56	66	52
Reassignment					
Denied	7	11	11	7	6
Directed	9	11	6	18	11
Reasonable Accommodation	32	27	29	36	52
Reinstatement	0	1	3	1	3
Retirement	3	3	3	1	2
Termination	23	57	53	44	28
Terms/Conditions of Employment	41	34	55	90	108

Complaints by Issue	Comparative Data				
	Previous Fiscal Year Data				2013 Thru 09-30
	2009	2010	2011	2012	
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>					
Time and Attendance	31	36	47	50	45
Training	19	31	34	19	25
Other	6	0	1	6	3

Processing Time	Comparative Data				
	Previous Fiscal Year Data				2013 Thru 09-30
	2009	2010	2011	2012	
Complaints pending during fiscal year					
Average number of days in investigation	160.91	184.02	172.58	198.01	245.29
Average number of days in final action	145.15	34.18	35.69	35.64	51.39
Complaint pending during fiscal year where hearing was requested					
Average number of days in investigation	27.89	181.05	174.53	197.55	242.04
Average number of days in final action	6.22	28.43	39.92	5.37	6.54
Complaint pending during fiscal year where hearing was not requested					
Average number of days in investigation	249.07	186.26	171.37	198.80	252.83
Average number of days in final action	243.68	38.42	31.46	67.65	104.86

Complaints Dismissed by Agency	Comparative Data				
	Previous Fiscal Year Data				2013 Thru 09-30
	2009	2010	2011	2012	
Total Complaints Dismissed by Agency	71	55	46	51	34
Average days pending prior to dismissal	158	193	127	120	95
Complaints Withdrawn by Complainants					
Total Complaints Withdrawn by Complainants	53	35	38	35	30

	Comparative Data										
	Previous Fiscal Year Data									2013 Thru 09-30	
	2009		2010		2011		2012				
	#	%	#	%	#	%	#	%	#	%	
Total Final Agency Actions Finding Discrimination											
Total Number Findings	7		8		5		6		0		
Without Hearing	5	71	4	50	1	20	5	83	0	0	
With Hearing	2	29	4	50	4	80	1	17	0	0	

Findings of Discrimination Rendered by Basis	Comparative Data										
	Previous Fiscal Year Data									2013 Thru 09-30	
	2009		2010		2011		2012				
	#	%	#	%	#	%	#	%	#	%	
<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	7		8		5		6		0		
Race	2	29	3	38	1	33	1	17	0	0	
Color	1	14	0	0	0	0	0	0	0	0	
Religion	0	0	0	0	0	0	1	17	0	0	
Reprisal	3	43	2	25	1	33	2	33	0	0	
Sex	2	29	2	25	0	0	2	33	0	0	
National Origin	0	0	3	38	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	1	17	0	0	
Disability	1	14	1	13	1	33	1	17	0	0	
Non-EEO	0	0	0	0	0	0	0	0	0	0	
Findings After Hearing	2		4		4		1		0		
Race	0	0	2	50	1	50	0	0	0	0	
Color	0	0	0	0	0	0	0	0	0	0	
Religion	0	0	0	0	0	0	1	100	0	0	
Reprisal	2	100	0	0	1	50	0	0	0	0	
Sex	0	0	1	25	0	0	0	0	0	0	

Findings of Discrimination Rendered by Basis	Comparative Data										
	Previous Fiscal Year Data								2013 Thru 09-30		
	2009		2010		2011		2012				
	#	%	#	%	#	%	#	%	#	%	
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>											
National Origin	0	0	2	50	0	0	0	0	0	0	
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	
Age	0	0	0	0	2	50	0	0	0	0	
Disability	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											
	5		4		0		2		0		
Race	2	40	1	25	0	0	0	0	0	0	
Color	1	20	0	0	0	0	0	0	0	0	
Religion	0	0	0	0	0	0	0	0	0	0	
Reprisal	1	20	2	50	0	0	1	50	0	0	
Sex	2	40	1	25	0	0	0	0	0	0	
National Origin	0	0	1	25	0	0	0	0	0	0	
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	
Age	0	0	0	0	0	0	0	0	0	0	
Disability	1	20	1	25	0	0	1	50	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								2013 Thru 09-30	
	2009		2010		2011		2012			
	#	%	#	%	#	%	#	%	#	%
Total Number Findings	7		8		5		6		0	
Appointment/Hire	0	0	0	0	1	20	0	0	0	0
Assignment of Duties	1	14	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	1	17	0	0

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										2013 Thru 09-30	
	2009		2010		2011		2012		#	%		
	#	%	#	%	#	%	#	%			#	%
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			1	14	0	0	0	0	0	0	0	0
Suspension			0	0	0	0	1	33	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	1	13	0	0	0	0	0	0
Examination/Test			0	0	0	0	0	0	0	0	0	0
Harassment												
Non-Sexual			3	43	3	38	1	20	4	67	0	0
Sexual			1	14	1	13	0	0	0	0	0	0
Medical Examination			1	14	0	0	0	0	0	0	0	0
Pay (Including Overtime)			0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection			2	29	1	13	1	20	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			0	0	1	13	0	0	1	17	0	0
Reinstatement			0	0	0	0	0	0	0	0	0	0
Retirement			0	0	0	0	0	0	0	0	0	0
Termination			0	0	2	25	0	0	1	17	0	0
Terms/Conditions of Employment			0	0	3	38	1	33	0	0	0	0
Time and Attendance			0	0	0	0	1	33	0	0	0	0
Training			0	0	1	13	0	0	1	17	0	0
Other - User Defined			0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data										
	Previous Fiscal Year Data										2013 Thru 09-30
	2009		2010		2011		2012				
	#	%	#	%	#	%	#	%	#	%	#
Findings After Hearing		2		4		4		1		0	
Appointment/Hire		0	0	0	0	1	25	0	0	0	0
Assignment of Duties		1	50	0	0	0	0	0	0	0	0
Awards		0	0	0	0	0	0	0	0	0	0
Conversion to Full-time		0	0	0	0	0	0	0	0	0	0
Disciplinary Action											
Demotion		0	0	0	0	0	0	0	0	0	0
Reprimand		0	0	0	0	0	0	0	0	0	0
Suspension		0	0	0	0	1	25	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	1	25	0	0	0	0	0	0
Examination/Test		0	0	0	0	0	0	0	0	0	0
Harassment											
Non-Sexual		1	50	1	25	1	25	0	0	0	0
Sexual		1	50	1	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
Promotion/Non-Selection		0	0	1	25	1	25	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		0	0	0	0	0	0	1	100	0	0
Reinstatement		0	0	0	0	0	0	0	0	0	0
Retirement		0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data										
	Previous Fiscal Year Data								2013 Thru 09-30		
	2009		2010		2011		2012		#	%	
	#	%	#	%	#	%	#	%			
Termination		0	0	2	50	0	0	0	0	0	0
Terms/Conditions of Employment		0	0	1	25	0	0	0	0	0	0
Time and Attendance		0	0	0	0	1	25	0	0	0	0
Training		0	0	1	25	0	0	0	0	0	0
Other - User Defined		0	0	0	0	0	0	0	0	0	0
Findings Without Hearing											
		5		4		1		5		0	
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	1	20	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		1	20	0	0	0	0	0	0	0	0
Suspension		0	0	0	0	0	0	0	0	0	0
Removal		0	0	0	0	0	0	0	0	0	0
Other		0	0	0	0	0	0	0	0	0	0
Duty Hours		0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal		0	0	0	0	0	0	0	0	0	0
Examination/Test		0	0	0	0	0	0	0	0	0	0
Harassment											
Non-Sexual		0	0	0	0	0	0	4	80	0	0
Sexual		1	20	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											

Findings of Discrimination Rendered by Issue	Comparative Data										
	Previous Fiscal Year Data										2013 Thru 09-30
	2009		2010		2011		2012				
		#	%	#	%	#	%	#	%	#	%
Denied		0	0	0	0	0	0	0	0	0	0
Directed		0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation		0	0	1	25	0	0	0	0	0	0
Reinstatement		0	0	0	0	0	0	0	0	0	0
Retirement		0	0	0	0	0	0	0	0	0	0
Termination		0	0	0	0	0	0	1	20	0	0
Terms/Conditions of Employment		0	0	2	50	1	100	0	0	0	0
Time and Attendance		0	0	0	0	0	0	0	0	0	0
Training		0	0	0	0	0	0	1	20	0	0
Other - User Defined		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					2013 Thru 09-30
	2009	2010	2011	2012		
Total complaints from previous Fiscal Years	627	582	570	542	544	
Total Complainants	562	517	528	470	477	
Number complaints pending						
Investigation	2	4	2	12	19	
ROI issued, pending Complainant's action	3	0	0	0	1	
Hearing	243	216	277	200	227	
Final Agency Action	16	20	14	22	14	

Complaint Investigations	Comparative Data				
	Previous Fiscal Year Data				2013 Thru 09-30
	2009	2010	2011	2012	
Pending Complaints Where Investigations Exceed Required Time Frames	61	36	18	28	61

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 FY13, the Department implemented 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).

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 Learning Management System (TLMS)</p> <p>Training records in TLMS will be used to demonstrate employees received the No FEAR Act training. TLMS 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 TLMS, EEO Office will work with their TLMS POCs to update the employee's training record. Bureau EEO Offices will cross-check the current list of all employees against the TLMS 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 last occurred in FY12 and will occur no later than September 2014.</p>
<p>Internal Revenue Service (IRS)</p> <p>Internal Revenue Service Office of the Chief Counsel (IRSCC)</p>	<p>Enterprise Learning Management System (ELMS)</p> <p>Training records in ELMS will be used to demonstrate employees received the No FEAR Act training. ELMS automatically updated the training records of employees who completed the training. When employees received the No FEAR</p>	<p>IRS Office of Equity, Diversity and Inclusion (EDI) is responsible for notifying their workforce of this mandatory training requirement and providing alternative means of delivery to those employees who did not have access to ELMS.</p>	<p>Biennial training completed in FY 2013. Training will be conducted in FY 2015.</p> <p>Percentage of employees who completed No FEAR training in FY13:</p> <ul style="list-style-type: none"> • IRS: 96% • IRSCC: 96%

	Act training via a method other than ELMS, IRS manually updated the employee's ELMS training record. IRS cross-checked the current list of all employees against the ELMS training records to verify how many current employees completed the training.		
<p>United States Mint (Mint)</p> <p>Treasury Inspector General for Tax Administration (TIGTA)</p> <p>Financial Crimes Enforcement Network (FinCEN)</p>	<p>Treasury Learning Management System (TLMS)</p> <p>Training records in TLMS were used to demonstrate employees received the No FEAR Act training. TLMS automatically updated the training records of employees who completed the training. When employees receive the No FEAR Act training via a method other than TLMS, EEO Office worked with their TLMS POCs to update the employee's training record. Bureau EEO Offices cross-checked their current list of employees against the TLMS training records to verify how many current employees completed the training.</p>	EEO Office and Training Office notified their workforce of this mandatory training requirement and provided alternative means of training delivery when needed.	<p>Biennial training completed in FY 2013. Training will be conducted in FY 2015.</p> <p>Percentage of employees who completed No FEAR training in FY13 by bureau:</p> <ul style="list-style-type: none"> • MINT: 97% • TIGTA: 99% • FinCEN: 99%