



**United States  
Department of the Treasury**

**No FEAR Act Annual Report  
Fiscal Year (FY) 2014**

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



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**United States Department of the Treasury**  
**No FEAR Act Report**  
**Fiscal Year (FY) 2014**

***Section I. Summary of District Court Cases (FY 2010 to FY 2014)***

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 FY 2010 – FY 2014, 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: 135 cases				
	FY 10	FY 11	FY 12	FY 13	FY 14
Title VII (race, color, religion, sex, national origin)	21	26	25	25	24
Age	6	9	6	11	11
Sex (Equal Pay Act)	7	14	0	0	0
Disability (Section 501 of the Rehabilitation Act of 1973)	11	7	9	12	5
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: 46 cases				
	FY 10	FY 11	FY12	FY13	FY14
Title VII (race, color, religion, sex, national origin)	11	10	5	6	8
Age	3	3	2	1	3
Sex (Equal Pay Act)	3	4	0	0	0
Disability (Section 501 of the Rehabilitation Act of 1973)	2	5	5	4	3
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	0	0	0

	PENDING: 54 cases*				
	FY 10	FY 11	FY 12	FY 13	FY 14
Title VII (race, color, religion, sex, national origin)	55	51	53	51	49
Age	16	17	15	12	38
Sex (Equal Pay Act)	18	22	0	0	0
Disability (Section 501 of the Rehabilitation Act of 1973)	24	18	16	17	43
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	1	2	1	0	0

\* Figure reflects total number of cases pending at the end of FY 2014 regardless of the year in which it was filed.

	JUDGMENT FOR AGENCY: 131				
	FY 10	FY 11	FY 12	FY13	FY14
Title VII (race, color, religion, sex, national origin)	32	24	21	28	21
Age	8	4	5	5	7
Sex (Equal Pay Act)	5	7	0	0	0
Disability (Section 501 of the Rehabilitation Act of 1973)	15	8	4	8	8
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	1	1	0

	JUDGMENT FOR PLAINTIFF: 3				
	FY 10	FY 11	FY 12	FY 13	FY 14
Title VII (race, color, religion, sex, national origin)	0	1	1	1	0
Age	0	1	0	0	0
Sex (Equal Pay Act)	0	1	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): \$1,031,680				
		FY 10	FY 11	FY 12	FY13	FY14
FY Totals		\$ 340,880	\$ 328,100	\$ 70,000	\$ 142,700	\$ 150,000

		TOTAL ATTORNEY'S FEES PAID (SETTLEMENTS AND JUDGMENTS FOR PLAINTIFFS): \$74,500				
		FY 10	FY 11	FY12	FY 13	FY 14
FY Totals		\$ 4,500	\$ 70,000	\$ -	\$ -	\$ -

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

		TOTAL NUMBER EMPLOYEES DISCIPLINED: 24				
		FY 10	FY 11	FY12	FY13	FY14
FY Totals		8	7	6	3	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.*

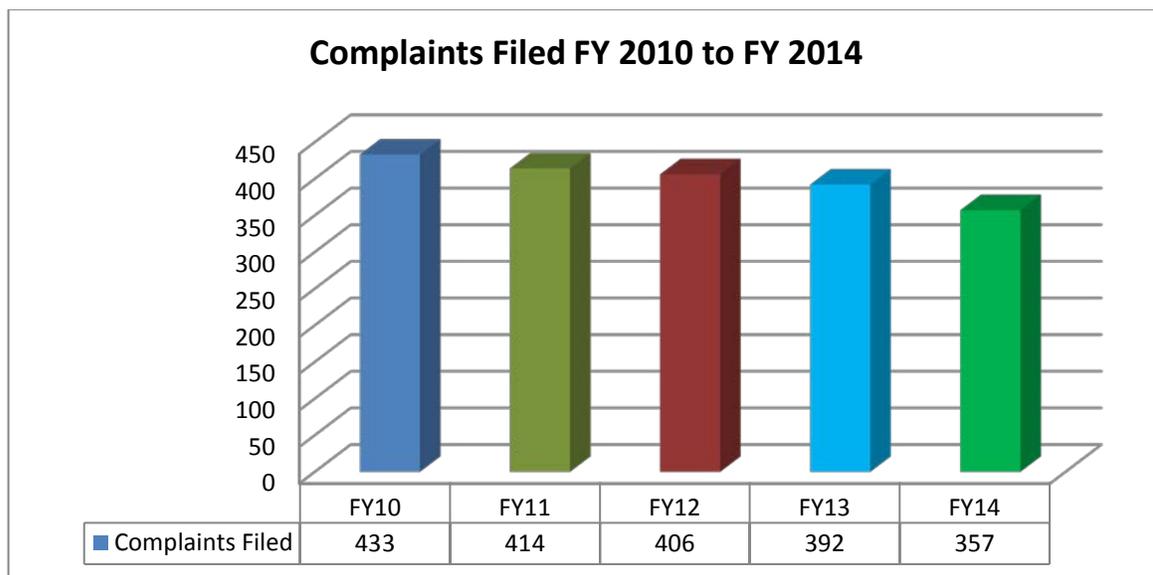
The Department's policy, *Disciplinary Action for Employees who Violate Antidiscrimination and Whistleblower Protection Laws*, requires bureaus to establish a disciplinary policy and/or table of penalties providing for appropriate disciplinary actions for employees who have intentionally engaged in discrimination or retaliatory actions, including retaliation for whistleblowing activities. 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:
- 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.

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

Treasury's complaint activity data demonstrated a 8.9% decrease in complaints filed from FY 2013 (392 complaints filed) to FY 2014 (357 complaints filed). The percentage of Treasury employees who filed formal EEO complaints saw a minor decrease from 0.34% in FY 2013 (369 complainants) to 0.31% of the workforce in FY 2014 (330 complainants).



\* Administrative complaint data is based on the Equal Employment Opportunity Commission's 462 Report FY 2014, which Treasury submitted on October 31, 2014. FY 2010 –FY 2014 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	
<b>FY 2014</b>		<b>FY 2014</b>	
Reprisal	56.00%	Harassment (non-sexual)	42.50%
Disability (Physical)	32.40%	Evaluation/Appraisal	22.90%
Race (Black)	29.40%	Terms/Condition of Employment	19.30%
<b>FY 2013</b>		<b>FY 2013</b>	
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%
<b>FY 2012</b>		<b>FY 2012</b>	
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%
<b>FY 2011</b>		<b>FY 2011</b>	
Reprisal	45.60%	Harassment (non-sexual)	39.30%
Race (Black)	24.80%	Evaluation/Appraisal	20.50%
Age	23.60%	Assignment of Duties	14.90%
<b>FY 2010</b>		<b>FY 2010</b>	
Reprisal	46.60%	Harassment (non-sexual)	43.40%
Age	28.60%	Promotion/Non Selection	22.80%
Race (Black)	28.60%	Evaluation/Appraisal	17.10%

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

During FY 2014, the Department completed 65.7% of all investigations of EEO complaints in a timely manner, an increase from timely completing 64.8% in FY 2013. The Department began the process of restructuring its formal processing of complaints in FY 2014 by entering into a contract with the United States Postal Service to provide EEO investigative services and with the Office of Civil Rights and Diversity (OCRD) taking over the acceptance/dismissal functions.

In FY 2015, the Treasury Complaint Center functions will be phased out and OCRD will oversee all formal processing functions for the Department. The Department will monitor the USPS investigation processing time and has set a goal of completing 80% of FY 2015 investigations in fewer than 180 days, unless extended by amendment (360 days) or extension (270 days).

<b>Fiscal Year</b>	<b>Complaints Filed</b>	<b>Total Completed Investigations</b>	<b>Average Days</b>	<b>% Timely</b>
FY 2014	357	353	250	65.7%
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%

In the administrative process, in FY 2014, Treasury closed 32 EEO complaints with monetary corrective actions, totaling \$372,027 in back pay/front pay, lump sum payments, compensatory damages, or attorney's fees and costs.

<b>Fiscal Year</b>	<b># of Cases Closed with Monetary Corrective Actions</b>	<b>Total Amount Paid*</b>
2014	32	\$372,027
2013	47	\$652,063
2012	61	\$792,477
2011	65	\$743,267
2010	89	\$1,778,525

\* 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 2014, the Department completed 668 informal counselings, of which 96.8% were timely processed and 46.2% reached resolution through settlement or withdrawal. The Department's 46.2% 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.

	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>
Total # Completed Counselings	731	745	746	704	668
# Timely	693	717	721	721	647
% Timely	94.7%	96.2%	96.6%	98.0%	96.8%
% of Completed Counselings Resolved (Settlement/Withdrawal)	44.3%	46.9%	49.1%	47.8%	46.2%

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 2014, 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 52.2% participation rate, and in the formal process had a 13.2% participation rate.

Fiscal Year	Counselings/ Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2013 Completed Pre-Complaint Counselings	704	678	96.3%	421	59.8%
FY 2014 Completed Pre-Complaint Counselings	668	615	92.1%	349	52.2%
% Change FY 2013 to FY 2014	-5.1%	-9.2%		-17.1%	
FY 2013 Formal Complaints Closures	342	280	81.8%	47	13.7%
FY 2014 Formal Complaints Closures	363	276	76.0%	48	13.2%
% Change FY 2013 to FY 2014	6.1%	-1.4%		2.1%	

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 and managers were provided with a presentation containing valuable insights on how to improve communication and lessen workplace conflict. The presentation included information on modeling R.E.S.P.E.C.T, ten basic rules for dispute prevention and techniques to manage conflict in the workplace.

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 FY 2014, the TSN program completed 174 mediations and had a 59% 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 2014, the Department conducted the following activities based on its analysis of workforce demographics, training needs, and human capital initiatives:

- Required bureaus to maintain Diversity and Inclusion (D&I) Plans and conducted reviews to ensure bureaus were meeting requirements outlined in the Department's D&I Plan.
- Hosted 344 interns Department-wide through various paid and non- paid diversity internship programs, universities and colleges.
- Conducted quarterly data integrity reviews of Treasury/bureau workforce data to ensure accuracy.
- 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.
- Distributed quarterly Treasury-wide dashboards to keep Bureau Heads and other Treasury leaders current on the state of Treasury's workforce and progress in meeting the established FY 2014 disability hiring goals.
- As part of the Department's Strategic Diversity and Inclusion Plan, provided the ASM and Deputy Secretary with quarterly diversity performance slides.
- Provided individualized MD-715/Workforce Analytics training for EEO practitioners at two of Treasury's bureaus: TIGTA and BEP.
- Issued four informative quarterly Veterans newsletter.
- Uniformed Services Employment and Reemployment Rights Act (USERRA) Training was completed at 96 percent in comparison to 88 percent in FY 2014.
- The Department sponsored six veteran employment focused webinars, four Veteran Focus newsletters, and four Veterans Awareness sections in OCRD quarterly newsletter.
- A total of 99 veterans and disabled veterans were placed from the Student Veteran Intern Program (SVIP), Non-Paid Work Experience Program (NPWE), and the Operation Warfighter (OWF) Program throughout the Department and 21 converted to fulltime employment.
- Developed an internal veteran employment webpage to further assist disabled veteran employees and increase awareness.
- Established a partnership with Department of Veterans Affairs (VA) Feds for Vets services to expand the recruitment of disabled veterans; resulted in six non-competitive selections.

- Participated in the Vets for Feds (V2F) Program for Contract Specialist; identified three contract specialist positions and selected four veterans using Veteran's Recruitment Appointment (VRA) authority.
- The Department of the Treasury was recognized as a leader in promoting equal employment opportunity and diversity on the FY 2014 Best of the Best lists of Top Government & Law Enforcement Agencies by Hispanic Network Magazine, Black EOE Journal and the U.S. Veterans Magazine.
- OCRD assisted the Bureau of the Fiscal Service in the assessment of language needs for their programs, and the development of a language access plan.
- OCRD worked with the Treasury Web Team to complete the Treasury Multilingual Portal. Treasury is providing information about its programs in Spanish, Chinese, Korean, Tagalog, Vietnamese, and Arabic.
- OCRD was able to procure Assistive Listening Devices to be used in the Treasury building large meeting rooms. The devices will make meetings more accessible for people with hearing impairments.

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

- Issued the Secretary's annual EEO Policy on September 11, 2014.
- Realigned OCRD's reporting relationship to be a direct report to the Assistant Secretary for Management (ASM).
- Provided Treasury EEO Counselors and Investigators with the mandatory refresher training.
- Provided 20 new mediators with 40 hours of basic and advanced training to support the Department's Treasury Shared Neutrals (TSN) program.
- During the 3rd quarter of FY 2014, OCRD conducted an evaluation of the Philadelphia Mint's EEO programs.
- Conducted the FY 2014 Dispute Prevention Month designed to increase focus on resolution of complaints.
- Provided feedback to each bureau on its FY 2014 Federal Equal Opportunity Recruitment Program Report progress tracker responses. Bureaus were asked to put mechanisms in place to collect the demographic data and address any D&I program shortcomings.
- Completed Treasury's Electronic Complaints (E-Complaints) system which allows OCRD and the Treasury Complaint Center (TCC) to efficiently produce final digital complaint files "in-house" and provide easy access to share EEO documents due to their location on a centralized online server.

- Established a memorandum of understanding with the United States Postal Service (USPS) for conducting investigations.
- In FY 2014, Treasury received 31 complaints of discrimination or inquiries pertaining to the external civil rights program. Of the external complaints filed in FY 2014, four were determined to fall under the jurisdiction of the Department and were accepted for investigation. There were no findings of discrimination during FY 2014.
- The external clearance for the draft regulations implementing Section 504 of the Rehabilitation Act to Treasury's assisted programs began and OCRD received comments from the Office of Management and Budget (OMB) and the Equal Employment Opportunity Commission (EEOC).
- The online External Civil Rights Online training was uploaded in the Treasury Learning Management System. Program offices and EEO Officers were provided information about how to access the training.
- OCRD established a Title VI Implementation Working Group in anticipation of the publication of Treasury's implementing regulations. The group has brought together Treasury's assisted program offices.
- OCRD conducted two external civil rights compliance reviews, the Community Development Financial Assistance (CDFI) Fund and Financial Assistance (FA) program.
- OCRD completed the Treasury Civil Rights Toolkit. The Toolkit was created to assist Treasury's recipients of financial assistance to comply with civil rights requirements.

**Workforce Diversity:**

- Updated the Treasury and bureau specific relevant civilian labor force (RCLF), which provides more realistic benchmark comparators based on overall occupational workforce composition at Treasury and within each of its bureaus.
- In FY 2014, the Department maintained a 10.7 percent participation rate for Hispanics, which continues to exceed both the civilian labor force (CLF) (9.9 percent) and RCLF (8.8 percent) availability rates.
- Increased the participation rate for women at the GS-13 through GS-15 grade level by 3.8 percent, from 45.1 percent in FY 2005 to 48.9 percent in FY 2014. At the senior executive level (SES) level, the participation rate for women increased by 9 percent, from 32.8 percent in FY 2005 to 42 percent in FY 2014.
- Increased the participation rate for non-Whites in the GS-13 through GS-15 grades by 8.1 percent, from 26.9 percent in FY 2005 to 35 percent in FY 2014. At the SES level, the participation rate increased by 2.7 percent, from 18.1 percent in FY 2005 to 20.8 percent in FY 2014.

- Exceeded the Department's goal that 10 percent of all new permanent hires be persons with disabilities (10.83 percent).
- Continued to hold one of the top three highest participation rate for persons with targeted disabilities (1.74 percent compared to the Federal goal of 2 percent) among cabinet level agencies.
- Noted a slight decline in total veteran hiring when compared to FY 2013; 13 percent of the Department's new hires in FY 2014 were appointed through a veteran's preference hiring authority as compared to 14 percent in FY 2013.
- Maintained its participation rate of veterans in the workforce (10.92 percent) of which 1.76 percent are 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 2010-FY 2014)**
  
- **No FEAR Act Training Plan**

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

### Department of the Treasury

***FY 2010- FY 2014***

Note: Data provided through Treasury's iComplaints system. The report reflects case data in iComplaints as of 10/31/14 for the current and past five fiscal years. Mixed cases are included in this report.

Complaint Activity	Comparative Data					
	Previous Fiscal Year Data					2014 Thru 09-30
		2010	2011	2012	2013	
Number of Complaints Filed		433	414	406	392	357
Number of Complainants		412	359	370	369	330
Repeat Filers		19	35	36	19	21

Complaints by Basis	Comparative Data					
	Previous Fiscal Year Data					2014 Thru 09-30
		2010	2011	2012	2013	
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>		2010	2011	2012	2013	
Race		191	151	159	149	161
Color		27	20	34	25	35
Religion		18	21	10	15	14
Reprisal		207	185	199	198	206
Sex		130	120	123	102	121
PDA		0	0	0	0	1
National Origin		32	27	42	23	35
Equal Pay Act		2	0	1	2	1
Age		125	94	107	86	119
Disability		108	117	145	140	94
GINA		0	0	0	0	0
Non-EEO		22	25	19	18	16

Complaints by Issue	Comparative Data				
	Previous Fiscal Year Data				2014 Thru 09-30
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	2010	2011	2012	2013	
Appointment/Hire	17	11	15	19	21
Assignment of Duties	49	59	56	54	48
Awards	11	9	10	11	7
Conversion to Full-time	1	1	1	1	1
Disciplinary Action					
Demotion	0	5	5	4	2
Reprimand	20	19	17	18	8
Suspension	27	17	18	12	18
Removal	3	8	6	6	6
Other	13	6	22	22	16
Duty Hours	12	5	8	5	12
Evaluation Appraisal	76	86	84	68	87
Examination/Test	3	1	2	2	0
Harassment					
Non-Sexual	195	164	172	179	154
Sexual	13	16	8	9	13
Medical Examination	4	3	0	1	0
Pay (Including Overtime)	20	12	12	8	9
Promotion/Non-Selection	99	56	66	52	58
Reassignment					
Denied	11	11	7	6	5
Directed	11	6	18	11	14
Reasonable Accommodation	27	29	36	52	24
Reinstatement	1	3	1	3	0
Retirement	3	3	1	2	3
Termination	57	53	44	28	20

Complaints by Issue	Comparative Data				
	Previous Fiscal Year Data				2014 Thru 09-30
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	2010	2011	2012	2013	
Terms/Conditions of Employment	34	55	90	108	69
Time and Attendance	36	47	50	45	53
Training	31	34	19	25	12
Other	0	1	6	3	1

Processing Time	Comparative Data				
	Previous Fiscal Year Data				2014 Thru 09-30
	2010	2011	2012	2013	
Complaints pending during fiscal year					
Average number of days in investigation	184.02	172.58	198.01	245.29	297.76
Average number of days in final action	34.18	35.69	35.64	51.39	32.37
Complaint pending during fiscal year where hearing was requested					
Average number of days in investigation	181.05	174.53	197.55	242.04	304.96
Average number of days in final action	28.43	39.92	5.37	6.54	21.27
Complaint pending during fiscal year where hearing was not requested					
Average number of days in investigation	186.26	171.37	198.80	252.83	284.95
Average number of days in final action	38.42	31.46	67.65	104.86	45.58

Complaints Dismissed by Agency	Comparative Data				
	Previous Fiscal Year Data				2014 Thru 09-30
	2010	2011	2012	2013	
Total Complaints Dismissed by Agency	55	46	51	34	49
Average days pending prior to dismissal	193	127	120	95	115.92
<b>Complaints Withdrawn by Complainants</b>					
Total Complaints Withdrawn by Complainants	35	38	35	30	48

	Comparative Data										
	Previous Fiscal Year Data										2014 Thru 09-30
	2010		2011		2012		2013				
	#	%	#	%	#	%	#	%	#	%	
<b>Total Final Agency Actions Finding Discrimination</b>											
Total Number Findings	8		5		6		0		3		
Without Hearing	4	50	1	20	5	83	0	0	2	100	
With Hearing	4	50	4	80	1	17	0	0	1	100	

Findings of Discrimination Rendered by Basis	Comparative Data										
	Previous Fiscal Year Data										2014 Thru 09-30
	2010		2011		2012		2013				
	#	%	#	%	#	%	#	%	#	%	
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>											
<b>Total Number Findings</b>	8		5		6		0		3		
Race	3	38	1	33	1	17	0	0	3	100	
Color	0	0	0	0	0	0	0	0	0	0	
Religion	0	0	0	0	1	17	0	0	1	33	
Reprisal	2	25	1	33	2	33	0	0	1	33	
Sex	2	25	0	0	2	33	0	0	1	33	
PDA	0	0	0	0	0	0	0	0	0	0	
National Origin	3	38	0	0	0	0	0	0	0	0	
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	
Age	0	0	0	0	1	17	0	0	1	33	
Disability	1	13	1	33	1	17	0	0	2	67	
GINA	0	0	0	0	0	0	0	0	0	0	
Non-EEO	0	0	0	0	0	0	0	0	0	0	
<b>Findings After Hearing</b>	4		4		1		0		1		
Race	2	50	1	50	0	0	0	0	1	100	
Color	0	0	0	0	0	0	0	0	0	0	
Religion	0	0	0	0	1	100	0	0	0	0	

Findings of Discrimination Rendered by Basis	Comparative Data										
	Previous Fiscal Year Data										2014 Thru 09-30
	2010		2011		2012		2013		#	%	
#	%	#	%	#	%	#	%	#			%
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>											
Reprisal	0	0	1	50	0	0	0	0	0	0	0
Sex	1	25	0	0	0	0	0	0	0	1	100
PDA	0	0	0	0	0	0	0	0	0	0	0
National Origin	2	50	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	2	50	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0
GINA	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0
<b>Findings Without Hearing</b>	4		0		2		0		2		
Race	1	25	0	0	0	0	0	0	0	2	100
Color	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	1	50
Reprisal	2	50	0	0	1	50	0	0	1	50	
Sex	1	25	0	0	0	0	0	0	0	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0
National Origin	1	25	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	1	50
Disability	1	25	0	0	1	50	0	0	2	100	
GINA	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data										
	Previous Fiscal Year Data										2014 Thru 09-30
	2010		2011		2012		2013				
	#	%	#	%	#	%	#	%	#	%	
<b>Total Number Findings</b>	8		5		6		0		3		
Appointment/Hire	0	0	1	20	0	0	0	0	0	0	
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	
Awards	0	0	0	0	1	17	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	1	33	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	1	33	
Duty Hours	0	0	0	0	0	0	0	0	0	0	
Evaluation Appraisal	1	13	0	0	0	0	0	0	1	33	
Examination/Test	0	0	0	0	0	0	0	0	0	0	
Harassment											
Non-Sexual	3	38	1	20	4	67	0	0	1	33	
Sexual	1	13	0	0	0	0	0	0	1	33	
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	13	1	20	0	0	0	0	0	0	
Reassignment											
Denied	0	0	0	0	0	0	0	0	0	0	
Directed	0	0	0	0	0	0	0	0	0	0	
Reasonable Accommodation	1	13	0	0	1	17	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	2	25	0	0	1	17	0	0	0	0	

Findings of Discrimination Rendered by Issue	Comparative Data										
	Previous Fiscal Year Data										2014 Thru 09-30
	2010		2011		2012		2013				
	#	%	#	%	#	%	#	%	#	%	
Terms/Conditions of Employment		3	38	1	33	0	0	0	0	1	33
Time and Attendance		0	0	1	33	0	0	0	0	0	0
Training		1	13	0	0	1	17	0	0	0	0
Other		0	0	0	0	0	0	0	0	0	0
<b>Findings After Hearing</b>											
		4		4		1		0		1	
Appointment/Hire		0	0	1	25	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
<b>Disciplinary Action</b>											
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	1	25	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		1	25	0	0	0	0	0	0	0	0
Examination/Test		0	0	0	0	0	0	0	0	0	0
<b>Harassment</b>											
Non-Sexual		1	25	1	25	0	0	0	0	1	100
Sexual		1	25	0	0	0	0	0	0	1	100
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	25	1	25	0	0	0	0	0	0
<b>Reassignment</b>											
Denied		0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data										
	Previous Fiscal Year Data										2014 Thru 09-30
	2010		2011		2012		2013				
	#	%	#	%	#	%	#	%	#	%	
Directed		0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation		0	0	0	0	1	100	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		2	50	0	0	0	0	0	0	0	0
Terms/Conditions of Employment		1	25	0	0	0	0	0	0	0	0
Time and Attendance		0	0	1	25	0	0	0	0	0	0
Training		1	25	0	0	0	0	0	0	0	0
Other		0	0	0	0	0	0	0	0	0	0
<b>Findings Without Hearing</b>		4		1		5		0		2	
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	1	20	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	1	50
Duty Hours		0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal		0	0	0	0	0	0	0	0	1	50
Examination/Test		0	0	0	0	0	0	0	0	0	0
Harassment											
Non-Sexual		0	0	0	0	4	80	0	0	0	0
Sexual		0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data										
	Previous Fiscal Year Data										2014 Thru 09-30
	2010		2011		2012		2013				
	#	%	#	%	#	%	#	%	#	%	
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											
Denied		0	0	0	0	0	0	0	0	0	0
Directed		0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation		1	25	0	0	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	1	20	0	0	0	0
Terms/Conditions of Employment		2	50	1	100	0	0	0	0	1	50
Time and Attendance		0	0	0	0	0	0	0	0	0	0
Training		0	0	0	0	1	20	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				2014 Thru 09-30
	2010	2011	2012	2013	
Total complaints from previous Fiscal Years	582	570	542	544	324
Total Complainants	517	528	470	477	287
<b>Number complaints pending</b>					
Investigation	4	2	12	19	3
ROI issued, pending Complainant's action	0	0	0	1	7
Hearing	216	277	200	227	300
Final Agency Action	20	14	22	14	13

<b>Complaint Investigations</b>	<b>Comparative Data</b>				
	<b>Previous Fiscal Year Data</b>				<b>2014 Thru 09-30</b>
	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	
Pending Complaints Where Investigations Exceed Required Time Frames	36	18	28	61	4

## 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 FY14, 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).

<b>Bureau</b>	<b>Delivery of Training</b>	<b>Training Schedule</b>	<b>Training Completion Date</b>
<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 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 FY13 and will occur no later than September 2015.</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 last occurred in FY13 and will occur no later than September 2015</p>

	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.		
Office of the Special Inspector General for Troubled Asset Relief Program (SigTARP)  Office of the Inspector General (OIG)  Departmental Offices (DO)  Office of the Comptroller of the Currency (OCC)  Bureau of Engraving and Printing (BEP)  Bureau of Fiscal Service (BFS)  Alcohol and Tobacco Trade and Tax Bureau (TTB)	Treasury Learning Management System (TLMS)  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.	EEO Office and Training Office notified their workforce of this mandatory training requirement and provided alternative means of training delivery when needed.	Biennial training completed in FY 2014. Training will be conducted in FY 2016.  Percentage of employees who completed No FEAR training in FY14 by bureau: <ul style="list-style-type: none"> <li>• SIGTARP: 100%</li> <li>• OIG: 99%</li> <li>• DO: 83%</li> <li>• OCC: 99%</li> <li>• BEP: 100%</li> <li>• BFS: 100%</li> <li>• TTB: 100%</li> </ul>