



**United States  
Department of the Treasury**

**No FEAR Act Annual Report  
Fiscal Year (FY) 2016**

**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) 2016**

***Section I. Summary of District Court Cases (FY 2012 to FY 2016)***

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 2012 – FY 2016, 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: 124 cases				
	FY12	FY13	FY14	FY15	FY16
Title VII (race, color, religion, sex, national origin)	25	25	24	14	21
Age	6	11	11	6	8
Sex (Equal Pay Act)	0	0	0	0	1
Disability (Section 501 of the Rehabilitation Act of 1973)	9	12	5	5	9
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	0	0	1

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

	TOTAL SETTLED: 30 cases				
	FY12	FY13	FY14	FY15	FY16
Title VII (race, color, religion, sex, national origin)	5	6	8	5	3
Age	2	1	3	0	1
Sex (Equal Pay Act)	0	0	0	0	0
Disability (Section 501 of the Rehabilitation Act of 1973)	5	4	3	1	0
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	0	0	0

	PENDING: 50 cases*				
	FY12	FY13	FY14	FY15	FY16
Title VII (race, color, religion, sex, national origin)	53	51	49	33	35
Age	15	12	38	15	16
Sex (Equal Pay Act)	0	0	0	0	1
Disability (Section 501 of the Rehabilitation Act of 1973)	16	17	43	12	14
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	1	0	0	0	1

\* Figure reflects total number of cases pending at the end of FY 2016 regardless of the year in which it was filed.

	JUDGMENT FOR AGENCY: 115				
	FY12	FY13	FY14	FY15	FY16
Title VII (race, color, religion, sex, national origin)	21	28	21	20	14
Age	5	5	7	6	6
Sex (Equal Pay Act)	0	0	0	0	0
Disability (Section 501 of the Rehabilitation Act of 1973)	4	8	8	6	5
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	1	1	0	0	0

	JUDGMENT FOR PLAINTIFF: 3				
	FY12	FY13	FY14	FY15	FY16
Title VII (race, color, religion, sex, national origin)	1	1	0	1	0
Age	0	0	0	0	0
Sex (Equal Pay Act)	0	0	0	0	0
Disability (Section 501 of the Rehabilitation Act of 1973)	0	0	0	0	0
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	0	0	0

3. *The amount of money required to be reimbursed by such agency under section 201 in connection with each of such cases, separately identifying the aggregate amount of such reimbursements attributable to the payment of attorneys' fees, if any.*

	TOTAL AMOUNT PAID (SETTLEMENTS AND JUDGMENTS FOR PLAINTIFFS): \$XXX				
	FY12	FY13	FY14	FY15	FY16
FY Totals	\$ 70,000	\$ 142,700	\$ 150,000	\$120,000	\$110,780

	TOTAL ATTORNEY'S FEES PAID (SETTLEMENTS AND JUDGMENTS FOR PLAINTIFFS): \$XXX				
	FY12	FY13	FY14	FY15	FY16
FY Totals	\$ -	\$ -	\$ -	\$5,000	\$ -

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: XX				
	FY12	FY13	FY14	FY15	FY16
FY Totals	6	3	0	2	4

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.*

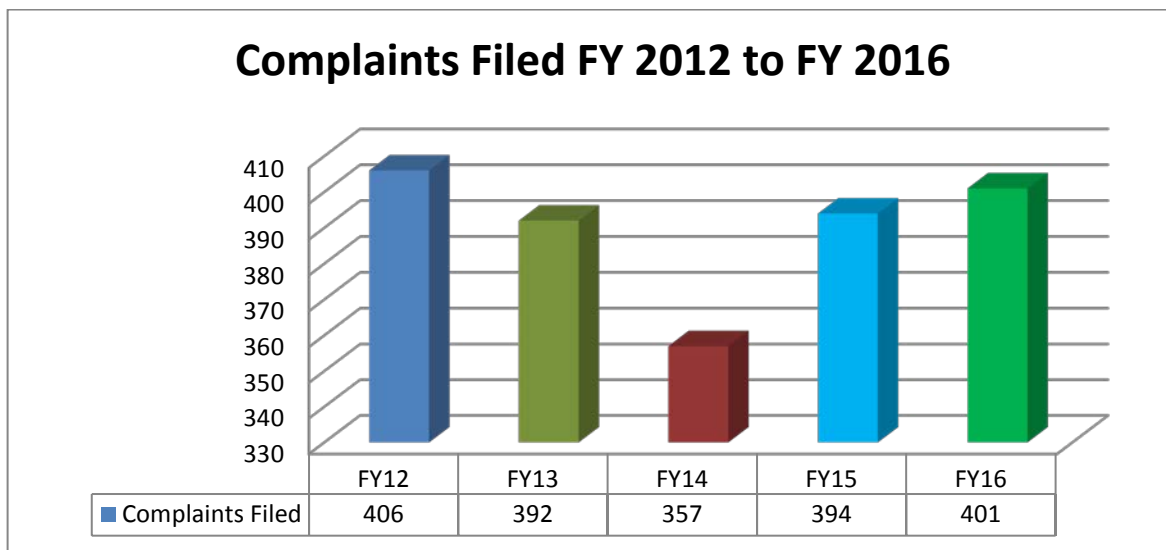
The Department’s policy, *Disciplinary Action for Employees who Violate Antidiscrimination and Whistleblower Protection Laws*, requires bureaus to establish a disciplinary policy and/or table of penalties providing for appropriate disciplinary actions for employees who have intentionally engaged in discrimination 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 §0.217) state that: “(a) Employees shall not discriminate against or harass any other employee, applicant for employment, contractor, or person dealing with the Department on official business on the basis of race, color, religion, national origin, sex, sexual orientation, age, disability, political affiliation, marital status, parental status, veterans status, or genetic information. (b) Supervisors shall not retaliate against an employee for complaining about suspected unlawful discrimination or harassment, seeking accommodation for a disability, or otherwise exercising their right to be free from unlawful discrimination. (c) An employee who engages in discriminatory or retaliatory conduct may be disciplined under these regulations, as well as other applicable laws[...].”

**Section II. Analysis of Administrative Complaints\***

7. An analysis of the information described under paragraphs (1) through (6) (in conjunction with data provided to the Equal Employment Opportunity Commission in compliance with part 1614 of title 29 of the Code of Federal Regulations) including:
- a. an examination of trends;
  - b. causal analysis;
  - c. practical knowledge gained through experience; and
  - d. any actions planned or taken to improve complaint or civil rights programs of the agency.

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

Treasury’s complaint activity data demonstrated a 1.7% increase in complaints filed from FY 2015 (394 complaints filed) to FY 2016 (401 complaints filed). The percentage of Treasury employees who filed formal EEO complaints saw a minor increase as well from 0.36% of the workforce in FY 2015 (372 complainants) to 0.37% of the workforce in FY 2016 (373 complainants).



\* Administrative complaint data by fiscal year is based on the Equal Employment Opportunity Commission’s annual 462 Report. Federal agencies are required to submit their administrative complaint data annually no later than October 31<sup>st</sup>. 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 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 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	
<b>FY 2016</b>		<b>FY 2016</b>	
Reprisal	58.3%	Harassment (non-sexual)	44.3%
Disability (Physical)	33.9%	Evaluation/Appraisal	20.9%
Age	30.1%	Promotion/Non-Selection & Disciplinary Actions	16.4%
<b>FY 2015</b>		<b>FY 2015</b>	
Reprisal	55.6%	Harassment (non-sexual)	42.1%
Age	30.4%	Promotion/Non-Selection	21.5%
Disability (Physical)	27.6%	Evaluation/Appraisal	21.1%
<b>FY 2014</b>		<b>FY 2014</b>	
Reprisal	56.0%	Harassment (non-sexual)	42.5%
Disability (Physical)	32.4%	Evaluation/Appraisal	22.9%
Race (Black)	29.4%	Terms/Condition of Employment	19.3%
<b>FY 2013</b>		<b>FY 2013</b>	
Reprisal	49.4%	Harassment (non-sexual)	44.6%
Disability (Physical)	29.1%	Terms/Condition of Employment	31.8%
Race (Black)	27.5%	Evaluation/Appraisal	17.3%
<b>FY 2012</b>		<b>FY 2012</b>	
Reprisal	48.0%	Harassment (non-sexual)	41.8%
Disability (Physical)	30.0%	Terms/Condition of Employment	21.4%
Age & Race (Black)*	24.3%	Evaluation/Appraisal	19.9%

\*In FY 2012, Age and Race (Black) tied for the third top basis of complaints filed. In FY 2016, Promotion/Non-Selection and Disciplinary Action tied for the third top issue of complaints filed.

During FY 2016, the Department completed 77.5% of all investigations of EEO complaints in a timely manner, a 1.6% decrease from timely completing 79.1% in FY 2015. The Department continued to utilize a contract with the United States Postal Service to provide EEO investigative services. The Office of Civil Rights and Diversity (OCRD) continued to maintain the acceptance/dismissal/final agency decision functions for the Department.

Fiscal Year	Complaints Filed	Total Completed Investigations	Average Days	% Timely
FY 2016	401	352	198	77.5%
FY 2015	394	307	203	79.1%
FY 2014	357	353	250	65.7%
FY 2013	392	276	245	64.8%
FY 2012	406	285	198	87.0%



In FY 2016, the Department completed 709 informal counselings, of which 95.7% were timely processed and 47.2% reached resolution through settlement or withdrawal. The Department's 47.2% 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 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>
Total # Completed Counselings	746	704	668	721	709
# Timely	721	721	647	690	679
% Timely	96.6%	98.0%	96.8%	95.7%	95.7%
% of Completed Counselings Resolved (Settlement/Withdrawal)	49.1%	47.8%	46.2%	46.3%	47.2%

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 2016, 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 57.1% participation rate, and in the formal process had a 9.3% participation rate.

<b>Fiscal Year</b>	<b>Counselings/ Complaints</b>	<b>ADR Offers</b>		<b>ADR Participation</b>	
	<b>#</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>
FY 2016 Completed Pre-Complaint Counselings	709	660	93.1%	405	57.1%
FY 2015 Completed Pre-Complaint Counselings	721	683	94.7%	404	56.0%
% Change FY 2015 to FY 2016	-1.6%	-3.3%		0.2%	
FY 2016 Formal Complaints Closures	384	313	81.5%	36	9.3%
FY 2015 Formal Complaints Closures	312	253	81.0%	39	12.5%
% Change FY 2015 to FY 2016	23.1%	23.7%		-7.6%	

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 2016, the TSN program completed 227 mediations and had a 41% resolution rate.

To educate Treasury employees on various tools to deal with conflicts in the workplace, the Department designated the month of June as Dispute Prevention Month. Employees and managers were provided with a lunch and learn session titled, *How Does Mediation Work?*, which provided a forum to discuss the mediation process from acceptance to participate in ADR to settlement. The session was accessible via a live webcast and recorded and posted to our internal resolution webpage so employees could view the session at their convenience.

### ➤ **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 2016, the Department conducted the following activities based on its analysis of workforce demographics, training needs, and human capital initiatives:

- Conducted quarterly data integrity reviews of Treasury/bureau workforce data to ensure accuracy.
- Conducted the FY 2016 Dispute Prevention lunch and learn session designed to bring awareness to the mediation process.
- Provided an eight-hour advance mediation skill refresher training to the Treasury Shared Neutral Program mediator cadre.
- Developed a Barrier Analysis and Best Practice Guide to assist bureau equal employment opportunity (EEO) and human resources (HR) staff members in determining the best route for conducting further barrier analysis at the bureau level in FY 2017.
- Published quarterly EEO and Veterans 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 bi-annual 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 2016 disability and veteran hiring goals.
- Completed deeper dive dashboards for four of Treasury's major occupations; Economist, Attorney, IT Specialist, and Contract Specialist. The deeper dive dashboards served as a tool to provide leadership with relevant information around potential barriers within the major occupations.
- As part of the Department's Quarterly Performance Review process, provided the Assistant Secretary for Management and Deputy Secretary with spring and fall workforce diversity

performance slides outlining bureau participation rate, hires, separations and grade distribution by race, ethnicity, gender, disability and veteran status.

- Provided Treasury's senior executive service cadre with unconscious bias training.
- Conducted seven "Be a Champion Roadshows", providing coaching for managers at Treasury Inspector General for Tax Administration (TIGTA), Departmental Offices (DO), Bureau of Engraving and Printing (BEP), and the Alcohol and Tobacco Tax and Trade Bureau (TTB).
- Developed a commemorative webpage to bring awareness to National Disability Employment Awareness Month.
- Published quarterly Veteran Focused Newsletters which provided Treasury's EEO practitioners, managers and supervisors, veterans, as well as veteran employees, with information on pertinent information for veteran recruitment and career development.
- Disability Program Manager coordinated with Veterans Program Manager to share and disseminate resumes of qualified candidates with disabilities to hiring managers.
- Developed a commemorative webpage to bring awareness to Veterans Day.

### **Workforce Diversity:**

- Required bureaus to maintain Diversity and Inclusion Implementation Plans and conducted reviews to ensure bureaus were meeting requirements outlined in the Department's Diversity and Inclusion Plan.
- Hosted 873 interns Department-wide through various paid and non-paid diversity internship programs, universities and colleges.
- Completed a Treasury-wide barrier analysis on the distribution of women and minorities in the Senior Executive Service. Issued a report identifying findings and recommended strategies to address identified barriers.
- 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.
- Provided each bureau with an assessment of its FY 2015 barrier analysis submitted as part of the Annual MD-715 report submissions.
- Increased the participation rate for Hispanics from 9.01 percent in FY 2007 to 11.02 percent in FY 2016, which exceed both the civilian labor force (CLF) (9.98 percent) as well as the RCLF (8.50 percent) availability rates.

- Increased the participation rate for women at the GS-13 through GS-15 grade level; rate increased by 1.3 percent, from 47.3 percent in FY 2007 to 48.6 percent in FY 2016. At the SES level, the participation rate for women increased by 7.1 percent, from 34.5 percent in FY 2007 to 41.6 percent in FY 2016.
- Increased the participation rate for non-Whites in the GS-13 through GS-15 grades by 7.3 percent, from 28.8 percent in FY 2007 to 36.1 percent in FY 2016. At the SES level, the participation rate for non-Whites increased by 4.1 percent, from 17.2 percent in FY 2007 to 21.3 percent in FY 2016.
- Exceeded the Department's goal that 10 percent of all new permanent hires be persons with disabilities (PWD) (10.56 percent).
- The Department's Veterans Employment Program Office (VEPO) Manager made 42 veteran and disabled veteran referrals, resulting in a 64.89% selection rate (27). In addition to the VEPO non-competitive hiring efforts, bureau Veterans Employee Resource Group continue to share veteran resumes with hiring managers.
- Selected an Executive Board for Treasury-wide Veterans Employee Resource Group (VERG). VERG that supports professional development, group mentoring, training, and retention of veteran employees. VERG held three quarterly meetings in FY 2016.
- Participated in the Interagency Vets to Feds (V2F) Program.
- Developed a VERG SharePoint site to serve as a one-stop resource toolbox for VERG members to support the promotion and individual development of its members and encourage participation of VERG activities. The VERG distribution list will improve the effectiveness of communication to VERG members between the VEPO, VERG President, and VERG members.
- Successfully implemented a Veteran Data Integrity Project to streamline veteran workforce statistics.
- Designed and published new veteran recruitment marketing material with a streamlined look.
- Provided veterans with employment counseling, recruitment and outreach support that resulting in a VEPO directory of 669 veteran clients and 45 veterans employment and rehabilitation organizations.

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 2012-FY 2016)**
  
- **No FEAR Act Training Plan**

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

### Department of the Treasury

***FY 2012- FY 2016***

Note: Data provided through Treasury's iComplaints system. The report reflects case data in iComplaints as of 10/31/16 for the current and past five fiscal years. Mixed cases are included in this report. Class cases are not included.

Complaint Activity	Comparative Data					
	Previous Fiscal Year Data					2016 Thru 09-30
		2012	2013	2014	2015	
Number of Complaints Filed		406	392	357	394	401
Number of Complainants		370	369	330	372	373
Repeat Filers		36	19	21	16	23

Complaints by Basis	Comparative Data					
	Previous Fiscal Year Data					2016 Thru 09-30
		2012	2013	2014	2015	
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>		2012	2013	2014	2015	
Race		159	149	161	175	155
Color		34	25	35	56	51
Religion		10	15	14	23	17
Reprisal		199	198	206	221	240
Sex		123	102	121	150	153
Pregnancy Discrimination Act (PDA)		0	0	1	2	3
National Origin		42	23	35	48	43
Equal Pay Act		1	2	1	3	1
Age		107	86	119	125	126
Disability		145	140	94	139	155
Genetic Information Nondiscrimination Act (GINA)		0	0	0	3	0
Non-EEO		19	18	16	26	30

Complaints by Issue	Comparative Data				
	Previous Fiscal Year Data				2016 Thru 09-30
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	2012	2013	2014	2015	
Appointment/Hire	15	19	21	23	27
Assignment of Duties	56	54	48	55	50
Awards	10	11	7	11	6
Conversion to Full-time	1	1	1	0	1
Disciplinary Action					
o Demotion	5	4	2	6	5
o Reprimand	17	18	8	16	19
o Suspension	18	12	18	16	25
o Removal	6	6	6	6	6
o Other	22	22	16	24	14
Duty Hours	8	5	12	14	10
Evaluation Appraisal	84	68	87	85	86
Examination/Test	2	2	0	0	0
Harassment					
o Non-Sexual	172	179	154	170	183
o Sexual	8	9	13	14	9
Medical Examination	0	1	0	4	1
Pay (Including Overtime)	12	8	9	10	6
Promotion/Non-Selection	66	52	58	86	66
Reassignment					
o Denied	7	6	5	6	7
o Directed	18	11	14	11	16
Reasonable Accommodation (Disability)	36	52	24	54	58
Reinstatement	1	3	0	1	2
Religious Accommodation	0	0	0	0	1
Retirement	1	2	3	3	5

Complaints by Issue	Comparative Data				
	Previous Fiscal Year Data				2016 Thru 09-30
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	2012	2013	2014	2015	
Sex-Stereotyping	0	0	0	0	4
Telework	0	0	0	0	11
Termination	44	28	20	16	28
Terms/Conditions of Employment	90	108	69	82	61
Time and Attendance	50	45	53	64	61
Training	19	25	12	25	20
Other	6	3	1	7	2

Processing Time	Comparative Data				
	Previous Fiscal Year Data				2016 Thru 09-30
	2012	2013	2014	2015	
Complaints pending during fiscal year					
Average number of days in investigation	198.01	245.29	297.76	206.70	203.10
Average number of days in final action	35.64	51.39	32.37	32.47	39.20
Complaint pending during fiscal year where hearing was requested					
Average number of days in investigation	197.55	242.04	304.96	210.29	210.16
Average number of days in final action	5.37	6.54	21.27	9.75	27.55
Complaint pending during fiscal year where hearing was not requested					
Average number of days in investigation	198.80	252.83	284.95	199.54	200.68
Average number of days in final action	67.65	104.86	45.58	44.27	51.14

Complaints Dismissed by Agency	Comparative Data				
	Previous Fiscal Year Data				2016 Thru 09-30
	2012	2013	2014	2015	
Total Complaints Dismissed by Agency	51	34	49	55	58
Average days pending prior to dismissal	120	95	115.92	47.8	30.69



### Complaints Withdrawn by Complainants

Total Complaints Withdrawn by Complainants		35	30	48	22	32
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Total Final Agency Actions Finding Discrimination	Comparative Data									
	Previous Fiscal Year Data									2016 Thru 09-30
	2011		2012		2013		2015			
	#	%	#	%	#	%	#	%	#	%
Total Number Findings	6		0		3		0		8	
Without Hearing	5	83	0	0	2	100	0	0	6	75
With Hearing	1	17	0	0	1	100	0	0	2	25

Findings of Discrimination Rendered by Basis	Comparative Data									
	Previous Fiscal Year Data									2016 Thru 09-30
	2012		2013		2014		2015			
	#	%	#	%	#	%	#	%	#	%
<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	6		0		3		4		8	
Race	1	17	0	0	3	100	1	25	1	13
Color	0	0	0	0	0	0	0	0	1	13
Religion	1	17	0	0	1	33	0	0	1	13
Reprisal	2	33	0	0	1	33	2	50	2	25
Sex	2	33	0	0	1	33	0	0	2	25
PDA	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	1	13
Equal Pay Act	0	0	0	0	0	0	0	0	0	0
Age	1	17	0	0	1	33	0	0	1	13
Disability	1	17	0	0	2	67	3	75	3	38
GINA	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Basis	Comparative Data									
	Previous Fiscal Year Data									2016 Thru 09-30
	2012		2013		2014		2015			
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>										
	#	%	#	%	#	%	#	%	#	%
<b>Findings After Hearing</b>	1		0		1		0		2	
Race	0	0	0	0	1	100	0	0	1	50
Color	0	0	0	0	0	0	0	0	1	50
Religion	1	100	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	1	100	0	0	0	0
PDA	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	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	0	0	0	0	1	50
Disability	0	0	0	0	0	0	0	0	1	50
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 Without Hearing</b>	2		0		2		4		8	
Race	0	0	0	0	2	100	1	25	0	0
Color	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	1	50	0	0	1	17
Reprisal	1	50	0	0	1	50	2	50	2	33
Sex	0	0	0	0	0	0	0	0	2	33
PDA	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	1	17
Equal Pay Act	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	1	50	0	0	0	0
Disability	1	50	0	0	2	100	3	75	2	33
GINA	0	0	0	0	0	0	0	0	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										2016 Thru 09-30
	2012		2013		2014		2015				
	#	%	#	%	#	%	#	%	#	%	#
<b>Total Number Findings</b>		6		0		3		4		8	
Appointment/Hire		0	0	0	0	0	0	0	0	1	13
Assignment of Duties		0	0	0	0	0	0	0	0	1	13
Awards		1	17	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	1	33	0	0	0	0
Duty Hours		0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal		0	0	0	0	1	33	0	0	0	0
Examination/Test		0	0	0	0	0	0	0	0	0	0
Harassment											
o Non-Sexual		4	67	0	0	1	33	3	75	1	13
o Sexual		0	0	0	0	1	33	0	0	2	25
Medical Examination		0	0	0	0	0	0	1	25	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	1	13
Reassignment											
o Denied		0	0	0	0	0	0	0	0	0	0
o Directed		0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation Disability		1	17	0	0	0	0	0	0	1	13
Reinstatement		0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data										
	Previous Fiscal Year Data										2016 Thru 09-30
	2012		2013		2014		2015		#	%	
	#	%	#	%	#	%	#	%			
Religious Accommodation		0	0	0	0	0	0	0	0	0	0
Retirement		0	0	0	0	0	0	0	0	0	0
Sex-Stereotyping		0	0	0	0	0	0	0	0	0	0
Telework		0	0	0	0	0	0	0	0	0	0
Termination		1	17	0	0	0	0	0	0	0	0
Terms/Conditions of Employment		0	0	0	0	1	33	0	0	0	0
Time and Attendance		0	0	0	0	0	0	1	25	1	13
Training		1	17	0	0	0	0	0	0	0	0
Other		0	0	0	0	0	0	0	0	0	0
<b>Findings After Hearing</b>		1		0		1		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	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		0	0	0	0	1	100	0	0	0	0
o Sexual		0	0	0	0	1	100	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data										
	Previous Fiscal Year Data										2016 Thru 09-30
	2012		2013		2014		2015		#	%	
	#	%	#	%	#	%	#	%			
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	1	50
Reassignment											
o Denied		0	0	0	0	0	0	0	0	0	0
o Directed		0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation Disability		1	100	0	0	0	0	0	0	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
Telework		0	0	0	0	0	0	0	0	0	0
Termination		0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment		0	0	0	0	0	0	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
<b>Findings Without Hearing</b>											
		5		0		2		4		6	
Appointment/Hire		0	0	0	0	0	0	0	0	1	17
Assignment of Duties		0	0	0	0	0	0	0	0	1	17
Awards		1	20	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

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										2016 Thru 09-30	
	2012		2013		2014		2015					
	#	%	#	%	#	%	#	%	#	%	#	%
o Removal		0	0	0	0	0	0	0	0	0	0	0
o Other		0	0	0	0	1	50	0	0	0	0	0
Duty Hours		0	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal		0	0	0	0	1	50	0	0	0	0	0
Examination/Test		0	0	0	0	0	0	0	0	0	0	0
Harassment												
o Non-Sexual		4	80	0	0	0	0	3	75	1	17	
o Sexual		0	0	0	0	0	0	0	0	2	33	
Medical Examination		0	0	0	0	0	0	1	25	0	0	
Pay (Including Overtime)		0	0	0	0	0	0	0	0	0	0	
Promotion/Non-Selection		0	0	0	0	0	0	0	0	0	0	
Reassignment												
o Denied		0	0	0	0	0	0	0	0	0	0	
o Directed		0	0	0	0	0	0	0	0	0	0	
Reasonable Accommodation Disability		0	0	0	0	0	0	0	0	0	0	
Reinstatement		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		1	20	0	0	0	0	0	0	0	0	
Terms/Conditions of Employment		0	0	0	0	1	50	0	0	0	0	
Time and Attendance		0	0	0	0	0	0	1	25	1	17	
Training		1	20	0	0	0	0	0	0	0	0	
Other		0	0	0	0	0	0	0	0	0	0	

<b>Pending Complaints Filed in Previous Fiscal Years by Status</b>	<b>Comparative Data</b>				
	<b>Previous Fiscal Year Data</b>				<b>2016 Thru 09-30</b>
	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	
Total complaints from previous Fiscal Years	542	544	324	376	416
Total Complainants	470	477	287	321	348
<b>Number complaints pending</b>					
Investigation	12	19	3	3	4
ROI issued, pending Complainant's action	0	1	7	0	0
Hearing	200	227	300	359	405
Final Agency Action	22	14	13	11	11

<b>Complaint Investigations</b>	<b>Comparative Data</b>				
	<b>Previous Fiscal Year Data</b>				<b>2016 Thru 09-30</b>
	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	
Pending Complaints Where Investigations Exceed Required Time Frames	28	61	4	17	6

## 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 FY16, the Department offered two No FEAR Act training modules, one a refresher training for current employees and the other for new hires. Both training modules’ content contains information on the Whistleblower Protection Enhancement Act (WPEA), as amended.

Bureau	Delivery of Training	Training Schedule	Training Completion Date
<p>Office of the Special Inspector General for Troubled Asset Relief Program (SigTARP)</p> <p>Office of the Inspector General (OIG)</p> <p>Departmental Offices (DO)</p> <p>Office of the Comptroller of the Currency (OCC)</p> <p>Bureau of Engraving and Printing (BEP)</p> <p>Bureau of Fiscal Service (BFS)</p> <p>Alcohol and Tobacco Trade and Tax Bureau (TTB)</p>	<p>Treasury 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>	<p>EEO Office and Training Office notified their workforce of this mandatory training requirement and provided alternative means of training delivery when needed.</p>	<p>Biennial training was completed in FY 2016. The percentage of employees who completed No FEAR training by bureau:</p> <p>SIGTARP: 100%</p> <p>OIG: 90%</p> <p>DO: 89%</p> <p>OCC:99%</p> <p>BEP: 92%</p> <p>BFS: 99%</p> <p>TTB: 99%</p> <p>Training will be conducted in FY 2018.</p>
<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</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 will be conducted in FY 2017.</p>



	<p>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>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 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>	<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 will be conducted in FY 2017.</p>