



**United States  
Department of the Treasury**

**No FEAR Act Annual Report  
Fiscal Year (FY) 2017**

**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) 2017**

***Section I. Summary of District Court Cases (FY 2013 to FY 2017)***

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 2013 – FY 2017, 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.*

	<b>TOTAL FILED: 125 cases</b>				
	<b>FY13</b>	<b>FY14</b>	<b>FY15</b>	<b>FY16</b>	<b>FY17</b>
Title VII (race, color, religion, sex, national origin)	25	24	14	21	20
Age	11	11	6	8	6
Sex (Equal Pay Act)	0	0	0	1	1
Disability (Section 501 of the Rehabilitation Act of 1973)	12	5	5	9	6
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	0	1	1

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

	<b>TOTAL SETTLED: 33 cases</b>				
	<b>FY13</b>	<b>FY14</b>	<b>FY15</b>	<b>FY16</b>	<b>FY17</b>
Title VII (race, color, religion, sex, national origin)	6	8	5	3	6
Age	1	3	0	1	4
Sex (Equal Pay Act)	0	0	0	0	1
Disability (Section 501 of the Rehabilitation Act of 1973)	4	3	1	0	0
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	0	0	0

	<b>PENDING: 45 cases*</b>				
	<b>FY13</b>	<b>FY14</b>	<b>FY15</b>	<b>FY16</b>	<b>FY17</b>
Title VII (race, color, religion, sex, national origin)	51	49	33	35	33
Age	12	38	15	16	11
Sex (Equal Pay Act)	0	0	0	1	0
Disability (Section 501 of the Rehabilitation Act of 1973)	17	43	12	14	13
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	0	1	1

\* Figure reflects total number of cases pending at the end of FY 2017 regardless of the year in which it was filed.

	<b>JUDGMENT FOR AGENCY: 115</b>				
	<b>FY13</b>	<b>FY14</b>	<b>FY15</b>	<b>FY16</b>	<b>FY17</b>
Title VII (race, color, religion, sex, national origin)	28	21	20	14	18
Age	5	7	6	6	5
Sex (Equal Pay Act)	0	0	0	0	0
Disability (Section 501 of the Rehabilitation Act of 1973)	8	8	6	5	5
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	1	0	0	0	0

	<b>JUDGMENT FOR PLAINTIFF: 2</b>				
	<b>FY13</b>	<b>FY14</b>	<b>FY15</b>	<b>FY16</b>	<b>FY17</b>
Title VII (race, color, religion, sex, national origin)	1	0	1	0	0
Age	0	0	0	0	0
Sex (Equal Pay Act)	0	0	0	0	0
Disability (Section 501 of the Rehabilitation Act of 1973)	0	0	0	0	0
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	0	0	0

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

	<b>TOTAL AMOUNT PAID (SETTLEMENTS AND JUDGMENTS FOR PLAINTIFFS): \$927,630.00</b>				
	<b>FY13</b>	<b>FY14</b>	<b>FY15</b>	<b>FY16</b>	<b>FY17</b>
<b>FY Totals</b>	\$ 142,700	\$ 150,000	\$120,000	\$110,780	\$404,150

	<b>TOTAL ATTORNEY'S FEES PAID (SETTLEMENTS AND JUDGMENTS FOR PLAINTIFFS): \$55,000.00</b>				
	<b>FY13</b>	<b>FY14</b>	<b>FY15</b>	<b>FY16</b>	<b>FY17</b>
<b>FY Totals</b>	\$ -	\$ -	\$5,000	\$ -	\$50,000

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

	<b>TOTAL NUMBER EMPLOYEES DISCIPLINED: 9</b>				
	<b>FY13</b>	<b>FY14</b>	<b>FY15</b>	<b>FY16</b>	<b>FY17</b>
<b>FY Totals</b>	3	0	2	4	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.*

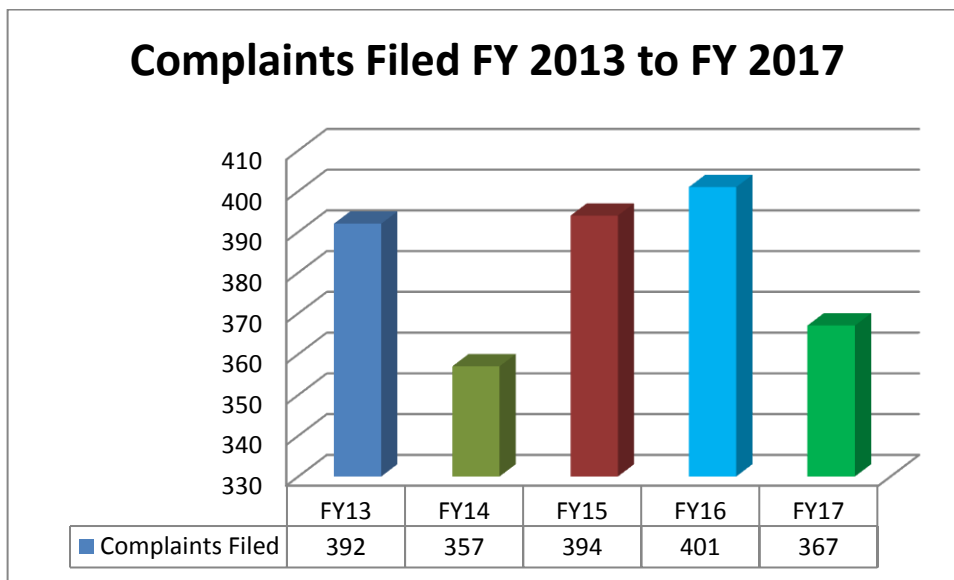
The Department’s policy, *Disciplinary Action for Employees who Violate Antidiscrimination and Whistleblower Protection Laws*, requires bureaus to establish a disciplinary policy and/or table of penalties providing for appropriate disciplinary actions for employees who have intentionally engaged in discrimination 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 §0.217) 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 an 8.4% decrease in complaints filed from FY 2016 (401 complaints filed) to FY 2017 (367 complaints filed). When compared to the size of the Treasury workforce, the percentage of formal EEO complaints filed in FY 2017 saw a minor decrease as well, from 0.37% in FY 2016 (373 complainants) to 0.36% in FY 2017 (348 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 2017</b>		<b>FY 2017</b>	
Reprisal	49.8%	Harassment (non-sexual)	38.4%
Disability (Physical)	34.3%	Evaluation/Appraisal	20.9%
Age	28.1%	Disciplinary Actions	19.6%
<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%

\* In FY 2016, Promotion/Non-Selection and Disciplinary Actions tied at 16.4% each for the third top issue of complaints filed.

During FY 2017, the Department completed 90.4% of all investigations of EEO complaints in a timely manner, a 12.9% increase from timely completing 77.5% in FY 2016. 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 2017	367	314	187	90.4%
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%



In FY 2017, the Department completed 722 informal counselings, of which 94.1% were timely processed and 47.2% reached resolution through settlement or withdrawal. The Department's 50.2% 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 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>
Total # Completed Counselings	704	668	721	709	722
# Timely	721	647	690	679	680
% Timely	98.0%	96.8%	95.7%	95.7%	94.1%
% of Completed Counselings Resolved (Settlement/Withdrawal)	47.8%	46.2%	46.3%	47.2%	50.2%

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 2017, 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 60.1% participation rate, and in the formal process had a 9.1% 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 2017 Completed Pre-Complaint Counselings	722	678	93.9%	434	60.1%
% Change FY 2016 to FY 2017	1.8%	2.9%		7.1%	
FY 2016 Formal Complaints Closures	384	313	81.5%	36	9.3%
FY 2017 Formal Complaints Closures	381	334	87.6%	35	9.1%
% Change FY 2015 to FY 2016	-0.78%	6.7%		-2.7%	

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 2017, the TSN program completed 274 mediations and had a 45% 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 two workforce webinar trainings. The first titled, *C3-Conflict Resolution Series* was conducted by the Federal Mediation and Conciliation Service (FMCS) and featured experts renowned in their field discussing trends and strategies related to conflict resolution designed to help individuals better communicate and collaborate to create solutions. The second was *Civil Treatment®: Building an Inclusive Workplace by Addressing Unconscious Bias*, which addresses the effects of unconscious bias in the workplace -- what unconscious bias is and its potential ramifications to individuals and organizations. The latter session was 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 2017, the Department conducted the following activities based on its analysis of workforce demographics, training needs, and human capital initiatives:

- Developed and issued Treasury's Strategic Inclusive Diversity plan version 2.0.
- Issued a Treasury LGBT and Gender Identity non-discrimination policy.
- Required bureaus to establish new Diversity and Inclusion Implementation Plans and conducted reviews to ensure bureaus were meeting requirements outlined in the Department's Diversity and Inclusion Plan 2.0 FY 2017 - 2020.
- In collaboration with DASHR CHCO, developed an implementation plan for recommended strategies identified in the Treasury SES barrier analysis.
- Completed a gender pay gap analysis through a partnership with the Office of Microeconomic Policy following OPM's guidance in its Detailed Analysis of Government wide Data on Gender Pay Difference for White Collar Employees (September 2014).
- Issued anti-discrimination policy statement for the new Secretary.
- Hosted 582 interns Department-wide through various paid and non-paid diversity internship programs, universities and colleges.

- 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 2016 barrier analysis submitted as part of the Annual MD-715 report submissions.
- Conducted one-on-one Barrier Analysis Sessions with each bureau to determine where they were in the barrier analysis process on the employment of Hispanics as required by OPM and EEOC's joint memorandum. Provided guidance and recommendations for continued analysis.
- 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.
- Updated Disability Workforce data tables to ensure data reflected new disability codes and methodology required by OPM's new SF-256 which collects disability information from employees and applicants for employment.
- 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 2017 disability and veteran hiring goals.
- Hosted a screening and panel discussion of the film "Uniquely Nasty."
- Hosted a dynamic webinar, *Untangling the Web Between White Women and Women of Color*.
- Partnered with Dr. Zina Sutch, Director of Diversity and Inclusion at the Office of Personnel Management, to present a new style of seminar for the Department's senior leaders. The new series, "Understanding, Harnessing, and Leveraging the Power of Diversity & Inclusion," was launched this summer by OPM, and Treasury was one of the first agencies to participate.
- Launched Prism, a Treasury-wide Employee Resource Group focused on lesbian, gay, bisexual, transgender and queer (LGBTQ) employees and their allies.
- Participated in the 24th annual Federal Inter-Agency observance to honor the Days of Remembrance.
- Conducted three "Be a Champion Roadshows," providing coaching for managers at the Alcohol and Tobacco Trade and Tax Bureau (TTB), Mint, and IRS.
- Developed a commemorative webpage to bring awareness to all Special Emphasis Program Heritage Months and activities.

- Exceeded the EEOC's new FY 2018 goal that 12% of all new permanent hires be persons with disabilities (PWD) (13.37%) and the sub goal that 2 percent be persons with targeted disabilities (PWTD) (3.5%).
- Provided eight hours of refresher training to Treasury Shared Neutral's current mediator cadre members.
- Provided 40 hours of new mediator training for 21 employees who applied to become part of the TSN mediator cadre.
- Completed a total of 274 mediations and successfully resolved 114 (45%) of these completed mediations.
- Transitioned the TSN Administrator functions from the IRS to the US Mint.
- Issued the final rule implementing Title VI of the Civil Rights Act of 1964, effective on January 12, 2017.
- Published a Notice of Proposed Rulemaking for Treasury's rules implementing Section 504 of the Rehabilitation Act of 1973 on January 3, 2017.
- Published Treasury's final rule implementing the Age Discrimination Act of 1975, which became effective on November 13, 2017.
- Conducted Basic External Civil Rights Training for Treasury employees. The training covered requirements under Title VI of the Civil Rights Act, Title IX of the Education Amendments Act of 1972, the Age Discrimination Act and Sections 504 and 508 of the Rehabilitation Act of 1973.
- Completed a Treasury-wide Title IX compliance review.
- Conducted an accessibility review of the DO leased spaces at 1750 Pennsylvania Avenue N.W., Washington, DC.
- Hired an Equal Opportunity Specialist for the DO External Civil Rights Program.
- Drafted and submitted for internal comments the Treasury Title VI Guidance for Recipients.
- Reissued two civil rights complaint policies under the newly created Civil Rights and Diversity Issuance System.
- Began utilizing the Talent Portal located within OPM's USAJobs portal for managing resumes for Veterans and PWD/PWTD.

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 2013-FY 2017)**
  
- **No FEAR Act Training Plan**

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

### Department of the Treasury

***FY 2013- FY 2017***

Note: Data provided through Treasury’s iComplaints system. The report reflects case data in iComplaints as of 10/31/17 for the current and past five fiscal years. Mixed cases are included in this report. Class cases are not included.

Complaint Activity	Comparative Data					2017 Thru 09-30
	Previous Fiscal Year Data					
	2013	2014	2015	2016		
Number of Complaints Filed	392	357	394	401	367	
Number of Complainants	369	330	372	373	348	
Repeat Filers	19	21	16	23	18	

Complaints by Basis	Comparative Data					2017 Thru 09-30
	Previous Fiscal Year Data					
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	2013	2014	2015	2016		
Race	149	161	175	155	170	
Color	25	35	56	51	61	
Religion	15	14	23	17	26	
Reprisal	198	206	221	240	200	
Sex	102	121	150	153	134	
Pregnancy Discrimination Act (PDA)	0	1	2	3	2	
National Origin	23	35	48	43	42	
Equal Pay Act	2	1	3	1	2	
Age	86	119	125	126	114	
Disability	140	94	139	155	141	
Genetic Information Nondiscrimination Act (GINA)	0	0	3	0	1	
Non-EEO	18	16	26	30	20	

Complaints by Issue	Comparative Data				
	Previous Fiscal Year Data				2017 Thru 09-30
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	2013	2014	2015	2016	
Appointment/Hire	19	21	23	27	33
Assignment of Duties	54	48	55	50	61
Awards	11	7	11	6	16
Conversion to Full-time	1	1	0	1	1
Disciplinary Action					
o Demotion	4	2	6	5	4
o Reprimand	18	8	16	19	16
o Suspension	12	18	16	25	19
o Removal	6	6	6	6	4
o Other	22	16	24	14	26
Duty Hours	5	12	14	10	11
Evaluation Appraisal	68	87	85	86	81
Examination/Test	2	0	0	0	1
Harassment					
o Non-Sexual	179	154	170	183	151
o Sexual	9	13	14	9	12
Medical Examination	1	0	4	1	4
Pay (Including Overtime)	8	9	10	6	16
Promotion/Non-Selection	52	58	86	66	72
Reassignment					
o Denied	6	5	6	7	6
o Directed	11	14	11	16	5
Reasonable Accommodation (Disability)	52	24	54	58	53
Reinstatement	3	0	1	2	1
Religious Accommodation	0	0	0	1	0



Complaints by Issue	Comparative Data				
	Previous Fiscal Year Data				2017 Thru 09-30
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	2013	2014	2015	2016	
Retirement	3	3	3	5	3
Sex-Stereotyping	0	0	0	4	3
Telework	0	0	0	11	14
Termination	28	20	16	28	28
Terms/Conditions of Employment	107	69	82	61	62
Time and Attendance	45	53	64	61	58
Training	25	12	25	20	17
Other	0	0	0	2	5

Processing Time	Comparative Data				
	Previous Fiscal Year Data				2017 Thru 09-30
	2013	2014	2015	2016	
Complaints pending during fiscal year					
Average number of days in investigation	245.29	297.76	206.70	203.10	187.25
Average number of days in final action	51.39	32.37	32.47	39.20	33.86
Complaints pending during fiscal year where hearing was requested					
Average number of days in investigation	242.04	304.96	210.29	210.16	191.22
Average number of days in final action	6.54	21.27	9.75	27.55	23.83
Complaints pending during fiscal year where hearing was not requested					
Average number of days in investigation	252.83	284.95	199.54	200.68	186.39
Average number of days in final action	104.86	45.58	44.27	51.14	45.56

Complaints Dismissed by Agency	Comparative Data				
	Previous Fiscal Year Data				2017 Thru 09-30
	2013	2014	2015	2016	
Total Complaints Dismissed by Agency	34	49	55	58	47

Complaints Dismissed by Agency	Comparative Data				
	Previous Fiscal Year Data				2017 Thru 09-30
	2013	2014	2015	2016	
Average days pending prior to dismissal	88	115.92	47.8	30.69	52.47
<b>Complaints Withdrawn by Complainants</b>					
Total Complaints Withdrawn by Complainants	30	48	22	32	21

Total Final Agency Actions Finding Discrimination	Comparative Data									
	Previous Fiscal Year Data								2017 Thru 09-30	
	2013		2014		2015		2016			
	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0		3		4		8		13	
Without Hearing	0	0	2	75	4	100	6	75	12	92
With Hearing	0	0	1	25	0	0	2	25	1	8

Findings of Discrimination Rendered by Basis	Comparative Data									
	Previous Fiscal Year Data								2017 Thru 09-30	
	2013		2014		2015		2016			
	#	%	#	%	#	%	#	%	#	%
<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	0		3		4		8		8	
Race	0	0	3	100	1	25	1	13	1	13
Color	0	0	0	0	0	0	1	13	1	13
Religion	0	0	1	33	0	0	1	13	0	0
Reprisal	0	0	1	33	2	50	2	25	5	63
Sex	0	0	1	33	0	0	2	25	4	50
PDA	0	0	0	0	0	0	0	0	1	13
National Origin	0	0	0	0	0	0	1	13	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0
Age	0	0	1	33	0	0	1	13	0	0

Findings of Discrimination Rendered by Basis	Comparative Data										
	Previous Fiscal Year Data										2017 Thru 09-30
	2013		2014		2015		2016		#	%	
#	%	#	%	#	%	#	%	#			%
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>											
Disability	0	0	2	67	3	75	3	38	6	75	
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>											
	0		1		0		2		1		
Race	0	0	1	100	0	0	1	50	0	0	
Color	0	0	0	0	0	0	1	50	0	0	
Religion	0	0	0	0	0	0	0	0	0	0	
Reprisal	0	0	0	0	0	0	0	0	1	100	
Sex	0	0	1	100	0	0	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	1	50	0	0	
Disability	0	0	0	0	0	0	1	50	1	100	
GINA	0	0	0	0	0	0	0	0	0	0	
Non-EEO	0	0	0	0	0	0	0	0	0	0	
<b>Findings Without Hearing</b>											
	0		2		4		8		7		
Race	0	0	2	100	1	25	0	0	1	14	
Color	0	0	0	0	0	0	0	0	1	14	
Religion	0	0	1	50	0	0	1	17	0	0	
Reprisal	0	0	1	50	2	50	2	33	4	57	
Sex	0	0	0	0	0	0	2	33	4	57	
PDA	0	0	0	0	0	0	0	0	1	14	
National Origin	0	0	0	0	0	0	1	17	0	0	
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	

Findings of Discrimination Rendered by Basis	Comparative Data										
	Previous Fiscal Year Data										2017 Thru 09-30
	2013		2014		2015		2016		#	%	
#	%	#	%	#	%	#	%	#			%
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>											
Age	0	0	1	50	0	0	0	0	0	0	0
Disability	0	0	2	100	3	75	2	33	5	71	
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										2017 Thru 09-30
	2013		2014		2015		2016		#	%	
#	%	#	%	#	%	#	%	#			%
<b>Total Number Findings</b>	0		3		4		8		8		
Appointment/Hire	0	0	0	0	0	0	1	13	0	0	
Assignment of Duties	0	0	0	0	0	0	1	13	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	0
o Reprimand	0	0	0	0	0	0	0	0	0	0	0
o Suspension	0	0	0	0	0	0	0	0	0	0	0
o Removal	0	0	0	0	0	0	0	0	0	0	0
o Other	0	0	1	33	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	0	0	1	33	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0
Harassment											
o Non-Sexual	0	0	1	33	3	75	1	13	2	25	
o Sexual	0	0	1	33	0	0	2	25	2	25	

Findings of Discrimination Rendered by Issue	Comparative Data										
	Previous Fiscal Year Data										2017 Thru 09-30
	2013		2014		2015		2016				
	#	%	#	%	#	%	#	%	#	%	
Medical Examination		0	0	0	0	1	25	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	1	13	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	1	13	5	63
Reinstatement		0	0	0	0	0	0	0	0	0	0
Religious Accommodation		0	0	0	0	0	0	0	0	0	0
Retirement		0	0	0	0	0	0	0	0	0	0
Sex-Stereotyping		0	0	0	0	0	0	0	0	0	0
Telework		0	0	0	0	0	0	0	0	0	0
Termination		0	0	0	0	0	0	0	0	1	13
Terms/Conditions of Employment		0	0	1	33	0	0	0	0	1	13
Time and Attendance		0	0	0	0	1	25	1	13	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 After Hearing</b>		0		1		0		2		1	
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

Findings of Discrimination Rendered by Issue	Comparative Data										
	Previous Fiscal Year Data										2017 Thru 09-30
	2013		2014		2015		2016				
	#	%	#	%	#	%	#	%	#	%	
○ 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	1	100	0	0	0	0	0	0
○ Sexual		0	0	1	100	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	1	50	0	0
Reassignment											
○ Denied		0	0	0	0	0	0	0	0	0	0
○ Directed		0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation Disability		0	0	0	0	0	0	1	50	0	0
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	1	100
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>		0		2		4		6		7	

Findings of Discrimination Rendered by Issue	Comparative Data										
	Previous Fiscal Year Data										2017 Thru 09-30
	2013		2014		2015		2016				
	#	%	#	%	#	%	#	%	#	%	
Appointment/Hire		0	0	0	0	0	0	1	17	0	0
Assignment of Duties		0	0	0	0	0	0	1	17	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	1	50	0	0	0	0	0	0
Duty Hours		0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal		0	0	1	50	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	3	75	1	17	2	29
o Sexual		0	0	0	0	0	0	2	33	2	29
Medical Examination		0	0	0	0	1	25	0	0	0	0
Pay (Including Overtime)		0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection		0	0	0	0	0	0	0	0	0	0
Reassignment											
o Denied		0	0	0	0	0	0	0	0	0	0
o Directed		0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation Disability		0	0	0	0	0	0	0	0	5	71
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

<b>Findings of Discrimination Rendered by Issue</b>	<b>Comparative Data</b>											
	<b>Previous Fiscal Year Data</b>										<b>2017 Thru 09-30</b>	
	<b>2013</b>		<b>2014</b>		<b>2015</b>		<b>2016</b>					
	#	%	#	%	#	%	#	%	#	%	#	%
Telework			0	0	0	0	0	0	0	0	0	0
Termination			0	0	0	0	0	0	0	0	1	14
Terms/Conditions of Employment			0	0	1	50	0	0	0	0	0	0
Time and Attendance			0	0	0	0	1	25	1	17	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>Pending Complaints Filed in Previous Fiscal Years by Status</b>	<b>Comparative Data</b>				
	<b>Previous Fiscal Year Data</b>				<b>2017 Thru 09-30</b>
	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	
Total complaints from previous Fiscal Years	544	324	376	416	411
Total Complainants	477	287	321	348	354
<b>Number complaints pending</b>					
Investigation	19	3	3	4	1
ROI issued, pending Complainant's action	1	7	0	0	0
Hearing	227	300	359	405	401
Final Agency Action	14	13	11	11	9

<b>Complaint Investigations</b>	<b>Comparative Data</b>				
	<b>Previous Fiscal Year Data</b>				<b>2017 Thru 09-30</b>
	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	
Pending Complaints Where Investigations Exceed Required Time Frames	61	4	17	6	3



## 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 FY17, 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 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 was completed in FY 2017. The percentage of employees who completed No FEAR training by bureau:</p> <p>MINT: 99%</p> <p>TIGTA: 99%</p> <p>FinCEN: 98%</p> <p>Training will be conducted in FY 2019.</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 was completed in FY 2017. The percentage of employees who completed No FEAR training by bureau:</p> <p>IRS: 99% IRSCC: 99.6%</p> <p>Training will be conducted in FY 2019.</p>