

**United States
Department of the Treasury**

**NoFEAR Act Annual Report
Fiscal Year (FY) 2010**



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NoFEAR Act Training Plan

United States Department of the Treasury
NoFEAR Act Report
Fiscal Year (FY) 2010

Section I. Summary of District Court Cases (FY 2006 to FY 2010)

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 06 - FY 10, 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: 324 cases				
	FY 06	FY 07	FY 08	FY 09	FY 10
Title VII (race, color, religion, sex, national origin)	33	72	39	109	21
Age	9	5	2	28	6
Sex (Equal Pay Act)	0	0	0	0	7
Disability (Section 501 of the Rehabilitation Act of 1973)	14	12	9	27	11
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	1	3	0	0	0

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

	TOTAL SETTLED: 65 cases				
	FY 06	FY 07	FY 08	FY 09	FY 10
Title VII (race, color, religion, sex, national origin)	12	2	10	8	11
Age	3	1	2	0	3
Sex (Equal Pay Act)	0	0	0	0	3
Disability (Section 501 of the Rehabilitation Act of 1973)	7	1	5	3	2
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	0	0	0

	PENDING: 70 cases*				
	FY 06	FY 07	FY 08	FY 09	FY 10
Title VII (race, color, religion, sex, national origin)	73	32	69	76	55
Age	15	2	4	22	16
Sex (Equal Pay Act)	0	0	0	0	18
Disability (Section 501 of the Rehabilitation Act of 1973)	26	6	26	28	24
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	1	1	0	0	1

	TOTAL JUDGMENT FOR AGENCY: 196				
	FY 06	FY 07	FY 08	FY 09	FY 10
Title VII (race, color, religion, sex, national origin)	34	31	29	32	32
Age	9	3	7	8	8
Sex (Equal Pay Act)	0	0	0	0	5
Disability (Section 501 of the Rehabilitation Act of 1973)	15	5	8	5	15
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	6	2	3	0	0

	TOTAL JUDGMENT FOR PLAINTIFF: 2				
	FY 06	FY 07	FY 08	FY 09	FY 10
Title VII (race, color, religion, sex, national origin)	0	2	0	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

* Figure reflects total number of cases pending at the end of FY 2010 regardless of the year in which it was filed.

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): \$3,495,213				
		FY 06	FY 07	FY 08	FY 09	FY 10
FY Totals		834,079	1,272,323	658,158	417,773	312,880

		TOTAL ATTORNEY'S FEES PAID (SETTLEMENTS AND JUDGMENTS FOR PLAINTIFFS): \$1,622,397				
		FY 06	FY 07	FY 08	FY 09	FY 10
FY Totals		56,287	1,249,044	312,566	0	4,500

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 OF EMPLOYEES DISCIPLINED: 34				
		FY 06	FY 07	FY 08	FY 09	FY 10
FY Totals		6	8	9	3	8

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.*

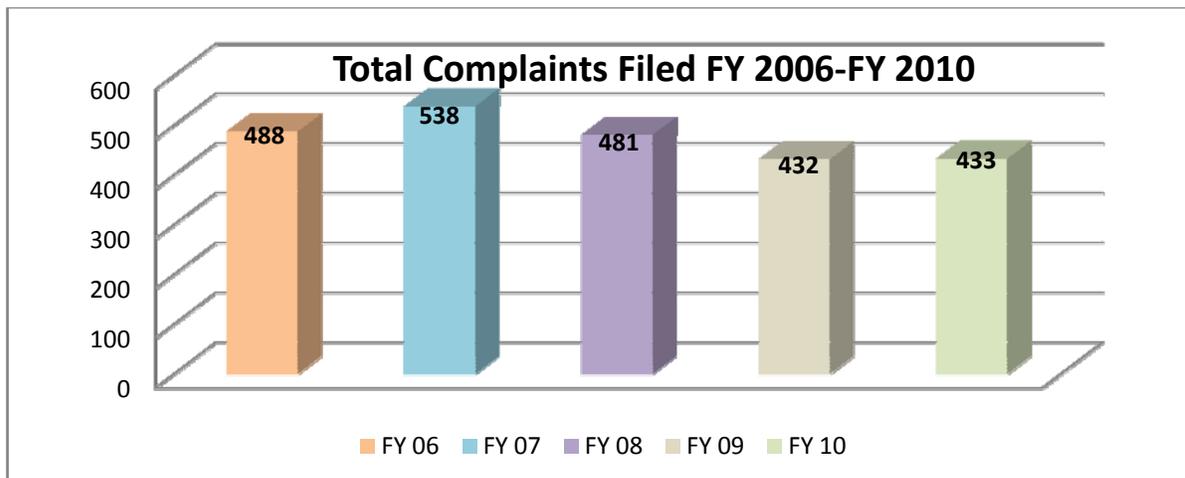
The Department's policy, *Disciplinary Action for Employees who Violate Antidiscrimination and Whistleblower Protection Laws*, requires bureaus to establish a disciplinary policy and/or table of penalties providing for appropriate disciplinary actions for employees who have intentionally engaged in discrimination or retaliatory actions, including retaliation for whistleblowing activities. All fourteen 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 "all employees are not to discriminate against or harass any other employees, applicants for employment or persons dealing with the Department on official business on any of the protections under Title VII or other antidiscrimination statutes. Any 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 0.2% increase in complaints filed from FY 2009 (432 complaints filed) to FY 2010 (433 complaints filed). The percentage of Treasury employees who filed formal EEO complaints has steadily decreased from 0.39% of the workforce in FY 2006 (488 complainants) to 0.30% in FY 2010 (433 complainants). According to the Equal Employment Opportunity Commission (EEOC), in FY 2009, Treasury had the fewest complainants (.32%) as a percentage of the workforce of all the cabinet level agencies. When EEOC issues its FY 2010 *Annual Report on the Federal Workforce*, we anticipate we will again be among those agencies with the fewest complaints as a percentage of the workforce.



* Administrative complaints data is based on the Equal Employment Opportunity Commission's 462 Report FY 2010, which Treasury submitted on October 29, 2010. FY 2006 total complaints filed figure does not reflect EEO "mixed case" complaints. FY 2007 -FY 2010 figures do reflect EEO "mixed case" complaints.

For the last four fiscal years, of complaints filed, the top basis was reprisal and the top issue was harassment (non-sexual). Other top bases for the past three fiscal years included race (black) and age; other top issues included promotion/non-selection and evaluation/appraisal. To deter harassment in the workplace, the Department provides multiple anti-harassment training modules through the Treasury Learning Management System (TLMS). The TLMS provides nine training courses dealing with the prevention of harassment in the workplace for employees and supervisors. 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. As part of ongoing EEO training conducted by Treasury bureaus, managers receive information on prohibited discrimination, the EEO complaint process, and on agency liability when retaliation occurs against employees who participate in the EEO process. The topic of reprisal also is addressed in NoFEAR Act training provided to new hires and bi-annually to all employees.

Top Three Bases		Top Three Issues	
FY 2010		FY 2010	
Reprisal	46.6%	Harassment (non-sexual)	43.40%
Age	28.6%	Promotion/Non Selection	22.80%
Race (Black)	28.6%	Evaluation/Appraisal	17.10%
FY 2009		FY 2009	
Reprisal	45.3%	Harassment (non-sexual)	42.8%
Age	30.7%	Promotion/Non Selection	23.8%
Race (Black)	25.2%	Evaluation/Appraisal	16.8%
FY 2008		FY 2008	
Reprisal	40.5%	Harassment (non-sexual)	46.9%
Age	32.0%	Promotion/Non Selection	24.9%
Race (Black)	27.8%	Evaluation/Appraisal	16.6%
FY 2007		FY 2007	
Reprisal	36.6%	Harassment (non-sexual)	41.6%
Race (Black)	26.2%	Promotion/Non Selection	18.0%
Age	24.7%	Evaluation/Appraisal	16.7%
FY 2006		FY 2006	
Reprisal	43.6%	Harassment (non-sexual)	39.9%
Age	29.5%	Terms/Condition of Employment	39.1%
Race (Black)	28.8%	Evaluation/Appraisal	22.5%

Treasury continues to see a steady improvement in the timely processing of investigations. During FY 2010, the Department completed 85.7% of all investigations of EEO complaints in a timely manner, a significant improvement from FY 2009. We believe the service level standards implemented at the Treasury Complaint Center to address the timeliness of investigations and to address other accountability controls in the formal complaint process have played a role in increasing the percent of timely completed investigations. The Department will continue to monitor investigation processing time on a quarterly basis and has set a goal of completing all FY 2011 investigations in fewer than 180 days, unless extended by amendment (360 days) or extension (270 days).

Fiscal Year	Complaints Filed	Total Completed Investigations	Average Days	% Timely
FY 2010	433	351	182	85.7%
FY 2009	432	357	252	61.3%
FY 2008	481	410	257	56.3%
FY 2007	538	436	270	54.3%
FY 2006	488	416	334	20.1%
FY 2005	613	342	315	69.6%

In the administrative process, in FY 2010, Treasury closed 89 EEO complaints with monetary corrective actions, totaling \$1,778,525 in back pay/front pay, lump sum payments, compensatory damages, or attorney's fees and costs.

Fiscal Year	# of Cases Closed with Monetary Corrective Actions	Total Amount Paid*
2010	89	\$1,778,525
2009	76	\$1,832,095
2008	95	\$1,295,321
2007	91	\$1,362,307
2006	99	\$1,011,999

* 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 2010, the Department completed 731 informal counselings, of which 94.7% were timely processed and 44.3% reached resolution through settlement or withdrawal. The Department's 44.3% resolution rate of informal counselings demonstrates the Department's commitment to minimize the impact of conflict that detracts from employee satisfaction and undermines organizational efficiency.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Total # Completed Counselings	1019	1046	844	818	731
# Timely	1014	965	795	770	693
% Timely	99.5%	92.3%	94.1%	94.1%	94.7%
% of Completed Counselings Resolved (Settlement/Withdrawal)	36.4%	50.0%	46.4%	50.7%	44.3%

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. In August 2010, the Department issued a Human Capital Issuance System Issuance Notice 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 2010, the Department established a goal of 35% ADR participation rate in both the

informal and formal complaint process. For ADR in the informal process, the Department had a 50.3% participation rate, and in the formal process had a 23.8% participation rate.

Fiscal Year	Counselings/ Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2010 Completed Pre-Complaint Counselings	731	686	93.8%	368	50.3%
FY 2009 Completed Pre-Complaint Counselings	818	783	95.7%	396	48.4%
% Change FY 2009 to FY 2010	-10.6%	-12.3%		-7.0%	
FY 2010 Formal Complaints Closures	449	220	48.9%	107	23.8%
FY 2009 Formal Complaints Closures	474	268	56.5%	138	29.1%
% Change FY 2009 to FY 2010	-5.2%	-17.9%		-22.4%	

The Department has devoted many of its resources to resolving conflict through dispute prevention methods. To educate Treasury employees on various tools to deal with conflicts in the workplace, the Treasury created Dispute Prevention Week (DPW). The Department's FY 2010 Dispute Prevention Week was held June 7-11, 2010 and its theme was "*Diving into Conflict*". The kick-off event featured a presentation by Mr. Robert Mnookin and Mr. Johnston Barkat. Mr. Mnookin, Chair of the Program on Negotiation at Harvard Law, provided insights from his latest book titled, "*Bargaining with the Devil: When to Negotiate, When to Fight*". Mr. Barkat, an expert in mediation and conflict resolution, shared his experience negotiation as the United Nations Ombudsman.

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 past years, the TSN Program had been administered by the Bureau Resolution Center within the Bureau of Engraving and Printing (BEP). However, in FY 2010, as part of the program's 10-year anniversary, the Department began sharing the program responsibilities by rotating leadership for the program every two years among all of Treasury's bureaus. The Office of the Comptroller of the Currency (OCC) was given leadership for the program in October 2009 and will retain leadership until September 2011. In FY 2010, the TSN program resolved 13 out of 26 ADR interventions, issued a new TSN brochure, and recognized five TSN mediators for their significant contributions to the TSN program.

➤ **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 2010, the Department conducted the following activities based on its analysis of workforce demographics, training needs, and human capital initiatives:

- Sponsored the first ever Women in Finance Symposium in March 2010. The Symposium consisted of two panel discussions and presentations from senior administrative officials and women leaders in the Financial sector, described by Times Magazine as “*The New Sheriffs of Wall Street, The Women Charged With Cleaning Up The Mess*”¹. The goal of the Symposium was to recognize the contributions of women in all economic agencies and to discuss the best means to foster success among future generations of women in public and private finance.
- Hosted a Latinos in Finance Summit in March 2010. Summit participants included Latino professionals with significant banking, sales and trading, asset management, private equity, hedge fund, and related industry experience. Senior Administration officials met with participants to describe their role and responsibilities within their respective agencies and the overall scope of their work. Participants also had the opportunity to engage with Administration officials and fellow participants, as they learned about the policy formulation process and management of the Department and other economic agencies.
- Implemented an electronic “exit interview” survey throughout the Department in February 2010. The survey asks employees about their experience at Treasury: what was positive, what was negative and why they are leaving. The Department also developed an automated analysis tool through its human resources system, HR Connect, which provides the user with an analysis of the exit responses received for their bureau. Those results, when compared to the separation rates, types of separations, and the results of the Employee Viewpoint Survey, provide telling information that will assist the Department in identifying barriers to retention and in developing effective plans to create a better workplace climate.
- Recognized by the Partnership for Public Service and American University in the *Annual Best Places to Work in the Federal Government* rankings and received one of two “Most Improved Large Agency” awards. Out of 32 agencies, the Department moved from 17th place to 12th place in the overall rankings. Three Treasury bureaus also hold three of the six top-rated agency bureaus or subcomponents rankings: the Office of Inspector General (OIG), the Office of the Comptroller of the Currency (OCC), and the Bureau of Public Debt (BPD). In addition, the Department made significant improvements in its FY 2010 Federal Employee Viewpoint Survey (Fed VIEW) results in the following areas: leadership and knowledge management, results oriented performance culture, talent management, and job satisfaction.

¹ The May 24, 2010 issue of Time Magazine featured an article on the Women in Finance Symposium. Senior level panelists were featured on the cover under the heading “*The New Sheriffs of Wall Street, The Women Charged With Cleaning Up The Mess*”.

- Promoted the use of a “Virtual Career Service Center” (VCSC) to allow employees to assess, improve, broaden, enhance, and re-tool skills and interests. The VCSC also provides an electronic bulletin board to announce opportunities for Treasury-wide details.
- Established and/or maintained partnerships with existing external internship programs that attract highly qualified, educated and diverse students. The Department placed 48 interns under the Hispanic Association of Colleges and Universities (HACU) Internship Program, 3 interns under the International Leadership Foundation (ILF), 15 interns under The Washington Center, 7 interns under the National Association of Equal Opportunity (NAFEO), 6 interns under the Washington Internship for Native Students (WINS), 1 intern under the National College Resources Foundation (NCRF), 2 interns under the Thurgood Marshall College Fund, 83 DC Youth Summer Program interns, and 13 interns under the Workforce Recruitment Program (WRP). In addition, the Department placed five Presidential Management Fellows (PMF) candidates.
- Served as an active planning partner in the development of the Third Annual Hispanic Career Advancement Summit program. Forty Treasury employees attended this event and three Treasury Senior Executives (1 from Internal Revenue Service (IRS) and 2 from OCC) participated in one-on-one mentoring sessions for GS-14s and GS-15s conference attendees. In addition, the Department provided financial support, served as a conference exhibitor, and provided staff to assist with on-site logistics the day of the conference.
- Sponsored the Hispanic Youth Symposium at Towson University in Towson, Maryland in July 2010. Two-hundred 11th and 12th grade high school students from the DC metro area attended this event. Through our participation, Treasury is able to reach Hispanic high school students who are about to enter college and make career field choices. By reaching out to these students now, the Department is able to position itself as an employer of choice, with exciting careers and internship opportunities, for students who will be entering college and/or the workforce over the next 3-5 years.
- Expanded the Department’s Hamilton Fellows Program, designed to help recruit and attract exceptional individuals to the Federal workplace who have diverse professional experiences, academic training and competencies. Using the merit system principles, Hamilton Fellows are appointed to a two-year internship in the excepted service at the GS-9 grade level. Upon successful completion of the program, Hamilton Fellows may be non-competitively converted to career or career-conditional appointments. As a result of the program, in FY 2010, the Department hired a total of 42 students from graduate schools across the country.
- Hosted the Second Annual DisABILITY and IT Accessibility Summit on October 8-9, 2009. Summit participants learned about best practices in the Federal Government, available resources for effective outreach and the use of Schedule A hiring authorities. For the Career Fair, each bureau identified open positions in order to actively recruit, conduct on-the-spot interviews and make tentative employment offers. Through a partnership with EARN (Employer Assistance Referral Network), the Department was able to review resumes of potential new hires and invite those individuals who met

- Participated in the FY 2010 Combined Federal Agency Hiring Event. The event, held on April 2010, was a tool to assist federal government agencies with increasing the employment of individuals with disabilities. Treasury employees served on the planning committee and shared information from its DisABILITY and IT Accessibility Summit, which became the model for the Combined Federal Agency Hiring Event. As a result of the Department's participation, Treasury held a total of 83 interviews and made 11 hires (79% of the total hires from the event).
- Partnered with the Department of Defense's Operation Warfighter Program (OWF). Operation Warfighter provides Service members, who are undergoing treatment or rehabilitation at Walter Reed Army Medical Center, with a formal means of transitioning back into the workforce. The Financial Management Service (FMS), DO, IRS, and OIG participated in job fairs and/or workshops sponsored by OWF. As a result, the Department placed 7 OWF candidates at FMS while they were rehabilitating.
- Created a Veterans Employment Program Office (VEPO) in accordance with Executive Order 13518, *Employment of Veterans in the Federal Government* (issued November 9, 2009), to focus on the recruitment and hiring of veterans and disabled veterans. The Department's VEPO held twelve workshops in FY 2010 titled, *Value a Veteran*, which provided training to Department recruiters, HR personnel, and hiring managers on how best to recruit and hire veterans. In addition, the Department established a Veterans Employment Steering Committee to develop the requirements of a new Veterans Quickview Dashboard to assist in future workforce planning initiatives and issued its first quarterly newsletter in August 2010.

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

During FY 2010, the Department took the following actions in support of its EEO Program:

- Secretary Geithner issued an EEO and Diversity Policy on March 10, 2010.
- Prompt quarterly website posting of NoFEAR Act Complaints Data.
- Distributed *Treasury's EEO Fast Facts* document.
- Issued the *Office of Civil Rights and Diversity Annual Report*.
- Briefed agency head on the *MD 715-State of the Workforce*.
- Implemented nine Special Observance programs, along with continuation of special emphasis outreach activities.
- Delivered EEO training by bureaus to their executives, managers, and supervisors.
- Delivered comprehensive training for existing and new EEO Counselors and Investigators.
- Made system improvements to Treasury's I-trak Complaints Management System and developed an Executive Dashboard feature for OCRD, all bureaus and the Treasury Complaint Center.
- Conducted NoFEAR Act Training within 90 calendar days of a new hire's appointment.
- Created a new NoFEAR Act training module for implementation in FY 2011.
- Monitored service level standards for formal complaint process.

- Conducted one Title VI compliance review of the IRS's compliance with Section 504 of the Rehabilitation Act and continued to assist bureaus in establishing or updating their existing Language Assistance Plans.
- Conducted two bureau EEO program audits.
- Provided MD 715 training opportunities and made upgrades to workforce data tables.
- Held one-on-one MD-715 briefings with each bureau EEO Officer.

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 2006-FY 2010)

NoFEAR Act Training Plan

**Equal Employment Opportunity Data Posted
Pursuant to the NoFEAR Act:**

**Department of the Treasury
FY 2006- FY 2010**

Note: Data provided through Treasury's I-trak Complaint Management System (ICMS) implemented in FY 2006. The NoFEAR Act Report reflects case data in ICMS as of 10/7/10 for the current and past five fiscal years. Mixed cases are included in this report.

Complaint Activity	Comparative Data					
	Previous Fiscal Year Data					2010
	2006	2007	2008	2009		
Number of Complaints Filed	488	538	481	432	433	
Number of Complainants	487	495	456	393	412	
Repeat Filers	17	37	25	36	19	

Complaints by Basis	Comparative Data					
	Previous Fiscal Year Data					2010
	2006	2007	2008	2009		
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	2006	2007	2008	2009	2010	
Race	209	215	209	173	187	
Color	10	34	28	25	27	
Religion	15	19	26	11	18	
Reprisal	226	201	203	197	200	
Sex	161	159	178	150	126	
National Origin	44	40	51	32	32	
Equal Pay Act	0	2	4	4	2	
Age	150	136	157	136	125	
Disability	131	131	109	107	107	
Non-EEO	21	20	37	28	22	

Complaints by Issue	Comparative Data				
	Previous Fiscal Year Data				2010
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	2006	2007	2008	2009	
Appointment/Hire	10	22	20	22	14
Assignment of Duties	45	71	54	50	48
Awards	6	15	16	13	9
Conversion to Full-time	1	0	2	1	1
Disciplinary Action					
Demotion	4	8	5	1	0
Reprimand	20	15	20	19	18
Suspension	19	16	13	22	24
Removal	7	7	5	8	4
Other	31	14	23	14	12
Duty Hours	9	12	14	12	11
Evaluation Appraisal	114	89	85	72	74
Examination/Test	0	1	0	0	3
Harassment					
Non-Sexual	192	229	240	191	191
Sexual	16	21	21	14	14
Medical Examination	0	0	3	2	4
Pay (Including Overtime)	14	16	17	16	18
Promotion/Non-Selection	103	101	127	108	97
Reassignment					
Denied	6	8	8	7	10
Directed	26	8	16	9	10
Reasonable Accommodation	19	49	32	32	27
Reinstatement	15	5	2	0	1
Retirement	5	4	6	3	2
Termination	30	27	42	23	57

Complaints by Issue	Comparative Data				
	Previous Fiscal Year Data				2010
	2006	2007	2008	2009	
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>					
Terms/Conditions of Employment	207	40	49	41	33
Time and Attendance	48	34	33	31	34
Training	24	26	24	19	27
Other	0	2	2	6	0

Processing Time	Comparative Data				
	Previous Fiscal Year Data				2010
	2006	2007	2008	2009	
Complaints during fiscal year					
Average number of days in investigation	334.31	269.86	257.22	251.87	181.83
Average number of days in final action	30.84	62.21	62.48	50.42	45.85
Complaints during fiscal year where hearing was requested (AJ remanded case)					
Average number of days in final action	38.68	58.71	64.19	70.35	53.27
Complaints during fiscal year where hearing was not requested					
Average number of days in final action	29.71	63.34	62.00	44.02	42.92

Complaints Dismissed by Agency	Comparative Data				
	Previous Fiscal Year Data				2010
	2006	2007	2008	2009	
Total Complaints Dismissed by Agency	98	76	66	71	55
Average days pending prior to dismissal	443	245	271	158	193
Complaints Withdrawn by Complainants					
Total Complaints Withdrawn by Complainants	94	64	74	53	34

	Comparative Data									
	Previous Fiscal Year Data									2010
	2006		2007		2008		2009			
	#	%	#	%	#	%	#	%	#	%
Total Final Agency Actions Finding Discrimination*										
Total Number Findings	1		10		6		8		8	
Without Hearing	1	100	4	40	1	17	5	62	4	50
With Hearing	0	0	6	60	5	83	3	38	4	50

*AJ decisions not fully implemented included.

Findings of Discrimination Rendered by Basis	Comparative Data									
	Previous Fiscal Year Data									2010
	2006		2007		2008		2009			
	#	%	#	%	#	%	#	%	#	%
<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	1		10		6		8		8	
Race	0	0	0	0	0	0	2	29	3	38
Color	0	0	0	0	0	0	1	14	0	0
Religion	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	6	60	2	33	4	43	2	25
Sex	0	0	1	10	0	0	2	29	2	25
National Origin	0	0	1	10	0	0	0	0	3	38
Equal Pay Act	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	1	17	0	0	0	0
Disability	1	100	2	20	3	50	1	14	1	13
Non-EEO	0	0	1	10	0	0	0	0	0	0
Findings After Hearing		0		6		5		3		4
Race		0	0	0	0	0	0	0	2	50
Color		0	0	0	0	0	0	0	0	0
Religion		0	0	0	0	0	0	0	0	0
Reprisal		0	0	4	67	2	40	3	100	0

Findings of Discrimination Rendered by Basis	Comparative Data										
	Previous Fiscal Year Data									2010	
	2006		2007		2008		2009				
	#	%	#	%	#	%	#	%	#	%	
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>											
Sex		0	0	1	17	0	0	0	0	1	25
National Origin		0	0	1	17	0	0	0	0	2	50
Equal Pay Act		0	0	0	0	0	0	0	0	0	0
Age		0	0	0	0	1	20	0	0	0	0
Disability		0	0	1	17	2	40	0	0	0	0
Non-EEO		0	0	0	0	0	0	0	0	0	0
Findings Without Hearing		1		3		1		5		4	
Race		0	0	0	0	0	0	2	40	1	25
Color		0	0	0	0	0	0	1	40	0	0
Religion		0	0	0	0	0	0	0	0	0	0
Reprisal		0	0	1	33	0	0	1	20	2	50
Sex		0	0	0	0	0	0	2	40	1	25
National Origin		0	0	0	0	0	0	0	0	1	25
Equal Pay Act		0	0	0	0	0	0	0	0	0	0
Age		0	0	0	0	0	0	0	0	0	0
Disability		1	100	1	33	1	100	1	20	1	25
Non-EEO		0	0	1	33	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue*	Comparative Data										
	Previous Fiscal Year Data									2010	
	2006		2007		2008		2009				
	#	%	#	%	#	%	#	%	#	%	
Total Number Findings		1		10		6		8		8	
Appointment/Hire		0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue*	Comparative Data											
	Previous Fiscal Year Data										2010	
	2006		2007		2008		2009		2010			
	#	%	#	%	#	%	#	%	#	%		
Assignment of Duties			0	0	0	0	0	0	1	14	0	0
Awards			0	0	0	0	0	0	0	0	0	0
Conversion to Full-time			0	0	0	0	0	0	0	0	0	0
Disciplinary Action												
Demotion			0	0	0	0	0	0	0	0	0	0
Reprimand			0	0	0	0	0	0	1	14	0	0
Suspension			0	0	0	0	0	0	0	0	0	0
Removal			0	0	0	0	0	0	0	0	0	0
Other			0	0	0	0	0	0	0	0	0	0
Duty Hours			0	0	1	10	0	0	0	0	0	0
Evaluation Appraisal			0	0	2	20	0	0	0	0	1	13
Examination/Test			0	0	0	0	0	0	0	0	0	0
Harassment												
Non-Sexual			0	0	4	40	2	33	3	43	3	38
Sexual			0	0	0	0	0	0	1	14	1	13
Medical Examination			0	0	0	0	0	0	1	14	0	0
Pay (Including Overtime)			0	0	1	10	0	0	0	0	0	0
Promotion/Non-Selection			1	100	1	10	0	0	2	29	1	13
Reassignment												
Denied			0	0	0	0	0	0	0	0	0	0
Directed			0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation			0	0	1	10	1	17	0	0	1	13
Reinstatement			0	0	0	0	1	17	0	0	0	0
Retirement			0	0	0	0	0	0	0	0	0	0
Termination			0	0	0	0	0	0	0	0	2	25

Findings of Discrimination Rendered by Issue*	Comparative Data											
	Previous Fiscal Year Data										2010	
	2006		2007		2008		2009		2010			
	#	%	#	%	#	%	#	%	#	%		
Terms/Conditions of Employment			0	0	4	40	2	33	0	0	3	38
Time and Attendance			0	0	2	20	0	0	0	0	0	0
Training			0	0	0	0	0	0	0	0	1	13
Other - User Defined			0	0	0	0	0	0	0	0	0	0
Findings After Hearing			0		6		5		3		4	
Appointment/Hire			0	0	0	0	0	0	0	0	0	0
Assignment of Duties			0	0	0	0	0	0	1	50	0	0
Awards			0	0	0	0	0	0	0	0	0	0
Conversion to Full-time			0	0	0	0	0	0	0	0	0	0
Disciplinary Action												
Demotion			0	0	0	0	0	0	0	0	0	0
Reprimand			0	0	0	0	0	0	0	0	0	0
Suspension			0	0	0	0	0	0	0	0	0	0
Removal			0	0	0	0	0	0	0	0	0	0
Other			0	0	0	0	0	0	0	0	0	0
Duty Hours			0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal			0	0	1	17	0	0	0	0	1	25
Examination/Test			0	0	0	0	0	0	0	0	0	0
Harassment												
Non-Sexual			0	0	3	50	2	40	2	50	1	25
Sexual			0	0	0	0	0	0	1	50	1	25
Medical Examination			0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)			0	0	1	17	0	0	0	0	0	0
Promotion/Non-Selection			0	0	1	17	0	0	0	0	1	25

Findings of Discrimination Rendered by Issue*	Comparative Data										
	Previous Fiscal Year Data										2010
	2006		2007		2008		2009		2010		
	#	%	#	%	#	%	#	%	#	%	
Reassignment											
Denied			0	0	0	0	0	0	0	0	0
Directed			0	0	0	0	0	0	0	0	0
Reasonable Accommodation			0	0	0	0	0	0	0	0	0
Reinstatement			0	0	0	0	1	20	0	0	0
Retirement			0	0	0	0	0	0	0	0	0
Termination			0	0	0	0	0	0	0	0	2 50
Terms/Conditions of Employment			0	0	2	33	2	40	0	0	1 25
Time and Attendance			0	0	1	17	0	0	0	0	0
Training			0	0	0	0	0	0	0	0	1 25
Other - User Defined			0	0	0	0	0	0	0	0	0
Findings Without Hearing			1		4		1		5		4
Appointment/Hire			0	0	0	0	0	0	0	0	0
Assignment of Duties			0	0	0	0	0	0	0	0	0
Awards			0	0	0	0	0	0	0	0	0
Conversion to Full-time			0	0	0	0	0	0	0	0	00
Disciplinary Action											
Demotion			0	0	0	0	0	0	0	0	0
Reprimand			0	0	0	0	0	0	1	20	0
Suspension			0	0	0	0	0	0	0	0	0
Removal			0	0	0	0	0	0	0	0	0
Other			0	0	0	0	0	0	0	0	0
Duty Hours			0	0	1	25	0	0	0	0	0
Evaluation Appraisal			0	0	1	25	0	0	0	0	0

Findings of Discrimination Rendered by Issue*	Comparative Data											
	Previous Fiscal Year Data										2010	
	2006		2007		2008		2009					
	#	%	#	%	#	%	#	%	#	%		
Examination/Test			0	0	0	0	0	0	0	0	0	0
Harassment												
Non-Sexual			0	0	1	25	0	0	2	40	2	50
Sexual			0	0	0	0	0	0	0	0	0	0
Medical Examination			0	0	0	0	0	0	1	20	0	0
Pay (Including Overtime)			0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection			0	0	0	0	0	0	2	40	0	0
Reassignment												
Denied			0	0	0	0	0	0	0	0	0	0
Directed			0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation			0	0	1	25	1	100	0	0	1	25
Reinstatement			0	0	0	0	0	0	0	0	0	0
Retirement			0	0	0	0	0	0	0	0	0	0
Termination			0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment			0	0	2	50	0	0	0	0	2	50
Time and Attendance			0	0	1	25	0	0	0	0	0	0
Training			0	0	0	0	0	0	0	0	0	0
Other - User Defined			0	0	0	0	0	0	0	0	0	0

Pending Complaints Filed in Previous Fiscal Years by Status	Comparative Data										
	Previous Fiscal Year Data								2010		
	2006		2007		2008		2009				
#	%	#	%	#	%	#	%	#	%		
Total complaints from previous Fiscal Years			1070		958		918		627		583
Total Complainants			1057		931		863		562		522

Complaint Investigations	Comparative Data				
	Previous Fiscal Year Data				2010
	2006	2007	2008	2009	
Pending Complaints Where Investigations Exceeded Required Time Frames	173	59	61	36	18

Department of the Treasury NoFEAR Act Training Plan

The Department of the Treasury's bureaus determine the training and tracking methods and timeframe to conduct bi-annual NoFEAR Act training. Department-wide training completion rates will be reported in the FY 2011 report.

Bureau	Delivery of Training	Training Schedule	Training Completion Date
<p>Bureau of Engraving and Printing (BEP), Bureau of Public Debt, Departmental Offices (DO), Financial Crimes Enforcement Network (FinCEN), Financial Management Service (FMS), United States Mint (Mint), Office of Thrift Supervision (OTS), Treasury Inspector General for Tax Administration (TIGTA), and Alcohol and Tobacco Trade and Tax Bureau (TTB)</p>	<p>Treasury Learning Management System (TLMS)</p>	<p>Treasury's New NoFEAR Training Module was implemented in January 2011 for bureaus.</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>Bi- Annual training will be completed by March 31, 2011.</p> <p>The training records in TLMS will be used to demonstrate employees received the NoFEAR Act training. TLMS will automatically update the training records of employees who complete the training. When employees receive the NoFEAR 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>Internal Revenue Service</p>	<p>Enterprise Learning Management System (ELMS)</p>	<p>IRS EEO was 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>IRS bi-annual training will be completed in September 2011.</p> <p>The training records in ELMS were used to demonstrate employees received the NoFEAR Act training. ELMS automatically updated the training records of employees who completed the training. When employees received the NoFEAR Act training via a</p>

			method other than ELMS, IRS management 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 Inspector General	Group training sessions, workshops and one-on-one sessions.	OIG EEO Office is responsible for notifying their workforce of this mandatory training requirement and providing alternative means of training delivery when needed.	Bi- Annual training will be completed by March 31, 2011. OIG EEO Office will conduct small group training/workshops with its employees and present the Department's New NoFEAR Act Training Module via PowerPoint presentation or hard copy handouts. Certificates of completion will be given to track completion rates. Certificates of completion will be cross referenced with OIG current employee roster.
Office of the Special Inspector General for Troubled Asset Relief Program (SigTARP)	Treasury Learning Management System (TLMS)	EEO Office and Training Office notified their workforce of this mandatory training requirement and providing alternative means of training delivery when needed.	Bi-Annual training completed September 17, 2010. TLMS training records were used to demonstrate employees received the NoFEAR Act training. TLMS automatically updated the training records of employees who complete the training. 128 employees out of 132 (97%) completed training.

<p>Office of the Comptroller of the Currency (OCC)</p>	<p>Treasury Learning Management System (TLMS)</p>	<p>EEO Office notified their workforce of this mandatory training requirement and providing alternative means of training delivery when needed.</p>	<p>Bi-Annual training completed September 3, 2010.</p> <p>TLMS training records were used to demonstrate employees received the NoFEAR Act training. TLMS automatically updated the training records of employees who complete the training. All 3,158 employees (100%) completed training.</p>
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