

No Fear Act

The Notification and Federal Employee Anti-discrimination and Retaliation (No FEAR) Act of 2002, Public Law 107-174

On May 15, 2002, President George W. Bush signed the Notification and Federal Employee Anti-discrimination and Retaliation Act (No FEAR Act). The No FEAR Act increases the accountability of Federal departments and agencies for acts of discrimination or reprisal against employees.

Section 301 of the No FEAR Act requires each Federal agency to post summary statistical data pertaining to complaints of employment discrimination filed against it by employees, former employees and applicants for employment under 29 C.F.R. Part 1614, "Federal Sector Equal Employment Opportunity." The specific data to be posted is described in section 301(b) of the No FEAR Act and at 29 CFR 1614.704. The required summary statistical data for formal Equal Employment Opportunity (EEO) complaints is provided below.

In addition, section 302(a) of the No FEAR Act requires the Federal Law Enforcement Training Centers (FLETC) to post government-wide, summary statistical data pertaining to hearings requested pursuant to 29 C.F.R. Part 1614.706 and appeals filed with the Equal Employment Opportunity Commission. That data is also available below. The posting of EEO data on an agency's public web site is intended to assist Congress, Federal agencies and the public in assessing whether, and to what extent, Federal agencies are in compliance with their equal employment responsibilities.

The data reported below reflects the status of FLETC's formal EEO complaints for the fiscal year 2018 through 4th Quarter fiscal year 2023.

- Complaint Activity
- Complainants
- Complaints by Basis
- Complaints by Issue
- Complaints Pending
- Average Processing Time of Pending Complaints in Days
- Pending Investigations Over 180 Days
- Complaints Dismissed Without an Investigation
- Final Agency Action Taken on Findings of Discrimination - Total
- Final Agency Action Taken on Findings of Discrimination – by Basis
- Final Agency Action Taken on Findings of Discrimination – by Issue

- **Equal Employment Opportunity Data Posted Pursuant to the No Fear Act:**

- **FLETC (and below)**

- **For 4th Quarter 2023 for period ending September 30, 2023**

Complaint Activity	Comparative Data					
	Previous Fiscal Year Data					2023 Thru 09-30
	2018	2019	2020	2021	2022	
Number of Complaints Filed	2	3	9	7	19	<u>12</u>
Number of Complainants	2	3	9	7	19	11
Repeat Filers	0	0	0	0	0	1

•

Complaints by Basis	Comparative Data					
	Previous Fiscal Year Data					2023 Thru 09-30
<u>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</u>	2018	2019	2020	2021	2022	
Race	0	1	3	2	7	<u>3</u>
Color	0	0	0	0	2	<u>2</u>
Religion	0	0	0	2	3	<u>0</u>
Reprisal	2	2	5	5	7	<u>7</u>
Sex	0	3	4	5	5	<u>3</u>
PDA	0	0	0	0	0	<u>0</u>
National Origin	0	0	0	2	2	<u>2</u>
Equal Pay Act	0	0	0	0	0	<u>0</u>
Age	1	0	1	2	3	<u>2</u>
Disability	1	1	4	0	4	<u>3</u>
Genetics	0	0	0	0	0	<u>0</u>
Non-EEO	0	0	1	1	0	<u>0</u>

•

Complaints by Issue	Comparative Data					
	Previous Fiscal Year Data					2023 Thru 09- 30
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed. Starting in FY2022, issues marked with: * are reported under Other Terms / Conditions of Employment. ** are reported under Other Disciplinary Actions.	2018	2019	2020	2021	2022	
Appointment/Hire	0	0	0	3	2	<u>3</u>
Assignment of Duties*	0	0	0	0	0	<u>0</u>
Awards	0	0	0	0	0	<u>0</u>
Conversion to Full Time/Perm Status*	0	0	0	0	0	<u>0</u>
Disciplinary Action						
Demotion	0	0	0	0	0	<u>0</u>
Reprimand**	0	0	0	0	0	<u>0</u>
Suspension	0	0	0	0	0	<u>1</u>
Removal	0	0	0	0	0	<u>0</u>
Disciplinary Warning**	0	0	0	0	0	<u>0</u>
Other Disciplinary Actions**	0	0	0	0	0	<u>1</u>
Other 2**	0	0	0	0	0	<u>0</u>
Duty Hours*	0	0	0	0	0	<u>0</u>
Perf. Eval./ Appraisal	0	0	0	0	1	<u>0</u>
Examination/Test	0	0	0	0	0	<u>0</u>
Harassment						
Non-Sexual	2	1	5	2	6	<u>5</u>
Sexual	0	2	1	1	1	<u>1</u>
Medical Examination	0	0	0	0	2	<u>0</u>
Pay including overtime	0	0	0	0	0	<u>0</u>
Promotion/Non-Selection	0	0	1	0	2	<u>1</u>
Reassignment						
Denied	0	0	0	0	0	<u>0</u>

Complaints by Issue	Comparative Data					
	Previous Fiscal Year Data					2023 Thru 09-30
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed. Starting in FY2022, issues marked with: * are reported under Other Terms / Conditions of Employment. ** are reported under Other Disciplinary Actions.	2018	2019	2020	2021	2022	
Directed	0	0	0	0	2	<u>0</u>
Reasonable Accommodation Disability	0	0	2	0	1	<u>1</u>
Reinstatement*	0	0	0	0	0	<u>0</u>
Religious Accommodation	0	0	0	0	0	<u>0</u>
Retirement*	0	0	0	0	0	<u>0</u>
Sex-Stereotyping	0	0	0	0	0	<u>0</u>
Telework	0	0	0	0	0	<u>0</u>
Termination	0	0	1	1	0	<u>0</u>
Terms/Conditions of Employment*	0	0	0	0	0	<u>0</u>
Time and Attendance	1	0	1	0	0	<u>1</u>
Training	0	0	0	1	0	<u>1</u>
Other Terms/Conditions of Employment*	1	1	1	1	7	<u>3</u>
User Defined - Other 1*	0	0	0	0	0	<u>0</u>
User Defined - Other 2*	0	0	0	0	0	<u>0</u>
User Defined - Other 3*	0	0	0	0	0	<u>0</u>
User Defined - Other 4*	0	0	0	0	0	<u>0</u>

•

Processing Time	Comparative Data					
	Previous Fiscal Year Data					2023 Thru 09-30
	2018	2019	2020	2021	2022	
Complaints pending during fiscal year						
Average number of days in investigation	202.00	249.00	165.43	147.60	117.86	127.27

Processing Time	Comparative Data					
	Previous Fiscal Year Data					2023 Thru 09-30
	2018	2019	2020	2021	2022	
Average number of days in final action	56.00	44.50	127.33	87.57	24.29	27.00
Complaint pending during fiscal year where hearing was requested						
Average number of days in investigation	216.00	249.00	181.00	161.50	123.17	126.62
Average number of days in final action	0	44.50	162.50	39.17	24.40	27.40
Complaint pending during fiscal year where hearing was not requested						
Average number of days in investigation	146.00	0	126.50	92.00	86.00	131.50
Average number of days in final action	56.00	0	57.00	378.00	24.00	23.00

•

Complaints Dismissed by Agency	Comparative Data					
	Previous Fiscal Year Data					2023 Thru 09-30
	2018	2019	2020	2021	2022	
Total Complaints Dismissed by Agency	0	0	0	0	0	<u>1</u>
Average days pending prior to dismissal	0	0	0	0	0	93
Complaints Withdrawn by Complainants						
Total Complaints Withdrawn by Complainants	1	0	0	0	2	<u>0</u>

•

Total Final Agency Actions Finding Discrimination	Comparative Data											
	Previous Fiscal Year Data										2023 Thru 09-30	
	2018		2019		2020		2021		2022			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0		0		0		0		0		0	
Without Hearing	0	0	0	0	0	0	0	0	0	0	<u>0</u>	0
With Hearing	0	0	0	0	0	0	0	0	0	0	<u>0</u>	0

Findings of Discrimination Rendered by Issue	Comparative Data													
	Previous Fiscal Year Data										2023 Thru 09-30			
	2018		2019		2020		2021		2022					
	#	%	#	%	#	%	#	%	#	%	#	%		
Sex-Stereotyping	0	0	0	0	0	0	0	0	0	0	0	0	<u>0</u>	0
Telework	0	0	0	0	0	0	0	0	0	0	0	0	<u>0</u>	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0	<u>0</u>	0
Terms/Conditions of Employment*	0	0	0	0	0	0	0	0	0	0	0	0	<u>0</u>	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0	<u>0</u>	0
Training	0	0	0	0	0	0	0	0	0	0	0	0	<u>0</u>	0
Other Terms/Conditions of Employment*	0	0	0	0	0	0	0	0	0	0	0	0	<u>0</u>	0
User Defined - Other 1*	0	0	0	0	0	0	0	0	0	0	0	0	<u>0</u>	0
User Defined - Other 2*	0	0	0	0	0	0	0	0	0	0	0	0	<u>0</u>	0
User Defined - Other 3*	0	0	0	0	0	0	0	0	0	0	0	0	<u>0</u>	0
User Defined - Other 4*	0	0	0	0	0	0	0	0	0	0	0	0	<u>0</u>	0

•

Pending Complaints Filed in Previous Fiscal Years by Status	Comparative Data					
	Previous Fiscal Year Data					2023 Thru 09-30
	2018	2019	2020	2021	2022	
Total complaints from previous Fiscal Years	14	8	9	8	7	<u>4</u>
Total Complainants	14	8	9	7	6	4
Number complaints pending						
Investigation	0	0	0	0	0	<u>0</u>
ROI issued, pending Complainant's action	0	0	0	0	0	<u>0</u>
Hearing	12	6	6	7	7	<u>3</u>
Final Agency Action	2	2	3	1	0	<u>1</u>
Appeal with EEOC Office of Federal Operations	2	3	0	3	4	<u>3</u>

•

Complaint Investigations	Comparative Data					
	Previous Fiscal Year Data					2023 Thru 09- 30
	2018	2019	2020	2021	2022	
Pending Complaints Where Investigations Exceed Required Time Frames	0	0	0	0	0	<u>0</u>