

U.S. GENERAL SERVICES ADMINISTRATION



**Notification and Federal Employee
Antidiscrimination and Retaliation Act of 2002**

Fiscal Year 2017

No FEAR Act Annual Report

March 2018

**U.S. General Services Administration
Fiscal Year 2017 No FEAR Act Annual Report**

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Message from the Associate Administrator for Civil Rights

I am pleased to present the U.S. General Services Administration's (GSA) Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act) Annual Report for Fiscal Year (FY) 2017.

The No FEAR Act, Public Law 107-174, requires that Federal agencies be publicly accountable for violations of antidiscrimination and whistleblower protection laws. Federal agencies must post both quarterly and annual statistical data relating to Federal Sector Equal Employment Opportunity (EEO) complaints on its public website, reimburse the Judgment Fund for any payments made, and notify employees and applicants for employment about their rights under the Federal antidiscrimination and whistleblower laws.

The GSA mission is to deliver value and savings in real estate, acquisition, technology, and services across government. The agency issued a new Strategic Plan for FY 2018–2022, emphasizing four primary goals: 1) save taxpayer money through better management of Federal real estate; 2) establish GSA as the premier provider of efficient and effective acquisition solutions across the Federal Government; 3) improve the way Federal agencies buy, build and use technology; and 4) design and deliver expanded shared services within GSA and across the Federal Government to improve performance and save taxpayer money.

GSA's Office of Civil Rights (OCR) vision is to be a premier civil rights program that inspires a culture of equal opportunity. Our mission is to help ensure an inclusive workplace, free from unlawful discrimination, through active engagement, training, and compliance with civil rights laws, regulations and other guiding sources. OCR implements its mission and values through the GSA Equal Employment Opportunity Program, the GSA Nondiscrimination in Federal Financial Assistance Program, the GSA Nondiscrimination in Federally Conducted Programs and Activities Program, the GSA Affirmative Employment Program, and our work in Environmental Justice. Through these programs, OCR supports GSA's mission to deliver the best value in real estate, acquisition, and technology services and GSA's vision of providing effective and efficient Government for the American people.

OCR requires GSA employees to take the No FEAR Act training on a two year cycle, thereby providing GSA employees the information they need to comply with Antidiscrimination and Whistleblower Protection Laws. In FY 2017, OCR began a comprehensive review and refresh of the mandatory trainings offered with a particular focus on antiharassment in order to align with a new agency-wide antiharassment procedure, scheduled for implementation in FY 2018.

GSA takes great pride in the work that we do in the area of equal employment opportunity. Equal employment opportunity is woven into the culture of GSA. The significant work and accomplishments achieved in FY 2017 demonstrate the emphasis GSA places on equity of opportunity in support of serving the American public.

Sincerely,

Madeline Caliendo, Esq.
Associate Administrator
Office of Civil Rights

Executive Summary

The No FEAR Act is intended to reduce the incidence of workplace discrimination within the Federal Government by making agencies and departments more accountable for violations of antidiscrimination and whistleblower protection laws. Section 203 of the No FEAR Act requires GSA and all Government agencies to provide specified congressional committees and members with an annual report within 180 days of the end of the fiscal year that details the following:

- Federal antidiscrimination and whistleblower protection laws
- Complaint activity (including Federal District Court Cases)
- Disciplinary actions that result from complaints
- Judgment Fund reimbursements
- Adjustments to agency budgets to meet reimbursement requirements
- Analysis of trends, causation, and practical knowledge gained through experience

In accordance with the No FEAR Act, GSA has produced this report for submission to all designated congressional committees and the general public. The report includes data and analysis relevant to the No FEAR Act for FY 2017 (October 1, 2016 to September 30, 2017). OCR is responsible for implementing outreach programs to proactively prevent employment-based discrimination at GSA and processing, counseling, and adjudicating employment-related complaints of discrimination. OCR staff's rigorous work on these multiple fronts have helped lower the number of formal complaints over the past five fiscal years while maintaining a strong awareness among GSA employees of the resources available to them through mandatory No FEAR Act training and other outreach programs.

Whistleblower Protection Act and Federal Antidiscrimination Laws (EEO) Case Activity.

In FY 2017, zero cases arose within GSA under the Whistleblower Protection Act (WPA). GSA was not required to make any reimbursements to the U.S. Department of the Treasury's Judgment Fund (Judgment Fund) for cases arising under the WPA.

In FY 2017, one case arose under the antidiscrimination laws; however, this case was dismissed due to a settlement agreement. There were no findings of discrimination against GSA in FY 2017 in Federal court. There was one case that required reimbursement into the Judgment Fund in FY 2017; consequently, \$850.00 was paid out for this purpose. Given the small number of cases brought against the agency, there were no identifiable trends, causal analysis, or practical knowledge gained from the cases brought against the agency in Federal court because there were no judgments or findings that the agency discriminated in any way.

Disciplinary Actions Relating to Federal Court Cases. A review of FY 2017 disciplinary records show no GSA employees were disciplined for violations of Federal Antidiscrimination or Whistleblower Protection Act laws.

No FEAR Act EEO Complaint Postings. Data in the **Appendix** reports that a total of 88 EEO complaints were filed at GSA by the end of FY 2017. This represents a six percent decrease in the annual number of EEO complaints filed as compared to FY 2016, when 94 complaints were filed. In FY 2017, complaints were filed based on race, color, religion, reprisal, sex, national origin, the Equal Pay Act, age, disability, and non-EEO bases. The four most common issues cited in employment discrimination claims within GSA during FY 2017 were Non-Sexual Harassment, Promotion/Non-Selection, Reasonable Accommodation-Disability and Performance Evaluation/Appraisal. Analysis of the data did not identify specific causal relationships that would explain why reprisal, disability, and age were the most frequent bases of discrimination. Non-Sexual Harassment and Promotion/Non-Selection

are also two of the most common issues of the Federal Government as a whole that were cited in FY 2014, according to the EEOC.¹

Biennial Mandatory Training. GSA employees are required to take the No FEAR Act training biennially, with the last cycle completed in June 2016. This training provides GSA managers and employees the information they need about antidiscrimination, retaliation and whistleblower protection laws. In FY 2015, GSA updated this training and launched in FY 2016. The Office of Civil Rights introduced an updated online No FEAR training for the new cycle in 2016. At the end of FY 2017, over 99 percent of eligible, onboard GSA employees had completed the training. As of September 30, 2017, GSA met the requirement to provide training to all GSA employees every two years and to provide training to all new employees within 90 days on antidiscrimination and retaliation laws. GSA plans to implement a new cycle of No FEAR Act training in FY 2018.

Legislative Requirements

This document responds to the reporting requirements set forth in Section 203 of the No FEAR Act, which states:

Annual Report. — Subject to subsection (b), not later than 180 days after the end of each fiscal year, each Federal agency shall submit to the Speaker of the House of Representatives, the President pro tempore of the Senate, the Committee on Governmental Affairs of the Senate, the Committee on Government Reform of the House of Representatives, each committee of Congress with jurisdiction relating to the agency, the Equal Employment Opportunity Commission, and the Attorney General an annual report which shall include, with respect to the fiscal year:

- (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 such agency was alleged;
- (2) the status or disposition of cases described in paragraph (1);
- (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;
- (4) the number of employees disciplined for discrimination, retaliation, harassment, or any other infraction of any provision of law referred to in paragraph (1);
- (5) the final year-end data posted under section 301(c)(1)(B) for such fiscal year (without regard to section 301(c)(2));
- (6) a detailed description of —
 - (A) 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

¹ FY 2014 EEOC Annual Report on the Federal Work Force Part 1:
<https://www.eeoc.gov/federal/reports/fsp2014/index.cfm>

violation of any of the laws cited under section 201(a)(1) or (2); and

(B) 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;

(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;

(D) any actions planned or taken to improve complaint or civil rights programs of the agency; and

(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.

Further guidance on each agency's reporting obligations is provided in 5 C.F.R. § 724.302, which also requires the submission of the annual report to the Director of the U.S. Office of Personnel Management for the implementation of a best practices study and the issuance of advisory guidelines.

Results and Data

EEO Cases in Federal District Court. In FY 2017, GSA had zero cases in Federal District Court arising under the Whistleblower Protection Act, and one case in Federal District Court arising under Federal Antidiscrimination Laws. The bases for the one case under Federal Antidiscrimination Laws were age and disability; this case was dismissed due to a settlement agreement out of court.

Reimbursements to Judgment Fund. In FY 2017, GSA's closed civil action cases required \$850.00 in reimbursements to the Judgment Fund. This amount (\$850.00) represents lump sum payments with no attorney's fees specifically allocated. No budget adjustments were needed to cover judgments, awards, or compromise settlements related to current and former Federal employee claims.

No FEAR Act Claims Resulting in Reimbursements
 to the Judgement Fund for FY 2012 – FY 2017

Judgment Fund Reimbursements	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
Reimbursement Amount	\$ 250,000	\$ 140,000	\$ 135,000	\$ 0	\$0	\$850

Disciplinary Actions. A total of zero GSA employees were formally disciplined in FY 2017 for discrimination, retaliation, harassment, or any other infraction of any provision of law covered by paragraphs (1) and (2) of section 201(a) of the No FEAR Act in which discrimination on the part of such agency was alleged. The GSA policy for taking disciplinary action against Federal employees for conduct inconsistent with the Federal Antidiscrimination and Whistleblower Protection laws for conduct that constitutes other prohibited personnel practice is available at <http://www.gsa.gov/portal/directive/d0/content/523318>. Included in this policy is the GSA Penalty Guide, which identifies discrimination and retaliation (specifically identified as an action against any person for the proper exercise of the right to file a discrimination complaint or grievance) as types of delinquency or misconduct. The GSA Penalty Guide also specifies penalties for discriminatory, retaliatory, and reprisal actions.

EEO Complaint Data. The GSA Equal Employment Opportunity Data for FY 2017, posted pursuant to the No FEAR Act for 4th Quarter 2017 (for period ending September 30, 2017) is reported in the Appendix and is also available at <https://www.gsa.gov/portal/content/102469>.

Analysis of Trends

EEO Complaint Activity. In FY 2017, 88 complaints were filed by 79 complainants. The number of complaints represents a six percent decrease from FY 2016, when 94 complaints were filed, and a six percent decrease from FY 2012, when 94 complaints were filed. The 79 complainants in FY 2017 represent a five percent decrease from FY 2016 which had 83 complainants and a nine percent decrease from FY 2012 which had 87 complainants.

Bases of Discrimination in EEO Complaints. The most frequent bases in claims of discrimination at GSA in FY 2017 were Reprisal/Retaliation (45 allegations), Disability (41 allegations), Age (35 allegations), and Sex and Race (31 allegations each). This represents decreases of 10, 15, 38, and 38 percent for reprisal, age, sex and race respectively and a 21 percent increase for disability from FY 2016. As shown below, GSA’s top bases closely mirror Federal Government trends.

*Top Bases in Federal Complaint Allegations
 Filed for FY 2013 - FY 2017*

GSA vs Government (Gov)	FY 2013		FY 2014		FY 2015		FY 2016		FY 2017	
Basis	Gov	GSA	Gov	GSA	Gov	GSA	Gov	GSA	Gov	GSA
Reprisal/Retaliation	7,339	60	7,457	57	n.a.	47	n.a.	41	n.a.	45
Disability (Physical)	3,718	29	3,817	31	n.a.	38	n.a.	21	n.a.	41
Age	5,105	60	4,915	45	n.a.	40	n.a.	38	n.a.	35
Sex	5,709	44	5,812	35	n.a.	36	n.a.	51	n.a.	31
Race (Black/ African American)	3,838	56	4,042	55	n.a.	44	n.a.	36	n.a.	31

Issues in EEO Complaints. The most common issues cited in employment discrimination claims within GSA during FY 2017 were Non-Sexual Harassment (33 allegations), Promotion/Non-Selection (17 allegations), Reasonable Accommodation Disability (17 allegations), Performance Evaluation/Appraisal (17 allegations), and Terms and Conditions of Employment (13 allegations). This represents a 32 percent increase for citations of Non-Sexual Harassment from FY 2016 (25 cases) and a 37 percent decrease of claims alleging Promotion/ Non-Selection from FY 2016 (27 cases). Two of GSA's top issues (Non-Sexual Harassment and Promotion/Non-Selection) match the top issues of the Federal Government as a whole in FY 2014.

*Top Issues in Federal Complaint Allegations
 Filed for FY 2013 - FY 2017*

GSA vs Government (Gov)	FY 2013		FY 2014		FY 2015		FY 2016		FY 2017	
Issue	Gov	GSA	Gov	GSA	Gov	GSA	Gov	GSA	Gov	GSA
Harassment - Non-Sexual	6,127	33	5,991	35	n.a.	25	n.a.	29	n.a.	33
Performance Evaluation/ Appraisal	1,447	13	1,289	15	n.a.	13	n.a.	17	n.a.	17
Reasonable Accommodation Disability	4,006	6	1,435	8	n.a.	6	n.a.	8	n.a.	17
Promotion/Non-Selection	2,683	32	2,250	13	n.a.	15	n.a.	12	n.a.	17
Terms/Conditions	2,492	13	2,506	21	n.a.	11	n.a.	3	n.a.	13

Source: EEO Annual Report on the Federal Workplace FY 2014

Improving the GSA Civil Rights Program.

FY 2017 was a very strong performance year for OCR in both for the EEO Program and external Civil Rights Programs.

EEO Complaints Adjudication: OCR completed 99 percent of EEO and other adjudicatory case actions (526 of 529) within timeliness and quality/legal sufficiency review standards. In FY 2017, OCR managed 214 formal EEO complaints at all stages of the process with 100 percent timely EEO counselings and 100 percent timely EEO investigations. This was accomplished during a time of 34 percent increase in complaint activity from FY 2015 levels. In FY 2014, mid-size agencies

Governmentwide reported, on average, 89 percent timely EEO counselings and 55 percent timely EEO investigations.

Innovation: OCR has a culture of innovation that fuels its success, with seven innovation projects completed in FY 2017. The projects helped improve how OCR manages cases, standardize operating procedures, better define quality and manage data, and streamline processes. Internal controls were enhanced to reduce errors, and data management practices were improved to promote greater accuracy and reduce cycle times for external reporting.

Early Resolution: In FY 2017, OCR continued to enhance alternative dispute resolution (ADR)/early resolution strategies, which resulted in 54 percent of informal EEO cases resolving (up from 47 percent in FY 2016). The ADR program had 60 percent of complaints resolving in mediation (as compared to 55 percent in FY 2016). ADR election rates increased in FY 2017 to 61 percent (up from 56 percent in FY 2016). Despite the changes made to the process, customer satisfaction surveys continued to be strong with 85 percent of ADR participants reporting they felt well prepared for mediation. In FY 2017, OCR expanded and improved resolution at the formal phase of the EEO process, resulting in a 17 percent increase in the formal EEO cases resolving through ADR.

Affirmative Employment Program: Proactive prevention through the Affirmative Employment Program was also strong in FY 2017. OCR worked closely with GSA's Office of Human Resource Management to implement eight specific recommendations from GSA's Barrier Analysis Workgroup. This includes: (1) a GSA-wide disability re-survey effort; (2) the collection and review of GSA's Reasonable Accommodations data; (3) the development and delivery of unconscious bias training; (4) Virtual Flash Mentoring events for GSA staff; and (5) the development of a comprehensive database of Relevant Civilian Labor Force (RCLF) EEO data for business partner reports.

Outreach and Training: FY 2017 was an outstanding year for OCR's outreach and training. OCR held 12 training events at GSA with 1,967 attendees, and 83 percent of the responses received said their understanding of civil rights improved as a result of the training. OCR's "Civil Writes" blog continues to be an effective strategy to engage the GSA community on civil rights and related issues. The blog had 10,995 users, with 19,471 unique page views. This is very significant as 50 percent were new visitors. In FY 2017, OCR also launched a nine month unconscious bias Pilot Project with Region 5 to educate the region about unconscious bias and how to interrupt it and created 6 in-house training videos with support from GSA's Office of Strategic Communication to further mission-focused work. OCR also holds Quarterly Civil Rights Leadership Meetings to discuss civil rights topics.

Complaints Processing and Adjudication Data

EEO Investigations. In FY 2017, the average processing time of GSA investigations was 207 days in investigation. The standard investigation timeframe is 180 days; however, the investigation can be extended by the complainant. This represents a 3.7 percent increase from FY 2016 and a 25 percent decrease from FY 2012. The increase in processing times was due to a confluence of an increase in complaint activity combined with unfilled vacancies due to attrition. In FY 2015 GSA conducted a Lean Six Sigma study, which resulted in improved efficiency and quality in EEO case processing. The process improvements implemented from this study enabled GSA to achieve 100 percent timely investigations in FY 2017. According to the EEOC, only 73 percent of investigations Governmentwide are completed in a timely manner.² GSA continues to ensure timely processing by closely monitoring

² Source: [EEO Annual Report on the Federal Workplace FY 2014](#)

and tracking all case actions, addressing issues as they emerge, and ensuring quality at all phases of the process.

*EEO Investigation Processing Performance
 FY 2013 - FY 2017*

Investigations	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
Number processed	54	70	53	58	67
Number Untimely	20	8	0	1	0
Percentage Timely	63%	89%	100%	98%	100%
Average Processing Days	269.11	214.43	198.74	194.55	207.12

Procedural Dismissals. 29 C.F.R. § 1614.107(a) defines the procedural reasons an agency may dismiss an EEO complaint. These reasons include: failure to state a claim, untimely initial contact with an EEO counselor, filing the identical claim in Federal District Court, and failure to provide necessary information to the agency. In FY 2017, five complaints were dismissed by the agency. This represents a 62 percent decrease in complaints dismissed from FY 2016 when 13 complaints were dismissed.

In September 2014, EEOC issued a report entitled Preserving Access to the Legal System: Common Errors by Federal Agencies in Dismissing Complaints of Discrimination on Procedural Grounds. This report found that “one-third of agency dismissals are reversed and remanded by EEOC.”³

*Procedural Dismissals and Remands
 Filed for FY 2012 - FY 2016*

Procedural Dismissals	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
Number of Dismissals	26	18	15	13	6
Number of Remands	5	5	3	2	2
Percent Remanded	19%	28%	20%	15%	33%
Gov-wide Percent Remanded	n.a.	n.a.	n.a.	n.a.	n.a.

Findings of Discrimination. Section 203(a)(7) of the No FEAR Act requires Federal agencies to examine trends and causes behind the data in their reports over the past five years. GSA’s EEO complaint trends regarding findings of complaints of discrimination from FY 2011 through FY 2016 are listed below.

Protected Bases. In FY 2017, there were zero findings of discrimination at GSA.

³ <https://www.eeoc.gov/eeoc/newsroom/release/9-15-14.cfm>

Findings of discrimination between FY 2012 and FY 2016 involved one base or a combination of race, reprisal, disability, sex and age as bases. According to the data listed above for the past five fiscal years, race, disability and sex have been the most common bases for findings of discrimination at GSA.

Issues.

The issues involved in discrimination findings by GSA between FY 2012 and FY 2016 include Promotion/Non-Selection, Time and Attendance, Training, Performance Evaluation/ Appraisal, Reassignment- Directed, Reasonable Accommodation- Disability and Terms/Conditions of Employment. Only Performance Evaluation/Appraisal and Reasonable Accommodation were issues involved in multiple findings during this time period.

GSA Findings of Discrimination
 FY 2013 - FY 2017

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
Findings	1	2	2	1	0
Bases	Disability (Mental)	Disability (Physical)	Disability (Physical, Mental)	Disability (Physical)	
		Race (Black)	Race (African American)	Race (Caucasian)	
		Reprisal	Reprisal	Age	
			Sex (Male) (Female)	Sex (Female)	
			Harassment (Non-sexual)		
Issues	Performance Eval/Appraisal	Reasonable Accommodation (Disability)	Reasonable Accommodation (Disability)	Promotion/ Nonselection	
		Reassignment (Directed)	Performance Eval/Appraisal	Time and Attendance	
		Terms & Conditions of Employment		General Training	

GSA No FEAR Training. GSA provides No FEAR training targeting all GSA employees, including managers and supervisors. Below is an outline of the current GSA No FEAR Act training program. In accordance with 5 CFR § 724.203, published in the Federal Register Vol. 71, No. 139 dated Thursday, July 29, 2006 (Implementation of Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002-Notification & Training), each agency must develop a written plan to train all of its employees under the Antidiscrimination and Whistleblower Protection Laws.

No FEAR Training for All Employees. All new employees are required to complete No FEAR Act training through the GSA Online University (OLU) (<https://gsaolu.gsa.gov>) within 90 calendar days of appointment. In addition, all employees must undergo No FEAR Act Training every two years.

EEO Managers and Supervisors Training. All managers and supervisors are required to complete Manager-Supervisor training every two years and/or within 90 calendar days of appointment to a supervisory position.

Method of Training. The No FEAR Act Training course is accessible at any time for GSA employees using GSA-connected computers or on GSA Servers through the GSA Online University (OLU). The course provides content on their rights, remedies, and responsibilities under applicable Antidiscrimination and Whistleblower Protection Laws.

Training Schedule. All employees, including supervisors and managers, shall complete the No FEAR Act training course initially and biennially. GSA will meet the requirement by:

- (1) Offering OLU training for new employees within 90 days of appointment;
- (2) Notifying all employees to complete training OLU No FEAR Act refresher training every two years via GSA Today, Chatter, GovDelivery, and targeted email messages; and
- (3) Notifying employees who have not completed the initial or refresher training periodically by email.

Appendix - No FEAR Act Data FY 2012–2017

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

GSA

For 4th Quarter 2017, ending September 30, 2017

Note: Complaints can be filed alleging multiple bases and/or issues. The sum of the bases and/or issues may not equal total complaints filed.

Table One: Complaint Activity

Complaint Activity	Comparative Data					
	Previous Fiscal Year Data					Current
	2012	2013	2014	2015	2016	2017
Number of Complaints Filed	94	85	79	76	94	88
Number of Complainants	87	65	61	68	83	79
Repeat Filers	6	12	8	5	9	7

Table Two: Complaints by Basis

Complaints by Basis	Comparative Data					
	Previous Fiscal Year Data					Current
	2012	2013	2014	2015	2016	2017
Race	54	42	36	41	50	31
Color	17	22	20	23	33	16
Religion	13	6	9	9	12	3
Reprisal	54	45	41	52	50	45
Sex	44	42	34	38	50	31
PDA	0	0	0	0	0	0
National Origin	20	13	17	24	24	9
Equal Pay Act	1	6	4	6	0	0
Age	44	39	38	38	41	35
Disability	29	36	21	31	34	41
Genetics	0	0	0	1	0	0
Non-EEO	0	2	5	6	4	4

Table Three: Complaints by Issue

Complaints by Issue	Comparative Data					
	Previous Fiscal Year Data					Current
	2012	2013	2014	2015	2016	2017
Appointment/Hire	6	7	5	5	9	3
Assignment of Duties	10	13	8	10	12	9
Awards	0	3	0	0	0	0
Conversion to Full Time/Perm Status	0	0	1	1	0	0
Disciplinary Action						
Demotion	5	0	3	1	3	2
Reprimand	3	4	4	11	3	4
Suspension	1	1	3	4	1	3
Removal	2	3	1	2	3	4
Other	0	0	0	0	0	0
Duty Hours	3	3	1	1	2	2
Perf. Eval./ Appraisal	18	13	16	13	17	17
Examination/Test	0	0	0	1	1	1
Harassment						
Non-Sexual	35	26	27	31	25	33
Sexual	2	4	1	0	5	1
Medical Examination	0	1	1	0	0	0
Pay including overtime	3	5	2	4	1	2
Promotion/Non-Selection	13	15	12	18	27	17
Reassignment						
Denied	1	2	2	3	3	3
Directed	3	3	4	3	1	1
Reasonable Accommodation Disability	5	6	7	6	9	17
Reinstatement	0	0	1	0	0	0
Religious Accommodation	0	0	0	0	0	0
Retirement	0	0	1	2	1	0
Sex-Stereotyping	0	0	0	0	0	0
Telework	0	0	0	0	2	4
Termination	4	0	1	2	5	1

Complaints by Issue	Comparative Data					
	Previous Fiscal Year Data					Current
	2012	2013	2014	2015	2016	2017
Terms/Conditions of Employment	20	11	3	17	12	13
Time and Attendance	3	5	2	7	6	4
Training	1	3	2	4	2	1

Table Four: Processing Time

Processing Time	Comparative Data					
	Previous Fiscal Year Data					Current
	2012	2013	2014	2015	2016	2017
Complaints pending during fiscal year						
Average number of days in investigation	274.82	272.56	225.76	200.92	199.79	207.12
Average number of days in final action	42.91	40.67	58.83	43.78	35.37	48.02
Complaint pending during fiscal year where hearing was requested						
Average number of days in investigation	259.11	280.8	230.95	205.46	202.39	212.72
Average number of days in final action	14.29	0	17	7	693	1,069.00
Complaint pending during fiscal year where hearing was not requested						
Average number of days in investigation	310.17	250.6	204.64	187.31	203.56	213.92
Average number of days in final action	56.27	40.67	62.64	48.38	54.38	51.7

Table Five: Complaints Dismissed by Agency

Complaints Dismissed by Agency	Comparative Data					
	Previous Fiscal Year Data					Current
	2012	2013	2014	2015	2016	2017
Total Complaints Dismissed by Agency	11	23	18	15	13	5
Average days pending prior to dismissal	34	38	30	22	21	20
Complaints Withdrawn by Complainants						
Total Complaints Withdrawn by Complainants	15	7	5	5	11	10

Table Six: Total Final Agency Actions Finding Discrimination

Total Final Agency Actions Finding Discrimination	Comparative Data											
	Previous Fiscal Year Data											Current
	2012		2017		2014		2015		2016		2017	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	1		0		3		2		1		0	
Without Hearing	0	0	0	0	0	0	0	0	0	0	0	0
With Hearing	1	100	0	0	3	100	2	100	1	100	0	0

Table Seven: Findings of Discrimination Rendered by Basis

Findings of Discrimination Rendered by Basis	Comparative Data											
	Previous Fiscal Year Data											Current
	2012		2013		2014		2015		2016		2017	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0		1		2		2		1		0	
Race	0	0	1	100	1	33	1	33	1	25	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	1	33	0	0	0	0	0	0
Sex	0	0	0	0	0	0	1	33	1	25	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	1	25	0	0
Disability	0	0	0	0	1	33	1	33	1	25	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0
Findings After Hearing	0		0		1		1		1		0	
Race	0	0	0	0	0	0	1	100	1	100	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	1	100	0	0	0	0	0	0

Findings of Discrimination Rendered by Basis	Comparative Data											
	Previous Fiscal Year Data										Current	
	2012		2013		2014		2015		2016		2017	
	#	%	#	%	#	%	#	%	#	%	#	%
Sex	0	0	0	0	0	0	1	100	1	33	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	1	33	0	0
Disability	0	0	0	0	0	0	0	0	1	33	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing												
	0		1		1		1		0		0	
Race	0	0	1	100	1	50	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	1	50	1	100	0	0	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0

Table Eight: Findings of Discrimination Rendered by Issue

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										Current	
	2012		2013		2014		2015		2016		2017	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0		1		2		2		1		0	

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										Current	
	2012		2013		2014		2015		2016		2017	
	#	%	#	%	#	%	#	%	#	%	#	%
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full Time/Perm Status	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action												
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
Perf. Eval./ Appraisal	0	0	1	100	0	0	1	100	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment												
Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay including overtime	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	1	33	0	0
Reassignment												
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	1	50	0	0	0	0	0	0
Reasonable Accommodation Disability	0	0	0	0	1	50	1	100	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Religious Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Sex-Stereotyping	0	0	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										Current	
	2012		2013		2014		2015		2016		2017	
	#	%	#	%	#	%	#	%	#	%	#	%
Telework	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	1	100	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	1	33	0	0
Training	0	0	0	0	0	0	0	0	1	33	0	0
Findings After Hearing												
	0		0		1		1		1		0	
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full Time/Perm Status	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action												
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
Perf. Eval./ Appraisal	0	0	0	0	0	0	1	100	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment												
Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay including overtime	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	1	33	0	0
Reassignment												

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										Current	
	2012		2013		2014		2015		2016		2017	
	#	%	#	%	#	%	#	%	#	%	#	%
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	1	100	0	0	0	0	0	0
Reasonable Accommodation Disability	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Religious Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Sex-Stereotyping	0	0	0	0	0	0	0	0	0	0	0	0
Telework	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	1	33	0	0
Training	0	0	0	0	0	0	0	0	1	33	0	0
Findings Without Hearing	0		1		1		1		0		0	
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full Time/Perm Status	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action												
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
Perf. Eval./ Appraisal	0	0	1	100	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment												

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										Current	
	2012		2013		2014		2015		2016		2017	
	#	%	#	%	#	%	#	%	#	%	#	%
Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay including overtime	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment												
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation Disability	0	0	0	0	1	50	1	100	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Religious Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Sex-Stereotyping	0	0	0	0	0	0	0	0	0	0	0	0
Telework	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	1	50	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0

Table Nine: Pending Complaints Filed in Previous Fiscal Years by Status

Pending Complaints Filed in Previous Fiscal Years by Status	Comparative Data					
	Previous Fiscal Year Data					Current
	2012	2013	2014	2015	2016	2017
Total complaints from previous Fiscal Years	69	84	79	89	66	59
Total Complainants	64	76	68	75	55	52
Number complaints pending						
Investigation	2	2	0	0	0	1

Pending Complaints Filed in Previous Fiscal Years by Status	Comparative Data					
	Previous Fiscal Year Data					Current
	2012	2013	2014	2015	2016	2017
ROI issued, pending Complainant's action	1	0	0	0	0	0
Hearing	63	77	76	86	66	55
Final Agency Action	3	4	2	3	0	3
Appeal with EEOC Office of Federal Operations	6	18	34	33	31	56

Table Ten: Complaint Investigations

Complaint Investigations	Comparative Data					
	Previous Fiscal Year Data					Current
	2012	2013	2014	2015	2016	2017
Pending Complaints Where Investigations Exceed Required Time Frames	14	6	0	2	1	0