

**United States
Department of the Treasury
No FEAR Act Annual Report
Fiscal Year (FY) 2022**



Prepared by
The Office of Civil Rights and
EEO

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**United States Department of the Treasury
No FEAR Act Report, as amended¹
Fiscal Year (FY) 2022**

Section I. Summary of District Court Cases (FY 2018 to FY 2022)

Data was derived from reports submitted by counsel in each bureau of the Department of the Treasury (the Department or Treasury). These charts show all cases and payments to the Judgment Fund in Fiscal Year (FY) 2018 to FY 2022, regardless of when the case was filed. Because 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: 110 cases				
	FY 18	FY 19	FY 20	FY 21	FY 22
Title VII (race, color, religion, sex, national origin)	17	20	8	21	18
Age	9	8	3	3	3
Sex (Equal Pay Act)	1	0	1	0	0
Disability (Section 501 of the Rehabilitation Act of 1973)	10	11	5	10	8
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	0	0	0

¹ Elijah E. Cummings Federal Employee Antidiscrimination Act (CFEA Act) of 2020 amends the Notification and Federal Employee Anti-discrimination and Retaliation Act (No FEAR Act) to include additional reporting and posting requirements when discrimination has been found in EEO administrative and District Court cases.

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

	TOTAL SETTLED: 24 cases				
	FY 18	FY 19	FY 20	FY 21	FY 22
Title VII (race, color, religion, sex, national origin)	2	5	4	4	2
Age	0	1	0	0	1
Sex (Equal Pay Act)	0	0	0	0	0
Disability (Section 501 of the Rehabilitation Act of 1973)	1	4	1	1	2
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	0	0	0

	PENDING: 42 cases*				
	FY 18	FY 19	FY 20	FY 21	FY 22
Title VII (race, color, religion, sex, national origin)	39	42	46	38	42
Age	17	21	14	6	9
Sex (Equal Pay Act)	1	1	1	1	1
Disability (Section 501 of the Rehabilitation Act of 1973)	18	24	22	15	14
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 2022 regardless of the year in which it was filed.

	JUDGMENT FOR AGENCY: 86				
	FY 18	FY 19	FY 20	FY 21	FY 22
Title VII (race, color, religion, sex, national origin)	14	11	12	24	25
Age	5	4	6	5	9
Sex (Equal Pay Act)	0	0	1	1	0
Disability (Section 501 of the Rehabilitation Act of 1973)	3	2	4	7	11
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	1	0	1	0	0

	JUDGMENT FOR PLAINTIFF: 1				
	FY 18	FY 19	FY 20	FY 21	FY 22
Title VII (race, color, religion, sex, national origin)	0	1	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

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): \$1,533,695				
	FY 18	FY 19	FY 20	FY 21	FY 22
FY Totals	\$52,500	\$915,348	\$256,363	\$70,860	\$238,624

TOTAL ATTORNEY'S FEES PAID (SETTLEMENTS AND JUDGMENTS FOR PLAINTIFFS): \$667,114					
	FY 18	FY 19	FY 20	FY 21	FY 22
FY Totals	\$ 0	\$ 355,000	\$ 80,000	\$70,239	\$161,875

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

TOTAL NUMBER EMPLOYEES DISCIPLINED: 3					
	FY 18	FY 19	FY 20	FY 21	FY 22
FY Totals	2	0	1	0	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. Bureaus are asked to provide a copy of their disciplinary policy and/or table of penalties as part of a program audit review the Department conducts at each bureau. 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[...].

For FY 2022, the Department had seven (7) findings of discrimination in the EEO administrative process. The Department issued six findings and one finding was issued by an administrative judge.

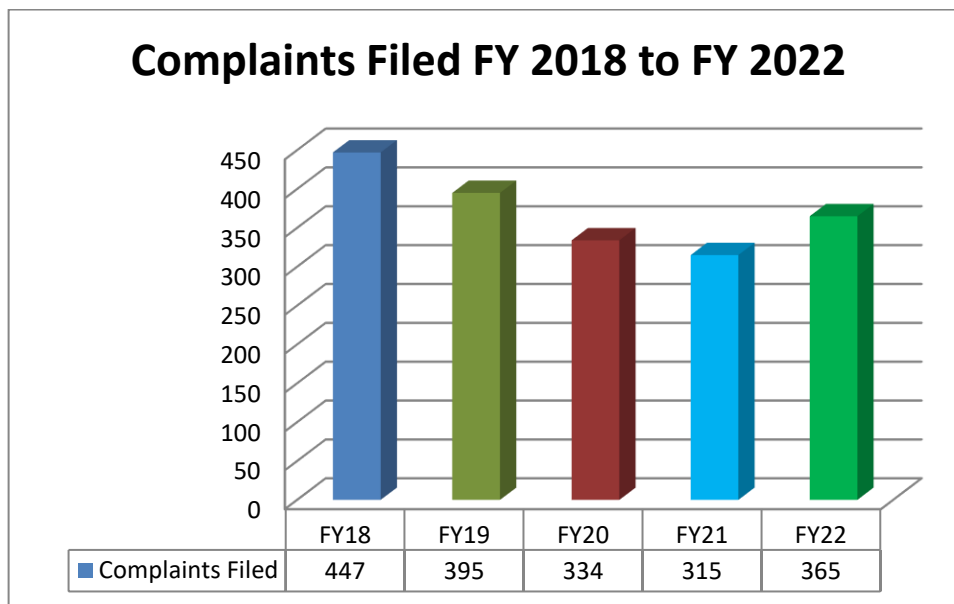
For a list of corrective actions taken for the seven cases with a finding of discrimination, see Attachment C.

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.

A. Examination of Trends, Causal Analysis, and Practical Knowledge Gained Through Experience

Treasury’s complaint activity data demonstrated a 15.9% increase in complaints filed from FY 2021 (315 complaints filed) to FY 2022 (365 complaints filed). The per capita rate of formal equal employment opportunity (EEO) complaints filed in FY 2022 saw an increase as well, from 0.29% in FY 2021 (281 complainants) to 0.33% in FY 2022 (326 complainants).



*Administrative complaint data by fiscal year is based on the annual Equal Employment Opportunity Commission’s (EEOC) 462 Report. Federal agencies are required to submit their administrative complaint data annually no later than October 31st. 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 through its Integrated Talent Management System (ITM) dealing with the prevention of harassment in the workplace for employees and supervisors. Treasury has updated its 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. It also requires bureaus to report all allegations of sexual harassment to their respective Inspector General

office. 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. In addition, the Department developed a sexual harassment training module, available on ITM, for use throughout the Department. As part of ongoing EEO training conducted by Treasury bureaus, managers receive information on the EEO complaint process, prohibited discrimination, retaliation, and 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	
FY 2022		FY 2022	
Reprisal	60.3%	Harassment (non-sexual)	38.6%
Disability (Physical)	40.3%	Terms/Condition of Employment	27.1%
Age	25.7%	Time and Attendance	16.4%
FY 2021		FY 2021	
Reprisal	63.2%	Harassment (non-sexual)	44.1%
Disability (Physical)	34.3%	Evaluation/Appraisal	19.1%
Age	28.3%	Terms/Condition of Employment	17.8%
FY 2020		FY 2020	
Reprisal	58.3%	Harassment (non-sexual)	48.2%
Disability (Physical)	36.5%	Promotion/Non-Selection	17.1%
Age	30.2%	Evaluation/Appraisal	14.9%
FY 2019		FY 2019	
Reprisal	53.4%	Harassment (non-sexual)	40.0%
Disability (Physical)	31.4%	Evaluation/Appraisal	17.9%
Age	29.1%	Time and Attendance	15.4%
FY 2018		FY 2018	
Reprisal	51.9%	Harassment (non-sexual)	41.8%
Disability (Physical)	33.5%	Evaluation/Appraisal	21.2%
Race (Black)	26.3%	Disciplinary Actions	19.4%

During FY 2022, the Department completed 96.3% of all investigations of EEO complaints in a timely manner, a 1.9% increase from the timely completion rate of 94.4% in FY 2021. The Department continued to utilize a contract with the United States Postal Service to provide EEO investigative services, as well as a secondary contract with Martin-Miser, Inc. to supplement investigative services on an as needed basis. The Office of Civil Rights and EEO (OCRE) continued to maintain the acceptance/dismissal and final agency decision functions for the Department.

Fiscal Year	Complaints Filed	Completed Investigations	Average Days	% Timely
FY 2022	365	272	148	96.3%
FY 2021	315	232	152	94.4%
FY 2020	334	342	154	96.8%
FY 2019	395	344	165	93.6%
FY 2018	447	385	167	95.6%

In FY 2022, the Department completed 786 informal EEO counselings, of which 97.7% were timely processed and 54.4% reached resolution through settlement or withdrawal. The Department’s 54.4% resolution rate of informal EEO counselings demonstrates the Department’s commitment to minimize the effect of conflict that detracts from employee satisfaction and undermines organizational efficiency.

	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Total # Completed Counselings	823	711	680	650	786
# Timely	790	631	658	643	768
% Timely	95.9%	88.7%	96.7%	98.9%	97.7%
% of Completed Counselings Resolved (Settlement/Withdrawal)	46.9%	47.5%	51.9%	52.1%	54.4%

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 2022, 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 48.6% participation rate, and in the formal process had an 9.2% participation rate.

Fiscal Year	Counselings/ Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2021 Completed Pre-Complaint Counselings	650	600	92.3%	328	50.5%
FY 2022 Completed Pre-Complaint Counselings	786	701	89.2%	382	48.6%
% Change FY 2021 to FY 2022	+20.9%	+16.8%		+16.5%	
FY 2021 Formal Complaints Closures	398	354	88.9%	57	14.3%
FY 2022 Formal Complaints Closures	415	344	82.9%	38	9.2%
% Change FY 2021 to FY 2022	+4.3%	-2.8%		-33.3%	

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 Treasury bureaus 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

2022, the TSN program completed 221 mediations and had a 39% resolution rate. In FY 2023, OCRE’s administration of the TSN program will discontinue and all ADR request coordination will be transferred to each bureau for their direct processing and coordination, as well as securing mediators through their bureau-specific mediator contracts.

As part of the Department’s annual dispute prevention in the workplace training, a virtual training titled, *Cognitive Bias and Conflict*, was held in May 2022, which 140 employees attended.

Lastly, during FY 2022, there were no class complaints filed against the Department.

Department of the Treasury Class Complaints Filed in FY 2022			
Date Class Case Filed	Summary of Class Allegation	Total Number of Plaintiffs (if known)	Current Status of Case
N/A	N/A	N/A	N/A

B. Actions Taken to Improve Agency Complaint or Civil Rights Program

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 to accomplish our mission. Through this ongoing analysis, the Department gains practical knowledge and makes determinations on how best to address any shortcomings identified and how to advance the needs of the workforce.

In FY 2022, the Department conducted the following activities based on its analysis of workforce demographics, training needs, and human capital initiatives:

- Conducted a review of the Bureau of Engraving and Printing (BEP) diversity and inclusion (D&I), external civil rights, ADR, reasonable accommodation, anti-harassment, and EEO complaint programs.
- Assisted the Office of the Deputy Assistant Secretary of Human Resources/Chief Human Capital Officer (DASHR/CHCO) with the Human Capital Evaluation of the Office of the Comptroller of the Currency’s (OCC) EEO and D&I programs.
- Continued to implement the requirements to ensure compliance with Administration priorities in the following Executive Orders (EOs): 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*; 13988, *Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation*; and 14035, *Advancing Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce*.
- Continued quarterly EEO Directors meetings with the Bureau EEO Officers to discuss EEO emerging issues, best practices, and concerns, and the various EEO programs and activities conducted by the Bureau EEO Offices.

- Provided assistance with Treasury's Enterprise Business Solutions (EBS) to complete the FY 2022 transition from Monster Analytics to USAStaffing for applicant flow data.
- To further enhance Treasury's commitment to diversity, equity, inclusion, and accessibility (DEIA), in June 2022, Treasury established the Office of Diversity, Equity, Inclusion, and Accessibility (ODEIA), which consists of three offices: Office of Minority and Women Inclusion (OMWI), the OCRE, and the Equity Hub.
- Issued the Secretary's annual EEO policy statement for FY 2022.
- Continued to provide personal assistance services (PAS) for the Department's severely disabled employees.
- Distributed Treasury's DEIA Strategic Plan (FY 2022-2026) to the Office of Personnel Management and Treasury Bureau EEO and D&I Officers.
- Continued to support all five Treasury-wide Employee Resource Groups through regular meetings, training events, and other outreach opportunities.
- Supported special emphasis programs (SEP) with education and awareness using trainings, observances, and activities. Created formal SEP working groups to develop Treasury-wide educational webinars and cultural events.
- Launched a Treasury-wide Disability Working Group, to create a platform for collaborating, gathering ideas, best practices, and resources to eliminate barriers in the disability program.
- Continued to successfully implement the Treasury-wide Reasonable Accommodation (RA) Tracking System to improve the timeliness and efficiency of providing reasonable accommodations for qualified persons with disabilities (PWD) and qualified persons with targeted disabilities (PWTD) in order to improve ability to track data around RAs.
- Treasury exceeded EEOC's established goals for PWD (14.13%) and PWTD (3.23%) in the overall workforce.
- Treasury exceeded EEOC's established goals for PWD (14.33%) and PWTD (3.71%) in the GS-10 and below grades (13.86%) and in the GS-11 and above grades (2.72%).
- Maintained a cadre of certified trainers to assist the Department in providing Civil Treatment Training to the workforce.
- Maintained secondary EEO investigation services contract with Martin-Miser & Associates.
- Conducted one 8-hour EEO counselor refresher training to support EEO credentialing of Bureau EEO Counselors.
- Started the process to transition to a new EEO Complaint Tracking System (ETK EEO), which is on track to be fully implemented in FY 2023.

Attachment A

Administrative Equal Employment Opportunity (EEO) Complaint Data (FY 2018 to FY 2022)

Data provided through Treasury's iComplaints system. The report reflects case data in iComplaints as of 10/31/2022 for the current and past five fiscal years. Mixed cases are included in this report. Class cases are not included.

Complaint Activity	Comparative Data				
	Previous Fiscal Year Data				
	2018	2019	2020	2021	2022
Number of Complaints Filed	447	395	334	315	365
Number of Complainants	411	363	318	281	330
Repeat Filers	32	28	13	27	31

Complaints by Basis	Comparative Data				
	Previous Fiscal Year Data				
	2018	2019	2020	2021	2022
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>					
Race	177	151	138	151	145
Color	56	47	51	61	60
Religion	18	18	19	24	40
Reprisal	231	211	195	200	222
Sex	147	149	108	98	114
Pregnancy Discrimination Act (PDA)	2	0	0	1	7
National Origin	54	47	42	37	29
Equal Pay Act	3	1	1	0	2
Age	102	118	105	90	95
Disability	177	151	140	123	168
Genetic Information Nondiscrimination Act (GINA)	3	5	5	4	9
Non-EEO	27	33	18	31	72

Complaints by Issue	Comparative Data				
	Previous Fiscal Year Data				
	2018	2019	2020	2021	2022
<i>Note: Complaints can be filed regarding multiple issues. The sum of the issues may not equal total complaints filed.</i>					
Appointment/Hire	18	25	22	12	10
Assignment of Duties	80	40	26	32	0
Awards	8	7	7	7	0
Conversion to Full-time	1	2	1	0	0
Disciplinary Action					
○ Demotion	6	2	1	6	2
○ Reprimand	23	17	21	11	0
○ Suspension	25	12	11	21	10
○ Removal	3	6	9	2	1
○ Other	18	14	0	0	15
Duty Hours	19	13	4	4	0
Performance Appraisal	96	71	50	61	54
Examination/Test	0	0	2	0	3
Harassment					
○ Non-Sexual	189	160	153	141	143
○ Sexual	12	15	9	3	1
Medical Examination	2	0	0	0	1
Pay (Including Overtime)	13	11	16	13	11
Promotion/Non-Selection	68	57	56	57	44
Reassignment					
○ Denied	4	4	2	4	4
○ Directed	15	16	7	3	3
Reasonable Accommodation (Disability)	71	55	47	32	56
Reinstatement	0	0	0	0	0
Religious Accommodation	1	0	0	0	8
Retirement	3	3	3	4	0

Complaints by Issue	Comparative Data				
	Previous Fiscal Year Data				
	2018	2019	2020	2021	2022
<i>Note: Complaints can be filed regarding multiple issues. The sum of the issues may not equal total complaints filed.</i>					
Sex-Stereotyping	1	1	0	1	1
Telework	11	20	8	4	3
Termination	40	27	22	26	30
Terms/Conditions of Employment	78	59	43	56	109
Time and Attendance	63	62	40	48	62
Training	22	7	13	12	6
Other	0	0	0	0	0

Processing Time	Comparative Data				
	Previous Fiscal Year Data				
	2018	2019	2020	2021	2022
Complaints pending during fiscal year					
Average number of days in investigation	167.62	169.46	154.77	149.82	146.90
Average number of days in final action	36.08	33.16	40.35	28.39	35.88
Complaints pending during fiscal year where hearing was requested					
Average number of days in investigation	167.55	172.25	158.81	148.56	148.07
Average number of days in final action	27.46	29.59	37.77	22.51	28.66
Complaints pending during fiscal year where hearing was not requested					
Average number of days in investigation	172.42	170.78	151.10	139.47	149.13
Average number of days in final action	27.46	29.59	37.77	22.51	25.38

Complaints Dismissed by Agency	Comparative Data				
	Previous Fiscal Year Data				
	2018	2019	2020	2021	2022
Total Complaints Dismissed by Agency	51	53	35	43	73
Average days pending prior to dismissal	52.3	55.92	40.06	32.84	28.03

Complaints Dismissed by Agency	Comparative Data				
	Previous Fiscal Year Data				
	2018	2019	2020	2021	2022
Complaints Withdrawn by Complainants					
Total Complaints Withdrawn by Complainants	23	30	39	39	19

Total Final Agency Actions Finding Discrimination	Comparative Data									
	Previous Fiscal Year Data									
	2018		2019		2020		2021		2022	
	#	%	#	%	#	%	#	%	#	%
Total Number Findings	7		11		5		3		7	
Without Hearing	6	86	1	9	4	80	2	67	6	86
With Hearing	1	14	10	91	1	20	1	33	1	14

Findings of Discrimination Rendered by Basis	Comparative Data									
	Previous Fiscal Year Data									
	2018		2019		2020		2021		2022	
	#	%	#	%	#	%	#	%	#	%
<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	5		11		5		3		7	
Race	1	20	7	64	2	40	2	67	0	0
Color	1	20	2	18	2	40	0	0	0	0
Religion	0	0	0	0	0	0	1	33	1	14
Reprisal	2	40	7	64	1	20	1	33	2	29
Sex	0	0	2	18	1	20	1	33	1	14
PDA	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	2	40	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0
Age	0	0	3	27	0	0	0	0	1	14
Disability	4	80	4	36	3	60	3	100	4	57

	Comparative Data									
	Previous Fiscal Year Data									
	2018		2019		2020		2021		2022	
	#	%	#	%	#	%	#	%	#	%
Findings of Discrimination Rendered by Issue										
○ 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	10	1	100	0	0	1	100
Examination/Test	0	0	0	0	0	0	0	0	0	0
Harassment										
○ Non-Sexual	1	100	4	40	1	100	0	0	0	0
○ Sexual	0	0	0	0	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	5	50	0	0	0	0	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	1	10	0	0	1	100	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	1	10	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing	4		1		4		2		6	

	Comparative Data									
	Previous Fiscal Year Data									
	2018		2019		2020		2021		2022	
	#	%	#	%	#	%	#	%	#	%
Findings of Discrimination Rendered by Issue										
Telework	0	0	0	0	1	25	0	0	0	0
Termination	0	0	0	0	1	25	0	0	1	16
Terms/Conditions of Employment	0	0	1	100	0	0	0	0	0	0
Time and Attendance	1	25	0	0	0	0	1	50	0	0
Training	0	0	0	0	0	0	0	0	1	16
Other	0	0	0	0	0	0	0	0	0	0

	Comparative Data				
	Previous Fiscal Year Data				
	2018	2019	2020	2021	2022
	Pending Complaints Filed in Previous Fiscal Years by Status				
Total complaints from previous Fiscal Years	391	329	267	183	144
Total Complainants	344	312	235	167	125
Number complaints pending					
Investigation	1	0	0	1	0
ROI issued, pending Complainant's action	0	0	0	0	0
Hearing	382	299	240	173	128
Final Agency Action	8	31	26	10	17

	Comparative Data				
	Previous Fiscal Year Data				
	2018	2019	2020	2021	2022
Complaint Investigations					
Pending Complaints Where Investigations Exceed Required Time Frames	0	0	0	0	0

Attachment B

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, as amended, training. In FY 2022, 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
Office of the Special Inspector General for Troubled Asset Relief Program (SigTARP)	Treasury's Integrated Talent Management System (ITM). Training records in ITM were used to demonstrate	EEO Office and Training Office notified their workforce of this mandatory training requirement and provided alternative means of training delivery when needed.	Biennial training was completed in FY 2022.
Office of the Inspector General (OIG)	employees received the No FEAR Act training. ITM automatically updated the training records of employees who completed the training. When employees receive the No FEAR Act training via a method other than ITM, EEO Office worked with their ITM point of contacts (POCs) to update the employee's training record.		The percentage of employees who completed No FEAR refresher training by bureau:
Departmental Offices (DO)			SIGTARP: 100%
Office of the Comptroller of the Currency (OCC)			OIG: 100%
Bureau of Engraving and Printing (BEP)			DO: 94%
Bureau of Fiscal Service (BFS)			OCC: 100%
Alcohol and Tobacco Trade and Tax Bureau (TTB)	Bureau EEO Offices cross-checked their current list of employees against the ITM training records to verify how many current employees completed the training.		BEP: 84%
Office of the Special Inspector General for Pandemic Recovery (SigPR)			BFS: 100%
United States Mint (Mint)			TTB: 99%
			SIGPR: 100%
			MINT: 98%

<p>Treasury Inspector General for Tax Administration (TIGTA)</p>	<p>Treasury's Integrated Talent Management System (ITM). Training records in ITM were used to</p>	<p>Bureau EEO Offices are responsible for notifying their workforce of this mandatory training requirement and</p>	<p>Training will be conducted by the end of FY 2023.</p>
<p>Financial Crimes Enforcement Network (FinCEN)</p>	<p>demonstrate employees received the No FEAR Act training. ITM</p>	<p>providing alternative means of training delivery when needed.</p>	
<p>Internal Revenue Service (IRS)</p>	<p>automatically updated the training records of employees who</p>		
<p>Internal Revenue Service Office of the Chief Counsel (IRSCC)</p>	<p>completed the training. When employees receive the No FEAR Act</p>		
	<p>training via a method other than ITM, EEO Office worked with their ITM point of</p>		
	<p>contacts (POCs) to update the employee's training record.</p>		
	<p>Bureau EEO Offices cross-checked their current list of</p>		
	<p>employees against the ITM training records to verify how many current employees completed the training.</p>		

Attachment C

Department of the Treasury FY 2022 Administrative EEO Complaints Findings of Discrimination and Corrective Actions

The No FEAR Act, as amended, requires the Department to publicly post as well as report on the following information regarding administrative EEO complaints findings of discrimination: the date of the finding; the affected Federal agency; the law violated; and whether a decision has been made regarding disciplinary action because of the finding. The Department’s public posting can be found at: <https://home.treasury.gov/footer/no-fear-act>. The Department had a total of seven (7) administrative EEO complaints findings of discrimination in FY 2022.

Department of the Treasury Administrative EEO Findings of Discrimination for FY 2022					
Finding of Discrimination Made By	Date of Finding	Date On Which Each Discriminatory Act Occurred	Law Violated by Each Discriminatory Act	Employee(s) Disciplined	Corrective Actions Due to Finding
Agency	03/21/2022	12/6/2018	Title VII	1	<ul style="list-style-type: none"> • Compensatory Damages. • Attorney Fees. • Post Notice in workplace or internal website for 60 days. • Repay/replace leave taken. • 8 hours of training with respect to EEO law, with emphasis on prohibited harassment. • 2 hours of training with respect anti-harassment to office staff. • Remove any negative documents or evaluations.
Agency	10/07/2021	6/1/2019	Rehabilitation Act	0	<ul style="list-style-type: none"> • Compensatory Damages.

					<ul style="list-style-type: none"> • Attorney Fees. • Post Notice in workplace or internal website for 60 days. • Provide manager training as it related to reasonable accommodation process. • Evaluation and implement appropriate accommodation.
Agency	12/21/2021	02/26/2021	Rehabilitation Act	0	<ul style="list-style-type: none"> • Compensatory Damages. • Attorney Fees. • Post Notice in workplace or internal website for 60 days. • Evaluation and implement appropriate accommodation, including reassignment. • Restore any leave taken. • Provide 6 hours of training on bureau's obligation under Rehabilitation Act.
Agency	01/03/2022	06/11/2021	Rehabilitation Act	0	<ul style="list-style-type: none"> • Compensatory Damages. • Attorney Fees. • Post Notice in workplace or internal website for 60 days. • Reinstatement to former position.

					<ul style="list-style-type: none"> • Evaluation and implement appropriate accommodation. • Pay for any leave without pay taken. • Pay any back pay with interest. • Provide 6 hours of training on bureau's obligation under Rehabilitation Act.
Agency	03/14/2022	06/30/2021	Title VII	0	<ul style="list-style-type: none"> • Compensatory Damages. • Attorney Fees. • Post Notice in workplace or internal website for 60 days. • Reinstatement to former position. • Pay any back pay with interest. • Expunge termination letter from file. • Provide 6 hours of training on bureau's obligation under Title VII with emphasis on reprisal.
Agency	04/29/2022	08/27/2021	Rehabilitation Act	0	<ul style="list-style-type: none"> • Compensatory Damages. • Attorney Fees. • Post Notice in workplace or internal website for 60 days. • Evaluation and implement

					<p>appropriate accommodation.</p> <ul style="list-style-type: none"> • Reinstate any sick and annual leave taken. • Provide 6 hours of training on bureau's obligation under Rehabilitation Act.
EEOC Office of Federal Operations (OFO)	12/22/2021	10/31/2017	Title VII	0	<ul style="list-style-type: none"> • Nonpecuniary Compensatory Damages.