

U.S. GENERAL SERVICES ADMINISTRATION



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

Fiscal Year 2016

Annual Report

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**U.S. General Services Administration
Fiscal Year 2016 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) 2016.

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 the best value in real estate, acquisition, and technology services. As an agency, we are guided by a vision that focuses on three important principles: (1) GSA as an economic catalyst, (2) GSA as a proactive Federal partner; and (3) GSA as an agency that strives to achieve operational excellence. The GSA 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.

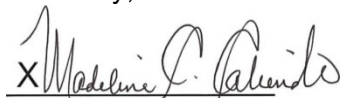
OCR implements its mission and values, and supports GSA's mission, through

- the Equal Employment Opportunity Program,
- the Nondiscrimination in Federal Financial Assistance Program,
- the Nondiscrimination in Federally Conducted Program,
- the Affirmative Employment Program, and
- OCR's work in environmental justice.

OCR requires GSA employees to take the No FEAR Act training on a 2-year cycle, which provides GSA employees the information they need to comply with antidiscrimination and whistleblower protection laws. In FY 2016, OCR launched new training that updated the previous cycle of training. A total of 99.43 percent of eligible GSA employees completed the updated training.

GSA takes great pride in OCR's work in the area of equal employment opportunity. In FY 2016, OCR offered a robust palette of education and outreach to help educate the GSA community about its rights and responsibilities and to prevent actual and perceived discrimination in the workplace. Also in FY 2016, we completed nearly 100 percent of EEO investigations on time and issued 100 percent of all Final Agency Decisions and Final Orders on EEO complaints on time. Through dedicating additional resources to resolve disputes at the earliest stage possible, we realized one of our highest early resolution rates in years. We are proud of the work we do at GSA and of the fact that equal employment opportunity is woven into the culture of GSA.

Sincerely,



Madeline C. Caliendo, Esq.
Associate Administrator
Office of Civil Rights

Executive Summary

The Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 ([No FEAR Act](#)), Public Law 107-174, 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, Public Law 107-174, requires GSA and all Government agencies to submit an annual report to specified congressional committees and members 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, and
- 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 2016 (October 1, 2015, through September 30, 2016). The GSA Office of Civil Rights (OCR) is responsible for implementing outreach programs to proactively prevent employment-based discrimination at GSA, and for processing, counseling, and adjudicating employment-related complaints of discrimination. OCR staff's rigorous work on these multiple fronts has helped lower the number of formal complaints over the past 5 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 2016, there was one (1) case within GSA that arose under the Whistleblower Protection Act (WPA). GSA was not required to make any reimbursements to the U.S. Department of Treasury's Judgment Fund (Judgment Fund) for this case arising under the WPA.

In FY 2016, one (1) case arose under the antidiscrimination laws, which was dismissed. There were no findings of discrimination against GSA in FY 2016 in Federal courts. There were zero (0) closed cases that required reimbursement into the Judgment Fund in FY 2016 in the amount of \$0. 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 2016 disciplinary records shows no GSA employees were disciplined for either violations of Federal Antidiscrimination or Whistleblower Protection Act laws.

No FEAR Act EEO Complaint Postings. By the end of FY 2016, 95 EEO complaints had been filed at GSA (see Appendix). This represents a 6 percent decrease in the annual number of EEO complaints filed as compared with FY 2011 (101 complaints filed). In FY 2016, complaints were filed based on race, color, religion, reprisal, sex, national origin, the Equal Pay Act, age, disability, and non-EEO bases. The three most common issues cited in employment discrimination claims within GSA during FY 2016 were non-sexual harassment, promotion/non-selection, and performance evaluation/appraisal. Analysis of the data did not identify specific causal relationships that would explain why sex, race, and reprisal were the most frequent bases of discrimination. Non-sexual

harassment and promotion/non-selection are also two of the most common issues in 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 it in FY 2016. The Office of Civil Rights introduced an updated online No FEAR training for the new cycle in 2016, which 99.43 percent of eligible GSA employees completed. As of September 30, 2016, GSA met the requirement to provide training to all GSA employees every 2 years and to provide training to all new employees within 90 days on antidiscrimination and retaliation laws.

Legislative Requirements

This document responds to the reporting requirements set forth in Section 203 of the No FEAR Act (Pub. L. No. 107-174), which states:

(a) 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 FY2014 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 (OPM) 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 2016, GSA had one (1) case in Federal District Court arising under the Whistleblower Protection Act, and one (1) case in Federal District Court arising under Federal Antidiscrimination Laws. Both cases were dismissed. The bases for the one case under Federal Antidiscrimination Laws were race, sex, and age. The basis for the one case filed under the Whistleblower Protection Act was retaliation.

Reimbursements to Judgment Fund. In FY 2016, GSA’s closed civil action cases required \$0 in reimbursements to the Judgment Fund. This amount represents lump sum payments with no attorney’s fees specifically allocated. No budget adjustments were needed to cover judgments, awards, and compromise settlements related to current and former Federal employee claims.

Table 1 - No FEAR Act Claims Resulting in Reimbursements to the Judgement Fund for FY 2012–16

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

Disciplinary Actions. The total number of GSA employees formally disciplined in FY 2016 for discrimination, retaliation, harassment, or any other infraction of any provision of law covered by paragraphs (1) and (2) of section 201(a) of Public Law 107-174, in which discrimination on the part of

such agency was alleged, was zero (0). 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 2016, posted Pursuant to the No FEAR Act for 4th Quarter 2016 (for period ending September 30, 2016), is reported in the Appendix and is available at <https://www.gsa.gov/portal/content/102469>.

Analysis of Trends

EEO Complaint Activity. In FY 2016, 95 complaints were filed by 84 complainants. The number of complaints represents a 20 percent increase from FY 2015, when 76 complaints were filed, and a 6 percent decrease from FY 2011, when 101 complaints were filed. The 84 complainants in FY 2016 represent a 24 percent increase from FY 2015, which had 68 complainants, and a 9 percent decrease from FY 2011, which had 92 complainants.

Bases of Discrimination in EEO Complaints. The most frequent bases in claims of discrimination at GSA in FY 2016 were Sex (50 allegations), Reprisal/Retaliation (49 allegations), Race (49 allegations), Age (40 allegations), and Disability (35 allegations). This represents a 31, 20, 5, and 13 percent increases for sex, race, age, and disability, respectively and a 6 percent decrease for retaliation from FY 2015. As shown below, GSA's top bases closely mirror Federal Government trends.

Table 2 - Top Bases in Federal Complaint Allegations Filed for FY 2012–16

GSA vs Government (Gov)	FY 12		FY 13		FY 14		FY 15		FY 16	
	Gov	GSA	Gov	GSA	Gov	GSA	Gov	GSA	Gov	GSA
Reprisal/Retaliation	7,712	71	7,553	60	7,457	57	n/a	47	n/a	41
Age	5,314	67	5,105	60	4,915	45	n/a	40	n/a	38
Race (Black/ African American)	4,232	48	4,389	56	4,042	55	n/a	44	n/a	36
Disability (Physical)	-	31	-	29	-	31	n/a	38	n/a	21

Issues in EEO Complaints. The five most common issues cited in employment discrimination claims within GSA during FY 2016 were: (1) Non-Sexual Harassment (26 allegations); (2) Promotion/Non-Selection (26 allegations); (3) Performance Evaluation/Appraisal (17 allegations); (4) Terms and Conditions of Employment (12 allegations); and (5) Disciplinary Action (10 allegations). This represents a 16 percent decrease in allegations of Non-Sexual Harassment from 31 cases in FY 2015, and a 44 percent increase of claims alleging Promotion/ Non-Selection from 18 cases in FY 2015. Two of GSA's top issues (Non-Sexual Harassment and Promotion/Non-Selection) match the top issues in the Federal Government as a whole in FY 2014.

**Table 3 - Top Issues in Federal Complaint Allegations
 Filed for FY 2012–2016**

<i>GSA vs Government (Gov)</i>	FY 12		FY 13		FY 14		FY 15		FY 16	
<i>Issue</i>	Gov	GSA	Gov	GSA	Gov	GSA	Gov	GSA	Gov	GSA
Harassment - Non-Sexual	5,907	28	5,863	33	5,991	35	n/a	25	n/a	29
Terms/Conditions	2,546	23	2,492	13	2,506	21	2,734	11	2,445	3
Promotion/Non-Selection	2,530	42	2,683	32	2,250	13	2,221	15	2,227	12

Source: [EEO Annual Report on the Federal Work Force FY 2014](#)

Improving the GSA Civil Rights Program. OCR continues to improve its civil rights programs. In FY 2016, GSA: (1) launched an early resolution pilot to improve resolution rates; (2) deployed an intergovernmental developmental detail to promote knowledge sharing between EEO Offices across the Federal Government; (3) continued to apply Lean Six Sigma principles to improve EEO complaint processing; (4) created a barrier analysis workgroup to review policy and identify potential barriers to equal employment opportunity; (5) created a culture to promote mentoring; (6) expanded unconscious bias training; and (7) held regular data-rich briefings to Agency Leadership regarding civil rights issues and challenges. Additional details on these efforts are presented below.

1. Early Resolution Pilot. During 2016, GSA conducted an early resolution pilot to explore new techniques and procedures to support resolution at the earliest stage possible. The enhancements implemented include: investing additional efforts in preparing the parties for mediation by expanding the pre-mediation questionnaires based on promising practices from other Federal agencies; “sprinting” to mediation, which meant getting the parties to mediation sooner including using our in-house mediators; continuing to work towards resolution in cases that do not resolve at the informal stage where resolution is possible once the draft report of investigation is completed; and expanding our use of virtual mediation, which is an important format for conducting mediations, given our increasingly mobile workforce. In addition, OCR met with GSA Union representatives to inform them of our Alternative Disputes Resolution Pilot and its enhancements to resolve EEO claims at the informal and formal stage of the EEO process.

2. Intergovernmental Civil Rights Developmental Detail Opportunity. OCR launched a robust developmental detail program for its EEO Program in FY 2016 that has since caught on at other agencies. GSA welcomes EEO staff from other agencies to GSA, and we send EEO staff from GSA to other agencies as a way to share information, build skills, and benchmark. These details are designed to promote knowledge sharing between agencies. So far, GSA has sent a staffer to the EEOC Philadelphia District Office's Hearing Unit and has welcomed detailees from the U.S. Department of Transportation, U.S. Department of Agriculture, and other agencies. The knowledge sharing and fresh perspective gained by GSA is key to OCR’s efforts to continuously improve EEO complaint processing.

3. Continuous Improvement in EEO Case Processing. In FY15, OCR conducted a Lean Six Sigma study to improve the quality and efficiency of EEO complaint processing. As a result of this study OCR’s performance improved dramatically. In FY 2015, GSA had 100 percent timely EEO investigations, and, in FY 2016, GSA had 98 percent timely case action. To illustrate how far the office has come, GSA was at 67 percent in FY 2013 and at 89 percent in FY 2014. OCR now serves as a "best practices" agency for others in the Federal sector, and continuously revisits its procedures to improve the efficiency of case processing and build in quality at the lowest level. GSA uses feedback from real-time customer satisfaction surveys and complaint processing metrics to focus improvement efforts.

4. Barrier Analysis Workgroup. In FY 2016, GSA launched its first ever Barrier Analysis Workgroup (BAW). The BAW includes representatives from across GSA, including labor and management, diverse special interest groups, and all corners of GSA's varied operations. The representatives of BAW will vary depending on the subject of the review. The group's diversity has led to rich discussions and contributed to exploring possible barriers to equal employment opportunity at GSA. The BAW has established a goal to review at least one personnel/management procedure per year. During FY 2016, GSA reviewed the Merit Promotion Procedures, which is GSA's largest procedure. Additionally, the BAW will review the Awards and Training procedures in FY 2017, and the agency's reasonable accommodation procedures will be reviewed for compliance with new regulations in FY 2018.

5. Creating a Mentoring Culture. In FY 2016, GSA set out to change the culture with mentoring through the innovative use of what it calls "Flash Mentoring." GSA paired the most senior leaders at the agency with more front-line level staff for short but meaningful mentoring experiences. EEOC Work Group Reports indicate that many minority employees cite a lack of mentoring opportunities as a barrier to upward mobility. The Flash Mentoring program provides access/opportunity for diverse lower graded employees to experience the senior levels of GSA leadership in an enriching and fun engagement. This training also helped eliminate barriers to entering into a mentoring relationship and help define what mentoring is and isn't. During FY 2016, two national mentoring sessions were held, with a guidebook created to support additional sessions across GSA regions and programs. A total of 138 employees participated in the national sessions, and 87 percent of the participants strongly agreed or agreed the program was worth their time and that they used the information to assist with their current position.

6. Unconscious Bias Training. For the past 2 years, GSA has embarked on a robust "Unconscious Bias" education and training campaign modeled on that in the private sector. In FY 2016, OCR worked closely with the Office of Human Resources Management to explore ways to proactively address unconscious bias in the workplace and find ways to "interrupt" unconscious bias before it leads to poor decisions and possibly even illegal discrimination. This training has resulted in the use of neutral hiring practices, which includes removing names from resumes and using announcements with gender neutral language.

7. GSA Leadership Briefings. OCR met quarterly with Regional Administrators, Commissioners and Heads of Service/Staff Offices to conduct civil rights outreach briefings. These quarterly data-rich discussions include a briefing on the Affirmative Employment and EEO Programs, Nondiscrimination in Federal Financial Assistance and Conducted Programs, and Environmental Justice, and how civil rights impacts their offices. From an EEO perspective, OCR discussed trends, patterns, and practices, and their impact at GSA and Governmentwide. During these briefings, OCR discussed emergent issues impacting EEO and reminded managers and supervisors about civil rights training. On a monthly basis, OCR staff attends Senior Leadership staff meetings to provide EEO advice and counsel and address EEO issues as they arise.

Complaints Processing and Adjudication Data

EEO Investigations. In FY 2016, the average processing time of GSA investigations dropped to a 5-year low of 194.55 days in investigation. This represents a 2.1 percent decrease from FY 2015 and a 27 percent decrease from FY 2012. As mentioned above, 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 2015, and near 100 percent timely in FY 2016—with a single untimely investigation in FY 2016

(due to an administrative error in entering an amendment date). 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 and tracking all case actions, addressing issues as they emerge and enforcing quality at the lowest level.

**Table 4 - EEO Investigation Processing Performance
 FY 2012-16**

Investigations	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Number processed	77	54	70	53	58
Number Untimely	33	20	8	0	1
Percentage Timely	57%	63%	89%	100%	98%
Average Processing Days	265.82	269.11	214.43	198.74	194.55

Procedural Dismissals. According to 29 C.F.R. § 1614.107(a), there are procedural criteria for why an agency may dismiss an EEO complaint, such as 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, among other reasons. In FY 2016, thirteen (13) complaints were dismissed by the agency. This represents a 13.3 percent decrease in complaints dismissed from FY 2015, when 15 complaints were dismissed, and a 43 percent decrease from FY 2011, when 23 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 In FY 2016, the percentage of the procedural dismissals reversed and remanded to GSA were at a 5-year low of 15 percent. We attribute this improvement to stronger controls over quality in the accept/dismiss phase.

**Table 5 - Procedural Dismissals and Remands
 Filed for FY 2012-16**

Procedural Dismissals	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Number of Dismissals	11	26	18	15	13
Number of Remands	4	5	5	3	2
Percent Remanded	36%	19%	28%	20%	15%
Gov-wide Percent Remanded	44.9%	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 5 years. GSA’s EEO

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

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

complaint trends regarding findings of complaints of discrimination from FY 2011 through FY 2016 are listed below.

Protected Bases. In FY 2016, there was one (1) finding of discrimination at GSA. In this complaint, an Administrative Judge found in a hearing that the complainant was discriminated against based on race, sex, age, and disability.

Findings of discrimination between FY 2011 and FY 2016 involved one or a combination of race, reprisal, disability, sex, and age as a basis(es). According to the data listed above for the past 5 fiscal years, race, disability, and sex have been the most common bases for findings of discrimination at GSA.

Issues. In FY 2016, the issues identified in the finding of discrimination were Promotion/Non-Selection, Time and Attendance, and Training. In this finding, an Administrative Judge inferred without a hearing in a default judgment that the complainant was discriminated against on these issues.

The issues involved in discrimination findings by GSA between FY 2011 and FY 2016 are more varied than their bases. Along with the issues of the findings in FY 2016 listed above (Promotion/Non-Selection, Time and Attendance, and Training), issues of findings during this time period include Performance Evaluation/ Appraisal (FY 2013, FY 2014), Reassignment-Directed (FY 2014), Reasonable Accommodation-Disability (FY 2014, FY 2015), and Terms/Conditions of Employment (FY 2014). Only Performance Evaluation/Appraisal and Reasonable Accommodation were issues involved in multiple findings during this time period. The number of findings for FY 2016 does not represent a significant change from patterns in findings of discrimination over the past 5 fiscal years.

**Table 6 - GSA Findings of Discrimination
 FY 2012-16**

	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Findings	0	1	2	2	1
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 mandatory No FEAR training for all GSA employees. Below is an outline of the current GSA No FEAR Act training program.

Regulation. 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 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 2 years.

EEO Managers and Supervisors Training. All managers and supervisors are required to complete Manager-Supervisor training every 2 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, Salesforce Chatter, GovDelivery, and targeted email messages
- (3) Notifying employees who have not completed the initial or refresher training periodically by email

Appendix - No FEAR Act Data FY 2011-16

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

GSA

For period ending September 30, 2016

Complaint Activity	Comparative Data					
	Previous Fiscal Year Data					FY 2016
	2011	2012	2013	2014	2015	
Number of Complaints Filed	101	94	85	79	76	95
Number of Complainants	92	87	65	61	68	84
Repeat Filers	7	6	12	8	5	9
Complaints by Basis	Comparative Data					
	Previous Fiscal Year Data					FY 2016
	2011	2012	2013	2014	2015	
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>						
Race	56	55	44	36	41	50
Color	16	17	25	19	23	34
Religion	11	13	8	9	8	12
Reprisal	60	57	47	41	52	49
Sex	58	45	44	35	38	51
PDA	0	0	0	0	0	0
National Origin	12	21	14	17	23	24
Complaint by Basis <i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	13 Comparative Data					
	Previous Fiscal Year Data					FY 2016
	2011	2012	2013	2014	2015	

