

## NO FEAR DATA CALL FOR FY 2019 DATA

DoD COMPONENT: JOINT STAFF

POINT OF CONTACT & EMAIL: RONNIE D. JORDAN, (757) 203-5456

1. *The number of cases in federal court pending or resolved in each fiscal year and arising under each of the respective provisions of the federal antidiscrimination laws and whistleblower protection laws applicable to them as defined in 5 C.F.R. §724.102, in which an employee, former federal employee, or applicant alleged a violation of these laws, separating data by the provision of law involved (5 C.F.R. 724.302(a)(1)) **and** the status or disposition (including settlement) of such cases (5 C.F.R. 724.302(a)(2)(i)).*

| Statute   | Cases Opened in FY19 | Cases Resolved in FY19 |       | Cases Pending at Close of FY19 |
|---|----------------------|------------------------|-------|--------------------------------|
|   |                      | Settled                | Other |                                |
| <b>Title VII, Civil Rights Act of 1964</b><br>42 U.S.C. 2000e-16                    | 3                    | 0                      | 1     | 2                              |
| <b>Age Discrimination in Employment Act</b><br>29 U.S.C. 631, 633a                  | 1                    | 0                      | 0     | 1                              |
| <b>Fair Labor Standards Act of 1938</b><br>29 U.S.C. 206(d)                         | 0                    | 0                      | 0     | 0                              |
| <b>Section 501 of Rehabilitation Act</b><br>29 U.S.C. 791                           | 2                    | 0                      | 0     | 2                              |
| <b>Equal Pay Act</b><br>29 U.S.C. 206(d)  | 0                    | 0                      | 0     | 0                              |
| <b>Whistleblower Protection Act</b><br>5 U.S.C. 2302(b)(1)                          | 0                    | 0                      | 0     | 0                              |
| <b>Genetic Information Nondiscrimination Act of 2008 (GINA)</b><br>42 U.S.C. 2000ff | 0                    | 0                      | 0     | 0                              |

2. *The amount of money required to be reimbursed to the Judgment Fund by the agency for payments as defined in 5 C.F.R. §724.102 (5 C.F.R. 724.302(a)(2)(ii)), **and** the amount of reimbursement to the Fund for attorney's fees where such fees have been separately designated (5 C.F.R. 724.302(a)(2)(iii)), **and** any adjustment needed or made to the budget of the agency to comply with its Judgment Fund reimbursement obligation(s) incurred (5 C.F.R. 724.302(a)(8)).*

| \$ Reimbursed to Judgment Fund | \$ Attributed to Attorneys' Fees | Adjustment to Agency Budget |
|--------------------------------|----------------------------------|-----------------------------|
| 0                              | 0                                | 0                           |

3. *In connection with the cases identified above, the total number of employees in each fiscal year disciplined (reprimand, suspension without pay, reduction in grade or pay, or removal) and the specific nature of the disciplinary actions taken, separated by the provision(s) of law involved (5 C.F.R. 724.302(a)(3)) **and** the number of employees in each fiscal year disciplined (reprimand, suspension without pay, reduction in grade or pay, or removal) in accordance with any agency policy, regardless of whether or not the matters are in connection to a federal court case (5 C.F.R. 724.302(a)(5)).*

| Statute   | # of Employees Disciplined | Nature of Disciplinary Action (reprimand, suspension without pay, reduction in grade or pay, or removal) <sup>1</sup> |
|---|----------------------------|---|
| <b>Title VII, Civil Rights Act of 1964</b><br>42 U.S.C. 2000e-16                    | 0                          |   |
| <b>Age Discrimination in Employment Act</b><br>29 U.S.C. 631, 633a                  | 0                          |   |
| <b>Fair Labor Standards Act of 1938</b><br>29 U.S.C. 206(d)                         | 0                          |   |
| <b>Section 501 of Rehabilitation Act</b><br>29 U.S.C. 791                           | 0                          |   |
| <b>Equal Pay Act</b><br>29 U.S.C. 206(d)  | 0                          |   |
| <b>Whistleblower Protection Act</b><br>5 U.S.C. 2302(b)(1)                          | 0                          |   |
| <b>Genetic Information Nondiscrimination Act of 2008 (GINA)</b><br>42 U.S.C. 2000ff | 0                          |   |
| <b>Matters that did <u>NOT</u> result in a federal court case</b>                   | 0                          |   |

4. *Does your Component have a policy for taking disciplinary action against Federal employees for conduct that is inconsistent with Federal Antidiscrimination Laws and Whistleblower Protection Laws or for conduct that constitutes another prohibited personnel practice revealed in connection with agency investigations of alleged violations of these laws? (5 C.F.R. 724.302(a)(6)).*

**Yes**

**No**

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<sup>1</sup> If possible, please provide the number of each disciplinary action. For example, if 4 employees were disciplined, 3 of whom were Suspended, 1 was Terminated, please state in the following way: Suspension (3); Removal (1)

5. *Does your Component have a written plan to train its employees? (5 C.F.R. 724.203(a) and 724.302(a)(9)).*

**Yes**

**No**

6. *Does your Component require No FEAR training to its employees every 2 years? (5 C.F.R. 724.203(d)).*

**Yes**

**No**

7. *Does your Component require No FEAR training to its new employees within 90 calendar days of new employee's appointment? (5 C.F.R. 724.203(e)).*

**Yes**

**No**

8. *Does your Component provide notice to all of its employees, former employees, and applicants for Federal employment about the rights and remedies available under the No FEAR Act? (5 C.F.R. 724.202(a)).*

**Yes**

**No**

9. *Did your Component submit its EEOC Form 462 for FY 2019 to the Office for Diversity, Equity and Inclusion? (5 C.F.R. 724.302(a)(9)).*

**Yes**

**No – it is attached with this document**

10. *Does your Component post on its public website its EEO complaint data for FY 2019 and the year-end data for the 5 immediate preceding fiscal years? (Public Law 107-174, section 301(c)).*

**Yes**

**No**