



Washington Headquarters Services  
Equal Employment Opportunity Programs

**Notification and Federal Employee  
Antidiscrimination and Retaliation Act (NoFEAR)**

**Fiscal Year 2020 Report**

## Table of Contents

I. Introduction.....	2
II. Reporting Requirements .....	3
III. Analysis.....	5
a. Examination of Trends .....	5
<i>Investigations</i> .....	7
<i>Hearings</i> .....	8
<i>Final Agency Actions (FAA)</i> .....	9
<i>Bases</i> .....	10
<i>Final Agency Decision (FAD) Closures</i> .....	12
<i>Findings of Discrimination</i> .....	13
c. Practical Knowledge Gained Through Experience .....	13
IV. Conclusion .....	<b>Error! Bookmark not defined.</b>
Appendix A.....	16
Appendix B.....	19
Appendix C.....	20

## I. INTRODUCTION

Washington Headquarters Services (WHS) was established as a Department of Defense (DoD) Field Activity on October 1, 1977, as part of a DoD headquarters streamlining initiative. WHS personnel contribute to the mission of our Defense customers by managing DoD-wide programs and operations for the Pentagon Reservation and DoD-leased facilities in the National Capital Region. WHS is organizationally aligned under the Chief Management Office (CMO) for the Office of the Secretary of Defense (OSD).

The WHS/Office of Equal Employment Opportunity Programs (EEOP) Director is authorized to employ a team of twelve (12) (including the Director) personnel to carry out its mission: one (1) EEO Director; one (1) Program/Complaints and Adjudication Manager; (1) Alternative Dispute Resolution (ADR) Manager; eight (8) EEO Specialists; and one (1) Administrative Assistant (Contractor).

In fiscal year (FY) 2020, WHS supported a total workforce of 4,585 civilian personnel within OSD, Defense Agencies, and DoD Field Activities serviced by WHS.<sup>1</sup>

Washington Headquarters Services timely posted, and prominently displayed, a link to the No FEAR Act data on its main website ([www.whs.mil](http://www.whs.mil)) not later than thirty (30) days after the end of each quarter in FY20. Final year-end data for FY20 can be found at Appendix B.

**NOTE: The Washington Headquarters Services (WHS)/Office of Equal Employment Opportunity Programs (EEOP) prepared this report. This report does not contain data for components WHS previously served as those respective components report their own EEO complaint data. Should questions arise, please contact EEOP at 571-372-0832.**

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<sup>1</sup> Components included in this report include: Office of the Secretary of Defense (OSD); DoD Test Resources Management Center (TRMC); Armed Forces Retirement Home (AFRH); Defense Legal Services Agency (DLSA); Defense Security Cooperation Agency (DSCA); Office of Economic Adjustment (OEA); Pentagon Force Protection Agency (PFPA); U.S. Court of Appeals for the Armed Forces (USCAAF); Defense POW/MIA Accounting Agency (DPAA); Defense Technology Security Administration (DTSA); DoD Counterintelligence Field Activity (CIFA); Defense Advanced Research Projects Agency (DARPA); Chief Management Office (CMO); and Washington Headquarters Services (WHS).

The following data highlights No FEAR Act averages per year for the timeframe FY15 to FY20, and cases that are pending or resolved in FY20.

The following cites notable metrics from FY19 to FY20, respectively:

- 2 percent decrease in number of complaints filed - 45 to 44
- 0 percent change on basis of race – 14 to 14
- 16 percent decrease on basis of sex – 19 to 16
- 48 percent increase on basis of reprisal – 18 to 31
- 8 percent decrease on basis of age – 12 to 11
- 50 percent decrease on basis of color – 8 to 4
- 12 percent decrease on basis of disability – 17 to 15

There was a 26 percent decrease in overall average investigation processing time – 242 to 179 days; a 19 percent increase in investigation processing time when hearing requested – 153 to 182 days; and a 9 percent decrease in the processing time for pending final agency actions – 85 to 77 days.

## II. REPORTING REQUIREMENTS

a. *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 application 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 FY20	Cases Resolved in FY20		Cases Pending at Close of FY20
		Settled	Other	
<b>Title VII, Civil Rights Act of 1964</b> 42 U.S.C. 2000e-16	35	9	33	29
<b>Age Discrimination in Employment Act</b> 29 U.S.C. 631, 633a	10	2	6	13
<b>Fair Labor Standards Act of 1938</b> 29 U.S.C. 206(d)	0	0	0	0
<b>Section 501 of Rehabilitation Act</b> 29 U.S.C. 791	15	5	12	13
<b>Equal Pay Act</b> 29 U.S.C. 206(d)	0	0	0	1
<b>Whistleblower Protection Act</b> 5 U.S.C. 2302(b)(1)	0	0	0	0

<b>Genetic Information Nondiscrimination Act of 2008 (GINA)</b> 42 U.S.C. 2000ff	0	0	0	0
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b. *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)).*

<b>\$ Reimbursed to Judgment Fund</b>	<b>\$ Attributed to Attorneys’ Fees</b>	<b>Adjustment to Agency Budget</b>
\$0	\$0	\$0

c. *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)).*

<b>Statute</b>	<b># of Employees Disciplined</b>	<b>Nature of Disciplinary Action (reprimand, suspension without pay, reduction in grade or pay, or removal)</b>
<b>Title VII, Civil Rights Act of 1964</b> 42 U.S.C. 2000e-16	8	Termination (6), Reprimand (1); and Suspension (1)
<b>Age Discrimination in Employment Act</b> 29 U.S.C. 631, 633a	1	Reprimand (1)
<b>Fair Labor Standards Act of 1938</b> 29 U.S.C. 206(d)	0	
<b>Section 501 of Rehabilitation Act</b> 29 U.S.C. 791	4	Reprimand (1),and Termination (3)
<b>Equal Pay Act</b> 29 U.S.C. 206(d)	0	
<b>Whistleblower Protection Act</b> 5 U.S.C. 2302(b)(1)	0	
<b>Genetic Information Nondiscrimination Act of 2008 (GINA)</b> 42 U.S.C. 2000ff	0	
<b>Matters that did <u>NOT</u> result in a federal court case</b>	0	

d. *The final year-end data about discrimination complaints for each fiscal year that was posted in accordance with Equal Employment Opportunity Regulations 29 C.F.R. § 1614.701, et seq. (5 C.F.R. 724.302(a)(4)).*

## Appendix A

e. *The final year-end data about discrimination complaints for each fiscal year that was posted in accordance with Equal Employment Opportunity Regulations 29 C.F.R. § 1614.701, et seq. (5 C.F.R. 724.302(a)(4)).*

## Appendix B

f. *A detailed description of the agency's 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)).*

## Appendix C

g. *The agency's written plan to train its employees (5 C.F.R. 724.302(a)(9)).*

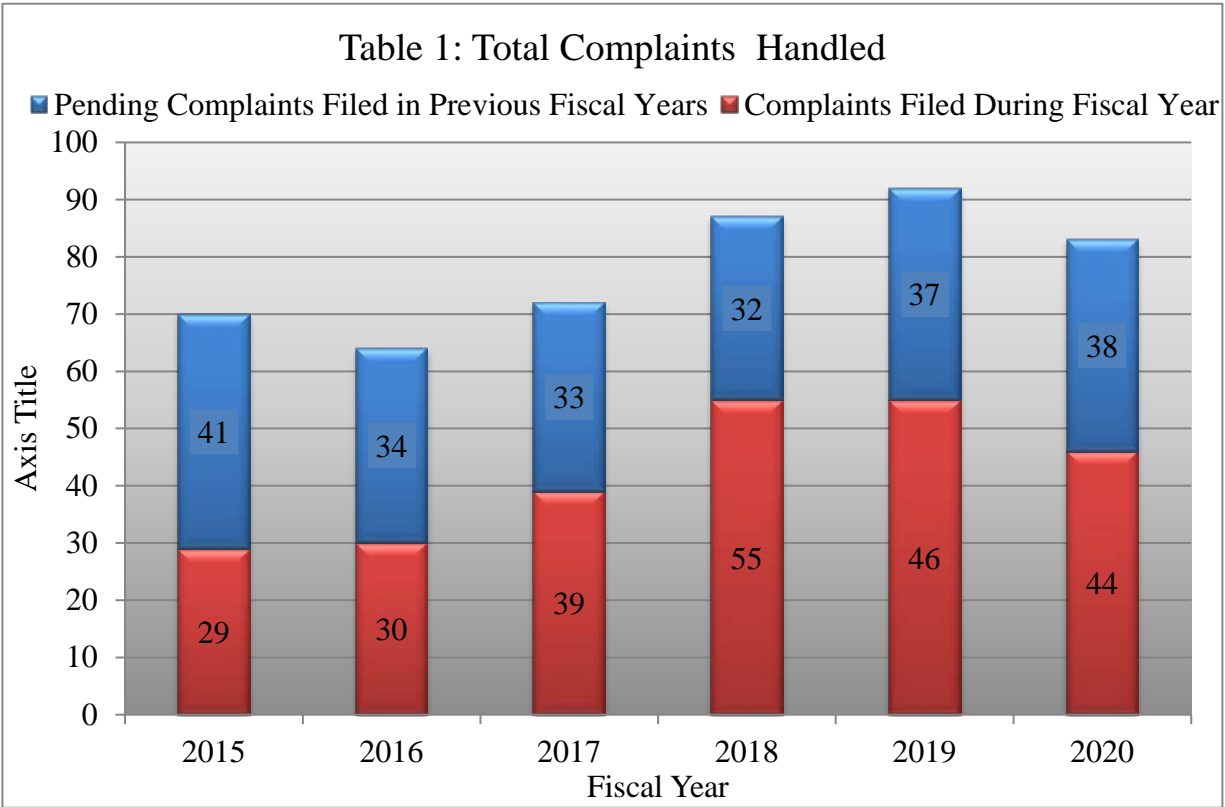
## III. ANALYSIS

*An analysis of the information provided in paragraphs (a)(1) through (6) of this section in conjunction with data provided to the Equal Employment Opportunity Commission in compliance with 29 CFR part 1614 subpart F of the Code of Federal Regulations. Such analysis must include:(i) An examination of trends;(ii) Causal analysis;(iii) Practical knowledge gained through experience; and (iv) Any actions planned or taken to improve complaint or civil rights programs of the agency with the goal of eliminating discrimination and retaliation in the workplace (5 C.F.R. 724.302(a)(7)).*

### a. Examination of Trends

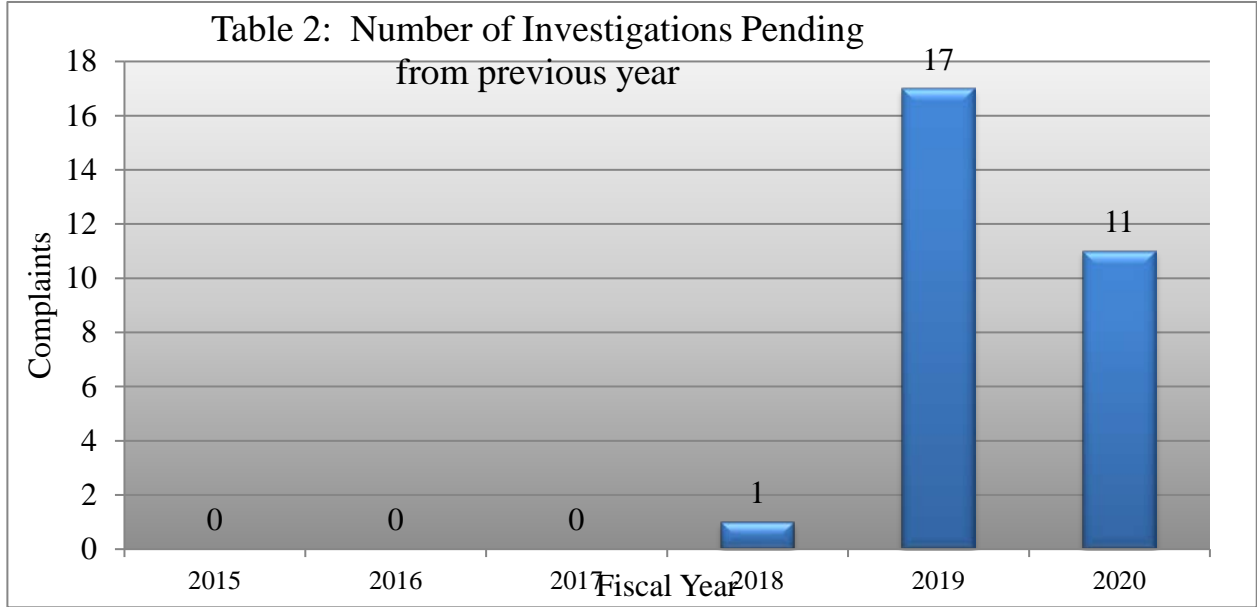
Forty-eight individuals filed forty-eight formal complaints of discrimination during FY20. The number of complaints filed from FY19 to FY20 decreased by 13 percent. The total number of pending complaints (carried over from the previous years) increased by 3 percent from FY19 and FY20.

From FY19 to FY20, the average number of formal complaints handled was 77, ranging from 70 in FY15 to 82 in FY20 (see Table 1 below). Complaints that are pending carried over from previous years averaged 43, ranging from 41 in FY15 to 38 in FY20. The average number of new complaints filed is 41, ranging from 29 in FY15 to 44 in FY20.

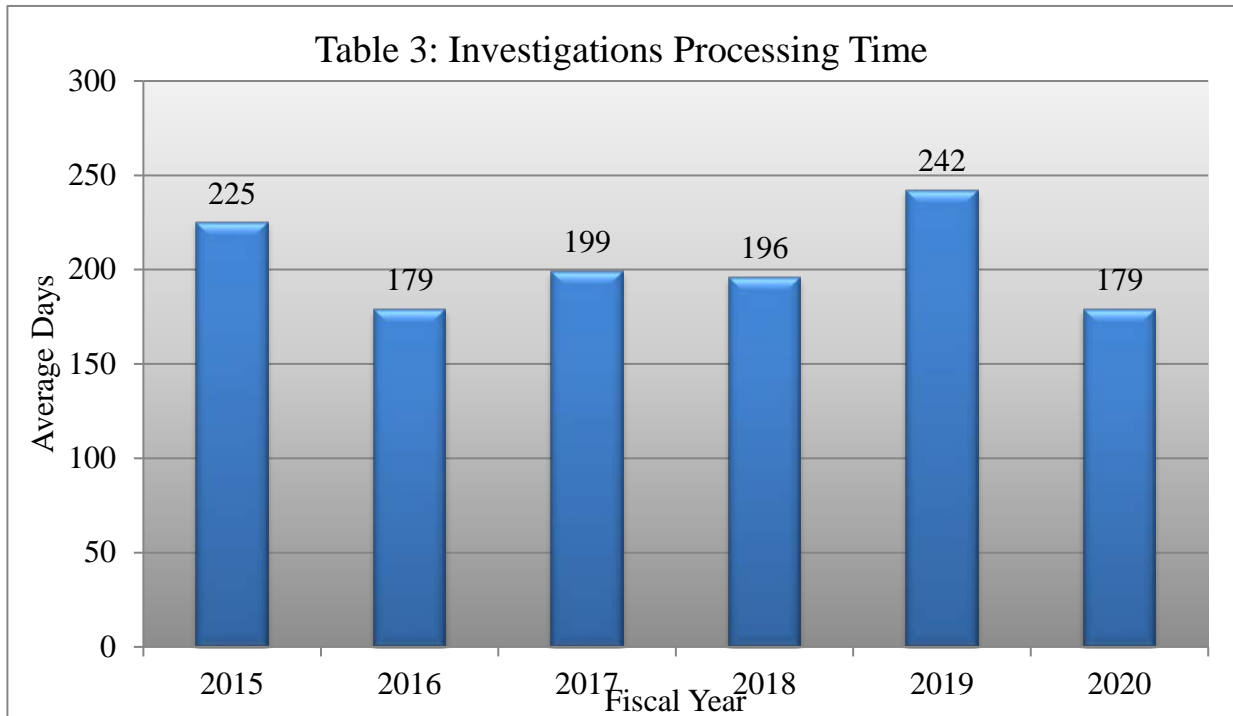


**Investigations**

From FY15 to FY20, on average, ten formal complaints (from previous years) were pending an investigation at the end of the fiscal year. (See Table 2 below.)



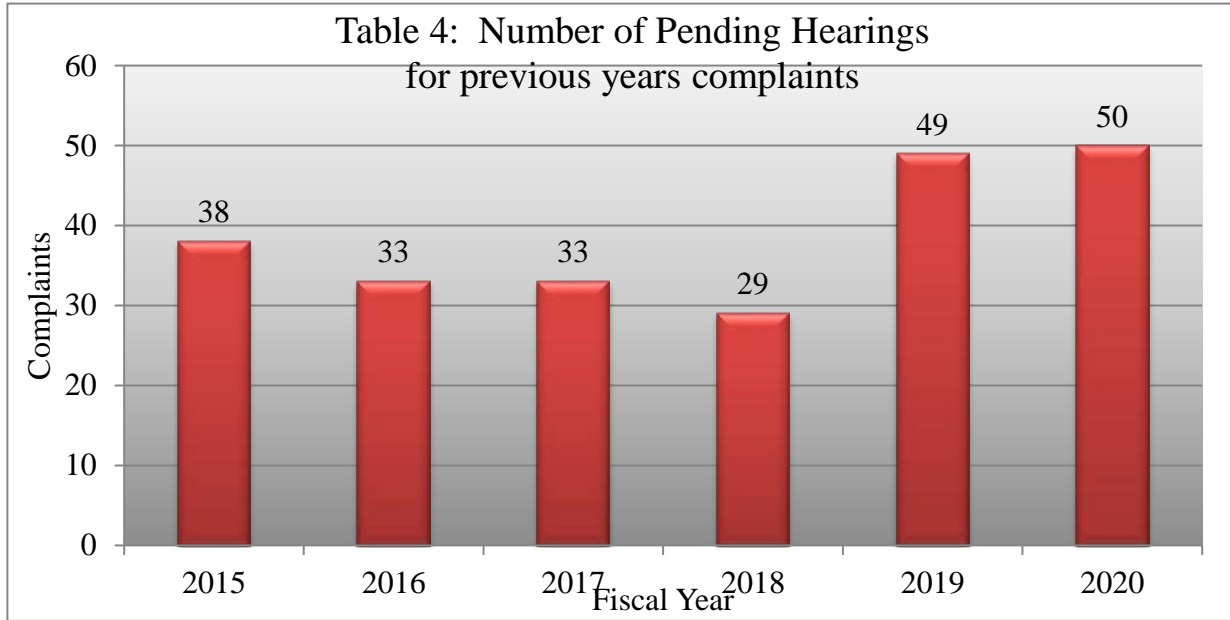
Investigation processing timeframe ranged from 225 days in FY15 to 179 in FY20 (see Table 3 below). In FY20, complaints processing time decreased by 26 percent as compared to FY19, from 242 days to 179 days.



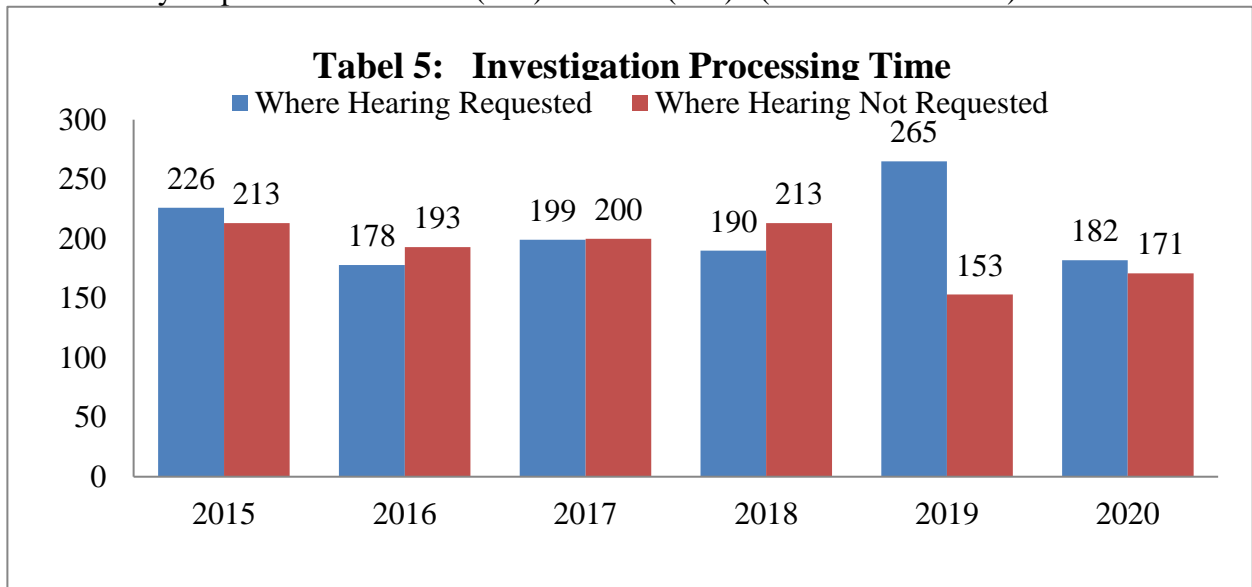


*Hearings*

From FY15 to FY20, there was an average of 39 formal complaints from previous years pending a hearing before the Equal Employment Opportunity Commission (EEOC). The number of complaints pending hearings ranged from 49 in FY19 to 50 in FY20 (See chart 4 below). There was a 2 percent increase in complaints pending a hearing from FY19 to FY20 (49 to 50, respectively).



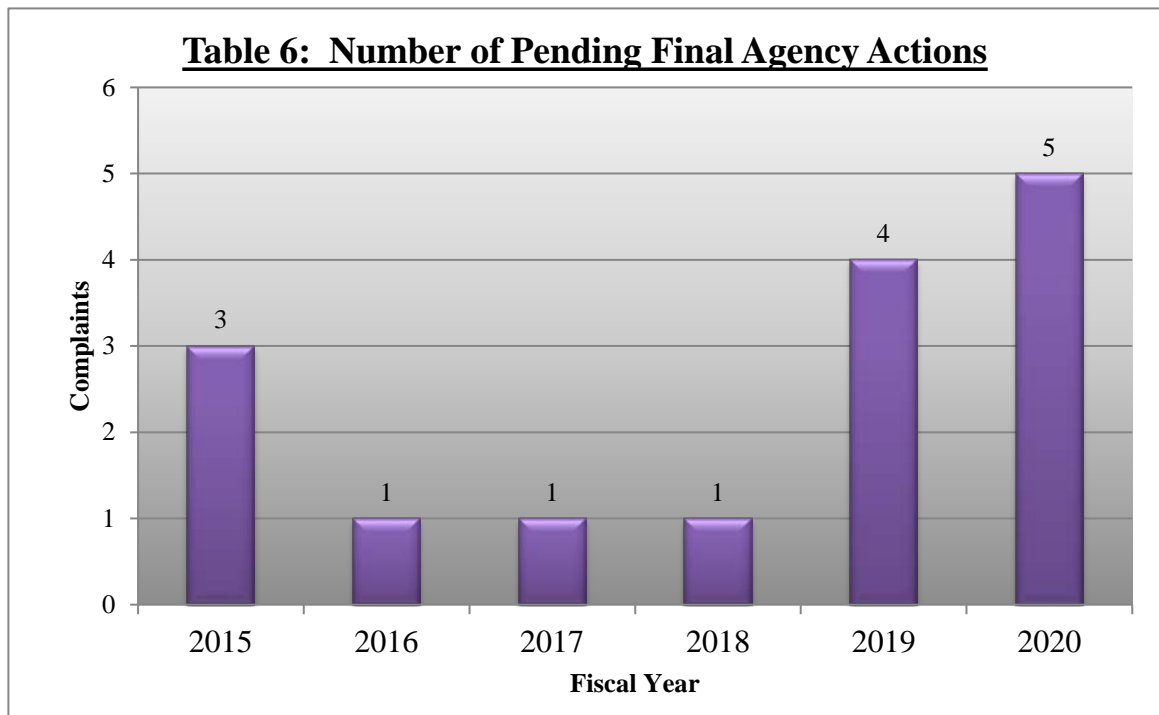
The average processing timeframe for cases when hearing was requested ranged from 226 days in FY15 to 182 days in FY20. The processing time for cases when a hearing was requested decreased by 30 percent from FY19 (261) to FY20 (182). (See Table 5 below)



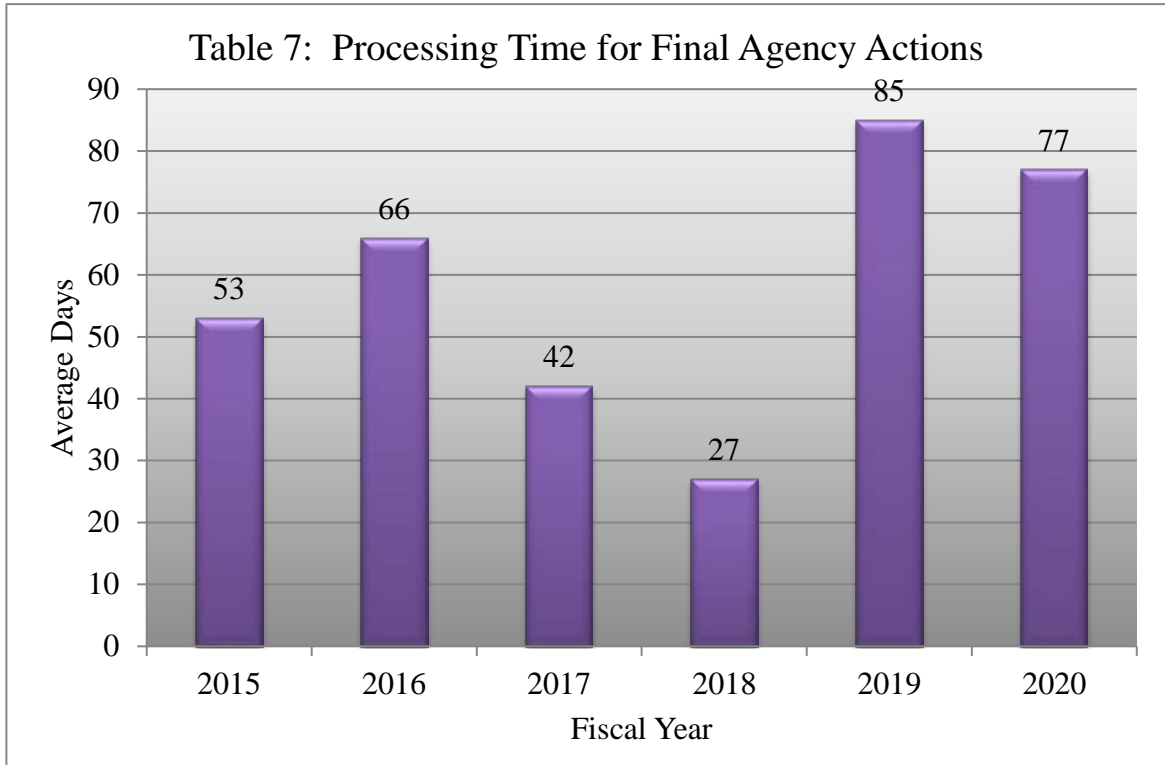
**Final Agency Actions (FAA)**

On average, WHS processed 20 FAAs without an EEOC Administrative Judge (AJ) decision between FY15 and FY20, ranging from 15 in FY15 to 21 in FY20. There were 38 FAA closures in FY20; 21 without hearings and 17 with hearings before an AJ. WHS had a yearly average of 10 FAA closures with an AJ Decision between FY15 and FY20.

From FY15 to FY20, there was an average of 2 complaints pending final agency action. The number of complaints pending final agency actions ranged from 2 in FY19 to 2 in FY20 (See Table 6 below).

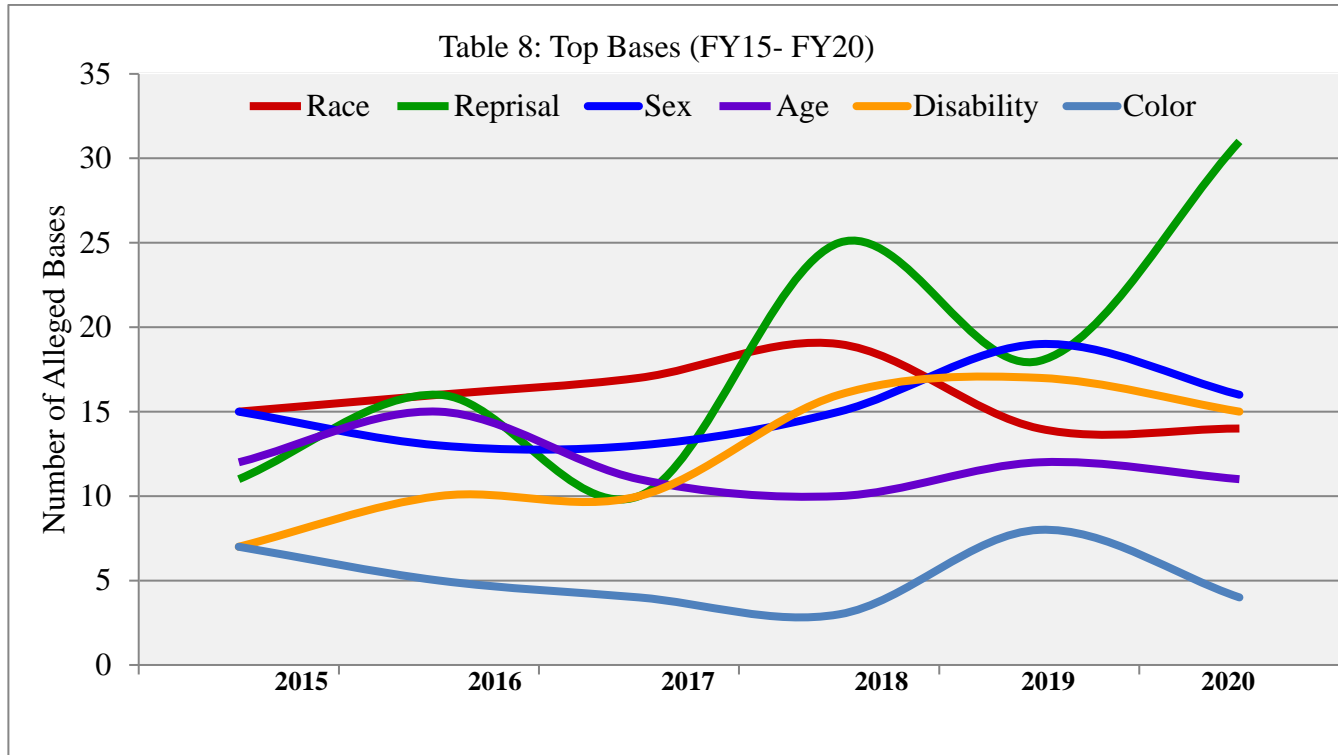


The average processing time from FY15 to FY20 for cases pending a final agency action decreased 9 percent, with an average of 85 days in FY19 to 77 days in FY20. (See Table 7 below.)

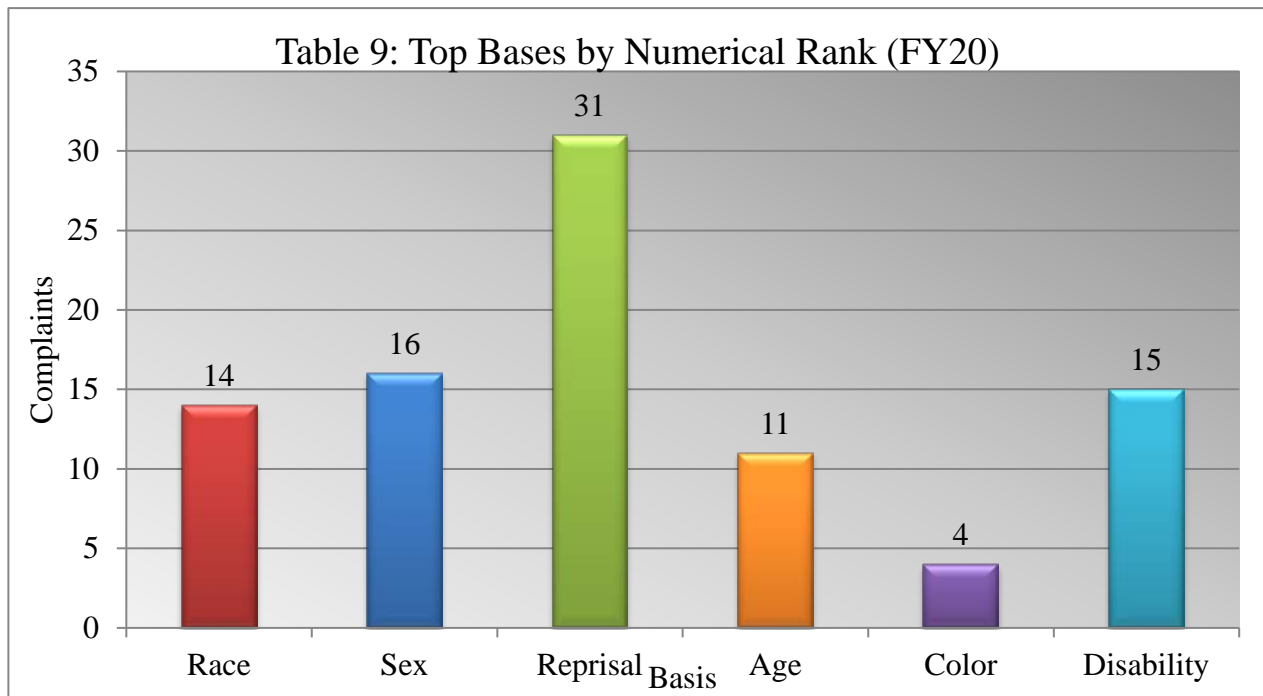


### *Bases*

FY15 to FY20, complainants identified an average of 9 total bases each year for top six bases. The total number of alleged bases ranged between 60 in FY15 to 76 in FY20. Historically, the most common bases alleged were: 1) “reprisal” 13 times per year; 2) “race” 16 times per year; and 3) “sex” 13 times per year. See Tables 8 and 9 below. From FY 19 to FY20, the basis of reprisal increased from 18 to 31, or 72 percent.

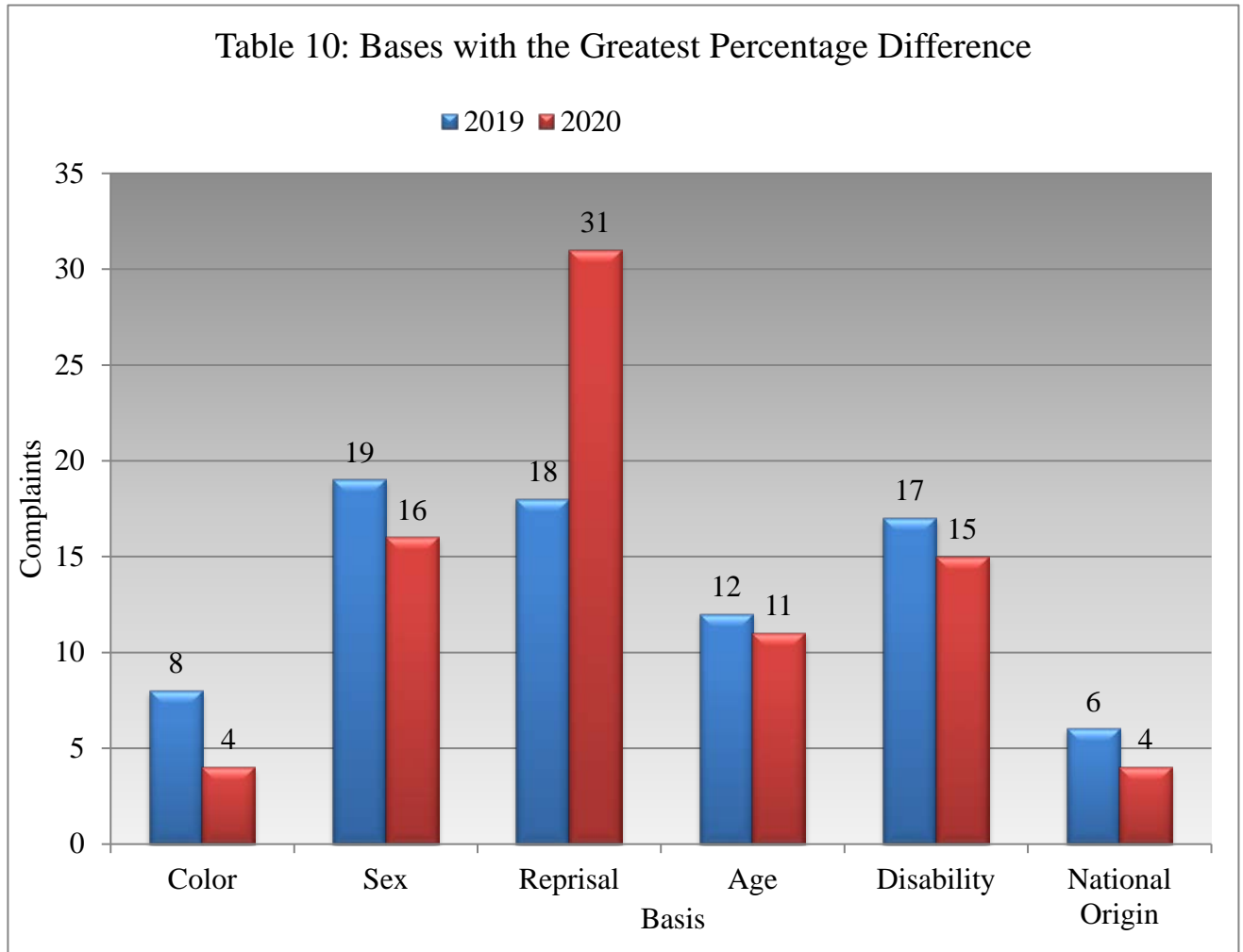


The following lists the top six alleged bases in FY20 according to *numerical ranking* (See Table 9):



The following lists the top three alleged bases in FY20 experiencing the highest *percentage change* compared to FY19 (See Table 10 below):

1. Sex - from 19 to 16 (16 percent decrease)
2. Reprisal – from 18 to 31 (72 percent increase)
3. Disability – from 17 to 15 (12 percent decrease)



***Final Agency Decision (FAD) Closures***

On average, WHS processed 10 FADs closures on the merits per year between FY15 and FY20, ranging from 9 in FY15 to 13 in FY20. There were a total of 13 FADs, on the merits, closures in FY20; 7 where Complainant requested an immediate FAD from the Agency; 1 where an EEOC Administrative Judge (AJ) returned the case to the Agency for a FAD, subsequent to Complainant electing a hearing; 3 where Complainant did not elect a hearing or a FAD and Agency issued a FAD; and 2 where there was a FAD was issued on a mixed case. WHS average processing time to complete a FAD decreased 59 percent since FY15 in comparison to the previous fiscal years; 107 days in FY15, 129 days in FY16, 99 days in FY17, 46 days in FY18, 58 days in FY19, and this year, FY20 is 43 days.

### ***Findings of Discrimination***

There were 2 findings of discrimination from FY15 through FY20. From FY15 to FY20, there were 52 FAD closures issued.

#### **b. Causal Analysis**

In FY20, the Department of Defense (DoD), Washington Headquarters Services (WHS), civilian workforce decreased by 25%, from 6,092, at the close of FY19 to 4,585 at the close of FY20. During FY20, the number of contacts to EEOP decreased by 22 percent, 182 in FY19, as compared to 142 in FY20. Further, there was an 8 percent decrease in the number of individuals who filed formal complaints of discrimination, 48 at the close of FY19 as compared to 44 in FY20. The decrease in complaint filings is likely a result of the continuing increase in COVID-19 cases in the National Capital Region, and telework policies implemented to protect the workforce. Due to this global pandemic, policies were implemented such as no more than 40 percent of the workforce to be physically in their workspaces with 60 percent of employees teleworking. Telework was also maximized during FY20 in order to protect employees, and reduce the spread of COVID-19. Further, any groups of employees in areas such as conference centers were limited to less than 25 persons. Due to the maximization of telework, and reduction of the number of employees in offices at the same time, this likely caused a decrease in the number of FY20 contacts. However, the number of formal filings as noted above did not change greatly compared to the previous year. We expect the number of contacts and formal complaint filings to increase in FY21 as employees reduce their number of telework days and re-enter the office spaces.

#### **c. Practical Knowledge Gained Through Experience**

WHS implemented a mandatory Alternative Dispute Resolution (ADR) policy in FY15 that requires the Agency to participate if deemed suitable for ADR by EEOP. This policy does not include the components serviced by WHS, where the use of ADR is voluntary. However, for purposes of this analysis, WHS and its serviced components are included.

On average, the ADR Program at WHS serviced 29 Complainants per year between FY15 and FY20, ranging from 20 in FY15, 25 in FY16, 20 in FY17, 22 in FY18, 28 in FY19, and 28 in FY20. EEO ADR mediation utilization rates have increased since FY15. Overall, the rate of EEO complaints resolved via ADR increased 42 percent since FY15; 45 percent in FY15, 68 percent in FY16, 70 percent in FY17, 41 percent in FY18, 39 percent in FY19, and 64 percent in FY20, averaging 55 percent overall rating.

#### d. Actions Planned or Taken for Improvement Measures

Training requirements were first anticipated after a February 2005 Office of Personnel Management (OPM) Proposed Rule. At that time, WHS EEOP developed training materials that were compliant with the Act's requirements. Specifically, the course addressed antidiscrimination and whistleblower protection laws, agency policies, and definitions of prohibited conduct (particularly, discrimination, reprisal and whistleblower protections). It also covered proactive measures to achieve a diverse workforce, improve communication, and manage conflict. Lastly, the course provided the rights, responsibilities, and contact information for both informal and formal avenues of redress available to all personnel.

The official WHS No FEAR Act Training was launched July 11, 2007; it was highly successful. The final training module tested knowledge and application of course material by randomly pulling from a question bank. Personnel were required to answer eight (8) of ten (10) questions correctly to pass and receive credit for the course. This electronic delivery system continues to secure agency accountability for meeting educational goals and tracking.

The WHS No FEAR Act Training is mandatory for civilian personnel (including Senior Executives) and military personnel (supervising civilians) assigned to WHS and serviced components. WHS currently services 4,585 civilian employees. Our detailed tracking reports annotate the number of personnel trained within each serviced component, and we provide the training to new employees during our bi-weekly new civilian employee orientation program. This program ensures new employees will complete the 'No FEAR Act' training within the required 90-day timeframe.

To ensure quality control, WHS developed a voluntary online survey tool, the WHS Interactive Customer Evaluation (ICE). This tool has been available to all personnel since deployment of the system in FY07.

The No FEAR Act training program has been periodically updated. Most recent updates were implemented in FY14 with an updated online training available at (<https://whsportal.osd.mil/lms/Pages/default.aspx>) on the iCompass Learning Management System- a web based system that tracks organizational and personal learning needs and requests. WHS received a significant decrease in the amount of individuals who received online and in person EEO training as compared to prior years. The amount of employees that completed the No FEAR Act training online decreased by 33 percent from FY19 (2,340) to FY20 (1,568). Similarly, the amount of employees that waived the online training and attended the "EEO and Diversity in the Workplace" classes, which serves as the classroom equivalent, decreased by 11 percent from FY19 (508) to FY20 (451). The supervisory training decreased from twenty-four (24) times during FY19 to fourteen (14) times during FY20. The number of employees that completed the training as managers, team leads, or supervisors decreased from three-hundred ninety (390) to one-hundred seventy-three (173). The WHS EEO Complaints Manager facilitated a portion of the training, focusing on management's role during the EEO process. The non-supervisory training decreased from forty-three (43) classes in FY19 to thirty-eight (38) training classes in FY20. The number of employees who attended the training decreased from eight-hundred eighty-four (884) in FY19 to seven-hundred and six

(706) in FY20. The above decreases in the number of trainings and attendance can be attributed to temporarily ceasing the in-person training classes in March 2020 due to the COVID-19 pandemic. In February 2021, the non-supervisory and supervisory “EEO and Diversity in the Workplace” classes recently started again via Microsoft Teams. Therefore, we expect the number of classes and attendance to increase in 2021. Completion of the training is recorded in the employee’s learning history, and may be verified by reports generated from the system.

WHS, EEOP will continue to: 1) monitor and identify underlying employee-management issues within WHS and all servicing components, and improve/modify the EEO and Diversity in the Workplace training accordingly; 2) utilize ADR and strongly promote the benefits of ADR as an option at all stages of the EEO process; 3) ensure that managers and supervisors receive bi-annual EEO refresher trainings required by the No Fear Act; and 4) review and modify operational procedures according to the new MD-110, to ensure the processing of EEO Complaints are within guidelines and meet required timelines.

#### IV. CONCLUSION

See Part d.

#### ACRONYMS AND ABBREVIATIONS

AJ - Administrative Judge  
DoD - Department of Defense  
EEO - Equal Employment Opportunity  
EEOP - Equal Employment Opportunity Programs  
FAA - Final Agency Action  
FAD - Final Agency Decision  
FY - Fiscal Year  
No FEAR - Act Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002  
OPM - Office of Personnel Management  
OSD - Office of the Secretary of Defense  
WHS - Washington Headquarters Services



# APPENDIX A

The final year-end data about discrimination complaints for each fiscal year that was posted in accordance with Equal Employment Opportunity Regulations 29 C.F.R. §§ 1614.701, et seq. (5 C.F.R. 724.302(a)(4)).

## Equal Employment Opportunity Data Fiscal Year 2020: October 1, 2019 to September 30, 2020

Office of the Secretary of Defense/Washington Headquarters Services (WHS) and WHS-serviced components

Comparative Data from Previous Fiscal Years  
29 CFR § 1614.705

### Complaint Activity

29 CFR § 1614.704(a) - (c), (f)(1)-(3), (k)(1)-(2)

	2015			2016			2017		2018		2019		2020				
	#	Ave. Days		#	Ave. Days		#	Ave. Days	#	Ave. Days	#	Ave. Days	#	Ave. Days			
<b>Number of Complaints Pending in Previous Fiscal Years (FY*) by Status.</b>	40			34			33		32			37			38		
<b>Number of Complaints Filed during the FY*</b>	29			30			39		55			45			48		
<b>Individuals Who Filed 2 or more complaints during FY</b>	1			1			1		3			0			4		
<b>Pending Complaints Where Investigations Exceed Required Time Frames</b>	0			1			0		0			5			0		
<b>Investigations Pending</b>	0	225		0	178		0	199	1	196	17	242	16	182			
<b>EEOC Hearings Pending</b>	37	226		31	178		33	199	29	190	49	265	52	182			
<b>Final Agency Actions Pending</b>	3	52		1	66		1	42	1	27	4	85	5	77			

\* Also denotes number of individuals filing complaints during specified time frame (including class agents)

## Complaints by Basis

*Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.  
29 CFR § 1614.704(d)*

	2015	2016	2017	2018	2019	2020
<b>Race</b>	15	16	16	19	14	14
<b>Color*</b>	7	5	4	3	8	4
<b>Religion</b>	1	0	0	0	1	1
<b>Reprisal</b>	11	16	10	25	18	31
<b>Sex</b>	15	13	13	15	19	16
<b>National Origin</b>	1	3	4	6	6	4
<b>Equal Pay Act</b>	1	0	0	0	1	1
<b>Age</b>	12	15	11	9	12	11
<b>Disability</b>	7	10	10	16	17	15

## Complaints by Issue

*Complaints can be filed alleging multiple issue. The sum of the bases may not equal total complaints filed.  
29 CFR § 1614.704(e)*

	2015	2016	2017	2018	2019	2020
<b>Appointment/Hire</b>	2	6	2	4	9	10
<b>Assignment of Duties</b>	6	1	4	4	7	8
<b>Awards</b>	0	0	0	1	2	0
<b>Conversion to Full-time</b>	0	0	0	0	0	1
<b>Disciplinary Action</b>						
<i>Demotion</i>	0	0	0	0	0	0
<i>Reprimand</i>	1	2	1	0	0	4
<i>Suspension</i>	0	0	4	4	2	1
<i>Removal</i>	1	0	3	5	2	0
<i>Other</i>	2	2	0	0	0	2
<b>Duty Hours</b>	1	0	0	0	1	0
<b>Evaluation Appraisal</b>	6	2	1	6	4	8
<b>Examination/Test</b>	1	0	0	1	0	1
<b>Harassment</b>						
<i>Non-Sexual</i>	20	18	21	16	12	24
<i>Sexual</i>	1	2	3	1	3	3
<b>Medical Examination</b>	1	0	2	2	1	0
<b>Pay (Including Overtime)</b>	0	0	1	0	0	2
<b>Promotion/Non-Selection</b>	4	3	5	10	8	0
<b>Reassignment</b>						
<i>Denied</i>	0	1	1	3	2	0
<i>Directed</i>	2	3	0	1	5	2
<b>Reasonable Accommodation</b>	0	1	2	4	1	5

<b>Reinstatement</b>	0	0	0	1	0	0
<b>Religious Accommodation</b>	0	0	0	0	1	1
<b>Retirement</b>	1	0	0	1	0	0
<b>Sex-Stereotyping</b>	0	0	0	0	0	0
<b>Telework</b>	0	0	2	1	0	2
<b>Termination</b>	1	1	2	3	2	6
<b>Terms/Conditions of Employment</b>	3	2	2	3	9	7
<b>Time and Attendance</b>	7	5	0	3	4	6
<b>Training</b>	2	4	1	3	0	1

### Complaints Dismissed by Agency

	2015	2016	2017	2018	2019	2020
Total Complaints Dismissed by Agency	6	12	11	16	16	8
Average days pending prior to dismissal	276	121	57	29	29	27
<b>Complaints Withdrawn by Complainants</b>						
Total Complainants Withdrawn by Complainants	5	1	2	5	5	4

### Findings of Discrimination Rendered by Basis

*Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.  
29 CFR § 1614.704(i)*

	2015		2016		2017		2018		2019		2020	
	#	%	#	%	#	%	#	%	#	%	#	%
<b>Total Number Findings</b>	1		0		0		1		0		0	
Race, Reprisal	1	100	0	0	0	0	1	0	0	100	0	0
<b>Findings After Hearing</b>	1		0		0		1		0		0	
Race	1	100	0	0	0	0	1	0	0	0	0	0

### Findings of Discrimination Rendered by Issue

*Complaints can be filed alleging multiple issues. The sum of the issues may not equal total complaints and findings.  
29 CFR § 1614.704(j)*

	2015		2016		2017		2018		2019		2020	
	#	%	#	%	#	%	#	%	#	%	#	%
<b>Total Number Findings</b>	1		0		0		0		1		0	
Promotion/Non-Selection Removal	1	100	0	0	0	0	0	0	1	100	0	100
<b>Findings After Hearing</b>	1		0		0		0		0		0	
Promotion/Non-Selection	1	100	0	0	0	0	0	0	0	0	0	0

Please provide link where this data is posted.

## APPENDIX B

*A detailed description of the agency's 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)).*

Available at <https://www.whs.mil/equal-employment-opportunity-and-diversity/no-fear-act/>

## APPENDIX C

*The agency's written plan to train its employees (5 C.F.R. 724.302(a)(9)).*

WHS provided an updated online No FEAR Act Training course for WHS employees to take which is available on the WHS' iCompass website. Completion of the WHS No FEAR Act Training is an annual mandatory training requirement. The course addresses antidiscrimination, reprisal, whistleblower protection laws, and the corresponding WHS' policies. The definitions of prohibited conduct, discrimination, reprisal and whistleblower protections, were explained for better understanding of these concepts.

The course provided information on the EEO complaint process as well as the rights, responsibilities, and contact information for both informal and formal avenues of redress available to all personnel.

The training module tested the employees' knowledge and application of the course material through examples/situations on the topics of whistleblowing, anti-discrimination, and reprisal. Completion of the training is recorded in an employee's learning history and may be verified by reports generated from the system.

Furthermore, during orientation, all new employees are provided access to the training to ensure that training completion is accomplished within the required 90-day timeframe from their on-boarding date.

**Fiscal Year 2020 Notification and  
Federal Employee Antidiscrimination  
and Retaliation Act of 2002 Annual  
Report**

**Cost Reporting Template**

A 12/27/2010 Secretary of Defense memorandum directed that all congressional reports have a cost sticker affixed to the front cover/page before delivery to Congress. The Cost Assessment and Program Evaluation (CAPE) Office is executing this requirement and has strict requirements for the cost data that must be collected for each Congressional report. The below template should *only* include the costs associated with *writing and directly producing the report*, from initiation to signature.

**Directions for completing the template:**

- 1.) CAPE requires costs for contract support, government manpower and government travel, which have been broken out into three sections below.
- 2.) The dates listed above each Section are *approximate dates* for which your Service was working on the Annual Report.
- 3.) Section 1: Please enter the contract number and costs in the yellow boxes on Lines 8 and 9. If multiple contracts were used to support this effort, please include all contracts/contract numbers/costs.
- 4.) Section 2: Please enter the requested information for all government employees supporting the report in Lines 11-14.
  - Line 11: Enter military grade or civilian GS-equivalent. If additional columns are needed, please add as necessary.
  - Line 12: Designate whether the employee's role was Study Activity (prepared non-oversight activities in preparation of the report ) or Oversight (provided supervision in preparation of the report)
  - Line 13: Using one word, describe the type of activity performed by the employee (e.g. analysis, oversight)
  - Line 14: Enter the number of man-hours associated with the activity/oversight. The total of all man hours will automatically populate in the Total cell.

*Note: If four GS-14's conducted the same role and activity, please include only one column for GS-14 with the total hours for all four individuals in the Man Hours cell.*
- 5.) Section 3: Please enter travel destination and costs required to support the report in Lines 16 and 17.
  - Line 16: Enter destination of travel
  - Line 17: Enter total cost of travel

		2020 Annual Report efforts		
Section 1: Contract Support	Contract/Task Order #			
	Contract cost spent on the Annual Report			
		FY 2020 (1 Oct 2019-30 Sep 2020)		
Section 2: Government Activity	Military grade or civilian GS-equivalent			
	Role (Study Activity or Oversight)	Oversight		
	Activity Performed (e.g. analysis, oversight)	Analysis		
	Man Hours (per rank, grade or GS-equivalent)			
		FY 2020 (1 Oct 2019 - 30 Sep 2020)		
Section 3: Government Travel	Travel destination/description	EEO & Diversity in the Workplace, Basics of Conflict Management, Raven Rock Mountain Complex, PA, and Defense Prisoner of War/Missing in Action (DPAA), Hawaii		
	Total cost (per Service, not per individual)	\$3,833.97		

**Total**  
0