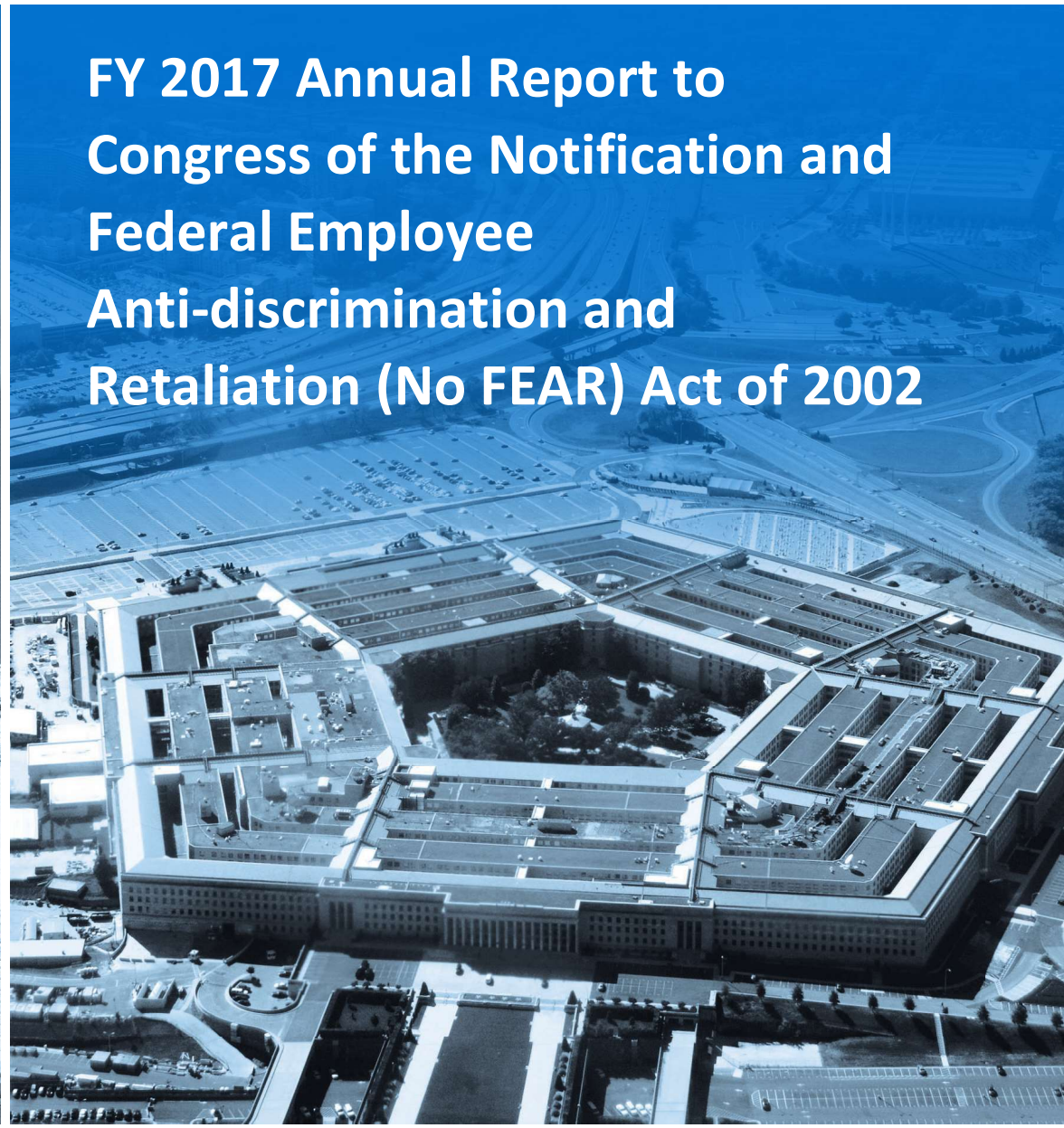




INSPECTOR GENERAL

U.S. Department of Defense



FY 2017 Annual Report to Congress of the Notification and Federal Employee Anti-discrimination and Retaliation (No FEAR) Act of 2002

INTEGRITY ★ EFFICIENCY ★ ACCOUNTABILITY ★ EXCELLENCE



INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
4800 MARK CENTER DRIVE
ALEXANDRIA, VIRGINIA 22350-1500

FEB 07 2018

Ms. Charmane S. Johnson
Acting Director, EEO Programs
Office of Diversity Management and Equal Opportunity
OSD Personnel and Readiness
4000 Defense Pentagon, Room 5D641
Washington, DC 20301-4000

Dear Ms. Johnson:

In accordance with Public Law 107-174, Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act, the Department of Defense Office of Inspector General (DoD OIG), submits the attached report for FY 2017.

This report summarizes the activities conducted by the DoD OIG from October 1, 2016 to September 30, 2017, to ensure full compliance with the requirements set forth by the No FEAR Act of 2002.

If you have questions, please contact the DoD OIG Director of EEO, Ms. Tyvonnia Ward, at (703) 604-9710.

A handwritten signature in blue ink, appearing to read "Glenn A. Fine", is located below the text of the letter.

Glenn A. Fine
Principal Deputy Inspector General
Performing the Duties of the Inspector General

Attachment: As stated



Department of Defense Office of Inspector
General

**Notification and Federal Employee
Anti-discrimination and Retaliation Act
(No FEAR)**

Fiscal Year 2017 Report

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I. INTRODUCTION

Abstract

The Department of Defense Office of Inspector General (DoD OIG) FY 2017 No FEAR Act report summarizes the activities conducted by our office to ensure full compliance with the requirements in the No FEAR Act. On June 22, 2017, the Acting Inspector General communicated his Anti-Harassment Policy Statements to the DoD OIG workforce. This statement set the expectations that every DoD OIG employee must be committed to providing an environment that is free from harassment. This policy statement also establishes the DoD OIG requirement that every DoD OIG employees must receive biennial anti-harassment training. The Acting Inspector General also communicated his policy statement for EEO and Diversity and Inclusion stating his commitment to create an environment of equality and with a diverse DoD OIG workforce. This policy statement also provides guidance and instructions on the roles and responsibilities within the DoD OIG to ensure equality and inclusion for all DoD OIG employees.

To meet the requirements in the No Fear Act, the DoD OIG Office of Equal Employment Opportunity (EEO) provided formal training and education regarding prohibitions on retaliation and the associated rights and remedies of employees. The Office of EEO also hosted several affirmative action program events designed to promote the full realization of equal opportunity within the DoD OIG workforce. In addition, DoD OIG management officials and employees actively engaged with the Office of EEO to identify early resolution options to minimize the processing of formal EEO complaints. Active engagement potentially played a key role in the DoD OIG having no substantiated claims of discrimination in FY 2017.

Significant Accomplishments

The DoD OIG's most significant accomplishments in complying with the No FEAR Act in FY 2017 include the following actions:

- a) **No FEAR Act policy requirements and education.** The DoD OIG was proactive in meeting the requirement to inform and train employees of their rights and protections under Federal Anti-discrimination and Whistleblower Protection Laws. FY 2017 began with the Acting Inspector General communicating to the workforce the DoD OIG policy on anti-harassment and his expectation for the workforce to adhere to this policy. The EEO staff provided training to senior leaders throughout the DoD OIG on their roles and responsibilities in the Anti-harassment Program. The exercise also highlighted behaviors that have the potential to prevent or mitigate allegations of harassment. Additionally, the EEO staff engaged in "out and about" communication with leaders and employees to address concerns as they arose. These proactive interactions with the workforce aided the DoD OIG in avoiding discrimination in the organization that could compromise the tenets of the No FEAR Act. As a result, of

the 11 EEO contacts that alleged some basis of perceived harassment, all 11 were resolved through facilitated dialogue with the management officials and employees, without the individual electing to initiate a formal EEO complaint.

- b) EEO and Whistleblower No FEAR Act training and event.** The Office of EEO provided training and development opportunities to managers and employees through the ongoing EEO Inclusion Series, which focused on diversity-related education, cross-cultural and civil communication, and generational differences.
- c) Anti-harassment initiative.** The DoD OIG continued its efforts to notify the workforce of the established policy, procedures, and responsibilities for the Anti-harassment Program. The EEO staff briefed DoD OIG staff, at town halls and staff meetings, on anti-harassment strategies to mitigate conflict in the workplace and the appropriate steps for handling reports of harassment. The EEO staff conducted inquiries into harassment allegations and monitored allegations to ensure prompt, thorough, and impartial action was taken to address reported allegations of harassment.
- d) Briefing and training for new employees.** The DoD OIG provided briefings during new employee orientation on EEO and whistleblower protections. Those briefings provided an overview of the EEO and anti-harassment policy, and identified the employees' specific roles and responsibilities in the EEO process. Additionally, the DoD OIG required all new employees to take in-depth, online No FEAR Act and Workforce Harassment training within 90 days of their start date. Completion of the training is an element in each Component's performance metrics and is reported to the Principal Deputy Inspector General quarterly. The abovementioned training is separate and apart from the employee's obligation to complete the mandatory EEO and No FEAR Act training on a biennial basis.
- e) Mandatory whistleblower training for supervisors.** The DoD OIG requires all supervisors and managers to complete online whistleblower training every 3 years. The sponsored training includes guidance on recognizing the potential negative impact of an individual's words and actions and the direct correlation the behavior has on the organization's ability to accomplish its mission. The training also discusses the law and legal ramifications for taking, failing to take, or threatening to take personnel actions that are in violation of a law, rule, or regulation that implements or directly concerns a merit system principle.

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 anti-discrimination 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 of such cases (5 C.F.R. 724.302(a)(2)(i)).

Statute	Cases Opened in FY 2017	Cases Resolved in FY 2017		Cases Pending at Close of FY 2017
		Settled	Other	
Title VII, Civil Rights Act of 1964				
42 U.S.C. 2000e-16	5	1	0	4
Age Discrimination in Employment Act				
29 U.S.C. 631, 633a	2	0	0	2
Fair Labor Standards Act of 1938				
29 U.S.C. 206(d)	0	0	0	0
Section 501 of Rehabilitation Act				
29 U.S.C. 791	2	0	0	2
Equal Pay Act				
29 U.S.C. 206(d)	0	0	0	0
Whistleblower Protection Act				
5 U.S.C. 2302(b)(1)	0	0	0	0

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)).

\$ Reimbursed to Judgment Fund	\$ Attributed to Attorneys' Fees	Adjustment Needed
\$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 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 (e.g., reprimand, dismissal, etc.)
Title VII, Civil Rights Act of 1964		
42 U.S.C. 2000e-16	0	NA
Age Discrimination in Employment Act		
29 U.S.C. 631, 633a	0	NA
Fair Labor Standards Act of 1938		
29 U.S.C. 206(d)	0	NA
Section 501 of Rehabilitation Act		
29 U.S.C. 791	0	NA
Equal Pay Act		
29 U.S.C. 206(d)	0	NA
Whistleblower Protection Act		
5 U.S.C. 2302(b)(1)	0	NA
Matters that did <u>NOT</u> result in a Federal court case	0	NA

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)).*

The requested information for the DoD OIG is attached at **Appendix A**

e. *A detailed description of the agency's policy for taking disciplinary action against Federal employees for conduct that is inconsistent with Federal Anti-discrimination 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)).*

The requested information for the DoD OIG is attached at **Appendix B**

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

The requested information for the DoD OIG is attached at **Appendix C**

III. ANALYSIS

a. Examination of Trends

During FY 2017, 97 individuals contacted the Office of EEO regarding allegations of unfair treatment or seeking advisory services. This represents an increase of 59 percent or 36 more DoD OIG EEO contacts compared to FY 2016, when there were 61 DoD OIG EEO contacts. A portion of this increase can be attributed to an elevation of contacts from 21 Federal employees that were not DoD OIG employees who sought guidance and direction regarding protected EEO activity (these individuals were referred to their entities EEO offices). Additionally, the EEO staff elevated its efforts to engage the workforce by increasing the office's visibility through participation in Component town halls and meetings throughout the DoD OIG. Early involvement by Component leadership to address identified conflicts and engage in facilitated discussions with the employee and EEO staff to ascertain employee problems and concerns, coupled with increased effective communication with employees, all contributed to resolving workplace disputes quickly and efficiently. As a result, only 10 percent of applicants, former employees, and current DoD OIG employees who sought advice and guidance regarding potential EEO issues initiated pre-complaints during the FY 2017 reporting year. The number of employees engaging in the formal EEO complaint process increased from four in FY 2016 to five in FY 2017.

Over the past 5 years, harassment (non-sexual) and disparate treatment in the terms and conditions of employment continued to be two of the primary issues identified in complaints of discrimination filed in the DoD OIG. In FY 2017, three complaints were filed that alleged disparate treatment in the terms and conditions of employment and one complaint of harassment. Race, sex, and age remained the most frequently identified bases; however, there were no findings of discrimination or settlement agreements reached in lieu of a finding of discrimination during FY 2017.

The DoD OIG Office of Professional Responsibility, an office within the DoD OIG that receives and investigates non-EEO-related harassment and misconduct allegations raised against DoD OIG employees, received one complaint in FY 2017. The complaint alleged retaliation or violations of Whistleblower Protection Laws, resulting in no cases being opened for investigation or substantiated as fact.

The Ombudsman conducted three mediations during FY 2017, two of which resulted in an agreed strategy by management and employee to correct identified problem areas.

b. Causal Analysis

In discussions with individuals who contacted the Office of EEO and attended events hosted by the Office of EEO, poor communication and the perceived failure of supervisors to promptly take corrective action to address employees' inappropriate workplace behavior, tended to impact employee perception of fair treatment. The obligation to adhere to confidentiality and the related requirement to not publically discuss disciplinary actions may have also contributed

to this perception. The records show that 40 percent of the EEO contacts reported occasional fluxes in morale due to their inability of knowing what actions were taken to address reported incidents and not seeing an immediate change in workplace behaviors or conditions. The unknown effects contributed to an increase in the number of employees contacting the Office of EEO during the reporting year. However, only five EEO contacts became official complaints of discrimination filed within the DoD OIG. This can be attributed to proactive measures taken by the EEO staff and OIG Component leaders to increase effective communication efforts and follow-up with employee concerns. .

c. Practical Knowledge Gained Through Experience

Proactive initiatives, such as the EEO Inclusion Series, focused, in part, on establishing and expanding opportunities and identifying new resources for mitigating conflict. This series also provided managers and employees with tools to address conflict in the workplace and created new avenues for professional advancement through expert instruction and practical application.

Component leaders, representatives from the Office of General Counsel, Human Capital Management, and the Office of EEO collaborated to develop innovative options for resolving complaint trends, identified concerns found in issuance of accommodation solutions, and EEO implications raised in management and employee relation matters. The proactive and collaborative approaches have aided in promoting and maintaining an environment conducive to open communication and have proven to positively impact employee perspective within the workforce.

The Office of EEO and Ombudsman work diligently to promote mutually beneficial resolutions that address internal conflicts and workplace concerns at the lowest level possible. These resolution options also seek to engage senior leaders in the process to create positive change.

In the Ombudsman's 2017 annual report to DoD OIG leadership, an analysis of employees' concerns revealed that peer-to-peer and subordinate-to-supervisor interactions related to respect, quality, and timeliness of performance feedback continue to be of concern among employees.

d. Actions Planned or Taken for Improvement Measures

The Principal Deputy Inspector General continually demonstrated the commitment to the standards and principles of EEO by issuing his policies and expectations for adhering to Equal Employment Opportunity, Diversity and Inclusion, and the Prevention of Harassment in the Workplace. These policy statements aligned with the DoD OIG's overarching goal of engaging, enabling, and empowering our people and achieving excellence through unity. Also, the Principal Deputy Inspector General ensured that sufficient resources were allocated to the EEO program to ensure full compliance with statutory and regulatory mandates. In FY 2017, the DoD OIG procured a contractor to conduct a barrier analysis workforce study to ascertain impediments to career advancement within the DoD OIG. Lastly, the EEO program received a

significant increase in funding to cover costs for reasonable accommodation solutions provided to the workforce throughout the year. All of the above actions contributed to the DoD OIG's commitment to maintaining a viable affirmative program to promote equal opportunity and to identify and eliminate discriminatory practices and policies within the DoD OIG workforce.

In an effort to standardize processes and practices, the DoD OIG instituted various training for its leaders and executives. In FY 2017, the DoD OIG Training Education and Development Division oversaw the following leadership and supervisory training: (1) Effective Coaching and Mentoring, (2) Leading at the Speed of Trust, (3) Leading at the Speed of Trust Checkpoints, and (4) the New Supervisors Course.

The DoD OIG Human Capital Management Directorate ensured all job announcements included anti-discrimination statements that reiterate the DoD OIG's position regarding equity and fair treatment of all applicants. As a standard, all new employees were briefed, on their initial start date, of the rights and protections afforded to whistleblowers and were provided information on employee rights related to whistleblower retaliation. Additionally, the Human Capital Management Directorate revamped its supervisory training to include aspects of diversity and inclusion. The Human Capital Management Directorate also conducted a hiring summit to expand diverse resources, drafted a new Diversity and Inclusion Strategic Plan to achieve an accountable leadership for sustained diversity, improved workforce inclusion through recruitment and retention efforts and to optimize diversity using data, and increased employee engagement efforts as an ongoing effort to improve diversity and inclusion throughout the DoD OIG. As part of the DoD OIG's effort to attract and retain diverse talent, the DoD OIG Office of Legislative Affairs and Communications engaged social media platforms, such as LinkedIn and Twitter, to promote vacancies.

The Office of EEO continued its anti-harassment initiative, aimed at maintaining a zero-tolerance standard for workplace harassment. The goals of the initiative are to enable employees to: (1) identify both the business impact of harassment on the workforce and the need to end harassment; (2) recognize the types of behaviors that lead to harassment; and (3) determine the specific actions that supervisors and employees can take to reduce or eliminate harassment and contribute to increased motivation.

The Office of EEO collaborated with the DoD OIG Office of General Counsel to provide DoD OIG leaders with information on their roles and responsibilities in the anti-harassment process and the requirement to act promptly to address and correct identified problems. The EEO staff conducted three briefings on anti-harassment and conflict management in the workplace during town halls and quarterly Component meetings.

The Office of EEO worked with the DoD OIG Office of Legislative Affairs and Communications to publish articles on the DoD OIG intranet to inform managers and employees of their roles in identifying and preventing workplace harassment and of the underlying business impact of workplace harassment on accomplishing the DoD OIG mission.

In FY 2018, the Office of EEO will focus its efforts on reducing workplace conflict by centering all planned activities on increasing civility in the workplace. A rebranded initiative

entitled "Equality Matters" will provide a series of interrelated sessions focusing on providing training and guidance on workplace behavior and communication that impacts civility.

The Office of EEO published an anti-harassment instruction for use by the DoD OIG. The instruction addresses the entire workforce's roles and responsibilities in preventing harassment, and it identifies procedural steps if harassment issue are raised in the workforce. This instruction is used to ensure compliance with the Principal Deputy Inspector General's zero-tolerance policy on harassment in the workplace and to address harassment appropriately when it occurs. This instruction was disseminated throughout the workforce.

The DoD OIG EEO and anti-harassment policies were distributed to all DoD OIG employees and posted to the DoD OIG intranet. Written copies of the policies and training were provided to new employees. New employees are also required to take the No FEAR Act and Anti-harassment training within 90 days of starting at the DoD OIG. Collaborative efforts among Component training officers; the DoD OIG Training, Education, and Development Division; managers in the workforce; and the EEO staff ensured that all DoD OIG employees were aware of their shared responsibility in adhering to anti-harassment and whistleblower requirements.

The Director, EEO, frequently counsels leadership on the numerous avenues available to promote and sustain an environment free of discrimination and meets regularly with the Director, Human Capital Management; the Ombudsman; and a senior associate attorney in the DoD OIG Office of General Counsel to share information, review trends affecting employees, and develop strategic approaches to address workplace concerns within the DoD OIG.

IV. CONCLUSION

The Principal Deputy Inspector General plays an active role in establishing a workplace environment free of discrimination and harassment. By providing continuous training, the Principal Deputy Inspector General makes certain that DoD OIG senior leaders, managers, and supervisors are equipped with the right tools and skills to manage an ever-changing diverse workforce.

The Director, EEO, reports directly to the Inspector General and continues to advise and assist the DoD OIG's leaders on workforce planning and decision making related to the potential impact decisions can have on EEO-protected groups and ways to mitigate risks for the DoD OIG and maintain an inclusive work environment. The Office of EEO is consistent in proactive prevention initiatives aimed at maintaining a standard for EEO, prevention of workplace harassment, and increasing employee confidence in engaging in dialogue and coming forward to address concerns impacting the work environment.

Finally, the DoD OIG Office of the Ombudsman provides an alternative venue for employees to address workplace concerns about alleged improprieties and perceived systemic issues in the DoD OIG. The Ombudsman and Director, EEO meet frequently during the reporting year to establish a collaborative approach to address and correct matters with EEO implications.

APPENDIX A

**Equal Employment Opportunity Data Posted Pursuant to the No FEAR Act
Office of Inspector General
EEO Complaint Activity
FY 2017 4th Quarter Data
September 30, 2017**

29 CFR §1614.704(a) - (c)	29 CFR §1614.705 Comparative Data Previous Fiscal Year Data					FY 2017 Thru September 30
Complaint Activity	2012	2013	2014	2015	2016	
Number of Complaints Filed in FY 1614.704(a)	6	4	2	1	4	4
Number of Complainants 1614.704(b)	6	4	2	1	4	4
Repeat Filers 1614.704(c)	1	0	0	1	0	1
29 CFR §1614.704(d)	29 CFR §1614.705 Comparative Data Previous Fiscal Year Data					FY 2017 Thru September 30
Complaints by Basis	2012	2013	2014	2015	2016	
Race	3	2	2	0	1	2
Color	0	1	1	0	0	0
Religion	0	0	0	0	0	0
National Origin	1	1	0	0	0	0
Sex	3	0	2	0	0	3
Disability	2	1	1	1	1	2
Age	2	0	0	0	2	1
Retaliation	3	4	2	1	0	4
Other	0	0	0	0	0	0
29 CFR §1614.704(e)	29 CFR §1614.705 Comparative Data Previous Fiscal Year Data					FY 2017 Thru September 30
Complaints by Issue	2012	2013	2014	2015	2016	
Appointment/Hire	0	0	0	0	1	2

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Assignment of Duties	0	3	1	1	0	2
Awards	0	0	0	0	0	0
Conversion to Full-time	0	0	1	0	0	0
Disciplinary Action						
Demotion	0	0	0	0	0	0
Reprimand	1	0	0	0	0	1
Suspension	0	0	0	0	0	0
Removal	0	0	0	0	0	1
Other	0	2	0	0	0	0
Duty Hours	0	0	1	0	0	0
Evaluation Appraisal	2	3	0	0	1	1
Examination/Test	0	0	0	0	1	0
Harassment						
Non-Sexual	3	4	1	0	0	1
Sexual	0	0	0	0	1	0
Medical Examination	0	0	0	0	1	0
Pay	1	1	0	0	0	0
Promotion/Non-Selection	0	0	1	0	0	0
Reassignment						
Denied	1	0	0	0	0	1
Directed	1	0	0	0	0	0
Reasonable Accommodation	2	0	0	1	0	1
Reinstatement	0	0	0	0	0	0
Retirement	0	0	0	0	1	0
Termination	0	0	0	0	0	1
Terms/Conditions of Employment	0	2	1	1	0	1
Time and Attendance	1	0	0	1	0	1
Training	1	0	1	0	0	0
Other	8	0	2	0	0	0

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29 CFR §1614.704(f)													
Processing Time "...post the average length of time it takes to complete each step of the process for every complaint that is pending during any time of the then fiscal year..."										FY 2017 Thru September 30			
										Number	Average Days		
All complaints pending in Investigative Stage					1614.704(f)(1)					3	135		
All complaints pending in Final Agency Action Stage										0	0		
All complaints pending in which Hearing was not requested					1614.704(f)(2)					0	0		
Time in Investigation Stage										3	135		
Time to issue Final Agency Action										0	0		
All complaints pending in which a Hearing was requested					1614.704(f)(3)					4	776		
Time in Investigation Stage										4	160		
Time to issue Final Agency Action										0	0		
29 CFR §1614.704(g)				29 CFR §1614.705 Comparative Data Previous Fiscal Year Data						FY 2017 Thru September 30			
Complaints Dismissed by Agency Pursuant to 1614.107(a)				2012	2013		2014		2015		2016		
Total Complaints Dismissed by Agency				1	0		1		0		0		
Average days pending prior to dismissal				8	0		29		0		0		
29 CFR §1614.704(h)				29 CFR §1614.705 Comparative Data Previous Fiscal Year Data						FY 2017 Thru September 30			
Total Final Agency Actions Finding Discrimination				2012		2013		2014		2015		2016	
				0	%	#	%	#	%	#	%	#	%
Total Number Findings 704(h)(1)				0	0	0	0	0	0	0	0	0	0
Without Hearing 704(h)(2)				0	0	0	0	0	0	0	0	0	0
With Hearing 704(h)(3)				0	0	0	0	0	0	0	0	0	0
29 CFR §1614.704(i)				29 CFR §1614.705 Comparative Data Previous Fiscal Year Data						FY 2017 Thru FY			

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Findings of Discrimination Rendered by Basis	2012		2013		2014		2015		2016		2017 September 30	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(i)(1)	0	0	0	0	0	0	0	0	0	0	0	0
Number Findings Rendered Without Hearing 704(i)(2)	0	0	0	0	0	0	0	0	0	0	0	0
Number Findings Rendered After Hearing 704(i)(3)	0	0	0	0	0	0	0	0	0	0	0	0
29 CFR §1614.704(j)	29 CFR §1614.705 Comparative Data										FY 2017 Thru September 30	
	Previous Fiscal Year Data											
	2012		2013		2014		2015		2016			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(j)(1)	0	0	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing 704(j)(2)	0	0	0	0	0	0	0	0	0	0	0	0
Findings After Hearing 704(j)(3)	0	0	0	0	0	0	0	0	0	0	0	0
29 CFR §1614.704(k)	29 CFR §1614.705 Comparative Data											
Complaints Pending From Previous Fiscal Years by Status	Previous Fiscal Year Data					FY 2017 Thru September 30						
	2012	2013	2014	2015	2016							
Total complaints from previous Fiscal Years 704(k)(1)	3	3	3	4	2	3						
Total Complainants 704(k)(2)	7	7	3	4	2	3						
Number complaints pending: 704(k)(3)												
Investigation	0	0	1	0	3	0						
ROI issued, pending Complainant's action	0	0	0	0	0	0						
Hearing	3	3	0	4	0	3						
Final Agency Action	0	0	0	0	0	0						
Appeal with EEOC Office of Federal Operations	0	0	0	0	0	0						

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29 CFR §1614.704(l)	29 CFR §1614.705 Comparative Data Previous Fiscal Year Data					FY 2017 Thru September 30
	2012	2013	2014	2015	2016	
Number Pending Completion of Investigation	2	2	1	0	3	3
Pending Investigations Over Required Time Frames	0	0	0	0	0	0

Last update was on **September 30, 2017**.

APPENDIX B

Inspector General Instruction 1400.4, “Adverse Actions,” is the DoD OIG’s policy for taking disciplinary action against Federal employees for conduct that is inconsistent with Federal Anti-discrimination Laws and Whistleblower Protection Laws, or for conduct that constitutes a prohibited personnel practice revealed in connection with DoD OIG investigations of alleged violations of 5 C.F.R. 724.302(a)(6).

DoD OIG management officials are required to initiate prompt action to correct employee conduct that does not promote the efficiency of the Federal service. When deciding to take an action, management officials are prohibited from discriminating against an employee based on sex, race, color, national origin, religion, age, genetic information, retaliation, political affiliation, marital status, disability, parental status, sexual orientation, or other non-merit factors.

Management officials are directed to use progressive discipline to correct employee misconduct. When management takes formal disciplinary action, it should be tailored to address the severity of the misconduct. Management may also consider alternative discipline in lieu of formal discipline.

APPENDIX C

Department of Defense Office of Inspector General (DoD OIG) No FEAR Act Training Plan

FY 2018 is a mandatory Agency-wide training year. No FEAR Act and Workplace Harassment training is currently being offered through the Inspector General E-Learning training module. The content of the presentation also contains information on the Whistleblower Protection Enhancement Act, as amended.

Agency Training Requirement	Delivery of Training	Training Schedule	Training Completion
Only civilian employees and military personnel who supervise civilian employees are required to complete No FEAR and Workplace Harassment training.	Inspector General E-Learning	Mandatory EEO training is underway, employees have until June 30, 2018, to complete online NO FEAR and Workplace Harassment training.	DoD OIG employee training total completed in FY 2016 was 99.20% (1494).



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