



CONGRESSIONAL REPORT • March 2017

Notification and Federal Employee
Antidiscrimination and Retaliation Act
National Credit Union Administration



[This page intentionally left blank]

No FEAR Act • 2016

Table of Contents

Executive Summary	2
Background	3
Data.....	4
EEO Complaint Activity Analysis	
▪ Trend and Causal Analysis	6
▪ Practical Knowledge Gained through Experience.....	7
▪ Actions Taken or Planned to Improve Agency Complaint or Civil Rights Program.....	8
Appendix I: No FEAR ACT Data for Fiscal Year 2016.....	12
Appendix II: Annual EEO Policy Statement.....	27
Appendix III: Prevention of Harassment in the Workplace Instruction.....	28

Executive Summary

National Credit Union Administration

The National Credit Union Administration is the independent federal agency created by the U.S. Congress to regulate, charter and supervise federal credit unions. With the backing of the full faith and credit of the United States, NCUA administers the National Credit Union Share Insurance Fund, insuring the deposits of more than 107 million credit union account holders in all federal credit unions and the overwhelming majority of state-chartered credit unions.

The agency's mission is to facilitate the availability of credit union services to all eligible consumers, especially those of modest means, through a safe and sound credit union system. Because of this mission, employees in the credit union examiner series (0580) account for the majority of NCUA's staff positions, representing 73 percent of the 1,212 employees onboard at the end of the fiscal year.

NCUA fully supports the principles of the merit system. As such, NCUA's Equal Employment Opportunity (EEO) policy prohibits discrimination based on race, color, religion, national origin, sex (including sexual harassment and sexual orientation), age (40 years and over), disability (mental and physical), genetic information, or reprisal for any protected activity. The agency is also committed to affording employees their rights and protections available under federal antidiscrimination, whistleblower protection, and retaliation laws.

The Office of Minority and Women Inclusion (OMWI) prepared this Congressional Report.

Background

The Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174, went into effect on October 1, 2003. The Act requires federal agencies to be accountable for violations of antidiscrimination and whistleblower protection laws and post certain statistical data relating to federal sector EEO complaints filed with the agency.

Section 203 of the No FEAR Act requires that each federal agency submit an annual Report to Congress. Agencies must report:

- On the number of federal court cases arising under each of the respective areas of law specified in the act in which discrimination was alleged;
- The status or disposition of cases;
- The amount of money required to be reimbursed;
- The number of employees disciplined;
- Any policies implemented related to appropriate disciplinary actions against a federal employee who discriminated against any individual, or committed a prohibited personnel practice; and
- An analysis of the data collected with respect to trends, causal analysis and other forms for analysis.

Section 203 of the No FEAR Act requires federal agencies to submit annual reports to:

- The Speaker of the House of Representatives;
- The President Pro Tempore of the Senate,
- The Committees on Governmental Affairs of the Senate and Government Reform of the House of Representatives;
- Each committee of Congress with jurisdiction relating to the agency;
- The Attorney General;
- The Chair of the Equal Employment Opportunity Commission; and
- The Director of the Office of Personnel Management.

Data

- 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 employee or applicant alleged a violation(s) of these laws, separating data by the provision(s) of law involved.**
 - None.
- 2. (a) The status or disposition of cases described in question (1); (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; and (c) the amount of reimbursement to the Fund for attorney's fees where such fees have been separately designated.**
 - (a) None.
 - (b) None.
 - (c) None.
- 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.**
 - None.
- 4. 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, and what follows.**
 - See Appendix 1.
- 5. Whether in connection with cases in federal court, the number of employees in each fiscal year disciplined in accordance with agency policy. The specific nature—for example, a reprimand—of the disciplinary actions taken must be identified.**
 - None.

- 6. 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.**
- NCUA administers the Discipline and Adverse Action program in accordance with 5 C.F.R. 752. NCUA does not have a table of penalties. Disciplinary actions against employees for conduct inconsistent with federal antidiscrimination laws and whistleblower protections or for conduct which constitutes a prohibited personnel practice are determined based on the circumstances.
- 7. An analysis of the information described under paragraphs (1) through (6) (in conjunction with data provided to the Equal Employment Opportunity Commission in compliance with part 1614 of title 29 of the Code of Federal Regulations) including:**
- a. an examination of trends;
 - b. causal analysis;
 - c. practical knowledge gained through experience; and
 - d. any actions planned or taken to improve the complaint or civil rights programs of the agency.
- See the analysis provided in the EEO Complaint Activity Analysis section.
- 8. For each fiscal year, any adjustment needed or made to the agency’s budget to comply with its Judgment Fund reimbursement obligations incurred under 5 C.F.R. 724.103.**
- None.
- 9. The agency’s written plan developed under 5 C.F.R. 724.203(a) to train its employees.**
- NCUA has fully implemented its No FEAR Act training for staff as contemplated by the law itself and Office of Personnel Management regulations. The agency formalized its training plan in writing on March 23, 2007.
 - Pursuant to agency policy, NCUA provides regular EEO training to managers. The agency also provides EEO training to all new hires and EEO information is posted on the OMWI’s SharePoint site for all employees to view.

EEO Complaint Activity Analysis

Trend and Causal Analysis

During fiscal year 2016, NCUA employees filed a total of three formal complaints. NCUA takes numerous steps to keep staff informed of their right to initiate pre-complaint EEO counseling for discrimination allegations.

EEO information is visibly maintained throughout the agency in various formats. NCUA's OMWI maintains a SharePoint site that includes all EEO guidance, agency instructions, and policies. Additionally, NCUA's website contains No FEAR Act data, and stakeholders can view reasonable accommodation instructions and the agency's EEO Policy Statement.

New employees are provided a copy of the agency's EEO policy statements and information on their rights under applicable EEO laws. All NCUA staff receive annual No FEAR Act training, and OMWI staff brief all new examiners during the agency's Level I training. Applicants for employment can access links to the No FEAR Act Data, EEO Policy Statement, No FEAR Act Notice, reasonable accommodation procedures and EEO Complaint Process guidance from the career page on NCUA's public website. They may also select "contact us" from the contacts page for further information.

EEO posters containing antidiscrimination and EEO counseling information are posted throughout NCUA's Central Office, regional offices and the Office of Human Resources. EEO information is also provided to staff at agency conferences, as well as through newsletters, emails, the OMWI SharePoint site, and online training.

During fiscal year 2016, the bases and allegations made in the three complaints follow:

- **Case 1:** The complainant alleged discrimination based on sex (female) when according to the complainant management mishandled her sexual harassment complaint by not keeping it confidential and not taking any official action when it was first reported. In addition, the complainant alleged discrimination based on reprisal (EEO activity) when, since requesting mediation and utilizing the agency's internal complaint process, e-mail messages were not being answered, work was being pulled from her, an employee was no longer speaking to her, and management continued to allow the alleged harasser to come by her desk and communicate with her. The agency issued the complainant a final decision (no discrimination) based on the merits of this case. The complainant appealed the decision to EEOC.

- Case 2: The complainant alleged discrimination based on race (Asian Indian), color (Brown), and national origin (India) when his performance appraisal led to him being notified of a delay in his career ladder promotion to the CU-14 level. The complainant requested a hearing before an EEOC administrative judge, and the hearing is pending the assignment of an administrative judge.
- Case 3: The complainant alleged discrimination based on age (62) when management subjected him to disparate treatment regarding evaluations and ratings, travel assignments, annual wage increases, performance awards, and salary compensation. In addition, the complainant alleged discrimination based on reprisal (EEO activity) when he was issued a “Notice of Unacceptable Performance and Opportunity to Improve”. The complaint is pending completion of the investigation.

Six complaints carried over from prior fiscal years into 2016. Two complaints are pending a hearing before an EEOC administrative judge, and four complaints are pending a decision from an appeal with EEOC’s Office of Federal Operations.

Over the past ten fiscal years (2006–2016), the basis most frequently alleged by complainants is age discrimination (25), followed by reprisal (21). Disability discrimination claims (12) were not as common over the past ten fiscal years, with no complaints alleging disability discrimination during the fiscal year 2016.

For fiscal year 2016, one of the three complaints alleged discrimination based on both age and reprisal, which is consistent with the trends noted above. However, reprisal, which is alleged in two of the three complaints, was the most prevalent basis for complaints filed in fiscal year 2016.

Practical Knowledge Gained through Experience

NCUA leadership is committed to equal employment opportunity, diversity and inclusion. Creating a workplace that is inclusive, where all employees are valued and able to contribute to their fullest is one of NCUA’s strategic priorities. All managers and leaders are provided with training and are held accountable through performance management for these areas. Furthermore, EEO and Diversity and Inclusion Policy Statements are updated and reissued to all agency staff at the beginning of each fiscal year.

During the reporting period, NCUA provided several training opportunities for managers and employees. New managers received a one-day training conducted by OMWI staff. All new hires were provided EEO training during new employee orientation. OMWI staff continued to provide EEO overview training for all newly hired credit union examiners. In addition, OMWI staff conducted customized EEO training during all regional management meetings.

In 2016, NCUA leadership made a significant commitment to advance intentional inclusion within the agency. This commitment started with providing all staff and supervisors with training on mitigating unconscious bias. OMWI selected leading diversity consultant, Cook Ross Inc., a certified, woman-owned consulting firm, to provide this training. Two sessions of the curriculum were facilitated in-person during NCUA's National Examiner Program Training, on April 4 and April 11, with an additional session offered at the central office on June 14 for anyone who did not attend the examiner training conference.

As a follow up, an additional training was conducted specifically for supervisors. In September, diversity and inclusion expert Howard Ross engaged managers in exercises and activities designed to reinforce bias mitigation techniques, particularly in hiring and performance evaluation. Feedback from all four sessions was very positive and employees report they are more aware of their biases and equipped with new tools to help them be more inclusive in the workplace.

New Supervisor Training is a critical component of on-boarding managers into leadership positions. The Office of Minority and Women Inclusion updated its portion of this training in 2016 to provide a thorough overview of services related to diversity, inclusion and equal employment opportunity. In addition to revising the training, a comprehensive reference guide was provided to all new managers. The desk guide includes details on the value of diversity and inclusion, tools to help new managers build inclusive workplaces and resources to acquire services and guidance from the Office of Minority and Women Inclusion.

New supervisors attended one week of supervisor tier 1 training within the first six months of onboarding and supervisor tier 2 training within their first year. Both courses are mandatory. Tier 1 covers basic supervisory areas, such as hiring, performance management and EEO. Tier 2 covers broader areas, such as conflict management, understanding management styles, coaching and counseling employees.

In 2016 all NCUA employees took online No FEAR Act training. The No FEAR Act training is required to be completed within 30 days of onboarding for all new employees. All persons responsible for hiring, including supervisors, also took the Uniformed Services Employment and Reemployment Rights Act course.

Actions Taken or Planned to Improve Agency Complaint or Civil Rights Program

Actions Taken

Effective EEO Process. During 2016, NCUA worked to support and improve its EEO program. Through effective informal counseling, proactive alternative dispute resolution and success in creating a more inclusive environment, NCUA experienced a

reduction in its formal EEO complaint activity from the previous year. In fiscal year 2015, five formal complaints were filed. This year, only three formal complaints were filed.

Strategic Recruitment. The agency committed to more strategic recruitment by expanding recruitment pools and ensuring greater access to employment opportunity. The Office of Minority and Women Inclusion partnered with the Office of Human Resources, the Office of Consumer Financial Protection and Access and the regional offices to conduct outreach at events targeting groups whose participation rates in the agency are less than expected. The agency successfully expanded a pilot program to consolidate recruitment within all five of the agency’s regions for entry-level credit union examiners. The pilot increased coordination among the geographically dispersed regions, helping to improve efficiency. NCUA used applicant flow data to evaluate applicant pools for this entry-level, consolidated recruitment effort.

Data Analysis. The agency also improved its ability to analyze workforce data through improved collection and analysis efforts. Though the use of applicant flow data, the agency is better positioned to identify and address barriers in the application process.

Policy Statements. As noted above, NCUA’s leadership continued to demonstrate its commitment to the EEO program. The EEO Policy and Diversity and Inclusion Policy Statements were updated and reissued to all staff in November 2016.

Strategic Plan. The agency’s [strategic plan](#) was updated in 2017. Agency leadership approved the inclusion of the following goal in the new strategic plan: “Strategic Goal 3, Cultivate an inclusive collaborative workplace that maximizes productivity and enhances impact.” In addition, Strategic Objective 3.1 is to recruit and retain a skilled, highly engaged and diverse workforce. This inclusion demonstrates that diversity and inclusion are strategic business imperatives for the agency. Furthermore, the agency’s leadership team is committed to and understands that equal opportunity is foundation to inclusion and diversity.

Diversity Council. Established in 2015, the NCUA Diversity Advisory Council’s mission is to (1) support the agency’s diversity and inclusion goal and (2) serve as a resource to assist and advise decision-makers with diversity and inclusion efforts. The council is a sub-committee of the agency’s Talent Management Council and responsibilities include:

- Assisting leadership in identifying barriers or potential barriers to hiring and retaining a highly qualified and diverse workforce;
- Proposing solutions to remove such barriers; and
- Providing consulting and program support to help eliminate barriers.

Mentor Program. In April 2016, the agency launched its first agency-wide formal mentoring program, which also supports the agency's diversity and inclusion goals. Approved by the NCUA Board in December 2015, the mentor program is designed to increase diversity in the leadership pipeline, build cross-cultural understanding, create a more inclusive environment and serve as a developmental resource to all agency employees. The program is open to all agency employees, grades CU5-CU13 as mentees and CU14-senior staff as mentors. During this inaugural year, the agency hosted 25 mentor pairs.

Student Interns. OMWI arranged 21 summer student internships during the fiscal year for most offices within the agency's Central and Regional Offices. The agency partnered with organizations that serve groups historically underrepresented in the federal government including:

- Washington Internships for Native Students;
- Hispanic Association of Colleges and Universities;
- National Association for Equal Opportunity in Higher Education;
- Conference on Asian Pacific American Leadership; and
- Washington Center;
- INROADS.

Actions Planned

As all of the actions mentioned above have resulted in creating a more inclusive environment and a workplace free of discrimination, the agency will continue to invest in these initiatives in 2017. In addition, the agency plans to also focus on the following in 2017.

Barrier Analysis. NCUA will continue to focus on collecting and analyzing various workforce data to comply with EEOC's guidelines for a model EEO program, particularly by incorporating mechanisms for identifying triggers, analyzing barriers, and developing action plans to eliminate barriers. The agency will evaluate identified barriers for groups that show low participation rates in the workforce, particularly among the credit union examiner positions, which is the agency's major occupation. The agency continues to coordinate with the Office of Personnel Management to receive applicant flow data from USA Staffing.

Mitigation of Unconscious Bias. As discussed above, in 2016, the agency laid a strong foundation for unconscious bias awareness through training. In 2017, OMWI will build on that foundation and provide resources and tools to help decision makers and leaders to identify and mitigate their bias.

Structured Interviews. As provided in the agency's Federal Equal Opportunity Recruitment Plan, the agency plans to explore how it can expand the use of structured



interviews beyond the examiner positions. If successful, this will be another mechanism to mitigate unconscious bias and improve equal opportunity for employees and applicants.

Appendix I

National Credit Union Administration NO FEAR Act Data FY 2016

1st Quarter - October 1, 2015 - December 31, 2015

Complaint Activity						FY 16
	2011	2012	2013	2014	2015	1st qtr
Number of Complaints Filed	8	3	6	5	5	1
Number of Complainants	8	3	6	5	5	1
Repeat Filers in Fiscal Year	0	0	0	0	0	0

Complaints by Basis	2011	2012	2013	2014	2015	FY 16 1st qtr
Race	3	0	5	3	1	0
Color	1	0	1	1	1	0
Religion	1	0	1	1	0	0
Reprisal	1	1	2	4	2	1
Sex	1	1	2	1	2	1
National Origin	1	1	2	1	0	0
Equal Pay Act	0	0	1	0	0	0
Age	2	2	2	2	4	0
Disability	6	1	2	2	2	0
Non-EEO	0	0	0	0	0	0

Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.

Complaints by Issue	2011	2012	2013	2014	2015	FY 16 1st qtr
Appointment/Hire	2	0	1	0	0	0
Assignment of Duties	2	0	0	0	0	1
Awards	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0
Demotion	1	0	0	0	0	0
Reprimand	0	0	0	0	0	0
Removal	0	0	0	0	0	0
Suspension	0	0	0	0	0	0
Other	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0
Evaluation Appraisal	2	1	0	3	0	0
Examination/Test	0	0	0	2	0	0
Harassment						
Non-Sexual	2	2	0	2	0	0
Sexual	0	0	0	0	0	1
Medical Examination	0	0	0	0	0	0
Pay (Including Overtime)	1	0	1	0	0	0
Promotion/Non-Selection	0	1	2	1	3	0
Reassignment						
Denied	1	0	0	1	3	0
Directed	0	0	0	0	0	0
Reasonable Accommodation	4	0	1	1	1	0
Reinstatement	0	0	0	0	0	0
Retirement	0	0	0	0	0	0
Termination	2	1	2	0	1	0
Terms/Conditions of Employment	0	0	0	0	0	1
Time and Attendance	0	0	0	3	0	0
Training	0	0	0	1	0	0
Other (Verbal Remarks)	0	0	2	3	1	0

Note: Complaints can be filed alleging multiple issues. The sum of the issues may complaints filed.



<i>Processing Time</i>	2011	2012	2013	2014	2015	FY 16 1st qtr
Complaints pending during fiscal year	11	4	6	9	10	
Average number of days in investigation stage	133	181.75	132.5	190.3	196	176
Average number of days in final action stage	14	0	0	0	0	0
Complaint pending during fiscal year where hearing was requested	1	2	3	2	3	4
Average number of days in investigation stage	173	216	149	0	229	214
Average number of days in final action stage	14	0	219	342	200	229
Complaint pending during fiscal year where hearing was not requested	0	0	1	5	3	2
Average number of days in investigation stage	n/a	n/a	175	222	176	167
Average number of days in final action stage	n/a	n/a	104	0	230	81

<i>Complaints Dismissed by Agency</i>	2011	2012	2013	2014	2015	FY 16 1st qtr
Total Complaints Dismissed by Agency	0	0	1	0	0	0
Average days pending prior to dismissal	0	0	132	0	0	0
Total Complaints Withdrawn by Complainants	2	0	0	1	0	0

<i>Total Final Actions Finding Discrimination</i>	2011		2012		2013		2014		2015	
	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0	0	0	0	0	0	0	0	0	0
Without Hearing	0	0	0	0	0	0	0	0	0	0
With Hearing	0	0	0	0	0	0	0	0	0	0

<i>Findings of Discrimination Rendered by Basis</i>	2011		2012		2013		2014		2015	
	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0	0	0	0	0	0	0	0	0	0
Race	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0
Findings After Hearing										
Race	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing										
Race	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0

Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings

Findings of Discrimination Rendered by Issue	2011		2012		2013		2014		2015	
	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0		0		0		0		0	
Appointment/Hire	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0
Disciplinary Action	0	0	0	0	0	0	0	0	0	0
Demotion	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0
Harassment	0	0	0	0	0	0	0	0	0	0
Non-Sexual	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0
Reassignment	0	0	0	0	0	0	0	0	0	0
Denied	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0
Findings After Hearing										
Appointment/Hire	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0
Disciplinary Action	0	0	0	0	0	0	0	0	0	0
Demotion	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0
Harassment	0	0	0	0	0	0	0	0	0	0
Non-Sexual	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0
Reassignment	0	0	0	0	0	0	0	0	0	0
Denied	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing										
Appointment/Hire	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0
Disciplinary Action	0	0	0	0	0	0	0	0	0	0
Demotion	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0



<i>continued from previous</i>	2011		2012		2013		2014		2015	
	#	%	#	%	#	%	#	%	#	%
Duty Hours	0	0	0	0	0	0	0	0	0	0
Evaluation/Appraisal	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0
Harassment	0	0	0	0	0	0	0	0	0	0
Non-Sexual	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0
Reassignment	0	0	0	0	0	0	0	0	0	0
Denied	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0

<i>Pending Complaints Filed in Previous Fiscal Years by Status</i>						FY 16
	2011	2012	2013	2014	2015	1st qtr
Total complaints from previous Fiscal Years	3	1	2	2	4	8
Total Complainants	3	1	2	2	4	8
Number of previous complaints pending at close of quarter						
Investigation	0	0	0	0	0	1
Hearing	2	1	0	0	2	4
Final Action	0	0	1	1	0	1
Appeal with EEOC Office of Federal Operations	0	2	1	1	2	2

<i>Complaint Investigations</i>						FY 16
	2011	2012	2013	2014	2015	1st qtr
Pending Complaints Where Investigations Exceeds Required Time Frames	1	0	0	0	0	0

2nd Quarter - January 1, 2016 - March 31, 2016

<i>Complaint Activity</i>						FY 16
	2011	2012	2013	2014	2015	2nd qtr
Number of Complaints Filed	8	3	6	5	5	2
Number of Complainants	8	3	6	5	5	2
Repeat Filers in Fiscal Year	0	0	0	0	0	0

<i>Complaints by Basis</i>	2011	2012	2013	2014	2015	FY 16
						2nd qtr
Race	3	0	5	3	1	1
Color	1	0	1	1	1	1
Religion	1	0	1	1	0	0
Reprisal	1	1	2	4	2	1
Sex	1	1	2	1	2	1
National Origin	1	1	2	1	0	1
Equal Pay Act	0	0	1	0	0	0
Age	2	2	2	2	4	0
Disability	6	1	2	2	2	0
Non-EEO	0	0	0	0	0	0

Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.

<i>Complaints by Issue</i>	2011	2012	2013	2014	2015	FY 16 2nd qtr
Appointment/Hire	2	0	1	0	0	0
Assignment of Duties	2	0	0	0	0	1
Awards	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0
Demotion	1	0	0	0	0	0
Reprimand	0	0	0	0	0	0
Removal	0	0	0	0	0	0
Suspension	0	0	0	0	0	0
Other	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0
Evaluation Appraisal	2	1	0	3	0	1
Examination/Test	0	0	0	2	0	0
Harassment						
Non-Sexual	2	2	0	2	0	0
Sexual	0	0	0	0	0	1
Medical Examination	0	0	0	0	0	0
Pay (Including Overtime)	1	0	1	0	0	0
Promotion/Non-Selection	0	1	2	1	3	1
Reassignment						
Denied	1	0	0	1	3	0
Directed	0	0	0	0	0	0
Reasonable Accommodation	4	0	1	1	1	0
Reinstatement	0	0	0	0	0	0
Retirement	0	0	0	0	0	0
Termination	2	1	2	0	1	0
Terms/Conditions of Employment	0	0	0	0	0	1
Time and Attendance	0	0	0	3	0	0
Training	0	0	0	1	0	0
Other (Verbal Remarks)	0	0	2	3	1	0

Note: Complaints can be filed alleging multiple issues. The sum of the issues may not equal total complaints filed.

<i>Processing Time</i>	2011	2012	2013	2014	2015	FY 16 2nd qtr
Complaints pending during fiscal year	11	4	6	9	1	9
Average number of days in investigation stage	133	181.75	132.5	190.3	196	183
Average number of days in final action stage	14	0	0	0	0	0
Complaint pending during fiscal year where hearing was requested	1	2	3	2	3	4
Average number of days in investigation stage	173	216	149	0	229	214
Average number of days in final action stage	14	0	219	342	200	320
Complaint pending during fiscal year where hearing was not requested	0	0	1	5	3	1
Average number of days in investigation stage	n/a	n/a	175	222	176	154
Average number of days in final action stage	n/a	n/a	104	0	230	147

<i>Complaints Dismissed by Agency</i>	2011	2012	2013	2014	2015	FY 16 2nd qtr
Total Complaints Dismissed by Agency	0	0	1	0	0	0
Average days pending prior to dismissal	0	0	132	0	0	0
Total Complaints Withdrawn by Complainants	2	0	0	1	0	0

<i>Total Final Actions Finding Discrimination</i>	2011		2012		2013		2014		2015	
	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0	0	0	0	0	0	0	0	0	0
Without Hearing	0	0	0	0	0	0	0	0	0	0
With Hearing	0	0	0	0	0	0	0	0	0	0



<i>Findings of Discrimination Rendered by Basis</i>	2011		2012		2013		2014		2015	
	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0		0		0		0		0	
Race	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0
Findings After Hearing										
Race	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing										
Race	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0

Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings

<i>Findings of Discrimination Rendered by Issue</i>	2011		2012		2013		2014		2015	
	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0		0		0		0		0	
Appointment/Hire	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0
Disciplinary Action	0	0	0	0	0	0	0	0	0	0
Demotion	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0
Harassment	0	0	0	0	0	0	0	0	0	0
Non-Sexual	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0
Reassignment	0	0	0	0	0	0	0	0	0	0
Denied	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue (continued from previous)	2011		2012		2013		2014		2015	
	#	%	#	%	#	%	#	%	#	%
Findings After Hearing										
Appointment/Hire	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0
Disciplinary Action	0	0	0	0	0	0	0	0	0	0
Demotion	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0
Harassment	0	0	0	0	0	0	0	0	0	0
Non-Sexual	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0
Reassignment	0	0	0	0	0	0	0	0	0	0
Denied	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing										
Appointment/Hire	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0
Disciplinary Action	0	0	0	0	0	0	0	0	0	0
Demotion	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0
Harassment	0	0	0	0	0	0	0	0	0	0
Non-Sexual	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0
Reassignment	0	0	0	0	0	0	0	0	0	0
Denied	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0



<i>Pending Complaints Filed in Previous Fiscal Years by Status</i>	2011	2012	2013	2014	2015	FY 16 2nd qtr
	Total complaints from previous Fiscal Years	3	1	2	2	4
Total Complainants	3	1	2	2	4	8
Number of previous complaints pending at close of quarter						
Investigation	0	0	0	0	0	1
Hearing	2	1	0	0	2	4
Final Action	0	0	1	1	0	0
Appeal with EEOC Office of Federal Operations	0	2	1	1	2	3

<i>Complaint Investigations</i>	2011	2012	2013	2014	2015	FY 16 2nd qtr
	Pending Complaints Where Investigations Exceeds Required Time Frames	1	0	0	0	0

3rd Quarter - April 1, 2016 - June 30, 2016

<i>Complaint Activity</i>	2011	2012	2013	2014	2015	FY 16 3rd qtr
	Number of Complaints Filed	8	3	6	5	5
Number of Complainants	8	3	6	5	5	3
Repeat Filers in Fiscal Year	0	0	0	0	0	0

<i>Complaints by Basis</i>	2011	2012	2013	2014	2015	FY 16 3rd qtr
Race	3	0	5	3	1	2
Color	1	0	1	1	1	1
Religion	1	0	1	1	0	0
Reprisal	1	1	2	4	2	1
Sex	1	1	2	1	2	1
National Origin	1	1	2	1	0	1
Equal Pay Act	0	0	1	0	0	0
Age	2	2	2	2	4	0
Disability	6	1	2	2	2	0
Non-EEO	0	0	0	0	0	0

Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.

<i>Complaints by Issue</i>	2011	2012	2013	2014	2015	FY 16 3rd qtr
Appointment/Hire	2	0	1	0	0	0
Assignment of Duties	2	0	0	0	0	2
Awards	0	0	0	0	0	1
Conversion to Full-time	0	0	0	0	0	0
Demotion	1	0	0	0	0	0
Reprimand	0	0	0	0	0	0
Removal	0	0	0	0	0	0
Suspension	0	0	0	0	0	0
Other	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0
Evaluation Appraisal	2	1	0	3	0	2
Examination/Test	0	0	0	2	0	0
Harassment						
Non-Sexual	2	2	0	2	0	0
Sexual	0	0	0	0	0	1
Medical Examination	0	0	0	0	0	0
Pay (Including Overtime)	1	0	1	0	0	1
Promotion/Non-Selection	0	1	2	1	3	1
Reassignment						
Denied	1	0	0	1	3	0
Directed	0	0	0	0	0	0
Reasonable Accommodation	4	0	1	1	1	0
Reinstatement	0	0	0	0	0	0
Retirement	0	0	0	0	0	0
Termination	2	1	2	0	1	0
Terms/Conditions of Employment	0	0	0	0	0	1
Time and Attendance	0	0	0	3	0	0
Training	0	0	0	1	0	0
Other (Verbal Remarks)	0	0	2	3	1	0

Note: Complaints can be filed alleging multiple issues. The sum of the issues may not equal total complaints filed.

Processing Time	2011	2012	2013	2014	2015	FY 16 3rd qtr
	Complaints pending during fiscal year	11	4	6	9	10
Average number of days in investigation stage	133	181.75	132.5	190.3	196	184
Average number of days in final action stage	14	0	0	0	0	0
Complaint pending during fiscal year where hearing was requested	1	2	3	2	3	5
Average number of days in investigation stage	173	216	149	0	229	202
Average number of days in final action stage	14	0	219	342	200	338
Complaint pending during fiscal year where hearing was not requested	0	0	1	5	3	1
Average number of days in investigation stage	n/a	n/a	175	222	176	178
Average number of days in final action stage	n/a	n/a	104	0	230	63

Complaints Dismissed by Agency	2011	2012	2013	2014	2015	FY 16 3rd qtr
	Total Complaints Dismissed by Agency	0	0	1	0	0
Average days pending prior to dismissal	0	0	132	0	0	0
Total Complaints Withdrawn by Complainants	2	0	0	1	0	0

Total Final Actions Finding Discrimination	2011		2012		2013		2014		2015	
	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0	0	0	0	0	0	0	0	0	0
Without Hearing	0	0	0	0	0	0	0	0	0	0
With Hearing	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Basis	2011		2012		2013		2014		2015	
	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0		0		0		0		0	
Race	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0
Findings After Hearing										
Race	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing										
Race	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0

Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings



Findings of Discrimination Rendered by Issue	2011		2012		2013		2014		2015	
	#	%	#	%	#	#	#	%	#	%
Total Number Findings	0		0		0	0	0		0	
Appointment/Hire	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0
Disciplinary Action	0	0	0	0	0	0	0	0	0	0
Demotion	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0
Harassment	0	0	0	0	0	0	0	0	0	0
Non-Sexual	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0
Reassignment	0	0	0	0	0	0	0	0	0	0
Denied	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0
Findings After Hearing										
Appointment/Hire	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0
Disciplinary Action	0	0	0	0	0	0	0	0	0	0
Demotion	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0
Harassment	0	0	0	0	0	0	0	0	0	0
Non-Sexual	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0
Reassignment	0	0	0	0	0	0	0	0	0	0
Denied	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing										
Appointment/Hire	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0
Disciplinary Action	0	0	0	0	0	0	0	0	0	0
Demotion	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0

<i>Findings of Discrimination Rendered by Issue (continued from previous)</i>	2011		2012		2013		2014		2015		2015	
	#	%	#	%	#	#	#	%	#	%	#	%
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment	0	0	0	0	0	0	0	0	0	0	0	0
Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment	0	0	0	0	0	0	0	0	0	0	0	0
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0

<i>Pending Complaints Filed in Previous Fiscal Years by Status</i>						FY 16 3rd qtr
	2011	2012	2013	2014	2015	
Total complaints from previous Fiscal Years	3	1	2	2	4	8
Total Complainants	3	1	2	2	4	8
Number of previous complaints pending at close of quarter						
Investigation	0	0	0	0	0	0
Hearing	2	1	0	0	2	5
Final Action	0	0	1	1	0	0
Appeal with EEOC Office of Federal Operations	0	2	1	1	2	3

<i>Complaint Investigations</i>						FY 16 3rd qtr
	2011	2012	2013	2014	2015	
Pending Complaints Where Investigations Exceeds Required Time Frames	1	0	0	0	0	0

4th Quarter - July 1, 2016 - September 30, 2016

<i>Complaint Activity</i>						FY 16 4th qtr
	2011	2012	2013	2014	2015	
Number of Complaints Filed	8	3	6	5	5	3
Number of Complainants	8	3	6	5	5	3
Repeat Filers in Fiscal Year	0	0	0	0	0	0

<i>Complaints by Basis</i>	2011	2012	2013	2014	2015	FY 16 4th qtr
Race	3	0	5	3	1	2
Color	1	0	1	1	1	1
Religion	1	0	1	1	0	0
Reprisal	1	1	2	4	2	1
Sex	1	1	2	1	2	1
National Origin	1	1	2	1	0	1
Equal Pay Act	0	0	1	0	0	0
Age	2	2	2	2	4	0
Disability	6	1	2	2	2	0
Non-EEO	0	0	0	0	0	0

Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.



<i>Complaints by Issue</i>	2011	2012	2013	2014	2015	FY 16 4th qtr
Appointment/Hire	2	0	1	0	0	0
Assignment of Duties	2	0	0	0	0	2
Awards	0	0	0	0	0	1
Conversion to Full-time	0	0	0	0	0	0
Demotion	1	0	0	0	0	0
Reprimand	0	0	0	0	0	0
Removal	0	0	0	0	0	0
Suspension	0	0	0	0	0	0
Other	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0
Evaluation Appraisal	2	1	0	3	0	2
Examination/Test	0	0	0	2	0	0
Harassment						
Non-Sexual	2	2	0	2	0	0
Sexual	0	0	0	0	0	1
Medical Examination	0	0	0	0	0	0
Pay (Including Overtime)	1	0	1	0	0	1
Promotion/Non-Selection	0	1	2	1	3	1
Reassignment						
Denied	1	0	0	1	3	0
Directed	0	0	0	0	0	0
Reasonable Accommodation	4	0	1	1	1	0
Reinstatement	0	0	0	0	0	0
Retirement	0	0	0	0	0	0
Termination	2	1	2	0	1	0
Terms/Conditions of Employment						
Time and Attendance	0	0	0	3	0	0
Training	0	0	0	1	0	0
Other (Verbal Remarks)	0	0	2	3	1	0

Note: Complaints can be filed alleging multiple issues. The sum of the issues may not equal total complaints filed.

<i>Processing Time</i>	2011	2012	2013	2014	2015	FY 16 4th qtr
Complaints pending during fiscal year	11	4	6	9	10	10
Average number of days in investigation stage	133	181.75	132.5	190.3	196	201
Average number of days in final action stage	14	0	0	0	0	0
Complaint pending during fiscal year where hearing was requested	1	2	3	2	3	6
Average number of days in investigation stage	173	216	149	0	229	206
Average number of days in final action stage	14	0	219	342	200	335
Complaint pending during fiscal year where hearing was not requested	0	0	1	5	3	1
Average number of days in investigation stage	n/a	n/a	175	222	176	178
Average number of days in final action stage	n/a	n/a	104	0	230	155

<i>Complaints Dismissed by Agency</i>	2011	2012	2013	2014	2015	FY 16 4th qtr
Total Complaints Dismissed by Agency	0	0	1	0	0	0
Average days pending prior to dismissal	0	0	132	0	0	0
Complaints Withdrawn by Complainants						
Total Complaints Withdrawn by Complainants	2	0	0	1	0	0

Total Final Actions Finding Discrimination	2011		2012		2013		2014		2015	
	#	%	#	%	#	%	#	%	#	%
	Total Number Findings	0	0	0	0	0	0	0	0	0
Without Hearing	0	0	0	0	0	0	0	0	0	0
With Hearing	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Basis	2011		2012		2013		2014		2015	
	#	%	#	%	#	%	#	%	#	%
	Total Number Findings	0		0				0		0
Race	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0
Findings After Hearing										
Race	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing										
Race	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0

Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings



Findings of Discrimination Rendered by Issue	2011		2012		2013		2014		2015	
	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0		0		0		0		0	
Appointment/Hire	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0
Disciplinary Action	0	0	0	0	0	0	0	0	0	0
Demotion	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0
Harassment	0	0	0	0	0	0	0	0	0	0
Non-Sexual	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0
Reassignment	0	0	0	0	0	0	0	0	0	0
Denied	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0
Findings After Hearing										
Appointment/Hire	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0
Disciplinary Action	0	0	0	0	0	0	0	0	0	0
Demotion	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0
Harassment	0	0	0	0	0	0	0	0	0	0
Non-Sexual	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0
Reassignment	0	0	0	0	0	0	0	0	0	0
Denied	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0

<i>Findings of Discrimination Rendered by Issue (continued from previous)</i>	2011		2012		2013		2014		2015	
	#	%	#	%	#	%	#	%	#	%
Findings Without Hearing										
Appointment/Hire	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0
Disciplinary Action	0	0	0	0	0	0	0	0	0	0
Demotion	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0
Harassment	0	0	0	0	0	0	0	0	0	0
Non-Sexual	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0
Reassignment	0	0	0	0	0	0	0	0	0	0
Denied	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0

<i>Pending Complaints Filed in Previous Fiscal Years by Status</i>						FY 16 4th qtr
	2011	2012	2013	2014	2015	
Total complaints from previous Fiscal Years	3	1	2	2	4	5
Total Complainants	3	1	2	2	4	5
Number of previous complaints pending at close of quarter						
Investigation	0	0	0	0	0	0
Hearing	2	1	0	0	2	2
Final Action	0	0	1	1	0	0
Appeal with EEOC Office of Federal Operations	0	2	1	1	2	3

<i>Complaint Investigations</i>						FY 16 4th qtr
	2011	2012	2013	2014	2015	
Pending Complaints Where Investigations Exceeds Required Time Frames	1	0	0	0	0	0

Appendix II



National Credit Union Administration

Annual Equal Employment Opportunity Policy Statement

March 31, 2017

The National Credit Union Administration supports and promotes the principles of Equal Employment Opportunity (EEO) in the workforce, where each employee is treated fairly and with dignity and respect. The agency prohibits discrimination on the basis of race, color, religion, national origin, sex (including sexual harassment, sexual orientation, pregnancy, and gender identity), age (40 years and over), mental and physical disability, genetic information, and retaliation for prior involvement in protected EEO activity. This policy covers all current employees, former employees, and applicants for employment. It also includes all agency employment programs, management practices, and decisions.

NCUA prohibits discrimination based on political affiliation, parental and marital status, military service or any other non-merit based factor. These protections apply to all employees, applicants for employment and former employees; and they extend to all management practices and decisions, including recruitment, hiring practices, appraisals, promotion, training, and career development programs.

As a federal agency, NCUA is responsible for promoting and practicing workplace fairness and maintaining a workplace free of retaliation and harassment. Managers and supervisors must continue to monitor the work environment and ensure an environment free of unlawful employment practices. Managers and supervisors are required to take swift action when unlawful practices are identified. In addition to federal laws, NCUA complies with applicable state and local laws governing nondiscrimination in employment in every location in which we operate.

NCUA protects the rights and freedom of individuals who exercise their rights under EEO antidiscrimination statutes. Employees who are subjected to unlawful practices must be able to use any of the agency's dispute resolution processes and seek redress in an atmosphere free of retaliation.

All NCUA employees are responsible for implementing the agency's EEO policies and instructions in their daily conduct and activities, and for abiding by the letter, intent, and spirit of the equal opportunity laws and policies.

This statement reaffirms the principles of equal employment opportunity, which enhance the agency's ability to accomplish its mission. I am committed to making NCUA a workplace of choice, where employees are valued, respected and included.



J. Mark McWatters
Acting Chairman

Appendix III

NCUA



INSTRUCTION

NO. 1235.08 (REV)

DATE: June 26, 2015

SUBJ: Prevention of Harassment in the Workplace

TO: All NCUA Staff

1. **PURPOSE.** The Instruction establishes NCUA’s policy on preventing harassment (Including sexual harassment) in the workplace, and the procedure for employees and contractors to report harassment complaints.
2. **CANCELLATION.** NCUA Instruction No. 1235.08 dated July 6, 2006 and Instruction No. **1235.2 (REV) dated June 10, 2004 are cancelled and replaced by this revised Instruction.**
3. **BACKGROUND.** The U.S. Equal Employment Opportunity Commission (EEOC) enforces the prohibitions against employment discrimination in Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, Titles I and Title V of the Americans with Disabilities Act of 1990, Sections 501 and 505 of the Rehabilitation Act of 1973, Title II of the Genetic Information Nondiscrimination Act of 2008, and the Civil Rights Act of 1991. These laws prohibit discrimination based on race, color, gender, sexual orientation, religion, national origin, age, and disability, status as a parent, and genetic information, as well as reprisal for protected activity.
4. **DEFINITIONS.**
 - A. **Employee.** The term “employees” applies to all NCUA employees and non-employees in NCUA workspace while performing their official duties.
 - B. **Harassment.** Violation of federal law that involves discriminatory conduct on the basis of an individual’s membership in a protected class, where such conduct is so objectively offensive as to alter the conditions of the victim’s

employment (i.e., the harassment culminates in a tangible employment action or was sufficiently severe or pervasive to create a hostile work environment). For purposes of this Instruction, harassment includes sexual harassment.

- C. **Harassing Conduct.** Harassing conduct is defined as unwelcome verbal or physical conduct based on one's protected class, i.e., race, color, sex, sexual orientation, religion, national origin, age, disability, status as a parent, and genetic information, or reprisal for involvement in a protected Equal Employment Opportunity (EEO) activity when:
- 1) The behavior creates an offensive or intimidating environment that unreasonably interferes with work performance; or
 - 2) The conduct adversely affects employment opportunities based on the employee's acceptance or rejection of such conduct.
- D. **Hostile Work Environment.** Examples of repeated, extreme, or pervasive conduct that may form the basis of a hostile work environment claim include:
- 1) Making disparaging remarks about an individual's gender that are not sexual in nature;
 - 2) Expressing negative stereotypes regarding an employee's birthplace or ancestry;
 - 3) Derogatory or intimidating references to an employee's mental or physical impairment;
 - 4) Comments about an individual's skin color or other racial/ethnic characteristics;
 - 5) Negative comments about an employee's religious beliefs (or lack of religious beliefs);
 - 6) Negative comments regarding an employee's age when referring to employees 40 and over; and
 - 7) Use of racially derogatory words, phrases, and epithets.
- E. **Sexual Harassment.** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when this conduct:
- 1) Explicitly or implicitly affects an individual's employment;
 - 2) Unreasonably interferes with an individual's work performance; or
 - 3) Creates an intimidating, hostile, or offensive work environment.

Unwelcome sexual conduct can occur by any form of communication. Sexual harassment includes, but is not limited to:

- 1) Any implicit or explicit sexual conduct to influence or affect the career, pay, or job of another employee;
 - 2) Sexually oriented comments about an individual's body or sexual prowess;
 - 3) Sexually offensive comments, gestures, jokes, advances, physical contact, or propositions; or
 - 4) Any display of sexually suggestive objects or pictures in the workplace.
5. **POLICY.** NCUA is committed to maintaining a work environment free of harassing conduct in the workplace and correcting harassing conduct that does occur before it becomes severe or pervasive. In keeping with its commitment to maintain a work environment that is free of discriminatory harassment, NCUA will not tolerate unlawful harassment of employees by any supervisor, co-worker, or third party.

- A. **Scope.** This policy covers all forms of harassment, including sexual harassment, and applies to both NCUA employees and non-employees in NCUA workspace while performing their official duties. It also applies to the conduct of third parties who visit NCUA facilities and to third parties at facilities visited by NCUA employees on official NCUA business. Third parties include vendors, contractors, and credit union officials or staff.

NCUA's harassment policy includes sexual harassment that may include employees' conduct outside of NCUA workspace, because conduct between NCUA employees occurring outside of the agency's workplace may adversely impact the agency's work environment. Conduct outside of NCUA workspace will be considered on a case-by-case basis.

NCUA's prevention of sexual harassment policy also applies to the conduct of third parties who visit NCUA facilities and to third parties at facilities visited by NCUA employees on official NCUA business. Third parties include vendors, contractors, and credit union officials or staff.

6. **RESPONSIBILITIES.**

- A. **Employees.** Each employee is responsible for adhering to this policy and for cooperating fully in its enforcement. Employees are responsible for ensuring that their language and conduct is considerate of the rights and privileges of

others in the conduct of their official duties. Employees must not engage in harassing conduct. All NCUA staff members are responsible for adhering to NCUA's anti-harassment policy and for cooperating fully in its enforcement, including the investigation of alleged incidents of harassment, sexual or otherwise.

Employees have the right to oppose any allegedly discriminatory employment practice or decision and to participate in the discrimination complaint process, including participation as a witness when complaints are filed by others.

Employees are responsible for reporting any incident of harassing conduct they experience *before* it becomes a pattern of misconduct that is pervasive and offensive as to constitute a hostile work environment. When an employee unreasonably fails to take advantage of this procedure and does not promptly report an incident of harassing conduct as set forth herein, NCUA reserves the right to raise this failure to report as a defense against a suit for harassment.

- B. **Supervisors.** NCUA supervisors are responsible for ensuring that the NCUA workplace meets the requirements of federal anti-discrimination policies and directives and is free of offensive language or conduct.¹ Supervisors must continuously monitor their work environment to ensure compliance with this policy.

All supervisors and managers are responsible for acting promptly and appropriately to prevent harassment in the workplace when they observe harassing conduct or are otherwise made aware of such conduct. Likewise, they are responsible for acting appropriately to prevent retaliation against those who complain of harassment.

When an employee complains to management about alleged harassment, management is obligated to investigate the allegation regardless of whether the complaint conforms to a particular format or is made in writing. Supervisors, therefore, must immediately advise the Director of NCUA's Office of Minority and Women Inclusion (OMWI) about any incident of harassing conduct that they witness or is otherwise brought to their attention.

¹ This Instruction uses the term "supervisor" throughout to cover all individuals serving in both managerial and supervisory positions.

- C. **Office of Inspector General.** All harassment allegations brought by a non-employee against an NCUA employee will be handled by the Office of Inspector General.
- D. **Office of Minority and Women Inclusion (OMWI).** All harassment allegations brought by an NCUA employee or job applicant will be handled by OMWI. OMWI will also refer all complaints involving an employee and non-employee to the Office of Inspector General for consideration.

7. **PROCEDURES FOR RESOLVING COMPLAINTS.**

Sexual Harassment Claims: An employee who believes they have experienced sexual harassment should first inform the offending person that such conduct is unwelcome and must stop. If the employee is not convinced the offending conduct will stop, the employee should immediately report the matter to their supervisor or the OMWI Director. An employee may select either the Internal NCUA Complaint Process or the Formal EEO Complaint Process for sexual harassment claims.

All Other Claims: Employees may select either the Internal NCUA Complaint Process for non-basis harassment claims or the Formal EEO Complaint Process for harassment claims based on race, color, religion, gender (including sexual, nonsexual, pregnancy, or same sex), national origin, disability, age (40 years or older), sexual orientation, protected genetic information (information about an individual's genetic tests, or the manifestation of a disease or disorder in the individual's family members), status as a parent, and retaliation for participating in the EEO complaint process or opposing discriminatory practices.

A. **Internal NCUA Process for Harassment Claims.** An NCUA employee who alleges harassment by either an offending NCUA employee or third party must notify their supervisor or the OMWI Director before the conduct becomes severe or pervasive. OMWI will conduct an inquiry and attempt to informally resolve the matter with appropriate NCUA officials. The OMWI Director, at his or her discretion, will assign an independent fact-finder who will conduct a prompt, thorough, and impartial inquiry into the claim. After completion of the fact-finding inquiry, the independent fact-finder will determine whether harassment occurred and offer remedies or options for resolution.

1. **Corrective Action.** Harassment may take different forms and, therefore, require different corrective actions. The circumstances of each case will dictate the corrective action required.

If a fact-finding inquiry reveals that unlawful harassment occurred, the supervisor of the offending NCUA employee will consult with NCUA's Office of Human Resources to determine immediate and appropriate corrective action, including any warranted disciplinary action. This responsibility normally rests with the first-line supervisor of the employee alleged to have engaged in the harassing conduct unless such supervisor is involved in the allegation.

If the offending party is not from NCUA, the agency will take action reasonably calculated to ensure that the conduct does not recur. In either circumstance, the Office of Human Resources will inform the OMWI Director of the corrective action decision, including a decision not to act.

2. **Confidentiality.** All information involving harassment allegations will remain confidential. Documents containing information collected during an inquiry or investigation of such allegations will be stored consistent with personally identifiable information security standards. The information collected is to be kept confidential and shall only be shared with individuals having an official need to know. An individual's identity will remain confidential unless such disclosure is authorized by the individual or the disclosure is unavoidable due to the nature of the allegations.
3. **Protection from Retaliation.** It is unlawful for an individual to be retaliated against for filing harassment allegations, participating in the complaint process, and any other protected activity. NCUA will not tolerate any retaliation against an employee because they engaged in a protected activity or made allegations of harassment, witnessed harassing conduct, or provided information concerning harassment claims. NCUA will take prompt corrective action in any situation involving retaliation.

- B. **Formal EEO Complaint Process.** NCUA employees and applicants for employment who wish to preserve their right to a specific legal remedy for harassment may forego NCUA's internal process and file a harassment complaint under the discrimination complaint procedures of Title 29 Code of Federal Regulations, Part 1614.

The first step in the complaint process requires that the individual contact the OMWI Intake Line at 703-518-6325 or OMWIMail@ncua.gov within 45 days of the most recent incident of harassment. Failure to contact OMWI within the 45-day timeframe may result in the loss of the right to a legal remedy. OMWI will assign the case to an EEO Counselor who will conduct an inquiry and attempt to informally resolve the matter with appropriate NCUA officials. If the

matter cannot be resolved, the EEO Counselor will provide the individual with a notice of their right to file a formal complaint.

Once an individual is provided with the right to file a formal complaint, the individual may file a formal harassment complaint with OMWI. When OMWI receives the complaint, it will determine if the complaint is timely filed and acceptable for investigation. If the complaint is investigated, OMWI will issue a Report of Investigation to the complainant and inform him or her of the right to a decision on the merits by NCUA (with or without an administrative hearing), with right of appeal to the EEOC and subsequent review by a Federal District Court. If the ultimate decision (by NCUA, EEOC, or Court) finds that harassment occurred, the complainant will be provided an appropriate remedy. For more information on the formal complaint process, visit the EEOC's website at www.eeoc.gov or contact NCUA's OMWI at 703-518-6325 or OMWIMail@ncua.gov.

8. **EXPIRATION:** This Instruction is effective immediately and will remain in effect until canceled.

/s/
Mark A. Treichel
Executive Director

OMWI/EEO