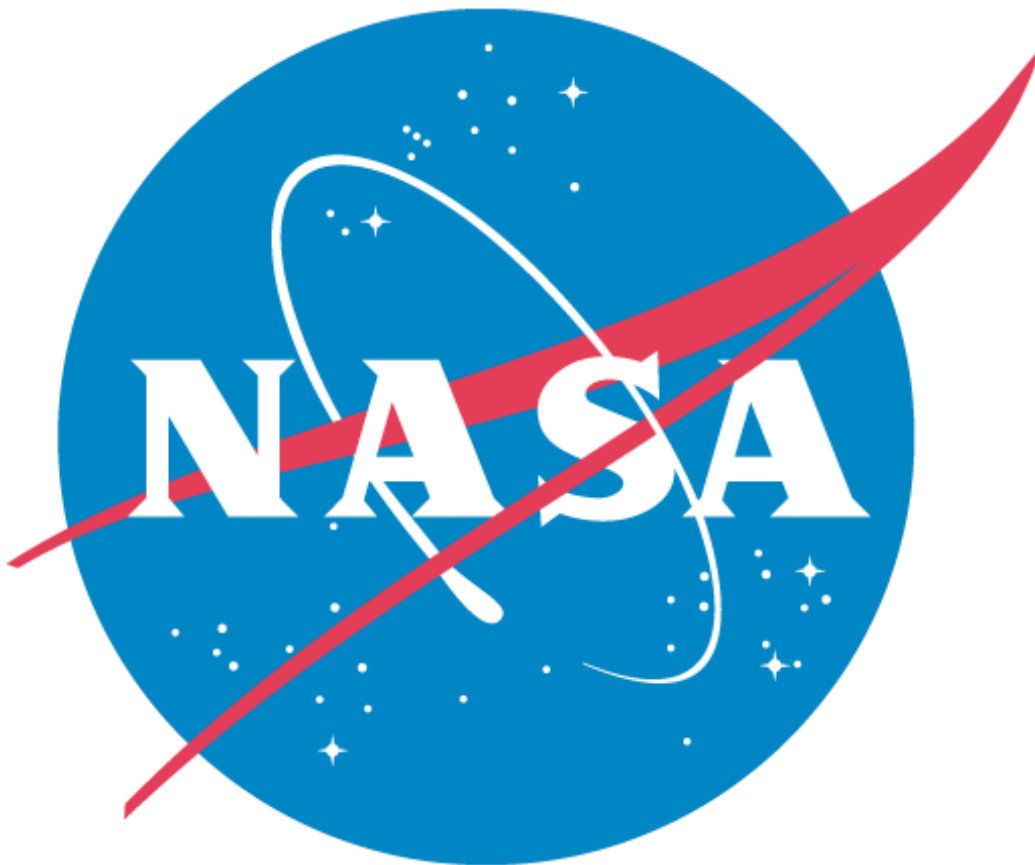


**NOTIFICATION AND FEDERAL
EMPLOYEE ANTI-DISCRIMINATION
AND RETALIATION (No FEAR) ACT
ANNUAL REPORT**



FISCAL YEAR 2022

TABLE OF CONTENTS

| | |
|--|----|
| EXECUTIVE SUMMARY | 3 |
| I. LAW AND REPORTING REQUIREMENT | 5 |
| II. BACKGROUND | 6 |
| III. RESULTS AND DATA | 7 |
| A. Civil Cases in Federal District Court..... | 7 |
| B. Judgment Fund..... | 8 |
| C. Disciplinary Actions Taken in Connection with Civil Cases..... | 8 |
| D. Adjustment to the Budget..... | 8 |
| E. Posting of EEO Complaints Processing Statistics..... | 8 |
| F. Disciplinary Actions Taken in Connection with Cases Other Than Those Listed in Status of Civil Cases | 8 |
| G. Discipline Policy..... | 8 |
| IV. ANALYSIS OF TRENDS AND CAUSAL ANALYSIS | 9 |
| A. EEO Complaint Activity..... | 9 |
| B. Bases and Issues of Discrimination in EEO Complaints..... | 10 |
| C. EEO Alternative Dispute Resolution and Anti-Harassment Program..... | 11 |
| D. No FEAR Act Training Plan..... | 11 |
| V. ENHANCEMENTS AND IMPROVEMENTS IN NASA’S EEO PROGRAM | 11 |
| A. Anti-Harassment Program..... | 11 |
| B. Diversity, Equity, Inclusion, and Accessibility Program..... | 12 |
| C. Federal External Civil Rights Law and No Fear Act Posting..... | 13 |
| APPENDIX. NASA EEO Data Posted Pursuant to the No FEAR Act, FY 2022 | 14 |

EXECUTIVE SUMMARY

The Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (“No FEAR Act”), Public Law 107-174, was signed into law on May 15, 2002, and became effective on October 1, 2003. The No FEAR Act is intended to reduce the incidence of workplace discrimination within the Federal Government by making agencies and departments more accountable for violations of antidiscrimination and whistleblower protection laws. On January 21, 2021, the law was amended to include the Elijah Cummings Federal Employee Antidiscrimination Act of 2020. First, the No FEAR Act governs the process of reimbursements to the Treasury Department’s judgment fund by agencies, from their budgets, for judgments against agencies and settlements for discrimination in the workplace. Additionally, the No FEAR Act requires Federal agencies to be accountable for violations of antidiscrimination and whistleblower protection laws, in part by requiring that each Federal agency post quarterly on its public Web site certain statistical data relating to Federal-sector equal employment opportunity complaints filed with each agency.

Furthermore, Section 203 of the No FEAR Act specifically requires each Federal agency to submit to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the Committee on Governmental Affairs of the Senate, the Committee on Government Reform of the House of Representatives, each committee of Congress with jurisdiction relating to the agency, the Equal Employment Opportunity Commission (EEOC), and the Attorney General, an annual report with specific information relating to each agency’s Equal Employment Opportunity (EEO) complaints activity. The report is required to be delivered to all parties within 180 days after the end of the fiscal year. This report constitutes the National Aeronautics and Space Administration’s (NASA) annual No FEAR Act Report for Fiscal Year (FY) 2022.

In FY 2022, NASA reimbursed the Judgment Fund established by 31 U.S.C. 1304 in the amount of \$1,000 for settlement, none of which was separately attributable to attorneys’ fees. There was one disciplinary action taken in FY 2022. NASA issued a letter of reprimand in response to a finding of discrimination by an Administrative Judge at the EEOC. There were no new civil actions filed against the Agency in Federal court in FY 2022, and six cases are currently pending at various stages of litigation in the Federal courts.

NASA continued to accomplish its mission by re-evaluating policies, procedures, and practices to identify and address challenges and opportunities for EEO and diversity, equity, inclusion, and accessibility (DEIA). The Office of Diversity and Equal Opportunity (ODEO) implemented strategic actions that have proven effective to resolve and reduce the number of and improve the timeliness of EEO complaints. As a result of these efforts, ODEO monitored complaint trends, conducted EEO Counselor training for Enterprise staff to optimize employees’ skills, and used an agency cadre of settlement officials to resolve complaints at the lowest possible level. Additionally, proactive and intentional efforts contributed to a robust and effective alternative dispute resolution

(ADR) program that increased offer and participation rates that exceeded the Government-wide standard.

The initiatives are outlined as follows:

- 1) Identified trends in the informal and formal complaints processes;
- 2) Rigorously and consistently implemented a plan to focus resources on agency responsibilities and activities;
- 3) In-house subject matter experts trained all ODEO staff on EEO complaint processing;
- 4) Held technical assistance and team-building meetings with all EEO complaint processing staff;
- 5) Continuously implemented quality practices in all programs;
- 6) Expanded the use of data and technology to support, evaluate, and improve the Agency's programs and processes;
- 7) Continued to maintain an Anti-Harassment Program that has been highlighted as a model program by stakeholders, including EEOC and the U.S. Commission on Civil Rights; and
- 8) Continued to operate DEIA initiatives and programs across the Enterprise, including: special emphasis programs; special observances; targeted outreach and recruitment to Minority Serving Institutions and colleges and universities with under-served populations; engagement with affinity groups and professional organizations; coordination of Employee Resource Groups and Advisory Working Groups; and the Management Directive 715 Model EEO Program.

I. LAW AND REPORTING REQUIREMENT

The No FEAR Act (P. L. 107-174) is intended to reduce the incidence of workplace discrimination within the Federal Government by requiring agencies to post information about violations of antidiscrimination and whistleblowing protection laws. The Act requires Federal agencies to post certain statistical data relating to Federal sector EEO complaints filed against the Agency. On January 21, 2021, the law was amended to include the Elijah Cummings Federal Employee Antidiscrimination Act of 2020. The specific annual reporting requirement outlined in Section 203 of P.L. 107-174 is as follows:

SEC. 203. REPORTING REQUIREMENT.

- (a) ANNUAL REPORT. – Subject to subsection (b), not later than 180 days after the end of each fiscal year, each Federal agency shall submit to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the Committee on Governmental Affairs of the Senate, the Committee on Government Reform of the House of Representatives, each committee of Congress with jurisdiction relating to the agency, the EEOC, and the Attorney General an annual report which shall include, with respect to the fiscal year—
- (1) The number of cases arising under each of the respective provisions of law covered by paragraphs (1) and (2) of section 201(a) in which discrimination on the part of such agency was alleged;
 - (2) The status or disposition of cases described in paragraph (1);
 - (3) The amount of money required to be reimbursed by such agency under section 201 in connection with each of such cases, separately identifying the aggregate amount of such reimbursements attributable to the payment of attorney’s fees, if any;
 - (4) The number of employees disciplined for discrimination, retaliation, harassment, or any other infraction of any provision of law referred to in paragraph (1);
 - (5) The final year-end data posted under section 301(c)(1)(B) for such fiscal year (without regard to section 301(c)(2));
 - (6) A detailed description of—
 - (A) The policy implemented by that agency relating to appropriate disciplinary actions against a Federal employee who—
 - (i) Discriminated against any individual in violation of any of the laws cited under section 201(a)(1) or (2); or
 - (ii) Committed another prohibited personnel practice that was revealed in the investigation of a complaint alleging a violation of any of the laws cited under section 201(a)(1) or (2); and
 - (B) With respect to each of such laws, the number of employees who are disciplined in accordance with such policy and the specific nature of the disciplinary action taken;

- (7) An analysis of the information described under paragraphs (1) through (6) (in conjunction with data provided to EEOC in compliance with part 1614 of title 29 of the Code of Federal Regulations (C.F.R.)) including—
 - (A) An examination of trends;
 - (B) Causal analysis;
 - (C) Practical knowledge gained through experience; and
 - (D) Any actions planned or taken to improve complaint or civil rights programs of the agency; and
- (8) Any adjustment (to the extent the adjustment can be ascertained in the budget of the agency) to comply with the requirements under section 201.

Responsibility for the issuance of regulations governing implementation of Title II of the No FEAR Act was delegated to the Office of Personnel Management (OPM), which published final rules implementing the reporting and best practices of Title II of the No FEAR Act on December 28, 2006, effective February 26, 2007. These regulations may be found at Title 5, C.F.R. Part 724. The implementing regulations require a copy of the annual report to be submitted to the Director of OPM. NASA has prepared this report for FY 2022, based on the provisions of the No FEAR Act and its implementing regulations.

II. BACKGROUND

NASA is an independent agency of the United States Government responsible for the civilian space program, as well as aeronautics and aerospace research. NASA has kept our Nation on the cutting edge of aeronautics and space exploration for over half a century and drives advances in science, technology, exploration, and discovery to enhance knowledge, innovation, economic vitality, stewardship of the Earth's resources, and solutions to national and global challenges.

ODEO helps NASA accomplish its mission by providing programmatic leadership and continually evaluating the Agency's policies, procedures, and practices to identify and address challenges and opportunities relating to EEO and DEIA. The Associate Administrator for ODEO provides executive leadership and oversight for the effective management of programs, resources, Agency-wide initiatives, and external civil rights requirements for both EEO and DEIA.

In FY 2022, ODEO focused on the efficiency, effectiveness, quality, and timeliness of complaint processing. The development of new guidelines, information sharing, and team-building enhanced the quality and timeliness of EEO case processing. Previous inefficiencies that caused extensive delays continued to be addressed with notable improvement.

NASA used alternative dispute resolution (ADR) in EEO pre-complaint processing, which contributed to a decrease in formal discrimination complaints filed. NASA timely posted No FEAR Act data to www.nasa.gov and timely submitted its Management Directive 715 Model EEO Program report and its Annual Statistical Report of Discrimination Complaints (Form 462) to EEOC.

NASA has been ranked the “Best Place to Work in the Federal Government” among large Federal agencies for ten consecutive years, based on data from the OPM’s Federal Employee Viewpoint Survey (FEVS). These positive experiences among the workforce help translate into NASA’s continued viability as an employer of choice. Moreover, NASA maintained its status as a leader in Federal DEIA efforts, recognized both by OPM and the Partnership for Public Service.

NASA continued the inclusion of DEIA performance requirements for all NASA Senior Executive Service (SES) performance plans, as well as all managerial and supervisory performance plans. These performance requirements further reinforce NASA’s prioritization, support, and accountability for DEIA. NASA established an Agency-level DEIA Steering Committee to drive strategic prioritization and Agency-wide implementation of the Administration’s DEIA priorities. This Steering Committee will direct the development, coordination, and implementation of a new DEIA Strategic Plan for NASA.

III. RESULTS AND DATA

A. Civil Cases in Federal District Court

In FY 2022, there were six pending Federal court cases; the procedural history of those cases are as follows:

- One was filed in 2020 under Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e et seq.) and the Rehabilitation Act (29 U.S.C. § 701 et seq.) in the Northern District Court for California. The Agency’s motions to dismiss and motion for summary were granted. Plaintiff appealed to the U.S. Court of Appeals for the Ninth Circuit. The appeal is still pending.
- Another was filed in 2018 under Title VII. That case is currently pending in the U.S. Court of Appeals for the Fourth Circuit.
- A third case was filed in 2022, alleging age discrimination in violation of the Age Discrimination in Employment Act (29 U.S.C. § 623 et seq.) and violations of the Family Medical Leave Act (28 U.S.C. § 2601 et seq.), in the U.S. District Court for the District of Maryland and is currently pending.
- A fourth case was filed in 2017 under Title VII and the Rehabilitation Act and is currently pending before the U.S. Court of Appeals for the District of Columbia Circuit.
- Another case was filed in 2019 under Title VII and the Rehabilitation Act in the District Court for the District of Columbia; this case is currently pending.

- A sixth case alleging discrimination under the Rehabilitation Act is on appeal before the U.S. Court of Appeals for the District of Columbia Circuit.

B. Judgment Fund

In FY 2022, NASA remitted a total of \$1,000 to the Bureau of the Fiscal Service, United States Department of the Treasury, to reimburse the Judgment Fund. None of this amount was separately attributable to attorneys' fees.

C. Disciplinary Actions Taken in Connection with Civil Cases

There were no disciplinary actions taken in FY 2022 in connection with civil cases.

D. Adjustment to the Budget

There was an adjustment to the budget for FY 2022 to comply with the reimbursement obligations under the Judgment Fund maintained by the Bureau of the Fiscal Service in the United States Department of the Treasury.

E. Posting of EEO Complaints Processing Statistics

The FY 2022 year-end data for NASA's administrative discrimination complaints process was posted on the Agency's website in accordance with EEOC regulations at Title 29, C.F.R. Part 1614, Subpart G (implementing Section 301(c)(1)(B) of the No FEAR Act). See Appendix for No FEAR Act data for FY 2022.

F. Disciplinary Actions Taken in Connection with Cases Other Than Those Listed in Status of Civil Cases

There was one finding of discrimination issued by an Administrative Judge at the EEOC in FY 2022. In connection with that finding, a letter of reprimand was issued and will remain in the responsible management official Agency Official Personnel File for up to two years.

G. Discipline Policy

NASA follows the guidance contained in its Desk Guide for Table of Disciplinary Offenses and Penalties for determining whether and to what extent formal disciplinary action is necessary in dealing with issues of employee misconduct. This Desk Guide, posted on the "NASA People" website under the link titled "NASA Desk Guides" is accessible to all NASA employees at https://www.nasa.gov/sites/default/files/atoms/files/nasa_desk_guide_tagged.pdf.

The Agency's EEO and Anti-Harassment Policy Statements communicate NASA's commitment to promoting equal opportunity in employment, reasonably preventing and promptly correcting workplace harassment, and notifying employees of avenues to seek assistance and redress, as well as accountability for violation of these policies. Furthermore, the Agency's DEIA Policy Statement emphasizes NASA's commitment to a workplace that

values, and is inclusive of, diversity. The NASA Administrator annually disseminates these policy statements to all personnel, which are available to all employees on the NASA ODEO website at <https://www.nasa.gov/offices/odeo/policy-and-publications>.

IV. ANALYSIS OF TRENDS AND CAUSAL ANALYSIS

A. EEO Complaint Activity

NASA's total Federal workforce decreased from 18,029 in FY 2021 to 17,892 in FY 2022. In FY 2022, 88 informal counselings were initiated, representing a 158 percent increase from 34 initiated in FY 2021. Formal complaint filings increased 150 percent from 20 in FY 2021 to 50; this includes cases subsumed within two class complaints in FY 2022. These increases are directly related to the COVID-19 vaccine and testing procedures. ODEO emphasized the use of ADR in eligible cases to resolve matters and improve workplace relationships to create a productive working environment for all employees.

In FY 2022, NASA achieved a 95 percent timeliness rate in completing pre-complaint counseling. NASA improved this rate from 89 percent in the previous year.

In FY 2022, NASA completed 100 percent of formal EEO complaint investigations within the regulatory time limits, with an average processing time of 172 days. This is an improvement over the FY 2021 timeliness rate of 95 percent and average processing time of 206 days. This improvement can be attributed to process improvements.

In FY 2022, ADR was offered in 35 of 45 cases eligible for ADR at the informal stage (an offer rate of 78 percent compared to 58 percent in FY 2021).¹ 32 cases were ineligible for ADR because they were complaints related to the Executive Order 14043 on Requiring Coronavirus Disease 2019 Vaccination for Federal Employees (COVID-19 Executive Order), thus limiting the Agency's options for resolution; four complaints were ineligible for ADR based on multiple prior unsuccessful settlement attempts; and three complaints were ineligible because they were initiated by contractors and related to actions outside of NASA's control. Further, in eight of the eligible complaints, the complainants either withdrew their complaints or abandoned processing before an offer to participate in ADR could be made. Excepting these eight complaints, ADR was offered in 92 percent of ADR-eligible complaints.

In FY 2022, NASA offered ADR in 14 percent of the formal EEO complaints; the offer rate was 24 percent in FY 2021. This again is directly attributable to cases related to the COVID-19 vaccine and testing procedures.

In FY 2022, NASA was 100 percent timely in the issuance of Final Agency Decisions (FADs), with an average processing time of 57.50 days.

¹ Data for NASA's ADR program are as of September 22, 2022.

B. Bases and Issues in Discrimination Complaints

Figure 1 - Formal discrimination complaints filed increased 150 percent, from 20 complaints filed in FY 2021 to 50 complaints filed in FY 2022. This increase is directly related to the COVID-19 vaccine and testing procedures, including two class complaints. As depicted in Figure 1, the most frequently cited cases were religion, disability, reprisal, race, and age.

Figure 2 - Most cited issues in discrimination complaints filed in FY 2022 were terms/conditions of employment, harassment (non-sexual), and promotion/non-selection.

Figure 1. Most Cited Bases in Employment Discrimination Complaints

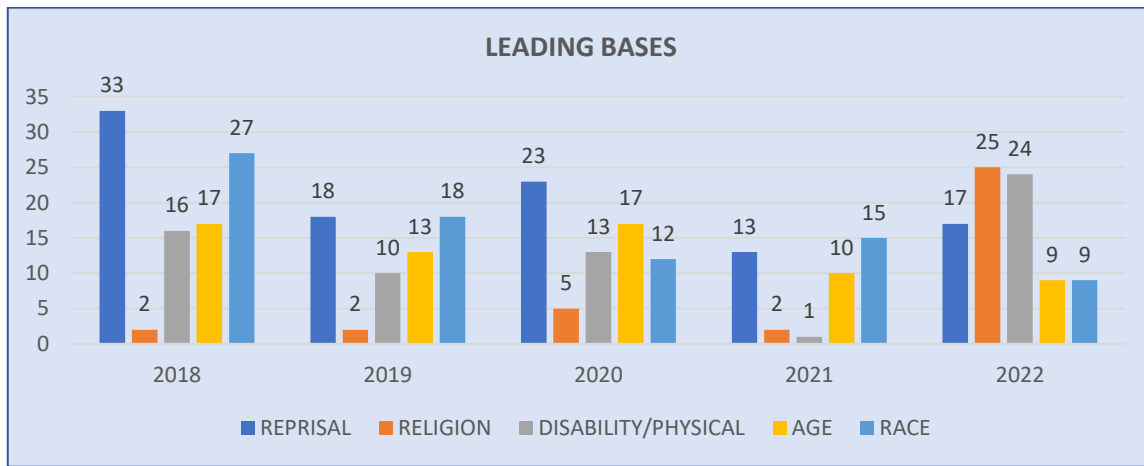
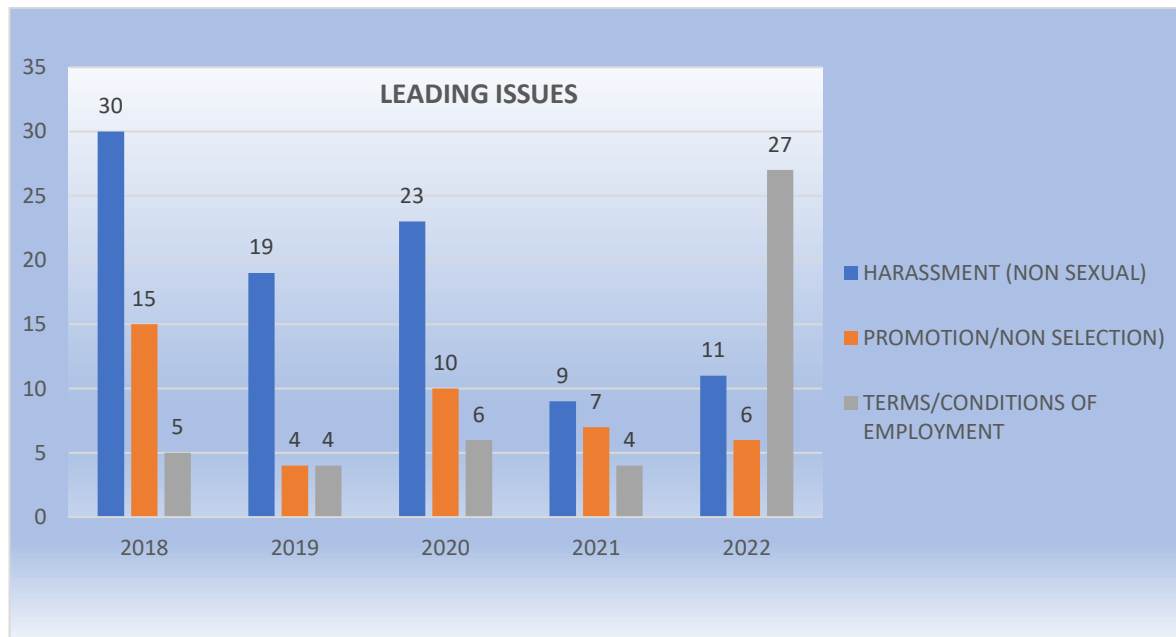


Figure 2. Leading Issues in Employment Discrimination Complaints



C. EEO Alternative Dispute Resolution (ADR) and Anti-Harassment Program (AHP)

NASA's internal cadre of mediators provides support in EEO and non-EEO mediation requests. The Agency relies on this resource to help ensure quality, efficiency, and cost-effective responses to the Agency's dispute resolution needs for EEO matters. NASA supplements this internal cadre with highly skilled mediators from the Federal Mediation and Conciliation Service. NASA procedures require that ADR be offered in all cases unless the case falls under an exception defined in the Agency's EEO ADR policy.

Anti-harassment training is available through NASA's online training program. The educational and awareness opportunities contained in the training ensure that the NASA workforce fully understands employee and management roles and responsibilities under the Agency's Anti-Harassment procedures.

D. No FEAR Act Training Plan

NASA provided training for all Federal employees in accordance with the training requirements of the No FEAR Act of 2002. NASA mandates that all civil servant employees complete an on-line No Fear training module using the System for Administration, Training, and Educational Resources for NASA (SATERN). The Agency requires new employees to take the training during orientation.

ODEO timely complies with No FEAR Act reporting requirements through the quarterly posting of EEO complaints data on the NASA website at <https://www.nasa.gov/offices/odeo/no-fear-act>.

V. ENHANCEMENTS AND IMPROVEMENTS IN NASA'S EQUAL OPPORTUNITY AND DIVERSITY PROGRAMS

A. Anti-Harassment Program

In January 2022, the NASA Administrator issued a Policy Statement on Diversity, Equity, Inclusion, and Accessibility, which incorporated NASA's policy on Anti-Harassment. In FY 2022, 38 employees raised allegations under the AHP with an average processing time of 48 days (compared to 64 days in FY 2021).¹ The average time for decisionmakers to initiate factfinding upon receipt of harassment complaints was nine days, which is within the NASA requirement of ten days. NASA continues to proactively address situations before they rise to the level of actionable harassment, and the Agency has developed a virtual, interactive anti-harassment training program that is available to all employees.

¹ Data for NASA's AHP are as of September 22, 2022.

B. Diversity, Equity, Inclusion and Accessibility

NASA has successfully developed and launched the implementation of a new NASA DEIA Strategic Plan and measurement tools. NASA has also taken the following initial steps to raise DEIA awareness and improve data collection: issuance of the 2021 DEIA Policy Statement to the NASA workforce on January 18, 2022; submission of NASA's DEIA Self-Assessment to the Domestic Policy Council, the Office of Management and Budget, and the Office of Personnel Management, as required by Executive Order 14035; participation in the Future of Work Core Implementation Team; and adding several questions concerning DEIA to the NASA employee exit interview survey to better identify and evaluate potential employment barriers or DEIA-related issues.

NASA has also developed comprehensive DEIA strategies that elevate senior leadership engagement and accountability, leverage Employee Resource Groups (ERGs), strengthen recruiting outcomes, and broaden access to and awareness of DEIA-related information. For example, members of NASA's leadership team act as both external ambassadors and internal champions for NASA DEIA initiatives. In addition, NASA relies on ERGs to help advance DEIA efforts; serve as advocates for their communities; promote education, mentorship, and career advancement of underrepresented groups; and enhance community engagement. To advance recruiting efforts, NASA conducts strategic outreach and engagement activities, including visits to universities and colleges, to promote NASA's mission and enhance diverse workforce pipelines. Within the NASA workforce, the Agency expands access to DEIA information through new supervisory orientations, where managers are introduced to NASA's non-discrimination and reasonable accommodation policies, ADR, and the required No FEAR Act training. To equip leaders with skills needed to leverage diverse talent, NASA has incorporated DEIA-related content/modules into all leadership development course offerings. In addition, the comprehensive DEIA Policy Statement, EEO complaints program information, guidance on administrative and judicial processes, and reasonable accommodation and anti-harassment procedures are available to employees on the NASA ODEO website.

NASA continues to be a recognized leader in DEIA efforts to make the Federal workforce more diverse and its workplaces more inclusive. For the tenth consecutive year, NASA was named the Best Place to Work in Government among large agencies by the Partnership for Public Service in 2022. This rating is based on an analysis of the results of the FEVS. NASA maintained its high positive scores on several DEIA-related questions. For example, in 2022, 91.4 percent of respondents stated they agreed or strongly agreed with the statement, "My supervisor/team leader is committed to a workforce representative of all segments of society." In addition, 85.1 percent of respondents responded positively to the statement "NASA leaders take proactive steps to prevent harassment in the workplace (for example, senior leadership messages to the workforce, use of posters and other communication materials, training, dialogues, or similar activities)." In addition, 95.4 percent of respondents responded positively to the statement "My supervisor treats me with respect."

C. FEDERAL EXTERNAL CIVIL RIGHTS LAWS

NASA ensures equal opportunity and promotes diversity and inclusion in university and college science, technology, engineering, and mathematics (STEM) programs. The Agency provides technical assistance and legal compliance assessment to the STEM programs that the Agency funds. Pursuant to Title IX of the Education Amendments of 1972, the Agency conducts compliance reviews on NASA grant recipients to ensure beneficiaries have equal opportunity to pursue, participate in, and benefit from academic research, career development opportunities, and educational activities.

APPENDIX

| Part 6 Total Final Agency Actions Finding Discrimination | Comparative Data | | | | | | | | | | | |
|--|---------------------------|---|------|-----|------|---|------|---|------|-----|-----------------|-----|
| | Previous Fiscal Year Data | | | | | | | | | | 2022 Thru 09-30 | |
| | 2017 | | 2018 | | 2019 | | 2020 | | 2021 | | | |
| | # | % | # | % | # | % | # | % | # | % | # | % |
| Total Number Findings | 0 | | 1 | | 0 | | 0 | | 1 | | 1 | |
| Without Hearing | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 100 | 0 | 0 |
| With Hearing | 0 | 0 | 1 | 100 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 100 |

| Part 7 Finding of Discrimination Rendered by Basis | Comparative Data | | | | | | | | | | | |
|--|---------------------------|------|------|--------|------|------|------|------|------|--------|-----------------|-------|
| | Previous Fiscal Year Data | | | | | | | | | | 2022 Thru 09-30 | |
| | 2017 | | 2018 | | 2019 | | 2020 | | 2021 | | | |
| | # | % | # | % | # | % | # | % | # | % | # | % |
| Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings. | | | | | | | | | | | | |
| Total Number Findings | 0 | | 1 | | 0 | | 0 | | 1 | | 2 | |
| Race | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 1 | 50.00 |
| Color | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| Religion | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| Reprisal | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| Sex | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 1 | 50.00 |
| PDA | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| National Origin | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| Equal Pay Act | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| Age | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| Disability | 0 | 0.00 | 1 | 100.00 | 0 | 0.00 | 0 | 0.00 | 1 | 100.00 | 0 | 0.00 |
| Genetics | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| Non-EEO | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| Findings After Hearing | 0 | | 1 | | 0 | | 0 | | 0 | | 2 | |
| Race | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 1 | 50.00 |
| Color | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| Religion | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| Reprisal | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| Sex | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 1 | 50.00 |
| PDA | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| National Origin | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| Equal Pay Act | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| Age | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| Disability | 0 | 0.00 | 1 | 100.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| Genetics | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| Non-EEO | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| Finding Without Hearing | 0 | | 0 | | 0 | | 0 | | 1 | | 0 | |
| Race | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | null | 0 | 0.00 |
| Color | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| Religion | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| Reprisal | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| Sex | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| PDA | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| National Origin | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| Equal Pay Act | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| Age | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| Disability | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 1 | 100.00 | 0 | 0.00 |
| Genetics | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |
| Non-EEO | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00 |

| Part 8 Finding of Discrimination Rendered by Issue | Comparative Data | | | | | | | | | | | |
|--|---------------------------|---|------|-----|------|---|------|---|------|-----|-----------------|-----|
| | Previous Fiscal Year Data | | | | | | | | | | 2022 Thru 09-30 | |
| | 2017 | | 2018 | | 2019 | | 2020 | | 2021 | | # | % |
| | # | % | # | % | # | % | # | % | # | % | | |
| Total Number Findings | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| Appointment/Hire | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Assignment of Duties | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Awards | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Conversion to Full Time/Perm Status | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Action | | | | | | | | | | | | |
| Demotion | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Reprimand | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Suspension | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Removal | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Other 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Other 2 | 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 |
| Perf. Eval. / 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 | | | | | | | | | | | | |
| Sexual | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Non-Sexual | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 100 |
| Medical Examination | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 100 | 0 | 0 |
| Pay including overtime | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 100 |
| Promotion/Non-Selection | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 100 |
| Reassignment | | | | | | | | | | | | |
| 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 Disability | 0 | 0 | 1 | 100 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Reinstatement | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Religious Accommodation | 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 |
| Sex-Stereotyping | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Telework | 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 - User Define | | | | | | | | | | | | |
| User Defined - Other 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| User Defined - Other 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| User Defined - Other 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| User Defined - Other 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| Findings After Hearing | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
|-------------------------------------|---|---|---|-----|---|---|---|---|---|---|-----|
| Appointment/Hire | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Assignment of Duties | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Awards | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Conversion to Full Time/Perm Status | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Action | | | | | | | | | | | |
| Demotion | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Reprimand | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Suspension | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Removal | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Other 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Other 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Duty Hours | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Perf. Eval. / Appraisal | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Examination/Test | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Harassment | | | | | | | | | | | |
| Sexual | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Non-Sexual | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 100 |
| Medical Examination | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Pay including overtime | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 100 |
| Promotion/Non-Selection | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 100 |
| Reassignment | | | | | | | | | | | |
| Denied | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Directed | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Reasonable Accommodation Disability | 0 | 0 | 1 | 100 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Reinstatement | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Religious Accommodation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Retirement | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Sex-Stereotyping | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Telework | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Termination | 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 |
| Time and Attendance | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Training | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Other - User Define | | | | | | | | | | | |
| User Defined - Other 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| User Defined - Other 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| User Defined - Other 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| User Defined - Other 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | | | | | | | | |
|-------------------------------------|---|---|---|---|---|---|---|---|---|-----|---|---|
| Findings Without Hearing | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 |
| Appointment/Hire | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Assignment of Duties | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Awards | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Conversion to Full Time/Perm Status | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Action | | | | | | | | | | | | |
| Demotion | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Reprimand | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Suspension | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Removal | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Other 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Other 2 | 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 |
| Perf. Eval. / 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 | | | | | | | | | | | | |
| Sexual | 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 |
| Medical Examination | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 100 | 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 | | | | | | | | | | | | |
| 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 Disability | 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 |
| Religious Accommodation | 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 |
| Sex-Stereotyping | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Telework | 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 - User Define | | | | | | | | | | | | |
| User Defined - Other 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| User Defined - Other 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| User Defined - Other 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| User Defined - Other 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| Part 9 Complaints Pending from Previous Fiscal Years By Status | Comparative Data | | | | | |
|--|---------------------------|------|------|------|------|--------------------|
| | Previous Fiscal Year Data | | | | | 2022 Thru 09-30 |
| | 2017 | 2018 | 2019 | 2020 | 2021 | |
| Total complaints from previous Fiscal Years | 56 | 61 | 59 | 35 | 28 | 27 |
| Total Complainants | 36 | 39 | 44 | 26 | 21 | 20 |
| Number complaints pending | | | | | | |
| Investigation | 0 | 0 | 0 | 0 | 0 | 0 |
| ROI issued, pending Complainant's action | 0 | 1 | 0 | 0 | 0 | 0 |
| Hearing | 39 | 42 | 43 | 33 | 27 | 23 |
| Final Agency Action | 10 | 12 | 11 | 0 | 0 | 2 |
| Appeal with EEOC Office of Federal Operations | 9 | 7 | 17 | 17 | 11 | 6 |

| Part 10 Complaint Investigations | Comparative Data | | | | | |
|---|---------------------------|------|------|------|------|--------------------|
| | Previous Fiscal Year Data | | | | | 2022 Thru 09-30 |
| | 2017 | 2018 | 2019 | 2020 | 2021 | |
| Pending Complaints Where Investigations Exceed Required Time Frames | 2 | 0 | 1 | 2 | 0 | 5 |