



UNITED STATES
DEPARTMENT OF TRANSPORTATION

Fiscal Year 2023
Annual Report to Congress on the
Notification and Federal Employee
Antidiscrimination and
Retaliation Act of 2002

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1. Background

In 2002, Congress passed the Notification and Federal Employee Antidiscrimination and Retaliation Act (No FEAR Act), Public Law 107-174, 5 U.S.C. § 2301 *et seq.*, to hold Federal agencies financially accountable for violations of Federal antidiscrimination and whistleblower protection laws. Prior to the No FEAR Act, monetary judgments against Federal agencies were paid from the U.S. Department of Justice's Judgment Fund. With the enactment of Section 201 of the No FEAR Act, Congress required Federal agencies to reimburse the Judgment Fund for all judgments, awards, and settlements paid to a complainant as the result of a violation of antidiscrimination or whistleblower protection laws.

In addition, the No FEAR Act requires Federal agencies to provide public notice of relevant statistics on agency websites, including the number of Federal court cases involving discrimination that were filed, pending, and/or resolved, and other information on Equal Employment Opportunity (EEO) complaints.

The No FEAR Act also requires each Federal agency to report annually to Congress, the Equal Employment Opportunity Commission, the Office of Personnel Management, and the U.S. Attorney General on its complaints of discrimination, Federal court cases involving discrimination, and activities to prevent discrimination and retaliation.

In doing so, Federal agencies report on:

- The number of Federal court cases, pending or resolved, arising under the antidiscrimination laws and authorities included in the No FEAR Act, and the status and disposition of those cases;
- Judgment Fund reimbursements, adjustments to agency budgets to meet reimbursement requirements, and the amount of reimbursement required for attorneys' fees where such fees have been separately designated;
- The number and type of disciplinary actions related to discrimination, retaliation, or harassment;
- A detailed description of the agency's policy for taking disciplinary actions against employees for conduct inconsistent with the antidiscrimination laws referenced in the No FEAR Act;
- Year-end summary data of Federal sector EEO complaint activity;
- An analysis of the information provided in this report, including an examination of trends, causes, lessons learned, and actions planned or taken to improve compliance; and
- The agency's plan to train employees on their rights under the No FEAR Act.

Representatives from the U.S. Department of Transportation (DOT or the Department) Office of the Secretary (OST), including the Departmental Office of Civil Rights (DOCR), the Departmental Office of Human Resource Management (DOHRM), and the Office of the Assistant Secretary for Administration (OST-M), assisted in the preparation of this report on anti-discrimination activities during FY 2023 in collaboration with the Office of Inspector General (OIG) and DOT's nine operating administrations (OAs): the Federal Aviation

Administration (FAA), the Federal Highway Administration (FHWA), the Federal Motor Carrier Safety Administration (FMCSA), the Federal Railroad Administration (FRA), the Federal Transit Administration (FTA), the Maritime Administration (MARAD), the National Highway Traffic Safety Administration (NHTSA), the Pipeline and Hazardous Materials Safety Administration (PHMSA), and the Great Lakes St. Lawrence Seaway Development Corporation (GLS).

Pursuant to statutory requirements, DOT provides a copy of the No FEAR Act annual report to the following members of the 118th Congress:

- The Honorable Kamala Harris, President of the Senate
- The Honorable Mike Johnson, Speaker of the House of Representatives
- The Honorable Patty Murray, President Pro Tempore of the Senate, Chair, Senate Committee on Appropriations
- The Honorable Susan Collins, Vice Chair, Senate Committee on Appropriations
- The Honorable Tom Cole, Chair, House Committee on Appropriations
- The Honorable Rosa DeLauro, Ranking Member, House Committee on Appropriations
- The Honorable Sherrod Brown, Chair, Senate Committee on Banking, Housing, and Urban Affairs
- The Honorable Tim Scott, Ranking Member, Senate Committee on Banking, Housing, and Urban Affairs
- The Honorable Cathy McMorris Rodgers, Chair, House Committee on Energy and Commerce
- The Honorable Frank J. Pallone, Jr., Ranking Member, House Committee on Energy and Commerce
- The Honorable Maria Cantwell, Chair, Senate Committee on Commerce, Science, and Transportation
- The Honorable Ted Cruz, Ranking Member, Senate Committee on Commerce, Science, and Transportation
- The Honorable James Comer, Chair, House Committee on Oversight and Reform
- The Honorable Jamie Raskin, Ranking Member, House Committee on Oversight and Reform
- The Honorable Tom R. Carper, Chair, Senate Committee on Environment and Public Works

- The Honorable Shelley Moore Capito, Ranking Member, Senate Committee on Environment and Public Works
- The Honorable Frank Lucas, Chair, House Committee on Science, Space, and Technology
- The Honorable Zoe Lofgren, Ranking Member, House Committee on Science, Space, and Technology
- The Honorable Gary C. Peters, Chair, Senate Committee on Homeland Security and Governmental Affairs
- The Honorable Rand Paul, Ranking Member, Senate Committee on Homeland Security and Governmental Affairs
- The Honorable Sam Graves, Chair, House Committee on Transportation and Infrastructure
- The Honorable Rick Larsen, Ranking Member, House Committee on Transportation and Infrastructure

Pursuant to statutory and regulatory requirements, DOT also provides a copy of this report to the following members of the Executive Branch:

- The Honorable Charlotte A. Burrows, Chair, U.S. Equal Employment Opportunity Commission
- The Honorable Merrick B. Garland, Attorney General, U.S. Department of Justice
- The Honorable Rob Shriver, Acting Director, U.S. Office of Personnel Management

2. DOT's Mission

DOT's mission is to deliver the world's leading transportation system, serving the American people and economy through the safe, efficient, sustainable, and equitable movement of people and goods.

In addition, DOT's Strategic Plan for FY 2022-2026 includes Organizational Excellence as a strategic goal, which includes a focus on workforce development. DOT prioritizes the recruitment, development, retention, and training of a capable, diverse, and collaborative workforce of highly skilled, innovative, and motivated employees and is focused on building DOT as an employer of choice.

3. Results and Data

3.1 EEO Complaint Activity in Federal Court and Disposition

FY 2023 Federal Court Case Volume Decreased

The total number of Federal court cases involving EEO complaints in FY 2023 (34) was lower than the total number of Federal court cases in either FY 2022 (40) or FY 2021 (41). The number of pending cases also decreased, with 22 at the end of FY 2023 compared to 27 at the close of FY 2021 and 25 at the close of FY 2022.

In FY 2023, the most frequently raised bases of discrimination in DOT's Federal court cases were race (18) and age (13), followed closely by reprisal (12). Only 6 cases involved allegations of retaliation. Compared to the 15 cases alleging harassment in FY 2022, there were 11 cases involving harassment in FY 2023, as well as 13 cases involving allegations of discrimination in non-selection, and 1 case involving reasonable accommodation.

Of the 22 cases pending in Federal court at the close of FY 2023:¹

- 19 cases contain claims under Title VII of the Civil Rights Act of 1964 (Title VII) (42 U.S.C. § 2000e-16);
- 7 cases contain claims under the Age Discrimination in Employment Act (ADEA) of 1967 (29 U.S.C. §§ 631, 633(a));
- 4 cases contain claims under the Rehabilitation Act of 1973 (Rehabilitation Act) (29 U.S.C. § 791); and
- 3 cases contain claims of retaliation.

Of the Federal court cases that DOT resolved:

- 9 cases involved Title VII;
- 4 cases involved the ADEA; and
- 2 cases involved claims under the Rehabilitation Act.

DOT closed 11 cases during FY 2023, compared to 5 cases closed in FY 2022. Two of the FY 2023 cases ended in settlement and 4 were dismissed. Courts granted summary judgment for DOT in 5 cases, 3 of which have been appealed.

3.2 Reimbursements and Budget Adjustments in FY 2023

DOT reimbursed the Judgment Fund a total of \$70,500 for 1 Federal court case.

¹ More than one type of allegation can be made in a single case.

3.3 Number of Employees Disciplined and Disciplinary Policy

Although several of DOT’s OAs have tables of penalties, Department-wide disciplinary policy is contained in the Secretarial Civil Rights Policy Statements, which assert the Secretary’s commitment to establishing and maintaining a workplace free from discrimination, harassment, and retaliation. The Policy Statements advise DOT employees of their rights and responsibilities and inform all DOT employees that they will be held accountable for any actions that violate DOT policies on discrimination, harassment, and/or retaliation. The Statements provide that employees will be subject to disciplinary action, up to and including dismissal, for engaging in discriminatory conduct. In addition, Department leadership expects all employees to comply with the requirements of the No FEAR Act, to promote the protection of whistleblowers and prevent retaliation.

The Secretary of Transportation issues the Secretarial Civil Rights Policy Statements annually. They are distributed to DOT employees via email, posted in common areas throughout DOT offices, and posted electronically on DOT’s public-facing website. In addition, many OAs have established new policies to distribute the Statements electronically through their intranet sites to allow widespread dissemination to all employees, including remote workers.

During FY 2023, 5 DOT employees received reprimands and 9 DOT employees received suspensions for conduct related to No FEAR Act.

3.4 Summary Federal Court Case Data

Table 1: Summary of Federal Court Cases DOT FY 2023 No FEAR Act Annual Report required by Section 203 of the No FEAR Act and 5 C.F.R. Part 724	
Total number of pending or resolved Federal court cases, arising under each of the respective provisions of law covered by 5 C.F.R. §724.302 (a)(1)	
A. Cases Pending	22
B. Cases Resolved	11
The status or disposition of resolved cases	
Dismissed	3
Settled	2
Summary Judgment for the Agency	5
Withdrawn	0
Award	1
Total Resolved Cases	11
Funds required to be reimbursed by DOT under Section 201 of the No FEAR Act in connection with each case	
Title VII and ADEA	\$70,500
Total Reimbursement	\$70,500
Number of employees disciplined for discrimination, retaliation, harassment, or any other provision of the law referenced	14

Disciplinary Actions Taken	5 employees received reprimands and 9 employees received suspensions.
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3.5 Analysis of Complaints

From FY 2022 to FY 2023, DOT experienced a 24.2 percent rise in complaints—slightly elevated from the number of complaints in FY 2020—coinciding with an increase in employees returning to on-site work post-pandemic. During FY 2023, 277 complainants filed a total of 293 complaints with DOT. The ratio of complainants (277) to the total FY 2023 DOT permanent workforce (54,371) is 0.51 percent, which is slightly higher than the most recently published government-wide average of 0.49 percent.²

3.5.1 Trends and Analysis

FY 2023 EEO Complaint Numbers Increased, Along with the Percentage of Complaints Based on Disability and Age

In FY 2023, DOT experienced an overall increase in EEO complaints: DOT received 24.2 percent more complaints in FY 2023 than it received in the previous year, returning to complaint numbers typical of years prior to FY 2021. However, the increase in complaints from FY 2022 to FY 2023 is smaller than that of FY 2021 to FY 2022 (33 percent). Reprisal continues to be the most frequently raised basis, which is a long-standing trend in DOT complaints and is consistent with government-wide complaint data.³ For the first time since 2020, reprisal was followed in frequency by disability, sex (including sexual orientation and gender identity), and age. Race fell from the second-highest basis in FY 2021-2022 to the fourth-highest in FY 2023.

During FY 2023, reprisal was raised in more than half of all complaints (57.7 percent). Disability was raised in 37.9 percent of complaints, sex was raised in 36.5 percent of complaints, and race was raised in 29.7 percent of complaints. This is a shift from FY 2022, when allegations of race and sex were more prevalent (35 percent and 33 percent respectively). Disability saw a rate increase of 3.6 percent from FY 2022, when it was raised in 34.3 percent of complaints. Age was raised in 31 percent of complaints in FY 2023.

Harassment continued to be the most frequently raised issue in complaints during FY 2023, which follows a ten-plus year trend at DOT. Harassment (non-sexual) was raised in 68.6 percent of complaints, which follows a rising pattern from prior years (65.7 percent in FY 2022, and 65 percent in FY 2021). After harassment, the next most frequently raised issues

² See Equal Employment Opportunity Commission (EEOC) Annual Report on the Federal Work Force Fiscal Year 2020, <https://www.eeoc.gov/federal-sector/reports>.

³ See Equal Employment Opportunity Commission (EEOC) Annual Report on the Federal Work Force Fiscal Year 2020, <https://www.eeoc.gov/federal-sector/reports>.

fall under the category of Terms and Conditions of Employment (37.2 percent). This category was consolidated in FY 2022 and includes assignment of duties, duty hours, conversion to full time, reinstatement, retirement, or other terms/conditions of employment. Similarly, the third most raised issues fall under “Disciplinary Actions” (20.5 percent) which includes disciplinary warnings and reprimands. Promotion/non-selection—the third most prevalent issue in FY 2022—is the fourth most frequent issue in FY 2023, along with reasonable accommodation. Both issues equally appeared in 20.1 percent of complaints in FY 2023: promotion/non-selection decreased from 26.3 percent in FY 2022 (but increased from 16.5 percent in FY 2021), while reasonable accommodation complaints increased from 6.4 percent in FY 2022 and 11 percent of in FY 2020 to just over 20 percent in FY 2023.

3.6 Findings of Discrimination

In FY 2023, DOT had 1 finding of discrimination. The bases for discrimination were sex, age, and disability. The issues identified were harassment (non-sexual), evaluation/appraisal, and reasonable accommodation.

Both FY 2021 and FY 2023 each only had a single finding, which is unusual when compared to the number of findings in other years: 5 in FY 2018; 5 in FY 2019; 4 in FY 2020; and 4 in FY 2022. There is no overlap between the bases of DOT’s FY 2023 findings and those of the FY 2022 findings; findings in FY 2022 were based on race, reprisal, religion, and national origin. The identified issues in the FY 2022 findings were harassment (non-sexual), promotion/non-selection, assignment of duties, and religious accommodation.

4. Accomplishments, Training, and Awareness

Anti-Discrimination and EEO Policies

Each year, Secretary Buttigieg issues Civil Rights Policy Statements on equal employment opportunity, No FEAR Act rights and responsibilities, harassment, and the employment and advancement of people with disabilities. DOT, as well as the OAs, post these Statements in their headquarters offices as well as on their public websites. DOT includes these Statements in its No FEAR training to ensure that all employees are familiar with their rights and responsibilities.

As described above, the majority of complaints filed at DOT and in the Federal Government include harassment allegations. DOT issued a Departmental anti-harassment policy in FY 2019, which requires each OA to establish its own anti-harassment program and identify an anti-harassment coordinator to implement the program. DOCR and DOHRM partner closely to oversee OA anti-harassment programs. This includes an annual review of OA anti-harassment programs, which consists of an analysis of harassment complaint data and trends. DOCR and DOHRM also have established a community of practice for OA anti-harassment coordinators to provide guidance, share best practices, and work collaboratively to address challenges. Per DOT’s policy, all employees and supervisors/managers receive annual

training on the anti-harassment program. In addition, some OAs provide workshops and skills-based trainings to support a safe and inclusive workplace.

In FY 2023, FAA's Office of Civil Rights (ACR) mobile application continued to provide users with a better understanding of civil rights laws: the app was downloaded 1,928 times and had 13,200 page views in FY 2023. FAA also hired a new National Alternative Dispute Resolution (ADR) Policy and Program Manager to enhance consistency and excellence in customer service and ADR operations. In FY 2023, the ADR program completed the processing of ADR Cases within 85 calendar days 72 percent of the time and achieved a 74 percent ADR management engagement rate (exceeding objectives by 4 percent). The program had 160 ADR Closures with 34 ADR Settlements (21.2 percent) and 82 ADR cases (54.3 percent) were withdrawals and/or not formally filed (compared to 55.5 percent in FY 2022). FAA also established new internal guidelines on when ADR is appropriate, which will help the program exceed ADR quality objectives.

The FAA National Complaint Services team provided ongoing education and training for FAA's in-house and contracted EEO counselors in FY 2023, and the agency maintained and provided continuous upgrades to its Customer Feedback Database. FAA also continued to use the Civil Rights Scheduler (CRS) web-based application to support case management throughout the case lifecycle. CRS provides automated weekly reports to each region's Civil Rights Director and their teams to track and identify opportunities for improvement. During FY 2023, CRS was expanded to include a Pre-Complaint Packet feature to reduce costs, further streamline the intake process, and increase efficiency.

In FY 2023, FHWA held various trainings that included mock anti-harassment and mock EEO counseling sessions, along with reasonable accommodation skits to provide employees with a realistic understanding of how the programs, processes, and policies work. FHWA also provided a high-level annual briefing to leadership highlighting agency accomplishments in establishing and maintaining a model EEO program, including workforce representation, hiring, retaining, and advancing efforts.

The FRA Administrator spoke to employee groups concerning prevention of harassment in FY 2023 and stressed the administration's commitment to creating an inclusive workplace culture and community.

FTA continued to implement its Policy for the Prevention of Harassment in FY 2023 to ensure that it takes proper steps to deal with harassing conduct as it arises. This Policy meets the Equal Employment Opportunity Commission's (EEOC) recommended elements for anti-harassment programs and enables FTA to protect its employees from harassing conduct. FTA also posted the DOT's EEO Policy Statements prominently and conspicuously on its intranet site—TransPort—and throughout physical high-traffic areas in FTA headquarters and regional offices.

In FY 2023, MARAD issued its annual Administrative Orders on Anti-Harassment and EEO policies to all employees. Both documents help foster a work environment free of discrimination. MARAD also formalized its Transgender Policy for Midshipmen Students at the United States Merchant Marine Academy facility (USMMA). This document establishes guidance, recommendations, points of contact, and best practices pertaining to the unique

regimental environment of the USMMA and the specific challenges that an Academy Midshipman may face when considering or facing a gender transition.

NHTSA offered trainings in FY 2023 to clarify the differences between the Anti-Harassment and Equal Employment Opportunity processes.

During FY 2023, OIG included an overview of the affirmative EEO program in the onboarding process for all new employees, who also receive copies of the Secretary's Civil Rights Policy Statements. Employees learn more about these Policies, the EEO complaint process, and applicable Executive Orders during their New Employee Orientation sessions.

In FY 2023, PHMSA continued to issue its *EEO Chronicles* employee newsletter to provide staff with up-to-date articles on eliminating discrimination in the workplace and highlighting recent EEOC cases. This newsletter also provides information on all avenues available to assist someone who believes they have experienced discrimination.

DOT Culture and Community

In FY 2022, DOT issued its Diversity, Equity, Inclusion, and Accessibility (DEIA) Strategic Plan for FY 2022 through FY 2026.⁴ The Plan identifies research, analysis, and policy and programmatic initiatives in five key areas: outreach, recruitment, and hiring; leadership and professional development; workplace culture; retention; and accountability. Throughout FY 2023, DOCR and DOHRM continued to lead activities in these areas with partners across DOT. These efforts focus on building a positive, inclusive workplace culture and community engagement throughout the DOT workforce.

During FY 2023, DOT continued initiatives related to workforce data analysis, partnerships with organizations serving formerly incarcerated individuals, deployment of a college roadshow, updates to DOT's employee exit survey, establishment of an annual leadership development program for GS-13 through GS-15 and Senior Executive Service employees, and support for employee resource groups. DOT also initiated employee-led action teams focused on opportunities to improve DOT's recruitment, hiring, and workforce culture. DOCR and DOHRM continued to host a community of practice for OA teams working on DOT community and culture. Throughout FY 2023, DOT and its OAs also held a variety of special emphasis program events and observances to commemorate and celebrate special emphasis months, provide cultural awareness, and enhance the workplace environment by celebrating and recognizing achievements in transportation and public service.

In FY 2023, FAA's ACR sponsored its Third Annual FAA DEIA Symposium, themed "The Year of Inclusion." The symposium consisted of several moderator-led trainings, panel discussions, and a platform that allowed the 2,420 attendees to virtually interact at the national level with representatives from 150 Federal agencies and subagencies. FAA also established the first Acting Chief Diversity Officer (CDO) position in FY 2023. FAA updated its DEIA Scorecard in FY 2023 to provide ACR leadership and teams across the agency with their compiled DEIA Scorecard results. The new version also equips the users

⁴ <https://www.transportation.gov/careers/dot-deia-strategic-plan>

with an overall understanding of the national commonalities and trends across organizational lines to cultivate a common baseline for future recommendations and best practices.

In FY 2023, FMCSA's Office of Human Resources, Training & Professional Development Division (TPDD) developed effective and promising practices to advance equal employment opportunity. Along with FMCSA's Recruitment Technical Advisory Group (R-TAG), these groups developed corporate recruitment strategies to reach underrepresented employee groups and integrate priorities related to FMCSA community and culture. Internally, the TPDD ensured that every FMCSA Federal employee, regardless of grade level, race, age, sex, disability, and geographic location had an equal opportunity to register and/or compete for attendance in all FMCSA training and development opportunities. FMCSA used this same practice to provide skill-based, position-based, aspiring and current leaders training and development opportunities. The R-TAG implemented and monitored the goals identified in FMCSA's Corporate Recruitment Program, including efforts to attract and recruit people with the right skills to make the agency successful.

In FY 2023, FRA combined training events with special emphasis programs to promote an inclusive workplace community. FRA's Office of Civil Rights recruited and hired an additional new Equal Employment Opportunity Specialist, to increase the program's scope and capacity.

FTA finalized and implemented its DEIA Strategic Action Plan in FY 2023. The DEIA plan is organized around three key FTA goals: a diverse workforce, an inclusive and engaged organization, and outstanding public service. FTA also appointed its first CDO, who will oversee the coordination of diversity and internal equity strategic priorities across FTA. FTA continued to perform analyses of workforce demographics and track changes over time.

FTA's Office of Talent and Organization launched its Learning, Empowering, Aspiring, Developing (LEAD) Program in FY 2023. The LEAD program focuses on building trust and belonging in the workplace and fostering a shared sense of purpose around the agency's mission. As part of this program, FTA conducted its *Unlocking Candid Conversations in the Workplace: Building Trust* workshop, which is designed to empower employees to create psychologically safe spaces and trusting professional relationships within FTA offices and across the organization. FTA also created Special Emphasis Support Groups to promote cultural awareness, create social connections within the agency, and drive professional development. FTA continues to lead agency-wide in special emphasis observances by hosting in-person and virtual observance events for Black History Month and Women's History Month, sending out all-staff monthly sociocultural awareness facts and information, and analyzing human resource activities to identify the potential barriers to access in certain areas of the workforce.

In FY 2023, MARAD led or participated in several Special Emphasis Program activities and promoted EEO through nine special emphasis observances. These activities helped to raise cultural awareness, and to educate and encourage Federal employees, managers, and other stakeholders to appreciate, value, understand, and celebrate inclusion and ensure equal access to opportunities within the government. MARAD also completed 14 Recruitment and

Outreach Activities across the nation in FY 2023. Most notably, MARAD participated in the first *One DOT HBCU Summit* at South Carolina State University, providing information about MARAD and the USMMA to all HBCUs in the state of South Carolina. In addition, MARAD's FY 2023 Workforce Improvement Initiative created a focus group of employees to provide recommendations to management to increase transparency and trust and to improve communication and feedback.

In FY 2023, NHTSA's Office of Human Resources (OHR) initiated a holistic approach to mitigate employee burnout by partnering with the Departmental Work-Life & Special Programs Team and Wellness Pilot Programs. NHTSA's Office of Civil Rights (NCR) and OHR staff continue to meet monthly to discuss best practices and how their work intersects in order to improve the culture and community within the NHTSA workforce. NHTSA's NCR also coordinated eight special emphasis program observance events with over 1,400 employee participants in attendance, including a collaboration between NHTSA NCR, FHWA, the Department-chartered Employee Resource Group, Federal Asian Pacific American Council (FAPAC), and the National Park Service to lead an event with Manzanar National Historic Site for Asian American and Pacific Islander Heritage Month.

In FY 2023, NHTSA maintained its commitment to recruiting and retaining a diverse workforce. NHTSA participated in 40 virtual and in-person hiring fairs, including fairs for STEM careers, as well as for Historically Black Colleges and Universities (HBCUs) and Minority Serving Institutions (MSIs). NHTSA utilized the Corporate Ambassador Program to promote inclusive recruitment and hiring efforts by analyzing NHTSA's workforce data for potential barriers to inclusion and proposing outreach and recruitment strategies to address those barriers. To help retain and motivate the most highly qualified employees to carry out the mission of NHTSA, the agency offers a Tuition Assistance Program (TAP) and Student Loan Repayment Program (SLRP). In FY 2023, 9 employees utilized TAP and 13 employees participated in SLRP.

OIG employed multiple strategies to ensure a positive employee culture and community and serve as a model EEO employer in FY 2023. OIG addressed questions from across the organization about the intersection of EEO and human resources, implemented steps to address employees' concerns, and provided additional learning and development resources to management officials.

PHMSA continued to identify data sources (e.g., exit surveys, agency-wide surveys, recruitment initiatives) to improve affirmative EEO initiatives across the agency. PHMSA led Department-wide recruitment efforts at MSIs and special emphasis on job-matching organizations such as Operation Warfighter for ill and injured service members.

Anti-discrimination, Anti-harassment, and Affirmative EEO Trainings

DOT and its OAs hosted many trainings throughout FY 2023 to support a safe and inclusive workplace culture. Many of these trainings focused on EEO and nondiscrimination topics, including reasonable accommodation, while others focused on communication skills to create a more productive and civil work environment. For example, DOT's New Employee Orientation includes a section on EEO rights and responsibilities and provides points of

contact for the EEO and anti-harassment programs in each OA. In addition, each OA hosted regular trainings on their anti-harassment programs and about creating a safe workplace culture.

In FY 2023, DOT's Equity Council established an action team to conduct a scan of existing equity- and EEO-related trainings across the Department. The Council also developed its definitions of success, which included a focus on equity and nondiscrimination-related trainings, based on the results of the scan.

In addition, in FY 2023, DOCR hosted several office hours sessions for OA EEO and accommodations teams on the Pregnant Workers Fairness Act. The sessions included information about the new requirements to provide employees and applicants for employment with reasonable accommodations on the basis of pregnancy, childbirth, and related medical conditions, processing requests for accommodations, and processing EEO complaints.

FAA offered three new instructor-led trainings: *Unmasking Unconscious Bias*, *Identifying Microaggressions*, and *Identifying and Responding to Workplace Bullying*. The Third Annual FAA Diversity, Equity, Inclusion, and Accessibility (DEIA) Symposium also consisted of several moderator-led trainings.

FHWA conducted trainings through their Office of Civil Rights (OCR), including the fourth annual FHWA Virtual EEO Awareness Symposium in FY 2023, where over 14 workshops were offered to FHWA employees and those from other OAs. FHWA's OCR also conducted anti-harassment, EEO, and reasonable accommodation training for several division offices. FHWA also implemented three 2-hour virtual training sessions on reasonable accommodation: one for Senior Level Leadership, one for supervisors/managers and team leads, and one for all staff. During each session, FHWA's Disability Program Managers highlighted key roles and responsibilities in the interactive process, providing a broad overview of FHWA's newly released Reasonable Accommodation Procedures alongside practical guidance for both managers and employees. The FHWA Office of Chief Counsel also delivered multiple training courses throughout FY 2023, covering areas such as prohibited personnel practices, alternative dispute resolution (ADR), EEO, the Anti-Harassment Program, the Reasonable Accommodations Program, and whistleblower protections. FHWA also provided multiple sessions of "Which Lane Are You In?," an overview of the processes employees can use to address workplace concerns, including assistance from management. Moreover, the FHWA Office of Human Resources Employee Relations team delivered eight two-day Employee Relations Bootcamps to managers, supervisors, and team leaders. All classes were held in-person, with three sessions in Colorado, two in Washington, DC, and three in Virginia.

In FY 2023, FRA's Office of Human Resources provided training on its Prevention of Harassment Program that included the processes for seeking assistance and filing a complaint.

In FY 2023, FTA required nine new supervisors to attend its three-day *New Supervisor Residency Program*. FTA also offered this course to supervisors across the Department through the Department's Center of Excellence for Leadership and Supervisory

Development, and a total of 63 employees attended across various OAs. FTA's Employee and Labor Relations Division also attended the Federal Dispute Resolution (FDR) Conference on EEO and other workplace topics. FTA sponsored a training honoring National Disability Day in FY 2023, which commemorated the passage of the Americans with Disabilities Act. As a part of this training, FTA hosted a USAJOBS Agency Talent Portal (ATP) demonstration for hiring managers and supervisors; this demonstration brought awareness to special hiring authorities for individuals with disabilities and how to navigate the ATP to recruit employees with disabilities.

In FY 2023, GLS provided anti-harassment training to employees at the annual Engineering and Maintenance Awareness Day event and at the Lock Operations and Marine Services Orientation. GLS continues to provide training to supervisors and managers on affirmative EEO, the EEO complaint process, and the reasonable accommodation process.

MARAD provided in-person EEO and anti-harassment training to 169 employees and supervisors of its Sea-Lift Division in FY 2023. The participants were trained in anti-harassment and the steps to take when allegations occur or are witnessed. In May 2023, MARAD sponsored mandatory training on EEO Principles for all USMMA managers/supervisors, which was led by EEOC's New York District Office on EEO Principles. In July, MARAD delivered EEO training to the new USMMA students, and MARAD OCR participated in USMMA Professional Training Day.

In FY 2023, NHTSA coordinated an interactive, non-judgmental, evidence-based training series to support a positive workplace culture and community. NHTSA's Office of Human Resources Training Office (OHR/TO) continues to promote and advertise leadership programs available to NHTSA employees, ensuring equal opportunity for employee participation. In FY 2023, NHTSA established a new leadership development program in conjunction with the Transportation Safety Institute (TSI). The *Workplace Inclusive Leadership Development* (WILD) Program focuses on leadership development for women, minorities, and persons with disabilities. Fourteen participants completed the WILD program in FY 2023. This program is transitioning to WILD-ER (Extended Reach) for FY 2024 as part of a new, two-track program focused on inclusive leadership skills. Recently, NHTSA began offering its *Succeed at Work: Fostering Inclusion* course.

During FY 2023, the OIG Cooperative Disability Investigations (CDI) Director collaborated with the Office of Training and Development, OHR, and the Office of Chief Counsel to offer training on EEO-related topics, during which 114 supervisors and managers completed the annual refresher training requirements. OIG employees also were informed about the EEO complaint process, options for alternative dispute resolution, instructions for requesting a reasonable accommodation, harassment prevention, and whistleblowing during onboarding and New Employee Orientation, via leadership training courses, and in periodic trainings held throughout each year.

The DOT Volpe Center continued their ongoing employee curricula in EEO and reasonable accommodation in FY 2023. Beyond their required training in DOT Learns, Volpe employees participated in sessions that included real-world scenarios, question-and-answer sections, and information about relevant regulations, policies, and internal practices. The Volpe Center continues to train all employees at a GS-14 and above in conflict management

to create a standardized approach and consistent expectations for handling workplace conflict.

5. No FEAR Act Training

Section 202 of the No FEAR Act requires Federal agencies to provide training for their employees on the rights and remedies under Federal antidiscrimination, retaliation, and whistleblower protection laws. 5 C.F.R § 724.203 requires agencies to develop a written training plan and train their employees by December 17, 2006, and every two years thereafter. Under these regulations, new employees are to receive No FEAR Act training within 90 days of appointment. DOT requires the inclusion of electronic No FEAR Act training in each employee's e-Learning training development plan. Including this training in the development plan with set deadlines helps ensure that new employees complete the training within 90 days of appointment and that employees continue to take their No FEAR Act training within the required two-year cycle.

In FY 2023, 71.2 percent of the 4,086 new DOT employees completed No FEAR Act training within 90 days of appointment. This is a 5.3 percent decrease from FY 2022 (75.2 percent completion rate).

Several OAs implemented additional measures to ensure compliance with No FEAR Act training requirements. For example, FTA requires No FEAR Act training in each newly hired employee's learning plan to be completed within 30 days of hire as a part of the OneFTA onboarding program, an initiative that helps FTA meet or exceed the legal requirement of training within an employee's first 90 days. NHTSA utilizes No FEAR Act compliance reports and the advocacy of agency leadership to ensure all employees—including new hires—throughout the program offices timely complete No FEAR training.

6. Actions Planned, Taken, and Practical Knowledge Gained to Improve the Program

6.1 Pursuant to Section 203(a)(7)(D), DOT Plans to Implement These Actions:

- Continue to conduct analyses on recruitment, onboarding, and/or outreach efforts, and identify the root causes of low participation of groups with lower-than-expected participation in DOT's mission-critical occupations.
- Address actionable root causes of low participation of groups with lower-than-expected participation in DOT's mission-critical occupations and associated key performance indicators to track progress.
- Achieve biennial goal of educating all employees of their rights, responsibilities, and protections under antidiscrimination, retaliation, and whistleblower protection laws.
- Ensure new employees receive No FEAR Act training within 90 days of their appointment through DOT Learns. Further, through the employee orientation program, continue providing new hires with information regarding their rights, responsibilities, and protections under anti-discrimination, retaliation, and whistleblower protection laws.

- Continue to focus on professional development training that recognizes the importance of respectful workplaces and employee engagement as key components for successful leadership.
- Conduct program reviews of OA anti-harassment programs to ensure that they comply with Departmental and EEO policy and align with best practices for addressing harassing workplace behavior.
- Ensure complainants and respondents are apprised of the opportunity for mediation and ADR throughout the informal and formal EEO complaint process.
- Improve partnerships and collaboration across the Department to address proactively the bases most frequently alleged in EEO complaints.
- Partner with HR offices across the Department to ensure that recruitment, professional development, and accountability measures incorporate the principles of equal employment opportunity.
- Ensure DOT and its OAs effectively utilize the anti-harassment program to address workplace issues before they rise to the level of unlawful discrimination or harassment.
- Collaborate with veterans' programs to increase the hiring of veterans, including those with targeted disabilities.
- Analyze trends from EEO complaint data alongside workforce trends to identify basis- and issue-driven opportunities for improvements to DOT policies and practices.

6.2 Practical Knowledge Gained

- DOT's OST and the OAs play a vital role in meeting No FEAR Act reporting requirements. As a result, to the extent resources allow, DOT will continue to work on the development of information systems that facilitate and automate the process of gathering and analyzing data to ensure it is accessible to everyone.
- DOT will continue to facilitate in-depth analysis of workforce data to identify the key steps in the employee life cycle where specific DOT actions can address barriers to participation in DOT's mission-critical occupations.
- The trend analyses inherent in No FEAR Act reporting incorporated into technical assistance and policy planning to spur relevant action planning to address a range of issues, including potential barriers to employment, advancement, and equal opportunity.

Appendix A – Summary Data

Table 2: Total Complaints Filed and Complainants Filing, FY 2018 to FY 2023						
	2018	2019	2020	2021	2022	2023
Number of Complaints Filed	271	250	273	177	236	293
Number of Complainants	262	245	265	170	231	277
Repeat Filers	9	6	6	7	5	15

Table 3: Top Complaints by Basis, FY 2018 to FY 2023						
Basis	2018	2019	2020	2021	2022	2023
Reprisal	161	138	153	113	131	169
Disability	86	102	108	58	81	111
Sex	138	106	105	65	77	107
Age	102	86	98	55	64	91
Race	107	100	98	75	82	87

Table 4: Top Complaints Filed by Issue, FY 2018 to FY 2023						
Issue <i>*Includes Assignment of Duties, Conversion to Full Time, Duty Hours, Reinstatement, Retirement, and Other</i>	Comparative Data Previous Fiscal Year Data					2023
	2018	2019	2020	2021	2022	
Harassment (Non-Sexual)	173	150	164	116	155	201
Other Terms/Conditions of Employment*	36	23	0	3	0	109
Disciplinary Action	77	53	41	46	67	60
Promotion/Non-Selection	79	70	84	39	62	59
Reasonable Accommodation	33	37	41	20	15	59
Time and Attendance	34	27	23	17	30	55
Training	34	30	22	16	29	40
Evaluation/Appraisal	45	33	46	19	37	39
Suspension	20	17	8	14	17	24
Termination	27	24	32	15	17	22
Pay Including Overtime	26	18	33	12	14	21
Telework	15	0	16	6	0	16

Table 5: Findings of Discrimination by Basis, FY 2018 to FY 2023						
Basis	2018	2019	2020	2021	2022	2023
Age	1	2	1	0	0	1
Disability	0	3	1	0	0	1
Sex	1	1	2	0	0	1
Color	0	2	1	0	0	0
Equal Pay	0	0	0	0	0	0
National Origin	1	0	1	0	1	0
Race	1	2	1	0	2	0
Religion	0	0	0	0	1	0
Reprisal	4	3	2	1	2	0

Table 6: Findings of Discrimination by Issue, FY 2018 to FY 2023							
Issue	2018	2019	2020	2021	2022	2023	
Assignment of Duties	1	0	1	0	1	0	
Harassment	1	3	4	0	2	1	
Medical Examination	0	0	0	0	0	0	
Promotion/Non-Selection	2	2	1	0	1	0	
Reasonable Accommodation	0	0	1	0	0	1	
Terms/Conditions of Employment	0	0	0	0	0	0	
Training	1	0	0	1	0	0	
Disclosure of Medical Information	0	2	0	0	0	0	
Performance Evaluation	0	0	0	1	1	1	
Religious Accommodation	0	0	0	0	1	0	

Table 7: Federal Court Cases with Alleged Violation of Law, FY 2018 to FY 2023						
	2018	2019	2020	2021	2022	2023
Total Court Cases	33	32	36	41	40	34
Alleged Title VII Violation	26	25	29	32	33	28
Alleged Age Discrimination in Employment Act Violation	7	9	6	11	12	11
Alleged Rehabilitation Act Violation	13	7	7	11	12	6
Alleged Whistleblower Protection Act Violation	0	0	0	0	0	0
Alleged Equal Pay Act Violation	0	0	0	0	0	0
Alleged Retaliation	13	9	16	20	19	6

Table 8: Formal Complaint Processing Time in Days, FY 2018 to FY 2023						
	2018	2019	2020	2021	2022	2023
Investigation Stage	185	218	298	300	157	130
Final Action Stage	57	67	64	161	176	100

Table 9: Annual Total Reimbursements for No FEAR Act cases by Amount and Number of Cases, FY 2018 to FY 2023						
	2018	2019	2020	2021	2022	2023
Total Reimbursements	\$458,000	\$29,500	\$282,000	\$43,951,538	\$113,900	\$70,500
Cases Resulting in Reimbursements	2	2	3	3	3	1

Table 10: Pre-Complaint Processing Timelines, FY 2018 to FY 2023						
	2018	2019	2020	2021	2022	2023
Rate of Individuals Counseled within Mandatory Timeframe	95.65 percent	98.13 percent	98.15 percent	96.5 percent	93.9 percent	97.6 percent

Appendix B – EEO Data Posted Pursuant to the No FEAR Act

Total Complaints	Comparative Data Previous Fiscal Year Data					2023
	2018	2019	2020	2021	2022	
Number of Complaints Filed	271	250	273	177	236	293
Number of Complainants	262	245	265	170	231	277
Repeat Filers	9	6	6	7	5	15

<i>Note: Complaints can be filed alleging multiple bases of discrimination. The sum of the bases may not equal total complaints filed.</i>	Comparative Data Previous Fiscal Year Data					2023
	2018	2019	2020	2021	2022	
Reprisal	161	138	153	113	131	169
Disability	86	102	108	58	81	111
Sex (including complaints filed under Equal Pay Act [EPA])	138	106	105	65	77	107
Age	102	86	98	55	64	91
Race	107	100	98	75	82	87
National Origin	31	31	47	20	39	53
Color	47	56	30	30	46	48
Non-EEO basis	15	12	16	9	27	32
Religion	15	14	13	10	34	28
Genetics	4	0	3	2	9	4
Pregnancy Discrimination Act (PDA)	5	4	1	3	2	2

Complaints by Issue		Comparative Data					2023
		Previous Fiscal Year Data					
<i>Note: Complaints can be filed alleging multiple issues. The sum of the bases may not equal total complaints filed.</i>		2018	2019	2020	2021	2022 ⁵	
Appointment/Hire		10	9	9	5	16	7
Awards		9	6	10	0	11	7
Disciplinary Action	Demotion	3	3	2	3	1	3
	Reprimand	17	18	14	9	0	0
	Suspension	20	17	8	14	17	24
	Removal	6	10	5	3	14	8
	Disciplinary Warning	16	4	12	7	0	60
Other		15	1	0	10	35	0
Evaluation/Appraisal		45	33	46	19	37	39
Examination/Test		4	1	0	0	6	3
Harassment	Non-Sexual	173	150	164	116	155	201
	Sexual	16	13	16	9	7	24
Sex-Stereotyping		2	0	0	0	0	0
Telework		15	0	16	6	0	16
Medical Examination		4	1	0	8	19	2
Pay (including overtime)		26	18	33	12	14	21
Promotion/Non-Selection		79	70	84	39	62	59
Reassignment	Denied	13	11	11	6	12	28
	Directed	17	9	11	7	6	0
Reasonable Accommodation		33	37	41	20	15	59
Religious Accommodation		0	1	1	0	0	4
Termination		27	24	32	15	17	22
Terms and Conditions of Employment	Assignment of Duties	47	52	52	33	0	0
	Duty Hours	10	11	3	9	0	0
	Conversion to Full Time	1	0	1	0	0	0
	Reinstatement	0	0	0	1	0	0
	Retirement	5	6	11	2	0	0
	Terms and Conditions	37	32	34	19	0	0
Other		36	23	0	3	0	109
Time and Attendance		34	27	23	17	30	55
Training		34	30	22	16	29	40

⁵ In FY 2022, the Equal Employment Opportunity Commission instituted a number of changes to complaint data reporting, including which issues are categorized as Disciplinary Actions and Terms and Conditions of Employment. As a result, complaints within these groups may appear absent beginning in FY 2022 or disproportionate in FY 2023.

Processing Time	Comparative Data Previous Fiscal Year Data					2023
	2018	2019	2020	2021	2022	
Complaints pending (for any length of time) during fiscal year						
Average Number of Days in Investigation Stage	183.7	218.9	298.35	299.96	156.57	130
Average Number of Days in Final Action Stage	56.83	67.37	64.07	161.40	175.77	100.41
Complaints pending (for any length of time) during fiscal year where hearing was requested during fiscal year						
Average Number of Days in Investigation Stage	191.18	257.42	305.94	293.37	142.49	135.86
Average Number of Days in Final Action Stage	51.8	69.86	47.44	124.48	83.77	30.68
Complaints pending (for any length of time) during fiscal year where hearing was not requested						
Average Number of Days in Investigation Stage	167.41	211.29	303.39	306.04	168.53	124.77
Average Number of Days in Final Action Stage	64.69	62.11	82.27	247.56	223.24	138.59

Complaints Dismissed by Agency		Comparative Data Previous Fiscal Year Data					2023
		2018	2019	2020	2021	2022	
Total Complaints Dismissed by Agency		36	43	22	17	27	31
Average Days Pending Prior to Dismissal		71	76	49	133	45	177.65
Complaints Withdrawn	Total Complaints Withdrawn by Complainants	12	13	20	9	3	6

Total Final Actions Finding Discrimination	Comparative Data Previous Fiscal Year Data										2023	
	2018		2019		2020		2021		2022			
	#	per cent	#	per cent	#	per cent	#	per cent	#	per cent	#	per cent
Total Number Findings	5		5		4		1		4		1	
Without Hearing	1	20	0	0	3	75	1	100	0	0	0	0
With Hearing	4	80	5	100	1	25	0	0	4	100	1	100

Findings of Discrimination Rendered by Basis	Comparative Data Previous Fiscal Year Data										2023	
	2018		2019		2020		2021		2022			
	#	per cent	#	per cent	#	per cent	#	per cent	#	per cent	#	per cent
<i>Note: Complaints can be filed alleging multiple issues. The sum of the bases may not equal total findings.</i>												
Total Number Findings	5		5		4		1		4		1	
Sex (including complaints filed under EPA)	2	40	1	20	2	50	1	100	0	0	1	100
Age	1	20	2	40	1	25	0	0	0	0	1	100
Disability	0	0	3	60	1	25	0	0	0	0	1	100
Race	1	20	2	40	1	25	1	100	2	50	0	0
Color	0	0	2	40	1	25	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	1	25	0	0
Reprisal	3	60	3	60	2	50	1	100	2	50	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	1	20	0	0	1	25	0	0	1	25	0	0
Genetics	0	0	1	20	0	0	0	0	0	0	0	0
Non-EEO Basis	0	0	0	0	0	0	0	0	0	0	0	0
Findings After Hearing	4		5		1		0		4		1	
Sex (including complaints filed under EPA)	2	50	1	20	1	100	0	0	0	0	1	100
Age	1	25	2	40	0	0	0	0	0	0	1	100
Disability	0	0	3	60	1	100	0	0	0	0	1	100
Race	0	0	2	40	1	100	0	0	2	50	0	0
Color	0	0	2	40	1	100	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	1	25	0	0
Reprisal	3	75	3	60	1	100	0	0	2	50	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	1	25	0	0	0	0	0	0	1	25	0	0
Genetics	0	0	1	20	0	0	0	0	0	0	0	0
Non-EEO Basis	0	0	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing	1		0		3		1		0		0	
Race	1	100	0	0	0	0	1	100	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	1	33.3	1	100	0	0	0	0
Sex (including complaints filed under EPA)	0	0	0	0	1	33.3	1	100	0	0	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	1	33.3	0	0	0	0	0	0
Age	0	0	0	0	1	33.3	0	0	0	0	0	0

Disability	0	0	0	0	0	0	0	0	0	0	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO Basis	0	0	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue (Part 1)	Comparative Data Previous Fiscal Year Data										2023		
	2018		2019		2020		2021		2022				
	#	per cent	#	per cent	#	per cent	#	per cent	#	per cent	#	per cent	
Total Number of Findings	5		5		4		1		4		1		
Appointment/Hire	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	
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	
	Removal	0	0	0	0	0	0	0	0	0	0	0	
	Suspension	0	0	0	0	0	0	0	0	0	0	0	
	Disciplinary Warning	0	0	0	0	0	0	0	0	0	0	0	
	Other	1	20	0	0	0	0	0	0	0	0	0	
Evaluation/Appraisal	1	20	0	0	0	0	1	100	1	25	1	100	
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0	
Harassment	Non-Sexual	0	0	3	60	3	75	1	100	2	50	1	100
	Sexual	1	20	0	0	1	25	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	
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	2	40	2	40	0	0	0	0	1	25	0	0	
Reassignment	Denied	0	0	0	0	0	0	0	0	0	0	0	
	Directed	0	0	0	0	2	50	0	0	0	0	0	
Reasonable Accommodation	0	0	0	0	0	0	0	0	1	25	1	100	
Religious Accommodation	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 and Conditions of Employment	Assignment of Duties	1	20	0	0	0	0	0	0	1	25	0	0
	Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
	Conversion to Full Time	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
	Terms and Conditions	0	0	0	0	0	0	0	0	0	0	0	0
	Other	0	0	2	40	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	1	100	0	0	0	0

Findings of Discrimination Rendered by Issue (Part 2)	Comparative Data Previous Fiscal Year Data										2023		
	2018		2019		2020		2021		2022				
	#	per cent	#	per cent	#	per cent	#	per cent	#	per cent	#	per cent	
Findings After Hearing	4		5		1		0		4		1		
Appointment/Hire	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	
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	
	Removal	0	0	0	0	0	0	0	0	0	0	0	
	Suspension	0	0	0	0	0	0	0	0	0	0	0	
	Disciplinary Warning	0	0	0	0	0	0	0	0	0	0	0	
	Other	1	25	0	0	0	0	0	0	0	0	0	
Evaluation/Appraisal	1	25	0	0	0	0	0	0	1	25	1	100	
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0	
Harassment	Non-Sexual	0	0	3	60	0	0	0	0	2	50	1	100
	Sexual	1	25	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	
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	1	25	2	40	0	0	0	0	1	25	0	0	
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	0	0	0	0	1	100	0	0	0	0	1	100	
Religious Accommodation	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 and Conditions of Employment	Assignment of Duties	1	25	0	0	0	0	0	0	1	25	0	0
	Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
	Conversion to Full Time	0	0	0	0	0	0	0	0	0	0	0	
	Reinstatement	0	0	0	0	0	0	0	0	0	0	0	
	Retirement	0	0	0	0	0	0	0	0	0	0	0	
	Terms and Conditions	0	0	0	0	0	0	0	0	0	0	0	0
	Other	0	0	2	40	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
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Findings of Discrimination Rendered by Issue (Part 3)	Comparative Data Previous Fiscal Year Data										2023		
	2018		2019		2020		2021		2022				
	#	per cent	#	per cent	#	per cent	#	per cent	#	per cent	#	per cent	
Findings Without Hearing	1	0	0	0	3	0	1	0	0	0	0	0	
Appointment/Hire	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	
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	
	Removal	0	0	0	0	0	0	0	0	0	0	0	
	Suspension	0	0	0	0	0	0	0	0	0	0	0	
	Disciplinary Warning	0	0	0	0	0	0	0	0	0	0	0	
	Other	0	0	0	0	0	0	0	0	0	0	0	
Evaluation/Appraisal	0	0	0	0	0	0	1	100	0	0	0	0	
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0	
Harassment	Non-Sexual	0	0	0	0	3	100	1	100	0	0	0	0
	Sexual	0	0	0	0	1	33.3	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	
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	1	100	0	0	0	0	0	0	0	0	0	0	
Reassignment	Denied	0	0	0	0	0	0	0	0	0	0	0	
	Directed	0	0	0	0	2	66.6	0	0	0	0	0	
Reasonable Accommodation	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	
Termination	0	0	0	0	0	0	0	0	0	0	0	0	
Terms and	Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	
	Duty Hours	0	0	0	0	0	0	0	0	0	0	0	
	Conversion to Full Time	0	0	0	0	0	0	0	0	0	0	0	

Conditions of Employment	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
	Terms and Conditions	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
Time and Attendance		0	0	0	0	0	0	0	0	0	0	0	0
Training		0	0	0	0	0	0	1	100	0	0	0	0

Pending Complaints Filed in Previous Fiscal Years by Status	Comparative Data Previous Fiscal Year Data					2023
	2018	2019	2020	2021	2022	
Total Complaints from Previous Fiscal Years	621	685	744	901	975	892
Total Complainants	509	571	617	750	808	746
Number of Complaints Pending						
Investigation	96	105	113	119	141	110
Hearing	402	447	474	538	578	501
Final Agency Action	61	66	117	156	189	217
Appeal with EEOC Office of Federal Operations	62	67	40	0	67	101

Complaint Investigations	Comparative Data Previous Fiscal Year Data					2023
	2018	2019	2020	2021	2022	
Pending Completion Where Investigation Exceeds Required Time Frames	44	52	46	62	5	115