



# **PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD**

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**NO FEAR ACT REPORT  
Q3 FY 2019**

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**Privacy and Civil Liberties Oversight Board  
No FEAR Act Report  
Third Quarter Fiscal Year (FY) 2019**

**Section I. Summary of District Court Cases (FY 2016 to Q3 FY 2019)**

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 the agency was alleged.*

	TOTAL FILED: 0 cases			
	FY 16	FY 17	FY 18	Q3 FY 19
Title VII (race, color, religion, sex, national origin)	0	0	0	0
Age	0	0	0	0
Sex (Equal Pay Act)	0	0	0	0
Disability (Section 501 of the Rehabilitation Act of 1973)	0	0	0	0
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	0	0

2. *a. The status or disposition of cases described in paragraph (1). N/A*  
*b. Money reimbursed to the Judgment Fund. N/A*  
*c. Reimbursement to the Judgment Fund for separately designated attorney's fees. N/A*

3. *The number of employees disciplined for discrimination, retaliation, harassment, or any other infraction of any provision of law referred to in paragraph (1).*

	TOTAL NUMBER EMPLOYEES DISCIPLINED: 0			
	FY 16	FY 17	FY 18	Q3 FY 19
FY Totals	0	0	0	0

4. *The final year-end data posted under section 301(c)(1)(B) for such fiscal year (without regard to section 301(c)(2)).*

See Attachment A.

5. *A detailed description of 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 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.*

The Privacy and Civil Liberties Oversight Board (PCLOB) has implemented an EEO policy, a supplemental EEO Question and Answer guidance document, and its Anti-Harassment policy. These policies and guidance documents prohibit discrimination and harassment based on a protected class or whistleblower activity and prohibit retaliation for exercising rights on either basis. The PCLOB is also completing its re-certification for the Office of Special Counsel's 2302(c) certification program, which ensures that the PCLOB prevents prohibited personnel practices, complies with applicable civil service laws against these practices, and informs employees about these practices. The PCLOB continues to comply with all related policies and guidance.

## ***Section II. Analysis of Administrative Complaints\****

6. *An analysis of the information described under paragraphs (1) through (6) (in conjunction with data provided to the Equal Employment Opportunity Commission in compliance with part 1614 of title 29 of the Code of Federal Regulations) including:*
  - a. *an examination of trends;*
  - b. *causal analysis;*
  - c. *practical knowledge gained through experience; and*
  - d. *any actions planned or taken to improve complaint or civil rights programs of the agency.*

There have been no administrative complaints to analyze.

## **Attachment A**

- **Administrative Equal Employment Opportunity (EEO) Complaint Data (FY 2016-Q3 FY 2019)**
  
- **No FEAR Act Training Plan**

**Equal Employment Opportunity Data Posted  
Pursuant to the No FEAR Act:**

**Privacy and Civil Liberties Oversight Board**

*FY 2016 - Q3 FY 2019*

Complaint Activity	Comparative Data				
	Previous Fiscal Year Data				2019 Thru 06-30
	2016	2017	2018		
Number of Complaints Filed	0	0	0	0	0
Number of Complainants	0	0	0	0	0
Repeat Filers	0	0	0	0	0

Complaints by Basis	Comparative Data				
	Previous Fiscal Year Data				2019 Thru 06-30
	2016	2017	2018		
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>					
Race	0	0	0	0	0
Color	0	0	0	0	0
Religion	0	0	0	0	0
Reprisal	0	0	0	0	0
Sex	0	0	0	0	0
PDA	0	0	0	0	0
National Origin	0	0	0	0	0
Equal Pay Act	0	0	0	0	0
Age	0	0	0	0	0
Disability	0	0	0	0	0
GINA	0	0	0	0	0

Complaints by Basis	Comparative Data				
	Previous Fiscal Year Data				2019 Thru 06-30
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	2016	2017	2018		
Non-EEO	0	0	0	0	

Complaints by Issue	Comparative Data				
	Previous Fiscal Year Data				2019 Thru 06-30
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	2016	2017	2018		
Appointment/Hire	0	0	0	0	
Assignment of Duties	0	0	0	0	
Awards	0	0	0	0	
Conversion to Full-time	0	0	0	0	
Disciplinary Action					
Demotion	0	0	0	0	
Reprimand	0	0	0	0	
Suspension	0	0	0	0	
Removal	0	0	0	0	
Other	0	0	0	0	
Duty Hours	0	0	0	0	
Evaluation Appraisal	0	0	0	0	
Examination/Test	0	0	0	0	
Harassment					
Non-Sexual	0	0	0	0	
Sexual	0	0	0	0	
Medical Examination	0	0	0	0	
Pay (Including Overtime)	0	0	0	0	

Complaints by Issue		Comparative Data			
		Previous Fiscal Year Data			2019 Thru 06-30
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>		2016	2017	2018	
Promotion/Non-Selection		0	0	0	0
Reassignment					
Denied		0	0	0	0
Directed		0	0	0	0
Reasonable Accommodation		0	0	0	0
Reinstatement		0	0	0	0
Retirement		0	0	0	0
Termination		0	0	0	0
Terms/Conditions of Employment		0	0	0	0
Time and Attendance		0	0	0	0
Training		0	0	0	0
Other		0	0	0	0

Processing Time	Comparative Data			
	Previous Fiscal Year Data			2019 Thru 06-30
	2016	2017	2018	
Complaints pending during fiscal year				
Average number of days in investigation	0	0	0	0
Average number of days in final action	0	0	0	0
Complaint pending during fiscal year where hearing was requested				
Average number of days in investigation	0	0	0	0
Average number of days in final action	0	0	0	0
Complaint pending during fiscal year where hearing was not requested				
Average number of days in investigation	0	0	0	0
Average number of days in final action	0	0	0	0



Complaints Dismissed by Agency	Comparative Data				
	Previous Fiscal Year Data				2019 Thru 06-30
	2016	2017	2018		
Total Complaints Dismissed by Agency	0	0	0	0	0
Average days pending prior to dismissal	0	0	0	0	0
<b>Complaints Withdrawn by Complainants</b>					0
Total Complaints Withdrawn by Complainants	0	0	0	0	0

Total Final Agency Actions Finding Discrimination	Comparative Data									
	Previous Fiscal Year Data								2019 Thru 06-30	
	2016		2017		2018					
	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0	0	0	0	0	0	0	0	0	0
Without Hearing	0	0	0	0	0	0	0	0	0	0
With Hearing	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Basis	Comparative Data										
	Previous Fiscal Year Data								2019 Thru 06-30		
	2016		2017		2018						
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>											
#	%	#	%	#	%	#	%	#	%	#	%
<b>Total Number Findings</b>	0	0	0	0	0	0	0	0	0	0	0
Race	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Basis	Comparative Data												
	Previous Fiscal Year Data								2019 Thru 06-30				
	2016		2017		2018								
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>													
						#	%	#	%	#	%	#	%
Age						0	0	0	0	0	0	0	0
Disability						0	0	0	0	0	0	0	0
GINA						0	0	0	0	0	0	0	0
Non-EEO						0	0	0	0	0	0	0	0
<b>Findings After Hearing</b>						0		0		0		0	
Race						0	0	0	0	0	0		0
Color						0	0	0	0	0	0	0	0
Religion						0	0	0	0	0	0	0	0
Reprisal						0	0	0	0	0	0	0	0
Sex						0	0	0	0	0	0	0	0
PDA						0	0	0	0	0	0	0	0
National Origin						0	0	0	0	0	0	0	0
Equal Pay Act						0	0	0	0	0	0	0	0
Age						0	0	0	0	0	0	0	0
Disability						0	0	0	0	0	0	0	0
GINA						0	0	0	0	0	0	0	0
Non-EEO						0	0	0	0	0	0	0	0
<b>Findings Without Hearing</b>						0		0		0		0	
Race						0	0	0	0	0	0	0	0
Color						0	0	0	0	0	0	0	0
Religion						0	0	0	0	0	0	0	0
Reprisal						0	0	0	0	0	0	0	0
Sex						0	0	0	0	0	0	0	0
PDA						0	0	0	0	0	0	0	0
National Origin						0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Basis	Comparative Data												
	Previous Fiscal Year Data										2019 Thru 06-30		
	2016		2017		2018								
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>													
						#	%	#	%	#	%	#	%
Equal Pay Act						0	0	0	0	0	0	0	0
Age						0	0	0	0	0	0	0	0
Disability						0	0	0	0	0	0	0	0
GINA						0	0	0	0	0	0	0	0
Non-EEO						0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data												
	Previous Fiscal Year Data										2019 Thru 06-30		
	2016		2017		2018								
						#	%	#	%	#	%	#	%
<b>Total Number Findings</b>						0		0		0		0	
Appointment/Hire						0	0	0	0	0	0	0	0
Assignment of Duties						0	0	0	0	0	0	0	0
Awards						0	0	0	0	0	0	0	0
Conversion to Full-time						0	0	0	0	0	0	0	0
	Disciplinary Action												
Demotion						0	0	0	0	0	0	0	0
Reprimand						0	0	0	0	0	0	0	0
Suspension						0	0	0	0	0	0	0	0
Removal						0	0	0	0	0	0	0	0
Other						0	0	0	0	0	0	0	0
Duty Hours						0	0	0	0	0	0	0	0
Evaluation Appraisal						0	0	0	0	0	0	0	0
Examination/Test						0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data																	
	Previous Fiscal Year Data								2019 Thru 06-30									
	2016		2017		2018													
	#	%	#	%	#	%	#	%										
	Harassment																	
Non-Sexual											0	0	0	0	0	0	0	0
Sexual											0	0	0	0	0	0	0	0
Medical Examination											0	0	0	0	0	0	0	0
Pay (Including Overtime)											0	0	0	0	0	0	0	0
Promotion/Non-Selection											0	0	0	0	0	0	0	0
	Reassignment																	
Denied											0	0	0	0	0	0	0	0
Directed											0	0	0	0	0	0	0	0
Reasonable Accommodation											0	0	0	0	0	0	0	0
Reinstatement											0	0	0	0	0	0	0	0
Retirement											0	0	0	0	0	0	0	0
Termination											0	0	0	0	0	0	0	0
Terms/Conditions of Employment											0	0	0	0	0	0	0	0
Time and Attendance											0	0	0	0	0	0	0	0
Training											0	0	0	0	0	0	0	0
Other											0	0	0	0	0	0	0	0
<b>Findings After Hearing</b>											0		0		0		0	
Appointment/Hire											0	0	0	0	0	0	0	0
Assignment of Duties											0	0	0	0	0	0	0	0
Awards											0	0	0	0	0	0	0	0
Conversion to Full-time											0	0	0	0	0	0	0	0
	Disciplinary Action																	
Demotion											0	0	0	0	0	0	0	0
Reprimand											0	0	0	0	0	0	0	0
Suspension											0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data								2019 Thru 06-30			
	2016		2017		2018							
	#	%	#	%	#	%	#	%				
Removal					0	0	0	0	0	0	0	0
Other					0	0	0	0	0	0	0	0
Duty Hours					0	0	0	0	0	0	0	0
Evaluation Appraisal					0	0	0	0	0	0	0	0
Examination/Test					0	0	0	0	0	0	0	0
	Harassment											
Non-Sexual					0	0	0	0	0	0	0	0
Sexual					0	0	0	0	0	0	0	0
Medical Examination					0	0	0	0	0	0	0	0
Pay (Including Overtime)					0	0	0	0	0	0	0	0
Promotion/Non-Selection					0	0	0	0	0	0	0	0
	Reassignment											
Denied					0	0	0	0	0	0	0	0
Directed					0	0	0	0	0	0	0	0
Reasonable Accommodation					0	0	0	0	0	0	0	0
Reinstatement					0	0	0	0	0	0	0	0
Retirement					0	0	0	0	0	0	0	0
Termination					0	0	0	0	0	0	0	0
Terms/Conditions of Employment					0	0	0	0	0	0	0	0
Time and Attendance					0	0	0	0	0	0	0	0
Training					0	0	0	0	0	0	0	0
Other					0	0	0	0	0	0	0	0
<b>Findings Without Hearing</b>					0		0		#		0	
Appointment/Hire					0	0	0	0	0	0	0	0
Assignment of Duties					0	0	0	0	0	0	0	0
Awards					0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data									
	Previous Fiscal Year Data								2019 Thru 06-30	
	2016		2017		2018					
	#	%	#	%	#	%	#	%		
Conversion to Full-time										
	Disciplinary Action									
Demotion										
Reprimand										
Suspension										
Removal										
Other										
Duty Hours										
Evaluation Appraisal										
Examination/Test										
	Harassment									
Non-Sexual										
Sexual										
Medical Examination										
Pay (Including Overtime)										
Promotion/Non-Selection										
	Reassignment									
Denied										
Directed										
Reasonable Accommodation										
Reinstatement										
Retirement										
Termination										
Terms/Conditions of Employment										
Time and Attendance										
Training										
Other										

<b>Pending Complaints Filed in Previous Fiscal Years by Status</b>	<b>Comparative Data</b>						
	<b>Previous Fiscal Year Data</b>						<b>2019 Thru 06-30</b>
				<b>2016</b>	<b>2017</b>	<b>2018</b>	
Total complaints from previous Fiscal Years				0	0	0	0
Total Complainants				0	0	0	0
	<b>Number complaints pending</b>						
Investigation				0	0	0	0
ROI issued, pending Complainant's action				0	0	0	0
Hearing				0	0	0	0
Final Agency Action				0	0	0	0

<b>Complaint Investigations</b>	<b>Comparative Data</b>						
	<b>Previous Fiscal Year Data</b>						<b>2019 Thru 06-30</b>
				<b>2016</b>	<b>2017</b>	<b>2018</b>	
Pending Complaints Where Investigations Exceed Required Time Frames				0	0	0	0

## Privacy and Civil Liberties Oversight Board No FEAR Act Training Plan

The Privacy and Civil Liberties Oversight Board (PCLOB) administers No FEAR Act training to all new employees as part of the onboarding process. All PCLOB employees have completed the biennial No FEAR Act training for FY 2018 and will again for FY 2020.

<b>Delivery of Training</b>	<b>Training Schedule</b>	<b>Training Completion Date</b>
<p>Online course delivered by the Department of Treasury.</p> <p>The PCLOB maintains training records for each employee in the agency's files.</p>	<p>Upon onboarding.</p> <p>Biennial training for entire agency.</p>	<p>100% of PCLOB employees who completed No FEAR training upon onboarding.</p> <p>100% of PCLOB employees completed biennial No FEAR Act training for FY 2018 and will again for FY 2020.</p>