

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

NO FEAR ACT REPORT Q1, FY 2021

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Privacy and Civil Liberties Oversight Board No FEAR Act Report First Quarter, Fiscal Year (FY) 2021

Section I. Summary of District Court Cases (FY 2018 to Q1 FY 2021)

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 18	FY 19	FY 20	Through Q1, FY 21
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 EM	IPLOYEES DISCIPLINED	: 0
	FY 18	FY 19	FY 20	Through Q1, FY 21
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 an 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 2018- Q1, FY 2021)
- o No FEAR Act Training Plan

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

Privacy and Civil Liberties Oversight Board

FY 2018 - Q1 FY 2021

		Comparative	Data	
	plaint Activity 2018 plaints Filed 0	Fiscal Year Data	2021	
Complaint Activity	2018	2019	2020	Thru 12-31
Number of Complaints Filed	0	0	0	0
Number of Complainants	0	0	0	0
Repeat Filers	0	0	0	0

		C	ompara	tive Data	ı
Complaints by Basis	Previ	ous Fisca	2021		
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.		2018	2019	2020	Thru 12-31
Race		0	0	0	0
Color		0	0	0	0
Religion		0	0	0	0
Reprisal		0	0	0	0
Sex		0	0	0	0
PDA		0	0	0	0
National Origin		0	0	0	0
Equal Pay Act		0	0	0	0
Age		0	0	0	0
Disability		0	0	0	0
GINA		0	0	0	0

Complaints by Basis		C	compara	tive Data	ı
Complaints by Basis	Previ	ous Fisc	al Year I)ata	2021
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.		2018	2019	2020	Thru 12-31
Non-EEO		0	0	0	0

		Compara	ative Dat	a
Complaints by Issue	Previous Fisc	al Year I)ata	
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.	2018	2019	2020	2021 Thru 12-31
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

the sum of the bases may not equal total complaints led. Comotion/Non-Selection Reassignment Denied Directed casonable Accommodation cinstatement etrirement crmination crms/Conditions of Employment			Compara	tive Dat	a
Complaints by Issue	Previ	ious Fisca	al Year D	ata	
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.		2018	2019	2020	2021 Thru 12-31
Promotion/Non-Selection		0	0	0	0
Reassignment	1			1	
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

			Comparat	tive Data	
		Previou	s Fiscal Year Da	ata	2021
Processing Time		2018	2019	2020	Thru 12-31
	Com	plaints pending du	ring fiscal year		
Average number of days in investigation		0	0	0	0
Average number of days in final action		0	0	0	0
	Com	plaint pending dur	ring fiscal year who	ere hearing was red	quested
Average number of days in investigation		0	0	0	0
Average number of days in final action		0	0	0	0
	Com	plaint pending dur	ring fiscal year who	ere hearing was no	t requested
Average number of days in investigation		0	0	0	0
Average number of days in final action		0	0	0	0

			Compar	ative Data									
	P	revious Fis	cal Year Da	ata	2021								
Complaints Dismissed by Agency		2018	2019	2020	Thru 12-31								
Total Complaints Dismissed by Agency		0	0	0	0								
Average days pending prior to dismissal		0	0	0	0								
	Complain	0 0 0 Complaints Withdrawn by Complainants											
Total Complaints Withdrawn by Complainants		0	0	0	0								

												1	2021	
							20)18	20)19	2020		Thru 12-31	
Total Final Agency Actions Finding Discrimination		Ì					#	%	#	%	#	%	#	%
Total Number Findings							0	0	0	0	0	0	0	0
Without Hearing							0	0	0	0	0	0	0	0
With Hearing							0	0	0	0	0	0	0	0

					Con	npa	rativ	e D	ata			
Findings of Discrimination Rendered by Basis	I	Pre	evious Fiscal Year Data							2021		
Note: Complaints can be filed alleging multiple bases.			2018)19	2020		Thru 12-31		
The sum of the bases may not equal total complaints and findings.				#	%	#	%	#	%	#	%	
Total Number Findings				0		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	
Equal Pay Act				0	0	0	0	0	0	0	0	

							Con	ıpa	rativ	e D	ata		
Findings of Discrimination Rendered by Basis		P	re	vio	ou	s Fi	scal	Yea	ır Da	ıta)21
Note: Complaints can be filed alleging multiple bases.						20)18	20	019	20	020		nru -31
The sum of the bases may not equal total complaints and findings.						#	%	#	%	#	%	#	%
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 After Hearing						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
Findings Without Hearing						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

							Con	Comparative Data								
Findings of Discrimination Rendered by Basis			Pı	ev	iou	s Fi	scal	Yea	r Da	ıta		2021				
Note: Complaints can be filed alleging multiple bases.						20)18	20)19	20	020		hru -31			
The sum of the bases may not equal total complaints and findings.		Ì	T	Ť		#	%	#	%	#	%	#	%			
Equal Pay Act		Ì		Ť		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			

				Comparative Data									
		Pre	viou	us Fiscal Year Data								1 ')21
						2018 2019		2020		Thru 12-31			
Findings of Discrimination Rendered by Issue					#		%	#	%	#	%	#	%
Total Number Findings					C			0		0		0	
Appointment/Hire					C		0	0	0	0	0	0	0
Assignment of Duties					C		0	0	0	0	0	0	0
Awards					C		0	0	0	0	0	0	0
Conversion to Full-time					C		0	0	0	0	0	0	0
	Dis	cipli	nary	Act	tion			-					
Demotion					C		0	0	0	0	0	0	0
Reprimand					C		0	0	0	0	0	0	0
Suspension					C		0	0	0	0	0	0	0
Removal					C		0	0	0	0	0	0	0
Other					C		0	0	0	0	0	0	0
Duty Hours					C		0	0	0	0	0	0	0
Evaluation Appraisal					C		0	0	0	0	0	0	0
Examination/Test					C		0	0	0	0	0	0	0

		Comparative Data											
		Pre	viot	ıs F	'isca	ΙΥ	ear I	Data	ì)21
						20)18	20)19	20	020		hru -31
Findings of Discrimination Rendered by Issue						#	%	#	%	#	%	#	%
	Haı	assn	nent		<u> </u>				<u> </u>		<u> </u>		<u> </u>
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
	Rea	ssig	nme	nt									
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
Findings After Hearing						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
	Dis	cipli	nary	Ac	tion								
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

		Comparative Data										
		Previ	ious l	ous Fiscal Year Data)21
					20)18	20)19	20)20		hru -31
Findings of Discrimination Rendered by Issue					#	%	#	%	#	%	#	%
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
	Har	assme	ent									
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
	Rea	ssign	ment					-				
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
Findings Without Hearing					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

			Comparative Data										
		Pre	viou	ıs F	iscal Y	ear]	Data	ì			2021		
					2	2018		2019		2020		hru 2-31	
Findings of Discrimination Rendered by Issue					#	%	#	%	#	%	#	%	
Conversion to Full-time					0	0	0	0	0	0	0	0	
	Dis	cipli	nary	Act	ion	1		I		I		I	
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	
	Har	assn	nent		'								
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	
	Rea	ssig	nme	nt									
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	

				C	omparat	rative Data				
		Pr	evio	us Fiscal	Year D	2021				
Pending Complaints Filed in Previous Fiscal Years by Status				2018	2019	2020	Thru 12- 31			
Total complaints from previous Fiscal Years				0	0	0	0			
Total Complainants				0	0	0	0			
	Nu	ımb	er co	mplaint	s pendin	g				
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			

				Comparative Data				
						2021		
Complaint Investigations				2018	2019	2020	Thru 12-31	
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 completed the training in FY 2021 and will be required to do so again for FY 2023.

Delivery of Training	Training Schedule	Training Completion Date
Online course delivered by the Department of Treasury.	Upon onboarding.	100% of PCLOB employees who completed No FEAR training upon onboarding.
The PCLOB maintains training records for each employee in the agency's files.	Biennial training for entire agency.	100% of PCLOB employees completed the training in FY 2020 and will again for FY 2021.