



PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

**NO FEAR ACT REPORT
Q4 FY 2020**

Report Contents

Section I. Summary of District Court Cases (FY 2017 to Q4 FY 2020)

Section II. Analysis of Administrative Complaints

**Attachment A: Administrative Equal Employment Opportunity (EEO)
Complaint Data (FY 2017- Q4 FY 2020)**

No FEAR Act Training Plan

**Privacy and Civil Liberties Oversight Board
No FEAR Act Report
Fourth Quarter Fiscal Year (FY) 2020**

Section I. Summary of District Court Cases (FY 2017 to Q4 FY 2020)

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 17	FY 18	FY 19	Q4 FY 20
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 17	FY 18	FY 19	Q4 FY 20
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 2017- Q4 FY 2020)**
- **No FEAR Act Training Plan**

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

Privacy and Civil Liberties Oversight Board

FY 2017 - Q4 FY 2020

Complaint Activity	Comparative Data				
	Previous Fiscal Year Data				2020 Thru 09-30
	2017	2018	2019		
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				2020 Thru 09-30
	2017	2018	2019		
<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				2020 Thru 09-30
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	2017	2018	2019		
Non-EEO	0	0	0	0	

Complaints by Issue	Comparative Data				
	Previous Fiscal Year Data				2020 Thru 09-30
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	2017	2018	2019		
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			2020 Thru 09-30
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>		2017	2018	2019	
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			2020 Thru 09-30
	2017	2018	2019	
	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				2020 Thru 09-30
	2017	2018	2019		
Total Complaints Dismissed by Agency	0	0	0		0
Average days pending prior to dismissal	0	0	0		0
Complaints Withdrawn by Complainants					0
Total Complaints Withdrawn by Complainants	0	0	0		0

Total Final Agency Actions Finding Discrimination	Comparative Data									
	Previous Fiscal Year Data								2020 Thru 09-30	
	2017		2018		2019					
	#	%	#	%	#	%	#	%	#	%
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								2020 Thru 09-30	
	2017		2018		2019					
#	%	#	%	#	%	#	%	#	%	
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>										
Total Number Findings	0	0	0	0	0	0	0	0	0	0
Race	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0
PDA	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Basis	Comparative Data											
	Previous Fiscal Year Data									2020 Thru 09-30		
	2017		2018		2019							
<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
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

Findings of Discrimination Rendered by Basis	Comparative Data										
	Previous Fiscal Year Data										2020 Thru 09-30
	2017		2018		2019						
		#	%	#	%	#	%	#	%	#	%
<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	0
Age			0	0	0	0	0	0	0	0	0
Disability			0	0	0	0	0	0	0	0	0
GINA			0	0	0	0	0	0	0	0	0
Non-EEO			0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data										
	Previous Fiscal Year Data										2020 Thru 09-30
	2017		2018		2019						
		#	%	#	%	#	%	#	%	#	%
Total Number Findings			0		0		0		0		
Appointment/Hire			0	0	0	0	0	0	0	0	0
Assignment of Duties			0	0	0	0	0	0	0	0	0
Awards			0	0	0	0	0	0	0	0	0
Conversion to Full-time			0	0	0	0	0	0	0	0	0
	Disciplinary Action										
Demotion			0	0	0	0	0	0	0	0	0
Reprimand			0	0	0	0	0	0	0	0	0
Suspension			0	0	0	0	0	0	0	0	0
Removal			0	0	0	0	0	0	0	0	0
Other			0	0	0	0	0	0	0	0	0
Duty Hours			0	0	0	0	0	0	0	0	0
Evaluation Appraisal			0	0	0	0	0	0	0	0	0
Examination/Test			0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data													
	Previous Fiscal Year Data									2020 Thru 09-30				
	2017		2018		2019									
	#	%	#	%	#	%	#	%						
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
Findings After Hearing														
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								2020 Thru 09-30	
	2017		2018		2019		#	%		
	#	%	#	%	#	%				
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										
Findings Without Hearing										
Appointment/Hire										
Assignment of Duties										
Awards										

Findings of Discrimination Rendered by Issue	Comparative Data									
	Previous Fiscal Year Data								2020 Thru 09-30	
	2017		2018		2019					
	#	%	#	%	#	%	#	%		
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										

Pending Complaints Filed in Previous Fiscal Years by Status	Comparative Data						
	Previous Fiscal Year Data					2020 Thru 09-30	
				2017	2018		2019
Total complaints from previous Fiscal Years				0	0	0	0
Total Complainants				0	0	0	0
	Number complaints pending						
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

Complaint Investigations	Comparative Data						
	Previous Fiscal Year Data					2020 Thru 09-30	
				2017	2018		2019
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. Due to the COVID-19 pandemic, the PCLOB could not conduct the biennial No FEAR Act training in FY 2020. However, all PCLOB employees did complete the training in FY 2021 and will again for FY 2023.

Delivery of Training	Training Schedule	Training Completion Date
<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>Due to the COVID-19 pandemic, the PCLOB could not conduct the biennial No FEAR Act training in FY 2020. However, 100% of PCLOB employees completed the training in FY 2021 and will again for FY 2023.</p>