

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

NO FEAR ACT REPORT Q1 FY 2018

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Privacy and Civil Liberties Oversight Board No FEAR Act Report First Quarter Fiscal Year (FY) 2018

Section I. Summary of District Court Cases (FY 2015 to Q1 FY 2018)

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 15	FY 16	FY 17	Q1 FY 18
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 15	FY 16	FY 17	Q1 FY 18
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) finalized its EEO policy, a supplemental EEO Question and Answer guidance document, and its Anti-Harassment policy in October 2016. The policies and guidance documents prohibit discrimination and harassment based on a protected class or whistleblower activity, as well as prohibit retaliation for exercising rights on either basis. In January 2017, the PCLOB completed 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*

- 7. 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 2015-Q1 FY 2018)
- o No FEAR Act Training Plan

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

Privacy and Civil Liberties Oversight Board

FY 2015 - Q1 FY 2018

		Comparative	Data							
	Previous 1	ious Fiscal Year Data								
Complaint Activity	2015	2016	2017	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	ì
Complaints by Basis	Previo	2018			
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.		2015	2016	2017	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

	Comparative Data							
Complaints by Basis	Previ	ous Fisca	al Year I	D ata	2018			
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.		2015	2016	2017	Thru 12-31			
Non-EEO		0	0	0	0			

		Compara	ative Dat	a
Complaints by Issue	Previous Fisc	al Year D)ata	
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.	2015	2016	2017	2018 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

			(Compara	tive Data	a
	Complaints by Issue	Prev	ious Fisca	al Year D	ata	
	ts can be filed alleging multiple bases. bases may not equal total complaints		2015	2016	2017	2018 Thru 12-31
Promotion/Non-S	election		0	0	0	0
	Reassignment				-	-
Denied			0	0	0	0
Directed	i		0	0	0	0
Reasonable Accor	mmodation		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 Attenda	nce		0	0	0	0
Training			0	0	0	0
Other			0	0	0	0

			Comparat	ive Data						
		Previous Fiscal Year Data								
Processing Time		2015	2016	2017	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	ing fiscal year whe	ere hearing was rec	juested					
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	ing fiscal year whe	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	2018
Complaints Dismissed by Agency		2015	2016	2017	Thru 12-31
Total Complaints Dismissed by Agency		0	0	0	0
Average days pending prior to dismissal		0	0	0	0
	Complai	nts Withdr	awn by Co	mplainants	0
Total Complaints Withdrawn by Complainants		0	0	0	0

	Comparative Data													
			Pr	evio	us	Fis	cal Y	Zea ı	· Dat	a		2018		
					2015		2016		2017		Thru 12-31			
Total Final Agency Actions Finding Discrimination						#	%	#	%	#	%	#	%	
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	₽r€	revious Fiscal Year Data							2018		
Note: Complaints can be filed alleging multiple bases.					20	015	20)16	2017		Thru 12-31		
The sum of the bases may not equal total complaints and findings.		Ì			#	%	#	%	#	%	#	%	
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	

						(Com	ıpa	rativ	e D	ata			
Findings of Discrimination Rendered by Basis		P	re	vio	us I	is	cal `	Yea	r Da	ta)18	
Note: Complaints can be filed alleging multiple bases.						2015		2016		2017		1	1ru -31	
The sum of the bases may not equal total complaints and findings.					#		%	#	%	#	%	#	%	
Age					0	Ì	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	Ī	0	0	0	0	0		0	
Color					0	İ	0	0	0	0	0	0	0	
Religion					0		0	0	0	0	0	0	0	
Reprisal					0	Ì	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	

				Comparative Data									
Findings of Discrimination Rendered by Basis	of Discrimination Rendered by Basis Previous Fiscal Year Data								2018				
Note: Complaints can be filed alleging multiple bases.					2015		20)16	20)17		1ru -31	
The sum of the bases may not equal total complaints and findings.		Ì		İ		#	%	#	%	#	%	#	%
Equal Pay Act		Ì				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	ıs F	iscal	Y	ear I	Data	ì			1 .	018				
						2015 2016)16	20)17	1	hru 2-31					
Findings of Discrimination Rendered by Issue						#	%	#	%	#	%	#	%				
Total Number Findings						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	Acı	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				
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				

				Comparative Data									
		Pre	viot	ıs F	'isca	ΙΥ	ear l	Data	1				18
						2015		20)16	20)17		1ru -31
Findings of Discrimination Rendered by Issue						#	%	#	%	#	%	#	%
	Hai	assn	nent		<u> </u>			1	l	<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
Time and Attendance						0	0	0	0			0	0
Training						0	0	0	0			0	0
Other						0	0	0	0			0	0
Findings After 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
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										
		Pre	viou	ıs F	'isca	l Y	ear I	Data	a a			201 Thr 7 12-3	
						20)15	20)16	20)17		
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	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
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 `	Year	Data	a)18
					2	2015	20	016	20)17	1	hru -31
Findings of Discrimination Rendered by Issue					#	%	#	%	#	%	#	%
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
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		İ			0	0	0	0	0	0	0	0
	Ha	rassn	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
	Re	assig	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		Ì			0	0	0	0	0	0	0	0
Other		İ			0	0	0	0	0	0	0	0

				Comparative Data							
		ata	2018								
Pending Complaints Filed in Previous Fiscal Years by Status				2015	2016	2017 Thru 12- 31					
Total complaints from previous Fiscal Years				0	0	0	0				
Total Complainants				0	0	0	0				
	Nı	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					
							2018	
Complaint Investigations				2015	2016	2017	Thru 12-31	
Pending Complaints Where Investigations Exceed Required Time Frames		Ì		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.

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 biennial training No FEAR Act training for FY 2018.