

# **National Council on Disability**



## **No FEAR Act Annual Report Fiscal Year (FY) 2020**

**Table of Contents**

**Introduction ..... 2**  
**Background.....3**  
**Data.....4**

## **Introduction**

The National Council on Disability (NCD) is an independent federal agency charged with advising the President, Congress, and other federal agencies regarding policies, programs, practices, and procedures that affect people with disabilities. NCD is comprised of a team of Presidential and Congressional appointees, an Executive Director appointed by the Chair, and a full-time professional staff.

NCD was statutorily created in 1978 through amendment to the Rehabilitation Act of 1973 (29 U.S.C. 780 et seq.). The authorizing statute specifies the agency's duties, administrative powers, appropriations, and parameters regarding NCD Council and staff. The statute was amended by the Workforce Innovation and Opportunity Act (P.L. 113-128) in 2014.

NCD values each employee and is committed to creating and sustaining an environment where each employee can contribute to fulfilling the mission of the agency. NCD has zero tolerance for discrimination. The agency's policies and procedures are in line with all anti-discrimination laws and merit promotion principles. NCD's Equal Employment Opportunity policy prohibits discrimination based on race, color, religion, national origin, sex (including sexual harassment and sexual orientation), age (40 years and over), disability (mental and physical), genetic information, or reprisal for any protected activity. The agency is also committed to affording employees their rights and protections available under federal antidiscrimination, whistleblower protection, and retaliation laws.

## Background

The Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002, Public Law 107-174, went into effect on October 1, 2003. The act requires federal agencies to be accountable for violations of antidiscrimination and whistleblower protection laws and post certain statistical data relating to federal sector EEO complaints filed with the agency.

Section 203 of the No FEAR Act requires that each federal agency submit an annual report to Congress. Agencies must report:

- The number of federal court cases arising under each of the respective areas of law specified in the act in which discrimination was alleged;
- The status or disposition of cases;
- The amount of money required to be reimbursed;
- The number of employees disciplined;
- Any policies implemented related to appropriate disciplinary actions against a federal employee who discriminated against any individual, or committed a prohibited personnel practice; and
- An analysis of the data collected with respect to trends, causal analysis, and other forms for analysis.

Section 203 of the No FEAR Act requires federal agencies to submit annual reports to:

- Congress
- Department of Justice; Attorney General
- The Chair of the Equal Employment Opportunity Commission; and
- The Director of the Office of Personnel Management.

**Data**

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

**National Council on Disability**

<b>Complaint Activity</b>	<b>Comparative Data</b>				
	<b>Previous Fiscal Year Data</b>				
	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Number of Complaints Filed	0	0	0	0	0
Number of Complainants	0	0	0	0	0
Repeat Filers	0	0	0	0	0

<b>Complaints by Basis</b>	<b>Comparative Data</b>				
	<b>Previous Fiscal Year Data</b>				
<i><b>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</b></i>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
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
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
Genetic Information	0	0	0	0	0
Non-EEO	0	0	0	0	0

Complaints by Issue	Comparative Data				
	Previous Fiscal Year Data				
<b>Note: Complaints can be filed alleging multiple issues. The sum of the issues may not equal total complaints filed.</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Appointment/Hire	0	0	0	0	0
Assignment of Duties	0	0	0	0	0
Awards	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0

Demotion	0	0	0	0	0
Reprimand	0	0	0	0	0
Removal	0	0	0	0	0
Suspension	0	0	0	0	0
Other	0	0	0	0	0
Duty Hours	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0
Examination/Test	0	0	0	0	0

Non-Sexual	0	0	0	0	0
Sexual	0	0	0	0	0
Medical Examination	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0

Denied	0	0	0	0	0
Directed	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0
Reinstatement	0	0	0	0	0
Retirement	0	0	0	0	0
Termination	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0
Time and Attendance	0	0	0	0	0
Training	0	0	0	0	0
Other	0	0	0	0	0

<b>Processing Time</b>	<b>Comparative Data</b>				
	<b>Previous Fiscal Year Data</b>				
	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Complaints pending during fiscal year	1	1	0	0	0
Average number of days in investigation stage	0	0	0	0	0
Average number of days in final action stage	63	0	0	0	0
Complaint pending during fiscal year where hearing was requested	1	1	0	0	0
Average number of days in investigation stage	0	0	0	0	0
Average number of days in final action stage	63	0	0	0	0
Complaint pending during fiscal year where hearing was not requested	0	0	0	0	0
Average number of days in investigation stage	0	0	0	0	0
Average number of days in final action stage	63	0	0	0	0

<b>Complaints Dismissed by Agency</b>	<b>Comparative Data</b>				
	<b>Previous Fiscal Year Data</b>				
	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>

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>					
Total Complaints Withdrawn by Complainants	0	0	0	0	0

<b>Total Final Actions Finding Discrimination</b>	<b>Comparative Data</b>								
	<b>Previous Fiscal Year Data</b>								
	<b>2016</b>		<b>2017</b>		<b>2019</b>		<b>2020</b>		
	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>
Total Number Findings	0		0		0	0		0	
Without Hearing	0		0		0	0	0	0	0
With Hearing	0		0		0	0	0	0	0

<b>Findings of Discrimination Rendered by Basis</b>	<b>Comparative Data</b>								
	<b>Previous Fiscal Year Data</b>								
	<b>2016</b>		<b>2017</b>		<b>2019</b>		<b>2020</b>		
	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>
<i><b>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</b></i>									
<b>Total Number Findings</b>	0		0		0	0		0	
Race	0		0		0	0	0	0	0
Color	0		0		0	0	0	0	0
Religion	0		0		0	0	0	0	0
Reprisal	0		0		0	0	0	0	0
Sex	0		0		0	0	0	0	0
National Origin	0		0		0	0	0	0	0
Equal Pay Act	0		0		0	0	0	0	0
Age	0		0		0	0	0	0	0
Disability	0		0		0	0	0	0	0



Genetic Information	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	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
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
Genetic Information	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	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
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
Genetic Information	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								
	2016		2017		2019			2020	
	#	%	#	%	#	#	%	#	%
<b>Total Number Findings</b>	0		0		0	0		0	
Appointment/Hire	0		0		0	0		0	
Assignment of Duties	0		0		0	0		0	
Awards	0		0		0	0		0	
Conversion to Full-time	0		0		0	0		0	

Disciplinary Action	0		0		0	0	0	0	0
Demotion	0		0		0	0	0	0	0
Reprimand	0		0		0	0	0	0	0
Suspension	0		0		0	0	0	0	0
Removal	0		0		0	0	0	0	0
Other	0		0		0	0	0	0	0
Duty Hours	0		0		0	0	0	0	0
Evaluation Appraisal	0		0		0	0	0	0	0
Examination/Test	0		0		0	0	0	0	0
Harassment	0		0		0	0	0	0	0
Non-Sexual	0		0		0	0	0	0	0
Sexual	0		0		0	0	0	0	0
Medical Examination	0		0		0	0	0	0	0
Pay (Including Overtime)	0		0		0	0	0	0	0
Promotion/Non-Selection	0		0		0	0	0	0	0
Reassignment	0		0		0	0	0	0	0
Denied	0		0		0	0	0	0	0
Directed	0		0		0	0	0	0	0
Reasonable Accommodation	0		0		0	0	0	0	0
Reinstatement	0		0		0	0	0	0	0
Retirement	0		0		0	0	0	0	0
Termination	0		0		0	0	0	0	0
Terms/Conditions of Employment	0		0		0	0	0	0	0
Time and Attendance	0		0		0	0	0	0	0
Training	0		0		0	0	0	0	0
Other	0		0		0	0	0	0	0
<b>Findings After Hearing</b>	0		0		0	0	0	0	0
Appointment/Hire	0		0		0	0	0	0	0
Assignment of Duties	0		0		0	0	0	0	0
Awards	0		0		0	0	0	0	0
Conversion to Full-time	0		0		0	0	0	0	0
Disciplinary Action	0		0		0	0	0	0	0
Demotion	0		0		0	0	0	0	0
Reprimand	0		0		0	0	0	0	0
Suspension	0		0		0	0	0	0	0
Removal	0		0		0	0	0	0	0
Other	0		0		0	0	0	0	0
Evaluation Appraisal	0		0		0	0	0	0	0

Examination/Test	0		0		0	0	0	0	0
Harassment	0		0		0	0	0	0	0
Non-Sexual	0		0		0	0	0	0	0
Sexual	0		0		0	0	0	0	0
Medical Examination	0		0		0	0	0	0	0
Pay (Including Overtime)	0		0		0	0	0	0	0
Promotion/Non-Selection	0		0		0	0	0	0	0
Reassignment	0		0		0	0	0	0	0
Denied	0		0		0	0	0	0	0
Directed	0		0		0	0	0	0	0
Reasonable Accommodation	0		0		0	0	0	0	0
Reinstatement	0		0		0	0	0	0	0
Retirement	0		0		0	0	0	0	0
Termination	0		0		0	0	0	0	0
Terms/Conditions of Employment	0		0		0	0	0	0	0
Time and Attendance	0		0		0	0	0	0	0
Training	0		0		0	0	0	0	0
Other	0		0		0	0	0	0	0
<b>Findings Without Hearing</b>	0		0		0	0	0	0	0
Appointment/Hire	0		0		0	0	0	0	0
Assignment of Duties	0		0		0	0	0	0	0
Awards	0		0		0	0	0	0	0
Conversion to Full-time	0		0		0	0	0	0	0
Disciplinary Action	0		0		0	0	0	0	0
Demotion	0		0		0	0	0	0	0
Reprimand	0		0		0	0	0	0	0
Suspension	0		0		0	0	0	0	0
Removal	0		0		0	0	0	0	0
Other	0		0		0	0	0	0	0
Duty Hours	0		0		0	0	0	0	0
Evaluation Appraisal	0		0		0	0	0	0	0
Examination/Test	0		0		0	0	0	0	0
Harassment	0		0		0	0	0	0	0
Non-Sexual	0		0		0	0	0	0	0
Sexual	0		0		0	0	0	0	0
Medical Examination	0		0		0	0	0	0	0
Pay (Including Overtime)	0		0		0	0	0	0	0

Promotion/Non-Selection	0		0		0	0	0	0	0
Reassignment	0		0		0	0	0	0	0
Denied	0		0		0	0	0	0	0
Directed	0		0		0	0	0	0	0
Reasonable Accommodation	0		0		0	0	0	0	0
Reinstatement	0		0		0	0	0	0	0
Retirement	0		0		0	0	0	0	0
Termination	0		0		0	0	0	0	0
Terms/Conditions of Employment	0		0		0	0	0	0	0
Time and Attendance	0		0		0	0	0	0	0
Training	0		0		0	0	0	0	0
Other	0		0		0	0	0	0	0

<b>Pending Complaints Filed in Previous Fiscal Years by Status</b>	<b>Comparative Data</b>				
	<b>Previous Fiscal Year Data</b>				
	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Total complaints from previous Fiscal Years	1	1	0	0	0
Total Complainants	1	1	0	0	0
<b>Number complaints pending</b>					
Investigation	0	0	0	0	0
Hearing	1	0	0	0	0
Final Action	1	0	0	0	0
Appeal with EEOC Office of Federal Operations	0	1	0	0	0

<b>Complaint Investigations</b>	<b>Comparative Data</b>				
	<b>Previous Fiscal Year Data</b>				
	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Pending Complaints Where Investigations Exceeds Required Time Frames	1	0	0	0	0