

U.S. TRADE AND DEVELOPMENT AGENCY

Fiscal Year 2019

Annual Report on the

Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002

("No FEAR Act")

Section	Subject Matter	FY2019	FY2018	FY2017	FY2016	FY2015	Comment
Sec. 203(a)(1) Pub. L. 107-174	The number of cases arising under each of the respective provisions of law covered by paragraph (1) and (2) of section 201(a) in which discrimination on the part of the agency alleged.	0	0	0	0	0	
Sec. 203(a)(2) Pub. L. 107-174	The status or disposition of cases described in paragraph (1).	0	0	0	0	0	
Sec. 203(a)(3) Pub. L. 107-174	The amount of money required to be reimbursed by such agency under section 201 in connection with each such cases, separately identifying the aggregate amount of such reimbursements attributable to the payment.	0	0	0	0	0	
Sec. 203(a)(4) Pub. L. 107-174	The number of employees disciplined for discrimination, retaliation, harassment, or any other infractions of any provision of law referred to in paragraph (1).	0	0	0	0	0	
Sec. 203(a)(5) Pub. L. 107-174	The final year-end data posted under section 301(c)(1)(B) for such fiscal year (without regard to section 301(c)(2)).	0	0	0	0	0	See attached <i>Equal Employment Opportunity (EEO) Data Posted Pursuant to the No FEAR Act for FY 2015-2019.</i>
Sec. 203(a)(6) Pub. L. 107-174	A detailed description of— (A) 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 (B) 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.						It is USTDA's policy to take immediate and appropriate disciplinary action for any harassment or discriminatory misconduct. USTDA's Director annually issues a policy statement that reinforces the Agency's commitment toward establishing a workplace free from discrimination, harassment, and retaliation. These are outlined within the Agency's EEO, Anti-Discrimination, Anti-Harassment, Sexual Harassment and Reasonable Accommodation Policies. These policies are issues to all employees every year, to new entrants during employee orientation, and are posted on the Agency intranet.
Sec. 203(a)(7) Pub. L. 107-174	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;						USTDA's annual workforce between Fiscal Years (FYs) 2015 and 2019 averaged 53 employees. There were no EEO Complaints between FYs 2015 and 2019.
	(B) causal analysis;						Since USTDA's complaint activity does not lend itself a trend analysis, USTDA is unable to conduct a corresponding causal analysis.
	(C) practical knowledge gained through experience, and						USTDA has zero tolerance for discrimination in the workplace. The Agency has strengthened Agency Anti-Discrimination policies and has committed itself to ensuring that it is in full compliance with relevant EEO laws and regulations. USTDA implements EEO policies to ensure that it recruits, retains, and promotes a highly qualified and diverse work-force based on merit and equal employment opportunity and has made a major commitment to training its staff and managers on their EEO rights and responsibilities.
	(D) any actions planned or taken to improve complaint or civil rights programs of the agency.						USTDA continues to enhance its EEO program, reviews the Program annually, and updates its EEO policies as needed. An anonymous "Suggestion Box" addressed to USTDA's Director has been established to enhance communication and to provide a "safe" method of reporting to resolve potential EEO issues at the Senior Management level. Another venue for private communication is an electronic comment box that is available for staff to bring any item of concern to an Agency Committee, comprised of a diverse, volunteer group of agency employees, that is tasked to review and refer to Agency management. EEO policies are reissued annually and all managers, supervisors and employees are trained on various topics relating to federal anti-discrimination statutes.
Sec. 203(a)(8) Pub. L. 107-174	Any adjustment (to the extent the adjustment can be ascertained in the budget of the agency) to comply with the requirements under section 201.	0	0	0	0	0	At the end of 2019 USTDA set aside a budget of \$5,000 for EEO related services to support any complaint activity that may be presented in FY2020 and also to support EEO related training activities. Additionally, in Q2 FY2020 the EEO budget line was increased to \$15,000 to accommodate potential service providers support for any FY2020 complaint activity. Funds are available as needed.
5 CFR 724.302(a)(9)	Agency Training Plan						USTDA emphasizes training as an important tool, especially as it relates to the following: (i) informing employees of their rights and protections under EEO, retaliation and whistleblower laws; (ii) improving communication and conflict resolution skills; and (iii) working in a diverse workforce free from discrimination and harassment. All employees are required to participate in annual EEO training. In addition, Agency senior staff and managers participate in ongoing training sessions on topics including: ADR and Effective Mediation, Management Leadership and Team Building workshops. In 2019, USTDA required that all employees participate in annual Whistleblower trainings, including prohibited personal practices.