

# No FEAR Act Report

California National Guard / California Military Department, Equal Employment Opportunity Data Posted Pursuant to Title III of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174

Section 301 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (the No Fear Act), requires each federal agency to post summary statistical data pertaining to complaints of employment discrimination filed against it by employees, former employees and applicants for employment under 29 C.F.R. Part 1614. The specific data to be posted is described in section 301(b) of the Act and 29 CFR 1614.704. The required summary statistical data for EEO complaints filed against the EEOC is available below.

In addition, section 302 of the No Fear Act requires EEOC to post government-wide, summary statistical data pertaining to hearings requested under 29 C.F.R. Part 1614 and appeals filed with EEOC. The specific data to be posted is described in section 302(a) of the Act and 29 CFR 1614.706. That data is also available below. The posting of EEO data on agency public web sites is intended to assist Congress, Federal agencies and the public to assess whether and the extent to which agencies are living up to their equal employment opportunity responsibilities.

## Complaints by Activity Comparative Data

Complaint Activity	2014	2015	2016	2017	2018	2019 Thru 12-31
Number of Complaints Filed	4	1	1	1	1	
Number of Complainants	4	1	1	1	1	
Repeat Filers	0	0	0	0	0	

## Complaints by Basis Comparative Data

Complaint by Basis	2014	2015	2016	2017	2018	2019 Thru 12-31
Race	3	1	1	0	0	
Color	1	0	0	0	0	
Religion	0	0	0	0	0	
Reprisal	2	0	0	1	1	
Sex	4	0	0	1	1	
National origin	0	0	0	0	0	
Equal pay Act	0	0	0	0	0	
Age	2	0	0	0	0	
Disability	2	0	0	0	0	
Genetic Information	0	0	0	0	0	
Non-EEO	0	0	0	0	0	

Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.

## Complaints by Issue Issue Comparative Data

Complaints by Issue	2014	2015	2016	2017	2018	2019 Thru 12-31
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	
<b>Disciplinary Action</b>						
Demotion	0	0	0	0	0	
Reprimand	0	1	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	

<b>Complaints by Issue</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019 Thru 12-31</b>
Evaluation Appraisal	0	0	0	0	0	
Examination/Test	0	0	0	0	0	
<b>Harassment</b>						
Non-Sexual	1	0	0	0	0	
Sexual	3	0	0	0	1	
Medical Examination	0	0	0	0	0	
Pay (Including Overtime)	0	0	0	0	0	
Promotion/Non-Selection	0	0	1	0	0	
<b>Reassignment</b>						
Denied	0	0	0	0	0	
Directed	0	0	0	1	0	
Reasonable Accommodation	0	0	0	0	0	
Reinstatement	0	0	0	0	0	
Retirement	0	0	0	0	0	
Termination	1	0	0	1	0	
Terms/Conditions of Employment	1	0	0	0	0	
Time and Attendance	0	0	0	0	1	
Training	0	0	0	0	0	
Other	0	0	0	0	0	

Note: Complaints can be filed alleging multiple issues. The sum of the issues may not equal total complaints filed.

#### Processing Time Comparative Data

<b>Processing Time for Complaints pending during fiscal year</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019 Thru 12-31</b>
Average number of days in investigation stage	266.00	0.00	0.00	2051.00	0.00	
Average number of days in final action stage	841.90	0.00	0.00	0.00	348.00	

#### Processing Time - Hearing Requested

<b>Processing Time for Complaint pending during fiscal year where hearing was requested</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019 Thru 12-31</b>
Average number of days in investigation stage	0.00	507.75	1651.00	2152.00	0.00	
Average number of days in final action stage	0.00	990.25	0.00	0.00	0.00	

#### Processing Time - Hearing Not Requested

<b>Processing Time for Complaint pending during fiscal year where hearing was not requested</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019 Thru 12-31</b>
Average number of days in investigation stage	0.00	0.00	0.00	0.00	0.00	
Average number of days in final action stage	0.00	0.00	0.00	0.00	0.00	



<b>Findings of Discrimination Rendered by Basis for Findings After Hearing</b>	<b>2014 #</b>	<b>2014 %</b>	<b>2015 #</b>	<b>2015 %</b>	<b>2016 #</b>	<b>2016 %</b>	<b>2017 #</b>	<b>2017 %</b>	<b>2018 #</b>	<b>2018 %</b>	<b>2019 Thru 12-31 #</b>	<b>2019 Thru 12-31 %</b>
Genetic Information	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Non-EEO	0	0%	0	0%	0	0%	0	0%	0	0%		0%

*Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.*

**Findings of Discrimination by Basis - Without Hearing**

<b>Findings of Discrimination Rendered by Basis for Findings Without Hearing</b>	<b>2014 #</b>	<b>2014 %</b>	<b>2015 #</b>	<b>2015 %</b>	<b>2016 #</b>	<b>2016 %</b>	<b>2017 #</b>	<b>2017 %</b>	<b>2018 #</b>	<b>2018 %</b>	<b>2019 Thru 12-31 #</b>	<b>2019 Thru 12-31 %</b>
Total Number Findings	1		0		0		0		0			
Race	1	100%	0	0%	0	0%	0	0%	0	0%		0%
Color	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Religion	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Reprisal	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Sex	0	0%	0	0%	0	0%	0	0%	0	0%		0%
National Origin	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Equal Pay Act	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Age	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Disability	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Genetic Information	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Non-EEO	0	0%	0	0%	0	0%	0	0%	0	0%		0%

*Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.*





## Findings of Discrimination by Issue - Without Hearing

<b>Findings of Discrimination Rendered by Issue for Findings Without Hearing</b>	<b>2014 #</b>	<b>2014 %</b>	<b>2015 #</b>	<b>2015 %</b>	<b>2016 #</b>	<b>2016 %</b>	<b>2017 #</b>	<b>2017 %</b>	<b>2018 #</b>	<b>2018 %</b>	<b>2019 Thru 12-31 #</b>	<b>2019 Thru 12-31 %</b>
Total Number of Findings	1		0		0		0		0			
Appointment/Hire	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Assignment of Duties	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Awards	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Conversion to Full-time	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Disciplinary Action	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Demotion	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Reprimand	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Suspension	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Removal	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Other	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Duty Hours	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Evaluation Appraisal	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Examination/Test	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Harassment	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Non-Sexual	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Sexual	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Medical Examination	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Pay (Including Overtime)	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Promotion/Non-Selection	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Reassignment	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Denied	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Directed	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Reasonable Accommodation	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Reinstatement	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Retirement	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Termination	1	100%	0	0%	0	0%	0	0%	0	0%		0%
Terms/Conditions of Employment	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Time and Attendance	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Training	0	0%	0	0%	0	0%	0	0%	0	0%		0%
Other	0	0%	0	0%	0	0%	0	0%	0	0%		0%

## Pending Complaints Filed in Previous Fiscal Years by Status

<b>Pending Complaints Filed in Previous Fiscal Years by Status</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019 Thru 12-31</b>
Total complaints from previous Fiscal years	8	13	8	5	3	
Total Complainants	12	1	1	1	1	
<b>Number complaints pending</b>						
Investigation	1	0	0	1	0	
Hearing	0	4	6	1	0	
Final Action	1	4	1	0	1	
Appeal with EEOC Office of Federal Operations	0	0	0	0	0	

## Complaint Investigations

<b>Complaint Investigations</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019 Thru 12-31</b>
Pending Complaints Where Investigations Exceeds Required Time Frames	1	0	0	0	0	