



EQUAL EMPLOYMENT OPPORTUNITY (EEO)

**ANNUAL REPORT TO CONGRESS
ON THE NOTIFICATION AND
FEDERAL EMPLOYEE
ANTIDISCRIMINATION AND
RETALIATION ACT OF 2002
(No FEAR Act)
FISCAL YEAR 2021**

PREPARED BY:

Erica Pearson

Director, Office of Equal Employment Opportunity Programs

REPORT SUBMITTED TO:

President Pro Tempore

Speaker of the House of Representatives

Members of Congress

Attorney General

Chair, Equal Employment Opportunity Commission (EEOC)

Director, Office of Personnel Management (OPM)



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EQUAL EMPLOYMENT
OPPORTUNITY OFFICE

Message from the Director
Office of Equal Employment Opportunity Programs

It is with great pleasure that I present the National Archives and Records Administration's (NARA) Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act) Annual Report for Fiscal Year 2021.

The report summarizes EEO activity in the Complaints Program and highlights activity in the Anti-Harassment Program. It provides trends for five years of reporting requirements between FY 2017 and FY 2021. While the report aims to reduce incidents of workplace discrimination, it also demonstrates NARA's commitment to the principles of EEO, fostering an inclusive work environment, providing protection from prohibited personnel practices, and promoting accountability.

Copies of this report will be submitted to the following Members of Congress and Executive Branch:

- President Pro Tempore;
- Speaker of the House of Representatives;
- Members of Congress with jurisdiction relating to NARA;
- Attorney General;
- Chair of the Equal Employment Opportunity Commission; and
- Director of the Office of Personnel Management.

Should you have any questions regarding this report, please contact me at erica.pearson@nara.gov or 301-837-0295.

Sincerely,

Erica Pearson

Erica Pearson
Director, Office of Equal Employment
Opportunity Programs

3/29/2022

Date

Pursuant to the statutory requirements, this report is being provided to the following Members of Congress that have authority and oversight for NARA and the Executive Branch:

<p>The Honorable Patrick Leahy President Pro Tempore United States Senate</p>	<p>The Honorable Nancy Pelosi Speaker of the House of Representatives</p>
<p>The Honorable Gary C. Peters Chair, Committee on Homeland Security and Governmental Affairs United States Senate</p>	<p>The Honorable Robert Portman Ranking Member, Committee on Homeland Security and Governmental Affairs United States Senate</p>
<p>The Honorable Patrick J. Leahy Chair, Committee on Appropriations United States Senate</p>	<p>The Honorable Richard Shelby Vice Chair, Committee on Appropriations United States Senate</p>
<p>The Honorable Chris Van Hollen Chair, Subcommittee on Financial Services and General Government Committee on Appropriations United States Senate</p>	<p>The Honorable Cindy Hyde-Smith Ranking Member, Subcommittee on Financial Services and General Government Committee on Appropriations United States Senate</p>
<p>The Honorable Carolyn B. Maloney Chair, House Committee on Oversight and Government Reform House of Representatives</p>	<p>The Honorable James Comer Ranking Member, House Committee on Oversight and Government Reform House of Representatives</p>
<p>The Honorable Michael Quigley Chair, Subcommittee on Financial Services and General Government Committee on Appropriations House of Representatives</p>	<p>The Honorable Steve Womack Ranking Member, Subcommittee on Financial Services and General Government Committee on Appropriations House of Representatives</p>
<p>The Honorable Rosa L. DeLauro Chair, Committee on Appropriations, House of Representatives</p>	<p>The Honorable Kay Granger Ranking Member, Committee on Appropriations, House of Representatives</p>
<p>The Honorable Merrick Garland Attorney General U.S. Department of Justice</p>	<p>Ms. Charlotte A. Burrows Chair U.S. Equal Employment Opportunity Commission</p>
<p>Ms. Kiran Ahuja Director U.S. Office of Personnel Management</p>	

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I. Executive Summary

The National Archives and Records Administration (NARA) provides its Annual Report to Congress as required by Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (“No FEAR Act”), Public Law 107-174. This report covers data for FY 2021.

NARA’s mission is to provide public access to Federal Government records in our custody and control. Public access to government records strengthens democracy by allowing Americans to claim their rights of citizenship, hold their government accountable, and understand their history so they can participate more effectively in their government. As the nation’s record keeper, it is vitally important that we recognize and value our employees and the public we serve. One of NARA’s Strategic Goals promises to “Build our Future Through our People.” That future depends on treating employees and the public with dignity, respect, and professionalism regardless of differences.

This report summarizes the accomplishments within the NARA’s EEO Complaints Program. In addition, it highlights harassment activity in the Anti-Harassment Program.

In FY 2021, NARA processed ten informal complaints as compared to 25 in FY 2020. Eight or 80% were completed within the fiscal year. Seven or 88% of the eight cases completed were completed within the established timeframes. One or 10% were untimely. Of the eight completed cases, six or 75% were offered mediation through NARA’s Alternate Dispute Resolution (ADR) Program (RESOLVE). Four or 50% of the informal cases were closed due to resolution, no complaints filed or withdrawals. One or 33% of the cases was resolved through RESOLVE after being withdrawn during the informal process. RESOLVE is available for EEO and non-EEO matters.

In FY 2021, NARA processed 42 formal complaints. Of the 42 complaints, five new formal complaints were filed in FY 2021 as compared to 11 complaints filed in FY 2020; a decrease of 45%. The top basis categories were reprisal for engaging in prior EEO activity and disability (mental). The top issue categories were disciplinary actions (reprimands), harassment (non-sexual) and reasonable accommodation.

In FY 2021, NARA improved its investigation processing time. Five or 100% of its investigations were processed in a timely manner. In FY 2020, 13 or 37% of its investigations were processed in a timely manner. It should be noted that the decline in processing times changed due to increased internal controls and the reiteration of timeliness goals in the office.

In FY 2021, NARA closed 22 or 52% of the 42 formal complaints in the process. Of the 22 closed cases, two or 1% were resolved with monetary benefits. Three or 14% were resolved with non-monetary benefits. Fourteen or 63% of the 22 closed cases were final agency actions (FAA). None of the 14 FAAs resulted in a finding of discrimination. Three or 14% of the 22 closed cases resulted in withdrawals.

In FY 2021, NARA improved its processing time for merit decisions. Of nine merit decisions, three or 33% were issued in a timely manner. In FY 2020, 13 merit decision were issued. Of the 13 merit decisions, zero were issued in a timely manner.

No employees were disciplined for discrimination, retaliation, harassment, or other infractions of the provisions of law cited under the No FEAR Act stemming from Federal district court actions.

Two cases are currently pending in Federal district court. Case No. 8:19-cv-02876 was filed on September 30, 2019. Case No. 2:20-cv-02617 was filed on December 8, 2020.

NARA's Anti-Harassment Program continues to be a successful avenue for addressing internal harassment allegations. NARA's policy ensures that managers and supervisors are held accountable for their leadership responsibilities in making every effort to provide a fair and respectful workplace. In FY 2021, the Ad Hoc Committee on Harassment, which is comprised of officials from the offices of General Counsel, EEO, and the Labor and Employee Relations, processed 16 harassment complaints, resolving all or 100% of the cases. The average number of days for processing harassment complaints was 32 days. In FY 2020, 36 harassment complaints were processed, 35 cases or 97% were resolved. One case was carried over to FY 2021. The average number of days was 41 days. In FY 2021, the number of harassment complaints decreased by 44%. It should be noted that the decrease in harassment complaint filing was likely due to employees teleworking because of the pandemic.

The top two types of harassment cases were hostile work environment and inappropriate comments. Seven or 44% of the complaints received were categorized as employee to employee, eight or 50% were manager/supervisor to employee and the remainder 1 or 6% was employee to contractor.

In FY 2021, NARA's total workforce was 2,574. In regard to training, 2,539 or 97% of NARA's employees completed the Annual Required Training (ART-AS-21). The ART includes a section on the No FEAR Act which reminds employees of their rights and remedies under Federal antidiscrimination, retaliation, and whistleblower protection laws.

II. Introduction

The No FEAR Act requires Federal agencies to submit annual reports to the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Committee on Governmental Affairs of the Senate, the Committee on Government Reform of the House of Representatives, each committee of Congress with jurisdiction relating to the agency, the Attorney General, the U.S. Equal Employment Opportunity Commission (EEOC) and the Director of the Office of Personnel Management (OPM). This report is submitted by NARA to fulfill this reporting requirement.

III. Background

On May 15, 2002, President George W. Bush signed into law the No FEAR Act. The Act became effective on October 1, 2003. The Act requires Federal agencies to be accountable for violations of anti-discrimination 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 not later than 180 days after the end of each fiscal year. Section 203 also provides the specific requirements for agencies to report under the Act. In addition, the President delegated responsibility for the issuance of regulations governing implementation of the No FEAR Act to OPM. OPM published interim regulations on January 22, 2004, concerning the reimbursement provisions of the Act. On December 28, 2006, OPM published the final regulations for reporting in the Federal Register. The effective date in the final rule was February 26, 2007.

On January 1, 2021, lawmakers passed EEO reforms aptly called the Elijah Cummings Federal Employee Antidiscrimination Act of 2020 as part of William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021. The law amends the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002, signed by George W. Bush. The amendment strengthens reporting and increases accountability measures by requiring the following:

- Establishment of an EEO Complaint Tracking System;
- Notation of any adverse action and the reason for the action in the employee's personnel record, if an agency takes an adverse action under 5 U.S.C. § 7512 against an employee for a discriminatory act;
- Reporting on disciplinary actions related to findings of discrimination, including retaliation. Agencies are to report on such events via an online posting (within 90 days of such finding) and via a written report to the EEOC (within 120 days of such finding).
- Fair and impartial processing and resolution of EEO complaints;
- Establishment of a Model EEO Program independent of either their Offices of Human Capital or Office of General Counsel or equivalent;
- Ensure that each Head of EEO program reports directly to Agency Head; and
- The EEOC may refer discrimination findings to the Office of Special Counsel if it determines that the agency did not take appropriate action with respect to the finding.

NARA's EEO Office is responsible for administering and ensuring agency compliance with the Federal EEO laws, regulations, policies, and guidance that prohibit discrimination in the Federal workplace based on race, color, sex (including pregnancy and sexual orientation), national origin, religion, age, disability, genetic information, or reprisal. (*Appendix B: EEO Policy Statement*) The EEO Office is also responsible for preparing the agency's Annual Report to Congress on the No FEAR Act based on the Agency's efforts to enforce discriminatory acts and prevent future incidents of discrimination. The Office of Human Capital Management, Office of

the Inspector General and the Office of General Counsel also play a role in the implementation of the No FEAR Act for NARA employees.

IV. Final Year-End Data for FY 2021

As required by the No FEAR Act, NARA timely posted and displayed a link to the No FEAR Act data on its main website (www.archives.gov) no later than 30 calendar days after the end of each quarter.

- NARA's complaints data was reported quarterly during FY 2021. (*Appendix A: Final Year-End No FEAR Act Data for FY 2021*)

V. Cases Filed in Federal District Court

Section 203 (1) of the No FEAR Act requires that agencies include in their annual Report to Congress "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 such agency was alleged." Section 724.302 of OPM's proposed regulations issued on January 25, 2006, clarifies section 203 (1) of the No FEAR Act stating that the agencies report on the "number of cases in Federal Court pending or resolved ...arising under each of the respective provisions of the Federal Antidiscrimination laws and whistleblower protection laws."

- Case No. 8:19-cv-02876 was filed on September 30, 2019.
- Case No. 2:20-cv-02617 was filed on December 8, 2020.

VI. Status or Disposition for the Federal District Court Cases

- Case No. 8:19-cv-02876 is currently pending.
- Case No. 2:20-cv-02617 is currently pending.

VII. Reimbursement to the Treasury Judgment Fund

OPM published interim final regulations in the Federal Register on January 22, 2004, and final regulations on May 10, 2006, to clarify the agency reimbursement provisions of Title II of the No FEAR Act. These regulations, among other things, state that the Financial Management Service, U.S. Department of the Treasury (FMS), will provide notice to an agency's Chief Financial Officer within 15 business days after payment from the Judgment Fund. The agency is required to reimburse the Judgment Fund within 45 business days after receiving the notice from FMS or must contact FMS to make arrangements in writing for reimbursement.

- NARA reports that no funds were required to be reimbursed to the Judgment fund.

VIII. Disciplinary Actions

Section 203(a)(4) of the No FEAR Act requires that agencies include in the annual Report to Congress "the number of employees disciplined for discrimination, retaliation, harassment, or any other infraction of any provision of law referred to in paragraph (l)." Section 203(a)(1) requires that agencies report "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 such agency was alleged." OPM's guidelines provide that these cases refer to the number of discrimination cases for which the Judgment Fund paid on behalf of the agency. The proposed regulations also define disciplinary actions to include any one or a combination of the following actions: reprimand, suspension without pay, reduction in grade or pay, or removal.

- There are no disciplinary actions to report.

IX. Policy Descriptions on Disciplinary Actions

Section 203(a)(6) of the No FEAR Act requires that agencies include in their annual Report to Congress a detailed description of the policy implemented by the agency relating to disciplinary actions imposed against a Federal employee who discriminated against any individual in violation of any of the laws cited under section 201(a)(1) or (2), or 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). Further, the Act requires that, with respect to each such law, the Federal agency report on the number of employees who were disciplined in accordance with such policy and the specific nature of the disciplinary action taken.

- Not applicable

X. Training Requirement for No FEAR Act

Section 202(c) of the No FEAR Act requires agencies to provide training to their employees on the rights and remedies under Federal antidiscrimination, retaliation, and whistleblower protection laws. Under 5 C.F.R. 724.203, agencies are required to develop a written plan for training employees on the No FEAR Act.

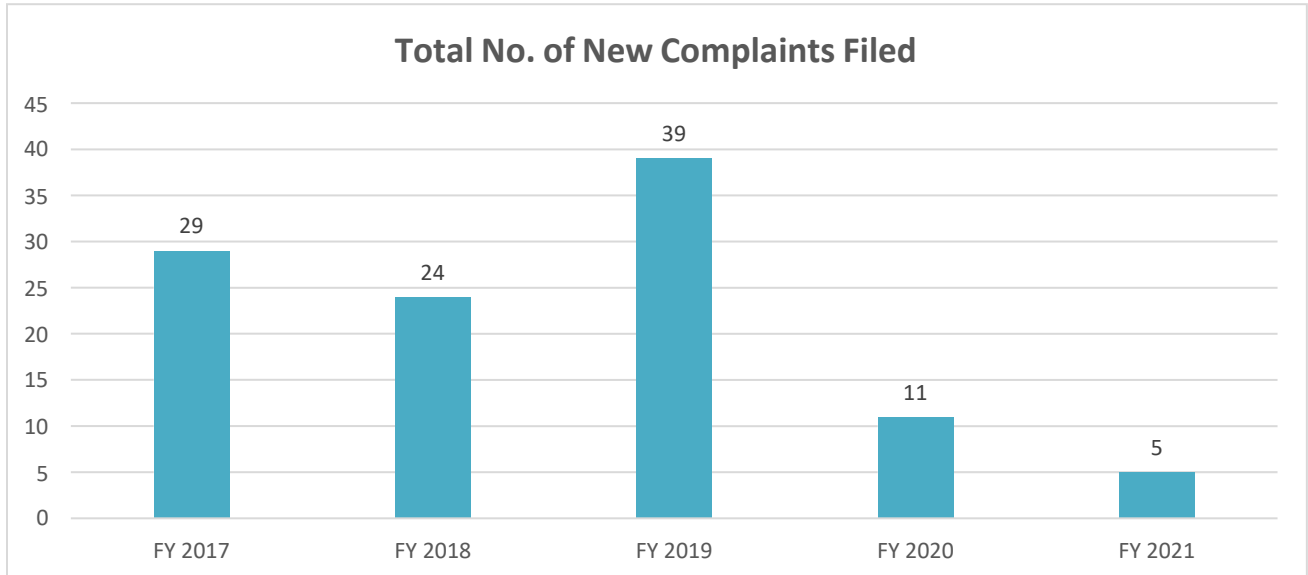
- NARA administered its Annual Required Training (ART-AS-21) from February 24 to May 28, 2021, via the Learning Management System (LMS). (*Appendix D: NARA Notice 2021-090: Annual Required Training for All Employees*). ART covers agency-wide and government-wide directives, guidance, regulations, and laws. A section of the ART specifically deals with the No FEAR Act. In fiscal year 2021, 2,539 or 97% of NARA's employees completed the training.

XI. Examination of Trends, Causal Analysis¹, Practical Knowledge Gained Through Experience and Actions Planned or Taken to Improve the Complaints Program

Section 203(7) of the No FEAR Act requires that agencies undertake “an examination of trends, causal analysis, and practical knowledge gained through experience and any actions planned or taken to improve complaint or civil rights programs of the agency.”

Trends and Analysis

In FY 2021, there was a total of 42 formal complaints in the process. Of the 42 complaints, 37 cases were pending from FY 2020 and five new complaints were filed. NARA’s complaint activity data below shows the there was a decrease of 45% in the total number of complaints filed from FY 2020 to FY 2021.



In FY 2021, the most filed on bases were reprisal for engaging in prior EEO activity and disability (mental). The most filed on issues were, disciplinary actions (reprimands), harassment (non-sexual) and reasonable accommodation.

Fiscal Year	Top Two Bases	Top Two Issues
2021	<ul style="list-style-type: none"> ▪ Reprisal ▪ Disability (mental) 	<ul style="list-style-type: none"> ▪ Disciplinary Action ▪ Harassment (non-sexual) - Tie ▪ Reasonable Accommodation – Tie
2020	<ul style="list-style-type: none"> ▪ Reprisal ▪ Sex (male) 	<ul style="list-style-type: none"> ▪ Harassment (non-sexual) ▪ Disciplinary Action

¹ The Annual Federal Equal Employment Opportunity Statistical Report of Discrimination Complaint (EEOC Form 462) is the source information for section.

2019	<ul style="list-style-type: none"> ▪Reprisal ▪Age (over 40) 	<ul style="list-style-type: none"> ▪Harassment (non-sexual) ▪Disciplinary Action
2018	<ul style="list-style-type: none"> ▪Reprisal ▪Race (African American) - Tie ▪Age (over 40) – Tie 	<ul style="list-style-type: none"> ▪Harassment (non-sexual) ▪Performance Evaluation/Appraisal - Tie ▪Reassignment (Directed) - Tie
2017	<ul style="list-style-type: none"> ▪Race (African American) ▪Reprisal 	<ul style="list-style-type: none"> ▪Harassment (non-sexual) ▪Disciplinary Action

In FY 2021, NARA completed five or 100% of its investigations in a timely manner. Of the five investigations, three or 60% were completed within 180 days. The average processing time was 156.33 days. Two or 40% were completed within 181 to 360 days, but were considered timely. The average processing time was 231 days. NARA has vastly improved its processing time for investigations. In FY 2020, only 13 or 37% of 35 investigations were processed in a timely manner. NARA notes the decline in processing times changed due to increased internal controls in the office and the reiteration of timeliness goals in the office.

In FY 2021, the total investigation cost was \$18,508, which averages \$3,701.60, per case. In FY 2020, the total investigation cost was \$181,103.00, which averaged \$5,174.37 per case. Since there was a decline in the number of complaints filed, investigation cost decreased and resulted in a savings of \$162,595 from FY 2020 to FY 2021.

Fiscal Year	No. of Investigations Completed	No. of Timely Investigations	Average No. of Days	Percent Timely
2021	5	5	186.20	100%
2020	35	13	211.46	37%
2019	12	0	326.67	0.00
2018	16	10	255.5	63%
2017	22	21	242.3	95%

In FY 2021, NARA closed 22 or 52% cases of 42 cases in the process. Of the 22 closed cases, two or 1% were resolved with monetary benefits. Three or 14% were resolved with non-monetary benefits. Fourteen or 63% of the 22 closed cases were final agency actions (FAA). None of the 14 FAA resulted in findings of discrimination. Three or 14% of the 22 closed cases resulted in withdrawals.

Fiscal Year	No. of Cases Closed	No. of Cases Closed with Monetary Correction Actions	Total Amount Paid
2021	22	2	\$23,000
2020	23	8	\$271,000
2019	39	2	\$30,000
2018	20	4	\$42,000
2017	24	2	\$27,500

In FY 2021, there were no procedural dismissals to report processing time. Since there were no dismissals in FY 2020, there is no comparative data.

Fiscal Year	No. of Procedural Dismissals	Average No. of Processing Days
2021	0	0
2020	0	0
2019	16	106
2018	3	130
2017	8	91

In FY 2021, nine merit decisions were issued. Three or 33% were issued in a timely manner. The average processing time was 94 days. This was a notable improvement from FY 2020. In FY 2020, 13 merit decision were issued. None of the 13 were issued in a timely manner. The average processing time was 277 days.

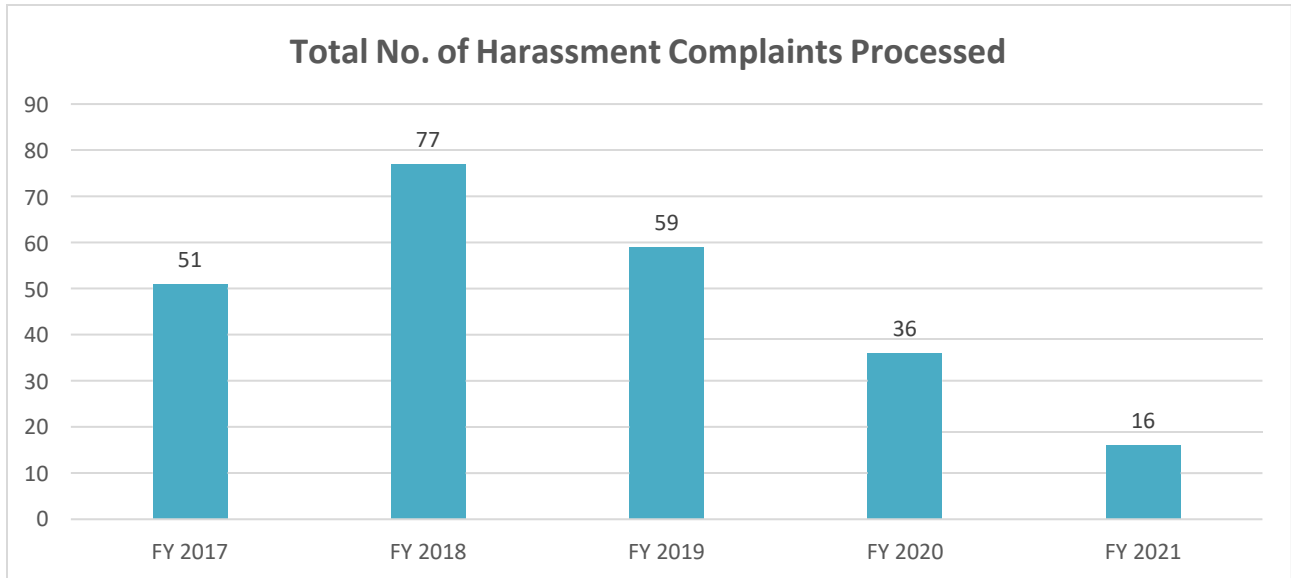
Fiscal Year	No. of Final Agency Actions – Merit Decisions	No. Timely Issued	Average No. of Processing Days
2021	9	3	94
2020	13	0	277
2019	7	0	373
2018	7	1	67
2017	5	0	347

In FY 2021, NARA completed eight informal counseling cases of which seven or 88% were completed within the established timeframes. Four or 50% of the informal counseling cases were resolved or did not result in a formal complaint of discrimination. However, four or 50% of the completed informal counseling cases resulted in formal complaints of discrimination. In addition, there was one case pending at the decision to file in FY 2020 that resulted in a formal complaint of discrimination at the beginning of FY 2021.

Fiscal Year	No. of Completed Counseling Cases	No. of Timely Counseling Cases	Percent Timely	No. of Cases Resolved/Closed	Percent of Completed Counselings Resolved (settled/withdrawn/no complaint filed)
2021	8	7	88%	4	50%
2020	24	14	58%	0	0%
2019	47	35	74%	8	17%
2018	42	41	98%	18	43%
2017	45	45	100%	16	35%

NARA’s Anti-Harassment Program continues to effectively address harassment conduct and behavior in the agency. The EEO Office successfully sustained an effective Anti-Harassment Program by addressing and processing allegations of harassment according to NARA’s Anti-

Harassment Policy 396. In FY 2021, NARA processed 16 complaints, all or 100% were resolved or addressed whereas in FY 2020, 36 complaints, 35 or 97% were resolved or addressed. One case was carried over into FY 2021. The average processing time in FY 2021 was 32 days whereas in FY 2020, the average was 41 days. NARA continues to address allegations of harassment expeditiously to avoid agency liability.



Practical Knowledge Gained Through Experience

NARA continues to promote ADR and encourage employees to consider this avenue first before filing a formal complaint of discrimination. Managers and supervisors are educated on the importance of resolving actions that may rise to EEO complaints and to avoid costly judgments. Since the implementation of the No FEAR Act and mandatory Prevention of Workplace Harassment training, NARA's employees have gained practical knowledge and experience through the training.

When awareness is brought to the forefront, EEO and harassment complaints may increase or decrease. According to the recent trends, in FY 2021 EEO and harassments complaints decreased. Hiring additional staff personnel and acting swiftly when complaints are brought to attention of staff contributed to the decline.

In regard to accountability, the EEO Office provides quarterly status reports to senior leadership about cases in their organizations. The Director of the EEO Office reports monthly to the head of the agency. In addition, in FY 2021 NARA's Task Force on Racism issued its recommendations to address racism.

The EEO office finalized the Annual Federal EEO Statistical Report of Discrimination (462 Report) for EEOC and the FY 2020 No FEAR Act Report for EEOC and members of Congress

within the specified timeframe. The EEO Office provided reports on EEO complaints and harassment to program offices upon request.

NARA's ADR program, known as RESOLVE, has assisted the EEO Program with EEO complaints and harassment allegations. RESOLVE has been an active program where employees can elect to participate in at any stage of the EEO process and the harassment process. The RESOLVE program is well known and widely promoted throughout agency in the EEO process and for non-EEO matters. In March 2021, NARA's RESOLVE Program launched webinars "Resolving Conflicts at Work: Virtual Resources Available through NARA's RESOLVE Program" via LMS to further market and encourage managers and supervisors of its availability to resolve conflict. (*Appendix E: RESOLVE Brochure*) Toward the end of FY 2021, the RESOLVE Program was preparing to celebrate Conflict Resolution Day in October.

Actions Planned or Taken to Improve the EEO Program

In FY 2021, NARA took the following actions in support of its EEO Program:

- The EEO Program is evaluated annually as mandated by EEOC Management Directive 715;
- Reissued its EEO Policy Statement which reaffirms its commitment to fostering a work environment free from discrimination on July 30, 2021;
- Reissued its Anti-Harassment Policy statement which reaffirms its commitment to maintaining a work environment that is courteous, respectful, and free from harassing behaviors on July 30, 2021;
- Posted quarterly complaints data on NARA's website pursuant to the No FEAR Act;
- Provided an Overview of the EEO Office to all new hires. Employees are made aware of the mandatory EEO training available to NARA's Learning Management System. Prevention of Workplace Harassment is available for all employees; and
- Ensured that the mandatory annual refresher training was provided to the EEO Counselor and EEO Specialist.

XII. Adjustment to Budget

Section 203(a)(8) of the No FEAR Act requires that agencies include in their annual report to Congress information about "any adjustment (to the extent the adjustment can be ascertained in the budget of the agency) to comply with the requirements under section 201." This section requires federal agencies to reimburse the Judgment Fund for any discrimination and whistleblower related settlements or judgments reach in Federal court.

- Not applicable

XIII. Conclusion

NARA is a great place to work. It has succeeded in keeping measures in place to maintain a workplace free from discrimination. NARA's successes identified in this report are the results of the senior leadership's commitment to equality of opportunity and fairness for all employees. The Archivist of the United States continues to demonstrate his strong support with clear policy statements on EEO and Anti-Harassment that outlines his commitment to the workforce and ensures everyone is held accountable for making NARA a great place to work. In addition, NARA will continue to explore innovative and productive ways to value our employees and provide excellent service to the people we serve.

**NARA - Equal Employment Opportunity Data Posted Pursuant to the No FEAR Act:
For the 1st Quarter of FY 2022 Ending on December 31, 2021**

Complaint Activity 29 C.F.R. § 1614.704(a) – (c)	Comparative Data					10/01/2021 thru 09/30/2022
	Previous Fiscal Year Data					
	2017	2018	2019	2020	2021	
Number of Complaints Filed	29	24	39	11	5	0
Number of Complainants	27	24	39	11	4	0
Repeat Filers	7	3	11	4	2	0

Complaints by Basis 29 C.F.R. § 1614.704(d) Note: Complaints can be filed alleging multiple bases. Thesum of the bases may not equal total complaints filed.	Comparative Data					10/01/2021 thru 09/30/2022
	Previous Fiscal Year Data					
	2017	2018	2019	2020	2021	
Race	20	15	23	5	3	0
Color	7	6	16	2	0	0
Religion	0	1	0	1	0	0
Reprisal	11	12	22	7	5	0
Sex	13	13	18	5	3	0
National Origin	0	1	2	1	1	0
Equal Pay Act	0	1	0	0	0	0
Age	11	11	20	3	2	0
Disability	10	15	11	5	5	0
Genetic Information	2	0	0	0	0	0
Non-EEO	0	0	0	0	0	0

Complaints by Issue 29 C.F.R. § 1614.704(e) Note: Complaints can be filed alleging multiple issues. Thesum of the issues may not equal total complaints filed.	Comparative Data					10/01/2021 thru 09/30/2022
	Previous Fiscal Year Data					
	2017	2018	2019	2020	2021	
Appointment/Hire	0	1	0	1	0	0
Assignment of Duties	5	5	5	0	0	0
Awards	0	0	1	1	0	0
Conversion to Full-time	0	0	0	0	0	0
Disciplinary Action						
Demotion	0	1	1	0	0	0
Reprimand (warning)	6	3	2	1	3	0

Removal	3	0	6	3	1	0
Suspension	3	1	5	0	0	0
Disciplinary Warning	***	2	1	1	1	0
Other	4	0	0	0	0	0
Duty Hours	1	1	1	0	0	0
Evaluation Appraisal	4	9	7	2	0	0
Examination/Test	0	0	0	0	0	0
Harassment						
Non-Sexual	19	16	16	4	2	0
Sexual	1	0	2	0	0	0
Medical Examination	0	0	0	0	0	0
Pay (Including Overtime)	0	3	4	0	0	0
Promotion/Non-Selection	4	9	6	4	0	0
Reassignment						
Denied	1	0	6	0	0	0
Directed	0	0	0	0	1	0
Reasonable Accommodation	1	5	6	2	4	1
Reinstatement	0	0	0	0	0	0
Retirement	0	0	0	0	0	0
Sex-Stereotyping	***	0	0	0	0	0
Telework	***	2	3	0	0	0
Termination	1	1	2	0	1	0
Terms/Conditions of Employment	1	2	3	0	1	0
Time and Attendance	3	7	5	1	0	0
Training	0	1	2	0	1	0
Non-EEO	0	0	0	0	0	0

Processing Time 29 C.F.R. § 1614.704(f)	Comparative Data					10/01/2021 thru 09/30/2022
	Previous Fiscal Year Data					
	2017	2018	2019	2020	2021	
<i>Complaints Pending (for any length of time) During Fiscal Year</i>	63	63	82	60	42	20
Average Number of Days in Investigation Stage	172.8	198.23	186	149.6	99.3	172
Average Number of Days in Final Action Stage	135.4	164.25	165.49	71.84	165.1	60

Complaints Pending (for any length of time) During Fiscal Year Where Hearing Was Requested	28	30	32	32	30	17
Average Number of Days in Investigation Stage	242.3	152.6	202	155.37	59.3	42
Average Number of Days in Final Action Stage	140.4	263.8	150	75	187.4	82
Complaints Pending (for any length of time) During Fiscal Year Where Hearing Was Not Requested	7	13	25	8	9	3
Average Number of Days in Investigation Stage	300	172	206	119.5	143.5	54
Average Number of Days in Final Action Stage	232.8	145.8	109	54.3	113.5	41

Complaints Dismissed by Agency 29 C.F.R. § 1614.704(g)	Comparative Data					10/01/2021 thru 09/30/2022
	Previous Fiscal Year Data					
	2017	2018	2019	2020	2021	
Total Complaints Dismissed by Agency	8	3	16	0	0	0
Average Days Pending Prior to Dismissal	90.8	130	106.38	0	0	0
Complaints Withdrawn by Complainants						
Total Complaints Withdrawn by Complainants	2	2	2	1	3	0

Total Final Actions Finding Discrimination 29 C.F.R. § 1614.704(i)	Comparative Data										10/01/2021 thru 09/30/2022	
	Previous Fiscal Year Data											
	2017		2018		2019		2020		2021			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number of Findings	0	0	0	0	0	0	0	0	0	0	0	0
Without Hearing	0	0	0	0	0	0	0	0	0	0	0	0
With Hearing	0	0	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Basis 29 C.F.R. § 1614.704(j) Note: Complaints can be filed Alleging Multiple Bases. The Sum of the Bases may not Equal Total Complaints and Findings.	Comparative Data										10/01/2021 thru 09/30/2022	
	Previous Fiscal Year Data											
	2017		2018		2019		2020		2021			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number of Findings	0	0	0	0	0	0	0	0	0	0	0	0

Race	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0

Age	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0
Genetic Information	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0

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Findings After Hearing	0	0	0	0	0	0	0	0	0	0	0	0
Race	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	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	0
Age	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0
Genetic Information	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0

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Findings Without Hearing	0	0	0	0	0	0	0	0	0	0	0	0
Race	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	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	0
Age	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0

Genetic Information	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue 29 C.F.R. § 1614.704(k)	Comparative Data										10/01/2021 thru 09/30/2022	
	Previous Fiscal Year Data											
	2017		2018		2019		2020		2021		#	%
	#	%	#	%	#	%	#	%	#	%		
Total Number of Findings	0	0	0	0	0	0	0	0	0	0	0	0
Appointment/Hire	0	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	0
Awards	0	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	0
Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment	0	0	0	0	0	0	0	0	0	0	0	0
Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	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	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment	0	0	0	0	0	0	0	0	0	0	0	0
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	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	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0

Findings After Hearing	0	0	0	0	0	0	0	0	0	0	0	0
Appointment/Hire	0	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	0
Awards	0	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	0
Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment	0	0	0	0	0	0	0	0	0	0	0	0
Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	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	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment	0	0	0	0	0	0	0	0	0	0	0	0
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	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	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0

Findings Without Hearing	0	0	0	0	0	0	0	0	0	0	0	0
Appointment/Hire	0	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	0
Awards	0	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	0
Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment	0	0	0	0	0	0	0	0	0	0	0	0
Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	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	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment	0	0	0	0	0	0	0	0	0	0	0	0
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	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	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0

Pending Complaints Filed in Previous Fiscal Years and by Status 29 C.F.R. § 1614.704(l)	Comparative Data					10/01/2021 thru 09/30/2022
	Previous Fiscal Year Data					
	2017	2018	2019	2020	2021	
Total Complaints from Previous Fiscal Years	34	39	43	48	37	20
Total Complainants	32	34	39	44	32	17
Number Complaints Pending						
Investigation	20	4	6	18	4	3
Hearing	24	21	20	11	25	15
Final Action	10	3	7	7	8	2
Appeal with EEOC Office of Federal Operations	7	7	8	8	2	3

Complaint Investigations 29 C.F.R. § 1614.704(m)	Comparative Data					10/01/2021 thru 09/30/2022
	Previous Fiscal Year Data					
	2017	2018	2019	2020	2021	
Pending Complaints Where Investigations Exceeds Required Time Frames	17	14	16	24	3	1



July 30, 2021

Equal Employment Opportunity Policy Statement

As the Archivist of the United States, I reaffirm my commitment to the principles of equal employment opportunity (EEO). As the nation's record keepers, our success depends on the contributions of an inclusive workforce. The National Archives and Records Administration's (NARA) core values encourage us to collaborate, innovate, and learn by engaging with each other.

Federal laws and Presidential Executive Orders require that employees and applicants for employment have equal opportunities regardless of race, color, national origin, religion, sex (including pregnancy, sexual orientation, gender identity or transgender status), age (40 years or older), disability (mental or physical), family medical history or genetic information, retaliation for serving as a witness and/or engaging in EEO activity, marital status, political affiliation, and status as a parent. These protections extend to management practices and decisions through outreach, recruitment and hiring practices, appraisal systems, promotions, training, and career-development programs.

This EEO Policy Statement serves as a reminder that NARA will not tolerate discrimination, inappropriate behavior, or harassment of any kind in the workplace. Managers and supervisors must lead by example and are responsible for ensuring employees have a work environment that is free of discrimination, harassment, and retaliation. We are all responsible for integrating EEO into our daily actions, conduct, and decisions as we strive to become a model workplace.

Any NARA employee or applicant for employment who believes they have been subjected to discrimination or harassment based on one or more of the above-mentioned protected categories, should contact the Office of Equal Employment Opportunity Programs (NEEO) at 301-837-0939 within **45 days** of the alleged discriminatory action or incident. Additional information about EEO services can be obtained by contacting the EEO Office at <https://www.archives.gov/eoo> or 301-837-0939.

Employees may also contact the Office of Special Counsel at <https://osc.gov/> or 202-804-7000, or the Merit Systems Protection Board at <https://www.mspb.gov/> or 202-653-7200.

NATIONAL ARCHIVES *and*
RECORDS ADMINISTRATION

8601 ADELPHI ROAD
COLLEGE PARK, MD 20740-6001

www.archives.gov

Any employee who believes NARA has subjected them to workplace harassment can review [NARA 396, Anti-Harassment Policy](#) for information on how to report allegations of workplace harassment.

[Per NARA 320, RESOLVE: NARA's Alternative Dispute Resolution \(ADR\) Program](#), NARA supports mediation as an additional resource for resolving EEO complaints. With the assistance of a neutral third party, an employee and the agency can discuss potential resolutions to a claim and reach a voluntary, negotiated agreement. For more information, please contact RESOLVE at (301) 837-2926 or visit the [RESOLVE Program group on the ICN](#).

I expect your continued support in addressing and eradicating discriminatory behavior in the workplace. Working together, we will make NARA a great place to work, one that values mutual respect, integrity, and teamwork.

A handwritten signature in dark ink, appearing to read "David S. Ferriero". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

DAVID S. FERRIERO
Archivist of the United States



NARA 396 - Appendix B
July 30, 2021

Anti-Harassment Policy Statement

Our Commitment

NARA is committed to maintaining a work environment that is courteous, respectful, and free from harassing behaviors for its employees, contractors, volunteers, visitors, interns, and customers. NARA will not tolerate harassment of any kind.

Harassment

Unlawful harassment is defined as any unwelcome verbal, non-verbal, or physical conduct based on race, color, religion, sex (including pregnancy and gender identity), national origin, age (40 or older), disability (mental or physical), genetic information, sexual orientation, marital status, political affiliation, status as a parent, or retaliation when:

1. An employee actually suffers a personal loss or harm with regard to a term, privilege, or condition of employment relating to any of the protected bases; or
2. The behavior can reasonably be considered severe or pervasive creating an intimidating, hostile, or offensive work environment.

Unlawful harassment undermines the integrity of employment relationships and interferes with work productivity. Harassing conduct may include, but is not limited to: bullying, slurs, derogatory or disrespectful remarks, spreading rumors, swearing, jokes, obscenities, incessant teasing, expressing or insinuating threats, threatening assault, hitting, punching, other unwanted touching, and malicious or insulting gestures.

Inappropriate Behavior

Inappropriate behavior is counterproductive behavior that is not suitable for the workplace. Inappropriate behavior deters from good order within the workplace. Inappropriate behavior can range from minor incidents to serious offenses. Inappropriate behavior can include actions and/or behaviors that cause grave offense to an individual and go against the agency policy or practice. Although not every instance of inappropriate behavior may meet the legal definition of harassment, such behavior undermines staff morale and the Agency's mission. Some examples of

such behavior may include: disrespectful or abusive behavior, swearing, teasing, insensitive or inappropriate jokes, petty slights, annoyances, and other isolated incidents (unless extremely serious).

NARA has appropriate measures to prevent harassment (sexual or non-sexual) in the workplace and to correct harassing behavior before it becomes severe or pervasive and inappropriate conduct/behavior before it becomes harassing in nature. Harassing behavior by a NARA employee does not need to rise to the level of unlawful harassment in order for it to constitute misconduct. Violations of NARA policy may result in administrative or disciplinary actions against offenders.

Sexual Harassment

Sexual harassment is a form of sex discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of a person's job, pay or career, or
2. Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person, or
3. Such conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive environment.

Retaliation

In addition, NARA prohibits any retaliation against an employee who reports a concern about workplace harassment, other inappropriate behavior, or assists in any inquiry about such a report.

Maintaining Confidentiality

NARA will protect the confidentiality of harassment allegations. All reports of harassing conduct and related information will be maintained on a confidential basis to the greatest extent possible.

Training

All managers and supervisors are required to take the anti-harassment training annually through NARA's Learning Management System (LMS). A NARA notice will announce the mandatory training.

Reporting Allegations

All NARA employees are strongly encouraged to report misconduct, including discrimination or harassing behavior. Supervisors, volunteer coordinators, Contract Operating Representatives (CORs), and management officials must immediately report (usually within **48** hours of becoming aware of it) harassing conduct, or allegations of harassing conduct by others to any member of the Ad Hoc Committee on Harassment or directly to the Anti-Harassment Program Manager directly. Failure to report an incident of harassment may result in administrative action, including disciplinary action. Although supervisors are required to report allegations of harassing conduct to the committee, this policy does not prevent supervisors from taking any action they deem necessary to address inappropriate behavior when it occurs. NARA will conduct a prompt, thorough, and impartial investigation or fact-finding of allegations of harassment or inappropriate behavior. NARA will begin the fact-finding of allegations no later than 10 days of receipt and will complete the investigation within 60 days or less. NARA will also take immediate and appropriate corrective action when it determines that harassment or inappropriate behavior has occurred.

Report Incidents to Any of the Following Offices

Employees who believe they have been subjected to harassment should report the incident(s) to their supervisor or a manager in their chain of command or one of the members of the Ad Hoc Committee on Harassment which is comprised of officials from the Labor/Employee Relations and Benefit Branch (HTL); Office of General Counsel (NGC); and Office of Equal Employment Opportunity (NEEO). Employees can contact the Anti-Harassment Program Manager directly. See [NARA 396 Anti-Harassment Policy](#).

You may submit an incident to the Anti-Harassment Program Manager by:

1. Calling 301-837-3096;
2. Sending a fax to 301-837-0869; or
3. Sending an email to tanya.shorter@nara.gov.

You may also submit an incident to Office of the Inspector General (**OIG**) by:

1. Calling the OIG Hotline:
301-837-3500 (Washington, DC metro area)
800-786-2551 (toll-free and outside the Washington, DC metro area)
2. Sending a document to:
OIG Hotline
NARA
P.O. Box 1821
Hyattsville, MD 20788-0821
3. Confidentially reporting online at:
<http://www.archives.gov/oig/referral-form/index.html>

Timeframes and Contacts for Filing an EEO Complaint

Employees who wish to file an EEO complaint alleging discrimination and/or harassment, should file a complaint within **45 calendar days** of the date of incident(s) to the Office of Equal Employment Opportunity (NEEO). See NARA 395 EEO Complaints Program for guidance or you may initiate an informal **EEO** complaint by:

1. Calling 301-837-0939;
2. Sending a fax to 301-837-0869; or
3. Sending an email to NEEO@nara.gov.

If all or part of the complaint is pursued under the negotiated grievance procedure covering bargaining unit employees, a grievance must be filed within **20 days** of the alleged incident or within **20 days** after the grievant becomes aware of the alleged incident. Personnel may contact their union representative at any time regarding discrimination and/or harassment.



DAVID S. FERRIERO
Archivist of the United States



Tammie Johnson <tammie.johnson@nara.gov>

NARA Notice 2021-090: 2021 Annual Required Training for All Employees

1 message

Notice <notice@nara.gov>
To: NOTICE <notice@nara.gov>
Bcc: Staff_NARA@nara.gov

Wed, Feb 24, 2021 at 8:45 AM



To: All Employees.

Attention supervisors: If you have employees who do not have access to a computer, please ensure that those employees receive a copy of this notice. This includes employees on LWOP or paid leave.

All NARA employees are required to complete the annual required training by **May 28, 2021**.

This training consists of 13 modules organized into three categories: how we approach work, how we do business, and how we get better. Depending on your duties and responsibilities, you may be assigned additional training requirements.

What's New

Based on employee feedback, we have added a module on "Civility in the Workplace" within the annual required training this year. All NARA employees are expected to exemplify and promote civility. This module is designed to create a common understanding of civility at NARA and equip all employees with the tools needed to promote civil discourse in the workplace. This is an employee-driven initiative to create an empowering environment that fosters a more civil and respectful workplace.

As you navigate the module, think about how you can be intentional in your daily interactions and about the resources you may need to practice civility in the workplace. More information will be provided during the All-Hands meeting on March 3.

How To Access the Training

You do not need to use Citrix or VPN to access the training. You should:

- Go to the NARA Learning Center at nara.csod.com.
- Log in by clicking the large blue "NARA Employee Login" button.
- Look in the **Your Training Items** box on the Learning Center welcome page. Select [ART-AS-21] Annual Required Training for All Employees to begin the module.

The course will take approximately one hour to complete. You may complete the entire module in one sitting, or you may finish a portion and return as often as needed to complete the entire module. All lessons must be completed to receive credit.

Once completed, the system will automatically record your status. This training is available from any computer inside or outside of NARA.

VALORIE FINDLATER
Acting Chief Human Capital Officer

If you have questions about this notice, contact:

Kashmira Shaikh, Director, Learning and Development

kashmira.shaikh@nara.gov

Room 1330

National Archives at College Park

Phone: 301-837-3101

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You received this message because you are subscribed to the Google Groups "\$Staff NARA" group.

To unsubscribe from this group and stop receiving emails from it, send an email to Staff_NARA+unsubscribe@nara.gov.

To view this discussion on the web visit https://groups.google.com/a/nara.gov/d/msgid/Staff_NARA/CAMhQAfzBg3U7YW8M63bxcx3nvALX%3Dgvv2iEax9cPiDe8VXVVdg%40mail.gmail.com.



RESOLVE Program



“Improving communication and the quality of workplace

relationships are two of my top priorities at NARA. The success of our agency and in fulfilling our mission depends on how well we work together to accomplish our critical goals. RESOLVE has proven to be effective at assisting NARA employees across the agency with various issues related to their jobs. As we face new and important challenges, I encourage you to take advantage of this valuable resource whenever the need arises.”

—David S. Ferriero, Archivist of the United States

What is Mediation?

Mediation is a process where parties meet with a neutral mediator to attempt to resolve a dispute collaboratively. The mediator helps the parties communicate their interests, define issues, and eliminate obstacles to communication, while moderating and guiding the process to avoid confrontation and ill will. The mediator will seek concessions from each side during the mediation process.

Why Should I Use Mediation?

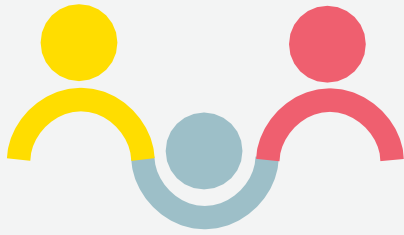
While conflict is a normal part of our daily lives, it is often uncomfortable and counterproductive in the workplace. When you find yourself in a dispute with a fellow employee, manager, or other colleague, mediation can help you resolve issues in a private, confidential, and timely manner.

Reasons for using mediation include:

- **NO RISK.** You may retain the right to address the issue formally (e.g., Equal Employment Opportunity (EEO) or grievance procedures).
- **VOLUNTARY.** You choose whether to participate at every stage of the process.
- **CONFIDENTIAL.** You speak without fear that your statements will be used against you in another proceeding.
- **IMPARTIAL.** You express your issues and concerns in a judgment-free environment.
- **SELF-DETERMINING.** You control the outcome.
- **FAST.** You have the opportunity to be heard without the lengthy timelines often associated with the traditional adversarial processes.
- **PRESERVES RELATIONSHIPS.** You resolve your dispute while building a better relationship with the other party.
- **CREATIVE.** You develop innovative solutions and move away from the typical win/lose results of more adversarial proceedings.



Questions? For questions or mediation requests, please contact Rana Khandekar, Director of RESOLVE, Office of General Counsel (NGC), by email naheed.khandekar@nara.gov or at 301-837-2926.



Where Can I Find More Information on RESOLVE? Please see NARA 320 for more information on the RESOLVE program.

How Does Mediation Work?

Mediation generally begins with a joint session to set an agenda, define the issues, and ascertain the positions and concerns of the parties. Thereafter, the parties separately meet with the mediator, who is a professional neutral from outside of NARA, to allow each side to explain and enlarge upon their position and mediation goals in confidence. The mediator may ask questions which may well serve to create doubt in an advocate's mind over the validity of a particular position. In these conversations, the mediator helps the parties try to find an appropriate way to solve their problem.

What May Mediation Be Used For?

NARA employees may use mediation to address any matters of concern relating to their employment. This can range from conflict between peers to an EEO or grievance case.

What Happens If My Dispute Is Not Resolved?

If you have reserved your right to file in any of the applicable administrative forums (e.g., EEO and grievances), you may return to those formal processes to work through your dispute. Participating in mediation does not preclude you from using other processes as long as you meet all timelines and filing requirements.

How Can I Negotiate Effectively and Build Trust?

The other party will be more receptive to your perspective if you demonstrate that you are genuine, engaged, and focused on finding a fair solution. By being a committed listener, you will build trust and encourage productive dialogue during the session.

- **BE A COMMITTED LISTENER:** Choose to be committed to hearing what the other party will say as though it were you speaking. Step outside your role as strictly a supervisor or subordinate and engage on a more human level. Look for the deeper meaning in what the other person may share, rather than any weaknesses in that person's statements.
- **DEMONSTRATE YOUR UNDERSTANDING:** Show that you heard the other party's needs, interests, and feelings by referring to them. Summarize that person's remarks without watering them down.
- **START BY LISTENING:** By listening first, you can draw out the other party's ideas and target your response and ideas to the other party more effectively.
- **FRAME YOUR RESPONSE:** Understand the language, perspectives, and experiences of the other party and frame your message in terms that are likely to make sense inside the other party's framework of experience.
- **SHARE YOUR INTERESTS:** Share your interests (why you want something) rather than simply your position (what you want).

How is NARA organized to support Alternative Dispute Resolution (ADR)?

The RESOLVE program provides mediation and facilitation services for NARA employees. While housed in the Office of General Counsel (NGC), the program is separate from NGC's role as an advocate and RESOLVE is completely neutral. NARA's Dispute Resolution Specialist is Gary M. Stern, General Counsel to NARA. The Director of RESOLVE, Rana Khandekar, serves as a neutral for all matters referred to the program and uses external neutral third parties to conduct mediations and facilitations.



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