

Federal Election Commission



2019 Notification and Federal Employee Anti-discrimination and Retaliation Act (No FEAR Report) to Congress

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I. Executive Summary

The Federal Election Commission (FEC or Commission) was established by Congress in 1975 as an independent regulatory agency responsible for administering and enforcing the Federal Election Campaign Act (FECA). Under the authority of this statute, which governs the financing of federal elections, the FEC is responsible for ensuring: “The disclosure of campaign finance information, enforcement of provisions of the FECA such as limits and prohibitions on campaign contributions, and monitoring public funding of Presidential elections.”

The Commission is made up of six members, who are appointed by the President and confirmed by the Senate. Each member serves a six-year term and two seats are subject to appointment every two years. By law, no more than three Commissioners can be members of the same political party, and at least four votes are required for any official Commission action. This structure was created to encourage nonpartisan decisions. The Chair of the Commission is a rotating position, filled through election by the Commission members each year.

During fiscal year (FY) 2019, the FEC had no cases that resulted in a judgment, award or compromised settlement. There were zero (0) equal employment opportunity (EEO) administrative complaints filed against the FEC during FY 2019. There were no civil actions against the FEC for bases or issues covered under the anti-discrimination statutes or the Whistleblower Protection laws. There was no reimbursement to the Judgment Fund and zero (0) disciplinary actions against any FEC employee for violations of the Anti-discrimination and/or Whistleblower Protection laws.

II. Introduction

The FEC is providing this Annual Report to Congress as required by Section 203 of the Notification and Federal Employee Anti-discrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174.

The No FEAR Act requires Federal agencies to submit annual reports to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, 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. Office of Personnel Management and the Equal Employment Opportunity Commission. This report is submitted by the FEC to satisfy this reporting requirement.

III. Background

The No FEAR Act was signed into law by President George W. Bush on May 15, 2002, and became effective on October 1, 2003. The Act requires Federal agencies to be accountable for violations of anti-discrimination and whistleblower protection laws and to 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. Agencies must report on:

- the number of Federal district 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 an individual, or committed a prohibited personnel practice; and
- an analysis of the data collected with respect to trends and causal analysis.

The President delegated responsibility to the U.S. Office of Personnel Management (OPM) for the issuance of regulations governing implementation of Title II of the No FEAR Act. OPM published final regulations on May 10, 2006 concerning the reimbursement provisions of the Act and on July 29, 2006, published final regulations to carry out the notification and training requirements of the Act. OPM also issued proposed regulations to implement the reporting and best practices provisions of the No FEAR Act on January 25, 2006. The FEC has prepared this Report based on § 203 of the No FEAR Act along with the proposed and final regulations issued by OPM.

IV. Data

During (FY) 2019, the FEC had no cases that resulted in a judgment, award or compromised settlement but there was one (1) administrative complaint filed against the agency. Among administrative cases filed to date, none have resulted in a finding of discrimination. Zero (0) employees were disciplined for discrimination, retaliation, harassment or other infractions or provisions of law cited in Section 201(c) of the No FEAR Act.

Civil Cases

Section 203(a)(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 the Code of Federal Regulations (effective February 26, 2007) clarifies section 203(a)(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 anti-discrimination laws and whistleblower protection laws.” The FEC reports that during FY 2019, there were zero (0) Federal district court discrimination cases resulting in a payment from the Judgment Fund. Subsequently, there were no district court cases for which the Judgment Fund paid monies on behalf of the FEC for retaliation under the Whistleblower Protection Act.

Reimbursement to the 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’s reimbursement provision of Title II of the

No FEAR Act. These regulations, among other things, state that the Financial Management Service (FMS), U.S. Department of the Treasury, 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 the FMS or must contact the FMS to make arrangements in writing for reimbursement.

As indicated, the FEC had no civil action resulting from a reportable statute that resulted in payment which is required to be reimbursed to the Treasury Judgment Fund for monies owed to the Judgment Fund for judgments, awards and/or compromised settlements for FY 2019.

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 (1)." 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." 5 C.F.R. § 724.302 (effective February 26, 2007) provides 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: reprimands, suspensions without pay, reduction in grade or pay, or removal. (See 5 C.F.R. § 724.102)

The FEC had zero (0) disciplinary actions arising from a Federal district court discrimination case during FY 2019.

Final Year-End Data Posted Under Section 301(c)(1)(B)

Appendix 2 contains the FY 2019 final year-end data posted pursuant to Section 301(c)(1)(B) of the No FEAR Act.¹ The final year-end data indicates that during FY 2019, there were zero (0) complaints of discrimination.

Policy Description on Disciplinary Actions

Sections 203 (a)(6) of the No FEAR Act requires that agencies include in their Annual Reports 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 the 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.

¹ This includes data for each of the five (5) immediately preceding fiscal years.

During FY 2019, the FEC Chair issued the agency's EEO Policy Statement (**See Appendix 3**), as she/he does annually, which communicates the agency's commitment for equal employment opportunity and a workplace free of discriminatory harassment for all employees and applicants for employment.

V. Analysis of Trends, Causal Analysis and Practical Knowledge Gained Through Experience

Section 203(a)(7) of the No FEAR Act requires that agencies undertake an examination of trends, causal analysis and practical knowledge gained through experience, as well as any actions planned or taken to improve complaint or civil rights programs for the agency. The FEC has examined its complaint statistics contained in the information reported to EEOC. The FEC had zero (0) Federal district court cases resulting in judgments, awards or compromised settlements paid by the Judgment Fund.

A. Trend Analysis

During FY 2019, the number of employees filing EEO complaints was zero (0) which is a decline from the previous fiscal years FY-2017 and FY- 2018 when one (1) complaint was filed against the agency in each of those previous years. The FEC had zero (0) findings of violations of the anti-discrimination or whistleblower protection laws. No employees were disciplined for discrimination, retaliation, harassment, or any provision of law referred to in the No FEAR Act.

B. Causal Analysis

The Office of Equal Employment Opportunity is continuing to conduct a causal analysis of the deficiency of diversity within certain Race/National Origin (RNO) categories (more specifically the lack of diversity represented within the GS-15 and Senior level staff positions); Over the past year the FEC has made improvements concerning the number of minority applicants selected for internal competitive promotions at the GS-15 and Senior level. The total number of internal competitive promotions at the agency equaled eleven (11) internal promotions for FY 2019 at the GS-15 and Senior level; 63% or seven (7) went to white applicants, 9% or one (1) went to an African American applicant, 9% or one (1) went to an Asian applicant, 18% or two (2) went to Hispanic applicants. There were zero (0) minority employees selected for an internal promotion at the senior level during FY2019. In the Office of General Counsel, two (2) Hispanic applicants were selected for an internal competitive promotion to detail positions in the office of the FEC Commission Chair but zero (0) minority applicants were selected for senior level management positions within the Office of General Counsel during FY 2019. (**See Appendix 4**)

With regards to permanent new hires in FY 2019 the agency brought on-board a total of twenty two (22) permanent new employees: 63 % or fourteen (14) represented White applicants, 27% or six (6) represented African American applicants, 4% or one (1) represented Hispanic applicants and 4% or one (1) represented Two or more races. (**See Appendix 5**)

The FEC EEO Office is currently undergoing an in-depth barrier analysis for the FEC Annual EEO Management Directive 715 (MD-715) report. The MD-715 report is mandated by all federal agencies to ensure that all employees and applicants for employment enjoy equality of opportunity in the federal workplace regardless of race, sex, national origin, color, religion, age, genetic information, disability or reprisal for engaging in prior protected activity. Barrier identification and elimination is a subpart of EEOC MD-715 and is the process by which agencies uncover, examine, and remove barriers to equal participation at all levels of the workforce so that all employees and applicants for employment have a workplace free from discrimination. The EEO Office will work in collaborations with management to evaluate the current workplace policies, procedures or practices that are contributing to the lack of diversity at the GS-15 and Senior levels of the agency so that they can be addressed and eliminated. The EEO Office will also be bringing in consultants to assist with implementing a host of training activities for management and staff regarding Diversity and Inclusion so that these principles can be further integrated within the agency culture. The FEC Federal Employee Viewpoint Survey scores continue to improve due to some of the initiatives that we have implemented have been positively acknowledged by the staff.

The EEO Office plans to continue to monitor this data annually, make appropriate recommendations to FEC management and collaborate on solutions so that these and any other triggers which are found to exist can be addressed before they become barriers to employment opportunities.

C. Practical Knowledge Gained Through Experience

See Part VII for the specific actions the FEC has planned or taken to improve the EEO complaints process. The FEC is committed to ensuring compliance with our nation's EEO and Civil Rights laws and maintaining a work environment where discrimination, retaliation and harassment are not tolerated.

VI. 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." The FEC did not make such an adjustment in FY 2019.

VII. FEC Actions Planned or Taken to Improve Complaint and Civil Rights Programs

The FEC plans to take or has taken the following actions:

1. Continue our Diversity and Inclusion training workshops for FEC management and staff so that the agency can continue to increase employee engagement and build morale.

2. The EEO Office will continue to utilize the Computer Accommodation Program (CAP) as an appropriate resource to ensure that employees with disabling conditions enjoy all benefits of employment.
3. The FEC will create an agency Diversity Council which will become a critical driver in fostering meaningful organizational change, establishing a dedicated focus on diversity and inclusion priorities, and managing the agency's Diversity and Inclusion initiative. Moreover, the Diversity Council will provide platforms for oversight and assessment of the effectiveness of the Diversity and Inclusion function and introduce reform when needed that will provide cultural awareness amongst the staff, provide employees with career enhancement/development opportunities and allow under-represented groups the opportunity to address any concerns that may be having a negative effect on a particular group.
4. Collaborate with the Office of Human Resources to expand agency outreach and recruitment efforts, in order to reach qualified applicants from the agency's underrepresented groups--most urgently, Hispanics/Latinos, American Indians and Individuals with Disabilities and Targeted Disabilities.
5. The EEO Office plans to present findings from our barrier analysis to senior management which will identify root causes that need to be addressed by the agency to improve the recruitment, retention and career advancement of minorities employed at the FEC.
6. The EEO Office will increase collaborative efforts with agency senior managers to identify triggers/barriers that may be impeding the realization of equal employment opportunity and develop and implement appropriate action plans to eliminate barriers and ensure that actions plans are successfully implemented.

APPENDIX 1

(Appendix 1)

Notification and Federal Employee Anti-discrimination and Retaliation (No FEAR) Act

Accomplishments Update

This Appendix highlights the FEC's accomplishments in implementing the No FEAR Act (also referred to as "the Act") during Fiscal Year (FY) 2019. The FEC has pursued the requirements of this important legislation as indicated in the actions highlighted below.

1. Continued to educate staff and management about the Reasonable Accommodation Program and granted numerous accommodations to staff who made requests via the interactive process.
2. Provided interpretive services (sign language) to employees with targeted disabilities.
3. Hosted Diversity and Inclusion training session(s) for staff which focused on increasing employee morale and employee engagement.
4. Highlighted Special Emphasis Months with articles and current events for staff to participate during- African American Heritage Month (February), Women's History Month (March), Asian American Heritage Month (May), Hispanic Heritage Month (September/October) and American Indian Heritage Month (November).
5. Showed continued improvement in the Federal Employee Viewpoint Survey rankings. The agency increased its overall score by 0.3% for 2019 and continues to trend in a positive direction over the past two years.

APPENDIX 2

(Appendix 2)

Equal Employment Opportunity Data Pursuant to the No FEAR Act

FEC No FEAR 2019 FY Totals

Number of	2019 FY Totals
Complaints	0
Filers	0
Repeat Filers	0

Bases	2019 FY Totals
Sex	0
Age	0
Race	0
Color	0
Disability	0
National Origin	0
Religion	0
Reprisal	0

Issues (Claims)	2019 FY Totals
Appointment/Hire	0
Assignment of Duties	0
Awards	0
Conversion to Full Time	0
Disciplinary Action	0
1. Demotion	0
2. Reprimand	0
3. Suspension	0
4. Removal	0
Duty Hours	0
Evaluation/Appraisal	0
Examination/Test	0

Harassment/Sexual Harassment	0
Harassment/Non-Sexual	0
Medical Exam	0
Pay (including overtime)	0
Promotion/Non-Selection	0
Reassignment	0
1. Denied	0
2. Directed	0
Reasonable Accommodation	0
Reinstatement	0
Retirement	0
Termination	0
Terms/Conditions of Employment	0
Time and Attendance	0
Training	0
Other	0

Processing Time (Days)	2019 FY Totals
Investigations	0
Final Agency Decision	0
All	0
With Hearing	0
Without Hearing	0

Dismissals	2019 FY Totals
Number of Dismissals	0
Days pending prior to Dismissal	0

Findings of Discrimination	2019 FY Totals
All	0
With Hearing	0

Without Hearing	0
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Bases- Findings of Discrimination	2019 FY Totals
Sex	0
Age	0
Race	0
Color	0
Disability	0
National Origin	0
Religion	0
Reprisal	0

Bases-Findings of Discrimination- Without Hearing	2019 FY Totals
Sex	0
Age	0
Race	0
Color	0
Disability	0
National Origin	0
Religion	0
Reprisal	0

Issues Findings of Discrimination	2019 FY Totals
Appointment/Hire	0
Assignment of Duties	0
Awards	0
Conversion to Fulltime	0
Disciplinary Action	0
1. Demotion	0
2. Reprimand	0

3. Suspension	0
4. Removal	0
Duty Hours	0
Harassment/ Sexual	0
Harassment/Non-Sexual	0
Evaluation/Appraisal	0
Examination/Test	0
Medical Exam	0
Pay, Including Overtime	0
Promotion/Non-Selection	0
Reassignment	0
1. Denied	0
2. Directed	0
Reasonable Accommodation	0
Reinstatement	0
Retirement	0
Termination	0
Terms/Conditions of Employment	0
Time and Attendance	0
Training	0
Other	0

Findings of Discrimination-Without Hearing	2019 FY Totals
Appointment/Hire	0
Assignment of Duties	0
Awards	0
Conversion to Fulltime	0
Disciplinary Action	0
1. Demotion	0
2. Reprimand	0
3. Suspension	0
4. Removal	0
Evaluation/Appraisal	0
Examination/Appraisal	0
Harassment/Sexual	0

Harassment/Non-Sexual	0
Medical Exam	0
Pay including overtime	0
Promotion/Non Selection	0
Reassignment	0
1. Denied	0
2. Directed	0
Reasonable Accommodation	0
Reinstatement	0
Retirement	0
Terms/Conditions of Employment	0
Time and Attendance	0
Training	0
Other	0

Issue-Findings of Discrimination – With Hearing	2019 FY Totals
Appointment/Hire	0
Assignment of Duties	0
Awards	0
Conversion to Fulltime	0
Disciplinary Action	0
1. Demotion	0
2. Reprimand	0
3. Suspension	0
4. Removal	0
Duty Hours	0
Evaluation/Appraisal	0
Examination/Test	0
Harassment/Sexual	0
Harassment/Non-Sexual	0
Non-Sexual	0
Medical Examination	0
Pay, Including Overtime	0

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

Data Posted Pursuant to the No Fear Act Federal Election Commission

29 CFR 1614.704(a) - (c)		29 CFR 1614.705 Comparative Data Previous Fiscal Year Data									
Complaint Activity	1st QTR FY 2020	2019	2018	2017	2016	2015					
Number of Complaints Filed in FY 1614.704(a)	0	0	1	1	1	6					
Number of Complainants 1614.704(b)	0	0	1	1	1	6					
Repeat Filers 1614.704(c)	0	0	0	0	0	0					

29 CFR 1614.704(d)		29 CFR 1614.705 Comparative Data Previous Fiscal Year Data									
Complaints by Basis <i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	1st QTR FY 2020	2019	2018	2017	2016	2015					
Race	0	0	0	1	1	5					
Color	0	0	0	1	0	0					
Religion	0	0	0	0	0	0					
National Origin	0	0	0	0	0	0					
Sex (including complaints filed under Equal Pay Act)	0	0	0	0	0	0					
Disability	0	0	1	0	0	1					
Age	0	0	0	0	0	2					
Reprisal	0	0	1	1	1	0					
Other	0	0	0	0	0	0					

29 CFR 1614.704(e)		29 CFR 1614.705 Comparative Data Previous Fiscal Year Data									
Complaints by Issue <i>Note: Complaints can be filed alleging multiple issues. The sum of the issues may not equal total complaints filed.</i>	1st QTR FY 2020	2019	2018	2017	2016	2015					

Data Posted Pursuant to the No Fear Act Federal Election Commission

Appointment/Hire	0	0	0	0	0	0						
Assignment of Duties	0	0	0	0	0	0						
Awards	0	0	0	0	0	0						
Conversion to Full-time	0	0	0	0	0	0						
Disciplinary Action												
Demotion	0	0	0	0	0	0						
Reprimand	0	0	0	0	0	0						
Suspension	0	0	0	0	0	0						
Removal	0	0	0	0	0	0						
Other	0	0	0	0	0	0						
Duty Hours	0	0	0	0	0	0						
Evaluation Appraisal	0	0	1	1	1	5						
Examination/Test	0	0	0	0	0	0						
Harassment												
Non-Sexual	0	0	0	0	0	0						
Sexual	0	0	0	0	0	0						
Medical Examination	0	0	0	0	0	0						
Pay (Including Overtime)	0	0	0	0	0	0						
Promotion/Non-Selection	0	0	0	0	0	0						
Denied	0	0	0	0	0	0						
Directed	0	0	0	0	0	0						
Reasonable Accommodation	0	0	1	1	1	1						
Reinstatement	0	0	0	0	0	0						
Retirement	0	0	0	0	0	0						
Termination	0	0	1	0	0	1						
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						

Data Posted Pursuant to the No Fear Act Federal Election Commission

29 CFR 1614.704(f)		1st QTR FY 2020							
Processing Time "...post the average length of time it takes to complete each step of the process for every complaint that is pending during any time of the then fiscal year..." (as of 12/31)			Number	Average Days					
	Processing time of Investigations	1614.704(f)(1)		0	0				
Processing time of Final Agency Actions			0	0					
All complaints pending in which a Hearing was not requested									
Time in Investigation Stage	1614.704(f)(2)		0	0					
Time to issue Final Agency Action			0	0					
All complaints pending in which a Hearing was requested-1614.704(f)(3)									
Time in Investigation Stage	1614.704(f)(3)		0	0					
Time to issue Final Agency Action			0	0					

29 CFR 1614.704(g)		29 CFR 1614.705 Comparative Data Previous Fiscal Year Data									
Complaints Dismissed by Agency Pursuant to 1614.107(a)	1st QTR FY 2020	2019	2018	2017	2016	2015					
Total Complaints Dismissed by Agency	0	0	0	0	0	0					
Average days pending prior to dismissal	0	0	0	0	0	0					

Complaints Withdrawn by Complainants Pursuant to 1614.704(h)	1st QTR FY 2020	2019	2018	2017	2016	2015				
Total number of complaints withdrawn	0	0	1	0	1	0				

29 CFR 1614.704(i)		29 CFR 1614.705 Comparative Data Previous Fiscal Year Data									
Total Final Agency Actions Finding Discrimination	1st QTR FY 2020		2019		2018		2017		2016		2015
	#	%	#	%	#	%	#	%	#	%	#
Total Number Findings 704(i)(1)	0	0	0	0	0	0	0	0	0	0	0

Data Posted Pursuant to the No Fear Act Federal Election Commission

Without Hearing 704(i)(2)	0	0	0	0	0	0	0	0	0	0	0
With Hearing 704(i)(3)	0	0	0	0	0	0	0	0	0	0	0

29 CFR 1614.704(j)				29 CFR 1614.705 Comparative Data Previous Fiscal Year Data							
Finding of Discrimination Rendered by Basis <i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>	1st QTR FY 2020		2019		2018		2017		2016		2015
	#	%	#	%	#	%	#	%	#	%	#
Total Number of Findings 704(j)(1)	0	0	0	0	0	0	0	0	0	0	0
Number Findings Rendered Without Hearing 704(j)(2)	0	0	0	0	0	0	0	0	0	0	0
Number Findings Rendered After Hearing 704(j)(3)	0	0	0	0	0	0	0	0	0	0	0
Race	0	0	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
National Origin	0	0	0	0	0	0	0	0	0	0	0
Sex (include Equal Pay Act)	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0	0

29 CFR 1614.704(k)				29 CFR 1614.705 Comparative Data Previous Fiscal Year Data							
Finding of Discrimination Rendered by Issue 704(k)(1) <i>Note: Complaints can be filed alleging multiple issues. The sum of the bases may not equal total complaints and findings.</i>	1st QTR FY 2020		2019		2018		2017		2016		2015
	#	%	#	%	#	%	#	%	#	%	#
Total Number of Findings 704(k)(1)	0	0	0	0	0	0	0	0	0	0	0

Data Posted Pursuant to the No Fear Act Federal Election Commission

Findings Without Hearing 704(k)(2)	0	0	0	0	0	0	0	0	0	0	0	0
Findings After Hearing 704(j) (k)(3)	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
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
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
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

Data Posted Pursuant to the No Fear Act Federal Election Commission

Other	0	0	0	0	0	0	0	0	0	0	0	0
29 CFR 1614.704(l)				29 CFR 1614.705 Comparative Data Previous Fiscal Year Data								
Complaints Pending From Previous Fiscal Years by Status	2020	2019	2018	2017	2016	2015						
Total complaints from previous Fiscal Years 704(l)(1)	0	0	1	4	5	5						
Total Complainants 704(l)(2)(i)	0	0	1	4	5	5						
Number of complaints pending (as of 12/31):704(l)(ii)												
Investigation	0	0	0	0	0	0						
Hearing	0	0	0	0	0	0						
Final Agency Action	0	0	0	0	0	0						
Appeal with EEOC Office of Federal Operations	0	0	0	0	0	0						

29 CFR 1614.704(m)		29 CFR 1614.705 Comparative Data Previous Fiscal Year Data										
Complaint Investigations		2019	2018	2017	2016	2015						
	1st QTR FY 2020											
Number Pending Completion of Investigation	0	0	0	0	0	0						
Pending Investigations Over Required Time Frames	0	0	0	0	0	0						

APPENDIX 3



CHAIR ELLEN L. WEINTRAUB
FEDERAL ELECTION COMMISSION
WASHINGTON, D. C. 20463

2019 Federal Election Commission Policy Statement on Non-Discrimination and Equal Employment Opportunity

Colleagues:

Federal Election Commission employees and applicants for employment are protected by federal laws, Presidential Executive Orders, and state and local laws that bar discrimination on the bases of race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), parental status, marital status, national origin, age (over 40), disability, family medical history and genetic information, political affiliation, military service, conduct that does not adversely affect the performance of the employee, and other non-merit based factors. These protections extend to all management practices and decisions, including recruitment and hiring practices, appraisal systems, promotions, training, and career development programs. More information may be found here: <https://www.eeoc.gov/federal/otherprotections.cfm>.

The Commission will enforce these protections to the fullest. The Commission is firmly committed to ensuring compliance with our nation's EEO and civil rights laws and maintaining a work environment where discrimination, retaliation, and harassment are not tolerated. Managers and supervisors will be held accountable for identifying and correcting discriminatory policies, practices, and behaviors and for taking prompt and appropriate action to ensure that the work environment is free of unlawful discrimination, intimidation, reprisals, and harassment.

All FEC employees and applicants are expected – and encouraged – to promptly bring any concerns about discrimination, in any form, to the attention of management. Anyone who believes that she or he has been subjected to discrimination or retaliation should contact the FEC's Office of Equal Employment Opportunity at (202) 694-1228 (or at eeo@fec.gov) within 45 calendar days of the alleged discriminatory action (or in the case of a personnel action, within 45 calendar days of the effective date of the action). Employees may also wish to contact the Office of Special Counsel at (202) 254-3600 or the Merit Systems Protection Board at (202) 653-7200, as appropriate. Additionally, job applicants should visit the Office of Equal Employment Opportunity's page on the FEC's external website, under the "Career" link.

Further, anyone who files a complaint or participates in an investigation of an EEO complaint, or who opposes an employment practice made illegal under the statutes enforced by the Equal Employment Opportunity Commission (EEOC), is protected from reprisal or retaliation. Consistent with federal laws, acts of retaliation against an employee who engages in protected activity, whistleblowing, or the exercise of any appeal or grievance right provided by law will not be tolerated in our workplace. If any staff member feels that communication of any concerns to his or her immediate supervisor could possibly bring retaliation or negative consequences, the concerned staff member should contact another manager in his or her supervisory chain, an EEO Counselor or the EEO Director, the Inspector General (IG), or make a report through My Safe Workplace (via agency intranet).

All of the above is the law, and all are compelled to follow the law. But the FEC's employees and leadership have a higher duty, as public servants, to embrace the spirit of this Policy Statement as well. Together, we will be an agency that creates a high-quality, all-inclusive work environment, an agency that nurtures an atmosphere that fosters dignity, respect, and equal and positive treatment for each other while we administer the law and deliver programs and services to everyone with fairness, integrity, and equality.

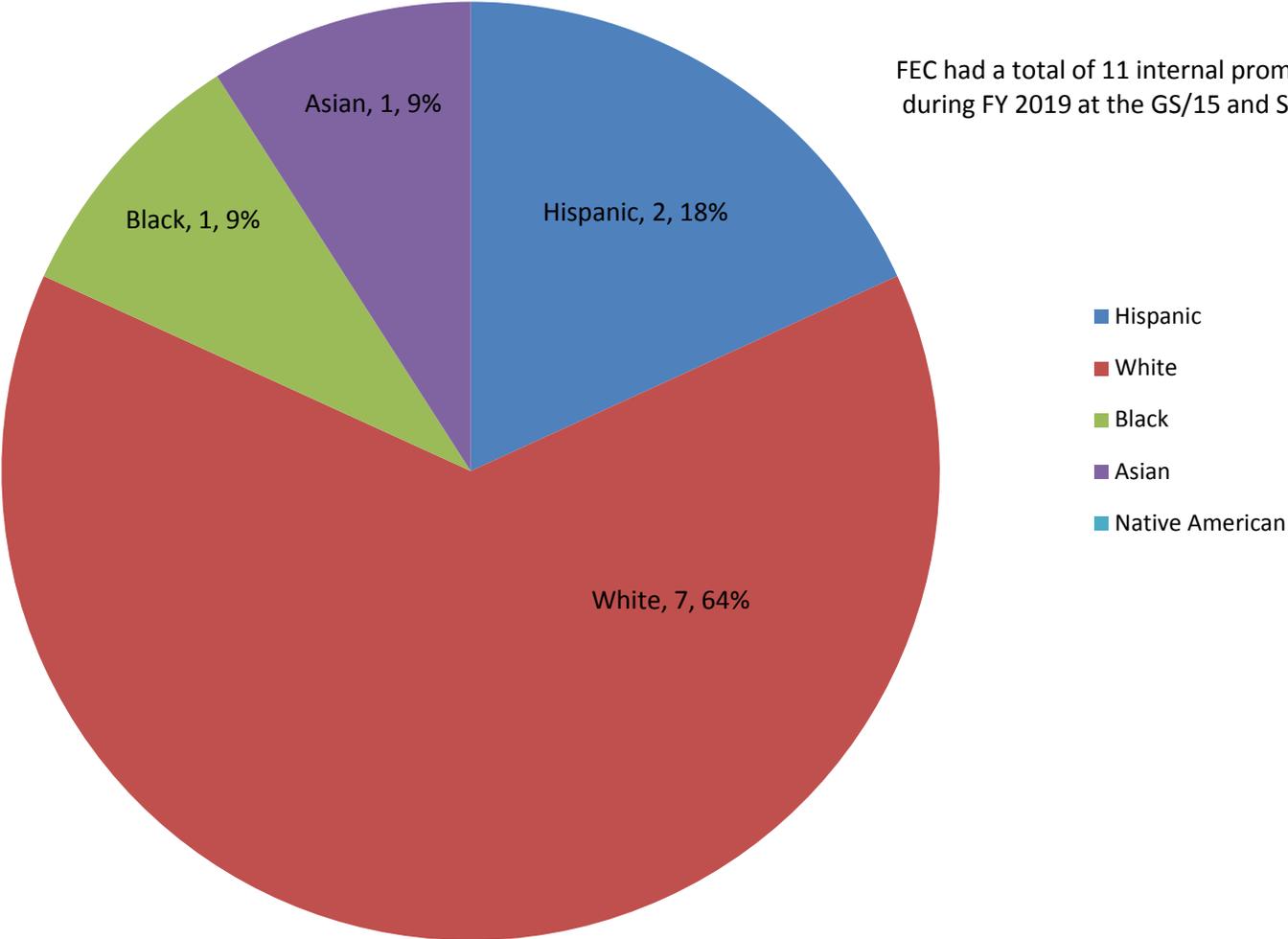
March 26, 2019


Ellen L. Weintraub
Chair

APPENDIX 4

FEC internal promotions at the GS/15 & Senior level FY 2019

FEC had a total of 11 internal promotions during FY 2019 at the GS/15 and Senior level



FEC- OGC internal promotions at the GS/15 & Senior level FY 2019

FEC- OGC had a total of 8 internal promotions during FY 2019 at the GS/15 and Senior level

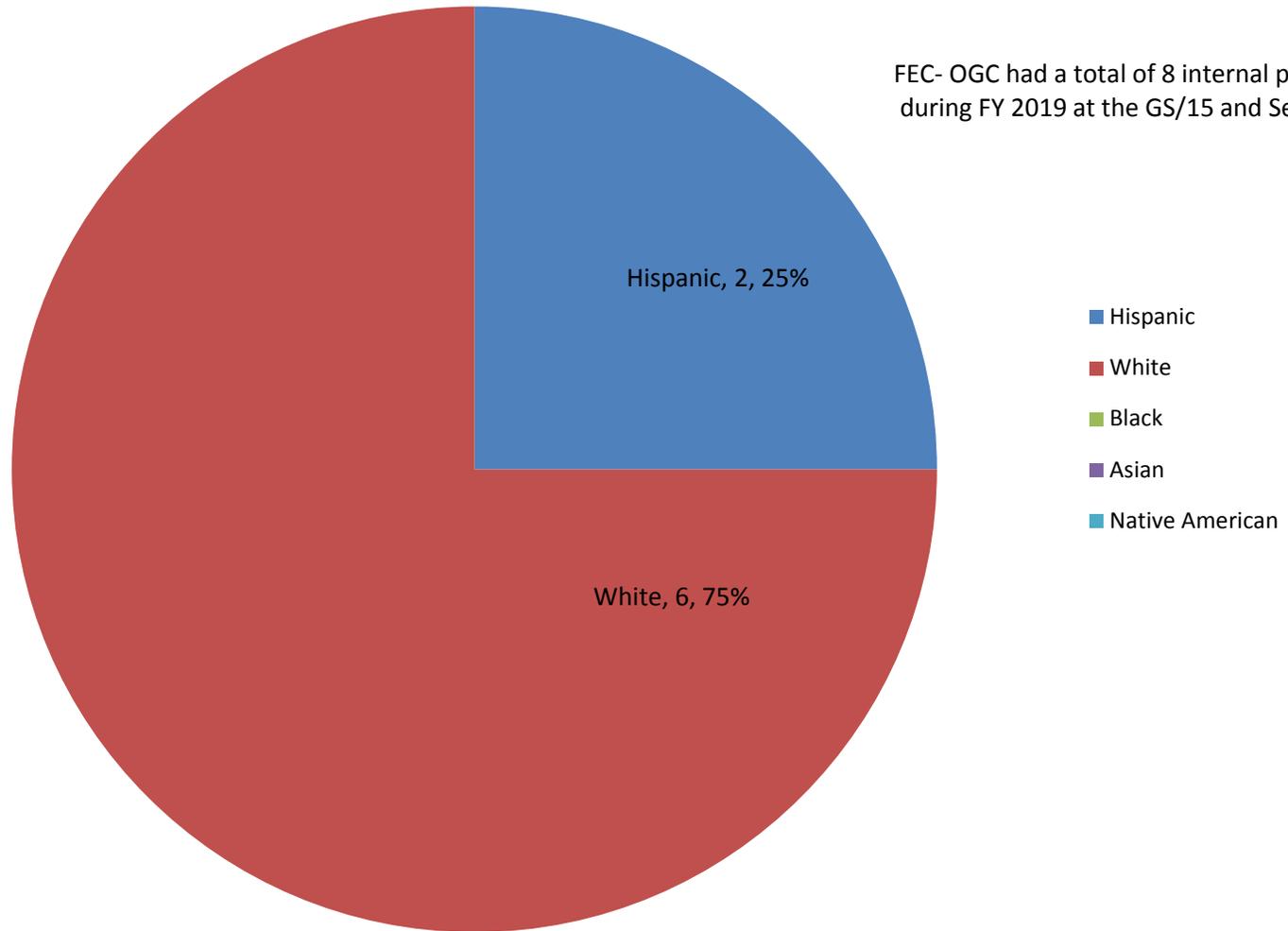


Table A11: Internal Selections for Senior Level Positions (GS 13/14, GS 15, and SES) - Distribution by Race/Ethnicity and Sex

	Total Workforce Permanent			RACE/ETHNICITY													
				Hispanic or Latino		Non-Hispanic or Latino											
			White			Black or African American		Asian		Native Hawaiian or Other Pacific Islander		American Indian or Alaska Native		Two or More Races			
	All	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Job Series/Grade(s) of Vacancy: GS-13																	
Total Applications Received	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Qualified	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Selected	4	0	4	0	0	0	3	0	1	0	0	0	0	0	0	0	0
Relevant Applicant Pool	100%	0%	100%	0%	0%	0%	75.00%	0%	25.00%	0%	0%	0%	0%	0%	0%	0%	0%
Job Series/Grade(s) of Vacancy: GS-14																	
Total Applications Received	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Qualified	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Selected	7	3	4	0	0	1	2	0	1	2	1	0	0	0	0	0	0
Relevant Applicant Pool	100%	42.86%	57.14%	0%	0%	14.29%	28.57%	0%	14.29%	28.57%	14.29%	0%	0%	0%	0%	0%	0%
Job Series/Grade(s) of Vacancy: GS-15																	
Total Applications Received	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Qualified	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Selected	8	3	5	1	1	2	2	0	1	0	1	0	0	0	0	0	0
Relevant Applicant Pool	100%	37.50%	62.50%	12.50%	12.50%	25.00%	25.00%	0%	12.50%	0%	12.50%	0%	0%	0%	0%	0%	0%
Job Series/Grade(s) of Vacancy: SES																	
Total Applications Received	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Qualified	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Selected	3	2	1	0	0	2	1	0	0	0	0	0	0	0	0	0	0
Relevant Applicant Pool	100%	66.67%	33.33%	0%	0%	66.67%	33.33%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

"Relevant Applicant Pool" = all employees in the next lower pay grade and in all series that qualify them for the position announced.

Table A9: Selections for Internal Competitive Promotions for Major Occupations - Distribution by Race/Ethnicity and Sex

Major Occupation	Total Workforce Permanent			RACE/ETHNICITY													
				Hispanic or Latino		Non-Hispanic or Latino											
			White			Black or African American		Asian		Native Hawaiian or Other Pacific Islander		American Indian or Alaska Native		Two or More Races			
	All	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Job Title/Series: 0905-GENERAL ATTORNEY																	
Total Applications Received																	
Qualified	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Selected	8	5	3	1	1	4	2	0	0	0	0	0	0	0	0	0	0
Relevant Applicant Pool	100%	62.50%	37.50%	12.50%	12.50%	50.00%	25.00%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Job Title/Series: 0301-MISCELLANEOUS ADMINISTRATION & PROGRAM																	
Total Applications Received																	
Qualified	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Selected	18	7	11	0	0	7	8	0	3	0	0	0	0	0	0	0	0
Relevant Applicant Pool	100%	38.89%	61.11%	0%	0%	38.89%	44.44%	0%	16.67%	0%	0%	0%	0%	0%	0%	0%	0%
Job Title/Series: 2210-INFORMATION TECHNOLOGY SPECIALIST																	
Total Applications Received																	
Qualified	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Selected	5	2	3	0	0	0	0	0	2	2	1	0	0	0	0	0	0
Relevant Applicant Pool	100%	40.00%	60.00%	0%	0%	0%	0%	0%	40.00%	40.00%	20.00%	0%	0%	0%	0%	0%	0%
Job Title/Series: 0511-AUDITING																	
Total Applications Received																	
Qualified	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Selected	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Relevant Applicant Pool	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

"Relevant Applicant Pool" = all employees in the next lower pay grade and in all series that qualify them for the position announced.

APPENDIX 5

FEC permanent new hires at all grade levels FY 2019

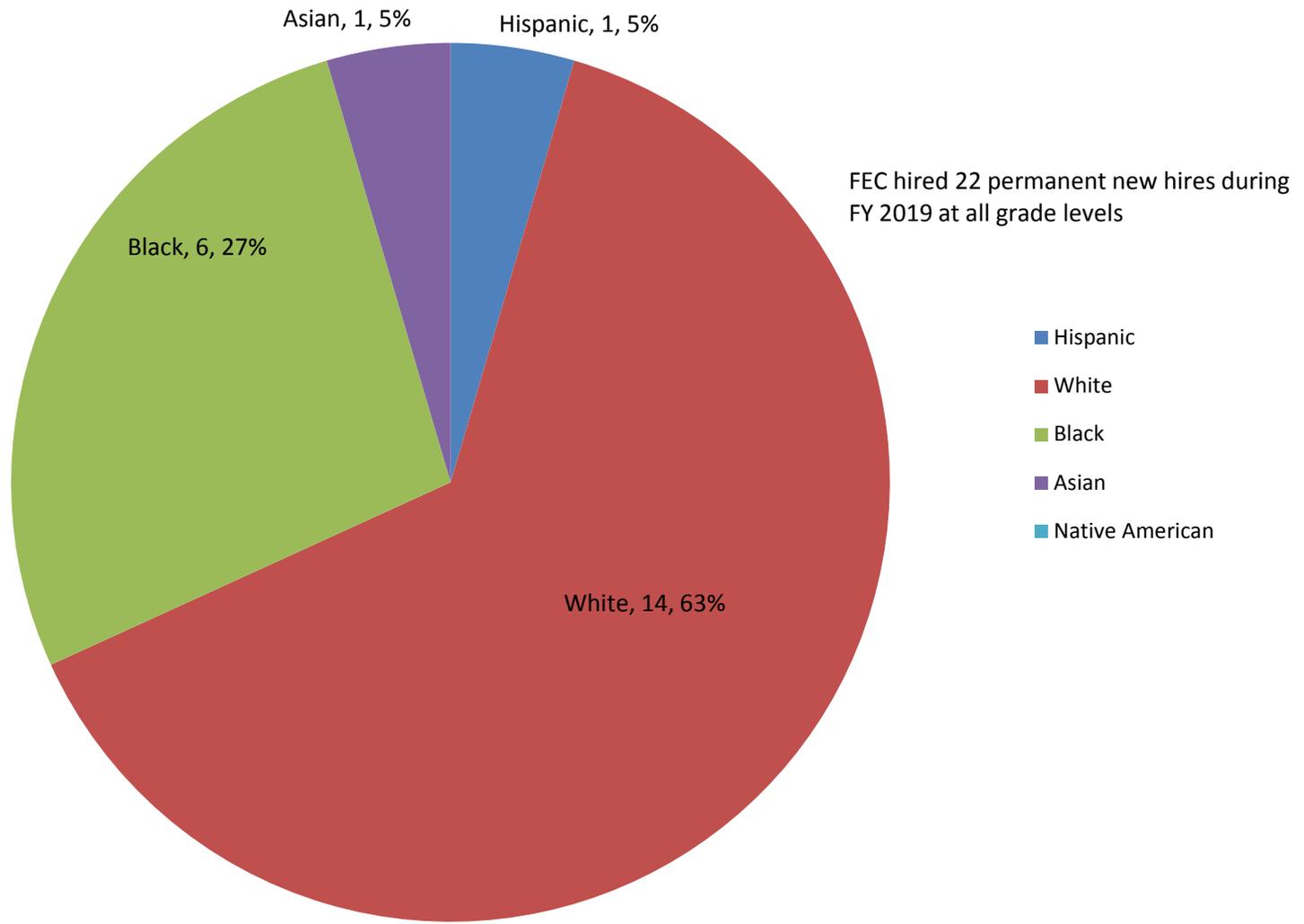


Table A8: New Hires By Type of Appointment - Distribution by Race/Ethnicity and Sex

Type of Appointment	Total Workforce All			RACE/ETHNICITY													
				Hispanic or Latino		Non-Hispanic or Latino											
	White		Black or African American			Asian		Native Hawaiian or Other Pacific Islander		American Indian or Alaska Native		Two or More Races					
	All	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Permanent	22	10	12	0	1	8	6	1	5	0	0	0	0	0	0	1	0
	100%	45.45%	54.55%	0%	4.55%	36.36%	27.27%	4.55%	22.73%	0%	0%	0%	0%	0%	0%	4.55%	0%
Temporary	5	0	5	0	1	0	2	0	2	0	0	0	0	0	0	0	0
	100%	0%	100%	0%	20.00%	0%	40.00%	0%	40.00%	0%	0%	0%	0%	0%	0%	0%	0%
Non-Appropriated	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
CLF (2010)	100%	51.86%	48.14%	5.17%	4.79%	38.33%	34.03%	5.49%	6.53%	1.97%	1.93%	0.07%	0.07%	0.55%	0.53%	0.26%	0.28%