

Federal Election Commission



2023
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) 2023, the FEC had no cases that resulted in a judgment, award or compromised settlement. There were zero equal employment opportunity (EEO) administrative complaint filed against the FEC during FY 2023. 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 The Elijah E. Cummings Federal Employee Antidiscrimination Act of 2020 (Cummings Act) which became law on January 1, 2021. The law amends the Notification and Federal Employee Antidiscrimination 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) 2023, the FEC had no cases that resulted in a judgment, award or compromised settlement and there were zero (0) administrative complaints 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 2023, 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 2023.

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 2023.

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

Appendix 2 contains the FY 2023 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 2023, there were (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.

The FEC does not have a table of penalties for disciplinary actions. When disciplinary action is taken against an employee, the proposed penalty is based on an assessment of the reasonableness of that penalty in view of other actions that have previously been taken with respect to similarly situated employees. The agency does not have a separate disciplinary policy that specifically addresses employees found to have committed discrimination. The agency's general policy for taking disciplinary actions with respect to any non-bargaining unit employee is set forth in Personnel Instruction 752.1. (progressive discipline). During 2023, the FEC Chair issued the agency's EEO Policy Statement (**See Appendix 3**), which occurs annually, to communicate 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 2023, the number of employees filing EEO complaints was zero (0) which matches the previous fiscal year (FY 2022) in which there were zero (0) complaints. 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 conducted a three-year trend analysis to identify barriers toward advancement for minorities, women and the Persons with Disabilities (PWD) at the Federal Election Commission. The three-year trend analysis revealed changes within underrepresented populations over the course of a three-year period. The analysis consisted of an examination of the full employment cycle through workforce data to include recruitment, hiring, training, advancement, retention. The data reviewed was based on personnel data files covering the period from FY20-FY22. The EEO Office will continue to monitor the data to ensure that career growth opportunities exist for underrepresented staff so they can effectively compete for senior-level positions as they become available.

During the previous three fiscal years (**FY 2020-22**) the FEC made improvements concerning the number of minority staff who occupy the agency's major occupational series and management level positions.

The three-year trend analysis was based on workforce data from FY20, FY21, FY22. Regarding race/ethnicity, representation of Hispanic Males remained unchanged at one (1) Hispanic Male in FY 20, FY21, FY22 (0.34%). Hispanic Females increased by one (1) employee between FY20-FY22 with an increase of (0.75%). Representation of White male employees decreased by ten (10) employees from 95 employees in FY20 to 85 employees in FY22, which represents a decrease of 2.01%. White female employees decreased from 85 to 78 employees from FY20-FY22, which represents a decrease of seven (7) employees (1.01%), Black/African American male representation showed a modest increase of one (1) employee from 9.65% to 9.90%. Black/African American female representation remained consistent at over 21% from FY20-FY22. The biggest increase in representation was with Asian male employees. In FY20, Asian male representation was 2.98% and in FY22 was 4.44%. Asian female representation showed modest increase from 4.5% in FY20 to 4.78% in FY22. There remained zero (0) representation of Native Hawaiian/Pacific Islander employees. From FY20-FY22, there was one (1) employee who identified as American Indian/Alaskan Native and one (1) employee who identified as Two or More Races.

After reviewing the data, select existing agency policies and other targeted data provided by the Office of Human Resources, the EEO Office has identified the following triggers: Low representation of Hispanic/Latino, Black/African American, Asian, Native Hawaiian/Other Pacific Islander and American Indian/Alaska Native employees from GS-13 through the Senior Level.

A demographic breakdown of underrepresented populations is listed below according to Grade level:

GS-13:

- One (1) Hispanic/Latino male
- Five (5) Black/African American males

GS-14:

- Zero (0) Hispanic/Latino employees.
- Zero (0) employees identified as Two or More Races.

GS-15:

- Zero (0) Hispanic/Latino males
- Zero (0) employees identified as Two or More Races.

Senior Level:

- Zero (0) Hispanic/Latino males; one (1) Hispanic/Latina female.
- One (1) Black/African American female.
- Zero (0) Asian Americans.
- Zero (0) Native Hawaiian/Other Pacific Islanders.
- Zero (0) American Indian/Alaska Natives.
- Zero (0) employees identified as Two or More Races.

The EEO Office plans to continue to monitor agency provided 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 already 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.

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 to provide Diversity, Equity, Inclusion and Accessibility training workshops for FEC management and staff so that the agency can continue to increase the recruitment, hiring, and promotion of underrepresented group members.
2. The EEO Office will continue to utilize and/or promote the Computer Accommodation Program (CAP), the Job Accommodation Network (JAN), Employer Assistance and Resource Network on Disability Inclusion (EARN), [Federal Exchange on Employment and Disability \(FEED\)](#) and other appropriate resources to ensure that employees with disabling conditions can enjoy all benefits of employment.
3. Continue to work in collaboration with the FEC's Diversity, Equity, Inclusion and Accessibility Council (DEIA) and Senior management to implement President Biden's Executive Orders regarding diversity, equity, inclusion and accessibility in the federal government, as applicable.
4. Collaborate with the Office of Human Resources (OHR) to expand agency outreach and recruitment efforts (budget permitting) to reach qualified applicants from the agency's underrepresented groups--most urgently, Hispanics/Latinos, American Indians/Native Alaskans and Persons with Disabilities and Targeted Disabilities.
5. The EEO Office will continue to present findings from our barrier analysis to OHR and Senior management that 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 opportunities and help develop and implement appropriate action plans to eliminate barriers.

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) 2023. The FEC has pursued the requirements of this important legislation as indicated in the actions highlighted below:

1. EEO Office staff continued to educate employees about the agency's Accommodation Program and facilitated numerous accommodations for staff who made requests and engaged in the interactive process. A further understanding of the Accommodation Program's benefits to staff has prompted management to expand flexibilities in medical telework-- an adjacent non-EEO agency program.
2. The FEC provided interpretive services (sign language) to employees with targeted disabilities.
3. Highlighted Special Emphasis Months with intranet articles and current events for staff to participate in during African American Heritage Month (February), Women's History Month (March), Asian American Heritage Month (May), Hispanic Heritage Month (September/October), National Disability Employment Awareness Month (October) and American Indian Heritage Month (November).
4. The EEO Office in collaboration with the DEIA Council hosted a Manager Training entitled Recruiting, Hiring and Developing Diverse Talent. This training was targeted to FEC managers/supervisors and focused on recruiting and hiring diverse talent.
5. The DEIA Council hosted "FALL into Diversity" which was a way to highlight diversity initiatives during the fall season. Staff had the opportunity to participate in several training opportunities, community service events, weekly walks to stay engaged and a holiday themed Dishes and Discussions event where agency staff shared their favorite holiday recipes and traditions.
6. The DEIA Council established eight (8) Employee Resource Groups (ERGs). The ERG's meet regularly and are voluntary, employee-led groups that promote a sense of belonging and support inclusivity within the FEC. The FEC's current ERGs are:
 - PRIDE
 - The Best is Yet to Come: Planning for a Great Retirement
 - Introverts Insights
 - Historically Black Colleges and Universities (HBCU's)/ Divine 9 (African American Fraternities & Sororities)
 - French Conversation Group
 - Health & Fitness Group.

Appendix 2

(Appendix 2)

Equal Employment Opportunity Data Pursuant to the No FEAR Act

FEC No FEAR 2023 FY Totals

Number of	2023 FY Totals
Complaints	0
Filers	0
Repeat Filers	0

Bases	2023 FY Totals
Sex	0
Age	0
Race	0
Color	0
Disability	0
National Origin	0
Religion	0
Reprisal	0

Issues (Claims)	2023 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)	2023 FY Totals
Investigations	0
Final Agency Decision	0
All	0
With Hearing	0
Without Hearing	0

Dismissals	2023 FY Totals
Number of Dismissals	0
Days pending prior to Dismissal	0

Findings of Discrimination	2023 FY Totals
All	0
With Hearing	0
Without Hearing	0

Bases-Findings of Discrimination	2023 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	2023 FY Totals
Sex	0
Age	0
Race	0
Color	0
Disability	0
National Origin	0
Religion	0
Reprisal	0

Issues Findings of Discrimination	2023 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	2023 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	2023 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	4th QTR FY 2023	2022	2021	2020	2019	2018
Number of Complaints Filed in FY 1614.704(a)	0	0	0	1	0	1
Number of Complainants 1614.704(b)	0	0	0	1	0	1
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>	4th QTR FY 2023	2022	2021	2020	2019	2018
Race	0	0	0	1	0	0
Color	0	0	0	0	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	1	0	0
Disability	0	0	0	0	0	1
Age	0	0	0	0	0	0
Reprisal	0	0	0	0	0	1
Other	0	0	0	0	0	0

Data Posted Pursuant to the No Fear Act Federal Election Commission

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>	4th QTR FY 2023	2022	2021	2020	2019	2018
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	0	0	0	1
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	1	0	0
Other						
Denied	0	0	0	0	0	0
Directed	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	1
Reinstatement	0	0	0	0	0	0

**Data Posted Pursuant to the No Fear Act
Federal Election Commission**

Retirement	0	0	0	0	0	0
Termination	0	0	0	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)		4th QTR FY 2023	
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 09/30)		Number	Average Days
		Processing time of Investigations	1614.704(f)(1)
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)	4th QTR FY 2023	2022	2021	2020	2019	2018
Total Complaints Dismissed by Agency	0	0	0	1	0	0
Average days pending prior to dismissal	0	0	0	39	0	0

Complaints Withdrawn by Complainants Pursuant to 1614.704(h)	4th QTR FY 2023	2022	2021	2020	2019	2018
Total number of complaints withdrawn	0	0	0	0	0	1

Data Posted Pursuant to the No Fear Act Federal Election Commission

29 CFR 1614.704(i)			29 CFR 1614.705 Comparative Data Previous Fiscal Year Data								
Total Final Agency Actions Finding Discrimination	4th QTR FY 2023		2022		2021		2020		2019		2018
	#	%	#	%	#	%	#	%	#	%	#
Total Number Findings 704(i)(1)	0	0	0	0	0	0	0	0	0	0	0
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>	4th QTR FY 2023		2022		2021		2020		2019		2018
	#	%	#	%	#	%	#	%	#	%	#
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

Data Posted Pursuant to the No Fear Act Federal Election Commission

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>	4th QTR FY 2023		2022		2021		2020		2019		2018	
	#	%	#	%	#	%	#	%	#	%	#	
Total Number of Findings 704(k)(1)	0	0	0	0	0	0	0	0	0	0	0	
Findings Without Hearing 704(k)(2)	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	
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	
Awards	0	0	0	0	0	0	0	0	0	0	0	
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0	0	
Demotion	0	0	0	0	0	0	0	0	0	0	0	
Reprimand	0	0	0	0	0	0	0	0	0	0	0	
Suspension	0	0	0	0	0	0	0	0	0	0	0	
Removal	0	0	0	0	0	0	0	0	0	0	0	
Other	0	0	0	0	0	0	0	0	0	0	0	
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0	0	
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	
Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	
Sexual	0	0	0	0	0	0	0	0	0	0	0	
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0	0	
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0	0	
Denied	0	0	0	0	0	0	0	0	0	0	0	

Data Posted Pursuant to the No Fear Act Federal Election Commission

Directed	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0
Termination	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
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0

29 CFR 1614.704(l)		29 CFR 1614.705 Comparative Data Previous Fiscal Year Data				
Complaints Pending From Previous Fiscal Years by Status	2023	2022	2021	2020	2019	2018
Total complaints from previous Fiscal Years 704(l)(1)	0	0	0	0	0	1
Total Complainants 704(l)(2)(i)	0	0	0	0	0	1
Number of complaints pending (as of 09/30):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	4th QTR FY 2023	2022	2021	2020	2019	2018
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 DARA LINDENBAUM
FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

2023 Federal Election Commission Policy Statement on Non-Discrimination and Equal Employment Opportunity

Federal Election Commission (FEC) 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 age (over 40), color, disability, sex (including pregnancy, sexual orientation and gender identity), genetic information, national origin, race, religion and reprisal. These protections extend to all personnel/employment programs, management practices and decisions, including (but not limited to) recruitment and hiring practices, merit promotions, transfers, reassignments, training and career development, benefits and separations. Additional information may be found here: <https://www.eeoc.gov/federal/otherprotections.cfm>.

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. Further, the Commission will act to correct any harassing conduct before it becomes severe or pervasive. 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 remains free of unlawful discrimination, intimidation, reprisals and harassment.

In order to enforce these protections, as well as ensure that all employees will have the freedom to compete on a fair and level playing field, 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) 804-7000 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. Such acts 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 – and the agency supports the rights of all employees to exercise their rights under the civil rights statutes. 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 the FEC OIG Hotline Portal.

A handwritten signature in black ink, appearing to read "Dara Lindenbaum", is written over a horizontal line.

February 17, 2023

Dara Lindenbaum, Chair

Date