

No FEAR Act Report FY 2025-Q1



Defense Nuclear Facilities Safety Board

No FEAR Act Notice

On May 15, 2002, the President signed into law the "Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002," now known as the No FEAR Act (Pub. L. 107-174). The purpose of this Act is to require Federal agencies to be accountable for violations of antidiscrimination and whistleblower protection laws. Congress found that "agencies cannot be run effectively if [they] practice or tolerate discrimination" (Section 101(1)). The No FEAR Act also requires the DNFSB to provide this notice to its employees, former employees, and applicants for DNFSB employment to ensure awareness of rights and protections under Federal antidiscrimination and whistleblower protection laws.

Antidiscrimination Laws

A Federal agency cannot discriminate against an employee or applicant with respect to the terms, conditions, or privileges of employment based on race, color, religion, sex, national origin, age, disability, genetic information, sexual orientation, marital status, or political affiliation. Discrimination on these bases is prohibited under the following statutes:

- 5 U.S.C. 2302(b)(1)
- 29 U.S.C. 206(d)
- 29 U.S.C. 631
- 29 U.S.C. 633a
- 29 U.S.C. 791
- 42 U.S.C. 2000e-16

If you believe you have been unlawfully discriminated against based on race, color, religion, sex, national origin, sexual orientation, genetic information, or disability, you must contact the Office of Equal Employment Opportunity, Diversity, and Inclusion within 45 calendar days of the alleged discriminatory action. For personnel actions, contact must occur within 45 calendar days of the effective date of the action.

For discrimination based on age, contact an EEO counselor as noted above. Allegations of discrimination based on marital status or political affiliation may be directed to the U.S. Office of Special Counsel (OSC). Alternatively, you may file a grievance through the agency's administrative or negotiated grievance

procedures if applicable.

Whistleblower Protection Laws

Federal employees with authority over personnel actions must not retaliate against employees or applicants for disclosing information that evidences:

- Violations of laws, rules, or regulations
- Gross mismanagement
- Gross waste of funds
- Abuse of authority
- Substantial danger to public health or safety

Protected disclosures must not involve information specifically prohibited by law or required by Executive Order to remain secret for national defense or foreign affairs.

Retaliation for whistleblowing is prohibited under 5 U.S.C. 2302(b)(8). If you believe you are a victim of whistleblower retaliation, you may file a written complaint (Form OSC-11) with the U.S. Office of Special Counsel at:

1730 M Street NW, Suite 218, Washington, D.C. 20036-4505
Or online through the OSC Website.

Retaliation for Protected Activity

Federal agencies cannot retaliate against employees or applicants for exercising their rights under Federal antidiscrimination or whistleblower protection laws. If you believe you are a victim of retaliation, follow the procedures outlined under the Antidiscrimination Laws and Whistleblower Protection Laws sections of this notice.

Disciplinary Actions

Federal agencies retain the right to discipline employees for conduct inconsistent with antidiscrimination and whistleblower protection laws, up to and including removal. However, under 5 U.S.C. 1214(f), agencies must obtain approval from the Special Counsel before disciplining employees for engaging in prohibited retaliation during an OSC investigation.

Existing Rights Unchanged

Section 205 of the No FEAR Act ensures that neither the Act nor this notice creates, expands, or reduces any rights available to employees, former employees, or applicants under existing U.S. laws.

Additional Information

For further information, refer to 5 CFR part 724 or contact the appropriate offices within the Defense Nuclear Facilities Safety Board, such as:

- The Division of Civil Rights
- Human Resources Division
- Office of General Counsel

Additional resources on Federal antidiscrimination, whistleblower protection, and retaliation laws are available on the [EEOC Website](#) and the [OSC Website](#).

Complaint Activity	Comparative Data				
	Fiscal Year Data				2025 thru 09-30
	1 ST QTR	2 ND QTR	3 RD QTR	4 TH QTR	
	Number of Complaints Filed	0			
Number of Complainants	1				
Repeat Filers	0				

Complaint by Basis	Comparative Data				
	Fiscal Year Data				
	1 ST QTR	2 ND QTR	3 RD QTR	4 TH QTR	
	Race	1			
Color	1				
Religion	0				
Reprisal	1				
Sex	0				
PDA	0				
National Origin	0				
Equal Pay Act	0				
Age	0				
Disability	0				
Genetics	0				

	Comparative Data					
Complaints by Issue	Fiscal Year Data					
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.						
		1 ST QTR	2 ND QTR	3 RD QTR	4 TH QTR	2025 thru 09-30
Appointment/Hire		0				
Assignment of Duties		0				
Awards		0				
Conversion to Full Time/Perm Status		0				

Disciplinary Action						
Demotion		0				
Reprimand		0				
Suspension		0				
Removal		0				
Other		0				
Duty Hours		0				
Perf. Evaluation/Appraisal		0				
Examination/Test		0				
Harassment						
Non-Sexual		0				
Sexual		0				
Medical Examination		0				
Pay including overtime		0				
Promotion/Non-Selection		0				
Reassignment						
Denied		0				
Directed		0				
Reasonable Accommodation Disability		0				
Reinstatement		0				
Religious Accommodation		0				
Retirement		0				

Sex-Stereotyping		0				
Telework		0				
Termination		0				
Terms/Conditions of Employment		0				
Time and Attendance		0				
Training		0				
Other						
User Defined - HWE		1				
User Defined - Other 2		0				
User Defined - Other 3		0				
User Defined - Other 4		0				
		0				

	Comparative Data					
	Fiscal Year Data					
Processing Time		1ST QTR	2ND QTR	3RD QTR	4TH QTR	
Complaints pending during fiscal year						
Average number of days in investigation		111				
Average number of days in final action		0				
Complaint pending during fiscal year where hearing was requested						
Average number of days in investigation		0				
Average number of days in final action		0				
Complaint pending during fiscal year where hearing was not requested						
Average number of days in investigation		0				
Average number of days in final action		0				

	Comparative Data					
Complaints Dismissed by Agency	Fiscal Year Data					
		1ST QTR	2ND QTR	3RD QTR	4TH QTR	2025 thru 09-30
Total Complaints Dismissed by Agency		0				

Average days pending prior to dismissal		0				
Complaints Withdrawn by Complainants						
Total Complaints Withdrawn by Complainants		0				

	Comparative Data											
	Fiscal Year Data											
Total Final Agency Actions Finding Discrimination			1 ST QTR		2 ND QTR		3 RD QTR		4 TH QTR		2025 thru 09-30	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings			0	0								
Without Hearing			0	0								
With Hearing			0	0								

Findings of Discrimination Rendered by Basis	Comparative Data											
	Fiscal Year Data											2025 thru 09-30
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.			1 ST QTR		2 ND QTR		3 RD QTR		4 TH QTR		30	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings			0	0								
Race			0	0								
Color			0	0								
Religion			0	0								
Reprisal			0	0								
Sex			0	0								
PDA			0	0								
National Origin			0	0								
Equal Pay Act			0	0								
Age			0	0								
Disability			0	0								
Genetics			0	0								
Non-EEO			0	0								

Findings After Hearing			0	0								
Race			0	0								
Color			0	0								
Religion			0	0								
Reprisal			0	0								
Sex			0	0								
PDA			0	0								
National Origin			0	0								
Equal Pay Act			0	0								
Age			0	0								
Disability			0	0								
Genetics			0	0								
Non-EEO			0	0								

Findings Without Hearing			0	0								
Race			0	0								
Color			0	0								
Religion			0	0								
Reprisal			0	0								
Sex			0	0								
PDA			0	0								
National Origin			0	0								
Equal Pay Act			0	0								
Age			0	0								
Disability			0	0								
Genetics			0	0								
Non-EEO			0	0								

Comparative Data												
Findings of Discrimination Rendered by Issue	Fiscal Year Data											
			1 ST QTR		2 ND QTR		3 RD QTR		4 TH QTR		2025 Thru 09-30	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings			0	0								
Appointment/Hire			0	0								
Assignment of Duties			0	0								
Awards			0	0								
Conversion to Full Time/Perm Status			0	0								

Disciplinary Action												
Demotion			0	0								
Reprimand			0	0								
Suspension			0	0								
Removal			0	0								
Other			0	0								
Duty Hours			0	0								
Perf. Evaluation/ Appraisal			0	0								
Examination/Test			0	0								

Harassment												
Non-Sexual			0	0								
Sexual			0	0								
Medical Examination			0	0								
Pay including overtime			0	0								
Promotion/Non-Selection			0	0								

Reassignment												
Denied			0	0								
Directed			0	0								
Reasonable Accommodation Disability												
			0	0								
Reinstatement			0	0								
Religious Accommodation			0	0								
Retirement			0	0								
Sex-Stereotyping			0	0								
Telework			0	0								
Termination			0	0								
Terms/Conditions of Employment			0	0								
Time and Attendance			0	0								
Training			0	0								

Other - User Define												
User Defined - Other 1			0	0								
User Defined - Other 2			0	0								
User Defined - Other 3			0	0								
User Defined - Other 4			0	0								

Findings After Hearing			0	0								
Appointment/Hire			0	0								
Assignment of Duties			0	0								
Awards			0	0								
Conversion to Full Time/Perm Status			0	0								

Disciplinary Action												
Demotion			0	0								
Reprimand			0	0								
Suspension			0	0								
Removal			0	0								
Other			0	0								
Duty Hours			0	0								
Perf. Eval./ Appraisal			0	0								
Examination/Test			0	0								

Harassment												
Non-Sexual			0	0								
Sexual			0	0								
Medical Examination			0	0								
Pay including overtime			0	0								
Promotion/Non-Selection			0	0								

Reassignment												
Denied			0	0								
Directed			0	0								
Reasonable Accommodation Disability			0	0								
Reinstatement			0	0								
Religious Accommodation			0	0								
Retirement			0	0								
Sex-Stereotyping			0	0								
Telework			0	0								
Termination			0	0								

Terms/Conditions of Employment			0	0								
Time and Attendance			0	0								
Training			0	0								

Other - User Define												
User Defined - Other 1			0	0								
User Defined - Other 2			0	0								
User Defined - Other 3			0	0								
User Defined - Other 4			0	0								

Findings Without Hearing			0	0								
Appointment/Hire			0	0								
Assignment of Duties			0	0								
Awards			0	0								
Conversion to Full Time/Perm Status			0	0								

Disciplinary Action												
Demotion			0	0								
Reprimand			0	0								
Suspension			0	0								
Removal			0	0								
Other			0	0								
Duty Hours			0	0								
Perf. Eval./ Appraisal			0	0								
Examination/Test			0	0								

Harassment												
Non-Sexual			0	0								
Sexual			0	0								
Medical Examination			0	0								
Pay including overtime			0	0								
Promotion/Non-Selection			0	0								

Reassignment												
Denied			0	0								
Directed			0	0								
Reasonable Accommodation Disability												
			0	0								
Reinstatement			0	0								
Religious Accommodation			0	0								
Retirement			0	0								
Sex-Stereotyping			0	0								
Telework			0	0								
Termination			0	0								
Terms/Conditions of Employment			0	0								
Time and Attendance			0	0								
Training			0	0								

Other - User Define												
User Defined - Other 1			0	0								
User Defined - Other 2			0	0								
User Defined - Other 3			0	0								
User Defined - Other 4			0	0								

	Comparative Data					
Pending Complaints Filed in Fiscal Year by Status	Fiscal Year Data					
		1ST QTR	2ND QTR	3RD QTR	4TH QTR	2025 Thru 09-30
Total complaints from Fiscal Year		0				
Total Complainants		1				

Number complaints pending						
Investigation		1				
ROI issued, pending Complainant's action		0				
Hearing		0				
Final Agency Action		0				
Appeal with EEOC Office of Federal Operations		0				

	Comparative Data					
	Fiscal Year Data					
		1ST QTR	2ND QTR	3RD QTR	4TH QTR	2025 Thru 09-30
Complaint Investigations						
Pending Complaints Where Investigations Exceed Required Time Frames		0				