

Training Plan for Implementing No FEAR Act

I. Requirements

A. The Notification and Federal Employee Anti-Discrimination Act of 2002 (No FEAR Act) requires Federal agencies to train all employees, including supervisors, on their rights and remedies under the federal anti-discrimination and whistleblower protection laws.

B. Agencies were required to train all current employees by December 17, 2006. New employees must be trained within 90 days of hire. 5 C.F.R. § 724.203.

C. Agencies must provide refresher training to all employees every two years. *Id.*

II. The Commission's Training Plan

A. Training will cover all anti-discrimination laws and whistleblower protection laws. Anti-Discrimination laws include those laws that prohibit harassment and other forms of discrimination on the basis of race, color, religion, sex, national origin, age, disability, genetic information, marital status, or political affiliation. Whistleblower Protection laws include those laws that prohibit retaliation against an employee for disclosure of information that the individual reasonably believes is evidence of a violation of a law, rule or regulation; gross mismanagement; gross waste of funds; an abuse of authority; or a substantial and specific danger to public health or safety. The training also addressed the fact that an agency cannot retaliate against a person for exercising his or her rights under the anti-discrimination or whistleblower protections laws.

B. In 2006 and 2008, the Commission contracted with contractor Brightline Compliance to provide on-line training. Training was documented by collection of completion certificates generated by the on-line training program from all employees.

C. For 2010, the Commission provided video No FEAR Act training, which covered all topics set forth in II.A., to all its employees. Training was documented by certificate of completion or an attendance sheet attesting to course completion. The Commission had 100% participation in the No FEAR Act training.

D. For 2012, the Commission provided live or videoconferenced No FEAR Act training, which covered all topics set forth in II.A., to all its employees. Training was documented by certificate of completion or an attendance sheet attesting to course completion. The Commission had 100% participation in the No FEAR Act training.

E. For 2014, the Commission provided live or video-conferenced no FEAR Act training, which covered all topics set forth in II.A., to all its employees. Most Commission staff participated in the no FEAR Act training.

F. For 2016, the Commission provided its employees with online No FEAR Act training, which covered all topics set forth in II.A. Training was documented by a certificate of completion. The Commission had 93% participation.

G. For 2018, the Commission provided live No FEAR Act training (recorded for those unable to attend in person) which covered all topics set forth in II.A. The Commission had 90% participation by the end of the fiscal year (73% in person, 17% via recording), and 99% completion by October 17th.

H. For 2020, the Commission provided video No Fear Act training which covered all topics set forth above in IIA. Training was documented by a certificate of completion. The Commission had 97% participation.

I. I. New employees will be provided with in person or online No FEAR Act training within 90 days of hire. The No FEAR Act training will be given every two years to all employees.

J. The Commission plans to provide in-person or online refresher No FEAR Act training to all of its employees by the end of September 2022.

K. Video or on-line training courses will be compliant with section 508 of the Rehabilitation Act.