

## NO FEAR DATA CALL FOR FY 2019 DATA

**DOD COMPONENT: DD27 - MISSILE DEFENSE AGENCY**

**POINT OF CONTACT & EMAIL: RACHEL D. INABINETT, [RACHEL.D.INABINETT@MDA.MIL](mailto:RACHEL.D.INABINETT@MDA.MIL)**

1. *The number of cases in federal court pending or resolved in each fiscal year and arising under each of the respective provisions of the federal antidiscrimination laws and whistleblower protection laws applicable to them as defined in 5 C.F.R. §724.102, in which an employee, former federal employee, or applicant alleged a violation of these laws, separating data by the provision of law involved (5 C.F.R. 724.302(a)(1)) **and** the status or disposition (including settlement) of such cases (5 C.F.R. 724.302(a)(2)(i)).*

| Statute   | Cases Opened in FY19 | Cases Resolved in FY19 |       | Cases Pending at Close of FY19 |
|---|----------------------|------------------------|-------|--------------------------------|
|   |                      | Settled                | Other |                                |
| <b>Title VII, Civil Rights Act of 1964</b><br>42 U.S.C. 2000e-16                    | 0                    | 0                      | 0     | 0                              |
| <b>Age Discrimination in Employment Act</b><br>29 U.S.C. 631, 633a                  | 0                    | 0                      | 0     | 0                              |
| <b>Fair Labor Standards Act of 1938</b><br>29 U.S.C. 206(d)                         | 0                    | 0                      | 0     | 0                              |
| <b>Section 501 of Rehabilitation Act</b><br>29 U.S.C. 791                           | 1                    | 0                      | 0     | 1                              |
| <b>Equal Pay Act</b><br>29 U.S.C. 206(d)  | 0                    | 0                      | 0     | 0                              |
| <b>Whistleblower Protection Act</b><br>5 U.S.C. 2302(b)(1)                          | 0                    | 0                      | 0     | 0                              |
| <b>Genetic Information Nondiscrimination Act of 2008 (GINA)</b><br>42 U.S.C. 2000ff | 0                    | 0                      | 0     | 0                              |

2. *The amount of money required to be reimbursed to the Judgment Fund by the agency for payments as defined in 5 C.F.R. §724.102 (5 C.F.R. 724.302(a)(2)(ii)), **and** the amount of reimbursement to the Fund for attorney's fees where such fees have been separately designated (5 C.F.R. 724.302(a)(2)(iii)), **and** any adjustment needed or made to the budget of the agency to comply with its Judgment Fund reimbursement obligation(s) incurred (5 C.F.R. 724.302(a)(8)).*

| \$ Reimbursed to Judgment Fund | \$ Attributed to Attorneys' Fees | Adjustment to Agency Budget |
|--------------------------------|----------------------------------|-----------------------------|
| 0                              | 0                                | 0                           |

3. *In connection with the cases identified above, the total number of employees in each fiscal year disciplined (reprimand, suspension without pay, reduction in grade or pay, or removal) and the specific nature of the disciplinary actions taken, separated by the provision(s) of law involved (5 C.F.R. 724.302(a)(3)) **and** the number of employees in each fiscal year disciplined (reprimand, suspension without pay, reduction in grade or pay, or removal) in accordance with any agency policy, regardless of whether or not the matters are in connection to a federal court case (5 C.F.R. 724.302(a)(5)).*

| Statute   | # of Employees Disciplined | Nature of Disciplinary Action (reprimand, suspension without pay, reduction in grade or pay, or removal) <sup>1</sup> |
|---|----------------------------|---|
| <b>Title VII, Civil Rights Act of 1964</b><br>42 U.S.C. 2000e-16                    | 0                          |   |
| <b>Age Discrimination in Employment Act</b><br>29 U.S.C. 631, 633a                  | 0                          |   |
| <b>Fair Labor Standards Act of 1938</b><br>29 U.S.C. 206(d)                         | 0                          |   |
| <b>Section 501 of Rehabilitation Act</b><br>29 U.S.C. 791                           | 0                          |   |
| <b>Equal Pay Act</b><br>29 U.S.C. 206(d)  | 0                          |   |
| <b>Whistleblower Protection Act</b><br>5 U.S.C. 2302(b)(1)                          | 0                          |   |
| <b>Genetic Information Nondiscrimination Act of 2008 (GINA)</b><br>42 U.S.C. 2000ff | 0                          |   |
| <b>Matters that did <u>NOT</u> result in a federal court case</b>                   | 0                          |   |

4. *Does your Component have a policy for taking disciplinary action against Federal employees for conduct that is inconsistent with Federal Antidiscrimination Laws and Whistleblower Protection Laws or for conduct that constitutes another prohibited personnel practice revealed in connection with agency investigations of alleged violations of these laws? (5 C.F.R. 724.302(a)(6)).*

**Yes**

**No**

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<sup>1</sup> If possible, please provide the number of each disciplinary action. For example, if 4 employees were disciplined, 3 of whom were Suspended, 1 was Terminated, please state in the following way: Suspension (3); Removal (1)

5. *Does your Component have a written plan to train its employees? (5 C.F.R. 724.203(a) and 724.302(a)(9)).*

**Yes**

**No**

6. *Does your Component require No FEAR training to its employees every 2 years? (5 C.F.R. 724.203(d)).*

**Yes**

**No**

7. *Does your Component require No FEAR training to its new employees within 90 calendar days of new employee's appointment? (5 C.F.R. 724.203(e)).*

**Yes**

**No**

8. *Does your Component provide notice to all of its employees, former employees, and applicants for Federal employment about the rights and remedies available under the No FEAR Act? (5 C.F.R. 724.202(a)).*

**Yes**

**No**

9. *Did your Component submit its EEOC Form 462 for FY 2019 to the Office for Diversity, Equity and Inclusion? (5 C.F.R. 724.302(a)(9)).*

**Yes**

**No – it is attached with this document**

10. *Does your Component post on its public website its EEO complaint data for FY 2019 and the year-end data for the 5 immediate preceding fiscal years? (Public Law 107-174, section 301(c)).*

**Yes**

**No**

Fiscal Year 2019 Notification and  
Federal Employee Antidiscrimination  
and Retaliation Act of 2002 Annual  
Report

Cost Reporting Template

A 12/27/2010 Secretary of Defense memorandum directed that all congressional reports have a cost sticker affixed to the front cover/page before delivery to Congress. The Cost Assessment and Program Evaluation (CAPE) Office is executing this requirement and has strict requirements for the cost data that must be collected for each Congressional report. The below template should *only* include the costs associated with *writing and directly producing the report*, from initiation to signature.

Directions for completing the template:

- 1.) CAPE requires costs for contract support, government manpower and government travel, which have been broken out into three sections below.
- 2.) The dates listed above each Section are *approximate dates* for which your Service was working on the Annual Report.
- 3.) Section 1: Please enter the contract number and costs in the yellow boxes on Lines 8 and 9. If multiple contracts were used to support this effort, please include all contracts/contract numbers/costs.
- 4.) Section 2: Please enter the requested information for all government employees supporting the report in Lines 11-14.
  - Line 11: Enter military grade or civilian GS-equivalent. If additional columns are needed, please add as necessary.
  - Line 12: Designate whether the employee's role was Study Activity (prepared non-oversight activities in preparation of the report) or Oversight (provided supervision in preparation of the report)
  - Line 13: Using one word, describe the type of activity performed by the employee (e.g. analysis, oversight)
  - Line 14: Enter the number of man-hours associated with the activity/oversight. The total of all man hours will automatically populate in the Total cell.

*Note: If four GS-14's conducted the same role and activity, please include only one column for GS-14 with the total hours for all four individuals in the Man Hours cell.*
- 5.) Section 3: Please enter travel destination and costs required to support the report in Lines 16 and 17.
  - Line 16: Enter destination of travel
  - Line 17: Enter total cost of travel

|                                |   | 2019 Annual Report efforts            |                       |                       |              |
|--------------------------------|---|---------------------------------------|-----------------------|-----------------------|--------------|
| Section 1: Contract Support    | Contract/Task Order #                         |                                       |                       |                       |              |
|                                | Contract cost spent on the Annual Report      | \$0                                   |                       |                       |              |
|                                |   | FY 2019<br>(1 Oct 2018-30 Sep 2019)   |                       |                       |              |
| Section 2: Government Activity | Military grade or civilian GS-equivalent      |                                       | NH-3, GS13 Equivalent | NH-4, GS15 Equivalent |              |
|                                | Role (Study Activity or Oversight)            | Oversight                             | Study Activity        | Oversight             |              |
|                                | Activity Performed (e.g. analysis, oversight) | Analysis                              | Analysis              | Oversight             |              |
|                                | Man Hours (per rank, grade or GS-equivalent)  |                                       | 3                     | 1                     |              |
|                                |   | FY 2019<br>(1 Oct 2018 - 30 Sep 2019) |                       |                       |              |
| Section 3: Government Travel   | Travel destination/description                |                                       |                       |                       |              |
|                                | Total cost (per Service, not per individual)  | 0                                     |                       |                       |              |
|                                |   |                                       |                       |                       | <b>Total</b> |
|                                |   |                                       |                       |                       | 4            |