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settle discrimination and whistleblower cases must pay judgments out of their individual budgets. In the past, most of these settlements and judgments were paid from a government-wide “judgment fund”. Under the new law, agencies must now reimburse the fund for court judgments and settlement payments to complainants.

- Employee information and education. Agencies must give their employees, former employees and applicants for employment written notification of discrimination and whistleblower protection laws. This written notification must include posting the information on the agency’s web site. Agencies are also required to provide their employees with training regarding the rights and remedies



applicable to them under these laws. The U.S. Office of Special Counsel (OSC) (www.osc.gov) is responsible for ensuring that agencies meet their obligations to inform and educate their employees regarding the WPA. The Office of Special Counsel is an independent federal investigative and prosecutorial agency whose basic mission is to guard against prohibited personnel practices in the federal workplace, with a special emphasis on protecting government whistleblowers.

- Training for managers. Agencies should ensure that managers have adequate training in the management of a diverse workforce and in dispute resolution and other essential communication skills. For training requirements, please see 5 Part B, §724.203).



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The agency must post data for the current fiscal year on a cumulative basis (year-to-date information), updated quarterly. An agency also must post year-end data for the five previous fiscal years for comparison purposes. In addition, section 302 of the No FEAR Act requires the Equal Employment Opportunity Commission (EEOC) to post government-wide, summary statistical data pertaining to hearings requested under 29 C.F.R. Part 1614 and appeals filed with EEOC. The posting of EEO data on agency public web sites is intended to assist Congress, Federal agencies and the public to assess whether and the extent to which agencies are living up to their equal employment opportunity responsibilities. (The specific data to be posted is

described in section 301(b) of the No FEAR Act and 29 C.F.R. 1614.704. See the [Final Rule](#) regarding Posting Requirements in Federal Sector Equal Employment Opportunity).

- On January 1, 2021, the Elijah Cummings Federal Employee Antidiscrimination Act of 2020 was signed into law. The law amended the No FEAR Act. As part of this law, Agencies are required to report findings of discrimination. Information regarding recent findings are displayed.

FY2023 Findings

 [FY2023 Findings.pdf](#)



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posted

(new EEOC format.)

the PDF link and

2024 (1st Quarter)

- Department of Commerce Aggregate (excluding PTO)
- Bureau of the Census
- Bureau of the Census - Decennial
- International Trade Administration (ITA)
- National Institute of Standards & Technologies (NIST)
- National Oceanic and Atmospheric Administration (NOAA)

2023 (4th Quarter)

- Department of Commerce Aggregate (excluding PTO)
- Bureau of the Census
- Bureau of the Census - Decennial
- International Trade Administration (ITA)
- National Institute of Standards & Technologies (NIST)
- National Oceanic and Atmospheric Administration (NOAA)

See the Patent and Trademark Office (PTO) website for postings from PTO related to the No FEAR Act.



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