



UNITED STATES GOVERNMENT
OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

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No Fear Act Annual Report - Office of Navajo and Hopi Indian Relocation - March 2, 2023

This report is prepared in accordance with requirements of Title II, Section 203, of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002. The Act requires federal agencies to submit an annual report to the Federal Communications Commission.

The No FEAR Act holds federal agencies accountable for violations of antidiscrimination and whistleblower protection laws relating to federal employment. The report contains data and analysis tables concerning Equal Employment Opportunity complaints filed with ONHIR during Fiscal Year 2022.

It is the policy of the Office of Navajo and Hopi Indian Relocation (ONHIR) to prohibit discrimination in the workplace. ONHIR is committed to maintaining an environment that provides equal employment opportunity for its employees, as well as applicants for employment.

A. Federal Court Cases Arising Under the Federal Antidiscrimination or Whistleblower Laws

1. The Number of Federal Court Cases Pending or Resolved in FY 2022

As shown below in Table 1, there were no Federal court cases filed by employees of this agency.

TABLE 1	
Federal Court Cases Pending or Resolved in FY 2022	
Title VII of the Civil Rights Act of 1964	0
Age Discrimination in Employment Act of 1967	0
Rehabilitation Act of 1973	0
Whistleblower Protection Act	0
Equal Pay Act of 1963	0

2. Status of Disposition of Federal Court Cases Including the Amount of Money Required to be Reimbursed to the Judgment Fund and Any Budget Adjustments Relating to the Judgment Fund

Table 2 shows the status and disposition of Federal court cases by statute. The Office of Navajo and Hopi Indian Relocation had zero cases (alleging Title VII and ADEA violations). ONHIR did not make any budget adjustments or establish a Judgment Fund.

TABLE 2

Status of Discrimination Complaints Filed in FY 2022 by Statute

Title VII of the Civil Rights Act	0
Age Discrimination Employment Act of 1967	0
Rehabilitation Act of 1974	0
Whistleblower Protection Act	0
Equal Pay Act of 1963	0

B. Employees Disciplined for Conduct Inconsistent with Federal Antidiscrimination or Whistleblower Laws

Table 3 shows the number of findings of discrimination and number of employees disciplined for having been found to have engaged in discrimination in violation of the civil rights laws.

TABLE 3

1. Employees Disciplined in Connection with Federal Court Cases	
a. Number of findings:	0
b. Number of employees disciplined	0
2. Employees Disciplined in Administrative Cases	
a. Number of findings:	0

C. Data Analysis

During FY 2022, there were no formal complaints of discrimination. Over the past several years there have been no formal complaints of discrimination nor have there been any findings of discrimination against ONHIR. As a result, there was no comparative data for measurement of significant increases or decreases in any specific areas or categories.

If the agency had any complaints we would actively attempt to resolve matters administratively through the use of ADR (Alternative Dispute Resolution) practices. The agency provided ADR training to all employees in FY 2022, (See below in Item 3) and ADR training is scheduled to be implemented in FY 2023.

1. Trends

An analysis of No FEAR data for the past several years reveals that there have been no complaints filed. Therefore, due to the lack of data there are no patterns for bases of complaints, leading issues of complaints, and processing time in investigation of formal complaints.

2. Causal Analysis

As a result of no complaints over the past several years there is no data to indicate an increase or decrease in complaints. Therefore, a determination cannot be made for a sound statistical causal analysis.

3. Knowledge Gained

Agency training on the use of Alternative Dispute Resolution (ADR) is an effective means of identifying underlying employee-management issues and improving communication in the event of any future complaints. The agency is aware that ADR can lead to an earlier resolution of the issues when both parties participate in good faith. In the event of complaints, ONHIR will advocate ADR as an option at all stages of the EEO process.

Agency training on the use of ADR was completed in December 2022. ONHIR has hired a consultant with expertise in EEO Counseling, investigation, mediation and ADR which has proved to be beneficial to employees as well as the agency. In addition, the collateral counselor is trained in explaining the benefits of using ADR to complainants.

4. Actions Planned to Improve ONHIR's Equal Employment Opportunity Program

ONHIR continues to work to improve its EEO program with the following actions:

- Continued compliance with all EEOC reporting obligations, (EEO 462, MD-715),
- EEO Officer will continue one on one meetings with senior management,
- continued exchange of ideas among and benchmarking with other small agencies on EEO issues,
- continued basic EEO training for new employees and managers,
- computerized posting of No FEAR Act data,
- conduct No Fear Act training with all agency employees in FY 2022,
- continued communication by EEO Officer with Executive Director regarding obligations of a strong EEO program.

D. No FEAR Act Training Plan

In addition to the initial No FEAR Act training provided to all ONHIR employees, all new employees are informed of the No FEAR Act training requirement on their first day at ONHIR. Each employee is required to complete their initial No FEAR Act training within sixty days of their arrival at ONHIR. In accordance with OPM rules, No FEAR Act training will be conducted with all staff every two years.