



EQUAL EMPLOYMENT OPPORTUNITY (EEO)

ANNUAL REPORT TO CONGRESS

ON THE NOTIFICATION

AND FEDERAL EMPLOYEE

ANTIDISCRIMINATION AND

RETALIATION ACT

(No FEAR Act)

FISCAL YEAR 2024

PREPARED BY:

Erica Pearson

Director, Office of Equal Employment Opportunity Programs

REPORT SUBMITTED TO:

President Pro Tempore

Speaker of the House of Representatives

Members of Congress

Attorney General

Chair, Equal Employment Opportunity Commission (EEOC)

Director, Office of Personnel Management (OPM)

Message from the Director
Office of Equal Employment Opportunity Programs

I am pleased to present the Annual Report for Fiscal Year 2024 on behalf of the National Archives and Records Administration (NARA) regarding the Notification and Federal Employee Anti-discrimination and Retaliation Act of 2002 (No FEAR Act).

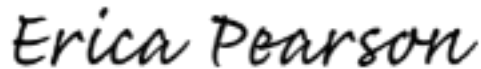
This report outlines the activities within NARA's Complaints Program, summarizing EEO (Equal Employment Opportunity) activity, and highlights initiatives undertaken in the Anti-Harassment Program. It also provides a comprehensive overview of trends over the past five years, covering reporting requirements from FY 2020 to FY 2024. While the primary goal of the report is to address workplace discrimination incidents, it also underscores NARA's steadfast commitment to EEO principles, fostering a safe work environment, ensuring protection from prohibited personnel practices, and promoting accountability.

Copies of this report will be distributed to the following members of Congress and Executive Branch:

- President Pro Tempore
- Speaker of the House of Representatives
- Members of Congress with jurisdiction relating to NARA
- Attorney General
- Chair of the Equal Employment Opportunity Commission
- Director of the Office of Personnel Management

Should you have any inquiries regarding this report, please feel free to contact me at 301-837-0295 or via email at eeocomplaints@nara.gov.

Sincerely,



Erica Pearson
Director
Office of Equal Employment Opportunity Programs

March 28, 2025

Date

Pursuant to the statutory requirements, this report is being provided to the following Members of Congress that have authority and oversight for NARA and the Executive Branch:

The Honorable Chuck Grassley President Pro Tempore United States Senate	The Honorable Mike Johnson Speaker of the House of Representatives
The Honorable Rand Paul Chair, Committee on Homeland Security and Governmental Affairs United States Senate	The Honorable Gary Peters Ranking Member, Committee on Homeland Security and Governmental Affairs United States Senate
The Honorable Susan Collins Chair, Committee on Appropriations United States Senate	The Honorable Patty Murray Vice Chair, Committee on Appropriations United States Senate
The Honorable Bill Hagerty Chair, Subcommittee on Financial Services and General Government United States Senate	The Honorable Jack Reed Ranking Member, Subcommittee on Financial Services and General Government United States Senate
The Honorable James Comer Chair, Committee on Oversight and Accountability House of Representatives	The Honorable Gerry Connolly Ranking Member, Committee on Oversight and Accountability House of Representatives
The Honorable Tom Cole Chair, Committee on Appropriations House of Representatives	The Honorable Rosa DeLauro Ranking Member, Committee on Appropriations House of Representatives
The Honorable Dave Joyce Chair, Subcommittee on Financial Services and General Government House of Representatives	The Honorable Steny Hoyer Ranking Member, Subcommittee on Financial Services and General Government House of Representatives
The Honorable Pam Bondi Attorney General U.S. Department of Justice	Commissioner Andrea R. Lucas Acting Chair U.S. Equal Employment Opportunity Commission
Mr. Charles Ezell Acting Director U.S. Office of Personnel Management	

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I. Executive Summary

The National Archives and Records Administration (NARA) provides its Annual Report to Congress as required by Section 203 of the Notification and Federal Employee Anti-discrimination and Retaliation Act of 2002 (“No FEAR Act”), Public Law 107-174. This report covers data for FY 2024.

We preserve, protect, and share the historical records of the United States to promote public inquiry and strengthen democratic participation. The National Archives serves all Americans as a trusted repository of knowledge that inspires civic engagement and encourages the discovery of our nation’s stories.

As our nation’s record keepers, we work together to enrich public understanding and ensure that the stories of our nation are accessible. We actively listen to all communities, provide timely and knowledgeable assistance, and create a collaborative environment where everyone can engage meaningfully with the rich historical resources in our care. Our service ensures current and future generations can connect with and learn from our shared past.

NARA is an industry leader and uses our holdings and expertise to inspire life-long learning and civic engagement. We encourage creativity and curiosity, for ourselves and others. We are bold. We develop novel approaches and imaginative solutions to improve preservation, access, and understanding of our nation’s historical records. We embrace advanced technologies and new business practices to thrive in a digital world. We are a non-partisan authoritative and objective source of knowledge and information. We serve all Americans with honesty, fairness, and integrity. We are shrewd stewards of the resources entrusted to us who collaborate, innovate, and optimize our operations to effectively meet our mission.

In fiscal year 2024, NARA’s Equal Employment Opportunity (EEO) program embarked on a remarkable journey of organizational growth and transformation, demonstrating an unwavering commitment to creating a safe, responsive, and supportive workplace environment. The organization's approach went far beyond mere compliance, instead focusing on meaningful change and proactive problem-solving.

At the heart of this transformation were the improvements to the Complaints and Anti-Harassment programs. Rather than viewing these as bureaucratic necessities, the agency saw them as opportunities for genuine organizational learning and improvement. Leadership embraced a holistic approach that prioritized understanding, prevention, and resolution of workplace concerns.

One of the most significant shifts was in the agency's Alternative Dispute Resolution (ADR) strategy. Drawing on over two decades of experience with its RESOLVE program, NARA reimagined conflict resolution as a collaborative process. The program continued to provide efficient, impartial methods for addressing workplace disputes, emphasizing mediation and constructive dialogue over punitive measures.

The Anti-Harassment Program known at NARA as the Committee for Harassment underwent particularly noteworthy improvements. Instead of a reactive stance, NARA implemented proactive process changes that fundamentally altered how workplace issues are identified and addressed. Key innovations included preliminary case reviews to ensure appropriate handling, better routing of cases to the most suitable resolution channels and introducing a follow-up protocol that increased management accountability.

These strategic changes yielded tangible results. The total number of harassment cases decreased by 20%, and the agency developed more nuanced approaches to addressing workplace challenges. Importantly, Committee for Harassment introduced supportive measures for harassment allegations, such as offering reassignment options and presenting alternative dispute resolution at the earliest stages of any investigation.

The organization's commitment to a workplace free of harassment and discrimination extended to comprehensive training and awareness. At the beginning of the fiscal year, NARA joined a broader federal initiative promoting mediation and conflict resolution strategies. During the Conflict Resolution Day NARA developed specialized EEO ADR training for managers and supervisors, demonstrating an institutional commitment to understanding and preventing workplace issues before they escalate.

Perhaps most importantly, NARA approached all improvements with transparency and a genuine desire for growth. While tracking metrics like investigation times and complaint resolutions, the agency maintained a forward-looking perspective. The focus was not on punishment, but on creating systemic improvements that would prevent future issues and support employee well-being.

The revised Bargaining Unit Agreement, enacted in April 2024, further underscored this commitment. It introduced innovative complainant support measures that prioritized individual employee experiences and provided multiple avenues for resolution. This approach recognized that workplace challenges are complex and require nuanced, compassionate responses.

NARA's transformation is characterized by a remarkable spirit of continuous improvement. Rather than becoming defensive about challenges, NARA has embraced them as opportunities for growth. The reduction in investigation processing times, the development of more focused resolution strategies, and the increased support for employees all reflected a deep institutional commitment to creating a respectful, safe workplace.

The journey was not about achieving perfection but about demonstrating an unwavering commitment to progress. By reimagining traditional EEO and anti-harassment approaches, NARA set a powerful example of how government agencies can create meaningful organizational change. We showed that true workplace transformation comes not from rigid enforcement, but from empathy, understanding, and a genuine commitment to supporting every employee.

II. Introduction

The No FEAR Act requires Federal agencies to submit Annual Reports to the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Committee on Governmental Affairs of the Senate, the Committee on Government Reform of the House of Representatives, each committee of Congress with jurisdiction relating to the agency, the Attorney General, the U.S. Equal Employment Opportunity Commission (EEOC) and the Director of the Office of Personnel Management (OPM). This report is submitted by NARA to fulfill this reporting requirement.

III. Background

On May 15, 2002, President George W. Bush signed into law the No FEAR Act. The Act became effective on October 1, 2003. The Act requires Federal agencies to be accountable for violations of anti-discrimination and whistle-blower protection laws and post certain statistical data relating to Federal sector EEO complaints filed with the agency.

Section 203 of the No FEAR Act requires that each Federal agency submit an Annual Report to Congress not later than 180 days after the end of each fiscal year. Section 203 also provides the specific requirements for agencies to report under the Act. In addition, the President delegated responsibility for the issuance of regulations governing implementation of the No FEAR Act to OPM. OPM published interim regulations on January 22, 2004, concerning the reimbursement provisions of the Act. On December 28, 2006, OPM published the final regulations for reporting in the Federal Register. The effective date in the final rule was February 26, 2007.

On January 1, 2021, lawmakers passed EEO reforms aptly titled the Elijah Cummings Federal Employee Anti-discrimination Act of 2020 as part of William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021. The law amends the No Fear Act signed by George W. Bush. The amendment strengthens reporting and increases accountability measures by requiring the following:

- Establishment of an EEO Complaint Tracking System.
- Notation of any adverse action and the reason for the action in the employee's personnel record if an agency takes an adverse action under 5 U.S.C. § 7512 against an employee for a discriminatory act.
- Reporting on disciplinary actions related to findings of discrimination, including retaliation. Agencies are to report on such events via an online posting (within 90 days of such findings) and via a written report to the EEOC (within 120 days of such findings).
- Fair and impartial processing and resolution of EEO complaints.
- Establishment of a Model EEO Program independent of either their Offices of Human Capital or Office of General Counsel or equivalent.
- Ensure that each head of the EEO program reports directly to the Agency's Head; and
- The EEOC may refer discrimination findings to the Office of Special Counsel if it determines that the agency did not take appropriate action with respect to the finding.

NARA's EEO Office is responsible for administering and ensuring agency compliance with the Federal EEO laws, regulations, policies, and guidance that prohibit discrimination in the Federal workplace based on race, color, sex (including pregnancy), national origin, religion, age, disability, genetic information, or reprisal. (Appendix B: EEO Policy Statement) The EEO Office is also responsible for preparing the agency's Annual Report to Congress on the No FEAR Act based on the Agency's efforts to enforce actions that address discriminatory acts and prevent future incidents of discrimination. The Office of Human Capital Management, Office of the Inspector General and the Office of General Counsel also play a role in the implementation of the No FEAR Act for NARA employees.

IV. Final Year-End Data for FY 2024

As required by the No FEAR Act, NARA timely posted and displayed a link to the No FEAR Act data on its main website (www.archives.gov) no later than 30 calendar days after the end of each quarter.

- NARA's complaints data was reported quarterly during FY 2024. (Appendix A: Final Year-End No FEAR Act Data for FY 2024)

V. Cases Filed in Federal District Court

Section 203 (1) of the No FEAR Act requires that agencies include in their Annual Report to Congress "the number of cases arising under each of the respective provisions of law covered by paragraphs (1) and (2) of section 201(a) in which discrimination on the part of such agency was alleged." Section 724.302 of OPM's proposed regulations issued on January 25, 2006, clarifies section 203 (1) of the No FEAR Act, stating that the agencies report on the "number of cases in Federal Court pending or resolved ...arising under each of the respective provisions of the Federal Antidiscrimination laws and whistleblower protection laws."

- In FY 2024, there were three cases:

- Civil Action Case No. 23-2359 with the United States Court of Appeals for the Eighth Circuit. This appeal involves a civil action, Civil Action Case No. 4:22-cv-00033, which was filed on January 7, 2022, and which consolidated three cases: Agency Case Nos. 1810STL, 1911STL and 2020-16STL.
- Civil Action Case No. 4:23cv976 pending before the United States District Court for the Eastern District of Missouri
- Civil Action Case No. 23cv01415 with the United States District Court for the Eastern District of Missouri.

VI. Status or Disposition for the Federal District Court Cases

Two cases were pending at the close of FY 2024 in Federal Court:

- Civil Action Case No. 4:23cv976-MTS as filed on August 4, 2023; Agency Case 1809STL, in the United States District Court for the Eastern District of Missouri.
- Civil Action Case No. 23cv01415 is still pending in the United States District Court for the Eastern District of Missouri.

One case was closed during FY 2024:

- Civil Action Case No. 23-2359 with the United States Court of Appeals for the Eighth Circuit. This appeal involves a civil action, Civil Action Case No. 4:22-cv-00033, which was filed on January 7, 2022, and which consolidated three cases: Agency Case Nos. 1810STL, 1911STL and 2020-16STL.

VII. Reimbursement of the Treasury Judgment Fund

OPM published interim final regulations in the Federal Register on January 22, 2004, and final regulations on May 10, 2006, to clarify the agency reimbursement provisions of Title II of the No FEAR Act. These regulations, among other things, state that the Financial Management Service, U.S. Department of the Treasury (FMS), will provide notice to an agency's Chief Financial Officer within 15 business days after payment from the Judgment Fund. The agency is required to reimburse the Judgment Fund within 45 business days after receiving the notice from FMS or must contact FMS to make arrangements in writing for reimbursement.

- NARA reports that no funds were required to be reimbursed to the Judgment Fund.

VIII. Disciplinary Actions

Section 203(a)(4) of the No FEAR Act requires that agencies include in the Annual Report to Congress "the number of employees disciplined for discrimination, retaliation, harassment, or any other infraction of any provision of law referred to in paragraph (I)." Section 203(a) (I) requires that agencies report "the number of cases arising under each of the respective provisions of law covered by paragraphs (1) and (2) of section 201(a) in which discrimination on the part of such agency was alleged." OPM's guidelines provide that these cases refer to the number of discrimination cases for which the Judgment Fund paid on behalf of the agency. The proposed regulations also define disciplinary actions to include any one or a combination of the following actions: reprimand, suspension without pay, reduction in grade or pay, or removal.

- There were no disciplinary actions to report.

IX. Policy Descriptions on Disciplinary Actions

Section 203(a)(6) of the No FEAR Act requires that agencies include in their Annual Report to Congress a detailed description of the policy implemented by the agency relating to disciplinary actions imposed against a Federal employee who discriminated against any individual in violation of any of the laws cited under section 201(a)(1) or (2), or committed another prohibited personnel practice that was revealed in the investigation of a complaint alleging a violation of any of the laws cited under section 201(a)(1) or (2). Further, the Act requires that, with respect to each such law, Federal agencies report on the number of employees who were disciplined in accordance with such policy and the specific nature of the disciplinary action taken.

- This is not applicable as there were no disciplinary actions reported.

X. Training Requirement for No FEAR Act

Section 202(c) of the No FEAR Act requires agencies to provide training to their employees on the rights and remedies under Federal anti-discrimination, retaliation, and whistle-blower protection laws. Under 5 C.F.R. 724.203, agencies are required to develop a written training plan for employees in the No FEAR Act.

- NARA administered its Annual Required Training (ART-AS-25) from December 16, 2024, to March 14, 2025, via the Learning Management System (LMS). (Appendix E: NARA Notice 2024-030: FY 2025 Annual Required Training for All Employees). ART covers agency-wide and government-wide directives, guidance, regulations, and laws. A section of the ART specifically deals with the No FEAR Act, which reminds employees of their rights and remedies under Federal anti-discrimination, retaliation, and whistle-blower protection laws. Training on the No FEAR Act is also provided to all new employees in the New Hire Required Training package. The new version of this training has been provided to 246 new employees since it launched on December 16, 2024.

XI. Examination of Trends, Causal Analysis, Practical Knowledge Gained Through Experience, and Actions Planned or Taken to Improve the Complaints Program

Section 203(7) of the No FEAR Act requires that agencies undertake "an examination of trends, causal analysis, and practical knowledge gained through experience and any actions planned or taken to improve complaint or civil rights programs of the agency."

Trends and Analysis

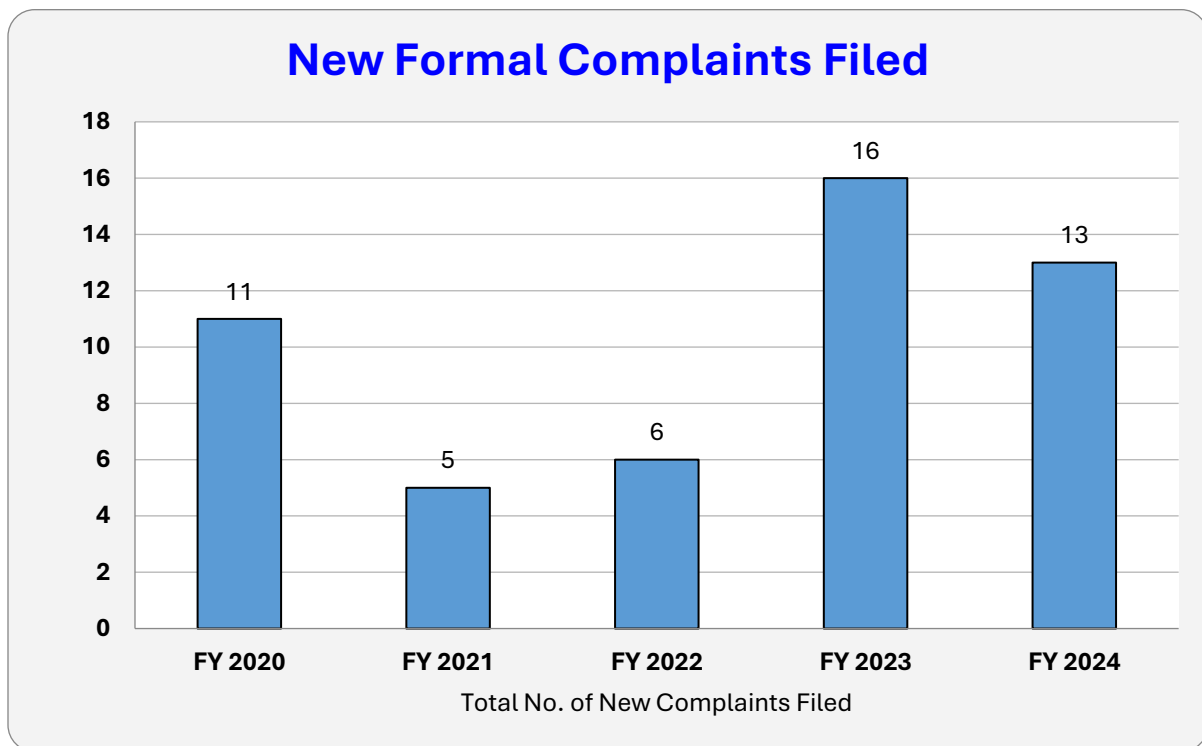
In FY 2024, 27 informal counseling complaints were in the process. NARA completed 21 informal counseling cases of which 76% were completed within the established timeframes, five were untimely. However, 13 or 62% of the completed informal counseling cases resulted in formal complaints of discrimination. Six informal counseling cases were pending and were on hand at the beginning of FY 2025.

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Informal Complaints

Fiscal Year	Completed	Timely	% Timely	Settlement	% Completed with no formal complaint filed
FY 2020	24	14	58.0%	0	0.0%
FY 2021	8	7	88.0%	4	50.0%
FY 2022	15	15	100.0%	9	60.0%
FY 2023	43	34	79.0%	27	63.0%
FY 2024	21	16	76.0%	4	19.0%

In FY 2024, 29 formal complaints were processed. Of the 29, 16 complaints, were pending from FY 2023 and 13 new complaints were filed. NARA's complaint activity data below shows there was a decrease of 19% in the total number of complaints filed from FY 2023 to FY 2024.



In FY 2024, the top bases were race and disability with the top issues being appointment/hire and harassment (non-sexual).

Top Complaint Bases and Issues by Fiscal Year

Year	Top Bases	Top Issues
2024	Race Disability	Appointment/Hire Harassment (Non-Sexual)
2023	Race Reprisal	Harassment (Non-Sexual) Time and Attendance
2022	Race Age	Harassment (Non-Sexual) Promotion/Non-selection
2021	Reprisal Disability (mental)	Reasonable Accommodation Disciplinary Action
2020	Reprisal tied w/ Sex Race tied w/ Disability	Harassment (Non-Sexual) Promotion/Non-selection Disciplinary Action (Removal)

In FY 2024, NARA completed 15 investigations. Of the completed investigations, the overwhelming majority were completed untimely. Overall, the average processing time was 344.80 days. This is an increase from FY 2023 where the overall processing time was 244 days for seven investigations. In FY 2024, the total investigation cost was \$77,634.00, which averages \$5,175.60, per case. In FY 2023, the total investigation cost was \$44,177.99, which averages \$6,311.14, per case.

Completed Investigation: Timeliness by Fiscal Year

Year	Investigations Completed	Timely	Average # of Days	% Timely
2024	15	3	344.8	20%
2023	7	6	244	86.0%
2022	4	4	170	100.0%
2021	5	5	186.2	100.0%
2020	35	13	211.5	37.0%

In FY 2024, NARA closed 12 or 41% of the 29 cases in that were in process. Of the 12 closed cases, 3 or 25% cases were withdrawn. One case was closed with a settlement agreement.

Closed Cases with Monetary Corrective Actions by Fiscal Year

Year	Cases Closed	Monetary Actions	Amount Paid
2024	12	0	\$0
2023	9	2	\$25,000
2022	17	2	\$45,000
2021	22	2	\$23,000
2020	23	8	\$271,000

In FY 2024, there were no procedural dismissals to report, a 100% decrease from the prior year which saw one procedural dismissal.

Procedural Dismissals by Fiscal Year

Year	Procedural Dismissals	Average Processing Days
2024	0	0
2023	1	63
2022	0	0
2021	0	0
2020	0	0

In FY 2024, there were five merit decisions issued, with two having been issued timely. We improved upon our timeliness rate by 40% from the prior year which saw 0 merit decisions issued timely with an average processing time of 328 days.

Final Agency Actions with Merit Decisions by Fiscal Year

Year	Final Actions: Merit Decisions	Timely Issued	Average Processing Days
2024	5	2	144.20
2023	2	0	328
2022	5	1	137
2021	9	3	94
2020	13	0	277

NARA's Anti-Harassment Program, the Committee on Harassment (COH) continued to effectively address harassment conduct and behavior in the agency. The EEO Office successfully sustained an effective Anti-Harassment Program by addressing and processing allegations of harassment according to NARA's Anti-Harassment Policy 396.

In FY 2023 there were 104 cases filed in comparison to only 83 cases filed in FY 2024. That indicates a significant reduction in the total number of cases filed year over year. In fact, it is an overall 20% reduction year to year.

Despite processing fewer cases overall, the program saw an increase in the number of cases where harassment was substantiated overall, rising from three cases in FY 2023 to seven cases in FY 2024. Additionally, while the number of cases substantiating inappropriate behavior decreased from 20 cases in FY 2023 to 13 in FY 2024, this still underscores a significant shift, reflecting a 35% reduction in cases substantiated for inappropriate behavior specifically. These outcomes suggest that the Committee on Harassment refined processes that led to more effective case management, allowing for the identification of cases of harassment while reducing the overall number of cases related to inappropriate behavior.

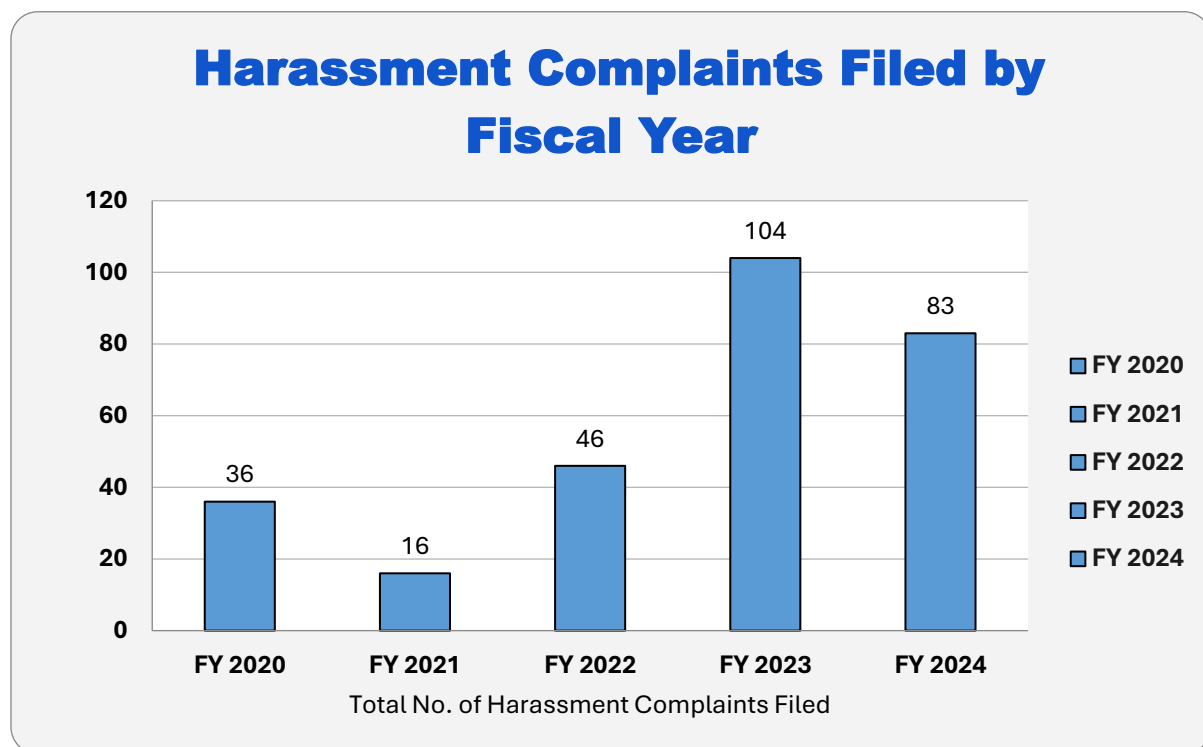
In FY 2024 of the 20 cases substantiated for harassment or inappropriate behavior nine or 45% of the cases involved sexual harassment. Eight or 40% of the cases substantiated were for hostile work environment. Three or 15% were substantiated for a myriad of other types of behavior. As opposed to FY 2023, where the leading types of cases submitted were hostile work environment and inappropriate comments.

Similar to the prior fiscal year, the majority of the cases submitted in FY 2024 involved employee to employee conduct. The second highest number of cases submitted were related to supervisor/manager

conduct towards an employee. Of note, we did receive a considerably lower number of contractor-involved cases during this fiscal year.

The overall average processing days for during this fiscal year decreased from 60 days in FY 2023 to 48 days. A notable 20% decrease year over year. This drastic decrease is largely attributed to internal process improvements. One important process improvement includes the implementation of the Memorandum for Record (MFR) follow-up protocol for managers and supervisors. This enhancement helps to hold management officials accountable for the timely closure of cases. By establishing clear expectations and follow-up procedures, the program ensures that all cases are closed promptly and methodically while promoting accountability within the management structure.

In conclusion, the overall program metrics indicate significant improvement for the fiscal year. The combination of reduced total cases processed, and implementation of new protocols have contributed to a more efficient and effective anti-harassment program. These advancements not only reflect a commitment to addressing concerns comprehensively, but they also highlight the program's ability to manage resources better and enhance support for complainants. As a result, the program is better positioned to help foster a safe and respectful environment moving forward.



Practical Knowledge Gained Through Experience

NARA continues to promote ADR and encourages employees to consider this avenue first before filing a formal complaint of discrimination. Managers and supervisors are educated on the importance of resolving actions that may rise to EEO complaints and to avoid costly judgments. Since the implementation of the No FEAR Act and mandatory Prevention of Workplace Harassment training, NARA's employees have gained practical knowledge and experience through the training.

When awareness is brought to the forefront, EEO complaints and allegations of harassment, inappropriate behavior, and hostile work environment may increase or decrease. According to the recent trends, in FY 2024, EEO complaints and harassment allegations increased. To assist with the EEO complaints and harassment allegations, the EEO Office hired additional staff and continues to have our human resources shared services provider, the Department of Treasury, Bureau of the Fiscal Service, Administrative Resource Center (ARC), to conduct the fact-finding inquiry into allegations of harassment.

Regarding accountability, the Office of EEO Programs provides status reports to senior leadership regarding EEO complaints in their organizations. The Director of the EEO Office reports monthly to the head of the agency and serves on NARA's Management Team. The EEO Office provided reports on EEO complaints and allegations of harassment to program offices weekly and upon request

Alternative Dispute Resolution (ADR)/RESOLVE

NARA's ADR program, known as RESOLVE, has assisted the EEO Office in providing mediation services in EEO complaints and allegations of harassment. RESOLVE is an active program where employees can elect to participate at any stage in the EEO complaints and Anti-harassment processes. The RESOLVE program is well known and widely promoted throughout the agency in the EEO complaints process and for non-EEO matters.

NARA's RESOLVE program offered ADR to 13 individuals, of whom 10 rejected the option and three accepted during the informal complaint process. All ADR resources used were external rather than in-house. For the completed counseling cases, a total of three cases were closed with an average processing time of 69 days. Among these, one case resulted in no formal complaint being filed (processed in 88 days), while two cases proceeded to formal complaints with no resolution (averaging 59.5 days each). ADR was not offered during the formal process.

Actions taken to Improve the EEO Program

In FY 2024, NARA took the following actions in support of its EEO Program:

- Launched an electronic EEO tracking system, improving timely processing, automatic date calculations, and efficient production of the EEOC Form 462 report.
- Updated internal tracking methods to integrate with ETK, enhancing program visibility.
- Improved time management, leading to increased timeliness in case resolutions.
- Strengthened communication strategies with internal and external stakeholders.
- Enhanced the ability to explain complex legal concepts to employees by hiring highly knowledgeable and skilled EEO personnel.
- Improved adjudication processes for jurisdictional determinations.
- Established biweekly internal staff meetings to ensure timeliness and accuracy.
- Standardized and organized all templates, reducing preparation time and enhancing quality assurance.
- Eliminated contractor counseling during the informal stage.
- Implemented post-operational briefings to drive process improvements.
- Transitioned from contract counselors to internal staff, optimizing resources and reducing costs.
- Acquired and trained detailed staff members to assist during workload surges.
- Reissued the EEO Policy Statement on September 5, 2024, reaffirming NARA's commitment to a discrimination-free workplace.
- Reissued the Anti-Harassment Policy Statement on September 5, 2024, reinforcing a respectful and harassment-free work environment.

- Published quarterly complaints data in compliance with the No FEAR Act: [NARA Complaint Activity](#).
- Posted the No FEAR Act Notice: [No FEAR Act Notice](#).
- The FY 2023 Annual Report to Congress on the No FEAR Act will be available at: [Annual Report](#).
- Provided an EEO Office Overview to all new hires, ensuring awareness of mandatory EEO training via NARA's Learning Management System, including the *Prevention of Workplace Harassment* course for all employees.
- Delivered mandatory annual refresher training to EEO Counselors and EEO Specialists.
- Streamlined internal processes and updated the Standard Operating Procedures Manual.

Actions Planned to Improve the EEO Program

- Continuous process optimization.
- Implement comprehensive professional development initiatives to strengthen our team's core competencies, fostering operational self-sufficiency and minimizing dependence on external contract support.
- Enhance organizational visibility to advance and promote a model EEO program.
- Update the claims diagram to ensure consistency and accuracy in processes.
- Implement a new complaint filing system, eFile, to provide a more efficient and accessible submission process.

XII. Adjustment to Budget

Section 203(a)(8) of the No FEAR Act requires that agencies include in their Annual Report to Congress information about "any adjustment (to the extent the adjustment can be ascertained in the budget of the agency) to comply with the requirements under section 201." This section requires federal agencies to reimburse the Judgment Fund for any discrimination and whistle-blower related settlements or judgments reached in Federal court.

- Not applicable

XIII. Conclusion

NARA stands at the forefront of a transformative journey in Equal Employment Opportunity management, positioning itself as a beacon of innovation, inclusivity, and operational excellence. The timeliness report is not merely a snapshot of current performance, but a compelling narrative of an organization poised for unprecedented growth and impact.

The strategic improvements implemented demonstrate NARA's unwavering commitment to creating a workplace that is not just compliant, but truly exceptional. By embracing cutting-edge technology, investing in human capital, and maintaining an agile approach to process improvement, NARA is redefining what's possible in EEO program management.

Looking forward, NARA is not just improving an administrative process – it is cultivating an ecosystem of opportunity, respect, and professional growth. The planned initiatives, from the innovative eFile complaint system to comprehensive professional development programs, represent a holistic approach to creating a workplace where every employee can thrive.

NARA is emerging as a national model of how a forward-thinking government agency can approach Equal Employment Opportunity. By seamlessly blending technological innovation, strategic human resource management, and an unwavering commitment to fairness, the organization is setting new benchmarks for workplace equity and excellence.

The journey ahead is bright, promising, and filled with extraordinary potential. NARA's EEO program is not just adapting to the future – it is actively shaping it. NARA's successes identified in this report are a testament to senior leadership's commitment to equality of opportunity and fairness for all employees.

Appendix A: Final Year-End No FEAR Act Data for FY 2024

**NARA - Equal Employment Opportunity Data Posted Pursuant to the No FEAR Act:
For the 4th Quarter of FY 2024, Ending on September 30, 2024**

Complaint Activity 29 C.F.R. § 1614.704(a) – (c)	Comparative Data					10/01/2023 thru 09/30/2024
	Previous Fiscal Year Data					
	2019	2020	2021	2022	2023	
Number of Complaints Filed	39	11	5	6	16	13
Number of Complainants	39	11	4	6	16	13
Repeat Filers	11	4	2	2	0	0

Complaints by Basis 29 C.F.R. § 1614.704(d) Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.	Comparative Data					10/01/2023 thru 09/30/2024
	Previous Fiscal Year Data					
	2019	2020	2021	2022	2023	
Race	23	5	3	5	10	10
Color	16	2	0	3	5	5
Religion	0	1	0	1	1	0
Reprisal	22	7	5	4	8	5
Sex	18	5	3	4	7	8
National Origin	2	1	1	1	1	3
Equal Pay Act	0	0	0	0	0	0
Age	20	3	2	5	2	8
Disability	11	5	5	2	6	8
Genetic Information	0	0	0	0	0	0
Other & Non-EEO	0	0	0	0	2	0

Complaints by Issue 29 C.F.R. § 1614.704(e) Note: Complaints can be filed alleging multiple issues. The sum of the issues may not equal the total complaints filed.	Comparative Data					10/01/2023 thru 09/30/2024
	Previous Fiscal Year Data					
	2019	2020	2021	2022	2023	
Appointment/Hire	0	1	0	0	0	9
Assignment of Duties	5	0	0	0	1	0
Awards	1	1	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0
Disciplinary Action						
Demotion	1	0	0	0	0	0
Reprimand (warning)	2	1	3	0	1	0

Removal	6	3	1	0	0	0
Suspension	5	0	0	0	0	1
Disciplinary Warning	1	1	1	0	1	1
Other	0	0	0	0	0	1
Duty Hours	1	0	0	0	0	0
Evaluation Appraisal	7	2	0	1	1	0
Examination/Test	0	0	0	0	1	0
Harassment						
Non-Sexual	16	4	2	5	14	7
Sexual	2	0	0	1	2	0
Medical Examination	0	0	0	0	0	0
Pay (Including Overtime)	4	0	0	0	1	0
Promotion/Non-Selection	6	4	0	2	4	3
Reassignment						
Denied	6	0	0	0	0	2
Directed	0	0	1	1	0	1
Reasonable Accommodation	6	2	4	0	4	0
Reinstatement	0	0	0	0	0	0
Retirement	0	0	0	0	0	0
Sex-Stereotyping	0	0	0	0	0	0
Telework	3	0	0	0	3	0
Termination	2	0	1	0	0	5
Terms/Conditions of Employment	3	0	1	0	1	0
Time and Attendance	5	1	0	0	8	0
Training	2	0	1	0	3	3
Non-EEO	0	0	0	0	0	1

Processing Time 29 C.F.R. § 1614.704(f)	Comparative Data					10/01/2023 thru 09/30/2024
	Previous Fiscal Year Data					
	2019	2020	2021	2022	2023	
<i>Complaints Pending (for any length of time) During Fiscal Year</i>	82	60	42	26	24	29

Average Number of Days in the Investigation Stage	186	149.6	99.3	101	224	337
Average Number of Days in Final Action Stage	165.49	71.84	165.1	90	101	98
<i>Complaints Pending (for any length of time) During Fiscal Year Where Hearing Was Requested</i>	32	32	30	20	1012	11
Average Number of Days in Investigation Stage	202	155.37	59.3	221	193	328
Average Number of Days in Final Action Stage	150	75	187.4	39	38	40
<i>Complaints Pending (for any length of time) During Fiscal Year Where Hearing Was Not Requested</i>	25	8	9	4	20	19
Average Number of Days in Investigation Stage	206	119.5	143.5	108	183.4	348
Average Number of Days in Final Action Stage	109	54.3	113.5	44	119	60

Complaints Dismissed by Agency 29 C.F.R. § 1614.704(g)	Comparative Data					10/01/2023 thru 09/30/2024
	Previous Fiscal Year Data					
	2019	2020	2021	2022	2023	
Total Complaints Dismissed by Agency	16	0	0	0	1	1
Average Days Pending Prior to Dismissal	106.38	0	0	0	64	297
Complaints Withdrawn by Complainants						
Total Complaints Withdrawn by Complainants	2	1	3	0	1	3

Total Final Actions Finding Discrimination 29 C.F.R. § 1614.704(i)	Comparative Data										10/01/2023 thru 09/30/2024	
	Previous Fiscal Year Data											
	2019		2020		2021		2022		2023			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number of Findings	0	0	0	0	0	0	0	0	0	0	0	0
Without Hearing	0	0	0	0	0	0	0	0	0	0	0	0
With Hearing	0	0	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Basis 29 C.F.R. § 1614.704(j) Note: Complaints can be filed Alleging Multiple Bases. The Sum of the Bases may not Equal Total Complaints and Findings.	Comparative Data										10/01/2023 thru 09/30/2024	
	Previous Fiscal Year Data											
	2019		2020		2021		2022		2023			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number of Findings	0	0	0	0	0	0	0	0	0	0	0	0
Race	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0
Genetic Information	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0
Findings After Hearing	0	0	0	0	0	0	0	0	0	0	0	0
Race	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0

Genetic Information	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing	0	0	0	0	0	0	0	0	0	0	0	0
Race	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0
Genetic Information	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0
Findings of Discrimination Rendered by Issue 29 C.F.R. § 1614.704(k)	Comparative Data										10/01/2023 thru 09/30/2024	
	Previous Fiscal Year Data											
	2019		2020		2021		2022		2023			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number of Findings	0	0	0	0	0	0	0	0	0	0	0	0
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment	0	0	0	0	0	0	0	0	0	0	0	0
Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0

Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment	0	0	0	0	0	0	0	0	0	0	0	0
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Findings After Hearing	0	0	0	0	0	0	0	0	0	0	0	0
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment	0	0	0	0	0	0	0	0	0	0	0	0
Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment	0	0	0	0	0	0	0	0	0	0	0	0
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0	0	0

Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing	0	0	0	0	0	0	0	0	0	0	0	0
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
Evaluation/Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment	0	0	0	0	0	0	0	0	0	0	0	0
Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment	0	0	0	0	0	0	0	0	0	0	0	0
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0

Other	0	0	0	0	0	0	0	0	0	0	0	0
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Pending Complaints Filed in Previous Fiscal Years and by Status 29 C.F.R. § 1614.704(l)	Comparative Data					10/01/2023 thru 09/30/2024
	Previous Fiscal Year Data					
	2019	2020	2021	2022	2023	
Total Complaints from Previous Fiscal Years	43	48	37	20	9	16
Total Complainants	39	44	32	26	8	16
Number Complaints Pending						
Investigation	6	18	4	4	11	11
Hearing –	20	11	25	5	3	2
Final Action	7	7	8	0	2	2
Appeal with EEOC Office of Federal Operations	8	8	2	2	4	1

Complaint Investigations 29 C.F.R. § 1614.704(m)	Comparative Data					10/01/2023 thru 09/30/2024
	Previous Fiscal Year Data					
	2019	2020	2021	2022	2023	
Pending Complaints Where Investigations Exceeds Required Time Frames	16	24	3	1	2	2

Appendix B: Equal Employment Opportunity Policy Statement, dated September 5, 2024



September 5, 2024

Equal Employment Opportunity Policy Statement

As the Archivist of the United States, I reaffirm my commitment to the principles of equal employment opportunity (EEO). As the nation's record keepers, our success depends on the contributions of a talented workforce. The National Archives and Records Administration's (NARA) core values require us to collaborate, innovate, and learn by engaging with each other.

Federal laws and Presidential Executive Orders require that employees and applicants for employment have equal opportunities regardless of race, color, national origin, religion, sex (including pregnancy, sexual orientation, gender identity, or transgender status), age (40 years of age or older), disability (mental or physical), family medical history or genetic information, retaliation for serving as a witness and/or engaging in EEO activity, marital status, political affiliation, and status as a parent. These protections extend to management practices and decisions through outreach, recruitment and hiring practices, appraisal systems, promotions, training and career-development programs.

This EEO policy statement serves as a reminder that NARA will not tolerate discrimination, inappropriate behavior, and harassment of any kind in the workplace. Managers and supervisors must lead by example and are responsible for ensuring employees have a work environment that is free of discrimination, harassment, and retaliation. All of us are responsible for integrating EEO into our daily actions, conduct, and decisions as we strive to become a model workplace.

Any NARA employee or applicant for employment, who believes they have been subjected to discrimination or harassment based on one or more of the above-mentioned protected categories should contact the Office of Equal Employment Opportunity Programs (NEEO) at 301-837-0939 within **45 days** of the alleged discriminatory action or incident. Additional information about EEO services can be obtained by contacting the EEO Office at NEEO@nara.gov, <https://www.archives.gov/eeo>, or 301-837-3928.

Other avenues employees may use to address complaints include: contacting the Office of Special Counsel at <https://osc.gov/> or (202)-804-7000 or the Merit Systems Protection Board at <https://www.mspb.gov/> or 202-653-7200.

Any employee who believes NARA has subjected them to workplace harassment can review

NATIONAL ARCHIVES *and*
RECORDS ADMINISTRATION

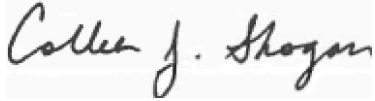
8601 ADELPHI ROAD
COLLEGE PARK, MD 20740-6001

www.archives.gov

NARA 396, Anti-Harassment Policy at https://work.nara.gov/nara_policies_and_guidance/directives/0300_series/nara0396.html or visit https://work.nara.gov/equal-employment-opportunity/harassment_prevention.html for information on how to report allegations of workplace harassment.

To resolve workplace disputes and EEO complaints, NARA promotes the use of alternative dispute resolution. NARA's Alternative Dispute Resolution (ADR) Program is RESOLVE. For information on NARA's RESOLVE Program review NARA 320, RESOLVE at: https://work.nara.gov/nara_policies_and_guidance/directives/0300_series/nara0320.html or visit https://work.nara.gov/staff_resources_and_services/employee_resources/adrmain.html.

I expect your continued support in addressing and eradicating discriminatory behavior in the workplace. Working together we will make NARA a “great place to work,” one that values mutual respect, integrity, and teamwork.

A handwritten signature in black ink, reading "Colleen J. Shogan". The signature is written in a cursive, flowing style.

DR. COLLEEN J. SHOGAN
Archivist of the United States

Appendix C: Anti-Harassment Policy Statements, dated September 9, 2024

September 9, 2024

Anti-Harassment Policy Statement

Our Commitment

NARA is committed to maintaining a work environment that is civil, courteous, respectful, and free from harassing or inappropriate behaviors for its employees, contractors, volunteers, visitors, interns, and customers. NARA will not tolerate harassment of any kind.

NARA has appropriate measures to prevent harassing and/or inappropriate behavior in the workplace. NARA's measures intend to correct harassing behavior before it becomes severe or pervasive and correct inappropriate behavior before it becomes harassing in nature. Harassing and/or inappropriate behavior does not need to rise to the level of unlawful harassment to be considered misconduct. Violations of NARA policy may result in administrative or disciplinary actions against offenders.

Harassment

Harassment is defined as any unwelcome verbal, non-verbal, or physical conduct based on race, color, national origin, religion, sex (including pregnancy, sexual orientation, gender identity, or transgender status), age (40 years of age or older), disability (mental or physical), family medical history or genetic information, retaliation for serving as a witness and/or engaging in EEO activity, marital status, political affiliation, and status as a parent, when:

1. Enduring the offensive conduct becomes a condition of continued employment.
2. The conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

Unlawful harassment undermines the integrity of employment relationships and interferes with work productivity. Offensive conduct may include, but is not limited to, bullying, offensive jokes, slurs, epithets, name calling, derogatory or disrespectful remarks, spreading rumors, swearing, obscenities, incessant teasing, expressing or insinuating threats, threatened assault, hitting, punching, other unwanted touching, and malicious or insulting gestures.

Inappropriate Behavior

Inappropriate behavior is a subtype of harassment. Inappropriate behavior is counterproductive behavior that is not suitable for the workplace. Inappropriate behavior is a separate category of behavior that may not meet the definition of harassment under the law and can range from minor incidents to serious offenses. Inappropriate behavior can include touching or any form of physical intimidation or aggression (e.g. holding, restraining, impeding, or blocking movement, following, inappropriate contact or advances, bullying, or any other forms of inappropriate touching); inappropriate or rude gestures, expressions, pictures, or graffiti; threats against others or engaging in other threatening behavior; psychological bullying or intimidation, such as making statements that are false, malicious, disparaging, or derogatory with the intent to hurt another's reputation; or engaging in behaviors that may have a dampening effect on reporting workplace concerns, such as those that can be perceived as intimidating or retaliatory against individuals who report concerns or participate in an administrative inquiry or other protected activity.

Sexual Harassment

Harassing and/or inappropriate behavior is conduct based on sex including conduct of a sexualized nature, such as unwanted conduct/behavior expressing sexual attraction or involving sexual activity; sexual attention or sexual coercion, such as demands or pressure for sexual favors. Harassing and/or inappropriate behavior includes non-sexual conduct based on sex, such as sex-based epithets; sexist comments; or facially sex-neutral offensive conduct motivated by sex. Harassing and/or inappropriate behavior based on pregnancy, childbirth, or related medical conditions is also forbidden.

Harassing and/or inappropriate behavior based on sexual orientation or gender identity, including how that identity is expressed, epithets regarding sexual orientation or gender identity, physical assault, outing, harassing and/or inappropriate behavior because an individual does not present in a manner that would traditionally be associated with that person's sex, repeated and intentional use of a name or pronoun inconsistent with the individual's known gender identity (misgendering), or denial of access to a bathroom or other sex-segregated facility consistent with the individual's gender identity is not allowed by NARA policy. Harassing and/or inappropriate behavior includes any sex-based conduct that interferes with an individual's work performance or creates an intimidating, hostile or offensive environment.

Retaliation

NARA prohibits retaliation against an employee who reports a concern about workplace harassment and/or inappropriate behavior; or assists in any inquiry related to harassment and/or inappropriate behavior.

Confidentiality

NARA will protect the confidentiality of all harassment and/or inappropriate behavior allegations. All allegations of harassing and/or inappropriate behavior along with any related information, will remain confidential to the greatest extent possible.

Training

All NARA employees, including managers and supervisors, are required to take the anti-harassment training annually through NARA's Learning Management System (LMS). A NARA notice will announce the mandatory training.

Reporting Allegations

All NARA employees are strongly encouraged to report harassing and/or inappropriate behavior immediately. Supervisors, Volunteer Coordinators, Contract Operating Representatives (CORs), and Management Officials must promptly report (within 48–72 hours of being notified) harassment and/or inappropriate behavior to the Committee on Harassment. Failure to report an incident of harassment and/or inappropriate behavior may result in administrative action, including disciplinary action. Although management officials and CORs are required to report allegations to the Committee on Harassment, this policy does not preclude management officials or CORs from taking any action they deem necessary to address harassment and/or inappropriate behavior when it occurs. CORs serve as the primary point of contact between the agency and the contractor(s). At the onset of an allegation, the Committee on Harassment is required to refer employees to NARA's Alternative Dispute Resolution process (ADR) called RESOLVE, and employees can request reassignment. NARA will conduct a prompt, thorough, and impartial investigation or fact-finding of harassment and/or inappropriate behavior allegations. NARA will begin the fact-finding inquiry no later than 10 days from time of receipt and will complete the investigation within 60 days or less. If the Committee substantiates an allegation of harassment and/or inappropriate behavior, the Committee is required to include the behavior in the disposition. NARA will also take immediate and appropriate corrective action when it determines that harassment and/or inappropriate behavior has occurred.

Report Incidents to Any of the Following Offices

Employees who believe they have experienced harassment and/or inappropriate behavior should report the incident(s) to their supervisor/manager or a higher level supervisor/manager in their

chain of command; a member of the Committee on Harassment, which is comprised of officials from the Labor/Employee Relations and Benefit Branch (H); Office of General Counsel (NGC); and the Office of Equal Employment Opportunity (NEEO). Employees can contact the Anti-Harassment Program Manager directly, see [NARA 396, Anti Harassment Policy](#).

You may submit an allegation to the Anti-Harassment Program Manager by:

1. Calling 301-807-3971;
2. Sending a fax to 301-837-2030;
3. Sending an email to committeeonharassment@nara.gov.

You may also submit an allegation to the Office of the Inspector General (OIG) by:

1. Calling the OIG Hotline:
301-837-3500 (Washington, DC metro area)
800-786-2551 (toll free outside Washington, DC metro area);
2. Sending a document via mail to:
Office of Inspector General
National Archives and Records Administration
8601 Adelphi Road, Room 2800
College Park, MD, 20740-6001
3. Contact OIG Hotline:
Use the [Online Complaint Form](#).
Contractor Reporting: Use the [OIG Contractor Reporting Form](#).

You may contact the RESOLVE coordinator by email:

1. Naheed.Khandekar@nara.gov (Rana Khandekar)

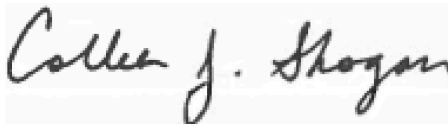
Filing an Equal Employment Opportunity (EEO) Complaint

Employees that want to file an EEO complaint alleging discrimination and/or harassment, should contact the Office of Equal Opportunity (NEEO) within 45 days of the alleged incident. See [NARA 395 EEO Complaints Program](#) for guidance or you may initiate an informal EEO complaint by:

1. Calling 301-837-0939;
2. Sending a fax to 301-837-2030;
3. Sending an email to eeocomplaints@nara.gov

Negotiated Grievance Procedure

This section is only applicable to Bargaining Unit Employees as they may also use the Negotiated Grievance Procedures. Bargaining Unit Employees may contact their union representative at any time regarding discrimination, harassment, and/or inappropriate behavior. If all or part of the complaint could be pursued under the negotiated grievance procedure covering bargaining unit employees the deadline for filing a grievance will be suspended until the receipt of the notice of disposition. The 20-day deadline is suspended until the receipt of the notice of disposition.



DR. COLLEEN J. SHOGAN
Archivist of the United States

Appendix D: NARA's 2024 Equal Employment Opportunity, Reasonable Accommodation and Anti-Harassment Policy Statements, NARA Notice 2024-0105, dated September 5, 2024



NARA's 2024 Equal Employment Opportunity, Reasonable Accommodation and Anti-Harassment Policy Statements

Fiscal Year: 2024

Notice Number: 0105

Date: Thursday, September 5 2024

To: All Employees

Subject: NARA's 2024 Equal Employment Opportunity, Reasonable Accommodation and Anti-Harassment Policy Statements

Once a year, we reaffirm our commitment to equal employment opportunity (EEO) and reissue NARA's EEO and Anti-Harassment Policy Statements. We take these policies and their underlying values seriously. We work diligently all year to ensure that this agency serves as a model in the federal workforce. We also reaffirm our commitment to providing a work environment free from all forms of harassment. A positive and supportive work environment is critical to the success of our agency's mission.

We are also issuing a Reasonable Accommodation Policy statement, which ensures the Deciding Official renders a decision for an effective accommodation. Please refresh your familiarity with the policies and do your part to ensure that equal employment opportunity is standard procedure here at NARA.

These policies have been distributed to all staff electronically. In addition, to ensure that all employees and the public are aware of NARA's commitment to EEO, managers and supervisors should post these policies where they will be visible to all staff and visitors.

For questions regarding this notice and the attached policy statements, contact the Office of Equal Employment Opportunity Programs at <https://www.archives.gov/eeo> or 301-837-0939.

WILLIAM J. BOSANKO

Deputy Archivist of the United States

Attachment: [FY 2024 Anti-Harassment Policy Statement](#)

Attachment: [FY 2024 Equal Employment Opportunity Policy Statement](#)

Attachment: [FY 2024 Reasonable Accommodation Policy Statement](#)

For questions on this notice contact:

Erica Pearson, Office of Equal Employment
Opportunity Programs

erica.pearson@nara.gov

Room: 3310

National Archives at College Park

Phone: 301-837-0295

FAX:

Page last reviewed: September 9, 2024

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Appendix E: Training Requirement, NARA Notice 2024-030: Annual Required Training for All Employees



FY 2024 Annual Required Training for All Employees

Fiscal Year: 2024

Notice Number: 030

Date: Wednesday, November 29 2023

To: All Employees

Subject: FY 2024 Annual Required Training for All Employees

All NARA employees *must* complete annual required training by **February 13, 2024**.

The training consists of 13 modules organized into three categories:

- How we approach work.
- How we do business.
- How we get better.

Depending on your duties and responsibilities, you may be assigned additional training requirements.

Accessing the Training

- Go to the NARA Learning Center at nara.csod.com. You can access this training via any computer. *You do not need to use Citrix or VPN.*
- Log in by clicking the large blue “NARA Employee Login (PIV)” button.
- Look in the **Your Training Items** box on the Learning Center welcome page.
- Select [ART-AS-24] Annual Required Training for All Employees to begin the module.

The course should take approximately one hour to complete. You may complete the entire training in one sitting, or you may finish a portion and return as often as needed to complete the entire course. All lessons must be completed to receive credit. Once completed, the system will automatically record your status.

VALORIE FINDLATER

Chief Human Capital Officer

For questions on this notice contact:

Steven Flowers, Office of Human Capital
steven.flowers@nara.gov

Room: 1330

National Archives at College Park

Phone: 301-837-3557

FAX:

Appendix F: NARA Learning Center No FEAR Act Training

ONLINE CLASS

(COURSE) The No FEAR Act

Last Updated 04/11/2023 Duration 18 minutes

Details

The Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002, better known as the No FEAR Act, requires that federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws. This course will outline the rights federal employees have under these laws and provide details on how the No FEAR Act is implemented. This course was developed with subject matter support provided by The Potomac Law Group, PLLC. Please note, however, that the course materials and content are for informational purposes only and do not constitute legal advice and may or may not reflect the most current legal developments. Nothing herein, or in the course materials, shall be construed as professional advice as to any particular situation or constitute a legal opinion with respect to compliance with legal statutes or statutory instruments. Transmission of the information is not intended to create, and receipt does not constitute, an attorney-client relationship. Readers should not act upon this information without seeking independent legal advice.

Provider	Percipio-US
Version	1.0
Available Language(s)	English (US)
Subject(s)	percipio-temp..[Courses]
Competitive Opportunity	No
Internal Offering	No
Supervisors Only	No

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ONLINE CLASS

(COURSE) The No FEAR Act

Launch

or

Assign



Appendix G: RESOLVE program brochure (2024)



RESOLVE Program



“As Archivist, I strongly support the use of alternative dispute resolution by NARA employees...and across the federal government. For over 20 years, NARA’s RESOLVE program has provided mediation and facilitation services for NARA employees. Mediation can help overcome barriers to conflict resolution and resolve workplace disputes, EEO complaints, and administrative grievances. The voluntary use of alternative dispute resolution...often can provide faster and more satisfying resolution of disputes than other more formal processes.”

—Dr. Colleen J. Shogan, Archivist of the United States

What is Mediation?

Mediation is a process where parties meet with a neutral mediator to attempt to resolve a dispute collaboratively. The mediator helps the parties communicate their interests, define issues, and eliminate obstacles to communication, while moderating and guiding the process to avoid confrontation and ill will. The mediator will seek concessions from each side during the mediation process.

Why Should I Use Mediation?

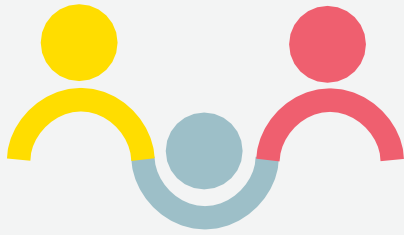
While conflict is a normal part of our daily lives, it is often uncomfortable and counterproductive in the workplace. When you find yourself in a dispute with a fellow employee, manager, or other colleague, mediation can help you resolve issues in a private, confidential, and timely manner.

Reasons for using mediation include:

- **NO RISK.** You may retain the right to address the issue formally (e.g., Equal Employment Opportunity (EEO) or grievance procedures).
- **VOLUNTARY.** You choose whether to participate at every stage of the process.
- **CONFIDENTIAL.** You speak without fear that your statements will be used against you in another proceeding.
- **IMPARTIAL.** You express your issues and concerns in a judgment-free environment.
- **SELF-DETERMINING.** You control the outcome.
- **FAST.** You have the opportunity to be heard without the lengthy timelines often associated with the traditional adversarial processes.
- **PRESERVES RELATIONSHIPS.** You resolve your dispute while building a better relationship with the other party.
- **CREATIVE.** You develop innovative solutions and move away from the typical win/lose results of more adversarial proceedings.



Questions? For questions or mediation requests, please contact Rana Khandekar, Director of RESOLVE, Office of General Counsel (NGC), by email naheed.khandekar@nara.gov or at 301-837-2926.



Where Can I Find More Information on RESOLVE? Please see NARA 320 for more information on the RESOLVE program.

How Does Mediation Work?

Mediation generally begins with a joint session to set an agenda, define the issues, and ascertain the positions and concerns of the parties. Thereafter, the parties separately meet with the mediator, who is a professional neutral from outside of NARA, to allow each side to explain and enlarge upon their position and mediation goals in confidence. The mediator may ask questions which may well serve to create doubt in an advocate's mind over the validity of a particular position. In these conversations, the mediator helps the parties try to find an appropriate way to solve their problem.

What May Mediation Be Used For?

NARA employees may use mediation to address any matters of concern relating to their employment. This can range from conflict between peers to an EEO or grievance case.

What Happens If My Dispute Is Not Resolved?

If you have reserved your right to file in any of the applicable administrative forums (e.g., EEO and grievances), you may return to those formal processes to work through your dispute. Participating in mediation does not preclude you from using other processes as long as you meet all timelines and filing requirements.

How Can I Negotiate Effectively and Build Trust? The other party will be more receptive to your perspective if you demonstrate that you are genuine, engaged, and focused on finding a fair solution. By being a committed listener, you will build trust and encourage productive dialogue during the session.

- **BE A COMMITTED LISTENER:** Choose to be committed to hearing what the other party will say as though it were you speaking. Step outside your role as strictly a supervisor or subordinate and engage on a more human level. Look for the deeper meaning in what the other person may share, rather any weaknesses in that person's statements.
- **DEMONSTRATE YOUR UNDERSTANDING:** Show that you heard the other party's needs, interests, and feelings by referring to them. Summarize that person's remarks without watering them down.
- **START BY LISTENING:** By listening first, you can draw out the other party's ideas and target your response and ideas to the other party more effectively.
- **FRAME YOUR RESPONSE:** Understand the language, perspectives, and experiences of the other party and frame your message in terms that are likely to make sense inside the other party's framework of experience.
- **SHARE YOUR INTERESTS:** Share your interests (why you want something) rather than simply your position (what you want).

How is NARA organized to support Alternative Dispute Resolution (ADR)?

The RESOLVE program provides mediation and facilitation services for NARA employees. While housed in the Office of General Counsel (NGC), the program is separate from NGC's role as an advocate and RESOLVE is completely neutral. NARA's Dispute Resolution Specialist is Gary M. Stern, General Counsel to NARA.

The Director of RESOLVE, Rana Khandekar, serves as a neutral for all matters referred to the program and uses external neutral third parties to conduct mediations and facilitations.



Questions? For questions or mediation requests, please contact Rana Khandekar, Director of RESOLVE, Office of General Counsel (NGC), by email naheed.khandekar@nara.gov or at 301-837-2926.

Appendix H: Celebrating Ombuds Day and Conflict Resolution Day FY 2024



Celebrating Ombuds Day and Conflict Resolution Day 2023

Fiscal Year: 2024

Notice Number: 05

Date: Thursday, October 5 2023

To: All Employees

Subject: Celebrating Ombuds Day and Conflict Resolution Day 2023

As Archivist, I strongly support the use of alternative dispute resolution by National Archives and Records Administration (NARA) employees, Office of Government Information Services (OGIS) stakeholders, and across the federal government.

For over 20 years, [NARA's RESOLVE program](#) has provided mediation and facilitation services for NARA employees. Mediation can help overcome barriers to conflict resolution and resolve workplace disputes, Equal Employment Opportunity complaints, and administrative grievances. The voluntary use of alternative dispute resolution (ADR), such as mediation, ombuds services, and arbitration, often can provide faster and more satisfying resolution of disputes than other more formal processes. In recognition of this, NARA encourages and supports the use of ADR and requires managers and supervisors to be knowledgeable about agency resources for alternative means of dispute resolution and to consider using ADR, where appropriate.

Please view [this short video](#) which describes the type of support available to NARA employees through the RESOLVE program.

NARA's commitment to resolving disputes is also highlighted through the work of NARA's Office of Government Information Services (OGIS), which serves as the federal Freedom of Information Act (FOIA) Ombudsman. The [OPEN Government Act of 2007](#) established OGIS and elevated the use of ADR in the FOIA process by directing agency FOIA Public Liaisons to assist in resolving disputes between requesters and agencies. The [FOIA Improvement Act of 2016](#) strengthened that commitment, directing agencies to inform requesters of OGIS's mediation services throughout the FOIA process, not just at the conclusion of the administrative process.

The American Bar Association has designated the second Thursday of October as Ombuds Day. Ombuds are a valuable part of ADR and provide a significant benefit to organizations and their members. As confidential, impartial, and independent conflict management professionals, ombuds offer responsive and respectful services designed to aid problem solving, the development of options, and reducing the human and organizational costs of conflict. Ombuds share three professional standards (confidentiality, impartiality, and independence) and three definitional characteristics (informality, credible review process, and fairness).

OGIS's work as the FOIA Ombudsman is centered on several ADR principles, including to facilitate communication between the requester and the agency in a way to benefit the FOIA community as a whole. Since opening its doors in September 2009, OGIS has assisted thousands of FOIA requesters each year, handling inquiries from requesters and agencies alike.

On Ombuds Day, October 12, 2023, and Conflict Resolution Day, October 19, 2023, I ask that we all salute the alternative dispute resolution accomplishments of our colleagues.

DR. COLLEEN J. SHOGAN
Archivist of the United States

For questions on this notice contact:

Rana Khandekar, Director of RESOLVE, Office of the General Counsel naheed.khandekar@nara.gov Room: 3110 National Archives at College Park Phone: 301-837-2926 FAX:	Alina Semo, Director, Office of Government Information Services alina.semo@nara.gov Room: A702 Federal Register Phone: 202-741-5771 FAX:
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