

Fiscal Year 2008 Report



Notification and Federal Employee
Anti-Discrimination
and Retaliation Act of 2002

FY 2008 Annual Report

2008 Message from the Director

I am pleased to present the Department of Defense Education Activity's (DoDEA) Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 ("NoFEAR Act") annual report for Fiscal Year 2008. DoDEA's Community Strategic Plan (CSP) calls for a workforce that is motivated, diverse, and committed to continuous professional growth and development resulting in exemplary performance and optimum student achievement. This report will reflect DoDEA's commitment and its intention to operate in a workplace free of discrimination and harassment.

DoDEA is a civilian agency of the U.S. Department of Defense (DoD). Military dependents represent 87% of the total enrollment in DoDEA schools. The schools are divided into three areas, each managed by an area director. Within each of the three areas, schools are organized into districts headed by superintendents. DoDEA operates 192 schools in 14 districts located in 12 foreign countries, 7 states, Guam, and Puerto Rico. Schools within DoDEA are fully accredited by U.S. accreditation agencies. Approximately 8,700 teachers serve 84,000 students.

Teacher Pay (TP) and Administratively Determined (AD) positions dominate DoDEA pay plans and makeup 77% of DoDEA's workforce. These pay plans are our school-level positions located stateside and overseas and include classroom teachers, counselors, media specialists, administrators, and other school level positions. Classroom teachers are the majority of TP and AD pay plans.

Our total workforce is 15,354 and predominantly female at 11,996 (78%). White females are the largest female group at 9,112 (59%) of the total workforce. The total males population is 3,358 which represents (22%) of the total workforce. White males are the largest male group at 2,552 (17%). White employees at 11,664 represent 76% of the total workforce. The remaining 24% of our workforce is made up of 9.40% (1,444) black female, 2.42% (371) black male, 4.72% (724) Hispanic female, 1.66% (255) Hispanic male, 2.88% (442) Asian female, 0.49% (76) Asian male, 0.57% (88) American Indian/Alaskan Native (AI/AN) female, and 0.13% (20) AI/AN male, 1.21% (186) females identified two or more races and 0.55% (84) males.

The NoFEAR Act, signed by President George W. Bush on May 15, 2002, is intended to reduce the incidence of workplace discrimination within the Federal government by making agencies and departments more accountable. Section 203 of the NoFEAR Act specifically requires, not later than 180 days after the end of each fiscal year, each Federal agency to submit to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, 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 Equal Employment Opportunity Commission, and the Attorney General an annual report with specific information relating to each agency's EEO complaints activity. Code of Federal Regulation (CFR) 5 Part 724 provides further guidance on each agency's reporting obligations, and also requires the submission of the annual report to the Director of OPM for the implementation of a best practices study and the issuance of advisory guidelines.

2008 Summary

Annual Report Required by Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation (NoFEAR) Act of 2002 and 5 CFR Part 724.

<p>1. 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 the agency was alleged.</p>	<p>02</p>								
<p>2. The status or disposition of cases described in paragraph (1).</p>	<table border="0"> <tr> <td>Dismissed</td> <td style="text-align: right;">00</td> </tr> <tr> <td>Settled</td> <td style="text-align: right;">00</td> </tr> <tr> <td>Summary Judgment</td> <td style="text-align: right;">00</td> </tr> <tr> <td>Pending</td> <td style="text-align: right;">02</td> </tr> </table>	Dismissed	00	Settled	00	Summary Judgment	00	Pending	02
Dismissed	00								
Settled	00								
Summary Judgment	00								
Pending	02								
<p>3. The amount of money required to be reimbursed by such agency under section 201 in connection with each of such cases, separately identifying the aggregate amount of such reimbursements attributable to the payment of attorneys' fees, if any.</p>	<table border="0"> <tr> <td>Lump Sum</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td>Attorney Fees</td> <td style="text-align: right;">\$0</td> </tr> </table>	Lump Sum	\$0	Attorney Fees	\$0				
Lump Sum	\$0								
Attorney Fees	\$0								
<p>4. The number of employees disciplined for discrimination, retaliation, harassment, or any other infraction of any provision of law referred to in paragraph (1).</p>	<p>0</p>								
<p>5. A detailed description of:</p> <ul style="list-style-type: none"> A. the policy implemented by that agency relating to appropriate disciplinary actions against a Federal employee who - <ul style="list-style-type: none"> i. discriminated against any individual in violation of any of the laws cited under section 201(a)(1) or (2), or ii. 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), and B. with respect to each of such laws, the number of employees who are disciplined in accordance with such policy and the specific nature of the disciplinary action taken. 	<p>A. DoDEA's Anti-Harassment Policy; the Department of Defense Dependents Schools-Europe Anti-Harassment Policy; DoDEA Regulation 5751.9, Disciplinary and Adverse Actions</p> <p>0</p>								
<p>6. An analysis of the information described under paragraphs (1) through (6) (in conjunction with data provided to the Equal Employment Opportunity Commission in compliance with part 1614 of title 29 of the Code of Federal Regulations) including:</p> <ul style="list-style-type: none"> a. an examination of trends; b. causal analysis; c. practical knowledge gained through experience; and d. any actions planned or taken to improve complaint or civil rights programs of the agency. 	<p>See Attached Section 203 (a)(7) Analysis.</p>								

7. Any adjustment (to the extent the adjustment can be ascertained in the budget of the agency) to comply with the requirements under section 201.	Not Applicable.
8. NoFEAR Act Training Plan pursuant to 5 CFR Part 724.203	See attached training plan.

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2008 Analysis - Section 203(a)(7)

A. Trend Analysis

Completed pre-complaint counselings declined by 11% from FY07 (100) to FY 08 (89) and 21% from FY 04 (112) to FY08. Formal complaints declined by 37% from FY 07 (49) to FY 08 (31) and 14% from FY 04 (36). The number of formal complaints filed represents 35% of all pre-complaint counselings in FY 08, a decrease of 14% from FY 07 and a decrease of 7% from FY 04-07 which averaged a 42% conversion rate. According to the Equal Employment Opportunity Commission's FY 07 Report on the Federal Workforce, the government-wide number of formal complaints filed represented 43.3% of all pre-complaint counseling.

DoDEA's conversion rate from pre-complaint counseling to formal complaints filed for FY08 is 35%, 8% less than the government-wide average. In FY08, 0.5% of DoDEA's total workforce of 15,354 completed pre-complaint counseling and 0.2% filed formal complaints. According to the Equal Employment Opportunity Commission's FY 07 Report on the Federal Workforce, the government-wide average rate for agencies of 15,000 or more employees is 0.5% for formal complaints as a % of the total workforce.

For FY08 the top 3 issues complained of in DoDEA were harassment (non-sexual), promotion/non-selection, and management directed reassignment (tied with reasonable accommodation). The top 3 bases were age, reprisal, tied with race/black and disability/physical. The top issue complained of in the federal government is also harassment (non-sexual), and the basis is reprisal.

B. Causal Analysis

Although our counselings decreased 21% from 100 in FY 07 to 89 in FY08 we did close 7 schools in FY08. Due to the nature of our mission, educating military dependents located overseas and stateside, we are impacted by troop movement which effects student enrollment and the need to open or close schools. The transformation and resulting downsizing may also account for the high activity in the issues of management-directed reassignments. Our total workforce declined in FY08 by 509. The number of increased counselings in FY 07 and formal complaints filed can be attributed to military transformation in Europe. DoDEA closed 9 schools in Europe (a total of 22 in 5 years) at the end of school year 2007, and more school closings are expected in the future. The number of retirements in Europe alone during FY07 was 193. The total workforce has decreased from 17,060 in FY06 to 15,863 in FY07 (7% reduction).

C. Practical Knowledge Gained through Experience

DoDEA examined its overall EEO program and determined 2 areas where improvement could be made on the program.

- Compliance with Timeframes – Timely investigations pose challenges for the following reasons: 1) DoDEA is a geographically dispersed organization composed largely of educators who are inaccessible while teaching and during breaks; 2) DoDEA does not have full control of investigating its cases because another Department of Defense entity has that charge. As corrective action, the investigative component is being diligent in investigating cases during the school year and the DMEO office has reorganized its functions to be able to monitor the process more closely.
- DoDEA's DMEO Alternative Dispute Resolution (ADR) process is voluntary, however, management is strongly encouraged to participate. The DMEO office has trained its employee as certified mediators and now has on-staff mediators to serve throughout the complaint process. As a result, the ADR process is more accessible to DoDEA employees.

Reorganize DMEO to Attain the Essential Elements of a Model EEO Program

In April 2007 the Equal Employment Opportunity Office name was officially changed to the Diversity Management & Equal Opportunity (DMEO) Office. The name change was the first step in restructuring of the office followed by the actual restructuring in October 2007. DMEO began restructuring the functional responsibilities within the office. Prior to the reorganization, all Equal Employment Opportunity (EEO) Specialists were processing EEO complaints and providing training (sexual harassment, EEO Process, NoFEAR, etc.). In October 2007, the DMEO office was restructured in functional areas as follows: Complaints Processing, Diversity (including Special Emphasis Programs, Training), Alternate Dispute Resolution, and Informal Complaints and Business Administration. The expectation is that this change will bring efficacy and better oversight for each functional area.

DMEO's reorganization and development of a strategic action plan establishes a framework for having a full-functioning DMEO program throughout DoDEA that not only processes complaints but has all the elements of a model EEO program: Demonstrated commitment from agency leadership; Integration of EEO into the agency's strategic mission; Management and program accountability; Proactive prevention of unlawful discrimination; Efficiency; and Responsiveness and legal compliance.

Since the reorganization was implemented and a full-time counseling position was placed in DoDDS-Europe joining an established EEO specialist position, the percentage of pre-complaints which have become formal dropped in Europe from 62% in FY07 to 28% in FY08. DoDDS-Europe's success can be attributed to having a team concept able to resolve issues at the lowest possible level. The selection of the deputy from DMEO's internal staff created a vacant full time equivalent (FTE) position which provided us the opportunity to duplicate the success of DoDDS-Europe in the other two area offices. The vacant FTE was reassigned to the DDESS DMEO office which had a formal filing rate of 52% for FY08. The DDESS DMEO vacant FTE was filled in December 2008 with an EEO specialist joining an established full-time counselor, and we are expecting similar successes. With the recent acquisition of another FTE this year, we will best serve DoDEA by assigning that position to the DoDDS-Pacific DMEO office, which had a formal filing rate of 29% for FY08. Although DoDDS-Pacific has a low conversion rate, we are certain that duplicating the team concept in each area will allow DMEO to have

a model EEO program, providing services for the formal as well as the informal process, leaving someone available for advisory services while the other is training, and taking maximum advantage of mediation opportunities.

Organizational Overview

DMEO is responsible for enforcing EEO laws and policies, performing diversity management functions, advising management and employees on the facilitation of reasonable accommodations for persons with disabilities, and providing alternative disputes resolution services for DoDEA. DMEO provides these services through its Administrative Management and four functional components: the EEO Compliance Program; the Diversity Management Program; the Disabilities Program; and the Alternative Disputes Resolution Program. Each of these components has independent strategies with integrated functions.

The Chief, DMEO reports to the Director of DoDEA in accordance with the 29 CFR 1614.102(b)(4). The Chief is responsible for the implementation of a continuing affirmative employment program to promote equal employment opportunity and to identify and eliminate discriminatory practices and policies (EEOC Management Directive 110, Chapter 1, ¶ I). DMEO's personnel is currently 12 FTE positions serving approximately 16,000 permanent and temporary employees operating in 12 foreign countries, 7 states, Guam, and Puerto Rico. We created strategic plans for each of our functional areas as follows:

DMEO Guiding Principles

DMEO's guiding principles are trust and respect for all people; development of partnerships with internal functional departments within DoDEA and other DoD components with which it works; equal access to employment, training, and pay for quality performance; continuance of new and motivating challenges to inspire excellence in the workplace; open communication with its stakeholders; and the best training skills available to bring positive results with high expectations from participants.

EEO Complaints and Compliance Program

The EEO Compliance Program ensures that the statutory and legal requirements are met for complaints processing. Specifically, this work is mandated under Title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act of 1967, as amended (ADEA), the Rehabilitation Act of 1973, as amended, 29 CFR 1614, et seq., the Fair Labor Standards Act of 1938, as amended (Equal Pay Act of 1963) (EPA), Equal Employment Opportunity Commission (EEOC) regulations, guidelines, policy directives, case decisions of the EEOC and the United States Supreme Court. There are three functional areas of the EEO Compliance Program: (1) Pre-Complaint Counseling (informal process); (2) Formal Complaint Processing; and (3) Complaints Processing Analysis and Reporting.

The DMEO Complaints staff is composed of 7 FTE positions, including 1 Program Manager located at Headquarters, 3 full-time counselors (informal process) each located at DoDDS-Europe, DoDDS-Pacific, and DDESS, and 3 full-time Area Program Managers at DoDDS-Europe, DDESS, and DoDDS-Pacific (position to be filled May-Jun 2009).

Vision: A workforce free of discrimination that is inspired and strengthened by the richness of its diversity.

Mission Statement: DoDEA is committed to

- eliminating discrimination in employment because of race, color, religion, gender, age, national origin, or disability;
- maintaining a work environment which is free from any form of discrimination; and
- protecting the integrity of the EEO complaints process by providing a prompt, fair, and impartial review and adjudication of discrimination complaints.

Goal: Enforce Federal equal employment opportunity laws, regulations, and policies to prevent unlawful employment discrimination in the workplace.

Objective: Administer a timely and effective EEO complaint processing program.

Strategies:

- Establish a budget for the Complaints Program and maintain a balanced budget by using operating performance targets tailored to outcomes of the strategic plan.
- Annually issue and distribute to all agency employees updated EEO policies signed by the Director DoDEA and each Area Director.
- Develop and implement standard operating procedures for the EEO complaint process.
- Review processes and take actions to ensure that complaints are handled efficiently.
- Institute quality control procedures to protect integrity of complaint process.
- Monitor and track complaints inventory to ensure that delays in processing are addressed immediately.
- Provide EEO counseling services in accordance with Federal regulations and within mandated timeframes (29 CFR Part 1614) (30 calendar days).
- Process formal complaints in accordance with Federal Regulations and within mandated timeframes (29 CFR Part 1614).
- Ensure final agency actions are completed within regulatory timeframes.
- Issue EEO complaints activity report (462 report) in accordance with EEOC requirements.
- Post EEO complaints activity on internet and intranet websites and provide notification to employees in compliance with Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act).
- Provide EEO training for managers and employees.
- Provide mandatory training to counselors in accordance with MD-110.
- Provide training to complaints specialists to keep them apprised of current laws and regulations.
- Meet with field EEO Specialists to provide quarterly reports of complaints activity.
- Prepare a survey for customers who utilize EEO complaint services to gauge effectiveness, responsiveness, and how we can improve our services.

Diversity Management Program

In an effort to promote a workforce that is motivated, diverse, and committed (Goal 3 of the DoDEA Community Strategic Plan), the Diversity Program Manager provides a variety of services to approximately 16,000 permanent and temporary employees across the globe. One FTE works as the Diversity Program Manager located at headquarters. There are three functional areas of the Diversity Program: (1) Workforce Analysis and Reporting; (2) Special Emphasis Programs; and (3) Diversity Management.

The Program Manager will develop training modules in the area of diversity and establish a DoDEA Diversity Committee that will collaborate with other offices in DoDEA on a number of initiatives including recruitment outreach activities. A Special Observance Committee was established to organize commemorative programs. These programs and initiatives successfully raise awareness and sensitivity throughout DoDEA concerning the ideological and cultural differences employees bring to the workplace. These cooperative efforts have also served to strengthen and support DoDEA's mission to continuous professional growth and development that results in exemplary performance and optimum student achievement.

Diversity Mission Statement

To understand, value, and incorporate the differences of each employee in order to build and maintain a multicultural workplace reflective of the growing diversity and inclusion in our worldwide communities.

Diversity Vision Statement:

We envision an agency that focuses on integrating diversity into the very fabric of all management practices and decisions, thus creating an organizational culture that embraces a broader mixture of diversity, leveraging and valuing the skills, abilities, experiences, and contributions of every employee.

Objective A: Identify underrepresentation of EEO groups in accordance with Federal laws and regulations.

Strategies:

- Establish a budget for the Diversity Program and maintain a balanced budget by using operating performance targets tailored to outcomes of the strategic plan.
- Develop, prepare, and disseminate to DoDEA management the DMEQ Annual Diversity Program Status Report in compliance with MD-715 with a summary of customer friendly data.
- Conduct and report agency and area (HQ, PAC, EUR, DDESS) subcomponent level workforce analysis in areas relevant to the DMEQ Annual Diversity Program Status Report.
- Implement the strategies defined in the DoDEA Annual DMEQ Diversity Program Status Report to eliminate barriers to equal opportunity. Coordinate and collaborate with Human Resources (HR) and management.

- Resurvey agency workforce via the SF-256 Self Identification of Handicap form on MyBiz. Coordinate and collaborate with HR.
- Resurvey agency workforce via the SF-181, US Federal Ethnicity and Race Category form, on MyBiz. Note: Add 2 or more Races category. Coordinate and collaborate with HR.
- Develop, evaluate, and coordinate with HR to implement a DoDEA Succession Plan with the appropriate workforce data (i.e., mission critical occupations at the agency and area subcomponent levels. Coordinate with HR, management).
- Establish potential development program to develop pipeline of eligible candidates. Coordinate with HR and management.
- Establish data collection procedures to capture applicant flow data for effective recruitment strategies in collaboration with HR.

Program Measures:

- Develop and supplement as necessary workforce analyses and reports.
- Increase the quality and timeliness of workforce analyses and reports.
- Ensure timeliness in completing all Federally-mandated reports.
- Monitor workforce database to ensure that the DoDEA personnel records are updated.
- Monitor employee My-Biz update in reference to disability and race/national origin information.
- Develop analysis and monitor success of employee participation in succession plan.
- Develop measurement criteria and monitor potential development program performance.
- Monitor applicant flow data collection results for effective recruitment strategies.

Objective B: Identify barriers to EEO through data analyses and develop recommendations for corrective actions.**Strategies:**

- Develop ad hoc barrier analyses and evaluative reports for agency/areas.
- Conduct workforce analyses information related to EEO complaints.
- Participate and collaborate with other agencies and departments' committees and councils to share information on regulatory developments, current trends, and best practices.
- Participate and collaborate on DoDEA committees as a subject matter expert, i.e., awards, A-76 Studies, Interview Panels, etc., to address issues related to adequate representation of all EEO groups and diversity.
- Identify barriers (hiring, promotion, retention) affecting the DoDEA workforce and implement corrective actions to resolve the undesired conditions.

Program Measures:

- Augment as necessary the number of barrier analyses/reports developed for agency/areas.
- Ensure timeliness and accuracy of workforce reports and analyses.
- Ensure timeliness and accuracy on requests for information and ad hoc reports.
- Increase EEO participation role on internal/external committees.

- Identify workforce barriers and propose corrective actions recommended.

Disabilities and Reasonable Accommodations Program

The Disabilities Program Manager (DPM) is available to assist all DoDEA managers, employees, and applicants with requests for reasonable accommodations and 508 accessibility of electronic and information technology, and with issues concerning accessibility to DoDEA facilities. DMEO will also provide assistance in obtaining sign language and interpreting services for DoDEA's deaf and hard of hearing workforce. One FTE works as the DPM located at headquarters. DMEO's objective is to provide solid legal advice to management on the legal requirements under the Rehabilitation Act and court decisions to avoid liability. The DPM provides guidance and direction to all DoDEA employees on facilitating requests for reasonable accommodations. The DMEO is available to do research for recommendations of efficient and effective accommodations. The DPM will address issues of facilities accessibility as they are brought to DMEO's attention. The DPM works closely with the Diversity Managers in collaborating with other offices in the agency on a number of initiatives including recruitment outreach activities (e.g., Schedule A hiring authorities), commemorative programs, and reaching the DoD requirement for 2% representation of the workforce to be comprised of employees with targeted disabilities.

Disability Mission Statement

To understand, value, and incorporate the differences of each employee in order to build and maintain a multicultural workplace reflective of the growing diversity and inclusion in our worldwide communities.

Disability Program Vision Statement:

We envision an agency that focuses on integrating diversity into the very fabric of all management practices and decisions, thus creating an organizational culture that embraces a broader mixture of diversity, leveraging and valuing the skills, abilities, experiences, and contributions of every employee.

Objective A: Develop, execute, and monitor a recruitment program to acquire qualified persons with disabilities

Strategies:

- Identify OPM, DoD, EEOC, and other Federal hiring programs to acquire qualified disabled college students and inform AFAA managers of these programs.
- Recruit qualified disabled college students using Federal hiring programs such as the Federal Workforce Recruitment Program for College Students with Disabilities. These programs recruit and hire qualified college students with disabilities for various DoD agencies at no cost to the participating agency.
- Identify those academic institutions with a large population of student with disabilities. Recruiters will develop a relationship with these colleges and universities in order to identify potential new hires.

- Categorize Schedule A applications. Market the program to insure management is aware of the Schedule A process and applicants.

Program Measures:

- Develop and supplement as necessary workforce analyses and reports.
- Increase the quality and timeliness of workforce analyses and reports.
- Ensure timeliness in completing all Federally mandated reports.
- Monitor workforce database to ensure that the DoDEA personnel records are updated.
- Monitor employee My-Biz update in reference to disability and race/national origin information.
- Develop analysis and monitor success of employee participation in succession plan.
- Develop measurement criteria and monitor potential development program performance.
- Monitor applicant flow data collection results for effective recruitment strategies.

Objective B: Identify barriers to EEO through data analyses and develop recommendations for corrective actions.**Strategies:**

- Develop ad hoc barrier analyses and evaluative reports for agency/areas.
- Conduct workforce analyses information related to EEO complaints.
- Participate and collaborate with other agencies and departments' committees and councils to share information on regulatory developments, current trends, and best practices.
- Participate and collaborate on DoDEA committees as a subject matter expert, i.e., awards, QRBs, A-76 Studies, Interview Panels, etc., to address issues related to adequate representation of all EEO groups and diversity.
- Identify barriers (hiring, promotion, retention) affecting the DoDEA workforce and implement corrective actions to resolve the undesired conditions.

Program Measures:

- Augment as necessary the number of barrier analyses/reports developed for agency/areas.
- Ensure timeliness and accuracy of workforce reports and analyses.
- Ensure timeliness and accuracy on requests for information and ad hoc reports.
- Increase EEO participation role on internal/external committees.
- Identify workforce barriers and propose corrective actions recommended.

Objective C: Promote and participate in commemorative observances, cultural awareness and Special Emphasis Programs (SEP) in collaboration with DoDEA Diversity Council.**Strategies:**

- Organize and develop a Diversity Committee that will work with the established Special Observance Committee to promote a diverse workforce.
- Continue networking with area SEP managers and other special interest groups to support, collaborate and implement the African American Employment Program, Federal Women's Employment Program, Hispanic Employment Program, Employment of People with Disabilities Program, Asian Pacific American Employment Program, the American Indian Alaskan Native Employment Program and other Special Emphasis Programs as needed and special interest groups.
- Maintain and promote calendar of events aimed at promoting SEP initiatives.
- Respond to White House and Departmental Initiatives, etc. that address SEP areas.

Program Measures:

- Promote participation/attendance in special SEP and outreach events.
- Issue appropriate responses in a timely manner to the White House and Departmental initiatives/orders related to SEP issues.

Objective D: Recruit, retain, and develop a highly qualified and diverse workforce.**Strategies:**

- Establish and maintain partnerships with various professional and educational organizations.
- Participate in job fairs, college fairs, and other recruitment outreach venues targeted at underrepresented groups.
- Maintain and promote calendar of recruitment outreach events aimed at promoting diversity in the workforce.
- Participate in discussions with management regarding demographic data to increase outreach and hiring of underrepresented groups.
- Utilize and promote intern programs aimed at supporting workforce diversity.
- Continue to develop and implement the DoDEA Mentoring Program.
- Collaborate and coordinate with agency/area offices on initiatives designed to recruit and retain a diverse workforce.
- Conduct entrance and exit interviews with employees who leave the agency.
- Develop Schedule A program procedures.
- Coordinate all employment initiatives for recruitment of persons with disabilities.
- Develop and provide customized Diversity and reasonable accommodations training for employees and managers that is available throughout the workforce via video conference or web cast.
- Develop "voice over" training modules to address Diversity and reasonable accommodation in compliance with the Rehabilitation Act.
- Ensure that all training modules developed by Diversity Management are 508 compliant.
- Develop and implement Diversity training modules for managers and supervisors, which include Reasonable Accommodations/Disability sensitivity.
- Partner with DoDEA Human Resources and General Counsel staff to develop/incorporate training modules and or materials into Administrator, supervisory and leadership training.

- Develop and implement the business case for Diversity training module(s).
- Coordinate with the Communications staff to ensure each training module is accessible prior to release.

Program Measures:

Increase in representation of underrepresented groups in the DoDEA workforce. Increase in representation of underrepresented groups in promotions.

- Increase the percentage of employees trained in EEO, Diversity, and CPR.
- Maintain satisfactory ratings on the DMEO Diversity training and educational events via the Likert scale¹.
- Monitor number of visits to Diversity Management websites.
- Track employee participation in diversity related educational and informational programs.
- Track number of training sessions.
- Track participation rate in Administrator, supervisory and leadership training.
- Track and analyze demographic data.

Alternative Disputes Resolution Program

The Alternative Disputes Resolution (ADR) Program was created as an alternative resource to existing EEO complaint processes to address work-related issues. One full time employee works as the ADR Program Manager responsible for the oversight of alternative dispute resolution and training functions at headquarters, DoDDS-Europe, DoDDS-Pacific, and DDESS. One of the primary goals of ADR is to provide employees and managers with an impartial, confidential avenue to resolve disputes in order to minimize the escalation of disputes to the formal complaint process. ADR services are offered in order to facilitate resolution of workplace conflicts, to restore control in the management of conflict to the disputing parties themselves, and to decrease costs and delays in resolution. The program offers alternatives to the traditional method for resolving workplace disputes, including mediation, facilitation, consultation, training, coaching, early neutral evaluation, and counseling. DoDEA has chosen mediation; the most widely used alternative dispute resolution process in the Federal sector as the method of resolving employment discrimination disputes in the Federal complaint process. ADR also develops and conducts a variety of EEO, Diversity Awareness, and Conflict Management training programs for managers and employees. These programs are developed and conducted using in-house and outside resources.

ADR Mission Statement

To provide empowerment for DoDEA employees to resolve workplace disputes and conflicts through a voluntary, confidential, early intervention process.

ADR Vision Statement

¹ A Likert item is simply a statement which the respondent is asked to evaluate according to any kind of subjective or objective criteria; generally the level of agreement or disagreement is measured.

To achieve sound and efficient dispute management through technical assistance, proactive dispute prevention techniques and resolution intervention services.

Goal 1: Maintain a harmonious work environment by resolving workplace conflicts at the earliest possible stage.

Objective A: Maintain a comprehensive Alternative Disputes Resolution (ADR) program to address and resolve conflict at the lowest possible level.

Strategies:

- Establish a budget for the ADR Program and maintain a balanced budget by using operating performance targets tailored to outcomes of the strategic plan.
- Establish, implement, and monitor Standard Operating Procedure (SOP) for the ADR process.
- Monitor iComplaints for ADR activity in meeting established timelines and follow-up with area office ADR events.
- Evaluate the performance of Mediators.
- Incorporate ADR overview into annual site visits to each area office (Europe, Pacific, and DDESS).
- Develop and annually issue a DoDEA ADR policy signed by the Director, DoDEA and distribute to all agency employees.
- Provide staff and financial support towards ADR activities and initiatives throughout DoDEA.
- Provide annual training to DMEO certified mediators.
- Develop training modules on the ADR process for employees and management.
- Establish and maintain logs of mediators by geographic location and ratings.
- Develop standard training for Mediators to ensure they are kept aware of the latest trends in mediation and gain additional industry and technical knowledge.

Program Measures:

- Evaluate feedback from customer evaluations on mediator performance after every ADR event.
- Review and report the number and percentage of EEO complaints (informal and formal) resolved through ADR mediation.
- Review and report the number and percentage of ADR events, i.e., counseling, intervention, training, team building and facilitation.
- Track the number of disputes resolved through ADR within mandated timeframes.
- Track the number of offers of ADR at the informal and formal complaints level.
- Analyze feedback and evaluations of ratings on the ADR training events via the Likert scale².

Objective B: Develop and maintain a DoDEA ADR resolution report analyses.

Strategies:

² A Likert item is simply a statement which the respondent is asked to evaluate according to any kind of subjective or objective criteria; generally the level of agreement or disagreement is measured.

- Identify root causes of workplace conflict and make presentations to the headquarters and area offices regarding climate, cost of conflict and need for training the workforce.
- Meet monthly with the Deputy, DMEO, to discuss cost of conflict, trends, issues and training needs.
- Provide a quarterly report to the Chief, DMEO, on conflict trends, issues, and training needs.
- Add all steps relative to the ADR SOP to iComplaints to create a more effective ADR report.
- Prepare an annual ADR report due the end of December for the DoD Office of General Counsel.

Program Measures:

- Conduct a Cost of Conflict Analysis on each ADR to determine the value of the program and agency monetary savings.
- Perform bi-annual analysis of conflict trends and impact.
- Develop quarterly ad hoc reports reflecting the workplace issues for each area office (Europe, Pacific, and DDESS).
- Identify barriers that prevent workforce from using mediation (e.g., language, disability, geography, culture, "chilling effect").

Objective C: Develop and implement Agency-wide mechanisms that promote ADR initiatives throughout the agency.**Strategies:**

- Collaborate with Communications to market the DMEO ADR Program throughout the DoDEA workforce.
- Enhance DMEO internet and intranet site on ADR information and resources.
- Conduct educational mediation workshops and workplace presentations.

Program Measures:

- Monitor number of visits to DMEO's ADR websites.
- Gather feedback from users on how they heard about ADR.
- Analyze evaluations and feedback from participants of ADR training.

D. Actions Planned/Taken to Improve Agency Complaint or Civil Rights Program

DoDEA's DMEO office has a stated mission to create and sustain a workplace free of discrimination and harassment through commitment, integration, prevention, and accountability. DoDEA's mission and vision of the agency's EEO programs is capsulated in the agency's Community Strategic Plan, Goal 3, which states: "to continually recruit, hire, support, evaluate,

and recognize personnel in order to retain a highly diverse, motivated, and committed workforce.”

To accomplish this goal, measures and milestones are identified. The 2008 milestones applicable to this report are:

- Establish and implement a performance appraisal process in support of the new DoD National Security Personnel System (NSPS).
- All General Schedule (GS) and NSPS support staff will have access to quality DoDEA/DoD standardized training for career enhancement and improved job-related proficiencies.
- DoDEA will implement a comprehensive leadership development plan for the training of leaders to ensure the continuity and high quality of DoDEA leadership.
- Assess and prioritize the professional development and training needs of employees using multiple approaches.
- Implement an automated process for evaluating professional development.
- Design, implement, and evaluate DoDEA standardized training for GS and NSPS support staff for career enhancement and improved job-related proficiencies.
- Design and implement a comprehensive plan for the development of leaders to ensure the high quality of all levels of DoDEA leadership in supervision, management, systems technology, curriculum, instruction, and assessment.

Improve timeliness by establishing Standard Operating Procedures with the DoD investigative unit (DoDEA does not investigate its own cases)

The Civilian Personnel Management Services (CPMS), Investigations Resolution Division (IRD) is the DoD component responsible for investigating our cases. In February 2007, IRD realigned case management functions. As a result, all of our cases are processed through Sacramento, California. To assist with quicker processing we provide all of our case file submissions to IRD by electronic processing and we receive all Reports of Investigations from IRD by electronic processing. This process has improved the efficiency and timeliness of investigations.

We continue to see improvement in the trend of our investigation timeframes over a 3-year time period (FY04 –FY06); however, last year (FY07) the investigation timeliness rate dropped to 17%. This year (FY08), due to realignment of DMEO resources to devote a full-time Complaints and Compliance Program Manager to oversee the total complaints process, including all investigations and improvements in the communication between DMEO and IRD, our investigation timeliness rate has jumped to 26% timely investigations. This represents a remarkable 53% increase in timeliness efficiency from FY07. Although our official 462 report to EEOC indicated a 13% investigation timeliness rate, we have since discovered a malfunction in our automated reporting system (iComplaints) where cases with approved extensions and amendments of investigations were not being counted as timely, in accordance with regulations, which has since been corrected. The 26% rate reflects the updated, corrected information.

Our preferred method of investigation is e-mail interrogatories as it is effective for our geographically dispersed organization. However, there is a significant amount of time invested in this method. To improve processing times, we have become stringent in imposing deadlines for responses and have limited the levels of review for responses. In FY07 we entered into an agreement with IRD to more efficiently identify our most time sensitive cases and prioritize which cases receive the quickest turnaround. This way we will be able to move cases through the investigative stage within the 180 day limit. We have also used contract investigators on several cases as another alternative to address investigation timeframes. All of our contract investigations were done within 180 days or less. We are continuing to improve our timeliness rate; still, some investigations may run long due to our recess periods. We continue to request that complainants and witnesses leave contact data during recess periods so investigators can make contact; however, there are instances when this does not happen and the process is delayed. In cases that are to be investigated close to the recess periods we intend to request expedited processing of the investigation in order to improve timeframes and complete the investigation prior to the beginning of the recess periods when employees are in a non-duty status.

DMEO has also tried to limit General Counsel's involvement in the complaints process and their role in the investigative process. In October 2005 and again on February 2007 the EEO Office and General Counsel met to define roles and responsibilities throughout the complaints process. As a result, a memorandum of understanding was executed consistent with having a model agency EEO program.

Establish timeframes for implementing the review of our incentive and performance award program.

In November 2005, the DoDEA Community Strategic Plan (CSP) was revised to include an implementation milestone regarding awards. The CSP commits to revise "the performance appraisal system to ensure that it recognized and rewards high performance, motivation and commitment to supporting student achievement." This agenda item has been incorporated into our agency CSP and timelines will be established to ensure that this item is reviewed yearly. The 2008 CSP deadline takes into consideration the deployment of the DoD National Security Personnel System (NSPS).

A review of DoDEA's incentive and performance award policy, regulations, and award data does not reveal systemic barriers impeding full participation. In January 2008, DoDEA converted to NSPS, a pay for performance system with pay bands, affecting approximately 3,000 employees. The focus of NSPS is to coach, mentor, and award employees based on performance. All relevant NSPS awards data reflects the 9-month time-period of January through September 31, 2008. The majority of employees were rated at the "Valued Performer" (77% rated at level 3) and less than 2% were rated either Fair or Unacceptable. The average performance payout for this 9-month cycle was 1.68% (for supervisors) and 1.91% (non-supervisors). For the purposes of this report, it is premature to speculate on how NSPS will affect our incentive and performance award program or data collection thereof. However,

DMEO and HR will continue to gather data and monitor the incentive and performance awards programs.

FY 2008 Quarterly Webposting Data

Data Posted Pursuant to Section 301 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002

Complaint Activity

Equal Employment Opportunity Data Posted Pursuant to the No Fear Act: DoDEA

For 1st Quarter 2009 for period ending December 31, 2008

****Mixed Cases are Included in this report.****

Complaint Activity	Comparative Data					
	Previous Fiscal Year Data					2009 Thru 12-31
	2004	2005	2006	2007	2008	
Number of Complaints Filed	35	25	34	50	31	6
Number of Complainants	34	25	33	50	31	6
Repeat Filers	1	0	1	1	0	0

Complaints by Basis	Comparative Data					
	Previous Fiscal Year Data					2009 Thru 12-31
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	2004	2005	2006	2007	2008	
Race	15	12	21	27	10	2
Color	12	3	10	7	2	0
Religion	17	3	3	4	1	0
Reprisal	12	10	14	15	9	0
Sex	16	12	18	23	9	1
National Origin	6	3	5	5	7	2
Equal Pay Act	3	0	0	0	0	0
Age	11	10	14	20	10	1

Complaints by Basis	Comparative Data					
	Previous Fiscal Year Data					2009 Thru 12- 31
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	2004	2005	2006	2007	2008	
Disability	6	7	8	16	7	2
Non-EEO	0	1	0	0	0	1

Complaints by Issue	Comparative Data					
	Previous Fiscal Year Data					2009 Thru 12- 31
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	2004	2005	2006	2007	2008	
Appointment/Hire	4	2	9	5	1	1
Assignment of Duties	3	2	3	3	2	0
Awards	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0
Disciplinary Action						
Demotion	0	0	0	0	0	0
Reprimand	4	2	2	2	2	0
Suspension	2	1	1	1	0	0
Removal	0	0	0	0	0	0
Other	1	4	2	0	1	0
Duty Hours	1	0	0	0	0	0
Evaluation Appraisal	0	1	2	0	1	0
Examination/Test	0	0	0	0	0	0
Harassment						
Non-Sexual	9	10	12	17	14	1
Sexual	1	1	0	3	2	1
Medical Examination	0	0	0	1	0	0
Pay (Including Overtime)	0	2	0	0	0	0

Complaints by Issue	Comparative Data					
	Previous Fiscal Year Data					2009 Thru 12- 31
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	2004	2005	2006	2007	2008	
Promotion/Non-Selection	9	3	6	3	5	0
Reassignment						
Denied	2	1	0	1	0	0
Directed	3	2	4	9	4	1
Reasonable Accommodation	1	4	1	2	4	1
Reinstatement	0	0	0	0	0	0
Retirement	1	1	0	0	0	0
Termination	9	4	1	6	4	2
Terms/Conditions of Employment	1	2	4	2	1	0
Time and Attendance	0	0	2	2	0	0
Training	2	0	1	1	0	0
Other	5	3	1	0	1	0

Processing Time	Comparative Data					
	Previous Fiscal Year Data					2009 Thru 12-31
	2004	2005	2006	2007	2008	
Complaints pending during fiscal year						
Average number of days in investigation	434.00	203.50	200.23	278.40	220.42	216.40
Average number of days in final action	0	69.71	101.59	122.42	161.76	147.00
Complaint pending during fiscal year where hearing was requested						
Average number of days in investigation	311.50	225.73	219.82	257.93	212.00	291.00
Average number of days in final action	0	35.64	22.93	89.83	52.00	0
Complaint pending during fiscal year where hearing was not requested						
Average number of days in investigation	353.50	234.00	198.92	269.20	220.15	232.75

Processing Time	Comparative Data					
	Previous Fiscal Year Data					2009 Thru 12-31
	2004	2005	2006	2007	2008	
Average number of days in final action	94.33	137.86	239.25	155.00	187.59	147.00

Complaints Dismissed by Agency	Comparative Data					
	Previous Fiscal Year Data					2009 Thru 12-31
	2004	2005	2006	2007	2008	
Total Complaints Dismissed by Agency	2	5	6	17	8	1
Average days pending prior to dismissal	20	63	526	103	300	28
Complaints Withdrawn by Complainants						
Total Complaints Withdrawn by Complainants	0	1	2	2	2	1

Total Final Agency Actions Finding Discrimination	Comparative Data											
	Previous Fiscal Year Data										2009 Thru 12-31	
	2004		2005		2006		2007		2008			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	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	Comparative Data											
	Previous Fiscal Year Data										2009 Thru 12-31	
	2004		2005		2006		2007		2008			
	#	%	#	%	#	%	#	%	#	%	#	%
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>												
Total Number Findings	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

Findings of Discrimination Rendered by Basis	Comparative Data											
	Previous Fiscal Year Data										2009 Thru 12- 31	
	2004		2005		2006		2007		2008			
	#	%	#	%	#	%	#	%	#	%	#	%
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>												
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
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0
Findings After Hearing												
	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
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing												
	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

Findings of Discrimination Rendered by Basis	Comparative Data											
	Previous Fiscal Year Data										2009 Thru 12- 31	
	2004		2005		2006		2007		2008			
#	%	#	%	#	%	#	%	#	%	#	%	
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>												
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
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										2009 Thru 12-31	
	2004		2005		2006		2007		2008			
#	%	#	%	#	%	#	%	#	%	#	%	
Total Number Findings	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												
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

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										2009 Thru 12-31	
	2004		2005		2006		2007		2008			
	#	%	#	%	#	%	#	%	#	%	#	%
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment												
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												
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 - User Defined	0	0	0	0	0	0	0	0	0	0	0	0
Findings After Hearing												
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												
Demotion	0	0	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										2009 Thru 12-31	
	2004		2005		2006		2007		2008			
	#	%	#	%	#	%	#	%	#	%	#	%
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												
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												
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 - User Defined	0	0	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing	0		0		0		0		0		0	

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										2009 Thru 12-31	
	2004		2005		2006		2007		2008			
	#	%	#	%	#	%	#	%	#	%	#	%
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												
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												
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												
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

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										2009 Thru 12-31	
	2004		2005		2006		2007		2008			
	#	%	#	%	#	%	#	%	#	%	#	%
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 - User Defined	0	0	0	0	0	0	0	0	0	0	0	0

Pending Complaints Filed in Previous Fiscal Years by Status	Comparative Data					
	Previous Fiscal Year Data					2009 Thru 12-31
	2004	2005	2006	2007	2008	
	Total complaints from previous Fiscal Years	23	46	38	35	51
Total Complainants	23	45	37	34	50	35
Number complaints pending						
Investigation	0	0	0	0	0	8
ROI issued, pending Complainant's action	1	0	0	1	0	3
Hearing	0	0	0	0	0	8
Final Agency Action	0	2	0	3	0	0
Appeal with EEOC Office of Federal Operations	0	0	0	0	0	0

Complaint Investigations	Comparative Data					
	Previous Fiscal Year Data					2009 Thru 12-31
	2004	2005	2006	2007	2008	
	Pending Complaints Where Investigations Exceed Required Time Frames	3	5	6	4	1

FY 2008 Annual Report

NoFEAR Act Training Plan

This document sets forth the DoDEA's training plan, pursuant to the Notification and Federal Antidiscrimination and Retaliation Act of 2002 ("NoFEAR Act"), Public Law 107-174, and 5 CFR Part 724.203.

Requirements of the NoFEAR Act

Specifically, Section 202(c) of Title II of the NoFEAR Act sets forth the following requirement: "Each Federal agency shall provide to the employees of such agency training regarding the rights and remedies applicable to such employees under the [Federal antidiscrimination and retaliation statutes and other legal authority]."

Requirements of 5 CFR Part 724

5 CFR § 724.203(a) requires the following: "Each agency must develop a written plan to train all of its employees (including supervisors and managers) about the rights and remedies available under the Antidiscrimination Laws and Whistleblower Protection Laws applicable to them."

5 CFR § 724.203(b) further specifies: "Each agency training plan shall describe: (1) The instructional materials and method of the training, (2) The training schedule, and (3) The means of documenting completion of training."

Next, 5 CFR § 724.203(d) requires each agency "to complete the initial training under this subpart for all employees (including supervisors and managers) by December 17, 2006. Thereafter, each agency must train all employees on a training cycle of no longer than every 2 years."

Finally, 29 CFR § 724.203(e) sets forth the following requirement: "After the initial training is completed, each agency must train new employees as part of its agency orientation program or other training program. Any agency that does not use a new employee orientation program for this purpose must train new employees within 90 calendar days of the new employees' appointment."

DoDEA NoFEAR Act Training

I. Initial Training Required by 5 CFR § 724.203(d)

DoDEA's DMEO office has given access through its intranet site a PowerPoint presentation to all DoDEA employees (including executives, managers, and supervisors) providing an overview of the rights and remedies applicable to Federal employees under the Federal antidiscrimination and retaliation statutes and other legal authority. The presentation remains posted to the DoDEA DMEO intranet website, accessible to all DMEO employees, satisfying the initial training requirement of 5 CFR § 724.203(d).

II. NoFEAR Act Training during New Employees' Orientation, Required by 5 CFR § 724.203(e)

DoDEA's DMEO office sponsors and participates in all DoDEA New Employee Orientation sessions providing basic information on the NoFEAR Act and directing new employees to the NoFEAR Act PowerPoint presentation posted on DMEO's intranet website.

III. Recurring NoFEAR Act On-Line Training and Documentation

DoDEA's DMEO office continues to work towards finalizing the implementation of an online NoFEAR Act training. In FY10 we are budgeting to purchase a web-based training program at a low cost of \$1.36 per person. The web-based program gives unlimited access, includes quizzes, a certificate, and gives us tracking capabilities. The program will be in compliance with the recurring training and documentation requirements of 5 CFR §§ 724.203(b) and (d).

 Dr. Shirley A. Miles
 Director, Department of Defense Education Activity

 Date