

No FEAR Act

TEST

Print this test and mark your answers on it. When you have answered the questions, click on the link at the end of the test to check your answers.

This test is open-book. You may refer to the Lesson content on your CD to complete it.

Possible score: 18

Passing score: 14

Answer the following questions, more than one answer may apply.

1. Which of the following strategies is *not* used by the No FEAR Act to improve agency accountability for enforcing antidiscrimination and whistleblower laws?
 - A. Establishing expectations related to agency behavior
 - B. Discipline all managers accused of discrimination
 - C. Detailing ways agencies should prevent discrimination and retaliation
 - D. Requiring disclosure of data related to EEO complaints and retaliation actions.

2. The No FEAR Act requires that agencies:
 - A. Provide written notice of employee rights under antidiscrimination and whistleblower laws
 - B. Train management in communication skills and dispute resolution by the end of FY 2006.
 - C. Reimburse the Treasury General Fund for settlement costs within 5 years of pay out.
 - D. Train employees regarding their rights under antidiscrimination and whistleblower laws

3. Clare feels she was discriminated against because of her religion. Clare's complaint would be covered under No FEAR Act provisions.
 - A. True
 - B. False

4. Stu feels he was discriminated against because his mother is also an employee of the agency. Stu's complaint would be covered under No FEAR Act.
 - A. True
 - B. False

5. Susannah feels she was discriminated against because of the appeal she filed with OPM, contesting a pay decision made by her agency. Susannah's complaint would be covered under No FEAR Act provisions.
 - A. True
 - B. False

6. Richard feels he was discriminated against because he was a delegate to the Republican National Convention. Richard's complaint would be covered under No FEAR Act provisions.
 - A. True
 - B. False

7. Therese feels she was discriminated against because she provided testimony at a coworker's MSPB hearing. Therese's complaint would be covered under No FEAR Act provisions.
 - A. True
 - B. False

8. Marc feels he was discriminated against because of his union activities. (He is a union steward). Marc's complaint would be covered under No FEAR Act provisions.
 - A. True
 - B. False

9. The antidiscrimination provisions of the No FEAR Act are based on principles found in which of the following?
 - A. MSPB regulations
 - B. Agency rules and regulations
 - C. Bill of Rights
 - D. Prohibited personnel practices

10. David applied for a promotion with his agency. He does not make the best-qualified list. Several weeks later, David is told by another employee that only African-American applicants were referred to the supervisor; white applicants were rated only as qualified regardless of their experience. He decides to file a discrimination complaint.

What complaint process should David use?

- A. Office of Special Counsel
 - B. Merit Systems Protection Board
 - C. Agency grievance process
 - D. EEO complaint process
11. Gilberto applied and was non-selected for a supervisory job at his agency. When he does a little research, he finds that his installation has never selected a Hispanic for a supervisor job—and plenty have applied. He decides to file a discrimination complaint.

To initiate his complaint Gilberto should:

- A. File a complaint in writing with the Office of Special Counsel
 - B. Visit the MSPB Web site for more information
 - C. Contact an EEO counselor
 - D. Inform his supervisor or the HR Officer in writing of the facts of his case
12. Cecil applied for a job with another agency. He does not make the best-qualified list and is not referred to the supervisor for an interview. Several weeks later, Cecil is told by another employee that only Caucasian applicants were referred to the supervisor; the minority applicants were rated only as qualified. Cecil tries to contact the individual who made the referral decision to get more information but his call is never returned. He decides to pursue a discrimination complaint.

If Cecil's complaint cannot be resolved informally, he can:

- A. File a civil action in U.S. District Court
- B. File a formal EEO complaint
- C. Provide information to the OSC Investigation and Prosecution Division
- D. File an individual right of action to MSPB

13. Marika provided information to her agency's Inspector General that resulted in the discipline of her supervisor because of his repeated violations of federal regulations. Within six months of her disclosure, she was suspended for 14 days because of alleged falsification of her time sheets—Marika denies the allegations. Marika believes that the suspension was directly related to her reporting of her supervisor's illegal activities. She decides to file a complaint.

What complaint process should Marika use?

- A. Office of Special Counsel
 - B. Merit System Protection Board
 - C. Agency grievance process
14. Carol provided information to her agency's Inspector General that resulted in the firing of her supervisor because of his embezzlement of agency funds. Within six months, she was suspended because of alleged misuse of sick leave—Carol denies the allegations. Carol believes that the suspension was related to her whistleblowing activities. She decides to file a complaint.

To initiate her complaint Carol should:

- A. Inform her supervisor or the HR Officer in writing of the facts of her case
- B. Visit the MSPB Web site for more information
- C. File a complaint in writing with the Office of Special Counsel
- D. Contact an EEO counselor

15. Ben informed his agency of the inappropriate award of small-business contracts to the relative of installation officials. Within three months of his disclosure, he was demoted because of alleged performance problems. Ben believes that the demotion occurred only because he reported the contract improprieties. He decides to file a complaint.

If Ben's complaint is closed by the agency with which he files it, he can:

- A. Provide information to the OSC Investigation and Prosecution Division
 - B. File an individual right of action to MSPB
 - C. File a civil action in U.S. District Court
 - D. File a formal EEO complaint
16. Reuben has always been assigned a regular Monday-Friday daytime shift at the VA hospital where he is a nurse. However, the new hospital administrator has mandated that nurses work at least one night shift. Reuben has been assigned a Friday night shift—the night he attends synagogue. His supervisor has denied his request to change to any other night so that he can attend services. He decides to pursue a discrimination complaint.

What complaint process should Reuben use?

- A. Office of Special Counsel
- B. EEO complaint process
- C. Merit System Protection Board
- D. Agency grievance process

17. Elle applied for a formal training program that included payment for college courses. Elle was not selected for the developmental opportunity. When she asked her supervisor what she could do to increase her chances of being selected the next time around, her supervisor told her that the reason she was not selected was because the college courses were completed in a regular classroom setting—and Elle is hearing-impaired. Elle decides to file a discrimination complaint.

If Elle's complaint can be resolved informally, she can:

- A. Provide information to the OSC Investigation and Prosecution Division
 - B. File an individual right of action to MSPB
 - C. Have the terms of agreement written into a settlement agreement
 - D. File an EEO complaint
18. Deb applied for a formal development program that includes an internship at another agency or a private employer. Deb was not selected for the developmental opportunity. After asking the HR Officer what she should do to increase her chances of being selected the next time the opportunity arose, she was told that the reason she was not selected was because the private employer that was offering the internship was located in a historic building that is not wheelchair accessible—and Deb is wheelchair-bound. Deb decided to file a discrimination complaint.

If negotiated grievance procedures could be used to resolve Deb's discrimination complaints Deb would have to:

- A. Choose to pursue the complaint using either the EEO complaint process or the negotiated grievance process, but not both
- B. Choose to pursue the complaint using both the EEO complaint process and the negotiated grievance process
- C. Choose to pursue the complaint using only the negotiated grievance process—she has no other options

[Click here](#) to review your answers.

This ends the Test.

[Click here](#) for completion information.