

# Department of the Navy No FEAR (Notification and Federal Employee Antidiscrimination and Retaliation) Act of 2002

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## Welcome

Welcome to the Department of the Navy's Notification and Federal Employee Antidiscrimination and Retaliation, or No FEAR, Act of 2002 web-based training course.

## The No FEAR Act

Retaliation occurs when an employer takes an adverse action against a covered individual when he or she engaged in a protected activity. The Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 seeks to discourage Federal managers and supervisors from engaging in unlawful discrimination and retaliation. This law is popularly called the "No FEAR Act."

One purpose of this Act is to require that Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws.

The Act also requires each Federal agency to inform current or former employees and job applicants of their rights and protections available to them under Federal antidiscrimination, whistleblower protection and retaliation laws.

## Title One – General Provisions

The No FEAR Act is broken down into three sections, otherwise known as "Titles". Title One, General Provisions, sets forth the reasons why the law was enacted.

- Findings – Federal agencies cannot be run effectively if agencies practiced or tolerated discrimination.
- Sense of Congress – Federal agencies should not retaliate for court judgments or settlements relating to discrimination and whistleblower protection laws by targeting a claimant or other employees with reductions in compensation, benefits, or workforce to pay for such judgments or settlements

## Title Two – Federal Employee Discrimination and Retaliation

Title Two of the No FEAR Act requires Federal agencies to:

- Pay awards for discrimination and retaliation violations out of their own budgets. Agencies are required to reimburse the General Fund of the Treasury within a reasonable time of any such award,
- Notify all Federal employees and applicants for employment about their rights under Federal law,
- Provide training to all their employees about their rights and remedies under antidiscrimination and anti-retaliation laws, and
- Prepare and submit annual reports to Congress on the number and severity of discrimination and whistleblower cases, the details of these cases, analysis, practical knowledge gained through this experience, and any actions planned or taken to improve agency programs.

## Title Three – EEO Complaint Data Disclosure

Title Three of the No FEAR Act requires each Federal agency to post EEO complaint data on its public website. This includes summary statistical data relating to EEO complaints filed against the agency.

## Resources

Refer to the following resources for further information regarding the No FEAR Act regulations:

- Search the [Government Publishing Office Federal Digital System](https://www.gpo.gov/fdsys/) for Code of Federal Regulations Title 5 section 724, or “5 CFR 724” (<https://www.gpo.gov/fdsys/>)
- Contact your local EEO and Diversity Office
- Or the [Equal Employment Opportunity Commission](http://eeoc.gov) (<http://eeoc.gov>) website

## Knowledge Check

Now, let's take a moment to see what you've learned.

What Act requires that “Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws”?

- a) No FEAR Act
- b) National Security Act
- c) Employment Act
- d) Fair Labor Standards Act

The correct answer is a. The Notification and Federal Employee Antidiscrimination and Retaliation, or No FEAR, Act of 2002.

## Completion

Congratulations! You have just completed training on The Notification and Federal Employee Antidiscrimination and Retaliation, or No FEAR, Act of 2002.



# *Certificate of Completion*

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Has completed

DON Notification and Federal Employee Antidiscrimination  
and Retaliation (No FEAR) Act of 2002 Training

*Celina M. Kline*

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