

Things You Should Know

Under the No FEAR Act, federal agencies are obligated to the following:

Reimbursement Requirement:

The No FEAR Act requires reimbursement to the U.S. Treasury's Judgment Fund for judgments and settlements of discrimination, whistleblower and retaliation claims.

Posting Requirement:

Each Federal agency must quarterly post certain EEO complaint data to its website and also submit an annual report to Congress, EEOC, Department of Justice, and the Office of Personnel Management.

Training Requirement:

Each Federal agency is required to provide (No FEAR Act) training on the rights and remedies available under the employment discrimination and whistleblower protection laws to all new employees within 90 days of their appointment, and every two years thereafter.

Whistleblower Protections:

The Whistleblower Protection Act of 1989 (WPA) and Whistleblower Protection Enhancement Act of 2012 (WPEA) are intended to protect employees who risk job security for the public good by disclosing abuses by government personnel. Whistleblowing occurs if an employee, former employee, or applicant discloses information that is reasonable believed to show: a violation of law, rule or regulation; gross management; gross waste of funds; abuse of authority; a substantial and specific danger to public health and safety; and/or censorship related to research, analysis, or technical information (scientific integrity).

Any employee or applicant who believes he or she has been retaliated against because of protected whistleblowing may file a complaint with the Office of Special Counsel (OSC). The complaint must be filed in writing, utilizing standardized complaint form (Form OSC-11), with the Office of Special Counsel at 1730 M Street NW, Suite 218, Washington, DC 20036-4505 or online through the OSC website at: <http://www.osc.gov>.

For more information about the No FEAR Act, please visit the Office of Equity, Diversity, and Inclusion website at: <http://edi.nih.gov/no-fear-act>.