

**United States African Development Foundation
No FEAR Act Annual Report, FY 2023**

Pursuant to the requirements specified in 5 C.F.R. part 724, Implementation of Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), the United States African Development Foundation (USADF) is pleased to provide USADF's Annual Report for Fiscal Year 2023.

In accordance with Section 203 of the No Fear Act and 5 C.F.R. § 724.302(c), copies of this report are being provided to:

- (1) Speaker of the U.S. House of Representatives;
- (2) President Pro Tempore of the U.S. Senate;
- (3) Committee on Governmental Affairs, U.S. Senate;
- (4) Committee on Government Reform, U.S. House of Representatives;
- (5) Senate Committee on Appropriations and House Committee on Appropriations with jurisdiction relating to USADF;
- (6) Chair, Equal Employment Opportunity Commission;
- (7) Attorney General; and
- (8) Director, U.S. Office of Personnel Management.

Section 724.302 Reporting Obligations

(a)(1) The number of cases in Federal court pending or resolved in each fiscal year and arising under each of the respective provisions of the Federal Antidiscrimination Laws and Whistleblower Protection Laws applicable to them as defined in §724.102 of subpart A of this part in which an employee, former Federal employee, or applicant alleged a violation(s) of these laws, separating data by the provision(s) of law involved;

During FY 2023 USADF had no cases in Federal court and, hence, no cases that were resolved in FY 2023 and no cases pending at the end of FY 2023.

(a)(2) In the aggregate, for the cases identified in paragraph (a)(1) of this section and separated by provision(s) of law involved:

- (i) The status or disposition (including settlement);
- (ii) The amount of money required to be reimbursed to the Judgment Fund by the agency for payments as defined in §724.102 of subpart A of this part;
- (iii) The amount of reimbursement to the Fund for attorney's fees where such fees have been separately designated;

USADF did not make any reimbursements of monies to the Judgment Fund in FY 2023.

(a)(3) In connection with cases identified in paragraph (a)(1) of this section, the total number of employees in each fiscal year disciplined as defined in §724.102 of subpart A of this part and the specific nature, e.g., reprimand, etc., of the disciplinary actions taken, separated by the provision(s) of law involved;

USADF had no cases in Federal court in FY 2023 and, hence, no USADF employees were disciplined in connections with any cases in FY 2023.

(a)(4) The final year-end data about discrimination complaints for each fiscal year that was posted in accordance with Equal Employment Opportunity Regulations at subpart G of title 29 of the Code of Federal Regulations (implementing section 301(c)(1)(B) of the No FEAR Act);

USADF had the following formal EEO cases filed during FY 2019 through FY 2023:

<u>Complaint Basis</u>	<u>FY 2023</u>	<u>FY 2022</u>	<u>FY2021</u>	<u>FY 2020</u>	<u>FY 2019</u>
Race	0	1	0	0	0
Color	0	1	1	0	0
Religion	0	0	0	0	0
Reprisal	0	1	0	0	0
Sex	0	0	1	0	0
Pregnancy	0	0	0	0	0
National Origin	0	0	1	0	0
Equal Pay	0	0	0	0	0
Age	0	0	0	0	0
Disability	0	0	1	0	0
Gina	0	0	0	0	0
Total	0	3	4	0	0

(a)(5) Whether or not in connection with cases in Federal court, the number of employees in each fiscal year disciplined as defined in §724.102 of subpart A of this part in accordance with any agency policy described in paragraph (a)(6) of this section. The specific nature, e.g., reprimand, etc., of the disciplinary actions taken must be identified.

From FY 2019 through FY 2023, there were no disciplinary actions taken by USADF as defined in 5 C.F.R. § 724.102.

(a)(6) A detailed description of the agency's policy for taking disciplinary action against Federal employees for conduct that is inconsistent with Federal Antidiscrimination Laws and Whistleblower Protection Laws or for conduct that constitutes another prohibited personnel practice revealed in connection with agency investigations of alleged violations of these laws;

Copies of USADF’s policies with respect to the Federal Antidiscrimination Laws and Whistleblower Protection Laws are attached to this report.

(a)(7) An analysis of the information provided in paragraphs (a)(1) through (6) of this section in conjunction with data provided to the Equal Employment Opportunity Commission in compliance with 29 CFR part 1614 subpart F of the Code of Federal Regulations. Such analysis must include:

- (i) An examination of trends;

- (ii) Causal analysis;
- (iii) Practical knowledge gained through experience; and
- (iv) Any actions planned or taken to improve complaint or civil rights programs of the agency with the goal of eliminating discrimination and retaliation in the workplace;

USADF has had 6 EEO complaints filed since FY 2019 and had 1 Antidiscrimination or Whistleblower cases pending before the EEOC or in Federal court at the end of FY 2023. The USADF leadership team of the Board of Directors, and President and CEO is committed to ensuring USADF is a place of equal opportunity for all staff, contractors, and field office personnel. It is USADF's policy to provide equal opportunity in employment to all employees and applicants for employment without regard to race, color, religion, sex, national origin, age, disability, sexual orientation, genetic information, marital or parental status. USADF policy and Federal laws also prohibit retaliation against any employee or job applicant who opposes an unlawful employment practice or who participates in any procedure alleging a discriminatory practice made unlawful under the Federal civil rights laws. USADF reviews the Federal Antidiscrimination and Whistleblower laws and USADF policies with new employees during orientation and with all employees during regularly scheduled mandatory EEO training. Copies of USADF's Equal Employment Opportunity policies are attached to this report.

(a)(8) For each fiscal year, any adjustment needed or made to the budget of the agency to comply with its Judgment Fund reimbursement obligation(s) incurred under §724.103 of subpart A of this part;

USADF has not made changes to its budget in order to comply with this regulation.

(a)(9) The agency's written plan developed under §724.203(a) of subpart B of this part to train its employees.

A copy of USADF's mandatory No FEAR Act training for all USADF staff is attached to this report.