

USDA Forest Service
Fiscal Year (FY) 2024 Annual Report for the Notification and Federal Employee Anti-Discrimination and Retaliation (No FEAR) Act of 2002

Introduction

This No FEAR Act Report provides the US Department of Agriculture's (USDA) Forest Service (additional identifiers may be used FS or Agency) Fiscal Year (FY) 2024 efforts implemented and/or planned to fulfill the Notification and Federal Employee Anti-discrimination and Retaliation (No FEAR) Act of 2002. For ease of reading, we divide this document into sections that follow the No FEAR Act Annual Report guidelines. Each section addresses the Trends, Causal Analysis, Knowledge Gained, and Action Taken or Planned. Per each section, the information is organized with FY 2024 data first, followed by comparative data for FY 2023.

I. Number of Complaints Filed

- A. Trends** — USDA Forest Service (FS) increased the number of formal complaints filed in FY 2024 by 29.85%. In FY 2023, there were 67 formal complaints filed compared to 87 formal complaints filed in FY 2024.
- B. Causal Analysis**— The Forest Service (FS) had a total of 87 new formal complaints filed in Fiscal Year 2024 (FY24), an increase of nearly 30% as compared to the number of complaints filed in FY 2023 (67). The Forest Service experienced a 9% increase in its workforce between FY23 and FY24, growing from 33,000 to 36,000 employees. While this growth is critical to fulfilling our mission, it has also contributed to a 30% increase in complaints. Leadership in this agency remains committed to addressing these matters with diligence and transparency.
- C. Knowledge Gained**—The Forest Service is taking the 29.85% increase of complaints filed in FY 2024, very seriously. As the agency, grows, maintaining a cohesive, respectful, and inclusive work environment is a priority. We continuously work to ensure that our policies and practices evolve to meet the needs of our expanding workforce, minimizing risks of further complaints. Moving into FY 2025, the Forest Service will continue its concentrated efforts on reducing the number of complaints and complainants filing complaints through a vigorous commitment to continue the work described below in the *Action Taken or Planned* section, with a goal of enabling full realization of civil rights and equal employment opportunity in all domains within the Agency. The Forest Service will continue working collaboratively with Agency leaders and employees to identify and eliminate every social and systemic barrier that may be operating to restrict or limit access to current and potential employees, applicants, and program beneficiaries.
- D. Action Taken or Planned**— Throughout FY 2024, the Forest Service engaged in a focused, multi-pronged, and nationwide outreach and engagement effort intended to educate, raise awareness, and to inform all employees and supervisors about Civil Rights' wide array of services, along with up-to-date information about Federal Equal Employment Opportunity (EEO) laws, rules, practices, and regulations. In various forums, countless onboarding and current permanent employees and/or supervisors were provided with regular new employee/supervisor and/or refresher training, along with briefings, special observance events, information sessions, focus groups, Functional Assistance Trips (FATs) and legal updates to include proactive prevention measures, Anti-Harassment reporting procedures, and conflict resolution skills. Most of these training and outreach forums provided information intended to inform customers on how to timely access the agency's Federal discrimination complaints process.

USDA Forest Service
Fiscal Year (FY) 2024 Annual Report for the Notification and Federal Employee Anti-Discrimination and Retaliation (No FEAR) Act of 2002

The following are just a few of the programs and activities the Forest Service has implemented in FY 2024 or plan to implement in FY 2025:

- **Native Perspectives: What was Lifelike in a Native American City before Columbus?**—The Forest Service’s Tribal Relations Program hosted their monthly Native American Perspective Webinar Series. The video presented in the series featured the often-overlooked innovations and ingenuity of Indigenous science and architecture prior to 1491 AD.
- **Co-Stewardship Panel**—The Forest Service Tribal Relations Program hosted a virtual panel discussion on co-stewardship and reviewing best practices, successes, and challenges. The panel featured several subject matter experts with various backgrounds and expertise including Tribal Leaders, cultural practitioners, and Forest Service employees. Specifically, panelists consisted of an Ecologist, a Forest Supervisor, Tribal Chairman, participants from the North Fork Mono Tribe, a Research Ecologist, and a Cultural Practitioner.
- **Commemorating Dr. Martin Luther King Jr.**—The Forest Service commemorated Dr. Martin Luther King Jr. (MLK) National Holiday by disseminating an information letter, fact sheets, and a Martin Luther King Jr. PowerPoint to Forest Service employees. The theme of the commemoration was “Shifting the Cultural Climate through the Study and Practice of Kingian Nonviolence.”
- **Honoring Black Americans in the Arts**—The Forest Service hosted a Black History Month event with a theme “African Americans and the Arts.” The event featured Mr. Alphonso Braggs the keynote speaker is the Parliamentarian for the National PanHellenic Council, Honolulu Chapter, and the Constitution and Bylaws Committee Chairman.
- **Honoring Women Who Advocate for Equity, Diversity, and Inclusion**—The Forest Service hosted a Women’s History Month/International Women’s Day event with a theme of “Women Who Advocate for Equity, Diversity, and Inclusion, Celebrating the Contributions of Women in History, Society, and Culture.” The event’s keynote speaker was Arlean Leland, ESQ, formal Associated General Counsel, Civil Rights, Labor, and Employment Law Division, in the Office of the General Counsel (OGC), Department of Agriculture.
- **The Mixing Bowl Series**—The Forest Service “Mixing Bowl Series” was launched in FY 2021 as a program for Forest Service employees to share stories centered around

USDA Forest Service
Fiscal Year (FY) 2024 Annual Report for the Notification and Federal Employee Anti-Discrimination and Retaliation (No FEAR) Act of 2002

the Culture Wheel to promote cultural understanding and awareness, connect with colleagues as we continued to work in a virtual environment, and raise morale within the Agency. The series continued in FY 2024 with 12 episodes, reaching employees and supervisors across the Forest Service and the Department. Topics of each episode centered on the Culture Wheel and included: Food & Drink; Values; Greater Community; Knowledge & Stories; Language; Traditions & Rituals; Techniques & Skills; Tools & Objectives; and the Arts. The series provide employees with a platform to learn from each other and engage across cultures and DEIA concepts.

- **Crosstalk Conversations with Leadership**—The Forest Service regional Civil Rights Directors and Deputy Directors participated in crosstalk conversations with regional leadership to discuss the following program areas: Civil Rights, Employee Relations, Conflict Management and Prevention Center, Labor Relations, Human Resources, and the Anti-Harassment Program. These monthly briefings and discussions provided regional leadership with an overview of personnel activity, emerging issues, and complaint and conflict trends.
- **Committed to Educating the Workforce**—The Forest Service Office of Civil Rights (OCR) staff is dedicated to fulfilling its commitment to educate the workforce on the complete Civil Rights Program. An informative Civil Rights Program Brochure (Trifold) was created and distributed to inform employees and supervisors about Civil Rights programs, services, resources, and staff members.
- **Honoring National Asian Americans, Native Hawaiians, and Pacific Islanders**—The Forest Service organized a panel discussion featuring guest speakers from the San Bernardino National Forest, a Botanist from the Cleveland National Forest, and the White Mountain District Ranger from the Inyo National Forest. The theme for the event was “Advancing Leaders Through Innovation.”
- **Honoring LGBTQIA+ Employees** – The Forest Service organized a pride event featuring keynote speaker Mia Yamamoto, a Japanese American and transgender woman. Ms. Yamamoto shared her life experiences as a Japanese American and transgender woman. The theme of the event was “Cultivating Resilience, Harvesting Hope.”
- **Partnering with the National Limited English Proficiency Program**—Forest Service regions regularly partnered with the National Limited English Proficiency Program to translate materials for dissemination to the public in the following languages: Spanish, Vietnamese, Mandarin/Chinese, Tagalog, Korean, Hmong, Russian, Ukrainian.
- **12th Annual Women and Leadership Conference** – The Forest Service sponsored and supported forty-four (44) women and five (5) men to attend the 12th annual Women and Leadership conference at Boise State University, Andrus Center. Employees engaged with a diverse lineup of keynote speakers and participated in skill-building workshops designed to empower current and future

USDA Forest Service
Fiscal Year (FY) 2024 Annual Report for the Notification and Federal Employee Anti-Discrimination and Retaliation (No FEAR) Act of 2002

leaders. The conference champions gender equity and leadership development, which are qualities that align with our Women in Fire management goals and initiatives.

- **WoodWorks Partnership** - The Forest Service provides funding to WoodWorks ([WoodWorks Partnership | US Forest Service Research and Development](#)) to support diversity, equity, inclusion and accessibility in the wood construction sector. Their program priorities include Workforce of the Future (undergrad/grad), Practicing Professionals – New to Wood, Practicing Professionals – Wood Experts, and their team and Board of Directors.
- **Equity Bridge Builder Program** - The purpose of the Equity Bridge Builder Program is to help carry out a whole-of-government approach to advancing equity, Diversity, Equity, Inclusion, and Accessibility (DEIA), environmental justice and tribal sovereignty within the Forest Service. The 2024 Summit: Training to Advance Equity and Uphold Tribal Sovereignty launched the first fellowship cohort of Equity Bridge Builders, establishing a community of practice to sustain our commitment to equity, DEIA, environmental justice, and tribal sovereignty.

II. Number of Filers

- A. Trends**—In FY 2024, the number of Complainants that filed complaints were 84, resulting in an increase from the prior fiscal year. In FY 2023, the Forest Service had a total of 63 Complainants that filed complaints.
- B. Causal Analysis**—In FY 2024, the Forest Service experienced a 33.33% increase in the number of Complainants filing formal complaints comparative to FY 2023. The number of Complainants (filers) rose from 63 in FY 2023 to 84 Complainants (filers) in FY 2024. The Forest Service attributed the increase to an increase in its overall permanent workforce from approximately 33,000 to 36,000 total permanent employees, an increase of slightly over 9%.
- C. Knowledge Gained**—The Forest Service is taking the 33.33% increase of the number of filers in FY 2024, very seriously. Moving into FY 2025, the Forest Service will continue its concentrated efforts on reducing the number of complaints and complainants filing complaints through a vigorous commitment to continue the work described below in the *Action Taken or Planned* section, with a goal of enabling full realization of civil rights and equal employment opportunity in all domains within the Agency. The Forest Service will continue working collaboratively with Agency leaders and employees to identify and eliminate every social and systemic barrier that may be operating to restrict or limit access to current and potential employees, applicants, and program beneficiaries.
- D. Action Taken or Planned**—The Forest Service continually develops, conducts, monitors, and evaluates its Civil Rights programs, events, documentation, and trainings to ensure all employees and managers are knowledgeable of Civil Rights, EEO, and Anti-Harassment regulations, processes, policies, practices, procedures, and requirements. In an effort to address the increase of the number of filers that occurred in FY 2024, the Forest Service will focus on those areas where the complaint

USDA Forest Service
Fiscal Year (FY) 2024 Annual Report for the Notification and Federal Employee Anti-Discrimination and Retaliation (No FEAR) Act of 2002

activity is most concerning and strengthen programs and training to address any deficiencies discovered in our review of the complaint activity data. Currently, the Agency has created and conducted the following programs to improve the state of the Agency:

- **"Ignite their Future" STEM Event** – The Forest Service participated in the "Ignite their Future" STEM event at Idaho State University, in Pocatello, ID. The Forest Service played a crucial role in inspiring high school students to pursue careers in Federal Information Technology (IT). The partnership between various organizations, including the Forest Service Office of the Chief Information Officer (OCIO), Marketing and Regulatory Programs (MRP), and Bureau of Land Management (BLM), as well as Idaho State University and the Shoshone Bannock Tribes, created a dynamic and engaging learning environment for the students. There were four (4) courses offered by Forest Service CIO which included: Artificial Intelligence, Cyber Security, Drones and Emergency communications. The Forest Service also got to interact with Shoshone Bannock Leadership and students on Tribal Lands. The Forest Service CIO's presence not only provided valuable insights into the world of IT, but also highlighted the importance of collaboration and innovation in the field. By working closely with industry leaders and local partners, the CIO helped spark the students' interest in technology and encouraged them to consider IT as a viable and exciting career path. The event was a huge success, leaving a lasting impact on the attendees and igniting their passion for the future of Science, Technology, Engineering, and Mathematics (STEM) careers.
- **1890 Scholars** - The Forest Service onboarded one (1) 1890 scholar candidate and submitted a request for additional 1890 scholar candidates. The USDA/1890 National Scholars Program is aimed at bolstering educational and career opportunities for students from rural or underserved communities around the country.
- **Equity Bridge Builders** – The Forest Service is actively participating in the Equity Bridge Builders. This continues around the Chief's Intent for the Equity Bridge Builder network, launched at the inaugural Forest Service Summit: Training to Advance Equity and Uphold Tribal Sovereignty. The summit applied foundational knowledge of equity, discussed where the agency is excelling and where there is room to grow, empowered employees to engage in equity-centered mission work, and provided an understanding of our shared role in implementing the Equity Action Plan and its intersection with the DEIA Strategic Plan and Tribal Action Plan.
- **Federal Employee Viewpoint Survey (FEVS)** – The Forest Service invested significant time in both the Federal Employee Viewpoint Survey (FEVS) and an internal Work Environment Assessment to seek out information toward areas of opportunity. Some of these areas included a review of position descriptions to ensure equal pay for work being performed.

USDA Forest Service
Fiscal Year (FY) 2024 Annual Report for the Notification and Federal Employee Anti-Discrimination and Retaliation (No FEAR) Act of 2002

III. Number of Repeat Filers

- A. Trends**—In FY 2024, the number of Repeat Filers was three (3), a decrease from FY 2023. In FY 2023, the USDA Forest Service had a total of four (4) Repeat Filers.
- B. Causal Analysis**—The Forest Service had a decrease of repeat filers in FY 2024, comparative to repeat filers in FY 2023. The Forest Service attributed the decrease to continuing efforts to educate employees and managers through various innovative programs, training, and employee interaction through one-on-one and group meetings to furnish knowledge and insight on EEO and Civil Rights policies and procedures and employees rights to participate in the EEO Complaint Process.
- C. Knowledge Gained**—In FY 2024, the USDA Forest Service experienced a 25% decrease in repeat filers of formal complaints as compared to FY 2023. In FY 2024, there were three (3) repeat filers comparatively to four (4) repeat filers in FY 2023. The Forest Service is working with our leadership and employees to review and improve our programs, policies, procedures, and processes in the workplace to ensure all employees are treated fairly and with respect.
- D. Action Taken or Planned**—The Forest Service works hard to develop, conduct, monitor, and evaluate its Civil Rights programs, events, documentation, and trainings to eliminate barriers in the workplace. The Forest Service goal is to ensure all employees and managers are knowledgeable of Civil Rights, EEO, and Anti-Harassment regulations, processes, policies, practices, procedures, and requirements. In an effort to reduce the number of complaints filed, number of filers, and repeat filers, the Forest Service has created and conducts the following trainings and programs for its employees:
- **Let's Talk About It**—The Forest Service is conducting a series of virtual Dialogue Circles via Microsoft Teams titled: *"Dialogue Circles - "The Journey Continues - Let's Talk."* The sessions provide a safe space for employees to share their feelings and opinions regarding issues of their choice not limited to, but such as work life balance and work environment/workplace concerns. To date three (3) sessions have been offered to all employees in the Southwest Pacific Region which consists of five (5) zones.
 - **Understanding the Various Processes**—The Forest Service provided various training to the Forest Leadership Team (FLT) and their staff to ensure they have the knowledge required to make an informed decision. The topics covered in the training were, Overview of Reasonable Accommodation, Overview of Merit Systems Principles, and Overview of Civil Rights Program and EEO Complaints Process.
 - **Lunch and Learn for EEO Mediators** – The Forest Service conducted its first Lunch and Learn for EEO Mediators to ensure consistency and efficiency of the Alternative Dispute Resolution (ADR) Process and proper education of in-house EEO mediators.
 - **Guiding Principles Diversity, Equity, Inclusion, and Accessibility** – The Forest Service provided four (4) sessions of the Guiding Principles Diversity, Equity, Inclusion, and Accessibility presentation to the National New Employee Orientation. The training to Forest Service employees and supervisor addressed the foundations of Civil Rights.

USDA Forest Service
Fiscal Year (FY) 2024 Annual Report for the Notification and Federal Employee Anti-Discrimination and Retaliation (No FEAR) Act of 2002

- **Civil Rights Support Briefings** – The Forest Service OCR provided eight (8) virtual Civil Rights Support Briefings to Forest Service employees and supervisors in fiscal year (FY) 2024. The training included an overview of Civil Rights laws and policies, Anti-Harassment, Reasonable Accommodations, the Complaint Process, and the MD-715.
- **EEO Discrimination Training** – The Forest Service conducted team engagements and one on one supervisor coaching sessions regarding responsible effective implementation and understanding of policies and regulations concerning accountability around a workplace that is free from discrimination. These sessions were held throughout October, November, and December.
- **Equal Employment Opportunity (EEO) Complaint Process Supervisor Training** Representatives from the Forest Service Office of Civil Rights (OCR) provided training to Leaders and Supervisors on the EEO process. The training focused on the different parts of the complaint process, including the mandatory pre-complaint period where attempts are made to resolve the issue at the lowest stage before it becomes a formal complaint. From there, they went through the formal complaint process and the roles and responsibilities of everyone involved, along with the mandatory timelines for each step. The training also touched on the harassment claims process and the Forest Service Anti-Harassment process. Advice and examples of how to handle different scenarios were provided. A question-and-answer session was provided to attendees for questions concerning what to do in specific situations. A resource guide with links to information and contacts was also provided.

IV. Number of Bases Alleged in Complaints

A. Trends—In FY 2024, a total of 87 formal complaints were filed, comparative to 67 formal complaints filed in FY 2023. The analysis below provides the number of bases alleged in formal complaints and the percentages of the 87 cases filed in FY 2024 and the 67 cases filed in FY 2023. Additionally, the differential shows comparative increases, by number and percentage, for each basis alleged in FY 2024 and FY 2023.

USDA Forest Service
Fiscal Year (FY) 2024 Annual Report for the Notification and Federal Employee Anti-Discrimination and Retaliation (No FEAR) Act of 2002

B. Causal Analysis—In FY 2024, a total of 87 formal complaints were filed and the most frequently cited bases¹ alleged in complaints, are as follows.

Reprisal	45 bases	51.72%
Disability	37 bases	42.53%
Sex	29 bases	33.33%
Race	29 bases	33.33%

In FY 2023, there were a total of 67 formal complaints filed. The data below provides the alleged bases in FY 2023, comparative to the most frequently cited bases alleged in FY 2024.

Reprisal	40 bases	59.70%
Disability	27 bases	40.30%
Sex	25 bases	37.31%
Race	21 bases	31.34%

In FY 2024, the most frequently cited bases alleged in complaints showing notable increases comparative to FY 2023 are:

Complaints based on Reprisal **increased** by 12.50%.
Complaints based on Disability **increased** by 37.04%.
Complaints based on Sex **increased** by 16.00%.
Complaints based on Race **increased** by 38.10%

C. Knowledge Gained—The Forest Service is working continually to lower its EEO complaint activity each year. The Forest Service has been successful in accomplishing some remarkable milestones by inventing progressive programs, out-of-the-box trainings, and interactive meetings to ensure our employees feel valued, respected, and safe. The Forest Service objective is to eradicate any and all forms of discrimination from our agency and make the agency an environment where employees love to come to work. Unfortunately, in FY 2024, the Forest Service’s number of EEO formal complaints increased to a total of 87, comparative to FY 2023 when the total was 67. The Forest Service attributed the increase to an increase in its overall permanent workforce from approximately 33,000 to 36,000 total permanent employees, which is an increase of slightly over 9%. The Forest Service acknowledges the setback, and is taking on the challenge to reclaim our goals to lower complaint activity in the agency. The Forest Service is adamant with the prospects of building strong and sound partnerships with its employees that are trustworthy and reliable, while homing in on any and all shortcomings, we may have overlooked, to ensure all employees experience in the workplace is free of harassment and discrimination.

D. Action Taken or Planned: The Forest Service continually develops, conducts, monitors, and evaluates its Civil Rights programs, events, documentation, and trainings to ensure all employees and managers are knowledgeable of Civil Rights, EEO, and Anti-Harassment regulations, processes, policies, practices,

¹ The Forest Service provided four (4) most frequently cited bases instead of three (3) this fiscal year because Sex and Race both equally had the 3rd highest alleged complaints of twenty-nine (29).

USDA Forest Service
Fiscal Year (FY) 2024 Annual Report for the Notification and Federal Employee Anti-Discrimination and Retaliation (No FEAR) Act of 2002

procedures, and requirements. In an effort to reduce the number of complaints filed against the Agency, the Forest Service conducted the following trainings and programs in FY 2024:

- **Minorities in Agriculture Natural Resources and Related Sciences (MANRRS) Conference** — The Forest Service participated in the 2024 MANRRS Conference on March 20, 2024 – March 24, 2024. MANRRS was identified as an approved hiring event for the Forest Service in FY 2024 Hiring and Onboarding Timetable (HOT) Calendar, critical for achieving the Forest Service Strategic Goal 6 to “Attract, Inspire, and Retain an engaged and motivated workforce that is proud to represent the USDA” and increasing the recruitment and hiring of minorities in natural resources and agriculture.
- **Harriet Tubman and The Underground Railroad Staff Ride** – The Forest Service participated in the Harriet Tubman and The Underground Railroad Staff Ride on April 01, 2024 – April 05, 2024. The objective of the staff ride was to provide experiential learning that illustrates the legacy of leadership left by Harriet Tubman and other notable figures of the Underground Railroad.
- **Civil Rights’ Meet and Greet Event** – The Forest Service Office of Civil Rights (OCR) staff held a “Meet and Greet” event in the Southern Region. The OCR provided an informative presentation and held a meet and greet with the Southern Region Subregional Multi-Cultural Advisory (MAC) Committees including employees in the National Forests in Alabama, Kisatchie National Forests, National Forests in Mississippi and the National Forests in Texas.

Take 5 for Civil Rights – The Forest Service continued the *Take 5 for Civil Rights* monthly series across our regional area. The monthly series is aimed at cultivating a civil rights mindset and improving the work environment one concept at a time. The monthly articles highlighted in the series address the following topics: National Disability Employee Awareness Month; Forest Service Deaf and Hard of Hearing Program; Cross Cultural Competence; Agency Code & Commitments; Ten Ways to Show Respect; Women’s History Month; Reasonable Accommodation; Strategies for Better Conversations; Happiness and Wellbeing; Power and Influence; and Effective Communication.

Employee Wellness Check-In – The Forest Service continually conducts monthly and/or weekly staff meetings, which generally serve as “wellness check-ins” with employees. Meetings usually start with fun “icebreakers,” health and welfare of employees, welcome and departure of staff members, safety, and updates on the state of the Agency. Following informational briefs from leadership and/or supervisors, employees participate in round robin which provides a platform to air concerns, share issues they may have encountered, and provide feedback on current issues affecting themselves and/or the office/branch. These meetings serve to improve the Forest Service work environment.

USDA Forest Service
Fiscal Year (FY) 2024 Annual Report for the Notification and Federal Employee Anti-Discrimination and Retaliation (No FEAR) Act of 2002

V. **Number of Issues Alleged Complaints**

A. Trends—In FY 2024, a total of 87 formal complaints were filed, comparative to the 67 formal complaints filed in FY 2023. The analysis below shows the number of the most frequently cited issues alleged in formal complaints and their percentages for FY 2024 and FY 2023. Unfortunately, the differential shows a comparative increase between FY 2024 and FY 2023.

B. Causal Analysis—In FY 2024, there were a total of 87 formal complaints filed, and the most frequently cited issues were alleged in formal complaints, are as follows:

Harassment (Non-Sexual)	59 issues	67.82%
Other Terms/Conditions of Employment	35 issues	40.23%
Termination	21 issues	24.14%

In FY 2023, there were a total of 67 formal complaints filed. The data below provides the cited alleged issues in FY 2023, comparative to the most frequently cited issues alleged in FY 2024:

Harassment (Non-Sexual)	48 issues	71.64%
Other Terms/Conditions of Employment	27 issues	40.30%
Termination	10 issues	14.93%

In FY 2024, the most frequently cited issues alleged showing increases comparative to FY 2023 are:

Complaints based on Harassment (Non-Sexual) **increased** by 22.92%.
Complaints based on Other Terms/Conditions of Employment **increased** by 29.63%.
Complaints based on Termination **increased** by 110%.

C. Knowledge Gained— The Forest Service is working continually to lower its EEO complaint activity each year. The Forest Service has been successful in accomplishing some remarkable milestones by inventing progressive programs, out-of-the-box trainings, and interactive meetings to ensure our employees feel valued, respected, and safe. The Forest Service objective is to eradicate any and all forms of discrimination from our agency and make the agency an environment where employees love to come to work. Unfortunately, in FY 2024, the Forest Service’s number of EEO formal complaints increased to a total of 87, as compared to FY 2023 when the total was 67. The Forest Service attributes this to a recent increase in its overall permanent workforce went from approximately 33,000 to 36,000 total permanent employees, which represents an increase of slightly over 9%. The Forest Service acknowledges the setback, and is taking on the challenge to reclaim our goals to lower complaint activity in the agency. The Forest Service is committed to building strong and sound partnerships with its employees; while eliminating any deficiencies we may have overlooked with the goal of ensuring that all employees experience a workplace that is free of harassment and discrimination.

D. Action Taken or Planned—The Forest Service continually develops, conducts, monitors, and evaluates its Civil Rights programs, events, trainings, and documentation to ensure all employees and managers are knowledgeable of Civil Rights, EEO, and Anti-Harassment regulations, processes, policies, practices, procedures, and requirements. In an effort to reduce the number of complaints

USDA Forest Service
Fiscal Year (FY) 2024 Annual Report for the Notification and Federal Employee Anti-Discrimination and Retaliation (No FEAR) Act of 2002

filed in the Agency, the Forest Service has created and maintained the following trainings and programs:

- **Training and Learning Channel** – The Forest Service has created a new Teams Channel to communicate training opportunities with staff more efficiently. Within the Training and Learning Channel, several Forest Service training sessions dedicated to creating and maintaining a workplace free from discrimination have been shared by the Agency’s Leadership. These opportunities include Road to Summit Equity Dialogues, Native American Heritage Month Celebrations, and Conflict Resolution tips (especially for the holidays). This new channel is shared and viewed by numerous Forest Service employees.
- **Reasonable Accommodations Training** -The Forest Service conducts Reasonable Accommodation (RA) Program Training for supervisors and employees. The sessions are conducted by Employee Relations. The training focus on the definition of a disability, steps in the RA process, the new Pregnant Workers Fairness Act, and the responsibilities of everyone from the employee requesting the accommodation to the supervisor and beyond. Also covered were specific processes like, who to contact, and interim accommodation measures. The training will ensure Forest Service employees applying for reasonable accommodation are treated equitably and within the parameter of program guidance.
- **Support for H2B Hispanic Workers on Forest Service Contracts** - Currently and recurring, the Forest Service is working with an advisory committee commissioned to assess stewardship contracting elements inclusive of the current working conditions of MSPA/H2B Hispanic workers under Federal contracts inclusive of safety, camping conditions, integration with the local communities where they are based and where they work. This work impacts around 100 H2B immigrant workers on Stewardship contracts. The work was prompted by a Forest Service Grant to the University of Oregon and Oregon State University to study immigrant workers on Federal Contracts and involves partners such as Sustainable Northwest and the Pinchot Institute as well other Forest Service Program Experts. The group meets as needed throughout the year, but at least quarterly.

VI. Finding of Discrimination

A. Trends—In FY 2024, the USDA, Office of the Assistant Secretary for Civil Rights (OASCR) and the Equal Employment Opportunity Commission (EEOC), issued a combined total of 73 Final Agency Decisions/Actions (FADs/FAAs) to the Forest Service. Comparatively, in FY 2023, a combined total of 64 FADs/FAAs were issued to the Agency, an increase by 9 in FY 2024 (14.06% net change).

B. Causal Analysis—In FY 2024, the USDA, Office of the Assistant Secretary for Civil Rights

USDA Forest Service
Fiscal Year (FY) 2024 Annual Report for the Notification and Federal Employee Anti-Discrimination and Retaliation (No FEAR) Act of 2002

(OASCR) and the Equal Employment Opportunity Commission (EEOC) issued a combined total of 73 Final Agency Actions/Decisions to the Forest Service. The Agency's records show the following.

- There were two (2) findings of discrimination issued to the Forest Service in FY 2024. Below is additional information on the findings of discrimination with bases/issues as follows:
 - **(Region 6) Umpqua National Forest**—Harassment/Hostile Work Environment based on Sex (Sexual Orientation), rendered by the USDA, Office of the Assistant Secretary for Civil Rights (OASCR)
 - **(Region 5) Modoc National Forest**—Harassment/Hostile Work Environment based on Sex (Female, Nonsexual), Age, Reprisal, and discriminated against and subjected to Imposition of Demonstration Opportunity (DO) based on Reprisal, rendered by the Equal Employment Opportunity Commission (EEOC).

In FY 2023, the USDA, Office of the Assistant Secretary for Civil Rights (OASCR) and/or the Equal Employment Opportunity Commission (EEOC) issued a combined total of 64 Final Agency Decisions/Actions to the Forest Service.

- There were three (3) findings of discrimination issued to the Forest Service in FY 2023 by OASCR.

- C. Knowledge Gained**—The Forest Service number of findings of discrimination decreased in FY 2024, with two (2) finding of discrimination as compared to the three (3) received in FY 2023. The Forest Service is continually identifying measures intended to prevent unlawful policies and practices that lead to finding of discrimination. The Forest Service is learning how to be more cognizant of our employees' needs and their valuable concerns about the workplace. Additionally, the Agency remains committed to educating managers, supervisors, and employees on EEO and Civil Rights laws to eliminate harassment and discriminatory practices in the workplace.
- D. Actions Taken or Planned**—In addition to the Forest Service leadership listening to our employees and getting their valuable feedback to make productive changes to the workplace, the Agency continually evaluates, develops, and monitors Civil Rights programs, events, trainings, and documentation to ensure all employees and managers are knowledgeable of Civil Rights, EEO, and Anti-Harassment regulations, processes, policies, practices, procedures, and requirements. We continually collaborate amongst our departments and offices to correct deficiencies and eliminate barriers that have plagued the Agency's progress internally and externally and could result in an allegation of discrimination. The Agency works tirelessly to create and maintain a cohesive work environment. The following accomplishments are examples of the Agency's effort to resolve deficiencies/barriers.

- **Civil Rights and Equity Action Plan** - The Forest Service has developed a Civil Rights and Equity Action Plan under the final draft as mandated by the MD-715 process. The draft was submitted to office of Civil Rights in July for review. This Action Plan focuses on identifying barriers and ways to overcome obstacles.

USDA Forest Service
Fiscal Year (FY) 2024 Annual Report for the Notification and Federal Employee Anti-Discrimination and Retaliation (No FEAR) Act of 2002

- **Work Environment Monthly Report Demographics** – The Forest Service created and uses the Work Environment Monthly Report Demographics. The Work Environment Monthly Report Demographics is a Heat Map which tracks statistics on demographics punishment measurement of students across all Job Corp Centers to ensure its fair and equal. The Forest Service utilizes the tracker to monitor the data demographics statistics across all centers.
- **Diversity, Equity, Inclusion, and Accessibility (DEIA) and Student -Centered Design (SCD) project**. The Department of Labor and CALCO Consulting Group partnered with the Forest Service to host an excellent Diversity, Equity, Inclusion, and Accessibility (DEIA) and Student-Centered Design (SCD) project for the Civilian Conservation Centers (CCCs) in the Eastern United States in 2023. In 2024 the Civilian Conservation Centers (CCCs) in the Western United States completed the (DEIA) and Student-Centered Design (SCD). This initiative supports both Job Corps and Forest Service missions to be the welcoming and inclusive campuses that we all want and deserve. Both Eastern and Western centers worked with DEIA-SCD teams. One (1) staff member and one (1) student were able to participate in the presentation to take the presentation back to the center and in person training was provided to all center students and staff. SCD teams fully support this venture. Students and staff members participate and embrace this effort in 2023-2024. What makes this project unique is the engagement of staff and students' side-by-side in our DEIA journey through SCD. Forest Service DEIA initiatives and This is Who We Are trainings often focus on Forest Service staff. This DEIA-SCD initiative has staff and student leaders lead change together.
- **Job and Education Fair on the Uintah and Ouray Reservation in Vernal, UT** – Representatives from the Forest Service proactively engaged numerous tribal members while attending a Job and Education Fair on the Uintah and Ouray Reservation in Vernal, UT. This event was comprised of several different organizations from the private sector and government service. The event offered vocational and educational opportunities to approximately sixty-five (65) high school students from three different high schools where tribal members learned about exciting job opportunities available and the process for applying to different vacancies. The Forest Service representative spoke directly about Forest Service opportunities, seasonal work and summer jobs, as well as offering knowledge of his own experiences while serving in the uniform. The Forest Service continually looks for opportunities like the Job and Education Fair to share awareness of their mission and to promote diversity and inclusion within the various communities.

USDA Forest Service
Fiscal Year (FY) 2024 Annual Report for the Notification and Federal Employee Anti-Discrimination and Retaliation (No FEAR) Act of 2002

VII. Average Length of Time to Complete Each Stage of the Complaint Process

Category	FY2023 Complaints Processed	Average No. Days
Investigation (*filed formal thru Investigation) Completed	65	159 * including amendments
EEOC Hearing Decision Issued	18	576 * at the EEOC
Final Agency Decisions - Issued	40	40

USDA, Office of the Assistant Secretary for Civil Rights (OASCR) has oversight for processing all formal complaints for the Forest Service.

USDA, Employment Investigation Division (EID) in the Office of the Assistant Secretary for Civil Rights (OASCR), has oversight for completing Forest Service’s formal EEO investigations. During FY 2024, the Forest Service had sixty-five (65) investigations completed compared to fifty-one (51) in FY 2023. The investigations completed in FY 2024 were completed within the regulatory time frame. The Forest Service will continue to work with EID and their contracted investigators to ensure the Agency’s investigations are completed in a timely and efficient manner. The Forest Service conducts regular meetings with EID to discuss issues concerning the quality and timeliness of investigations, including those that could potentially exceed the 180-day timeframe.

USDA, Employment Adjudication Division (EAD) in the Office of the Assistant Secretary for Civil Rights (OASCR), has oversight for completing Forest Service’s Final Agency Decisions (FADs). The Forest Service monitors the process to ensure FADs are completed within the regulatory requirement mandated by the EEOC. There were forty (40) FADs processed in FY 2024, compared to thirty-one (31) FADs processed in FY 2023. The average processing days for a FAD in FY2024 were forty (40) days compared to eighty-eight (88) days in FY 2023. The FADs were processed within the regulatory timeframe with days to spare, a major improvement from the previous fiscal year (FY). The Forest Service will continue this path forward in the new fiscal year striving to ensure FADs are rendered timely by the Office of the Assistant Secretary for Civil Rights.

VIII Posting of No FEAR Statistical Data—In support for adhering to the provisions of the No FEAR Act, the Forest Service has linked its quarterly No FEAR statistical data to the USDA’s public website at: <https://www.usda.gov/nofear>. Under the No FEAR Act, in addition to quarterly data postings, all Federal Agencies are required to post summary statistical EEO complaint data for the last five (5) fiscal years. The Forest Service continues its focus on addressing workplace issues by verifying the distribution of quarterly statistical data trends for the public record. Quarterly summary statistical data is posted as links on both the Forest Service public website (<http://fsweb.wo.fs.fed.us/cr/reports.html>) as it pertains to EEO complaints filed, as well as, on the USDA public website, <https://www.usda.gov/nofear>. The No FEAR Act quarterly data is reported via a direct feed from reports generated from Tyler Technologies – ETK database.

No FEAR Training Requirements—All Forest Service employees are given the No FEAR Act training during onboarding and must complete a refresher training every two (2) years. The initial and

USDA Forest Service
Fiscal Year (FY) 2024 Annual Report for the Notification and Federal Employee Anti-Discrimination and Retaliation (No FEAR) Act of 2002

refresher training is available electronically, in hard copy, or in person. In addition to the No FEAR Act training, the Office of Civil Rights provides Diversity, Equity, Inclusion, and Accessibility (DEIA), Unconscious Bias, and EEO training to all employees at varying career points. In FY 2023, the Office of Civil Rights developed and completed a comprehensive Special Emphasis Program (SEP) training. The training, designed for collateral duty Special Emphasis Program Managers (SEPM), includes topics on Understanding Special Emphasis Programs, Collateral Duty Special Emphasis Program Managers (Roles and Responsibilities), and Getting Started. The training is five (5) hours long, introduces employees to the MD-715 and barrier analysis, and provides clear guidance on starting a program in their respective areas. The course is to train over 800 collateral duty SEPMs agency wide. The training is a first for the Agency and includes “Train-the-Trainer” modules, and creates a legacy foundation for future SEPMs across the Forest Service. The USDA Forest Service is committed to building and maintaining a work environment free of harassment and discrimination.

Agency’s Process for Providing the Annual No FEAR Notice to its Employees—The Forest Service leadership provides the No FEAR Act training to all the agency employees. All employees are assigned the training via the Agriculture Learning System (AgLearn) every two (2) years. The Forest Service requires all new employees complete the training within ninety (90) days of onboarding and every two (2) years thereafter.

In FY 2024, 4,947 employees were assigned the No FEAR Act initial training or bi-annual refresher training. Of those assigned the training in FY 2024, 3,973 completed the training by the end of the fiscal year, resulting in a 97% completion rate. In FY 2023, 30,924 employees were assigned the No FEAR Act initial training or biannual refresher training. Of these, 29,943 employees completed the training, representing a 95% completion rate.

The Forest Service continues to reinforce USDA’s commitment to establishing a model EEO program and a workplace free from discrimination, harassment, and retaliation.