

# EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

## USAG ITALY



Retaliation against an employee or applicant for making a protected disclosure is prohibited by 5 U.S.C. 2302(b)(8). If you believe that you have been the victim of whistle blower retaliation, you may file a written complaint with the Office of Special Counsel.



### NO FEAR ACT NOTICE

On May 15, 2002, Congress enacted the "Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002," which is now known as the No FEAR Act. One purpose of the Act is to "require that Federal agencies be accountable for violations of antidiscrimination and whistle blower protection laws." Public Law 107-174, Summary.

The Act also requires this Command to provide this notice to employees, former employees and applicants for employment to inform YOU of the rights and protections available to you under Federal antidiscrimination and whistle blower protection laws.

#### ANTIDISCRIMINATION LAWS

Federal employers cannot discriminate against an employee or applicant with respect to the terms, conditions or privileges of employment on the basis of race, color, religion, sex, national origin, age, disability, retaliation, marital status, or political affiliation. Discrimination on these bases is prohibited by one or more of the following statutes: 5 U.S.C. 2302(b)(1), 29 U.S.C. 206(d), 29 U.S.C. 631, 29 U.S.C. 791 and 42 U.S.C. 2000e-16. Other types of discrimination not listed above, including, but not limited to, sexual orientation, genetics, and pregnancy, are also prohibited.

If you believe that you have been the victim of unlawful discrimination on the basis of race, color, religion, sex, national origin, disability or reprisal, you must contact the EEO Office to engage the pre-complaint process within 45 calendar days of the alleged discriminatory action, or, in the case of a personnel action, within 45 calendar days of the effective date of the action, before you can file a formal complaint of discrimination -29 CFR part 1614-. If you believe that you have been the victim of unlawful discrimination on the basis of age, you must either contact the EEO Office, as noted above, or give notice of intent to sue to the Equal Employment Opportunity Commission (EEOC) within 180 calendar days of the alleged discriminatory action. If you are alleging discrimination based on marital status, sexual orientation, parental status or political affiliation, you may contact the Office of Special Counsel or the EEO Office for further assistance.

#### WHISTLE BLOWER PROTECTION LAW

A Federal employee with authority to take, direct other's to take, or recommend or approve any personnel action must not use that authority to take or fail to take, or threaten to take, a personnel action against an employee or applicant because of disclosure of information by the individual that is reasonably believed to be evidence of violation of law, rule or regulation; gross mismanagement; gross waste of funds; an abuse of authority; or a substantial and specific danger to public health or safety, unless disclosure of such information is specially prohibited by law and such information is specially required by Executive Orders to be kept secret in the interest of national defense or the conduct of foreign affairs.

#### RETALIATION FOR ENGAGING IN PROTECTED ACTIVITY

A Federal employer cannot retaliate against an employee or applicant because that individual exercises their rights under any of the Federal antidiscrimination or whistle blower protection laws listed previously. If you believe that you are the victim of retaliation for engaging in protected activity, you must follow, as appropriate, the procedures described in the Antidiscrimination Laws and Whistle blower Protection Laws sections of this Notice, or, if applicable, the administrative procedures, in order to pursue any remedy.

#### TRAINING REQUIREMENTS

Department of the Army requires for all Army civilian employees and military personnel who supervise civilian employees to be trained yearly with respect to their rights and remedies under the federal anti-discrimination and whistle blower protection laws. New employees will complete the applicable training within 90 days of entry on duty, but will receive an overview of information as part of the Commands orientation program. Contact the EEO Office to coordinate NoFEAR training.

#### POINTS OF CONTACT

For Whistle Blower issues, contact:  
Office of Special Counsel:  
1730 M Street, N.W., Suite 218 Washington, DC 20036-4505  
Phone: (202) 804-7000 / (800) 872-9855 [www.osc.gov](http://www.osc.gov)

For administrative grievances, contact:  
Merit Systems Protection Board  
1615 M Street, NW, Washington DC 20419  
Phone: (202) 653-7200  
[www.mspb.gov](http://www.mspb.gov)

For EEO concerns, contact:  
USAG Italy, EEO Office  
Bldg. 395  
Caserma Ederle, Vicenza  
Phone: +39-0444-71-5880 DSN: 314-646-5880

#### ADDITIONAL INFORMATION

Additional information on No FEAR can be found at the EEOC website, [www.eeoc.gov](http://www.eeoc.gov) and Office of Special Counsel, [www.osc.gov](http://www.osc.gov)

