



No FEAR Act

Intent

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 whistleblower protection laws.”

The intent of the Notification and Federal Employee Anti -discrimination and Retaliation Act of 2002, "No FEAR Act" is that federal agencies will pay more attention to their EO and whistleblower complaint activity and act more expeditiously to resolve complaints at the administrative level when it is appropriate to do so.

Applicable EEO Laws

- Title VII of the Civil Rights Act Race, Color, Sex , National Origin, Religion, Reprisal
- Age Discrimination in Employment Act (ADEA) - 40 years of age or older, Reprisal
- Rehabilitation Act (and Americans w/Disability Act) - Disability, Accommodation, Reprisal
- Fair Labor Standards Act (FLSA) Equal Pay Act (EPA) - Equal pay for equal work, Reprisal
- Pregnant Workers Fairness Act (PWFA) - Pregnancy and Pregnancy Related Conditions
- Civil Rights Laws prohibit discrimination and retaliation
- Prohibited Personnel Practices
 - Statute EO Discrimination
 - Marital and Parental Status
 - Sexual Orientation
 - Political Affiliation
- Whistleblower Protection Act - Protected disclosure regarding fraud, waste, abuse or gross mismanagement

Employee Protections

Federal agencies cannot discriminate against an employee or applicant with respect to terms, conditions or privileges of employment on the basis of race, color, religion, sex, national origin, age, disability, GINA (Genetic Information Nondiscrimination Act), reprisal, marital and parental status, sexual orientation or political affiliation

Avenues of Redress

If you believe you have been the victim of unlawful discrimination on the basis of race, color, religion, sex, age, national origin, disability, GINA or reprisal for participating or supporting Equal Employment Opportunity (EEO) laws, you must contact an EO counselor 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 with the Air Force.

If you are alleging discrimination based on marital status or political affiliation, you may file a written complaint with the U.S. Office of Special Counsel (OSC). Alternatively (or in some cases, in addition), you may pursue a discrimination complaint by filing a grievance through installation’s administrative or negotiated grievance procedures. If you believe you have been discriminated on the basis of sexual orientation, you may contact the Civilian Personnel Flight for counseling on appropriate grievance and appeal procedures.