


Approved for Release
Deborah A. Jefferson
Director for Human Resources
Management

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Date

**DEPARTMENT OF COMMERCE
OFFICE OF HUMAN RESOURCES MANAGEMENT**

HUMAN RESOURCES (HR) BULLETIN #060, FY 07

SUBJECT: Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act) Notice

EFFECTIVE DATE: Upon release of this Bulletin

EXPIRATION DATE: Effective until canceled or superseded

SUPERSEDES: N/A

BACKGROUND: On May 15, 2002, Congress enacted the "Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002," which is known as the No FEAR Act. The No FEAR Act requires Federal agencies to be accountable for violations of antidiscrimination and whistleblower protection laws. In addition the Department must provide No FEAR Act notice to current employees, former employees, and applicants for Commerce employment, to inform individuals of their rights and protections available under Federal antidiscrimination, whistleblower protection and retaliation laws.

PURPOSE: The purpose of this HR Bulletin is to establish procedures for distributing the No FEAR Act Notice to all newly hired employees.

PROCEDURES: Servicing Human Resources Offices (SHROs) will provide all new hires a copy of the informational material on the No FEAR Act of 2002 prepared by the Department of Commerce's Office of Civil Rights (November 2006). SHROs will ensure that all new hires receive notice of and take the mandatory on-line training course within 90 calendar days of entering on duty. The electronic course focuses on the identification of employees' rights when they encounter workplace discrimination and retaliation. The course also highlights solutions that may be available to all employees with respect to witnessed or experienced discriminatory behavior or acts of reprisal. Employees may access the mandatory on-line training course on the Department's Learning Management System (LMS) at: <http://e-learning.doc.gov>.

REFERENCES: Public Law 107-174, Title I, General Provisions, Section 101(1).

OFFICE OF POLICY AND PROGRAMS: Felicia Purifoy, Director,
fpurifoy@doc.gov, (202) 482-5291

PROGRAM MANAGER CONTACT INFORMATION: Grindl A. LeGrand-Brewer,
gbrewer@doc.gov, (202) 482-4824

Attachments



INFORMATIONAL MATERIAL ON THE
NOTIFICATION AND FEDERAL EMPLOYEE ANTIDISCRIMINATION AND
RETALIATION ACT OF 2002

(NO FEAR ACT)

(PUBLIC LAW 107-174, MAY 15, 2002)

Prepared by the Office of Civil Rights
U.S. Department of Commerce
November 2006

NO FEAR ACT TRAINING REQUIREMENT

The Department of Commerce is committed to providing a safe, professional, and productive environment for all employees. The Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act) requires Federal agencies to become more vigilant with respect to violations that may occur as a result of antidiscrimination and whistleblower protection laws.

To educate employees and managers about the No FEAR Act, the following educational information is available at:

<http://a257.g.akamaitech.net/7/257/2422/01jan20061800/edocket.access.gpo.gov/2006/E6-19490.htm> (for the text version)

and at:

<http://www.osec.doc.gov/ocr/no%20fear%20act%20notice.pdf> (for the PDF version)

Employees are encouraged to take time to review the materials as a way to become informed on the No FEAR Act. However, as described in the narrative below, employees are also required to complete on-line training as a result of final rules promulgated by the Office of Personnel Management, unless they have already taken a course on this subject and received a certificate of completion.

This training requirement is intended only for Federal employees, which, for purposes of the Act, are defined as individuals employed in or under a Federal agency.

The mandatory on-line training is available on the Department's Learning Management System (LMS). The electronic course focuses on the identification of employees' rights when they encounter workplace discrimination and retaliation. The course also highlights solutions that may be available to all employees with respect to witnessed or experienced discriminatory behavior or acts of reprisal. Once individuals are educated on the No FEAR Act, employees will be well equipped to exercise their rights.

The No FEAR Act course takes approximately sixty minutes to complete.

Office of the Secretary employees may access the LMS: <http://e-learning.commerce.gov> , while all other Department bureaus may access it at: <http://e-learning.doc.gov> .

If you encounter any technical difficulties (like your pc screen freezes or your score is not saved when you exit the course), please contact the GeoLearning Help Desk at 1-888-722-3647, or via e-mail at: techs.doc@geolearning.com. Additional information on the LMS (including system administrator contact information for problems or issues associated with IDs or passwords) can be found at the LMS website located at: <http://ohrm.os.doc.gov/training/>.

To access the course, you will need to enter your current USER NAME (usually your current work e-mail address) and your "LMS" password. If you do not have or have forgotten your LMS password, the LMS will generate one within a few minutes after you check the "I Forgot My Password" link. Immediately after you use your newly generated LMS password, you will be asked to change it to one that will be easier to remember.

Once in the LMS database, click on the "My Courses" link on the navigation bar at the upper right corner of your screen, go to the registered classes box, click on the No FEAR Act course title (you should be pre-registered for the class), and click on the "Play This Course" link. If you are not pre-registered, go to the bottom of this e-mail for further assistance.

If you are person with a disability who requires the 508-compliant version of this course, select the "Play the Web Accessibility" option; otherwise, select the "Play the Standard" version. Click the "Begin Course" button.

This course is complete when you've reached a score of 70% or better on the overall Course Test. Your overall course score is displayed on the Course Menu page. You can do this by taking the lesson and topic tests as you go through the course or by clicking the Course Test link on the Course Menu page. When you reach the last page of the course, click the Course Menu button to check your overall course test score, and click "Exit" button to leave the course. To print your certificate, click on "My Courses" and you will see a link under the course title to print your certificate -- which will be your proof that you have successfully met the requirements of this course.

If you need to leave the course before you have finished it, click the "Exit" button at the top of the page, and, when you return, click the "Return to Bookmark" button on the Course Menu page.

If you are not pre-registered, click on the "Catalog" link on the navigation bar at the upper right corner of your screen, type The No FEAR Act in the box, click on the No FEAR Act hyperlink, and register. Afterwards, click on the "My Courses" link on the upper right corner of your screen.

Additional Information regarding the No FEAR Act, Federal antidiscrimination, whistleblower protection and retaliation laws can be found at the EEOC web site at <http://www.eeoc.gov> , the OSC web site at <http://www.osc.gov>, or at the Department's Office of Civil Rights web site at <http://www.doc.gov/ocr> .