

**Fiscal Year 2025: Annual Report to Congress on the
Notification and Federal Employee Antidiscrimination
and Retaliation (No FEAR) Act of 2002**

Office of Equal Employment Opportunity (OEEEO)

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I. INTRODUCTION

The U.S. International Development Finance Corporation (DFC) is the U.S. Government's development finance institution. DFC was established in 2019 following the passage of the Better Utilization of Investments Leading to Development (BUILD) Act of 2018, which strengthened and modernized American development finance. The BUILD Act combined the capabilities of the Overseas Private Investment Corporation (OPIC) and the U.S. Agency for International Development (USAID) Development Credit Authority.

DFC partners with the private sector to finance solutions to the most critical challenges facing the developing world today. We invest across sectors including energy, healthcare, critical infrastructure, and agriculture. DFC also provides financing for small businesses to create jobs in emerging markets. DFC investments adhere to high standards and respect the environment, human rights, and worker rights.

This Annual Report to Congress, which covers Fiscal Year (FY) 2025, is required by Title II, Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 ("No FEAR Act" or "Act"), Public Law 107-174. The No FEAR Act holds federal agencies accountable for violations of anti-discrimination and whistleblower protection laws and requires an Annual Report.

DFC's OEEEO (Office of Equal Employment Opportunity) provides technical and policy advice to DFC leadership on civil rights and civil liberties issues. OEEEO ensures the agency's compliance with the statutes, regulations, and executive orders which prohibit discrimination in the workplace. Its mission is to ensure a level playing field and accessible workplace free from unlawful discrimination through active engagement, training, and enforcement of civil rights laws and regulations. OEEEO is responsible for the day-to-day operations of DFC's Equal Employment Opportunity (EEO) program, including processing EEO complaints and oversight of the DFC's Alternative Dispute Resolution (ADR) program.

II. BACKGROUND

The No FEAR Act was signed into law by President George W. Bush on May 15, 2002, and became effective on October 1, 2003. The Act requires federal agencies to be accountable for violations of anti-discrimination and whistleblower protection laws and to post certain statistical data relating to Federal sector EEO complaints filed with the agency.

Section 203 of the No FEAR Act requires that each Federal agency submit an annual report to Congress not later than one-hundred eighty (180) days after the end of each fiscal year. Agencies must report on the number of Federal District Court cases arising under each of the respective areas of law specified in the Act in which discrimination

was alleged; the status or disposition of cases; the amount of money required to be reimbursed; the number of employees disciplined; any policies implemented related to appropriate disciplinary actions against the Federal employee who discriminated against any individual or committed a prohibited personnel practice; and an analysis of the data collected with respect to trends, causal analysis, etc.

The No FEAR Act requires Federal agencies to submit an Annual Report to the speaker of the House of Representatives, the president pro tempore of the Senate, the Committee on Governmental Affairs of the Senate, the Committee on Government Reform of the House of Representatives, each committee of Congress with jurisdiction relating to the agency, the Attorney General, and the Equal Employment Opportunity Commission (EEOC). Additionally, the U.S. Office of Personnel Management's (OPM) final regulation on the No FEAR Act issued on December 28, 2006, requires that OPM receive a copy of the report.

III. FY 2025 COMPLAINT ACTIVITY

A. Civil Cases

Section 203(a)(1) of the No FEAR Act requires that agencies include in their Annual Report to Congress "the number of cases arising under each of the respective provisions of law covered by paragraphs (1) and (2) of section 201 (a) in which discrimination on the part of such agency was alleged." Section 724.302 of OPM's final regulations issued on December 28, 2006, clarifies section 203(a)(1) of the No FEAR Act, stating that Federal agencies report on "the number of cases in Federal Court pending or resolved arising under each of the respective provisions of the Federal anti-discrimination laws and whistleblower protection laws applicable to them 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 2025, there were no Federal District Court discrimination cases pending, dismissed, or settled against the agency.

B. Reimbursement to the Judgment Fund/Budget Adjustment

OPM published final regulations in the Federal Register on January 22, 2004, and final on May 10, 2006, to clarify the agency reimbursement provisions of Title II of the No FEAR Act. These regulations state, among other things, that the Financial Management Service (FMS), U.S. Department of the Treasury (FMS) will provide notice to an agency's chief financial officer within 15 business days after payment from the Judgment Fund. The agency is required to reimburse the Judgment Fund within 45 business days after receiving notice from FMS or must contact FMS to plan, in writing, for reimbursement. Section 203(a)(8) of the No FEAR Act requires that agencies include in their Annual Report to Congress information about "any adjustment (to the extent the adjustment can be ascertained in the budget of the agency) to comply with the requirements under section 201."

- The Treasury Judgment Fund paid no monies on behalf of DFC for discrimination cases filed in Federal District Court resulting in judgments, awards, or compromise settlements during FY 2025.
- The agency did not make any adjustment to its budget during FY 2025.

C. Types of Disciplinary Actions

Section 203(a)(4) of the No FEAR Act requires that agencies include in the Annual Report to Congress “the number of employees disciplined for discrimination, retaliation, harassment, or any other infraction of any provision of law referred to in paragraph (1).” Section 203(a)(1) requires that agencies report “the number of cases arising under each of the respective provisions of law covered by paragraphs (1) and (2) of section 201(a) in which discrimination on the part of such agency was alleged.” OPM’s final regulation issued December 28, 2006, provides that these cases refer to the number of discrimination cases for which the Judgment Fund paid on behalf of the agency. The regulations also define disciplinary actions to include any one or a combination of the following actions: reprimand, suspension without pay, reduction in grade or pay, or removal.

- The agency took no disciplinary actions arising from conduct inconsistent with Federal antidiscrimination or whistleblower laws during FY 2025.

IV. FINAL YEAR-END DATA

The final year-end data posted pursuant to Section 301(c)(1)(B) of the No FEAR Act is included in Appendix A. The EEO Policy is included in Appendix B. The DFC Anti-Harassment Policy is included in Appendix C.

V. POLICY DESCRIPTION ON DISCIPLINARY ACTIONS

Section 203(a)(6) of the No FEAR Act requires that agencies include in the Annual Report to Congress a detailed description of the policy implemented to discipline employees who violate federal laws prohibiting discrimination. DFC is committed to maintaining a workplace that promotes productivity, professionalism, and an environment that protects the dignity of all its workers. DFC policy statements are sent annually to all employees and contractors. These statements emphasize DFC’s commitment to ensuring that its employees and applicants for employment are treated equitably in an environment that is free from discrimination and harassment based on race, religion, color, sex, pregnancy, parental status, marital status, national origin, age, disability, medical history, or genetic information. All employees are responsible for exhibiting professional conduct and behavior in the workplace and cooperating in the enforcement of this policy. Further, individuals engaging in conduct or behavior that violates this policy may be subjected to disciplinary action up to and including removal from Federal service. See EEO Policy Statement (Appendix B) and Anti-Harassment Policy Statement (Appendix C).

DFC maintains a policy on disciplinary and adverse actions, outlining the procedures for addressing employee misconduct, including a table of suggested penalties for various infractions. This includes several categories addressing conduct that is inconsistent with federal anti-discrimination or whistleblower laws. Using a progressive discipline approach and depending on the nature of the misconduct, the penalties can range from a written reprimand for a first offense to removal from duty.

VI. DATA ANALYSIS

Section 203(a)(7) of the No FEAR Act requires that agencies undertake “an examination of trends, causal analysis, and practical knowledge gained through experience and any actions planned or taken to improve complain or civil rights programs of DFC.”

A. Trends

Formal complaint activity increased from FY 2024 through FY 2025. Sixteen (16) formal complaints were filed in the current reporting period compared to five (5) in the previous year. Although the data shows 38 bases claimed for 16 cases, complainants are allowed to name multiple bases in their complaints. This year there were no repeat filers of formal complaints.

Race-based claims rose from two (2) in the previous year to five (5) in the current year. Sex claims rose from one (1) occurrence last year to eight (8) in the current reporting period. Cases alleging Reprisal and Disability cases also experienced large increases in current cases, being cited in nine (9) and eleven (11) cases, respectively. Cases involving age increased 100%, rising from two (2) occurrences to four (4).

In FY 2025, the leading issues for complaint activity were non-sexual harassment and reasonable accommodation which were cited in seven (7) cases each. This is notable as these issues are at their highest levels since the inception of the agency in 2020. The next most cited issue was terms & conditions of employment with six (6) cases claiming this as a concern. This category can include cases that cite concerns such as hostile work environment, employment benefits and working environment. Terminations were cited in four (4) cases.

When comparing DFC with other similar-sized federal agencies, DFC’s complaint activity as a percentage of the Total Workforce was 3% in FY 2025, which was higher than the government-wide measure of complaint activity (0.36%). This is higher than complaint activity for Small Level Agencies (0.7%) and higher than complaint activity at Micro Level Agencies (0.45%). [Source: FY 2021 EEOC Federal Sector Report, Table B-1, FY 2021 Total Work Force Counseling’s and Complaints.]

B. Causal Analysis

In FY 2025, DFC’s formal complaint activity increased significantly. Currently, DFC is a small agency with just over 500 employees. The agency lost a significant number of personnel due to changes in the overall federal workforce. It is difficult to determine the systemic issues. DFC is exploring expanded and regular data analysis coupled with

internal outreach to better inform DFC leadership on its complaint matters. In addition the EEO Office will be analyzing issued guidance from the current administration to better inform leadership on workplace issues.

C. Knowledge Gained

DFC will continue to educate the workforce about anti-discrimination and whistleblower protection laws and their role in proactive prevention, through education, awareness communications, and training for employees and supervisors. In addition, DFC will continue to educate employees on the availability of conflict management and Alternative Dispute Resolution (ADR). ADR is an option at all stages of the EEO process and DFC managers and employees are educated on the benefits of ADR. DFC is in the process of updating its ADR policy to better serve the purpose of dispute resolution throughout the agency. DFC has also invested in providing training and seminars in leadership development, disability awareness and further development of Employee Resource Groups.

VII. ACCOMPLISHMENTS

DFC is committed to building a Model EEO Program. The OEEO team has accomplished the following for the agency:

- Timely filed the required annual EEO reports to EEOC, OPM, Department of Justice (DOJ), Congress, etc.
- Established EEO internal controls and systematized recordkeeping in support of a Model EEO Program.
- Worked collaboratively with the Office of Human Resources Management (OHRM), Office of External Affairs, Office of General Counsel, Office of Information Technology, and Office of Congressional Ethics to develop a Model EEO Program.
- Updated and communicated the Anti-Harassment policy and procedures to the workforce.
- Updated and communicated the EEO policy and procedures to the workforce.
- Required No FEAR mandatory training.
- Updated the Reasonable Accommodations/Personal Assistant Services policy.
- Updated internal and external EEO web pages to reflect the current OEEO staff, EEO counselors, policies, processes, programs, authorities, and reports.

VIII. DFC'S PLAN TO IMPROVE OEEO PROGRAMS

Section 203(a)(7)(D) of the No FEAR Act requires that agencies report any actions planned or taken to improve complaint or civil rights programs. DFC's planned FY 2026 activities toward a Model EEO Program include:

- Establishing regular EEO management/supervisory training.
- Ensuring sufficient funding for continuous education, OEEO contract support, and program operational funding.
- Exploring the acquisition of additional contract vehicles to expand training opportunities and OEEO capabilities.
- Finalizing interagency agreement for ADR/mediation services.
- Expanding collaborative opportunities for training with partner agencies.
- Keeping management updated on the latest EEOC policy changes.

IX. NO FEAR ACT TRAINING PLAN

Section 202(c) of the No FEAR Act requires Federal agencies to provide training to their employees on the rights and remedies under Federal anti-discrimination laws and whistleblower protection laws. Under Section 724.203, Federal agencies were required to develop a written training plan and to have their employees trained by December 17, 2006, and every two years thereafter. Under implementing regulations, new employees are to receive No FEAR Act training within 90 days of appointment, which can be met through an agency orientation or training program.

DFC currently adheres to the training plan outlined in the No FEAR Act. Employees' rights under civil rights regulations are covered in their onboarding orientation session. In addition, new hires are assigned several training courses as part of their onboarding through the agency's electronic learning management system, FedTalent. No FEAR Act training is a part of the suite of programs that must be completed as part of onboarding at DFC. DFC also tracks employees needing to take the biannual training requirement. This system will assign all agency personnel to fulfill their requirements at the appointed time.



Respectfully submitted,

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Date

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Equal Employment Opportunity Data¹

Posted Pursuant to Title III of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No Fear Act), Pub. L. 107-174

Includes comparative previous fiscal year data from 2020 through 2024.

2025 totals are through Q4. All FY 2024 Data through Q4 is reported as of September 31, 2025.

Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.

Formal Complaint Activity

Complaint Activity	2020	2021	2022	2023	2024	2025 Qtr 4
Number of Complaints Filed	0	1	4	4	5	16
Number of Complainants	0	1	4	4	5	16
Repeat Filers	0	0	0	0	0	0

Formal Complaint by Basis

Complaint Basis	2020	2021	2022	2023	2024	2025 Qtr 4
Race	0	1	3	1	4	5
Color	0	0	0	0	0	0
Religion	0	0	0	0	0	0
Reprisal	0	0	1	0	0	9
Sex	0	1	1	2	1	8
National Origin	0	0	0	2	0	1
Equal Pay Act	0	0	0	0	0	0
Age	0	0	1	2	2	4
Disability	0	0	2	1	1	11
Genetic Information	0	0	0	0	0	0
Non-EEO basis	0	0	0	0	0	0

Formal Complaint by Issue

Complaint Issue	2020	2021	2022	2023	2024	2025 Qtr 4
Appointment/Hires	n/a	0	0	1	1	0
Assignment of Duties	n/a	0	0	0	0	4
Awards	n/a	0	0	0	0	0

¹ The U.S. International Development Finance Corporation (DFC) was authorized by the Better Utilization of Investments Leading to Development Act of 2018 (BUILD Act, Division F of P.L. 115-254) and launched operations in December 2019.

Complaint Issue	2020	2021	2022	2023	2024	2025 Qtr 4
Conversion to Full-time	0	0	0	0	0	0
Disciplinary Action - Demotion	0	0	0	0	0	0
Disciplinary Action - Reprimand	0	1	0	0	0	3
Disciplinary Action - Removal	0	0	0	0	0	0
Disciplinary Action - Suspension	0	0	0	1	0	0
Disciplinary Action - Other	0	0	1	0	0	0
Duty Hours	0	0	0	0	0	0
Evaluation Appraisal	0	0	1	2	0	2
Examination/Test	0	0	0	0	0	0
Harassment (Non-Sexual)	0	1	4	2	4	7
Harassment (Sexual)	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	1
Promotion/Non-Selection	0	0	0	0	0	2
Reassignment - Denied	0	0	0	0	0	0
Reassignment - Directed	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	7
Reinstatement	0	0	0	0	0	0
Retirement	0	0	0	0	0	0
Termination	0	0	1	0	1	4
Terms/Conditions of Employment	0	0	0	0	1	6
Time and Attendance	0	0	0	0	0	0
Training	0	0	0	0	0	1
Other	0	0	0	0	0	0

Processing Time

FY2025 data includes ongoing cases carried over from FY2024. In addition, due to a lapse in appropriations at the end of the fiscal year, cases processed during the period had their timelines tolled by 43 days according guidance issued by the EEOC.

Processing Time	2020	2021	2022	2023	2024	2025 Qtr 4
Complaints pending for any length of time during the fiscal year	n/a	0	1	4	8	19
Complaints pending for any length of time during the fiscal year - Average number of days in investigation stage	n/a	0	90	103	128	190

Processing Time	2020	2021	2022	2023	2024	2025 Qtr 4
Complaints pending for any length of time during the fiscal year - Average number of days in final agency action stage	n/a	0	0	0	0	137
Complaints pending for any length of time during fiscal year where hearing was requested	n/a	0	0	1	2	3
Complaints pending for any length of time during fiscal year where hearing was requested - Average number of days in investigation stage	n/a	0	0	140	182	180
Complaints pending for any length of time during fiscal year where hearing was requested - Average number of days in final agency action	n/a	0	0	0	0	152
Complaints pending for any length of time during fiscal year where hearing was not requested	n/a	0	0	0	0	1
Complaints pending for any length of time during fiscal year where hearing was not requested - Average number of days in investigation stage	n/a	0	0	0	0	234
Complaints pending for any length of time during fiscal year where hearing was not requested - Average number of days in final agency action stage	n/a	0	0	0	0	90

Complaints Dismissed by Agency

Complaints Dismissed	2020	2021	2022	2023	2024	2025 Qtr 4
Total Complaints Dismissed by Agency	n/a	0	0	0	0	0
Average Days Pending Prior to Dismissal	n/a	0	0	0	0	0
Total Complaints Withdrawn by Complainants	n/a	0	0	0	0	2

Total Final Actions Finding Discrimination

Total Final Actions Finding Discrimination	2020 #	2020 %	2021 #	2021 %	2022 #	2022 %	2023 #	2023 %	2024 #	2024 %	2025 Total #	2025 Total %
Total Number of Findings	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Without Hearing	n/a	n/a	0	0	0	0	0	0	0	0	0	0
With Hearing	n/a	n/a	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Basis

Total Findings by Basis

Total Final Actions Finding Discrimination	2020 #	2020 %	2021 #	2021 %	2022 #	2022 %	2023 #	2023 %	2024 #	2024 %	2025 Total #	2025 Total %
Total Number of Findings	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Race	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Color	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Religion	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Reprisal	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Sex	n/a	n/a	0	0	0	0	0	0	0	0	0	0
National Origin	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Age	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Disability	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Genetic Information	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Non-EEO	n/a	n/a	0	0	0	0	0	0	0	0	0	0

Findings After Hearing by Basis

Total Final Actions Finding Discrimination	2020 #	2020 %	2021 #	2021 %	2022 #	2022 %	2023 #	2023 %	2024 #	2024 %	2025 Total #	2025 Total %
Findings After Hearing	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Race	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Color	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Religion	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Reprisal	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Sex	n/a	n/a	0	0	0	0	0	0	0	0	0	0
National Origin	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Age	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Disability	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Genetic Information	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Non-EEO	n/a	n/a	0	0	0	0	0	0	0	0	0	0

Findings Without Hearing by Basis

Total Final Actions Finding Discrimination	2020 #	2020 %	2021 #	2021 %	2022 #	2022 %	2023 #	2023 %	2024 #	2024 %	2025 Total #	2025 Total %
Findings Without Hearing	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Race	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Color	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Religion	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Reprisal	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Sex	n/a	n/a	0	0	0	0	0	0	0	0	0	0
National Origin	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Age	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Disability	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Genetic Information	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Non-EEO	n/a	n/a	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue

Total Findings by Issue

Findings of Discrimination Rendered by Issue	2020 #	2020 %	2021 #	2021 %	2022 #	2022 %	2023 #	2023 %	2024 #	2024 %	2025 Total #	2025 Total %
Total Number of Findings	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Appointment/Hire	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Awards	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Conversion to Full-Time	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Disciplinary Action - Demotion	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Disciplinary Action - Reprimand	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Disciplinary Action - Suspension	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Disciplinary Action - Removal	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Disciplinary Action - Other	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Duty Hours	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Examination/Test	n/a	n/a	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	2020 #	2020 %	2021 #	2021 %	2022 #	2022 %	2023 #	2023 %	2024 #	2024 %	2025 Total #	2025 Total %
Harassment – Non-Sexual	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Harassment - Sexual	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Medical Examination	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Promotion/ Non-Selection	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Reassignment - Denied	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Reassignment - Directed	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Reinstatement	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Retirement	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Termination	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Time and Attendance	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Training	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Other	n/a	n/a	0	0	0	0	0	0	0	0	0	0

Findings After Hearing by Issue

Findings of Discrimination Rendered by Issue	2020 #	2020 %	2021 #	2021 %	2022 #	2022 %	2023 #	2023 %	2024 #	2024 %	2025 Total #	2025 Total %
Findings After Hearing	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Appointment/Hire	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Awards	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Conversion to Full-Time	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Disciplinary Action - Reprimand	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Disciplinary Action - Suspension	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Disciplinary Action - Removal	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Disciplinary Action - Other	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Duty Hours	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	n/a	n/a	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	2020 #	2020 %	2021 #	2021 %	2022 #	2022 %	2023 #	2023 %	2024 #	2024 %	2025 Total #	2025 Total %
Examination/Test	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Harassment – Non-Sexual	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Harassment - Sexual	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Medical Examination	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Promotion/ Non-Selection	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Reassignment - Denied	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Reassignment - Directed	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Reinstatement	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Retirement	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Termination	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Time and Attendance	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Training	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Other	n/a	n/a	0	0	0	0	0	0	0	0	0	0

Findings Without Hearing by Issue

Findings of Discrimination Rendered by Issue	2020 #	2020 %	2021 #	2021 %	2022 #	2022 %	2023 #	2023 %	2024 #	2024 %	2025 Total #	2025 Total %
Findings Without Hearing	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Appointment/Hire	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Awards	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Conversion to Full-Time	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Disciplinary Action - Reprimand	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Disciplinary Action - Suspension	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Disciplinary Action - Removal	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Disciplinary Action - Other	n/a	n/a	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue												
Duty Hours	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Examination/Test	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Harassment – Non-Sexual	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Harassment - Sexual	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Medical Examination	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Promotion/ Non-Selection	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Reassignment - Denied	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Reassignment - Directed	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Reinstatement	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Retirement	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Termination	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Time and Attendance	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Training	n/a	n/a	0	0	0	0	0	0	0	0	0	0
Other Terms/Conditions of Employment	n/a	n/a	0	0	0	0	0	0	0	0	0	0

Pending Complaints Filed in Previous Fiscal Years by Status

Pending Complaints	2020	2021	2022	2023	2024	2025 Qtr 4
Total Complaints from Previous Fiscal Years	n/a	0	0	0	5	0
Total Complainants	n/a	0	0	0	4	0
Number of Complaints Pending Investigation	n/a	0	0	0	3	0
Number of Complaints Pending a Hearing	n/a	0	0	0	2	0
Number of Complaints Pending Final Agency Action	n/a	0	0	0	0	0
Number of Complaints Pending Appeal with EEOC Office of Federal Operations	n/a	0	0	0	0	0

Complaint Investigations

Complaint Investigations	2020	2021	2022	2023	2024	2025 Qtr 4
Pending Complaints Where Investigation Exceeds Required Time Frames	n/a	0	0	0	0	0

MEMORANDUM

TO: DFC Staff
FROM: Ben Black, Chief Executive Officer
DATE: March 10, 2026
RE: DFC EEO Policy Statement

The U.S. International Development Finance Corporation (DFC) is committed to ensuring that all employees within the DFC and applicants have the freedom to compete for workplace opportunities on a fair and level playing field that is free from discrimination. As the Chief Executive Officer, I am proud to reaffirm the DFC's commitment to the principles of equal employment opportunity (EEO), in the workplace.

It is the DFC's policy to provide equal employment opportunity (EEO) for all employees and applicants for employment, regardless of their race, religion, color, sex, national origin, age (over 40), genetic information (including family medical history), disability (physical and mental) or pregnancy, childbirth, or related medical conditions. In addition, DFC strictly prohibits retaliation and reprisals against individuals opposing employment discrimination or for engaging in protected EEO related activity. These protections cover all employees and applicants for employment at the agency. This policy applies to all facets of the workplace experience including, but not limited to recruitment, hiring, merit promotions, transfers, performance awards, reassignment, training, career development, benefits and separations. Furthermore, workplace harassment is inexcusable and will not be tolerated. All DFC employees are expected to take personal responsibility for correcting harassing conduct before it becomes severe or pervasive, and for creating and maintaining an environment that is free from harassment and discrimination.

Employees and applicants for employment who feel subjected to unlawful discrimination should contact the Office of Equal Employment Opportunity (OEEO) staff at EEO@dfc.gov within **45 calendar days** of an alleged discriminatory event, your becoming aware of a discriminatory event, or in the case of a personnel action, within 45 days of the effective date. DFC supports the rights of all employees to exercise their rights under the civil rights statutes.

Additional information about DFC EEO programs can be found at:
<https://dfc.gov.sharepoint.com/sites/EEO>.

I am committed to ensuring DFC operates with standards of equity and fairness and that our workplace environment is safe, productive, and free from discrimination. A workplace free of discrimination allows DFC to focus on the vital work of the agency. I am confident in our ability to uphold these standards and to conduct ourselves in a manner that reflects the principles of equal opportunity, professionalism, and mutual respect.



Ben Black, CEO

DFC-OHRM-001-007

Anti-Harassment Policy

Version:	2.0.1
Type of Document:	Policy
Corresponding Documents:	See references / attachments within this document
Date of Approval:	November 22, 2024
Effective Date:	August 2, 2022
Date Last Updated:	February 4, 2025
Point of Contact:	U.S. International Development Finance Corporation (DFC) Office of Human Resources Management (OHRM), Workforce Relations & Benefits (WRB)

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1. PURPOSE AND COVERAGE

This policy creates the DFC's program on providing a work environment free from harassment by (1) defining unacceptable conduct that violates this policy; (2) outlining the rights and responsibilities of employees, supervisors, and managers; (3) establishing reporting procedures and accountability measures; and (4) establishing the Anti-Harassment Program Team (AHPT). These procedures ensure that appropriate officials are notified of, and have the opportunity to promptly correct, harassing conduct.

This policy applies to all employees within all offices of the DFC and supersedes any other DFC procedure that conflicts with this policy. DFC is committed to taking all necessary actions, within its authority, to provide a work environment free of harassment.

This policy is not intended to, and does not create any right or benefit, substantive or procedural, enforceable by law or equity by a party against the United States, agencies, instrumentalities or entities, its officers or employees, or any other person.

2. DEFINITIONS

- **Hostile Work Environment.** A pattern of continuing unwelcome behavior that unreasonably interferes with an employee's work performance or that creates an intimidating, hostile, or offensive work environment.
- **Unlawful Harassing Conduct.** Unlawful harassment includes unwelcome intimidation, ridicule, insult, physical conduct, verbal conduct, or nonverbal conduct based on a Protected Characteristic, that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an offensive or hostile environment where:
 - An employment decision affecting the employee is based upon the employee's acceptance or rejection of such conduct; or
 - The conduct is sufficiently severe or pervasive as to alter the terms, conditions, or privileges of the employee's employment, or otherwise creates an abusive work environment. This type of harassment typically does not involve personnel actions such as denial of promotion. Petty slights, annoyances, and isolated incidents (unless extremely serious) will not rise to the level of unlawful harassment. To be unlawful, the conduct must create a work environment that would be intimidating, hostile, or offensive to a reasonable person.
- **Prohibited Harassing Conduct.** In addition to Unlawful Harassing Conduct, this policy prohibits unwelcome verbal, nonverbal, or physical conduct that has the purpose or effect of unreasonably interfering or adversely affecting an individual's work performance or creating an intimidating, offensive, hostile, or abusive work

environment when the conduct is based on a Protected Characteristic. Although not every instance of inappropriate behavior based on a protected status constitutes Unlawful Harassing Conduct, the policy also forbids other harassing conduct based on a protected characteristic that undermines employee morale, the work environment, and DFC's mission.

- **Protected Status or Protected Characteristic.** Protected Statuses and Protected Characteristics include race, religion, color, sex (including pregnancy), national origin, retaliation for EEO activity, age (40 years or older), disability (mental or physical) and genetic information. Additional protected statuses and prohibited characteristics include parental status, marital status and political affiliation. The protected characteristic of sex includes pregnancy, childbirth, or related medical conditions, such as current, past, potential, or intended pregnancy; termination of pregnancy, including miscarriage and abortion; postpartum depression; and lactation conditions.
- **Retaliation or Reprisal.** Retaliation or reprisal occurs when an employer takes an adverse action because an applicant or employee asserts rights protected by the EEO laws, including but limited to: filing or being a witness in an EEO charge, complaint, investigation, or lawsuit; communicating with a supervisor or manager about employment discrimination; answering questions during an employer investigation of alleged harassment; refusing to follow orders that would result in discrimination; resisting sexual advances, or intervening to protect others requesting accommodation of a disability or for a religious practice; asking managers or co-workers about salary information to uncover potential discriminatory wages.
- **Sexual Harassment.** A form of harassment that can include unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when (a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

3. ROLES AND RESPONSIBILITIES

3.1 VICE PRESIDENT, OHRM & CHIEF HUMAN CAPITAL OFFICER (OHRM VP & CHCO)

- Ensuring that performance plans of all supervisors and managers include a critical element that would rate their performance on taking appropriate action against employees for misconduct.

- Providing information to the Office of the Chief Executive Officer (CEO) on allegations of misconduct under this policy and the necessary corrective action taken, if any.
- Resolving any disagreements involving investigations between management officials and consulting staff from the Office of Human Resources Management or the Anti-Harassment Program Team (AHPT) regarding whether and what type of investigation is necessary.
- Determining the composition of the Anti-Harassment Program Team (AHPT) and assigning the role of Anti-Harassment Coordinating Official (AHCO) in consultation with the AHPT. When appointing the Anti-Harassment Coordinating Official (AHCO), the CHCO will avoid conflicts of interest and the appearance of such conflicts.

3.2 OFFICE VICE PRESIDENTS

- Ensuring that supervisors/managers are appropriately rated on the critical element regarding anti-harassment procedures.
- Ensuring that their subordinate employees are in full compliance with requirements of this policy.
- Monitoring the work environment following a report alleging a violation of this policy to ensure that there are no further violations or incidents of retaliation against any individual who has reported harassment or participated in the investigation.

3.3 CHIEF EQUAL OPPORTUNITY, DIVERSITY & INCLUSION OFFICER (CHIEF OEDI)

- Reporting allegations of harassing conduct received by the Chief OEDI to the AHPT as soon as possible, but no later than one business day after receipt of the allegations; and
- Advising alleged complainants of their rights under the EEO process.

3.4 SUPERVISORY HR SPECIALIST (DIRECTOR, WORKFORCE RELATIONS AND BENEFITS (WRB)) – DIRECTOR WRB

- Developing and providing periodic communications to all DFC employees on this policy and any DFC-specific requirements and incorporating this policy into the DFC's supervisory training curriculum.
- Providing oversight, technical assistance, and support to DFC staff to ensure compliance with this policy.
- Ensuring that the procedures in this policy are properly executed by monitoring inquiries and investigations of reported or otherwise discovered harassing conduct; providing guidance concerning the information to be gathered and methods to be used during inquiries and investigations; and otherwise ensuring that the investigations are swift, thorough, impartial, and appropriate to the allegation.

- Reviewing information on the harassing conduct allegations, and providing information to the CEO, Chief OEDI, and the CHCO as requested.
- Providing the record of actions taken under this policy to any office handling a parallel statutory or grievance claim.

3.5 HR SPECIALIST (EMPLOYEE AND LABOR RELATIONS (ER/LR))

- Receiving reports alleging harassment through the harassment@dfc.gov distribution list and determining whether the conduct could be considered prohibited by this policy. If so, consult with the CHCO to designate an Anti-Harassment Program Team (AHPT) and Anti-Harassment Coordinating Official (AHCO).
- Notifying and assisting the relevant management officials in handling allegations of harassing conduct and taking corrective action, as appropriate and necessary.
- Documenting reports made and actions taken pursuant to this policy and reporting on them to the applicable parties.

3.6 ANTI-HARASSMENT PROGRAM TEAM (AHPT)

Provides advice to managers and supervisors on matters relating to harassment allegations. The composition of the AHPT is determined by the OHRM VP & CHCO and will normally include representatives from the OHRM Workforce Relations and Benefits and the Office of General Counsel. The AHPT is responsible for:

- Ensuring uniform and effective handling of all allegations submitted for review.
- Informing the appropriate supervisor or manager of allegations reported to the AHPT.
- Assisting supervisors and managers in determining the veracity of a complaint.
- Consulting with the Anti-Harassment Coordinating Official to assist them in determining investigatory measures and, if needed, appointing a team to conduct inquiries into allegations of harassment on behalf of the agency; conducting further informal inquiries itself; and recommending or taking other appropriate inquiry action. The AHPT does not initiate disciplinary action(s).
- Advising management regarding unsubstantiated accusations of misconduct within the scope of this policy.
- Providing data to the Director WRB for tracking purposes.
- Reports allegations of harassment by a contract employee to the appropriate Contracting Official.

3.7 ANTI-HARASSMENT COORDINATING OFFICIAL (AHCO)

The Anti-Harassment Coordinating Official (AHCO) is the DFC management official, appointed by the OHRM VP & CHCO. The AHCO, in consultation with the AHPT, is responsible for:

- overseeing investigations into allegations of harassment,
- reviewing reports of investigation, and
- ensuring immediate and appropriate discipline or adverse action is taken against individuals who are in violation of this policy.

3.8 SUPERVISORS AND MANAGERS

- Providing a work environment free of harassment.
- Ensuring that subordinates are aware of this policy and its requirements and that all training requirements are completed.
- Acting immediately and appropriately to stop known harassing conduct and hold employees who have engaged in harassing conduct accountable.
- Receiving reports alleging violations of this policy.
- Notifying the AHPT of reported or observed violations of this policy.
- Evaluating and holding accountable subordinate supervisors and managers of their actions under this policy.
- Protecting employees who report misconduct from retaliation.
- Taking appropriate action regarding fabricated or false allegations.
- Maintaining confidentiality where required.

3.9 EMPLOYEES

- Refrain from engaging in harassing conduct.
- Participate in training required under this policy.
- Cooperate fully in any inquiry or investigation.
- Review their rights and responsibilities under this policy.

4. POLICY

The DFC is committed to providing a work environment free of discrimination and harassment based on race, color, religion, sex (including pregnancy), national origin, age, disability, genetic information (including family medical history), status as a parent, marital status, or political affiliation, and reprisal and retaliation. The DFC will not tolerate offensive sexual or non-sexual harassing behavior against any person, including but not limited to, any DFC employee, intern, volunteer, contractor or other non-Federal employee, visitor, or other member of the public. The DFC will act, within its authority, to ensure an environment free from harassing conduct based on a protected characteristic regardless of whether the parties responsible for, or affected by, the conduct are DFC employees.

The DFC also will not tolerate adverse treatment of or reprisal against employees because they report harassing conduct or provide information related to such complaints.

This policy provides guidance to ensure that the DFC supervisors/managers take immediate and appropriate corrective action, including appropriate disciplinary action, to eliminate harassing conduct regardless of whether the conduct rises to the level of a violation of law. Therefore, the goal of this policy is to address harassing conduct at the earliest possible stage, before it becomes “severe or pervasive,” i.e., harassment within the meaning of anti-discrimination law.

4.1 REPORTING PROHIBITED HARASSING CONDUCT

Harassing conduct will not be tolerated and must be promptly reported and investigated in accordance with this policy.

4.2 REPORTING PROCEDURES AND REQUIREMENTS

DFC cannot correct harassing conduct if a supervisor, manager, or other DFC official is not aware of the behavior.

4.2.1. ALL EMPLOYEES

Any employee who has been subjected to harassing conduct based on a protected characteristic is encouraged to inform the person(s) responsible for the conduct that it is unwelcome and offensive, and request that it cease. If the conduct continues, is severe, or if the employee is uncomfortable addressing the responsible person(s) about the conduct, the employee is encouraged to report the matter to:

1. the supervisor of the employee engaging in the misconduct;
2. any supervisor or manager;
3. the Office of Human Resources Management (OHRM);
4. the Office of the Inspector General (OIG);
5. the Office of Equal Opportunity, Diversity & Inclusion (OEDI); or
6. Directly to harassment@dfc.gov

Employees should report harassing conduct, including sexual misconduct, as soon as practicable after it occurs, but may report at any time, regardless of when the incident occurred. There are multiple avenues to report harassing conduct to provide employees an option to report outside the chain of command if they believe a conflict of interest exists.

Reports made pursuant to this policy do not replace, substitute, or otherwise satisfy the separate obligations of an EEO complaint, negotiated grievance, or other complaint process. Unlike this policy, other complaint

procedures typically have a required timeframe in which to file and provide for remedial relief to the complainants. **See Distinction from Statutory and Grievance Claims** for more information about how an employee may pursue rights under one of these separate processes, in addition to reporting the misconduct under this policy.

Consulting with a union representative to obtain advice or contacting the Employee Assistance Program, do not constitute a report under this policy, and do not trigger a responsibility to report under this policy. See **Additional Resources** for more information.

4.2.2. SUPERVISORY EMPLOYEES

Supervisors or managers who observe or are informed of allegations of harassing conduct must comply with the following reporting requirements:

1. report the conduct/allegations to the AHPT, even if the employee raising the allegation requests confidentiality, and
2. take steps to ensure that the harassing conduct is appropriately addressed to deter further misconduct, including taking disciplinary action, if appropriate.

4.3 CONSEQUENCES OF HARASSING CONDUCT

4.3.1. ALL EMPLOYEES

Employees are subject to disciplinary action, up to and including removal, for engaging in harassing conduct while in the workplace or in any work-related situation, including while on official travel. Off-duty misconduct may subject the employee to potential discipline if it is likely to have an adverse effect on the DFC (e.g., harassing a co-worker, visitor, contractor, or volunteer during off-duty hours). Harassing conduct can occur in person, through phone calls, in writing, using social media, or other forms of technology.

4.3.2. SUPERVISORY EMPLOYEES

Supervisors and management officials are held to the highest standards of conduct, are responsible for the environment they create and the example they set for all DFC employees. Appropriate corrective action, disciplinary or otherwise, up to and including removal, will be taken against any supervisor or other management official who fails to perform their obligations as set forth in this policy, including any failure to report known violations of this policy.

4.4 RETALIATION

It is a violation of this policy to retaliate against employees who engage in protected activity under this policy. Protected activity includes, but is not limited to, reporting harassing conduct, discrimination, or retaliation; filing a claim of harassment; providing evidence in any investigation; or intervening to protect others who may have suffered harassing conduct, discrimination or retaliation. A manager may not fire, demote, harass, transfer an employee impacted by the conduct or witness against their will, ignore or fail to communicate with an employee impacted by the conduct or witness, engage in verbal or physical abuse, or non-selection for an employment opportunity, or otherwise take any personnel action against an individual for reporting an allegation of misconduct under this policy.

It is important that supervisors and managers protect employees who report alleged misconduct and keep from taking any retaliatory personnel action against them to deter their reporting harassing conduct or filing a complaint. A supervisor or manager found to have engaged in retaliation is subject to disciplinary action up to and including removal.

The existence of an EEO complaint, grievance, or other procedure alleging harassment does not relieve a supervisor or manager from the duty to act under to this policy.

If an employee raises a claim of harassment through the EEO process, a Merit Systems Protection Board (MSPB) action, or a negotiated grievance, the DFC official who receives the claim will promptly, *i.e.*, within one business day, notify the AHPT. The official who receives the claim must treat the notice as a report under this policy, and must follow the steps outlined above, unless inconsistent with applicable regulatory or statutory requirements. Multiple separate inquiries into a submitted complaint may proceed in different venues at the same time. As noted above, consulting with a union representative to obtain advice or contacting the Employee Assistance Program does not constitute a report under this policy and does not trigger a responsibility to report it under this policy. See **Additional Resources** for more information.

Engaging in protected activity under this policy does not preclude otherwise appropriate personnel actions. Supervisors and managers can take personnel actions, including discipline and removal, if they are motivated by non-retaliatory and non-discriminatory reasons that would result in such consequences (e.g., transferring an employee for legitimate business reasons or closely monitoring the performance of an employee on a Performance Improvement Plan).

4.5 INITIAL RESPONSE TO REPORTS OF HARASSMENT

4.5.1. INDIVIDUAL RECEIVING REPORT

When an individual listed in this policy receives a report of, or becomes aware of, harassing conduct prohibited by this policy, they must **within one business day**:

1. Document the allegation in writing capturing as many specifics as possible, to include the protected status if the recipient of the behavior gives those indicators as the reason for the harassment. At a minimum, the supervisor must provide the name of the individual making the report, the employee alleged to have violated the policy, and the specific policy violation(s) alleged.
2. Acknowledge receipt of the report to the individual making the report.
3. Contact the harassment@dfc.gov.
4. If the report is made outside of the regular business hours, act based on their best judgment to minimize any perceived risk of immediate harm and contact harassment@dfc.gov as soon as normal business hours resume.

4.5.2. RESPONSETO REPORT OF HARASSING CONDUCT

When harassment@dfc.gov receives a report of harassing conduct, the recipients must:

1. Determine whether the reported activity is potentially criminal in nature, and if so, report it to the Office of Inspector General or law enforcement;
2. Determine whether the reported activity poses a security risk, and if so, report it to the Insider Threat Security Hub;
3. Determine whether the report, if substantiated, could constitute a violation of this Policy, and if so, contact the VP, OHRM & CHCO to designate an AHCO and AHPT.

4.5.3. INTERIM MEASURES

Before directing a thorough investigation into the allegations of misconduct, the Anti-Harassment Coordinating Official must first consult with the AHPT and take any necessary interim steps to ensure that the reported conduct stops. The interim measures taken will depend on the severity of the conduct alleged, but may include actions such as, but not limited to, the following:

1. Instructing the employee alleged to have violated the policy, in writing, that an allegation of misconduct has been made, that all

misconduct must cease and desist immediately and to have no further contact or communications with the employee impacted by the conduct.

2. Preventing further contact between the employee alleged to have violated the policy and the employee impacted by the conduct, by taking the following actions as appropriate to the situation:
 - a. assigning the employee alleged to have violated the policy to a temporary detail;
 - b. moving the employee alleged to have violated the policy to another office space, desk, or floor;
 - c. requesting approval to place the employee alleged to have violated the policy on administrative or investigative leave.
 - d. issuing No Contact Instructions to the employee alleged to have violated the policy; or
 - e. a reassignment, detail, etc., of the employee impacted by the reported conduct should only be taken if requested by that employee. To the extent possible, the Anti-Harassment Coordinating Official should honor the employee's request.

4.6 INVESTIGATION AND FINDINGS

4.6.1. CONDUCTING THE INVESTIGATION

Investigation into reports of harassment will proceed as follows:

1. Within three business days of the receipt of the allegation, the Anti-Harassment Coordinating Official will consult with the AHPT, to determine whether a formal investigation is required and if so, what type of investigation should be conducted. These decisions are fact-specific and made on a case-by-case basis.
2. All information will be maintained on a confidential basis to the greatest extent possible, appropriately limited to officials and employees within the DFC with a need to know to carry out the purpose and intent of this policy. The maintenance of records and any disclosures of information from these records shall comply with the Privacy Act of 1974, 5 U.S.C. § 552a.
3. If it is determined that an investigation is necessary, the AHPT will ensure that the investigative process is initiated within two business days of the decision to begin an investigation.
4. If after receipt of the complaint and review of the evidence provided, the AHPT determines that the alleged conduct, even if substantiated, does not violate the Anti-Harassment Policy, there will be no formal investigation, the case will be closed, and the parties involved will be notified. If appropriate, the AHPT can provide information on other

avenues of redress such as the negotiated grievance procedures found in the applicable Collective Bargaining Agreement (CBA).

5. The Anti-Harassment Coordinating Official, in consultation with the AHPT, will determine the appropriate investigating office. A member of the AHPT will serve as the primary point of contact for organizing the investigation. Investigators can include:
 - a. The Office of Inspector General, for allegations of criminal activity, allegations implicating a DFC executive, or other senior or prominent DFC management officials, or any OIG employee, and allegations tied to waste, fraud, or abuse of DFC funds and programs or violations of Federal ethics regulations.
 - b. An independent or third-party investigator will be contracted for allegations of harassing conduct of a sexual nature and those involving an expected conflict of interest.
 - c. The Office of Human Resources Management, or the Office of General Counsel, depending on the complexity and scope of the allegations and the availability of qualified investigators.
6. All investigations will be conducted promptly, impartially, and thoroughly, in a manner appropriate to the allegation and recommend appropriate action to stop any alleged harassing conduct and prevent further incidents, including granting appropriate interim relief to the alleged victim while the allegations are being investigated.
7. All investigations will normally be completed within 30 calendar days.

4.6.2. FINDINGS OF FACT AND REPORT OF INVESTIGATION

1. A written summary of the inquiry shall be prepared by the assigned investigator. The summary shall be prepared promptly after completing the inquiry and will be submitted to the AHPT and the Anti-Harassment Coordinating Official.
2. The summary of the inquiry or other documentation prepared under this procedure shall be kept confidential, to the greatest extent possible. The maintenance of records and any disclosures of information from these records shall comply with the Privacy Act of 1974, 5 U.S.C. § 552a. Information may be disclosed to defend the DFC in litigation to which the information may be relevant and necessary. Further, information may need to be disclosed to those officials and employees within the DFC with a need to know in order to carry out the purpose and intent of this issuance.
3. The AHPT and Anti-Harassment Coordinating Official, will promptly evaluate the evidence and advise on the appropriate actions to be implemented by the Anti-Harassment Coordinating Official.

When the inquiry establishes that a supervisor or manager did not properly carry out their responsibilities under this guidance, that supervisor or manager will be subject to appropriate corrective action, in accordance with Disciplinary and Adverse Action Policy, up to and including removal.

4.7 CORRECTIVE ACTION

After review of the findings of the investigation, the Anti-Harassment Coordinating Official must consult with the AHPT to determine whether any disciplinary or other corrective action would be appropriate or if the allegation should be closed with no finding of misconduct. When the inquiry substantiates that an employee engaged in harassing conduct under this policy, the employee will be subject to immediate and appropriate corrective action, in accordance with the Discipline and Adverse Action Policy. Corrective action may include discipline or adverse action up to and including removal from the Federal Service.

Decisions and, if necessary, corrective action will be made within 60 days of receiving notice of the harassment complaint.

4.7.1. FINDINGS OF NO MISCONDUCT

If the decision is made that the allegation should be closed with no finding of misconduct, the Anti-Harassment Coordinating Official shall document why no corrective action was warranted. The AHPT investigator will document no finding of harassment or violation and the case will be closed.

4.7.2. FINDINGS OF MISCONDUCT

If facts uncovered during the investigation or inquiry substantiate misconduct, the Anti-Harassment Coordinating Official must propose disciplinary or corrective action. The proposed corrective action will be initiated immediately and appropriately, in accordance with DFC Policy. Corrective action may include counseling or any disciplinary action applicable to instances of misconduct; such as reprimand, suspension, demotion, or termination. The AHPT investigator will document the findings of the investigation and any corrective action necessary, and the case will be closed.

5. RECORDS MANAGEMENT AND CONFIDENTIALITY

5.1 MAINTAINING CONFIDENTIALITY

Supervisors and managers must take action to investigate all allegations of harassing conduct, even if the employee raising the allegation requests privacy.

All reports of harassing conduct and related information will be maintained confidentially to the greatest extent possible. The identity of the employee alleging violations of this policy will be kept confidential; except as necessary to execute an appropriate investigation into the alleged violations, to take appropriate disciplinary or corrective action, to comply with the reporting requirements of this policy, or when otherwise required by law.

The Anti-Harassment Coordinating Official or investigating entity must notify the employee impacted by the conduct, in writing, to the extent permitted under the Privacy Act once the outcome of the investigation has been determined. The reporting employee or the employee who was subjected to the reported conduct will not be provided the outcome of any disciplinary action against the employee alleged to have violated the policy and will not be provided a copy of the fact-finding report.

If the investigation reveals no findings, the employee alleged to have violated the policy will be advised of the outcome, in writing. Appropriate disciplinary action will occur if the allegation is fully or partially substantiated.

5.2 TRACKING ALLEGATIONS OF HARASSING CONDUCT

The Director, Workforce Relations and Benefits is responsible for tracking the information related to the allegations of harassing conduct in separate case files, in accordance with established records management policies. The Director, Workforce Relations and Benefits must monitor and record the status of allegations, including final resolution.

6. MISCELLANEOUS

6.1 DISTINCTION FROM GRIEVANCES AND STATUTORY CLAIMS

This policy and its reporting procedures are separate and distinct from the EEO process, which focuses on making employees whole after they have experienced discrimination (including harassment) by issuing remedial relief, such as compensatory damages. This policy does not change an employee's right to pursue redress through EEO or other available procedures. Corrective action taken under this policy does not provide the remedies available in the EEO process, negotiated grievance procedures, or any other processes. Reporting allegations of misconduct under this policy does not satisfy the requirements for filing an EEO complaint, negotiated grievance, or other procedure, nor does it modify the time limits for initiating those procedures.

An employee who chooses to pursue statutory or collective bargaining remedies for unlawful harassment must select one of the available forums as follows:

1. For an EEO complaint pursuant to 29 C.F.R. §1614 (available for all claims of illegal harassment other than those based on status as a parent, marital status and political affiliation), contact an EEO counselor in the Office of Equal Employment Opportunity within 45 calendar days from the most recent incident of alleged harassment (or personnel action, if one is involved), as required in 29 C.F.R. §1614.105(a)(1); or
2. For an appeal to the MSPB pursuant to 5 C.F.R. § 1201.22, file a written appeal with the Board within 30 days of the effective date of an appealable adverse action as defined in 5 C.F.R. §1201.3, or within 30 days of the date of receipt of the agency's decision, whichever is later.
3. Employees covered by the Collective Bargaining Agreement may file a grievance in accordance with the provisions of the Collective Bargaining Agreement.
4. For an appeal to the Office of Special Counsel (OSC) regarding claims of harassment related to marital status and political affiliation, pursuant to 5 U.S.C. §2302(b)(1) and (b)(10), file a written appeal with the OSC as described in 5 C.F.R. §1800.1 and on www.osc.gov.

6.2 ADDITIONAL RESOURCES

Employees who have experienced harassing conduct have multiple resources available that can provide assistance and advice. Engaging with the following resources does not constitute a report under this policy, as these entities do not have an obligation to inform management of allegations of harassing conduct:

1. Employee Assistance Program (EAP). The DFC EAP is an employee benefit program that helps employees with personal and/or work-related problems that may impact their job performance, health, mental and emotional well-being. Information about EAP services is available on the [DFC EAP website](#); or by phone at 1-800-222-0364 (or 888-262-7848 if you are hearing-impaired).
2. Union Representative. Employees who are covered by the bargaining unit can consult with a union representative.

6.3 INQUIRIES

Any DFC employee or employee representative seeking further information concerning this policy may contact the Office of Human Resource Management or the Office of Equal Employment Opportunity.

7. REFERENCES

- Title VII of the Civil Rights Act of 1964 (Pub. L. 88-352) (Title VII), as amended
- The Age Discrimination in Employment Act of 1967
- The Rehabilitation Act of 1973, as amended under the Americans with Disabilities Act Amendments Act of 2008
- The Pregnant Workers Fairness Act of 2023
- Genetic information under the Genetic Information Nondiscrimination Act of 2008
- Parental status under Executive Order 13152 (signed May 2, 2000)
- Marital status and political affiliation under the Civil Service Reform Act of 1978.
- Title 42 of the United States Code, Section 2000e through 16
- Title 29 of the United States Code, Section 633a and 791(f)
- Title 29 of the Code of Federal Regulations, Section 1604.11 and 1614
- Title 5 of the United States Code, Section 2302(b)(l) and (10)
- Title 5 of the United States Code, Chapter 75 and substantially similar authorities covering employees in alternate personnel systems
- Executive Order 11478, as amended
- US International Development Finance Corporation's Harassment Policy Statement, issued July 2021.

APPENDIX A: VERSION CONTROL AND APPROVAL

Version Number	Effective Date	Summary of Changes	Section
1.0.0	08/02/2022	Initial Release	N/A
2.0.0	11/22/2024	<ul style="list-style-type: none"> • Revised definitions pursuant to the Pregnant Workers Fairness Act implementation regulations to include: <ul style="list-style-type: none"> ○ Removed Anti-Harassment Program Team as a definition because already covered in Roles & Responsibilities ○ Added Unlawful Harassing Conduct as a definition ○ Modified the definition for Prohibited Harassing Conduct ○ Modified the definition for Protected Status ○ Renamed the Responsible Management Official to the Anti-Harassment Coordinating Official (AHCO) and moved it to Roles & Responsibilities and updated references to it throughout the policy • Clarified that the Anti-Harassment Policy covers discriminatory harassment • Clarified that investigations proceed when the alleged conduct, if substantiated, would violate the Anti-Harassment Policy 	<ul style="list-style-type: none"> • 2. Definitions and 3. Roles and Responsibilities • Throughout 4. Policy
2.0.1	02/04/2025	<ul style="list-style-type: none"> • Per Executive Order Ending Illegal Discrimination and Restoring Merit-Based Opportunity on January 21, 2025. Updated language throughout to remove any reference language to “diversity, equity, and inclusion” • Per Executive Order Defending Women from Gender Ideology Extremism and Restoring Biological Truth to The Federal Government on January 20, 2025. 	<ul style="list-style-type: none"> • Protected Status • 4.0 Policy

Approved by:

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Jamesa Hunter
Vice President, OHRM & Chief Human Capital Officer (CHCO)

November 22, 2024
Date Approved