



Overview of FMCS

The Federal Mediation and Conciliation Service, created in 1947, is an independent agency whose mission is to promote labor-management relationships, cooperation, and to assist parties in conflict. Headquartered in Washington, DC, with ten regional offices and more than 70 field offices, the agency provides mediation and conflict resolution services to industry, government agencies and communities.

Although headquartered in Washington, DC, the public functions of FMCS are delivered through a network of regional and field offices in order to be close to its customers.

Agency Departments and Field Offices

Office of the Director

The FMCS Director, appointed by the President with the advice and consent of the Senate, has the responsibility for establishing and directing policy and for the overall administration and strategic direction of the Service. The Director serves as agency liaison with the White House, members of the President's Cabinet and the Congress, and also provides direction for and participation in mediating major disputes.

Our Departments are:

Alternative Dispute Resolution & International Programs

Alternative Dispute Resolution for Government

The Administrative Dispute Resolution (ADR) Act of 1996 calls upon the Federal Mediation and Conciliation Service (FMCS), an independent U.S. government agency, to help other federal, state, and local agencies resolve disputes arising under their jurisdictions. To this end, FMCS provides sister agencies with a wide variety of professional services such as mediating disputes, designing and building capacity for effective conflict management systems, and developing tools for interagency/public-private cooperation and collaboration. In delivering these services, FMCS draws on more than 65 years of experience in conflict management and alternative dispute resolution, including negotiations, mediation, convening, facilitation, training, and systems design.

International Programs

Internationally, the FMCS, at the request of the U.S. Departments of State, Labor, and others, strives to build local capacity for effective industrial relations systems, including labor administration, inspection, collective bargaining, mediation, and dispute resolution. Additionally, the FMCS has also been asked to brief or train judges, mediators, and arbitrators on dispute resolution techniques, and has provided assistance in establishing mediation agencies. FMCS international program development, project management, and service delivery are provided by professional staff with significant international experience. In addition, the Agency draws on the expertise of a field staff of 165 full-time mediators to deliver the Agency's international services. For more than two decades, FMCS has delivered training services in more than 50 nations and addressed a wide variety of instructional and development needs. Traveling abroad or at FMCS headquarters in Washington, D.C., FMCS mediators have briefed or trained business, labor, and government delegations from many countries. The FMCS itself has become the pattern for a number of newly established mediation agencies around the world.

Employment Mediation

FMCS mediates workplace or employment disputes for federal and state agencies. The majority of employment disputes arise from equal employment opportunity discrimination (EEO), personnel issues, union grievances, and workplace dispute mediation. FMCS accepts individual and multi-party conflicts for mediation and facilitation.

Training for All Employee Levels

FMCS designs and conducts a wide range of customized training in negotiation, mediation, conflict management, interagency cooperation, and other areas to build individual skills and improve workplace relationships. FMCS also provides mentoring, coaching, and consulting services to complement training programs.

Systems Design

FMCS provides professional conflict resolution specialists who work with agencies to design conflict prevention and resolution systems, and build capacity for constructive conflict management systems. Systems design may include an initial assessment, development, design, training, delivery, and program management follow-up.

Interagency Cooperation & Collaboration

FMCS provides a wide range of services including consultation, convening, facilitation, and training to help other agencies address emerging challenges in interagency and public-private cooperation. Such initiatives may involve participants from within a single agency and/or multi-agency cooperation and collaboration efforts. FMCS may work with an agency to develop a strategic intervention for a specific employee group, and this may include a workplace staff retreat and/or strategic planning facilitation services.

Regulatory Negotiations and Public Policy Dialogues

FMCS convenes and facilitates regulatory negotiations and public policy dialogues in which federal agencies work with a wide array of public and private stakeholders to draft proposed regulations and build consensus on public policies.

Our Customers

FMCS' government services are available to federal, state, and local government agencies across the country. To provide customized, local services, FMCS has field offices in over fifty cities throughout the United States. A partial list of governmental institutions with which we have worked with includes:

- Department of Homeland Security
- Department of Transportation
- Department of Agriculture
- Department of Education
- Department of Housing and Urban Development
- Department of the Interior
- Department of Commerce, U.S. Census Bureau
- Department of Veterans Affairs
- EEOC
- Internal Revenue Service
- Federal Bureau of Investigation
- Administrative Court Services
- United States Postal Service
- Office of Special Counsel
- Center for Medicare & Medicaid Services
- Department of Defense
- Department of State
- U.S. Agency for International Development
- Health & Human Services

Arbitration & Notice Processing Services

The Arbitration Services Division refers arbitrators to interested parties in the labor-management community. Notice Processing manages the acceptance and assignment of notice-of-bargaining data.

Arbitration Services

The Arbitration Office provides to requesting parties panels of arbitrators experienced in dealing with labor matters. The FMCS Office of Arbitration Services' (OAS) major responsibilities include:

- Maintaining a roster of arbitrators qualified to hear and decide labor questions in labor-management disputes,
- Providing the parties involved in collective bargaining agreements with a list of experienced panels of arbitrators, and
- Appointing arbitrators following their selection by the involved parties.

Federal labor policy promotes the use of voluntary arbitration and collective bargaining to resolve labor-management disputes between employers and represented employees. Two important features of constructive labor-management relations are voluntary arbitration and fact-finding in disputes and disagreements over establishment or modification of contract terms. As an ingredient of collective bargaining agreements, the arbitration system is an important tool in labor/management cooperation. Today, all collective bargaining agreements, in essence, contain grievance and arbitration provisions.

Notice Processing

The Notice Processing Unit has responsibility for entry of all notices and certifications received from filing parties, the NLRB and the FLRA. We maintain original documents for a period of seven fiscal years. Filed documents can be retrieved from our Archives.

Notice Processing also receives, processes and dispenses more than 25,000 notices of contract expirations required by law to the ten regions and ten Regional Directors.

Budget & Finance

The Office of Budget and Finance is responsible for budget formulation and execution, and for the FMCS financial control system. FMCS' Office of Budget and Finance has three principal responsibilities: budget formulation, its execution process, and funds control. The department handles FMCS billings, vendor payments and employee travel reimbursements.

Education & Training

The Office of Education and Training oversees the development and implementation of training and education programs for employees, and supports training and education for the labor-management community.

Guiding Principles

- (1) Education and Training actions support the FMCS strategic plan.
- (2) We serve the FMCS workforce. We take direction from FMCS leadership responsible for establishing strategic direction for the agency. We provide services to employees to enhance their capacity to respond to organizational needs.
- (3) We partner with FMCS administration and program functions to produce a workforce capable of achieving FMCS strategic goals.
- (4) We create development opportunities with government partners and private organizations to increase our capabilities and performance.

Strategic Goals:

- (1) Develop a more flexible and capable Education and Training organization that is responsive to FMCS leadership and strategic plan.
- (2) Build a competency-based, integrated system for managing employee performance.
- (3) Ensure all employees are grounded in the history and mission of the FMCS and understand their contributions to the agency's success.
- (4) Develop a workforce that is capable of responding to changing organizational and individual needs.

Equal Employment Opportunity

FMCS is committed to providing equal opportunity for all persons and to eliminating discrimination in employment because of race, color, religion, sex, age, national origin, disability, or sexual orientation. FMCS is an Equal Opportunity Employer. The Office of Equal Employment Opportunity is primarily responsible for enforcing laws and regulations that prohibit discrimination based on race, gender, religion, age, color, national origin, disability, sexual orientation, genetic information, and reprisal.

FMCS encourages applications from persons with disabilities, and will reasonably accommodate the needs of those persons. Persons with disabilities who require assistive technology (such as a Braille reader, a large print, or TTY) to access information about our services should email us at eeo@fmcs.gov or write to us at:

FMCS Office of Equal Employment Opportunity
2100 K Street Northwest
Room 212-A
Washington, DC 20427

General Counsel

The Office of the General Counsel advises the Director and his management team on legal issues, compliance and interagency negotiations, and responds to Freedom of Information Act requests.

Ethics

The Federal Mediation and Conciliation Service seeks to provide ethics leadership to all of its employees through training, education and situation-specific guidance, offering legal advice to ensure public confidence in the integrity of government officials

Human Resources

The Human Resources department manages employee hiring and payroll and benefits.

Human Resources Programs Include:

- Recruitment and Placement
- Classification and Pay Administration
- Performance Management and Incentive Awards
- Payroll

Employee Benefits and Retirement

- Employee Relations and Services
- Personnel Security
- Occupational Health and Safety
- Wellness and Employee Assistance Programs

Information Technology

The Office of Information Systems (IT/AS) is responsible for the Service's case administration, data collection, technology management, support services, and various other services.

Case Administration

IT/AS' responsibilities include serving as coordinator with field offices on case reporting and data collection, design of reports, auditing for errors or omissions, restoring cases, and searching for specific case data.

Technology Management

The Information Technology and Administrative Services office manages the collection, storage, flow and dispersion of information necessary for the effective operation of the agency's business functions.

Management Reports

IT/AS produces reports for the national office and field management regarding such data as mediator caseload, consolidated cases, trends, annual statistics, work stoppages, significant dispute cases, periodic reports of case intake and disposition and special request reports.

Administrative Services Operations

The Information Technology and Administrative Services Operations provides office space management, contracting and procurement, mail, print services, supply services, communications systems management, records and forms management to the FMCS headquarters and 69 field offices.

Labor Management Grants

The Grants Office provides financial support for the establishment and operation of joint labor-management initiatives.

Public Affairs

The Office of Public Affairs provides information about the activities, policies and procedures of the Federal Mediation and Conciliation Service (FMCS) to the news media, labor and management practitioners, other government agencies and the general public.

Regional Offices

The FMCS national network includes nearly 70 field offices

Eastern Region

Cleveland, Ohio

Regional Office

6161 Oak Tree Boulevard
Suite 120
Independence, OH 44131
(216) 520-4800
Fax: (216) 520-4815

Boston, Massachusetts

99 Summer Street
Room 510
Boston, MA 02110
(617) 424-5780
Fax: (617) 424-5781

Providence, Rhode Island

300 Jefferson Blvd.
Suite 101
Warwick, RI 02888
(401) 921-5574
Fax: (401) 921-5536

Albany, New York

15 Cornell Road
1st Floor
Latham, NY 12207
(518) 608-5424
Fax: (518) 608-5426

Harrisburg, Pennsylvania

Rossmoyne Business Center
4999 Louise Drive, Suite 302
Mechanicsburg, PA 17055
(717) 697-8700
Fax: (717) 691-8260

Woodbridge, New Jersey

Sub-regional Office

Woodbridge Place Building, Suite 3020
517 US Highway 1 South
Iselin, NJ 08830
(732) 726-3120
Fax: (732) 726-3124

Hartford, Connecticut

333 East River Drive
Suite 507
East Hartford, CT 06108
(860) 528-3121
Fax: (860) 528-3383

Philadelphia, Pennsylvania

Sub-regional Office

1601 Market Street
Suite 910
Philadelphia, PA 19103
(215) 717-7500
Fax: (215) 717-7508

Baltimore, Maryland

7240 Parkway Drive
Suite 450
Hanover, MD 21076
(410) 712-4031
Fax: (410) 712-4033

Philadelphia, Pennsylvania

1601 Market Street
Suite 910
Philadelphia, PA 19103
(215) 717-7500
Fax: (215) 717-7508

Trenton, New Jersey

Atrium Building, First Floor
133 Franklin Corner Road
Lawrenceville, NJ 08648
(609) 895-9020
Fax: (609) 895-9025

Amherst, New York

100 Corporate Parkway
Suite 134
Amherst, NY 14226
(716) 838-5097
Fax: 9716) 838-5136

Detroit, Michigan

2800 Livernois - Building D
Suite 105
Troy, MI 48083
(248) 250-9834
Fax: (248) 250-9841

Grand Rapids, Michigan

7312 Old Lantern Dr. SE
Caledonia, MI 49316
(616) 554-4879
Fax: (616) 803-0387

Saginaw, Michigan

2632 East Whippoorwill Hollow
Midland, MI 48642
(989) 835-2434
Fax: (989) 835-5060

Cincinnati, Ohio

Federal Office Building, Room 4417
550 Main Street
Cincinnati, OH 45202-3214
(513) 684-2951
Fax: (513) 357-5383

Washington, DC

2100 K Street, N.W.
Washington, DC 20427
(202) 606-9140
Fax: (202) 606-5103

Battle Creek, Michigan

327 Pine Knoll Drive
Unit 1B
Battle Creek, MI 49014
(269) 965-3026
Fax: (269) 965-7035

Erie, Pennsylvania

410 Cranberry - Suite 110
Bayview Office Park
Erie, PA 16507
(814) 455-5753
Fax: (814) 455-5769

Pittsburgh, Pennsylvania

One Oxford Centre, Suite 2570
301 Grant Street
Pittsburgh, PA 15219-1408
(412) 235-7440
Fax: (412) 235-7451

Syracuse, New York

James M. Hanley U.S. Courthouse & Fed. Bldg.
100 South Clinton Street, Room 840
Syracuse, NY 13261-7129
(315) 448-7631
Fax: (315) 448-7632

Columbus, Ohio

2550 Corporate Exchange Drive
Corporate Exchange Building, Suite 110
Columbus, OH 43231-7659
(614) 794-9047
Fax: (614)794-5998

Dayton, Ohio

Sand Lake Plaza, Suite 100
6450 Poe Avenue
Dayton, OH 45414
(937) 225-2891
Fax: (937) 225-2987

Toledo, Ohio

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Perrysburg, OH 43552-0865
(419) 931-4320
Fax: (419) 931-4325

Atlanta, Georgia

401 W. Peachtree Street, NW
Suite 472
Atlanta, GA 30308-3510
(404) 331-3958
Fax: (404) 331-4017

Charlotte, North Carolina

205 Regency Executive Parkway
Suite 440-B
Charlotte, NC 28217
(704) 522-3818
Fax: (704) 522-3849

Louisville, Kentucky

Fern Creek Office Condominium
5813 Bardstown Rd., Suite 105
Louisville, KY 40291
(502) 582-5207
Fax: (502) 762-9786

Miami, Florida

Dolphin Building, Suite 100
14411 Commerce Way
Miami Lakes, FL 33016-1596
(305) 231-7378
Fax: (305) 231-0166

South Charleston, WV

114 Estate Lane
South Charleston, WV 25309
(304) 744-1633
Fax: (304) 347-5274

Orlando, Florida

Sub-regional Office
3452 Lake Lynda Drive
Suite 122
Orlando, FL 32817-1472
(407) 730-4661
Fax: (407) 382-3727

Birmingham, Alabama

Two North Twentieth Building
Suite 1110
Birmingham, AL 35203
(205) 731-0482
Fax: (205) 731-0484

Chesapeake, Virginia

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#105
Portsmouth, VA 23703
757-484-6461
Fax: 757-484-6462

Memphis, Tennessee

Eaglecrest Building, Suite 2054
225 Humphreys Boulevard
Memphis, TN 38120
(901) 747-3442
Fax: (901) 747-4726

Nashville, Tennessee

617 Potomac Place
Suite 405
Smyrna, TN 37167
(615) 223-6917
Fax: (615) 223-7262

Orlando, Florida

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Orlando, FL 32817-1472
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Dallas, Texas

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Suite 330
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(972) 929-7178
Fax: (972) 929-2261

Houston, Texas

8866 Gulf Freeway
Suite 290
Houston, TX 77017
(713) 946-9492
Fax: (713) 946-9496

Kansas City, Missouri

2345 Grand Boulevard
Suite 625
Kansas City, MO 64108
(816) 426-2030
Fax: (816) 426-2033

Metairie, Louisiana

1010 Greentree Avenue
Metairie, LA 70001
(504) 833-0091
Fax: (504) 218-7908

San Antonio, Texas

1514 Adobe Spring Drive
San Antonio, TX 78232
(210) 375-8426
Fax: (210) 491-3813

Wichita, Kansas

301 North Main Street
Suite 400
Wichita, KS 67202-2000
(316) 269-7039
Fax: (316) 269-7174

Seattle, Washington**Sub-regional Office**

Westin Building, Suite 2500
2001 Sixth Avenue
Seattle, WA 98121
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Denver, Colorado

4380 South Syracuse Street
Westgold Centre, Suite 508
Denver, CO 80237
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Fax: (303) 784-6527

Portland, Oregon

620 SW Main Street
Room 6060
Portland, OR 97205
(503) 326-2178
Fax: (503) 326-5031

Los Angeles, California**Sub-regional Office**

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Glendale, CA 91203
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Fax: (818) 409-1321

Los Angeles, California

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Fax: (818) 409 1321

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Albuquerque, NM 87114
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Phoenix, Arizona

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Phoenix, AZ 85012
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Fax: (602) 640-2314

Oakland, California

Airport Corporate Centre, Suite 550
7677 Oakport St.
Oakland, CA 94621
(510) 273-0100
Fax: (510) 273-0102

Seattle, Washington

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Westin Building, Suite 2500
Seattle, WA 98121
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Fax: (2206) 553-6653

Anaheim, California

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Anaheim, CA 92805
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Bakersfield, California

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Bakersfield, CA 93312
661-588-7010

Las Vegas, Nevada

110 City Parkway
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Las Vegas, NV 89106
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Honolulu, Hawaii

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Honolulu, HI 96850
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San Diego, California

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2126 North Perryville Road
Rockford, IL 61107
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Cedar Rapids, Iowa

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3343 Southgate Court, SW
Cedar Rapids, IA 52404
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Fax: (319) 364-3153

Green Bay, Wisconsin

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Indianapolis, Indiana

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(317) 883-0382
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Peoria, IL 61602
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Minneapolis, Minnesota

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Fax: (612) 331-5272

Des Moines, Iowa

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3rd Floor, Room 302
Des Moines, IA 50309
(515) 280-6947
Fax: (515) 247-0109

Omaha, Nebraska

Central Park Plaza, Three North
222 South 15th Street, Suite 382
Omaha, NE 68102
(402) 221-3555
Fax: (402) 221-3556

No FEAR Act Reporting

The No FEAR Act, Public Law 107-174, requires federal agencies to be publicly accountable for violations of Antidiscrimination and Whistleblower Protection laws. Federal agencies must post both quarterly and annual statistical data for federal sector EEO complaints on its public website, reimburse the Treasury Judgment Fund (Judgment Fund) for any payments made, and notify employees and applicants for employment about their rights under Antidiscrimination and Whistleblower Protection laws.

The No FEAR Act and its implementing regulations also require federal agencies to report annually on the following:

- The number of Federal Court cases arising under the respective areas of law cited in the No FEAR Act where discrimination was alleged, the status or disposition of cases, and the amount required to be reimbursed to the Judgment Fund;
- The number of employees disciplined for discrimination, retaliation, harassment, or any other infraction of any provision of law referred to under the Act, and specific nature of the disciplinary action taken, separated by provisions of law;
- The final year-end data on discrimination complaints for the fiscal year;
- A detailed description of agency policy relating to appropriate disciplinary actions;
- An analysis of trends, causation, and practical knowledge gained through experience;
- Actions planned or taken to improve complaint or civil rights programs; and
- Any adjustments to the budget.

Pursuant to congressional and statutory requirements, this report is being provided to the following:

- Speaker of the U.S. House of Representatives
- President Pro Tempore of the U.S. Senate
- Committee on Governmental Affairs, U.S. Senate
- Committee on Government Reform, U.S. House of Representatives
- Each Committee of Congress with jurisdiction relating to the agency
- Chair, Equal Employment Opportunity Commission
- Attorney General
- Director, U.S. Office of Personnel Management

We applaud the work that is done each day at the FMCS and look forward to creating a model workplace for all employees to thrive.

Denise Patterson McKenney, Director
Equal Employment Opportunity Program
Federal Mediation & Conciliation Service

Executive Summary

The No FEAR Act aims to reduce the incidents of workplace discrimination within the federal government by holding agencies and departments accountable for their actions. Section 203 of the No FEAR Act and the Office of Personnel Management (OPM) regulations implementing Title II of the No FEAR Act require each federal agency to prepare and submit an annual report. Toward that end,

this report covers information for FY 2015

Data and Results

This report is prepared in accordance with Section 203 (a) (1) of the No FEAR Act which requires federal agencies to 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 (a) in which discrimination on the part of such agency was alleged.

Complaint Activity and Disposition

During fiscal year 2015, FMCS reported one (1) complaint of discrimination based on non-selection. The basis was sex (female)

Judgment Fund Reimbursements and Budget Adjustments

OPM published regulations clarifying agency reimbursement provisions of Title II of the No FEAR Act. OPM's rules require agencies to reimburse the Judgment Fund for payments made in connection with proceedings involving Federal antidiscrimination and whistleblower protection laws. During fiscal year 2015, FMCS had no cases requiring reimbursements to the Judgement Fund for Federal Court cases with claims involving antidiscrimination and whistleblower protection laws.

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 violations of law covered by the No Fear Act. Further, the No FEAR Act requires that with respect to each such law, the Federal agency report on the number of employees who were disciplined in accordance with such policy and the specific nature of the disciplinary action taken. During FY 2015 the FMCS took no disciplinary action against any employee because of discrimination, retaliation, harassment, or any other infraction of any provision of law referred to in paragraph(1). Further, FMCS has not taken disciplinary action against any employee because of any violation of Anti-discrimination or Whistleblower protection laws included in the No FEAR Act.

Trend Analysis for EEO Complaint Data

There have been (5) EEO cases since the fiscal year 2011 reporting period. The majority of these cases represent alleged discrimination based on race and color. There has been one (1) with gender (female) as a basis.

Complaint Activity

During fiscal year 2015 there was one (1) EEO complaint filed as a result on non-selection. The basis of the case was gender (female).FMCS averages between one (1) to three (3) EEO complaints per fiscal year. One (1) case during the five year fiscal year reporting period (fiscal year 2011 through fiscal year 2015) was raised on the basis of reprisal for having filed an EEO complaint (2012).

FMCS continually seeks to improve its processes for preventing and addressing discrimination. This includes: offering training for staff and senior level management; sponsoring agency events to improve morale; celebrating special emphasis observances; and improving the agency's EEO policies and procedures.

Complaints by Bases and Issues

There were two (2) complaints filed during the (5) reporting fiscal years. In fiscal year 2014 a complaint was filed on the bases on race (black) and national origin (Jamaican) and sex (female). The basis for the fiscal year 2015 complaint was sex (female).

Processing Time

Our case processing time has been slightly above the 180 (by 20 days) requirement for investigation. These investigations have been tardy in processing due to contract investigator delay (fiscal year 2014) and a period of transience on the part of the complainant also in fiscal year 2014.

Final Actions Finding Discrimination

During this reporting period, FMCS had no final actions finding discrimination.

Pending Complaints

During this reporting period, there are no pending cases or appeals to the EEOC.

Complaint Investigations

During fiscal year 2015 there were no cases sent to investigation

No FEAR Act Training

In compliance with the recurring training and documentation requirements of 5 C.F.R. § 724.203(b) and (d), FMCS has provided annual No FEAR Act training along with the annual EEO training for employees and management. No Fear Act training is provided annually via webinar and provided to new employees via DVD within the first 30 days of employment.

Practical knowledge Gained through Experience

At FMCS, the EEO Director has partnered with senior management to settle workplace conflict while it is in its pre-complaint stage by engaging in facilitated dialogue. We encourage employees to communicate with each other and to attempt to resolve the dispute at the lowest level. Any employee is welcome to either call or stop by the EEO office to discuss any aspect of the working environment that gives them pause, or may be construed as discrimination

Conclusion

FMCS has done an excellent job in creating a workplace free from discrimination. As the government's premier mediation agency, we strive to provide employees with information regarding Equal Employment Opportunity and the No FEAR Act through lunch and learn workshops, Adobe Connect training, open lines of communication and transparency in hiring and promotional opportunities. We will continue to make FMCS one of the best places to work in government.

Pursuant to congressional and statutory requirements, this report is being provided to the following:

- **Speaker of the U.S. House of Representatives**
- **President Pro Tempore of the U.S. Senate**
- **Committee on Governmental Affairs, U.S. Senate**
- **Committee on Government Reform, U.S. House of Representatives**
- **Each committee of Congress with jurisdiction relating to the agency,**

***Pursuant to the No FEAR Act, the report is also being provided to the Chair of the U.S. Equal Employment Opportunity Commission (EEOC), the Attorney General of the U.S. Department of Justice (USDOJ), and the Director of the U.S. Office of Personnel Management (OPM).**