Annual Report for Fiscal Year 2020:

Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002

Prepared for

Speaker of the House of Representatives
President Pro Tempore of the Senate
Senate Committee on Homeland Security and Governmental Affairs
House Committee on Oversight and Reform
Senate Committee on Banking, Housing, and Urban Affairs
House Committee on Financial Services
House Appropriations Committee
Senate Appropriations Committee
Equal Employment Opportunity Commission
Office of Personnel Management
Attorney General

Export-Import Bank of the United States

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A. Introduction

This report is prepared by the Export-Import Bank of the United States (EXIM) in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act, or the Act; P.L. 107-174, as amended).

The Act holds federal agencies accountable for violations of antidiscrimination and whistleblower protection laws relating to federal employment. The report contains data and analysis concerning equal employment opportunity (EEO) complaints activity at EXIM, including federal court cases and resulting disciplinary actions during Fiscal Year (FY) 2020.

Consistent with federal law and agency policy, EXIM prohibits discrimination in the workplace. EXIM is committed to maintaining an environment that provides equal employment opportunity for all its employees as well as applicants for employment.

B. Federal Court Cases Arising Under the Federal Antidiscrimination or Whistleblower Laws

1. The Number of Federal Court Cases Pending or Resolved in FY 2020

As shown in Table 1, one federal court case under Title VII was resolved in Fiscal Year 2020.

Table 1: Federal Court Cases Pending or Resolved in FY 2020, by Statute

Statute	
Title VII of the Civil Rights Act of 1964	1
Age Discrimination in Employment Act of 1967	0
Rehabilitation Act of 1973	0
Whistleblower Protection Act	0
Equal Pay Act of 1963	0

2. Status or Disposition of Federal Court Cases Including the Amount of Money Required to be Reimbursed to the Judgment Fund and Any Budget Adjustments Relating to the Judgment Fund

Table 2 shows the status and disposition of federal court cases under federal antidiscrimination or whistleblower laws, by statute, in Fiscal Year 2020.

As a government corporation, EXIM has corporate funds available to pay judgments and settlements. During FY 2020, EXIM paid no settlements to the Judgment Fund, nor did it make any budget adjustments relating to the Judgment Fund.

Table 2: Status of Federal Court Cases Pending in FY 2020, by Statute

Title VII of the Civil Rights Act of 1964	
Pending	0
Dismissed	0
Settled	1
Age Discrimination Employment Act of 1967	
Pending	0
Dismissed	0
Settled	0
Rehabilitation Act of 1973	
Pending	0
Dismissed	0
Settled	0
Whistleblower Protection Act	
Pending	0
Dismissed	0
Settled	0
Equal Pay Act of 1963	
Pending	0
Dismissed	0
Settled	0

C. Employees Disciplined for Conduct Inconsistent with Federal Antidiscrimination or Whistleblower Laws

Table 3 shows the number of findings of conduct inconsistent with federal antidiscrimination or whistleblower laws and the number of employees disciplined for such conduct in FY 2020. The table shows no findings of such conduct and no employees disciplined for such conduct.

Table 3: Employees Disciplined for Conduct Inconsistent with Federal Antidiscrimination or Whistleblower Laws in FY 2020

Employees Disciplined in Connection with Federal Court Cases	
Findings	0
Employees Disciplined	0

Employees Disciplined Whether or Not in Connection with Federal Court Cases Number of Employees Disciplined	
Employees Disciplined	0

D. Final Year-End No FEAR Act Data for FY 2020

Attached as Appendix 1 is EXIM's final year-end No FEAR Act Data for FY 2020.

E. EXIM's Discipline Policy for Conduct Inconsistent with Federal Antidiscrimination or Whistleblower Laws

EXIM is committed to maintaining a workplace that promotes productivity, professionalism, and an environment that protects the dignity of all its workers. EXIM issues policy statements, which periodically are sent to all its employees and contractors. The statements provide that any harassment of, or by, EXIM employees, sexual or non-sexual, is expressly prohibited and will not be tolerated. Further, they provide that employees who engage in discriminatory or harassing behavior may be subject to appropriate corrective action. See Appendix 2: EEO Policy Statement (March 6, 2020) and Appendix 3: Anti-Harassment Policy Statement (March 10, 2020).

F. Data Analysis

During FY 2020, EXIM employees filed five formal complaints of discrimination compared to three formal complaints filed the previous year. The number of people filing complaints increased to four individuals from three. There was one repeat filer this year.

An analysis of the FY 2020 complaint data reveals that the leading basis for formal complaints was *disability* (three cases). *Religion*, *sex, age,* and *reprisal* were raised in one case each.

The leading issues for formal complaints in FY 2020 were *assignment of duties* and *harassment (non-sexual),* which were each raised in two cases. No other issue was raised more than once during the reporting period.

1. Trends

a. The number of complaints has generally been low. The number of cases this year (five) is less than 2016 and 2018, but above 2017 and 2019.

b. The largest decrease in an alleged basis was in *performance evaluation/appraisal.* The basis was claimed three times in FY 2019 as opposed to once in FY 2020, representing a 66% decrease in its occurrence. *Time and attendance* saw a 50% drop in occurrence from two cases in FY 2019 to only one case in the current reporting period.

c. During FY 2020, there were increases in issues relating to disciplinary action, namely *reprimand, suspension,* and *removal*. These issues did not occur during the previous year. While there was an increase in these occurrences, they were slight, being alleged in only one case each.

   Assignment of duties experienced an increase from no cases in the previous year to two cases in FY 2020. Similarly, other bases that did not appear last year that had occurrences in FY 2020 are *religion, pay, promotion/non-selection, training,* and *appointment/hire*. These bases each occurred in one case in the current reporting period.

d. For complaint processing, FY 2020 reflected an increase in the average number of days in the formal complaint investigation stage. The average number of days to investigate a formal complaint increased from 147 in FY 2019 to 165 in FY 2020. No cases were dismissed in FY 2020. This has held steady for the past year.

2. Causal Analysis

In FY 2020, EXIM saw an increase in the number of complaints filed against it. Because EXIM is a small agency with approximately 400 employees, it is difficult to determine whether and what systemic issues may have led to the increase in complaints. Part of the increase is associated with a repeat filer. In addition, the COVID-19 pandemic presented unique challenges in workplace and work-flow adaptation. EXIM reviews complaint activity and trends to help identify areas where staff may benefit from enhanced training and awareness campaigns. EXIM is considering obtaining complaint tracking and reporting software to strengthen its monitoring efforts.

3. Knowledge Gained

EXIM recognizes reduced participation of Alternative Dispute Resolution (ADR) can potentially contribute to a higher case load in the future. EXIM is refocusing efforts to increase participation in ADR during the complaint process, particularly in the early stages. The agency and its leadership will continue to train managers and employees about the benefits of ADR.

4. Actions Planned to Improve EXIM's Equal Employment Opportunity Program

EXIM initiatives relating to EEO planned for FY 2021 include:

- Expand knowledge of and participation in the EEO Alternative Dispute Resolution program.
- Provide additional EEO training on areas identified through barrier and trends analyses.
- Enhance constructive collaborative departmental partnerships within EXIM to continue integration of EEO into the EXIM's strategic operations.
- Provide targeted training on anti-harassment to be conducted

by the Office of Equal Employment Opportunity for managers and supervisors.

- Establish a Disability Affirmative Employment Committee.
- Collaborate with Human Capital on initiatives relating to quality of life issues for employees.

G. No FEAR Act Training Plan

During FY 2021, EXIM will conduct No FEAR Act training for all new employees. EXIM will also continue to deploy semiannual training for current employees as required.

Equal Employment Opportunity Data Posted
Pursuant to the No Fear Act:

EXIM

For the period ending September 30, 2020

Complaint Activity	Comparative Data					
	Previous Fiscal Year Data					2020 Thru 30-Sep
	2015	2016	2017	2018	2019	
Number of Complaints Filed	3	9	2	11	3	5
Number of Complainants	3	9	2	11	3	4
Repeat Filers	0	1	0	0	0	1

Complaints by Basis	Comparative Data					
	Previous Fiscal Year Data					2020 Thru 30-Sep
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.	2015	2016	2017	2018	2019	
Race	1	3	1	11	1	0
Color	1	1	0	1	0	0
Religion	0	1	1	2	0	1
Reprisal	4	5	1	6	2	1
Sex	0	3	1	9	3	1
PDA	0	0	1	0	0	0
National Origin	2	4	0	4	1	0
Equal Pay Act	0	0	0	0	0	0
Age	2	3	2	6	3	1
Disability	0	3	3	7	2	3
Genetics	0	0	0	0	0	0
Non-EEO	0	2	0	0	0	0

Complaints by Issue	Comparative Data					
	Previous Fiscal Year Data					2020 Thru 30-Sep
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.	2015	2016	2017	2018	2019	
Appointment/Hire	0	0	0	0	0	1
Assignment of Duties	0	0	4	0	0	2
Awards	0	0	0	0	0	0
Conversion to Full Time/Perm Status	0	0	0	0	0	0
Disciplinary Action						
Demotion	0	0	0	0	0	0
Reprimand	0	0	0	0	0	1
Suspension	0	1	0	0	0	1
Removal	0	0	1	1	0	1
Other	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0
Perf. Eval./ Appraisal	1	3	0	2	3	1
Examination/Test	0	0	0	0	0	0
Harassment						
Non-Sexual	0	3	0	3	2	2
Sexual	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0
Pay including overtime	1	0	0	0	0	1
Promotion/Non-Selection	0	2	0	4	0	1
Reassignment						

Denied	0	0	0	0	0	0
Directed	0	0	0	1	0	0
Reasonable Accommodation Disability	0	1	2	3	0	0
Reinstatement	0	0	0	0	0	0
Religious Accommodation	0	0	0	0	0	1
Retirement	0	1	0	0	0	0
	0	0	0	0	0	0
Telework	0	0	0	0	0	0
Termination	0	0	0	1	0	0
Terms/Conditions of Employment	2	2	1	5	0	0
Time and Attendance	3	0	0	1	2	1
Training	0	1	0	0	0	1
Other						
User Defined - Other 1	0	0	0	0	0	0
Other	0	0	1	3	0	0
User Defined - Other 3	0	0	0	0	0	0
User Defined - Other 4	0	0	0	0	0	0

	Comparative Data					
	Previous Fiscal Year Data					2020 Thru 30-Sep
Processing Time	**2015**	**2016**	**2017**	**2018**	**2019**	
Complaints pending during fiscal year						
Average number of days in investigation	362.9	218	218	174.93	147	165.7
Average number of days in final action	0	0	0	0	68.29	109.1
Complaint pending during fiscal year where hearing was requested						
Average number of days in investigation	0	1205	171	177.8	181.75	175.3
Average number of days in final action	0	1205	86	24.25	120	50
Complaint pending during fiscal year where hearing was not requested						
Average number of days in investigation	0	541	173.5	0	0	127
Average number of days in final action	0	0	127	0	0	90

	Comparative Data					
	Previous Fiscal Year Data					2020 Thru 30-Sep
Complaints Dismissed by Agency	**2015**	**2016**	**2017**	**2018**	**2019**	
Total Complaints Dismissed by Agency	0	0	3	10	0	0
Average days pending prior to dismissal	0	0	123	49	0	0
Total Complaints Withdrawn by Complainants	0	1	4	8	0	1

	Comparative Data											
	Previous Fiscal Year Data										2020 Thru 30-Sep	
	2015		2016		2017		2018		2019			
Total Final Agency Actions Finding Discrimination	**#**	**%**	**#**	**%**	**#**	**%**	**#**	**%**	**#**	**%**	**#**	**%**
Total Number Findings	0		0		0		0		0		0	
Without Hearing	0	0	0	0	0	0	0	0	0	0	0	0
With Hearing	0	0	0	0	0	0	0	0	0	0	0	0

	Comparative Data											
	Previous Fiscal Year Data										2020 Thru 30-Sep	
Findings of Discrimination Rendered by Basis	2015		2016		2017		2018		2019			
Note: Complaints can be filed alleging multiple bases.												
The sum of the bases may not equal total complaints and findings.	**#**	**%**	**#**	**%**	**#**	**%**	**#**	**%**	**#**	**%**	**#**	**%**
Total Number Findings	0		0		0		0		0		0	
Race	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0

Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0
Findings After Hearing	0		0		0		0		0		0	
Race	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing	0		0		0		0		0		0	
Race	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0

	Comparative Data											
	Previous Fiscal Year Data										2020 Thru 30-Sep	
	2015		2016		2017		2018		2019			
Findings of Discrimination Rendered by Issue	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0		1		0		0		0		0	
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full Time/Perm Status	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action												
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
Perf. Eval./ Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment												
Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay including overtime	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment												

Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation Disability	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Religious Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Sex-Stereotyping	0	0	0	0	0	0	0	0	0	0	0	0
Telework	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other - User Define												
User Defined - Other 1	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
User Defined - Other 3	0	0	0	0	0	0	0	0	0	0	0	0
User Defined - Other 4	0	0	0	0	0	0	0	0	0	0	0	0
Findings After Hearing	1		0		0		0		0		0	
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full Time/Perm Status	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action												
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
Perf. Eval./ Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment												
Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay including overtime	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment												
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation Disability	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Religious Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Sex-Stereotyping	0	0	0	0	0	0	0	0	0	0	0	0
Telework	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other - User Define												
User Defined - Other 1	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
User Defined - Other 3	0	0	0	0	0	0	0	0	0	0	0	0
User Defined - Other 4	0	0	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing	0		0		0		0		0		0	
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0

Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full Time/Perm Status	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action												
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
Perf. Eval./ Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment												
Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay including overtime	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment												
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation Disability	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Religious Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Sex-Stereotyping	0	0	0	0	0	0	0	0	0	0	0	0
Telework	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other - User Define												
User Defined - Other 1	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
User Defined - Other 3	0	0	0	0	0	0	0	0	0	0	0	0
User Defined - Other 4	0	0	0	0	0	0	0	0	0	0	0	0

	Comparative Data					
	Previous Fiscal Year Data					2020 Thru
Pending Complaints Filed in Previous Fiscal Years by Status	**2015**	**2016**	**2017**	**2018**	**2019**	**30-Sep**
Total complaints from previous Fiscal Years	25	47	55	22	15	0
Total Complainants	22	40	48	19	15	0
Number complaints pending						
Investigation	2	13	2	0	1	0
ROI issued, pending Complainant's action	0	0	0	0	1	0
Hearing	22	31	49	19	8	0
Final Agency Action	0	0	1	3	0	0
Appeal with EEOC Office of Federal Operations	7	10	9	9	5	2

	Comparative Data					
	Previous Fiscal Year Data					2020 Thru
Complaint Investigations	**2015**	**2016**	**2017**	**2018**	**2019**	**30-Sep**
Pending Complaints Where Investigations Exceed Required Time Frames	0	1	1	0	0	0

EXIM
EXPORT-IMPORT BANK
OF THE UNITED STATES

MEMORANDUM

DATE: March 6, 2020

TO: All Export-Import Bank of the United States Employees

FROM: Kimberly A. Reed, President and Chairman KR

SUBJECT: Equal Employment Opportunity (EEO) Policy Statement

The Export-Import Bank of the United States (EXIM) is the official export credit agency of the United States. EXIM is an independent, self-sustaining federal agency that exists to support American jobs by facilitating the export of U.S. goods and services. For EXIM to do its job well, we must strive for inclusion, cooperation, and respect for the talents that a diverse workforce can bring to a successful agency.

EXIM is committed to ensuring that its employees and applicants for employment are treated fairly in an environment that is free from discrimination based on race, color, religion, sex (including gender identity, sexual orientation, and pregnancy), national origin, age (40 or older), disability, or genetic information. Employees and applicants who believe they may have been discriminated against based on their membership in any of these protected classes, or who believe they may have been retaliated against for participation in the Equal Employment Opportunity (EEO) process or opposing any practice made unlawful under EEO laws, should contact the Office of Equal Employment Opportunity as discussed below.

If you believe you may have been subject to discrimination or retaliation, you should contact EEO Director Craig Cassidy at extension x3331 or at Craig.Cassidy@exim.gov immediately. If you decide to initiate the EEO complaint process, you must do so within 45 calendar days of the incident or the date you became aware of the incident. When an aggrieved person elects to initiate the complaint process and where the EEO Office deems it appropriate, alternative dispute resolution (ADR) may be used to attempt resolution of the matter.

All EXIM employees are responsible for exhibiting professional conduct and behavior in the workplace and cooperating in the enforcement of this policy. Individuals engaging in conduct or behavior that violates this policy may be subject to appropriate disciplinary action up to, and including, removal from Federal service.

It is EXIM's goal to maintain avenues for full participation in its mission to support American exporters and the U.S. economy, and to hold true to our values of: integrity, stewardship, accountability, inclusivity, and leadership.

EXIM
EXPORT-IMPORT BANK
OF THE UNITED STATES

MEMORANDUM

DATE: March 10, 2020

TO: All Export-Import Bank of the United States Employees

FROM: Kimberly A. Reed, President and Chairman

SUBJECT: Anti-Harassment Policy Statement

The Export-Import Bank of the United States (EXIM or agency) is the official export credit agency of the United States. EXIM is an independent, self-sustaining federal agency that exists to support American jobs by facilitating the export of U.S. goods and services. For EXIM to do its job well, we must ensure a professional working environment, engage in respectful behavior and maintain the highest standard of conduct. This includes refraining from committing as any harassing and discriminatory behavior and reporting such behavior in the event it occurs. EXIM does not permit harassing conduct by anyone in the workplace.

Harassment is unwelcome conduct that is based on race, color, religion, sex (including pregnancy, sexual orientation or gender identity), national origin, age (40 or older), disability or genetic information. Harassment becomes unlawful when it alters the conditions of employment either by: 1) culminating in a tangible employment action, or 2) the harassing conduct is severe or pervasive enough to create a hostile work environment.

Petty slights, annoyances, and isolated incidents (unless extremely serious) will not rise to the level of illegality. To be unlawful, the conduct must create a work environment that would be intimidating, hostile, or offensive to reasonable people. Offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance.

Any employee who experiences or witnesses harassing conduct should promptly report the matter to their supervisor, another manager or supervisor, the Chief of the Human Capital Division or the Office of Inspector General (OIG). In addition, employees may initiate an equal employment opportunity (EEO) complaint based on their membership in one or more protected bases by contacting the Office of Equal Employment Opportunity Director and initiating the EEO process within 45 days of the alleged harassment.

Upon receipt of a report of harassment, the supervisor or manager will consult with the appropriate office and ensure that a prompt, thorough, impartial and appropriate inquiry is

conducted; and recommend appropriate action to stop any harassing conduct and prevent further harassment. If the inquiry determines that harassment occurred, the agency will take immediate and proportionate corrective action.

The identity of the individual who submits a report, a witness who provides information regarding a report, and the target of the complaint, will be kept confidential with a thorough and impartial inquiry. Any information gathered as part of an inquiry will be kept confidential consistent with a thorough and impartial inquiry.

An individual who submits a report (either of harassment experienced or observed) or a witness who provides information regarding a report will be protected from retaliation. Any employee who retaliates against any individual who submits a report or provides information regarding a report will be disciplined appropriately.

All EXIM employees are responsible for exhibiting professional conduct and behavior in the workplace and cooperating in the enforcement of this policy. Individuals engaging in conduct or behavior that violates this policy may be subject to appropriate disciplinary action up to, and including, removal from Federal service.

It is an important goal at EXIM to maintain avenues for full participation in its mission to support American jobs by facilitating U.S. exports, and to hold true to our agency's values of: integrity, stewardship, accountability, inclusivity, and leadership.