

**EQUAL OPPORTUNITY DATA REQUIRED TO BE POSTED BY THE NO FEAR ACT**  
**Equal Employment Opportunity Formal Discrimination Complaints**  
**U. S. DEPARTMENT OF AGRICULTURE (Fiscal Year 2003)**  
Reporting Period Beginning: **10/1/02** and Ending: **09/30/03** Posting Date: **7/29/05**  
Agency: **All USDA**

<b>1. The number of complaints filed: 663</b>		<b>2. Number of Filers</b> (The number of individuals filing those complaints): <b>586</b>		<b>3. Number of Repeat Filers</b> (The number of individuals who filed 2 or more complaints): <b>61</b>	
<b>4. Number of BASES Alleged in Complaints Filed for the Reporting Period</b> (The number of those complaints raising each of the various bases of alleged discrimination.)					
<b>BASIS</b>		<b>Number</b>	<b>BASIS</b>		<b>Number</b>
a. <b>RACE</b>	Black	145	e. <b>NATIONAL ORIGIN</b>	Hispanic	39
	White	58		Other	49
	American Indian & Alaskan Native	17	f. <b>DISABILITY</b>	Physical	94
	Asian & Pacific Islander	17		Mental	32
	Other	39		Both	8
b. <b>COLOR</b>		45	g. <b>AGE</b>		178
c. <b>RELIGION</b>		38	h. <b>RETALIATION</b>		274
d. <b>SEX (including Equal Pay Act)</b>	Male	82	i. <b>NON-EEOC REPORTABLE BASES</b>		42
	Female	109			
<b>Total</b>					<b>1266</b>
<b>5. Number of ISSUES Alleged in Complaints Filed for the Reporting Period</b> (The number of those complaints raising each of the various issues of alleged discrimination.)					
<b>ISSUES</b>		<b>Number</b>	<b>ISSUES</b>		<b>Number</b>
a. <b>APPOINTMENT/HIRE</b>		8	j. <b>TRAINING</b>		26
b. <b>ASSIGNMENT OF DUTIES</b>		41	k. <b>TIME &amp; ATTENDANCE</b>		16
c. <b>AWARDS</b>		8	l. <b>TERMINATION</b>		43
d. <b>CONVERSION TO FULL-TIME</b>			m. <b>MEDICAL EXAMINATION</b>		
e. <b>DISCIPLINARY ACTION</b>		85	n. <b>PAY, INCLUDING OVERTIME</b>		5
Demotion		(3)	o. <b>PROMOTION/NON-SELECTION</b>		210
Reprimand		(17)	p. <b>HARASSMENT</b>		196
Suspension		(30)	Sexual		(23)
Removal		(6)	Non-Sexual		(173)
Miscellaneous		(29)	q. <b>REINSTATEMENT</b>		
f. <b>DUTY HOURS</b>		9	r. <b>RETIREMENT</b>		2
g. <b>EVALUATION/APPRAISAL</b>		44	s. <b>TERMS/CONDITIONS OF EMPLOYMENT</b>		58
h. <b>EXAMINATION/TEST</b>			t. <b>REASONABLE ACCOMODATION</b>		41
i. <b>REASSIGNMENT</b>		36	u. <b>OTHER</b>		100
<b>Total</b>					<b>928</b>
<b>6. Average Length of Time to Complete Each Stage of the Complaint Process:</b>			<b>Number of Complaints</b>	<b>Average Number of Processing Days</b>	
a. <b>INVESTIGATION</b>			479	340	
b. <b>FINAL AGENCY ACTION-WITH EEOC HEARING</b>			98	1098	
c. <b>FINAL AGENCY ACTION-WITHOUT EEOC HEARING</b>			189	1255	
d. <b>DISMISSALS</b>			53	501	
e. <b>SETTLEMENT AGREEMENTS</b>			232	705	
f. <b>WITHDRAWALS</b>			60	465	
<b>7. Final Agency Actions Involving a Finding of Discrimination.</b>			<b>Number of Complaints with a Finding of Discrimination</b>	<b>Percent of Complaints with a Finding of Discrimination</b>	
a. <b>Without an EEOC Administrative Hearing</b>			3	60%	
b. <b>With an EEOC Administrative Hearing</b>			2	40%	
<b>Totals</b>			<b>5</b>	<b>100%</b>	

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8. Final Agency Actions With a Finding of Discrimination by Basis.		Number of Bases with an EEOC Hearing	Percent of Bases with an EEOC Hearing	Number of Bases without an EEOC Hearing	Percent of Bases without an EEOC Hearing	Total Number of Bases	Total Percent of Bases
<b>Race</b>	Black	2	28.6%			2	18.2%
	White						
	American Indian & Alaskan Native						
	Asian & Pacific Islander						
	Unidentified	1	14.3%			1	9.1%
<b>Color</b>							
<b>Religion</b>							
<b>Sex (Including Equal Pay Act)</b>	Male	1	14.3%			1	9.1%
	Female	3	42.8%	2	50%	5	45.4%
<b>National Origin</b>	Hispanic						
	Other						
<b>Age</b>							
<b>Disability</b>	Physical						
	Mental						
	Both						
<b>Retaliation</b>				2	50%	2	18.2%
<b>Non-EEOC Reportable Complaints</b>							
<b>Total</b>		<b>7</b>	<b>100%</b>	<b>4</b>	<b>100%</b>	<b>11</b>	<b>100%</b>

**9. Summary of EEO Active Complaints at the End of the Period Filed in Current and Previous Fiscal Years** (The total number of complaints pending for any length of time.)

	(1 + 2) Total number of pending complaints	(1) Total number of complaints filed in the current fiscal year	(2) Total number of complaints first filed before the start of the current fiscal year	Number of individuals who filed complaints in prior fiscal years
a. Acceptance/Dismissal	433	381	52	66
b. Investigation	176	137	39	40
c. Hearing	523	45	478	306
d. Final Agency Action	590	22	568	424
e. Appeal	394	70	324	141
<b>f. Totals</b>	<b>2116</b>	<b>655</b>	<b>1461</b>	<b>977</b>

g. Number of complaints in abeyance pending resolution of class complaints: 101

10. Final Agency Actions with a Finding of Discrimination by Issues.	Number of Issues With an EEOC Hearing	Percent of Issues With an EEOC Hearing	Number of Issues Without an EEOC Hearing	Percent of Issue Without an EEOC Hearing
<b>Appointment/Hire</b>				
<b>Assignment of Duties</b>				
<b>Awards</b>				
<b>Conversion to Full-Time</b>				

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<b>Disciplinary Action</b>	Demotion				
	Reprimand				
	Suspension	1	33%		
	Removal				
	Miscellaneous				
<b>Duty Hours</b>					
<b>Evaluation Appraisal</b>					
<b>Examination/Test</b>					
<b>Harassment</b>	Sexual				
	Non-sexual			1	25%
<b>Medical Examination</b>					
<b>Pay, Including Overtime</b>					
<b>Promotion/Non-Selection</b>				2	50%
<b>Reassignment</b>	Denied				
	Directed				
<b>Reasonable Accommodation</b>		1	33%	1	25%
<b>Reinstatement</b>		1	34%		
<b>Retirement</b>					
<b>Terms/Conditions of Employment</b>					
<b>Termination</b>					
<b>Training</b>					
<b>Time &amp; Attendance</b>					
<b>Other</b>					
<b>Totals</b>		<b>3</b>	<b>100%</b>	<b>4</b>	<b>100%</b>
<b>11. The total number of complaints pending for any length of time in which the agency has not completed its investigation within the time required by 1614.106(e)(2).</b>					
a. Pending complaints received during the current fiscal year: 125					
b. Pending complaints received prior to the current fiscal year: 109					