

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 2004)

Reporting Period Beginning: 10/1/03

and Ending: 09/30/04 Cumulative

Posting Date: 10/31/04

Agency: All USDA

1. The number of complaints filed: 675		2. Number of Filers (The number of individuals filing those complaints): 589		3. Number of Repeat Filers (The number of individuals who filed 2 or more complaints): 58	
4. Number of BASES Alleged in Complaints Filed for the Reporting Period (The number of those complaints raising each of the various bases of alleged discrimination.)					
BASIS		Number	BASIS		Number
a. RACE	Black	142	e. NATIONAL ORIGIN	Hispanic	29
	White	52		Other	52
	American Indian & Alaskan Native	17	f. DISABILITY	Physical	103
	Asian & Pacific Islander	27		Mental	39
	Other	46		Both	1
b. COLOR		60	g. AGE		190
c. RELIGION		34	h. RETALIATION		331
d. SEX (including Equal Pay Act)	Male	75	i. NON-EEOC REPORTABLE BASES		52
	Female	164			
Total					1414
5. Number of ISSUES Alleged in Complaints Filed for the Reporting Period (The number of those complaints raising each of the various issues of alleged discrimination.)					
ISSUES		Number	ISSUES		Number
a. APPOINTMENT/HIRE		14	j. TRAINING		43
b. ASSIGNMENT OF DUTIES		85	k. TIME & ATTENDANCE		50
c. AWARDS		29	l. TERMINATION		60
d. CONVERSION TO FULL-TIME			m. MEDICAL EXAMINATION		
e. DISCIPLINARY ACTION		95	n. PAY, INCLUDING OVERTIME		9
Demotion		(13)	o. PROMOTION/NON-SELECTION		311
Reprimand		(21)	p. HARASSMENT		323
Suspension		(44)	Sexual		(27)
Removal		(1)	Non-Sexual		(296)
Miscellaneous		(16)	q. REINSTATEMENT		6
f. DUTY HOURS		7	r. RETIREMENT		1
g. EVALUATION/APPRaisal		68	s. TERMS/CONDITIONS OF EMPLOYMENT		95
h. EXAMINATION/TEST		5	t. REASONABLE ACCOMODATION		37
i. REASSIGNMENT		63	u. OTHER		56
Total					1357
6. Average Length of Time to Complete Each Stage of the Complaint Process:			Average Number of Processing Days	Number of Complaints	
a. INVESTIGATION Investigation (Agency)			407	717	
b. FINAL AGENCY ACTION (Decision) -WITH EEOC HEARING (EEOC)			935	192	
c. FINAL AGENCY ACTION (Decision) -WITHOUT EEOC HEARING (CR)			982	490	
d. DISMISSALS			364	134	
e. SETTLEMENT AGREEMENTS			590	267	
f. WITHDRAWALS			465	58	

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7. Final Agency Actions (Decisions) Involving a Finding of Discrimination.			Number of Complaints with a Finding of Discrimination		Percent of Complaints with a Finding of Discrimination		
a. Without an EEOC Administrative Hearing			8		57%		
b. With an EEOC Administrative Hearing			6		43%		
Totals			14		100%		
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
Race	Black	2	25%			2	8%
	White			1	6%	1	4%
	American Indian & Alaskan Native						
	Asian & Pacific Islander						
	Unidentified						
Color							
Religion							
Sex (Including Equal Pay Act)	Male	1	12.5%	1	6%	2	8%
	Female	2	25%	4	25%	6	26%
National Origin	Hispanic						
	Other						
Age				2	13%	2	8%
Disability	Physical	1	12.5%	1	6%	2	8%
	Mental			1	6%	1	4%
	Both						
Retaliation		2	25%	4	25%	6	26%
Non-EEOC Reportable Complaints				2	13%	2	8%
Total		8	100%	16	100%	24	100%
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		78	67	11	9		
b. Investigation		405	267	138	116		
c. Hearing		509	102	407	328		
d. Final Agency Action		431	97	334	317		
e. Appeal		138	14	124	124		
f. Totals		1561	547	1014	894		
g. Number of complaints in abeyance pending resolution of class complaints: 119							
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 Issues Without an EEOC Hearing		
Appointment/Hire							
Assignment of Duties							

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Awards					
Conversion to Full-Time					
Disciplinary Action	Demotion				
	Reprimand				
	Suspension				
	Removal				
	Miscellaneous				
Duty Hours					
Evaluation Appraisal				3	19%
Examination/Test					
Harassment	Sexual	2	20%	1	7%
	Non-sexual	3	30%	1	7%
Medical Examination					
Pay, Including Overtime					
Promotion/Non-Selection		3	30%	4	24%
Reassignment	Denied				
	Directed	1	10%		
Reasonable Accommodation				1	7%
Reinstatement					
Retirement					
Terms/Conditions of Employment		1	10%	2	12%
Termination					
Training					
Time & Attendance				2	12%
Other				2	12%
Totals		10	100%	16	100%

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).

a. Pending complaints received during the current fiscal year: 111

b. Pending complaints received prior to the current fiscal year: 132