

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: FSIS

| | | | | | |
|--|----------------------------------|---|--|--|---------------|
| 1. The number of complaints filed: 72 | | 2. Number of Filers (The number of individuals filing those complaints): 67 | | 3. Number of Repeat Filers (The number of individuals who filed 2 or more complaints): 4 | |
| 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 | 7 | e. NATIONAL ORIGIN | Hispanic | 4 |
| | White | 4 | | Other | 17 |
| | American Indian & Alaskan Native | 2 | f. DISABILITY | Physical | 14 |
| | Asian & Pacific Islander | 7 | | Mental | 2 |
| | Other | 5 | | Both | |
| b. COLOR | | 7 | g. AGE | | 22 |
| c. RELIGION | | 12 | h. RETALIATION | | 28 |
| d. SEX (including Equal Pay Act) | Male | 7 | i. NON-EEOC REPORTABLE BASES | | 18 |
| | Female | 12 | | | |
| Total | | | | | 168 |
| 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 | | 4 | j. TRAINING | | |
| b. ASSIGNMENT OF DUTIES | | 9 | k. TIME & ATTENDANCE | | 2 |
| c. AWARDS | | | l. TERMINATION | | 5 |
| d. CONVERSION TO FULL-TIME | | | m. MEDICAL EXAMINATION | | |
| e. DISCIPLINARY ACTION | | 8 | n. PAY, INCLUDING OVERTIME | | |
| Demotion | | | o. PROMOTION/NON-SELECTION | | 38 |
| Reprimand | | (2) | p. HARASSMENT | | 47 |
| Suspension | | (6) | Sexual | | (2) |
| Removal | | | Non-Sexual | | (45) |
| Miscellaneous | | | q. REINSTATEMENT | | 5 |
| f. DUTY HOURS | | 1 | r. RETIREMENT | | |
| g. EVALUATION/APPRaisal | | 14 | s. TERMS/CONDITIONS OF EMPLOYMENT | | 3 |
| h. EXAMINATION/TEST | | | t. REASONABLE ACCOMODATION | | 5 |
| i. REASSIGNMENT | | 7 | u. OTHER | | 2 |
| Total | | | | | 150 |
| 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) | | | 384 | 94 | |
| b. FINAL AGENCY ACTION (Decision) -WITH EEOC HEARING (EEOC) | | | 870 | 17 | |
| c. FINAL AGENCY ACTION (Decision) -WITHOUT EEOC HEARING (CR) | | | 1268 | 58 | |
| d. DISMISSALS | | | 416 | 17 | |
| e. SETTLEMENT AGREEMENTS | | | 451 | 30 | |
| f. WITHDRAWALS | | | 676 | 9 | |

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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 | | | | | | |
| b. With an EEOC Administrative Hearing | | | 1 | | 100% | |
| Totals | | | 1 | | 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 | | | | | | |
| White | | | | | | |
| American Indian & Alaskan Native | | | | | | |
| Asian & Pacific Islander | | | | | | |
| Unidentified | | | | | | |
| Color | | | | | | |
| Religion | | | | | | |
| Sex (Including Equal Pay Act) | | | | | | |
| Male | | | | | | |
| Female | 1 | 100% | | | 1 | 100% |
| National Origin | | | | | | |
| Hispanic | | | | | | |
| Other | | | | | | |
| Disability | | | | | | |
| Physical | | | | | | |
| Mental | | | | | | |
| Both | | | | | | |
| Retaliation | | | | | | |
| Non-EEOC Reportable Complaints | | | | | | |
| Total | 1 | 100% | 0 | | 1 | 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) | (1) | (2) | Number of | | |
| | Total | Total number of | Total number of | individuals | | |
| | number of | complaints filed in | complaints first | who filed | | |
| | pending | the current fiscal | filed before the | complaints in | | |
| | complaints | year | start of the current | prior fiscal | | |
| | | year | fiscal year | years | | |
| a. Acceptance/Dismissal | 5 | 5 | | | | |
| b. Investigation | 46 | 27 | 19 | 13 | | |
| c. Hearing | 49 | 11 | 38 | 27 | | |
| d. Final Agency Action | 57 | 9 | 48 | 47 | | |
| e. Appeal | 14 | 1 | 13 | 13 | | |
| f. Totals | 171 | 53 | 118 | 100 | | |
| g. Number of complaints in abeyance pending resolution of class complaints: 20 | | | | | | |
| 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 | | | | | |
| Examination/Test | | | | | |
| Harassment | Sexual | 1 | 100% | | |
| | Non-sexual | | | | |
| Medical Examination | | | | | |
| Pay, Including Overtime | | | | | |
| Promotion/Non-Selection | | | | | |
| Reassignment | Denied | | | | |
| | Directed | | | | |
| Reasonable Accommodation | | | | | |
| Reinstatement | | | | | |
| Retirement | | | | | |
| Terms/Conditions of Employment | | | | | |
| Termination | | | | | |
| Training | | | | | |
| Time & Attendance | | | | | |
| Other | | | | | |
| Totals | | 1 | 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: 9

b. Pending complaints received prior to the current fiscal year: 19