

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

United States Department of Agriculture

Comparative Data for Previous Fiscal Years

and Fourth Quarter 2018

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1 COMPLAINT ACTIVITY

Complaint Activity	2013	2014	2015	2016	2017	FY 2018 4th Quarter 7/01/2018 thru 9/30/2018
Number of Complaints Filed	546	484	513	531	561	522
Number of Complainants	512	465	498	508	531	497
Repeat Filers	28	17	15	19	24	21

2 COMPLAINT BY BASIS

Complaints by Basis	2013	2014	2015	2016	2017	4th Quarter 2018
Race	213	246	205	222	243	216
Color	67	78	71	63	75	85
Religion	20	20	24	35	35	28
Reprisal	316	291	296	273	313	313
Sex	216	214	217	206	217	229
PDA	2	3	2	0	2	2
National Origin	58	76	70	47	67	68
Equal Pay Act	8	4	2	1	8	13
Age	201	186	184	185	208	155
Disability	154	133	167	157	185	194
Genetics	3	2	2	0	1	0
Non-EEO	45	54	58	39	55	40

3 COMPLAINTS BY ISSUE

	2013	2014	2015	2016	2017	4th Quarter 2018
Complaints by Issue						
Appointment/Hire	36	24	36	28	40	24
Assignment of Duties	124	132	119	92	87	82
Awards	24	11	19	8	17	14
Conversion to Full Time/Permanent Status	2	1	0	0	3	1
3.1 DISCIPLINARY ACTION						
Demotion	2	5	3	4	4	3
Reprimand	30	34	56	27	45	42
Suspension	30	32	52	26	36	37
Removal	13	7	9	6	17	21
Other	16	29	9	7	4	2
Duty Hours	12	15	23	20	18	8
Performance Evaluation/Appraisal	88	86	90	92	96	97
Examination/Test	1	2	1	1	2	1
3.2 HARASSMENT						
Non-Sexual	277	271	303	285	343	350
Sexual	13	19	16	18	13	24
Medical Examination	2	6	8	1	4	0
Pay including overtime	31	45	41	22	30	11
Promotion/Non-Selection	126	117	160	149	124	71

3.3 REASSIGNMENT

Denied	20	26	25	14	17	21
Directed	35	49	39	18	20	26
Reasonable Accommodation Disability	63	54	84	68	84	94
Reinstatement	0	0	1	2	0	0
Religious Accommodation	0	0	0	3	4	1
Retirement	2	1	1	3	6	3
Sex-Stereotyping	0	0	0	1	1	1
Telework	0	0	14	29	25	31
Termination	40	41	41	27	36	35
Terms/Conditions of Employment	182	172	167	103	146	134
Time and Attendance	52	42	79	60	67	77
Training	42	39	49	54	40	45

3.4 OTHER – USER DEFINE

User Defined - Other 1	27	20	13	5	2	0
User Defined - Other 2	3	7	6	0	1	0
User Defined - Other 3	0	4	1	0	0	0
User Defined - Other 4	0	3	1	0	0	0

4 PROCESSING TIME

Processing Time	2013	2014	2015	2016	2017	4th Quarter 2018
4.1 COMPLAINTS PENDING DURING FISCAL YEAR						
Average number of days in investigation	244.06	211.93	198.99	209.13	159.47	173.33
Average number of days in final action	152.16	163.62	106.45	97.53	164.90	37.26
4.2 COMPLAINT PENDING DURING FISCAL YEAR WHERE HEARING WAS REQUESTED						
Average number of days in investigation	250.99	216.57	203.06	213.18	163.57	172.58
Average number of days in final action	131.97	191.36	94.69	69.31	107.38	21.48
4.3 COMPLAINT PENDING DURING FISCAL YEAR WHERE HEARING WAS NOT REQUESTED						
Average number of days in investigation	233.18	205.10	192.70	202.08	153.33	174.02
Average number of days in final action	162.75	132.35	114.36	124.03	206.56	50.90

5 COMPLAINTS DISMISSED BY AGENCY

Complaints Dismissed by Agency	2013	2014	2015	2016	2017	4th Quarter 2018
Total Complaints Dismissed by Agency	80	64	57	54	84	84
Average days pending prior to dismissal	114	188	104	111	64	18
5.1 COMPLAINTS WITHDRAWN BY COMPLAINANTS						
Total Complaints Withdrawn by Complainants	31	34	35	28	37	27

6 TOTAL FINAL AGENCY ACTIONS FINDING DISCRIMINATION

Total Final Agency Actions Finding Discrimination	2013		2014		2015		2016		2017		4th Quarter 2018	
	#	%	#	%	#	%	#	%	#	%	#	%
Without Hearing	16	80	12	60	5	45	6	86	3	60	6	100
With Hearing	4	20	8	40	6	55	1	14	2	40	1	0

6.1 TOTAL NUMBER FINDINGS	20	100%	20	100%	11	100%	7	100%	5	100%	7	100%
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7 FINDINGS OF DISCRIMINATION RENDERED BY BASIS

Findings of Discrimination Rendered by Basis	2013		2014		2015		2016		2017		4th Quarter 2018	
Race	2	11	4	21	1	13	3	43	3	75	0	0
Color	2	11	1	5	0	0	1	14	0	0	0	0
Religion	0	0	2	11	0	0	0	0	0	0	0	0
Reprisal	6	33	6	32	4	50	4	57	1	25	0	0
Sex	5	28	1	5	0	0	3	43	0	0	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	2	11	3	16	1	13	0	0	0	0	0	0
Equal Pay Act	0	0	1	5	0	0	0	0	0	0	0	0
Age	5	28	1	5	1	13	0	0	1	25	0	0
Disability	6	33	7	37	7	88	2	29	0	0	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	3	17	2	11	0	0	0	0	0	0	0	0
7.1 TOTAL NUMBER FINDINGS	18		19		8		7		4		0	
7.2 FINDINGS AFTER HEARING	4		8		6		1		2		0	
Race	2	50	3	38	1	17	1	100	2	100	0	0
Color	2	50	1	13	0	0	0	0	0	0	0	0
Religion	0	0	2	25	0	0	0	0	0	0	0	0
Reprisal	0	0	4	50	3	50	1	100	0	0	0	0

Sex	1	25	1	13	0	0	1	100	0	0	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	2	25	1	17	0	0	0	0	0	0
Equal Pay Act	0	0	1	13	0	0	0	0	0	0	0	0
Age	3	75	0	0	1	17	0	0	1	50	0	0
Disability	1	25	0	0	5	83	0	0	0	0	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	2	50	1	13	0	0	0	0	0	0	0	0
	14		11		2		6		2		0	
7.3 FINDINGS WITHOUT HEARING												
Race	0	0	1	9	0	0	2	33	1	50	0	0
Color	0	0	0	0	0	0	1	17	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	6	43	2	18	1	50	3	50	1	50	0	0
Sex	4	29	0	0	0	0	2	33	0	0	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	2	14	1	9	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	2	14	1	9	0	0	0	0	0	0	0	0
Disability	5	36	7	64	2	100	2	33	0	0	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	1	7	1	9	0	0	0	0	0	0	0	0

8 FINDINGS OF DISCRIMINATION RENDERED BY ISSUE

Findings of Discrimination Rendered by Issue	2013		2014		2015		2016		2017		4th Quarter 2018	
	#	%	#	%	#	%	#	%	#	%	#	%
8.1 TOTAL NUMBER FINDINGS	18		19		8		7		4		1	
Appointment/Hire	2	11	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	3	16	0	0	1	14	2	50	0	0
Awards	0	0	2	11	0	0	0	0	0	0	0	0
Conversion to Full Time/Permanent Status	0	0	0	0	0	0	0	0	0	0	0	0
8.2 DISCIPLINARY ACTION												
Demotion	0	0	1	5	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	1	13	2	29	0	0	0	0
Suspension	2	11	0	0	0	0	1	14	0	0	0	0
Removal	1	6	0	0	0	0	0	0	0	0	0	0
Other	0	0	1	5	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	1	14	0	0	0	0
Performance Evaluation/Appraisal	0	0	0	0	1	13	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
8.3 HARASSMENT												
Non-Sexual	5	28	7	37	3	38	2	29	0	0	0	0
Sexual	1	6	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	1	5	0	0	0	0	0	0	0	0
Promotion/Non- Selection	4	22	2	11	0	0	2	29	3	75	0	0

8.4 REASSIGNMENT												
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	1	6	2	11	0	0	0	0	0	0	0	0
Reasonable Accommodation Disability	3	17	5	26	4	50	1	14	0	0	0	0
Reinstatement	0	0	1	5	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	3	17	4	21	0	0	0	0	1	25	0	0
Terms/Conditions of Employment	2	11	3	16	0	0	2	29	1	25	0	0
Time and Attendance	2	11	0	0	1	13	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
8.5 OTHER - USER DEFINE												
User Defined - Other 1	1	6	2	11	0	0	0	0	0	0	0	0
User Defined - Other 2	1	6	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
	4		8		6		1		2		0	
8.6 FINDINGS AFTER HEARING												
Appointment/Hire	1	25	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	2	25	0	0	1	100	1	50	0	0
Awards	0	0	1	13	0	0	0	0	0	0	0	0
Conversion to Full Time/Permanent Status	0	0	0	0	0	0	0	0	0	0	0	0

8.7 DISCIPLINARY ACTION

Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	1	17	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
Performance Evaluation/Appraisal	0	0	0	0	1	17	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0

8.8 HARASSMENT

Non-Sexual	0	0	3	38	3	50	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	1	25	2	25	0	0	0	0	1	50	0	0

8.9 REASSIGNMENT

Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	2	25	0	0	0	0	0	0	0	0
Reasonable Accommodation Disability	1	25	0	0	2	33	0	0	0	0	0	0
Reinstatement	0	0	1	13	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	1	25	0	0	0	0	0	0	1	50	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
8.10 OTHER - USER DEFINE												
User Defined - Other 1	0	0	2	25	0	0	0	0	0	0	0	0
User Defined - Other 2	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
	14		11		2		6		2		0	
8.11 FINDINGS WITHOUT HEARING												
Appointment/Hire	1	7	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	1	9	0	0	0	0	1	50	0	0
Awards	0	0	1	9	0	0	0	0	0	0	0	0
Conversion to Full Time/Permanent Status	0	0	0	0	0	0	0	0	0	0	0	0
8.12 DISCIPLINARY ACTION												
Demotion	0	0	1	9	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	2	33	0	0	0	0
Suspension	2	14	0	0	0	0	1	17	0	0	0	0
Removal	1	7	0	0	0	0	0	0	0	0	0	0
Other	0	0	1	9	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	1	17	0	0	0	0
Performance Evaluation/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

8.13 HARASSMENT

Non-Sexual	5	36	4	36	0	0	2	33	0	0	0	0
Sexual	1	7	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	1	9	0	0	0	0	0	0	0	0
Promotion/Non- Selection	3	21	0	0	0	0	2	33	2	100	0	0

8.14 REASSIGNMENT

Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	1	7	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation Disability	2	14	5	45	2	100	1	17	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	2	14	4	36	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	2	14	3	27	0	0	2	33	1	50	0	0
Time and Attendance	2	14	0	0	1	50	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0

8.15 OTHER - USER DEFINE

User Defined - Other 1	1	7	0	0	0	0	0	0	0	0	0	0
User Defined - Other 2	1	7	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	0
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9 PENDING COMPLAINTS FILED IN PREVIOUS FISCAL YEARS BY STATUS

Pending Complaints Filed in Previous Fiscal Years by Status	2013	2014	2015	2016	2017	4th Quarter 2018
Total complaints from previous Fiscal Years	478	467	439	442	444	459
Total Complainants	439	420	403	417	401	416
9.1 NUMBER COMPLAINTS PENDING						
Investigation	31	21	19	15	15	19
ROI issued, pending Complainant's action	1	3	1	2	0	0
Hearing	340	381	381	376	419	429
Final Agency Action	106	65	50	58	25	24
Appeal with EEOC Office of Federal Operations	75	102	122	143	198	231

10 COMPLAINT INVESTIGATIONS

Complaint Investigations	2013	2014	2015	2016	2017	4th Quarter 2018
Pending Complaints Where Investigations Exceed Required Time Frames	47	23	16	8	13	23

Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.