

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

United States Department of Agriculture

Comparative Data for Previous Fiscal Years

and Second Quarter 2019



CONTENTS

1	Complaint Activity.....	5
2	Complaint by Basis.....	5
3	Complaints by Issue	6
3.1	Disciplinary Action	6
3.2	Harassment	6
3.3	Reassignment.....	7
3.4	Other	7
4	Processing Time	8
4.1	Complaints pending during fiscal year.....	8
4.2	Complaint pending during fiscal year where hearing was requested	8
4.3	Complaint pending during fiscal year where hearing was not requested.....	8
5	Complaints Dismissed by Agency.....	9
5.1	Complaints Withdrawn by Complainants	9
6	Total Final Agency Actions Finding Discrimination	9
6.1	Total Number Findings.....	10
7	Findings of Discrimination Rendered by Basis.....	10
7.1	Total Number Findings.....	10
7.2	Findings After Hearing	10
7.3	Findings Without Hearing	11
8	Findings of Discrimination Rendered by Issue.....	12
8.1	Total Number Findings.....	12

8.2	Disciplinary Action	12
8.3	Harassment	12
8.4	Reassignment.....	13
8.5	Other - User Define	13
8.6	Findings After Hearing	13
8.7	Disciplinary Action	14
8.8	Harassment	14
8.9	Reassignment.....	14
8.10	Other - User Define	15
8.11	Findings Without Hearing	15
8.12	Disciplinary Action	15
8.13	Harassment	16
8.14	Reassignment.....	16
8.15	Other - User Define	16
9	Pending Complaints Filed in Previous Fiscal Years by Status.....	17
9.1	Number complaints pending	17
10	Complaint Investigations	17

1 COMPLAINT ACTIVITY

Complaint Activity	2014	2015	2016	2017	2018	FY 2019 2nd Quarter 01/01/2019 thru 03/31/2019
Number of Complaints Filed	481	513	530	561	522	218
Number of Complainants	464	498	507	531	497	211
Repeat Filers	13	15	19	24	21	7

2 COMPLAINT BY BASIS

Complaints by Basis	2014	2015	2016	2017	2018	2nd Quarter 2019
Race	243	206	222	243	216	95
Color	73	71	63	75	85	43
Religion	19	24	35	35	28	16
Reprisal	270	297	270	312	315	136
Sex	207	217	206	216	229	91
PDA	3	2	0	2	2	0
National Origin	74	70	47	67	68	27
Equal Pay Act	4	2	1	8	13	2
Age	183	184	182	208	155	86
Disability	130	167	157	185	195	91
Genetics	2	2	1	1	0	2
Non-EEO	55	59	39	55	40	14

3 COMPLAINTS BY ISSUE

	2014	2015	2016	2017	2018	2nd Quarter 2019
Complaints by Issue						
Appointment/Hire	25	35	27	40	24	9
Assignment of Duties	117	119	92	87	83	42
Awards	9	19	9	18	14	5
Conversion to Full Time/Permanent Status	1	0	0	3	1	0

3.1 DISCIPLINARY ACTION

Demotion	5	3	4	4	3	0
Reprimand	23	55	28	45	43	20
Suspension	27	52	26	36	37	25
Removal	7	9	6	17	21	14
Other	0	11	7	4	3	4
Duty Hours	11	23	20	18	8	7
Performance Evaluation/Appraisal	73	90	91	94	98	53
Examination/Test	1	1	1	2	1	0

3.2 HARASSMENT

Non-Sexual	264	305	282	343	351	115
Sexual	20	16	18	13	24	4
Medical Examination	4	8	1	4	0	2
Pay including overtime	39	41	21	30	11	5
Promotion/Non-Selection	111	160	149	124	71	40

3.3 REASSIGNMENT

Denied	27	25	14	17	21	9
Directed	43	39	18	20	26	23
Reasonable Accommodation Disability	48	84	69	84	94	42
Reinstatement	0	1	2	0	0	1
Religious Accommodation	0	0	3	4	1	0
Retirement	1	1	4	5	4	4
Sex-Stereotyping	0	0	1	1	1	0
Telework	0	14	29	25	31	11
Termination	34	41	27	36	35	11
Terms/Conditions of Employment	146	167	102	146	135	70
Time and Attendance	32	79	59	67	77	36
Training	33	49	51	40	45	11

3.4 OTHER

User Defined - Other 1	0	14	5	2	0	2
User Defined - Other 2	0	6	0	1	0	0
User Defined - Other 3	0	1	0	0	0	0
User Defined - Other 4	0	1	0	0	0	0

4 PROCESSING TIME

Processing Time	2014	2015	2016	2017	2018	2nd Quarter 2019
-----------------	------	------	------	------	------	---------------------

4.1 COMPLAINTS PENDING DURING FISCAL YEAR

Average number of days in investigation	212.08	198.98	208.93	159.35	173.22	198.48
Average number of days in final action	169.31	107.89	97.94	165.64	36.78	44.86

4.2 COMPLAINT PENDING DURING FISCAL YEAR WHERE HEARING WAS REQUESTED

Average number of days in investigation	217.23	203.04	212.88	163.69	172.58	199.40
Average number of days in final action	199.47	97.00	69.94	108.76	20.90	43.78

4.3 COMPLAINT PENDING DURING FISCAL YEAR WHERE HEARING WAS NOT REQUESTED

Average number of days in investigation	204.07	192.70	202.01	152.87	173.78	197.15
Average number of days in final action	134.58	115.19	124.03	205.66	50.90	46.72

5 COMPLAINTS DISMISSED BY AGENCY

Complaints Dismissed by Agency	2014	2015	2016	2017	2018	2nd Quarter 2019
Total Complaints Dismissed by Agency	64	57	57	82	84	23
Average days pending prior to dismissal	188	88	97	66	20	29

5.1 COMPLAINTS WITHDRAWN BY COMPLAINANTS

Total Complaints Withdrawn by Complainants	32	32	28	37	28	11
--	----	----	----	----	----	----

6 TOTAL FINAL AGENCY ACTIONS FINDING DISCRIMINATION

Total Final Agency Actions Finding Discrimination	2014		2015		2016		2017		2018		2nd Quarter 2019	
	#	%	#	%	#	%	#	%	#	%	#	%
Without Hearing	15	63	5	45	6	86	3	60	0	0	0	0
With Hearing	9	38	6	55	1	14	2	40	1	100	0	0

6.1 TOTAL NUMBER FINDINGS	24	100%	11	100%	7	100%	5	100%	1	100%	0	100%
---------------------------	----	------	----	------	---	------	---	------	---	------	---	------

7 FINDINGS OF DISCRIMINATION RENDERED BY BASIS

Findings of Discrimination Rendered by Basis	2014		2015		2016		2017		2018		2nd Quarter 2019	
Race	6	25	1	13	3	43	3	75	0	0	0	0
Color	1	4	0	0	1	14	0	0	0	0	0	0
Religion	2	8	0	0	0	0	0	0	0	0	0	0
Reprisal	7	29	4	50	4	57	1	25	1	100	0	0
Sex	2	8	0	0	3	43	0	0	1	100	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	5	21	1	13	0	0	0	0	0	0	0	0
Equal Pay Act	1	4	0	0	0	0	0	0	0	0	0	0
Age	2	8	1	13	0	0	1	25	0	0	0	0
Disability	8	33	7	88	2	29	0	0	0	0	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	2	8	0	0	0	0	0	0	0	0	0	0
7.1 TOTAL NUMBER FINDINGS	24		8		7		4		1		0	
7.2 FINDINGS AFTER HEARING	9		6		1		2		1		0	
Race	4	44	1	17	1	100	2	100	0	0	0	0
Color	1	11	0	0	0	0	0	0	0	0	0	0
Religion	2	22	0	0	0	0	0	0	0	0	0	0
Reprisal	4	44	3	50	1	100	0	0	1	100	0	0

9 PENDING COMPLAINTS FILED IN PREVIOUS FISCAL YEARS BY STATUS

Pending Complaints Filed in Previous Fiscal Years by Status	2014	2015	2016	2017	2018	2nd Quarter 2019
Total complaints from previous Fiscal Years	938	473	472	464	453	672
Total Complainants	482	436	446	421	410	599

9.1 NUMBER COMPLAINTS PENDING

Investigation	35	20	18	16	17	67
ROI issued, pending Complainant's action	3	1	2	0	0	15
Hearing	520	415	401	427	426	545
Final Agency Action	50	39	47	25	24	48
Appeal with EEOC Office of Federal Operations	61	104	116	192	231	249

10 COMPLAINT INVESTIGATIONS

Complaint Investigations	2014	2015	2016	2017	2018	2nd Quarter 2019
Pending Complaints Where Investigations Exceed Required Time Frames	190	19	10	8	21	35

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