

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

**United States Department of Agriculture**

**Comparative Data for Previous Fiscal Years  
and Third Quarter 2019**



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## 1 COMPLAINT ACTIVITY

Complaint Activity	2014	2015	2016	2017	2018	FY 2019 3rd Quarter 04/01/2019 thru 06/30/2019
Number of Complaints Filed	481	513	530	561	522	322
Number of Complainants	464	498	507	531	497	313
Repeat Filers	13	15	19	24	21	9

## 2 COMPLAINT BY BASIS

Complaints by Basis	2014	2015	2016	2017	2018	3rd Quarter 2019
Race	243	206	222	243	216	140
Color	73	71	63	75	85	63
Religion	19	24	35	35	28	25
Reprisal	270	297	270	312	315	189
Sex	207	217	206	216	229	130
PDA	3	2	0	2	2	0
National Origin	74	70	47	67	68	39
Equal Pay Act	4	2	1	8	13	6
Age	183	184	182	208	155	120
Disability	130	167	157	185	195	121
Genetics	2	2	1	1	0	2
Non-EEO	55	59	39	55	40	22

### 3 COMPLAINTS BY ISSUE

	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>3rd Quarter 2019</b>
Complaints by Issue						
Appointment/Hire	25	35	27	40	24	16
Assignment of Duties	117	119	92	87	83	53
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	1
Reprimand	23	55	28	45	43	27
Suspension	27	52	26	36	37	28
Removal	7	9	6	17	21	25
Other	0	11	7	4	3	5
Duty Hours	11	23	20	18	8	10
Performance Evaluation/Appraisal	73	90	91	94	98	69
Examination/Test	1	1	1	2	1	0

#### 3.2 HARASSMENT

Non-Sexual	264	305	282	343	351	167
Sexual	20	16	18	13	24	5
Medical Examination	4	8	1	4	0	2
Pay including overtime	39	41	21	30	11	7
Promotion/Non-Selection	111	160	149	124	71	74

### 3.3 REASSIGNMENT

Denied	27	25	14	17	21	12
Directed	43	39	18	20	26	29
Reasonable Accommodation Disability	48	84	69	84	94	53
Reinstatement	0	1	2	0	0	3
Religious Accommodation	0	0	3	4	1	0
Retirement	1	1	4	5	4	7
Sex-Stereotyping	0	0	1	1	1	0
Telework	0	14	29	25	31	15
Termination	34	41	27	36	35	17
Terms/Conditions of Employment	146	167	102	146	135	95
Time and Attendance	32	79	59	67	77	49
Training	33	49	51	40	45	17

### 3.4 OTHER

User Defined - Other 1	0	14	5	2	0	3
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	3rd Quarter 2019
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### 4.1 COMPLAINTS PENDING DURING FISCAL YEAR

Average number of days in investigation	212.08	198.98	208.93	159.35	173.22	205.00
Average number of days in final action	169.31	107.89	97.94	165.64	36.78	49.19

### 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	212.81
Average number of days in final action	199.47	97.00	69.94	108.76	20.90	46.81

### 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	197.41
Average number of days in final action	134.58	115.19	124.03	205.66	50.90	52.91



## 5 COMPLAINTS DISMISSED BY AGENCY

Complaints Dismissed by Agency	2014	2015	2016	2017	2018	3rd Quarter 2019
Total Complaints Dismissed by Agency	64	57	57	82	84	37
Average days pending prior to dismissal	188	88	97	66	20	53

### 5.1 COMPLAINTS WITHDRAWN BY COMPLAINANTS

Total Complaints Withdrawn by Complainants	32	32	28	37	28	23
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## 6 TOTAL FINAL AGENCY ACTIONS FINDING DISCRIMINATION

Total Final Agency Actions Finding Discrimination	2014		2015		2016		2017		2018		3rd 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	<b>24</b>	<b>100%</b>	<b>11</b>	<b>100%</b>	<b>7</b>	<b>100%</b>	<b>5</b>	<b>100%</b>	<b>1</b>	<b>100%</b>	<b>0</b>	<b>100%</b>
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## 7 FINDINGS OF DISCRIMINATION RENDERED BY BASIS

Findings of Discrimination Rendered by Basis	2014		2015		2016		2017		2018		3rd 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
<b>7.1 TOTAL NUMBER FINDINGS</b>	<b>24</b>		<b>8</b>		<b>7</b>		<b>4</b>		<b>1</b>		<b>0</b>	
<b>7.2 FINDINGS AFTER HEARING</b>	<b>9</b>		<b>6</b>		<b>1</b>		<b>2</b>		<b>1</b>		<b>0</b>	
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

Sex	2	22	0	0	1	100	0	0	1	100	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	2	22	1	17	0	0	0	0	0	0	0	0
Equal Pay Act	1	11	0	0	0	0	0	0	0	0	0	0
Age	1	11	1	17	0	0	1	50	0	0	0	0
Disability	0	0	5	83	0	0	0	0	0	0	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	1	11	0	0	0	0	0	0	0	0	0	0
<b>7.3 FINDINGS WITHOUT HEARING</b>	<b>15</b>		<b>2</b>		<b>6</b>		<b>2</b>		<b>0</b>		<b>0</b>	
Race	2	13	0	0	2	33	1	50	0	0	0	0
Color	0	0	0	0	1	17	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	3	20	1	50	3	50	1	50	0	0	0	0
Sex	0	0	0	0	2	33	0	0	0	0	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	3	20	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	1	7	0	0	0	0	0	0	0	0	0	0
Disability	8	53	2	100	2	33	0	0	0	0	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	1	7	0	0	0	0	0	0	0	0	0	0

## 8 FINDINGS OF DISCRIMINATION RENDERED BY ISSUE

Findings of Discrimination Rendered by Issue	2014		2015		2016		2017		2018		3rd Quarter 2019	
	#	%	#	%	#	%	#	%	#	%	#	%
8.1 TOTAL NUMBER FINDINGS	24		8		7		4		1		0	
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	3	13	0	0	1	14	2	50	0	0	0	0
Awards	1	4	0	0	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	1	4	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	1	13	2	29	0	0	0	0	0	0
Suspension	1	4	0	0	1	14	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	1	14	0	0	0	0	0	0
Performance Evaluation/Appraisal	1	4	1	13	0	0	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	8	33	3	38	2	29	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	1	100	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay including overtime	1	4	0	0	0	0	0	0	0	0	0	0

Promotion/Non- Selection	5	21	0	0	2	29	3	75	0	0	0	0
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#### 8.4 REASSIGNMENT

Denied	0	0	0	0	0	0	0	0	1	100	0	0
Directed	2	8	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation Disability	5	21	4	50	1	14	0	0	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	6	25	0	0	0	0	1	25	0	0	0	0
Terms/Conditions of Employment	3	13	0	0	2	29	1	25	0	0	0	0
Time and Attendance	0	0	1	13	0	0	0	0	1	100	0	0
Training	1	4	0	0	0	0	0	0	0	0	0	0

#### 8.5 OTHER - USERDEFINE

User Defined - Other 1	0	0	0	0	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

#### 8.6 FINDINGS AFTER HEARING

	<b>9</b>		<b>6</b>		<b>1</b>		<b>2</b>		<b>1</b>		<b>0</b>	
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	2	22	0	0	1	100	1	50	0	0	0	0
Awards	0	0	0	0	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	1	17	0	0	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	1	11	1	17	0	0	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	3	33	3	50	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	1	100	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	4	44	0	0	0	0	1	50	0	0	0	0

### 8.9 REASSIGNMENT

Denied	0	0	0	0	0	0	0	0	1	100	0	0
Directed	2	22	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation Disability	0	0	2	33	0	0	0	0	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	0	0	0	0	0	0	1	50	0	0	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	1	100	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	0	0	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
8.11 FINDINGS WITHOUT HEARING	<b>15</b>		<b>2</b>		<b>6</b>		<b>2</b>		<b>0</b>		<b>0</b>	
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	1	7	0	0	0	0	1	50	0	0	0	0
Awards	1	7	0	0	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	1	7	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	2	33	0	0	0	0	0	0
Suspension	1	7	0	0	1	17	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	1	17	0	0	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	33	0	0	2	33	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	1	7	0	0	0	0	0	0	0	0	0	0
Promotion/Non- Selection	1	7	0	0	2	33	2	100	0	0	0	0

8.14 REASSIGNMENT

Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation Disability	5	33	2	100	1	17	0	0	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	6	40	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	3	20	0	0	2	33	1	50	0	0	0	0
Time and Attendance	0	0	1	50	0	0	0	0	0	0	0	0
Training	1	7	0	0	0	0	0	0	0	0	0	0

8.15 OTHER - USER DEFINE

User Defined - Other 1	0	0	0	0	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



## 9 PENDING COMPLAINTS FILED IN PREVIOUS FISCAL YEARS BY STATUS

Pending Complaints Filed in Previous Fiscal Years by Status	2014	2015	2016	2017	2018	3rd Quarter 2019
Total complaints from previous Fiscal Years	938	473	472	464	453	579
Total Complainants	482	436	446	421	410	519

### 9.1 NUMBER COMPLAINTS PENDING

Investigation	35	20	18	16	17	31
ROI issued, pending Complainant's action	3	1	2	0	0	4
Hearing	520	415	401	427	426	500
Final Agency Action	50	39	47	25	24	46
Appeal with EEOC Office of Federal Operations	61	104	116	192	231	259

## 10 COMPLAINT INVESTIGATIONS

Complaint Investigations	2014	2015	2016	2017	2018	3rd Quarter 2019
Pending Complaints Where Investigations Exceed Required Time Frames	190	19	10	8	21	34

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