

Equal Employment Opportunity Data Posted Pursuant to the No FEAR Act:

USDA (Includes Sub-Level Offices)

For 4th Quarter 2023 for period ending September 30, 2023

Notes:

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

Starting in FY2022, issues marked with:

* are reported under Other Terms / Conditions of Employment.

** are reported under Other Disciplinary Actions.

Reporting of Reassignment Claims has been changed from two separate Denied and Directed rows to one combined row: the first row now accommodates both "Reassignment: Denied/Directed" and the second row has been deprecated.

Part 1 Complaint Activity						
	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023 (thru 09-30)
Number of Complaints Filed	522	436	394	342	264	309
Number of Complainants	497	414	381	323	256	296
Repeat Filers	21	18	11	17	8	13

Part 2 Complaints by Basis						
	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023 (thru 09-30)
Race	216	195	170	142	86	126
Color	85	93	59	52	35	50
Religion	28	35	18	16	35	33
Reprisal	315	256	224	162	122	176
Sex	229	171	168	111	79	115
PDA	2	2	3	3	1	2
National Origin	68	58	46	41	20	45
Equal Pay Act	13	7	6	6	4	9
Age	155	157	144	96	69	95
Disability	195	170	140	103	122	131
Genetics	0	3	3	2	5	5
Non-EEO	40	37	38	29	21	41

Part 3 Complaints By Issue

	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023 (thru 09-30)
Appointment/Hire	24	17	31	26	11	18
Assignment of Duties*	83	72	58	34	11	0
Awards	14	8	7	7	4	6
Conversion to Full Time/Perm Status*	1	0	0	0	0	0
Disciplinary Action: Demotion	3	1	4	0	1	1
Disciplinary Action: Reprimand**	43	39	0	14	0	0
Disciplinary Action: Suspension	37	33	0	19	15	19
Disciplinary Action: Removal	21	32	29	7	9	17
Disciplinary Action: Other Disciplinary Actions**	0	0	0	0	0	55
Disciplinary Action: Other 2**	0	0	0	0	0	0
Duty Hours*	8	15	0	5	0	0
Perf. Eval./ Appraisal	98	89	0	44	26	29
Examination/Test	1	1	0	2	0	0
Harassment: Non-Sexual	351	239	0	146	122	190
Harassment: Sexual	24	6	0	5	11	10
Medical Examination	0	3	0	0	1	1
Pay including overtime	11	13	0	4	4	23
Promotion/Non-Selection	71	100	0	68	48	55
Reassignment: Denied/Directed	21	17	0	11	4	9
Reassignment: Directed	26	39	0	19	3	17
Reasonable Accommodation Disability	94	74	0	35	32	54
Reinstatement*	0	3	0	1	0	0
Religious Accommodation	1	1	0	1	52	7
Retirement*	4	11	0	3	0	0
Sex-Stereotyping	1	0	0	0	0	0
Telework	31	20	0	2	4	9
Termination	35	25	0	28	24	39
Terms/Conditions of Employment*	135	136	0	56	0	0
Time and Attendance	77	68	0	27	13	37
Training	45	30	0	19	9	26
Other Terms/Conditions of Employment*	0	0	0	0	0	100

Part 4 Processing Time (Complaints Pending During FY)

	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023 (thru 09-30)
Average days in Investigation for all cases pending during FY	173.22	199.95	208.25	157.95	156.07	161.77
Average days in Final Action for all cases pending during FY	36.78	41.0	32.69	35.83	34.18	67.16
Average days in Investigation with Hearing	172.58	208.32	218.27	166.19	170.42	155.84
Average days in Final Action with Hearing	20.9	29.65	26.09	18.22	19.54	44.59
Average Days in Investigation without Hearing	173.78	189.03	191.37	149.99	144.37	169.25
Average Days in Final Action without Hearing	50.9	55.94	41.27	53.54	58.59	96.8

Part 5 Complaints Dismissed or Withdrawn

	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023 (thru 09-30)
Total Complaints Dismissed by Agency	84	51	46	22	37	37
Average Days Pending Prior to Dismissal	20	66	40	532	68	57.73
Total Complaints Withdrawn by Complainants	28	32	46	18	19	18

Part 6 Total Final Agency Actions Finding Discrimination

	FY 2018 Count	FY 2018 %	FY 2019 Count	FY 2019 %	FY 2020 Count	FY 2020 %	FY 2021 Count	FY 2021 %	FY 2022 Count	FY 2022 %	FY 2023 Count (thru 09-30)	FY 2023 % (thru 09-30)
Total Number Findings	1		3		10		1		10		18	
Findings Without Hearing	0	0	1	33	3	30	0	0	2	20	15	83
Findings With Hearing	1	100	2	67	7	70	1	100	8	80	3	17

Part 7 Finding of Discrimination by Basis

	FY 2018 Count	FY 2018 %	FY 2019 Count	FY 2019 %	FY 2020 Count	FY 2020 %	FY 2021 Count	FY 2021 %	FY 2022 Count	FY 2022 %	FY 2023 Count (thru 09-30)	FY 2023 % (thru 09-30)
Total Number Findings	1		3		10		1		10		19	
Race	0	0.00	1	33.33	0	0.00	0	0.00	2	20.00	6	31.58
Color	0	0.00	1	33.33	0	0.00	0	0.00	2	20.00	1	5.26
Religion	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	1	5.26
Reprisal	1	100.00	2	66.67	0	0.00	1	100.00	8	80.00	5	26.32
Sex	1	100.00	1	33.33	0	0.00	0	0.00	4	40.00	4	21.05
PDA	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
National Origin	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Equal Pay Act	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	1	5.26
Age	0	0.00	0	0.00	0	0.00	0	0.00	2	20.00	4	21.05
Disability	0	0.00	2	66.67	0	0.00	1	100.00	4	40.00	8	42.11
Genetics	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-EEO	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	1	5.26

Part 7 Finding of Discrimination by Basis (with Hearing)

	FY 2018 Count	FY 2018 %	FY 2019 Count	FY 2019 %	FY 2020 Count	FY 2020 %	FY 2021 Count	FY 2021 %	FY 2022 Count	FY 2022 %	FY 2023 Count (thru 09-30)	FY 2023 % (thru 09-30)
Findings After Hearing	1		2		0		1		8		3	
Race	0	0.00	0	0.00	0	0.00	0	0.00	2	25.00	2	66.67
Color	0	0.00	0	0.00	0	0.00	0	0.00	1	12.50	0	0.00
Religion	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Reprisal	1	100.00	1	50.00	0	0.00	1	100.00	6	75.00	1	33.33
Sex	1	100.00	0	0.00	0	0.00	0	0.00	2	25.00	0	0.00
PDA	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
National Origin	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Equal Pay Act	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Age	0	0.00	0	0.00	0	0.00	0	0.00	2	25.00	2	66.67
Disability	0	0.00	1	50.00	0	0.00	1	100.00	3	37.50	1	33.33
Genetics	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-EEO	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00

Part 7 Finding of Discrimination by Basis (without Hearing)

	FY 2018 Count	FY 2018 %	FY 2019 Count	FY 2019 %	FY 2020 Count	FY 2020 %	FY 2021 Count	FY 2021 %	FY 2022 Count	FY 2022 %	FY 2023 Count (thru 09-30)	FY 2023 % (thru 09-30)
Finding Without Hearing	0		1		3		0		2		16	
Race	0	0.00	1	100.00	0	0.00	0	0.00	0	0.00	4	25.00
Color	0	0.00	1	100.00	0	0.00	0	0.00	1	50.00	1	6.25
Religion	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	1	6.25
Reprisal	0	0.00	1	100.00	0	0.00	0	0.00	2	100.00	4	25.00
Sex	0	0.00	1	100.00	0	0.00	0	0.00	2	100.00	4	25.00
PDA	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
National Origin	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Equal Pay Act	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	1	6.25
Age	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	2	12.50
Disability	0	0.00	1	100.00	0	0.00	0	0.00	1	50.00	7	43.75
Genetics	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-EEO	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	1	6.25

Part 9 Complaints Pending from Previous FY By Status

	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023 (thru 09-30)
Total complaints from previous Fiscal Years	453	461	375	324	212	168
Total Complainants	410	406	328	285	181	143
Complaints Pending Investigation	17	18	18	18	15	15
ROI issued, pending Complainant's action	0	1	0	1	0	0
Complaints Pending in Hearing	426	419	330	303	179	127
Complaints Pending Final Agency Action	24	33	30	16	29	5
Complaints Pending Appeal with EEOC Office of Federal Operations	231	274	351	298	380	301

Part 10 Complaint Investigations

	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023 (thru 09-30)
Pending Complaints Where Investigations Exceed Required Time Frames	21	17	17	14	15	12