

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

Internal Revenue Service Office of the Chief Counsel (IRSCC)

For 1st Quarter 2009 for period ending December 31, 2008

Note: Data provided through Treasury's I-trak Complaint Management System (ICMS) implemented in FY 2006. The report reflects case data in ICMS as of 12/31/08 for the current and past five fiscal years. Mixed cases are included in this report.

Complaint Activity	Comparative Data					
	Previous Fiscal Year Data					2009 Thru 12-31
	2004	2005	2006	2007	2008	
Number of Complaints Filed	11	8	13	6	1	1
Number of Complainants	11	7	13	6	1	1
Repeat Filers	n/a	n/a	0	0	0	0

Complaints by Basis	Comparative Data					
	Previous Fiscal Year Data					2009 Thru 12-31
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	2004	2005	2006	2007	2008	
Race	4	5	1	1	0	0
Color	0	0	0	0	0	0
Religion	1	0	0	0	0	0
Reprisal	4	3	4	3	1	1
Sex	4	4	5	2	0	0
National Origin	0	3	1	1	0	1
Equal Pay Act	0	0	0	0	0	0
Age	2	1	1	0	1	0
Disability	3	0	4	3	0	1

Complaints by Basis	Comparative Data					
	Previous Fiscal Year Data					2009 Thru 12- 31
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	2004	2005	2006	2007	2008	
Non-EEO	1	0	2	0	0	0

Complaints by Issue	Comparative Data					
	Previous Fiscal Year Data					2009 Thru 12- 31
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	2004	2005	2006	2007	2008	
Appointment/Hire	0	0	2	1	0	0
Assignment of Duties	4	0	0	1	0	0
Awards	0	0	1	0	0	0
Conversion to Full-time	0	0	0	0	0	0
Disciplinary Action						
Demotion	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0
Suspension	0	0	0	1	0	0
Removal	0	0	0	0	0	0
Other	0	1	0	0	0	0
Duty Hours	0	1	0	0	0	0
Evaluation Appraisal	3	1	4	0	0	0
Examination/Test	0	0	0	0	0	0
Harassment						
Non-Sexual	2	3	4	4	1	1
Sexual	0	0	2	0	0	0
Medical Examination	0	0	0	0	0	0
Pay (Including Overtime)	0	1	0	0	0	0

Complaints by Issue	Comparative Data					
	Previous Fiscal Year Data					2009 Thru 12- 31
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	2004	2005	2006	2007	2008	
Promotion/Non-Selection	5	1	2	0	0	0
Reassignment						
Denied	0	0	0	0	0	0
Directed	0	0	0	0	0	0
Reasonable Accommodation	0	0	1	1	0	0
Reinstatement	0	0	0	0	0	0
Retirement	0	1	0	0	0	0
Termination	0	1	0	0	0	0
Terms/Conditions of Employment	2	2	2	0	0	0
Time and Attendance	1	0	1	1	0	0
Training	0	0	1	1	0	0
Other	0	0	0	0	0	0

Processing Time	Comparative Data					
	Previous Fiscal Year Data					2009 Thru 12- 31
	2004	2005	2006	2007	2008	
Complaints pending during fiscal year						
Average number of days in investigation	290.50	318.60	285.14	248.60	295.40	0
Average number of days in final action	305.33	346.00	113.67	112.78	150.00	0
Complaint pending during fiscal year where hearing was requested						
Average number of days in investigation	263.67	345.00	229.25	233.57	322.50	0
Average number of days in final action	0	0	8.00	8.33	0	0

Processing Time	Comparative Data					
	Previous Fiscal Year Data					2009 Thru 12- 31
	2004	2005	2006	2007	2008	
Complaint pending during fiscal year where hearing was not requested						
Average number of days in investigation	306.60	301.00	359.67	261.75	277.33	0
Average number of days in final action	305.33	346.00	166.50	165.00	150.00	0

Complaints Dismissed by Agency*	Comparative Data					
	Previous Fiscal Year Data					2009 Thru 12- 31
	2004	2005	2006	2007	2008	
Total Complaints Dismissed by Agency	0	0	1	1	0	0
Average days pending prior to dismissal	0	0	248	72	0	0
Complaints Withdrawn by Complainants						
Total Complaints Withdrawn by Complainants	1	1	1	1	0	0

* FY 2004-FY 2005 data is not available due to migration to ICMS.

Total Final Agency Actions Finding Discrimination*	Comparative Data											
	Previous Fiscal Year Data										2009 Thru 12- 31	
	2004		2005		2006		2007		2008			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0		0		0		0		0		0	
Without Hearing	0	0	0	0	0	0	0	0	0	0	0	0
With Hearing	0	0	0	0	0	0	0	0	0	0	0	0

* FY 2004-FY 2005 findings include AJ decisions not fully implemented. FY 2006- FY 2009 findings do not include AJ decisions not fully implemented.

Findings of Discrimination	Comparative Data
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	Previous Fiscal Year Data										2009 Thru 12- 31		
	2004		2005		2006		2007		2008		#	%	
	#	%	#	%	#	%	#	%	#	%			
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>													
Total Number Findings	0		0		0		0		0		0		
Race	0	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	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	0
Age	0	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0	0
Findings After Hearing	0		0		0		0		0		0		
Race	0	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	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	0
Age	0	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue*	Comparative Data											
	Previous Fiscal Year Data										2009 Thru 12- 31	
	2004		2005		2006		2007		2008			
	#	%	#	%	#	%	#	%	#	%	#	%
Harassment												
Non-Sexual	0	0	0	0	0	0	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	0	0	0	0	0	0	0	0	0	0	0	0
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	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	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
Termination	0	0	0	0	0	0	0	0	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	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other - User Defined	0	0	0	0	0	0	0	0	0	0	0	0

* FY 2004-FY 2005 data is not available due to migration to ICMS.

Pending Complaints Filed in Previous Fiscal Years by Status	Comparative Data					
	Previous Fiscal Year Data					2009 Thru 12- 31
	2004	2005	2006	2007	2008	
Total complaints from previous Fiscal Years	13	12	10	16	6	<u>5</u>
Total Complainants	13	12	9	16	6	5

Pending Complaints Filed in Previous Fiscal Years by Status	Comparative Data					
	Previous Fiscal Year Data					2009 Thru 12- 31
	2004	2005	2006	2007	2008	
Number complaints pending						
Investigation	0	0	1	0	0	<u>1</u>
ROI issued, pending Complainant's action	0	0	0	0	0	<u>0</u>
Hearing	0	0	1	0	0	<u>1</u>
Final Agency Action	1	0	0	0	0	<u>0</u>

Complaint Investigations	Comparative Data					
	Previous Fiscal Year Data					2009 Thru 12- 31
	2004	2005	2006	2007	2008	
Pending Complaints Where Investigations Exceed Required Time Frames	4	3	6	1	1	1