

EQUAL OPPORTUNITY DATA REQUIRED TO BE POSTED BY THE NO FEAR ACT
Equal Employment Opportunity Formal Discrimination Complaints
U. S. DEPARTMENT OF AGRICULTURE (Fiscal Year 2004)

Reporting Period Beginning: 10/1/03

and Ending: 09/30/04 Cumulative

Posting Date: 10/31/04

Agency: FSIS

1. The number of complaints filed: 72		2. Number of Filers (The number of individuals filing those complaints): 67		3. Number of Repeat Filers (The number of individuals who filed 2 or more complaints): 4	
4. Number of BASES Alleged in Complaints Filed for the Reporting Period (The number of those complaints raising each of the various bases of alleged discrimination.)					
BASIS		Number	BASIS		Number
a. RACE	Black	7	e. NATIONAL ORIGIN	Hispanic	4
	White	4		Other	17
	American Indian & Alaskan Native	2	f. DISABILITY	Physical	14
	Asian & Pacific Islander	7		Mental	2
	Other	5		Both	
b. COLOR		7	g. AGE		22
c. RELIGION		12	h. RETALIATION		28
d. SEX (including Equal Pay Act)	Male	7	i. NON-EEOC REPORTABLE BASES		18
	Female	12	Total		168
5. Number of ISSUES Alleged in Complaints Filed for the Reporting Period (The number of those complaints raising each of the various issues of alleged discrimination.)					
ISSUES		Number	ISSUES		Number
a. APPOINTMENT/HIRE		4	j. TRAINING		
b. ASSIGNMENT OF DUTIES		9	k. TIME & ATTENDANCE		2
c. AWARDS			l. TERMINATION		5
d. CONVERSION TO FULL-TIME			m. MEDICAL EXAMINATION		
e. DISCIPLINARY ACTION		8	n. PAY, INCLUDING OVERTIME		
Demotion			o. PROMOTION/NON-SELECTION		38
Reprimand		(2)	p. HARASSMENT		47
Suspension		(6)	Sexual		(2)
Removal			Non-Sexual		(45)
Miscellaneous			q. REINSTATEMENT		5
f. DUTY HOURS		1	r. RETIREMENT		
g. EVALUATION/APPRaisal		14	s. TERMS/CONDITIONS OF EMPLOYMENT		3
h. EXAMINATION/TEST			t. REASONABLE ACCOMODATION		5
i. REASSIGNMENT		7	u. OTHER		2
			Total		140
6. Average Length of Time to Complete Each Stage of the Complaint Process:			Average Number of Processing Days	Number of Complaints	
a. INVESTIGATION Investigation (Agency)			383.7	94	
b. FINAL AGENCY ACTION (Decision) -WITH EEOC HEARING (EEOC)			870	17	
c. FINAL AGENCY ACTION (Decision) -WITHOUT EEOC HEARING (CR)			1268	58	
d. DISMISSALS			416	17	
e. SETTLEMENT AGREEMENTS			451	30	
f. WITHDRAWALS			676	9	

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7. Final Agency Actions (Decisions) Involving a Finding of Discrimination.			Number of Complaints with a Finding of Discrimination		Percent of Complaints with a Finding of Discrimination	
a. Without an EEOC Administrative Hearing						
b. With an EEOC Administrative Hearing			1		100%	
Totals			1		100%	
8. Final Agency Actions With a Finding of Discrimination by Basis.	Number of Bases with an EEOC Hearing	Percent of Bases with an EEOC Hearing	Number of Bases without an EEOC Hearing	Percent of Bases without an EEOC Hearing	Total Number of Bases	Total Percent of Bases
Race						
Black						
White						
American Indian & Alaskan Native						
Asian & Pacific Islander						
Unidentified						
Color						
Religion						
Sex (Including Equal Pay Act)						
Male						
Female	1	100%			1	100%
National Origin						
Hispanic						
Other						
Disability						
Physical						
Mental						
Both						
Retaliation						
Non-EEOC Reportable Complaints						
Total	1	100%	0		1	100%
9. Summary of EEO Active Complaints at the End of the Period Filed in Current and Previous Fiscal Years (The total number of complaints pending for any length of time.)						
	(1 + 2)	(1)	(2)	Number of		
	Total	total number of	complaints filed in	complaints first	individuals	
	pending	complaints	the current fiscal	filed before the	who filed	
	complaints		year	start of the current	complaints in	
				fiscal year	prior fiscal	
					years	
a. Acceptance/Dismissal	5	5	5			
b. Investigation	46	27	19		13	
c. Hearing	49	11	38		27	
d. Final Agency Action	57	9	48		47	
e. Appeal	14	1	13		13	
f. Totals	171	53	118		100	
g. Number of complaints in abeyance pending resolution of class complaints: 20						
10. Final Agency Actions with a Finding of Discrimination by Issues.	Number of Issues With an EEOC Hearing	Percent of Issues With an EEOC Hearing	Number of Issues Without an EEOC Hearing	Percent of Issues Without an EEOC Hearing		
Appointment/Hire						
Assignment of Duties						

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Awards					
Conversion to Full-Time					
Disciplinary Action	Demotion				
	Reprimand				
	Suspension				
	Removal				
	Miscellaneous				
Duty Hours					
Evaluation Appraisal					
Examination/Test					
Harassment	Sexual	1	100%		
	Non-sexual				
Medical Examination					
Pay, Including Overtime					
Promotion/Non-Selection					
Reassignment	Denied				
	Directed				
Reasonable Accommodation					
Reinstatement					
Retirement					
Terms/Conditions of Employment					
Termination					
Training					
Time & Attendance					
Other					
Totals		1	100%		

11. The total number of complaints pending for any length of time in which the agency has not completed its investigation within the time required by 1614.106(e)(2).

a. Pending complaints received during the current fiscal year: **9**

b. Pending complaints received prior to the current fiscal year: **19**