

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: AMS

1. The number of complaints filed: 24		2. Number of Filers (The number of individuals filing those complaints): 19		3. Number of Repeat Filers (The number of individuals who filed 2 or more complaints): 5	
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	4	e. NATIONAL ORIGIN	Hispanic	
	White	2		Other	1
	American Indian & Alaskan Native	1	f. DISABILITY	Physical	1
	Asian & Pacific Islander	1		Mental	
	Other			Both	
b. COLOR			g. AGE		3
c. RELIGION			h. RETALIATION		14
d. SEX (including Equal Pay Act)	Male	4	i. NON-EEOC REPORTABLE BASES		
	Female	3			
Total					34
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		1	j. TRAINING		3
b. ASSIGNMENT OF DUTIES		1	k. TIME & ATTENDANCE		1
c. AWARDS			l. TERMINATION		1
d. CONVERSION TO FULL-TIME			m. MEDICAL EXAMINATION		
e. DISCIPLINARY ACTION		1	n. PAY, INCLUDING OVERTIME		
Demotion			o. PROMOTION/NON-SELECTION		4
Reprimand		(1)	p. HARASSMENT		15
Suspension			Sexual		(1)
Removal			Non-Sexual		(14)
Miscellaneous			q. REINSTATEMENT		
f. DUTY HOURS			r. RETIREMENT		
g. EVALUATION/APPRaisal		2	s. TERMS/CONDITIONS OF EMPLOYMENT		
h. EXAMINATION/TEST			t. REASONABLE ACCOMODATION		1
i. REASSIGNMENT		3	u. OTHER		4
Total					37
6. Average Length of Time to Complete Each Stage of the Complaint Process:			Average Number of Processing Days	Number of Complaints	
a. INVESTIGATION			345	16	
Investigation (Agency)			(62)	(8)	
b. FINAL AGENCY ACTION (Decision) -WITH EEOC HEARING (EEOC)			2283	3	
c. FINAL AGENCY ACTION (Decision) -WITHOUT EEOC HEARING (CR)				3	
d. DISMISSALS			28	1	
e. SETTLEMENT AGREEMENTS			264	2	
f. WITHDRAWALS			153	2	

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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						
Age						
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 individuals who filed complaints in prior fiscal years		
	Total number of pending complaints	Total number of complaints filed in the current fiscal year	Total number of complaints first filed before the start of the current fiscal year			
a. Acceptance/Dismissal	10	7	3	2		
b. Investigation	8	8				
c. Hearing	9	3	6	6		
d. Final Agency Action	5	2	3	3		
e. Appeal	3		3	3		
f. Totals	35	20	15	14		
g. Number of complaints in abeyance pending resolution of class complaints: 10						
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	50%		
	Non-sexual	1	50%		
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		<i>2</i>	<i>100%</i>	<i>0</i>	

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: 5

b. Pending complaints received prior to the current fiscal year: 2