

**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 2003)**

Reporting Period Beginning: **10/1/02** and Ending: **9/30/03** Posting Date: **4/30/04**  
**Agency: FS**

<b>1. The number of complaints filed: 159</b>		<b>2. Number of Filers</b> (The number of individuals filing those complaints): <b>139</b>		<b>3. Number of Repeat Filers</b> (The number of individuals who filed 2 or more complaints): <b>14</b>	
<b>4. Number of BASES Alleged in Complaints Filed for the Reporting Period</b> (The number of those complaints raising each of the various bases of alleged discrimination.)					
<b>BASIS</b>		<b>Number</b>	<b>BASIS</b>		<b>Number</b>
a. <b>RACE</b>	Black	14	e. <b>NATIONAL ORIGIN</b>	Hispanic	12
	White	5		Other	9
	American Indian & Alaskan Native	7	f. <b>DISABILITY</b>	Physical	22
	Asian & Pacific Islander			Mental	6
	Other	7		Both	1
b. <b>COLOR</b>		2	g. <b>AGE</b>		18
c. <b>RELIGION</b>		1	h. <b>RETALIATION</b>		36
d. <b>SEX (including Equal Pay Act)</b>	Male	12	i. <b>NON-EEOC REPORTABLE BASES</b>		2
	Female	9			
<b>Total</b>					<b>163</b>
<b>5. Number of ISSUES Alleged in Complaints Filed for the Reporting Period</b> (The number of those complaints raising each of the various issues of alleged discrimination.)					
<b>ISSUES</b>		<b>Number</b>	<b>ISSUES</b>		<b>Number</b>
a. <b>APPOINTMENT/HIRE</b>		2	j. <b>TRAINING</b>		3
b. <b>ASSIGNMENT OF DUTIES</b>		2	k. <b>TIME &amp; ATTENDANCE</b>		
c. <b>AWARDS</b>			l. <b>TERMINATION</b>		8
d. <b>CONVERSION TO FULL-TIME</b>			m. <b>MEDICAL EXAMINATION</b>		
e. <b>DISCIPLINARY ACTION</b>		16	n. <b>PAY, INCLUDING OVERTIME</b>		3
Demotion			o. <b>PROMOTION/NON-SELECTION</b>		34
Reprimand		(6)	p. <b>HARASSMENT</b>		25
Suspension		(3)	Sexual		(10)
Removal			Non-Sexual		(15)
Miscellaneous		(7)	q. <b>REINSTATEMENT</b>		
f. <b>DUTY HOURS</b>		2	r. <b>RETIREMENT</b>		
g. <b>EVALUATION/APPRAISAL</b>		5	s. <b>TERMS/CONDITIONS OF EMPLOYMENT</b>		9
h. <b>EXAMINATION/TEST</b>			t. <b>REASONABLE ACCOMODATION</b>		3
i. <b>REASSIGNMENT</b>		5	u. <b>OTHER</b>		42
<b>Total</b>					<b>159</b>
<b>6. Average Length of Time to Complete Each Stage of the Complaint Process:</b>			<b>Number of Complaints</b>	<b>Number of Processing Days</b>	<b>Average Number of Processing Days</b>
a. <b>INVESTIGATION</b>			141	59292	421
b. <b>FINAL AGENCY ACTION-WITH EEOC HEARING</b>			31	40255	1299
c. <b>FINAL AGENCY ACTION-WITHOUT EEOC HEARING</b>			38	50378	1326
d. <b>DISMISSALS</b>			9	6331	703
e. <b>SETTLEMENT AGREEMENTS</b>			74	50920	688
f. <b>WITHDRAWALS</b>			8	2875	359
<b>7. Final Agency Actions Involving a Finding of Discrimination.</b>			<b>Number of Complaints with a Finding of Discrimination</b>	<b>Percent of Complaints with a Finding of Discrimination</b>	
a. <b>Without an EEOC Administrative Hearing</b>			2	50%	
b. <b>With an EEOC Administrative Hearing</b>			2	50%	
c. <b>Totals</b>			<b>4</b>	<b>100%</b>	

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8. Final Agency Actions With a Finding of Discrimination by Basis.		Number of Complaints with an EEOC Hearing	Percent of Bases with an EEOC Hearing	Number of Complaints without an EEOC Hearing	Percent of Bases without an EEOC Hearing	Total Number of Complaints	Total Percent of Bases
<b>Race</b>	Black						
	White						
	American Indian & Alaskan Native						
	Asian & Pacific Islander						
	Unidentified						
<b>Color</b>							
<b>Religion</b>							
<b>Sex (Including Equal Pay Act)</b>	Male						
	Female						
<b>National Origin</b>	Hispanic						
	Other						
<b>Age</b>							
<b>Disability</b>	Physical						
	Mental						
	Both						
<b>Retaliation</b>		1	100%			1	100%
<b>Non-EEOC Reportable Complaints</b>							
<b>Total</b>		<b>1</b>	<b>100%</b>	<b>0</b>		<b>1</b>	<b>100%</b>

**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.)

	(A + B) Total number of pending complaints	(A) Total number of complaints filed in the current fiscal year	(B) Total number of complaints first filed before the start of the current fiscal year	Number of individuals who filed complaints in prior fiscal years
a. Acceptance/Dismissal	105	95	10	10
b. Investigation	29	29		
c. Hearing	172	10	162	100
d. Final Agency Action	187	4	183	129
e. Appeal	165	29	136	
f. <b>Totals</b>	<b>658</b>	<b>167</b>	<b>491</b>	<b>239</b>

g. Number of complaints in abeyance pending resolution of class complaints: **46**

10. Final Agency Actions with a Finding of Discrimination by Issues.	Number of Complaints With an EEOC Hearing	Percent of Complaints With an EEOC Hearing	Number of Complaints Without an EEOC Hearing	Percent of Complaints Without an EEOC Hearing
<b>Appointment/Hire</b>				
<b>Assignment of Duties</b>				
<b>Awards</b>				
<b>Conversion to Full-Time</b>				

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<b>Disciplinary Action</b>	Demotion				
	Reprimand				
	Suspension	1	100%	1	100%
	Removal				
	Miscellaneous				
<b>Duty Hours</b>					
<b>Evaluation Appraisal</b>					
<b>Examination/Test</b>					
<b>Harassment</b>	Sexual				
	Non-sexual				
<b>Medical Examination</b>					
<b>Pay, Including Overtime</b>					
<b>Promotion/Non-Selection</b>					
<b>Reassignment</b>	Denied				
	Directed				
<b>Reasonable Accommodation</b>					
<b>Reinstatement</b>					
<b>Retirement</b>					
<b>Terms/Conditions of Employment</b>					
<b>Termination</b>					
<b>Training</b>					
<b>Time &amp; Attendance</b>					
<b>Other</b>					
<b>Totals</b>		<b>1</b>	<b>100%</b>	<b>1</b>	<b>100%</b>
<b>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).</b>					
a. Pending complaints received during the current fiscal year: 29					
b. Pending complaints received prior to the current fiscal year: 0					