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

## **Internal Revenue Service (IRS)**

## 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.

	Comparative Data											
	I	2009										
Complaint Activity	2004	2005	2006	2007	2008	Thru 12-31						
Number of Complaints Filed	734	535	395	412	359	80						
Number of Complainants	730	530	382	371	338	80						
Repeat Filers	n/a	n/a	13	30	18	0						

	Comparative Data										
Complaints by Basis	Pro										
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.		2005	2006	2007	2008	2009 Thru 12- 31					
Race	292	210	168	147	148	31					
Color	2	4	7	17	19	2					
Religion	34	26	12	16	23	3					
Reprisal	295	210	183	156	148	39					
Sex	274	188	124	110	122	28					
National Origin	63	38	32	25	34	7					
Equal Pay Act	0	1	0	2	2	0					
Age	208	137	115	104	108	27					
Disability	223	152	106	113	89	18					

Complaints by Basis	Comparative Data										
Complaints by basis	Pro										
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.	2004	2005	2006	2007	2008	2009 Thru 12- 31					
Non-EEO	28	21	13	12	29	1					

	Comparative Data									
Complaints by Issue	Pre	evious	Fiscal	Year D	ata					
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.	2004	2005	2006	2007	2008	2009 Thru 12- 31				
Appointment/Hire	0	1	6	14	12	2				
Assignment of Duties	70	57	33	51	36	10				
Awards	10	14	5	13	8	3				
Conversion to Full-time	0	3	1	0	2	0				
Disciplinary Action										
Demotion	7	5	3	5	4	0				
Reprimand	44	25	18	9	15	2				
Suspension	17	7	13	11	6	2				
Removal	0	10	2	5	4	3				
Other	2	21	22	7	17	5				
Duty Hours	11	23	7	6	9	0				
Evaluation Appraisal	167	84	93	79	69	18				
Examination/Test	0	0	0	1	0	1				
Harassment										
Non-Sexual	282	155	160	175	184	48				
Sexual	29	16	11	13	12	3				
Medical Examination	0	0	0	0	2	0				
Pay (Including Overtime)	14	7	13	15	12	2				

		C	ompara	ative Da	ata	
Complaints by Issue	Pre	ata				
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.	2004	2005	2006	2007	2008	2009 Thru 12- 31
Promotion/Non-Selection	159	86	79	77	88	20
Reassignment						
Denied	0	1	4	7	6	2
Directed	41	15	22	7	13	1
Reasonable Accommodation	2	6	17	40	23	7
Reinstatement	4	4	14	5	2	0
Retirement	2	3	4	3	6	0
Termination	54	23	21	23	34	4
Terms/Conditions of Employment	121	194	169	28	37	4
Time and Attendance	120	48	44	26	29	9
Training	34	21	20	19	17	2
Other	0	0	0	0	1	1

		C	ompara	tive Dat	а	
	F	revious	Fiscal \	ear Dat	а	2009
Processing Time	2004	2005	2006	2007	2008	Thru 12-31
Complaints pending during fiscal year						
Average number of days in investigation	232.78	312.55	340.75	269.61	265.97	313.98
Average number of days in final action	409.15	356.72	91.65	106.81	104.49	136.02
Complaint pending during fiscal year where hearing was requested						
Average number of days in investigation	234.82	303.53	330.96	257.73	270.45	371.06
Average number of days in final	39.00	0	7.98	11.28	7.33	4.67

	Comparative Data											
	F	Previous Fiscal Year Data										
Processing Time	2004	2005	2006	2007	2008	Thru 12-31						
action												
Complaint pending during fiscal year where hearing was not requested												
Average number of days in investigation	231.27	320.96	351.21	283.22	262.57	288.93						
Average number of days in final action	412.62	368.13	152.91	175.88	181.30	238.19						

	Comparative Data									
	Pro	Previous Fiscal Year Data								
Complaints Dismissed by Agency*	2004	2005	2006	2007	2008	Thru 12- 31				
Total Complaints Dismissed by Agency	1	1	93	56	47	13				
Average days pending prior to dismissal	0	912	428	199	294	106				
Complaints Withdrawn by Complainants										
Total Complaints Withdrawn by Complainants	99	81	81	50	65	6				

<sup>\*</sup> Complete data for FY 2004-FY 2005 is not available due to migration to ICMS.

	Comparative Data											
									2009 Thru			
Total Final Agency Actions	2004		2005		2006		2007		2008		Thru 12-31	
Finding Discrimination*	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0		2		0		9		5		1	
Without Hearing	0	0	1	50	0	0	4	44	1	20	0	0
With Hearing	0	0	1	50	0	0	5	56	4	80	1	100

<sup>\*</sup> 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				C	om	par	ativ	e Da	ata			
Rendered by Basis*		F	Prev	/ious	Fis	cal	Yea	ır Da	ıta		2009 Thru	
Note: Complaints can be filed	20	04	2	005	20	06	20	007	2	800		11ru 2-31
alleging multiple bases. The sum of the bases may not equal total complaints and findings.	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0		1		0		9		5		1	
Race	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
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	1	100	0	0	6	67	1	20	1	100
Sex	0	0	1	100	0	0	1	11	0	0	0	0
National Origin	0	0	1	100	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	1	20	0	0
Disability	0	0	0	0	0	0	2	22	3	60	0	0
Non-EEO	0	0	0	0	0	0	1	11	0	0	0	0
Findings After Hearing	0		1		0		5		4		1	
Race	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
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	1	100	0	0	4	80	1	25	1	100
Sex	0	0	1	100	0	0	1	20	0	0	0	0
National Origin	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
Age	0	0	0	0	0	0	0	0	1	25	0	0
Disability	0	0	0	0	0	0	1	20	2	50	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination				(	Com	par	ativ	e Da	ata			
Rendered by Basis*	Previous Fiscal Year Data											009
Note: Complaints can be filed alleging multiple bases.	20	04	2	005	20	06	20	07	2	800		hru 2-31
The sum of the bases may not equal total complaints and findings.	#	%	#	%	#	%	#	%	#	%	#	%
Findings Without Hearing	0		0		0		3		1		0	
Race	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
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	1	33	0	0	0	0
Sex	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
Equal Pay Act	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
Disability	0	0	0	0	0	0	1	33	1	100	0	0
Non-EEO	0	0	0	0	0	0	1	33	0	0	0	0

<sup>\*</sup> Complete data for FY 2004-FY 2005 is not available due to migration to ICMS.

		Comparative Data  Previous Fiscal Year Data										
												009
Findings of Discrimination	2004 2005				2005 2006		2007		2	800	Thru 12-31	
Rendered by Issue*	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0		1		0		9		5		1	
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action												

	Comparative Data													
		2009												
Findings of Discrimination Rendered by Issue*	20	2004		2005		2006		007	2008		Thru 12-31			
	#	%	#	%	#	%	#	%	#	%	#	%		
Demotion	0	0	0	0	0	0	0	0	0	0	0	0		
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0		
Suspension	0	0	0	0	0	0	0	0	0	0	0	0		
Removal	0	0	0	0	0	0	0	0	0	0	0	0		
Other	0	0	0	0	0	0	0	0	0	0	0	0		
Duty Hours	0	0	0	0	0	0	1	11	0	0	0	0		
Evaluation Appraisal	0	0	0	0	0	0	2	22	0	0	0	0		
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0		
Harassment														
Non-Sexual	0	0	0	0	0	0	4	44	2	40	1	100		
Sexual	0	0	0	0	0	0	0	0	0	0	1	100		
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0		
Pay (Including Overtime)	0	0	0	0	0	0	1	11	0	0	0	0		
Promotion/Non-Selection	0	0	1	100	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	1	11	1	20	0	0		
Reinstatement	0	0	0	0	0	0	0	0	1	20	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	4	44	1	20	0	0		
Time and Attendance	0	0	0	0	0	0	2	22	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		

	Comparative Data													
		Previous Fiscal Year Data												
Findings of Discrimination	20	2004		2005		2006		07	2008		Thru 12-31			
Rendered by Issue*	#	%	#	%	#	%	#	%	#	%	#	%		
Findings After Hearing	0		1		0		5		4		1			
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0		
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0		
Awards	0	0	0	0	0	0	0	0	0	0	0	0		
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0	0	0		
Disciplinary Action														
Demotion	0	0	0	0	0	0	0	0	0	0	0	0		
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0		
Suspension	0	0	0	0	0	0	0	0	0	0	0	0		
Removal	0	0	0	0	0	0	0	0	0	0	0	0		
Other	0	0	0	0	0	0	0	0	0	0	0	0		
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0		
Evaluation Appraisal	0	0	0	0	0	0	1	20	0	0	0	0		
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0		
Harassment							-		-					
Non-Sexual	0	0	0	0	0	0	3	60	2	50	1	100		
Sexual	0	0	0	0	0	0	0	0	0	0	1	100		
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0		
Pay (Including Overtime)	0	0	0	0	0	0	1	20	0	0	0	0		
Promotion/Non-Selection	0	0	1	100	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		

	Comparative Data													
		Previous Fiscal Year Data												
Findings of Discrimination	20	2004		2005		2006		2007		2008		Thru 12-31		
Rendered by Issue*	#	%	#	%	#	%	#	%	#	%	#	%		
Reinstatement	0	0	0	0	0	0	0	0	1	25	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	2	40	1	25	0	0		
Time and Attendance	0	0	0	0	0	0	1	20	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		
Findings Without Hearing	0		1		0		4		1		0			
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0		
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0		
Awards	0	0	0	0	0	0	0	0	0	0	0	0		
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0	0	0		
Disciplinary Action														
Demotion	0	0	0	0	0	0	0	0	0	0	0	0		
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0		
Suspension	0	0	0	0	0	0	0	0	0	0	0	0		
Removal	0	0	0	0	0	0	0	0	0	0	0	0		
Other	0	0	0	0	0	0	0	0	0	0	0	0		
Duty Hours	0	0	0	0	0	0	1	25	0	0	0	0		
Evaluation Appraisal	0	0	0	0	0	0	1	25	0	0	0	0		
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0		
Harassment	-1	1			1									
Non-Sexual	0	0	0	0	0	0	1	25	0	0	0	0		
Sexual	0	0	0	0	0	0	0	0	0	0	0	0		

	Comparative Data													
			2009											
Findings of Discrimination Rendered by Issue*	2004		2005		2006		2007		2008		Thru 12-31			
	#	%	#	%	#	%	#	%	#	%	#	%		
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	1	100	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	1	25	1	100	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	2	50	0	0	0	0		
Time and Attendance	0	0	0	0	0	0	1	25	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		

<sup>\*</sup> Complete data for FY 2004-FY 2005 is not available due to migration to ICMS.

	Comparative Data									
	Pre	2009								
Pending Complaints Filed in Previous Fiscal Years by Status	2004	2005	2006	2007	2008	Thru 12- 31				
Total complaints from previous Fiscal Years	922	964	939	803	749	741				
Total Complainants	922	959	927	780	699	685				
Number complaints pending										
Investigation	42	88	51	9	9	113				
ROI issued, pending Complainant's action	1	12	3	1	5	8				
Hearing	42	88	51	9	9	113				

	Comparative Data										
	Previous Fiscal Year Data										
Pending Complaints Filed in Previous Fiscal Years by Status	2004	2005	2006	2007	2008	Thru 12- 31					
Final Agency Action	18	30	24	30	24	25					

	Comparative Data							
	Pre	2009 Thru						
Complaint Investigations	2004	2005	2006	2007	2008	12- 31		
Pending Complaints Where Investigations Exceed Required Time Frames	166	209	137	39	41	54		