

ANNUAL FEDERAL EQUAL EMPLOYMENT OPPORTUNITY STATISTICAL REPORT OF DISCRIMINATION COMPLAINTS

(REPORTING PERIOD BEGINS OCTOBER 1ST AND ENDS SEPTEMBER 30TH)

AGENCY OR DEPARTMENT: Department of Justice

REPORTING PERIOD: FY 2002

PART I PRE-COMPLAINT COUNSELING

COUNSELING

2080 A. TOTAL NUMBER OF INDIVIDUALS COUNSELED

1564 1. NUMBER OF INDIVIDUALS COUNSELED WITHIN 30 DAYS

424 2. NUMBER OF INDIVIDUALS COUNSELED WITHIN 31 TO 90 DAYS

88 3. NUMBER OF INDIVIDUALS COUNSELED BEYOND 90 DAYS

4 4. NUMBER OF INDIVIDUALS COUNSELED DUE TO REMANDS

NON-ADR SETTLEMENTS DURING COUNSELING

B. NON-ADR SETTLEMENTS WITH MONETARY BENEFITS

Number	Amount	
0	\$ 0.00	1. COMPENSATORY DAMAGES
0	\$ 0.00	2. BACKPAY/FRONTPAY
0	\$ 0.00	3. LUMP SUM PAYMENT
0	\$ 0.00	4. ATTORNEYS FEES AND COSTS
	\$	5.
	\$	6.
	\$	7.

176 C. NON-ADR SETTLEMENTS WITH NON-MONETARY BENEFITS

PART II FORMAL COMPLAINT ACTIVITIES

2562 A. COMPLAINTS ON HAND AT THE BEGINNING OF THE REPORTING PERIOD

1047 B. COMPLAINTS FILED

18 C. REMANDS

3627 D. TOTAL COMPLAINTS (sum of lines A+B+C)

3318 E. COMPLAINTS IN LINE D THAT WERE **NOT** CONSOLIDATED

925 F. COMPLAINTS IN LINE E CLOSED DURING REPORT PERIOD

309 G. COMPLAINTS IN LINE D THAT **WERE** CONSOLIDATED

141 H. COMPLAINTS IN LINE G CLOSED DURING REPORT PERIOD

2561 I. COMPLAINTS ON HAND AT THE END OF THE REPORTING PERIOD (Line D - (sum of Lines F+H))

963 J. INDIVIDUALS FILING COMPLAINTS

119 K. NUMBER OF JOINT PROCESSING UNITS FROM CONSOLIDATION OF COMPLAINTS

PART III AGENCY RESOURCES, TRAINING, REPORTING LINE

A. AGENCY RESOURCES

	NUMBER	PERCENT
1. WORK FORCE		
a. TOTAL WORK FORCE	130763	
b. PERMANENT EMPLOYEES	124655	
2. COUNSELOR	720	
a. FULL-TIME	17	2.36
b. PART-TIME	9	1.25
c. COLLATERAL DUTY	694	96.39
3. INVESTIGATOR	139	
a. FULL-TIME	16	11.51
b. PART-TIME	1	0.72
c. COLLATERAL DUTY	122	87.77
4. COUNSELOR/INVESTIGATOR	10	
a. FULL-TIME	0	0.00
b. PART-TIME	2	20.00
c. COLLATERAL DUTY	8	80.00

B. STAFF TRAINING

	COUNSELORS		INVESTIGATORS		COUNS/INVESTIG	
	AGENCY	CONTRACT	AGENCY	CONTRACT	AGENCY	CONTRACT
1. NEW STAFF - TOTAL	129	2	1	34	0	0
a. STAFF RECEIVING REQUIRED 32 OR MORE HOURS	128	1	1	24	0	0
b. STAFF RECEIVING 8 OR MORE HOURS, USUALLY GIVEN TO EXPERIENCED STAFF	0	1	0	10	0	0
c. STAFF RECEIVING NO TRAINING AT ALL	1	0	0	0	0	0
2. EXPERIENCED STAFF - TOTAL	591	33	138	235	10	0
a. STAFF RECEIVING REQUIRED 8 OR MORE HOURS	437	33	67	215	2	0
b. STAFF RECEIVING 32 OR MORE HOURS, GENERALLY GIVEN TO NEW STAFF	1	0	0	0	0	0
c. STAFF RECEIVING NO TRAINING AT ALL	153	0	71	20	8	0

C. REPORTING LINE

1. DOES THE EEO DIRECTOR REPORT TO THE AGENCY HEAD? YES NO

 X

2. IF NO, WHO DOES THE EEO DIRECTOR REPORT TO?

PERSON: Joanne Simms

TITLE: Deputy Assistant Attorney General/Human Resources Administration

PART IV. BASES AND ISSUES ALLEGED IN COMPLAINTS FILED

ISSUES OF ALLEGED DISCRIMINATION	BASES OF ALLEGED DISCRIMINATION										TOTAL BASES BY ISSUE	DISABILITY MENTAL	DISABILITY PHYSICAL	TOTAL COMPLAINTS BY ISSUE <<NEW>>	TOTAL COMPLAINTS BY ISSUE <<NEW>>							
	RACE				COLOR		RELIGION		SEX							NATIONAL ORIGIN		EQUAL PAY ACT		AGE		
	AMER INDIAN/ ALASKAN NATIVE	PACIFIC ISLANDER	BLACK	WHITE	MALE	FEMALE	HISPANIC	OTHER	MALE	FEMALE						1	2	3	4		5	6
A. APPOINTMENT/HIRE	0	0	15	2	0	0	0	0	6	4	6	3	2				7	0	8	53	37	37
B. ASSIGNMENT OF DUTIES	2	3	65	31	3	1	92	5	32	9	7						31	4	13	298	138	129
C. AWARDS	0	1	5	7	0	3	10	6	7	3	1						5	0	0	48	31	30
D. CONVERSION TO FULL TIME	0	0	0	0	0	0	0	0	0	0	0	0	0				0	0	0	2	1	1
E. DISCIPLINARY ACTION	2	2	59	33	0	2	60	15	38	9	5						17	6	19	267	147	146
1. DEMOTION	0	0	2	6	0	0	1	0	0	0	0						0	0	0	9	6	6
2. REPRIMAND	0	0	14	8	0	0	14	4	10	3	1						4	1	3	62	43	43
3. SUSPENSION	1	1	19	15	0	0	19	5	7	2	3						8	3	4	87	40	39
4. REMOVAL	1	1	22	1	0	2	16	6	16	4	1						4	2	10	86	48	48
1. Letter of Instruction	0	0	1	1	0	0	4	0	1	0	0						1	0	1	9	6	6
4. Referred to OPR	0	0	1	2	0	0	6	0	4	0	0						0	0	1	14	4	4
1. Oral Reprimand	0	0	0	0	0	0	0	0	0	0	0						0	0	0	0	0	0
F. DUTY HOURS	1	1	4	4	0	1	13	0	7	2	1						5	1	2	42	24	24
G. EVALUATION/APPRaisal	3	2	26	9	4	3	42	11	19	10	0						15	1	5	150	82	79
H. EXAMINATION/TEST	0	0	0	0	0	0	0	0	0	0	0						3	0	0	3	3	3
I. PROMOTION	3	7	113	53	7	9	185	70	151	24	18						66	20	28	756	440	404
1. NON-SEXUAL	3	7	113	53	7	9	169	52	107	24	18						66	20	28	678	380	348
2. SEXUAL	0	0	0	0	0	0	16	18	44											78	60	56
J. MEDICAL EXAMINATION	0	0	0	0	0	0	0	0	0	0	0						0	0	0	1	1	1
K. PAY INCLUDING OVERTIME	1	0	0	0	0	0	5	2	2	3	0						1	0	0	17	8	8
L. PROMOTION/SELECTION	3	7	60	52	6	10	132	39	52	50	13						98	13	26	562	273	235
M. REASSIGNMENT	0	3	8	12	0	3	24	4	22	9	2						9	0	7	103	47	45
1. DENIED	0	1	2	5	0	2	9	0	10	4	1						3	0	5	42	14	12
2. DIRECTED	0	2	6	7	0	1	15	4	12	5	1						6	0	2	61	33	33
N. REASONABLE ACCOMMODATION	0	0	0	0	0	0	3	20												42	20	19
O. REINSTATEMENT	0	0	1	0	0	0	2	0	2	0	0						1	0	1	7	4	4
P. RETIREMENT	0	0	2	0	0	0	1	2	0	0	0						3	0	1	9	5	5
Q. TERMINATION	0	1	6	1	1	0	15	7	11	5	2						10	5	14	78	38	38
R. TERMS/CONDITIONS OF EMPLOYMENT	5	4	28	34	2	7	94	27	50	22	23						38	6	13	353	153	140
S. TIME AND ATTENDANCE	2	2	9	5	0	0	15	1	12	2	2						5	0	3	58	33	29
T. TRAINING	2	1	9	6	0	0	21	14	10	5	4						2	0	3	77	51	48
U. OTHER (Please specify below)																						
1. OPR Investigation	1	0	1	1	0	0	6	0	1	2	0						2	0	0	14	7	6
2. Erroneous Information	0	0	3	0	0	1	11	0	4	0	0						1	0	0	20	12	11
3. Performance Improvement Plan	0	0	3	2	0	1	2	1	4	1	1						1	0	1	17	11	11
4. SAPP Score	0	0	2	0	0	0	2	1	1	1	0						1	0	0	8	4	4
5. Benefits	0	0	0	0	0	0	1	0	0	1	0						2	0	1	5	3	3
TOTAL ISSUES BY BASES	25	34	419	252	23	44	759	209	434	161	81						326	59	161			
TOTAL COMPLAINTS FILED BY BASES	16	29	307	211	7	26	524	174	305	120	63						246	45	133			
TOTAL COMPLAINTS BY BASES	14	25	280	191	6	26	464	156	280	91	58						225	40	123			

PART V - SUMMARY OF CLOSURES BY STATUTE

A. STATUTE (IF A SINGLE COMPLAINT HAS MULTIPLE STATUTES RECORD EACH ON THE APPROPRIATE LINE.)

- | | |
|-----|--|
| 999 | 1. TITLE VII |
| 265 | 2. AGE DISCRIMINATION IN EMPLOYMENT ACT (ADEA) |
| 198 | 3. REHABILITATION ACT |
| 5 | 4. EQUAL PAY ACT (EPA) |

B. TOTAL BY STATUTES

1467 THIS NUMBER MAY BE LARGER THAN THE TOTAL NUMBER OF COMPLAINTS CLOSED.

(A1+A2+A3+A4)

PART VI SUMMARY OF CLOSURES BY CATEGORY

		TOTAL NUMBER	TOTAL DAYS	AVERAGE DAYS
A. TOTAL NUMBER OF CLOSURES (1+2+3)		1066	775660	727.64
1. WITHDRAWALS		85	46269	544.34
2. SETTLEMENTS		183	108748	594.25
3. FINAL AGENCY DECISIONS (B+C)		798	620643	777.75
B. FINAL AGENCY DECISIONS <i>WITHOUT</i> AN ADMINISTRATIVE JUDGE DECISION (1+2+3)		546	429550	
1. FINDING DISCRIMINATION		8	8596	1074.50
2. FINDING NO DISCRIMINATION		307	257583	839.03
3. DISMISSAL OF COMPLAINTS		231	163371	707.23
C. FINAL AGENCY ACTIONS <i>WITH</i> AN ADMINISTRATIVE JUDGE (AJ) DECISION (1+2+3)		252	295112	
1. AJ DECISION FULLY IMPLEMENTED (a+b)		202	243736	
(a) FINDING DISCRIMINATION		6	8400	1400.00
(b) FINDING NO DISCRIMINATION		196	235336	1200.69
2. AJ DECISION NOT FULLY IMPLEMENTED (a+b)		8	13398	
(a) FINDING DISCRIMINATION (i+ii+iii)		8	13398	1674.75
i. AGENCY APPEALED FINDING BUT NOT REMEDY		0	1020	0.00
ii. AGENCY APPEALED REMEDY BUT NOT FINDING		6	8961	1493.50
iii. AGENCY APPEALED BOTH FINDING AND REMEDY		2	3417	1708.50
(b) FINDING NO DISCRIMINATION		0	0	0.00
3. DISMISSAL OF COMPLAINTS		42	37978	904.24

**PART VII SUMMARY OF COMPLAINTS CLOSED WITH CORRECTIVE ACTION
DURING FORMAL COMPLAINT STAGE**

	NUMBER	AMOUNT
A. TOTAL COMPLAINTS CLOSED WITH CORRECTIVE ACTION	197	
B. CLOSURES WITH MONETARY BENEFITS	68	\$ 749882.47
1. BACK PAY/FRONT PAY	27	\$ 425465.56
2. LUMP SUM PAYMENT	41	\$ 324416.91
C. CLOSURES WITH NON-MONETARY BENEFITS	88	
D. CLOSURES WITH COMPENSATORY DAMAGES	29	\$ 339512.26
E. CLOSURES WITH ATTORNEY'S FEES AND COSTS	58	\$ 687208.73
F. TYPES OF CORRECTIVE ACTION	NUMBER WITH MONETARY BENEFITS	NUMBER WITH NON-MONETARY BENEFITS
1. HIRE	8	4
a. RETROACTIVE	6	1
b. NON-RETROACTIVE	2	3
2. PROMOTION	15	12
a. RETROACTIVE	13	2
b. NON-RETROACTIVE	2	10
3. DISCIPLINARY ACTION	8	9
a. RESCINDED	8	7
b. MODIFIED	0	2
4. REINSTATEMENT	7	9
5. REASSIGNMENT	13	11
6. PERFORMANCE EVALUATION MODIFIED	3	11
7. PERSONNEL FILE PURGED OF ADVERSE MATERIAL	10	27
8. ACCOMMODATION	4	19
9. TRAINING/TUITION/ETC.	5	23
10. LEAVE RESTORED	9	11
11. Inspection Report Not Used	1	2
12. Post a Notice	1	7
13. Performance Award	0	1

PART VIII SUMMARY OF PENDING COMPLAINTS BY CATEGORY

	NUMBER PENDING	NUMBER OF DAYS	AVERAGE DAYS	NUMBER OF DAYS PENDING FOR OLDEST CASE
A. TOTAL COMPLAINTS PENDING (SAME AS PART II Line I) (1+2+3+4)	2561	1470469		
1. COMPLAINTS PENDING WRITTEN NOTIFICATION	278	35068	126.14	2920
2. COMPLAINTS PENDING IN INVESTIGATION	486	107825	221.86	1460
3. COMPLAINTS PENDING IN HEARINGS	1166	862241	739.49	2992
4. COMPLAINTS PENDING A FINAL AGENCY DECISION	631	465335	737.46	6361

PART IX SUMMARY OF INVESTIGATIONS COMPLETED

		TOTAL	TOTAL DAYS	AVERAGE DAYS
A. INVESTIGATIONS COMPLETED DURING REPORTING PERIOD	(1+3)	774	217546	
1. INVESTIGATIONS COMPLETED BY AGENCY PERSONNEL	(a+b+c)	156	59930	384.17
a. INVESTIGATIONS COMPLETED IN 180 DAYS OR LESS		22	3358	152.64
b. INVESTIGATIONS COMPLETED IN 181 - 360 DAYS		54	14235	263.61
c. INVESTIGATIONS COMPLETED IN 361 OR MORE DAYS		80	42337	529.21
2. COST OF AGENCY INVESTIGATIONS		\$ 940396.00		
3. INVESTIGATIONS COMPLETED BY CONTRACTORS	(a+b+c)	618	157616	255.04
a. INVESTIGATIONS COMPLETED IN 180 DAYS OR LESS		232	31569	136.07
b. INVESTIGATIONS COMPLETED IN 181 - 360 DAYS		277	62682	226.29
c. INVESTIGATIONS COMPLETED IN 361 OR MORE DAYS		109	63365	581.33
4. COST OF CONTRACTOR INVESTIGATIONS		\$ 2224960.00		

PART X SUMMARY OF ADR PROGRAM ACTIVITIES

INFORMAL PHASE (PRE-COMPLAINT)

	COMPLAINTS	COMPLAINANTS	DAYS	AVERAGE DAYS
A. ADR PENDING FROM PREVIOUS REPORTING PERIOD	47	47		
B. INDIVIDUALS COUNSELED THROUGH ADR	16	16		
C. ADR ACTIONS FOR CURRENT REPORTING PERIOD				
1. ADR OFFERED	812	812		
2. REJECTED BY COMPLAINANT	489	489		
3. REJECTED BY AGENCY	5	5		
4. TOTAL ACCEPTED INTO ADR	318	317		
D. RESOURCES USED (1+2+3+4+5+6+7)	316	315		
1. INHOUSE	45	45		
2. ANOTHER FEDERAL AGENCY	245	244		
3. PRIVATE ORGANIZATIONS, CONTRACTORS, BAR ASSOCIATIONS, INDIVIDUAL VOLUNTEERS OR COLLEGE/UNIVERSITY PERSONNEL	26	26		
4. MULTIPLE RESOURCES USED (Please specify)	0	0		
5.				
6.				
7.				
E. ADR ATTEMPTS (1+2+3+4+5+6+7+8+9+10+11+12)	316	315	16669	52.75
1. MEDIATION	310	309	16464	53.11
2. SETTLEMENT CONFERENCES	0	0	0	0.00
3. EARLY NEUTRAL EVALUATIONS	0	0	0	0.00
4. FACTFINDING	0	0	0	0.00
5. FACILITATION	6	6	205	34.17
6. OMBUDSMAN	0	0	0	0.00
7. MINI-TRIALS	0	0	0	0.00
8. PEER REVIEW	0	0	0	0.00
9. MULTIPLE TECHNIQUES USED (Please specify)	0	0	0	0.00
10.				
11.				
12.				
F. STATUS OF CASES	COMPLAINTS	COMPLAINANTS	DAYS	AVERAGE DAYS
1. TOTAL CLOSED (a+b+c+d+e+f)	318	317	21969	69.08
a. SETTLEMENTS WITH BENEFITS (Monetary and Non-monetary)	110	109	7917	71.97
b. NO FORMAL COMPLAINT FILED	46	46	3121	67.85
c. NO RESOLUTION	161	161	10873	67.53
d. Withdrawal	1	1	58	58.00
e.				
f.				
2. OPEN INVENTORY - ADR PENDING	47	47	2275	48.40
G. BENEFITS RECEIVED	COMPLAINTS	COMPLAINANTS	AMOUNT	
1. MONETARY (INSERT TOTAL)	10	10	\$ 39882.00	
a. COMPENSATORY DAMAGES	1	1	\$ 14500.00	
b. BACKPAY/FRONTPAY	3	3	\$ 12423.09	
c. LUMP SUM	3	3	\$ 5460.00	
d. ATTORNEY'S FEES AND COSTS	2	2	\$ 6000.00	
e. Special Act Award	1	1	\$ 1500.00	
f.			\$	
g.			\$	
2. NON-MONETARY (INSERT TOTAL)	105	104		
a. NEW HIRES	2	2		
b. PROMOTIONS	3	3		
c. REINSTATEMENTS	0	0		
d. EXPUNGEMENTS	10	10		
e. TRANSFERS	18	18		
f. REMOVALS RESCINDED AND VOLUNTARY RESIGNATIONS	4	4		
g. REASONABLE ACCOMMODATIONS	11	11		
h. TRAINING	28	26		
i. APOLOGY	2	2		
j. Leave	17	16		
k. Better Communication Methods	1	1		
l. Rating/Disciplinary Action Change	17	17		

PART XI SUMMARY OF ADR PROGRAM ACTIVITIES

FORMAL PHASE

	COMPLAINTS	COMPLAINANTS	DAYS	AVERAGE DAYS
A. ADR PENDING FROM PREVIOUS REPORTING PERIOD	52	52		
B. ADR ACTIONS FOR CURRENT REPORTING PERIOD				
1. ADR OFFERED	198	163		
2. REJECTED BY COMPLAINANT	38	38		
3. REJECTED BY AGENCY	5	5		
4. TOTAL ACCEPTED INTO ADR	155	120		
C. RESOURCES USED (1+2+3+4+5+6+7)	157	122		
1. INHOUSE	133	102		
2. ANOTHER FEDERAL AGENCY	23	19		
3. PRIVATE ORGANIZATIONS, CONTRACTORS, BAR ASSOCIATIONS, INDIVIDUAL VOLUNTEERS OR COLLEGE/UNIVERSITY PERSONNEL	1	1		
4. MULTIPLE RESOURCES USED (Please specify)	0	0		
5.				
6.				
7.				
D. ADR ATTEMPTS (1+2+3+4+5+6+7+8+9+10+11+12)	157	122	10904	69.45
1. MEDIATION	154	119	10744	69.77
2. SETTLEMENT CONFERENCES	2	2	140	70.00
3. EARLY NEUTRAL EVALUATIONS	0	0	0	0.00
4. FACTFINDING	0	0	0	0.00
5. FACILITATION	1	1	20	20.00
6. OMBUDSMAN	0	0	0	0.00
7. MINI-TRIALS	0	0	0	0.00
8. PEER REVIEW	0	0	0	0.00
9. MULTIPLE TECHNIQUES USED (Please specify)	0	0	0	0.00
10.				
11.				
12.				
E. STATUS OF CASES	COMPLAINTS	COMPLAINANTS	DAYS	AVERAGE DAYS
1. TOTAL CLOSED (a+b+c+d+e+f)	157	141	44881	285.87
a. SETTLEMENTS WITH BENEFITS (Monetary and Non-monetary)	29	27	3459	119.28
b. WITHDRAWAL FROM EEO PROCESS	0	0	0	0.00
c. NO RESOLUTION	128	114	41422	323.61
d.				
e.				
f.				
2. OPEN INVENTORY - ADR PENDING	50	31	28579	571.58
F. BENEFITS RECEIVED	COMPLAINTS	COMPLAINANTS	AMOUNT	
1. MONETARY (INSERT TOTAL)	12	12	\$ 190256.00	
a. COMPENSATORY DAMAGES	0	0	\$ 0.00	
b. BACKPAY/FRONTPAY	1	1	\$ 2950.00	
c. LUMP SUM	7	6	\$ 161550.00	
d. ATTORNEY'S FEES AND COSTS	5	4	\$ 25750.00	
e. QSI	1	1	\$ 6000.00	
f.			\$	
g.			\$	
2. NON-MONETARY (INSERT TOTAL)	19	18		
a. NEW HIRES	0	0		
b. PROMOTIONS	5	5		
c. REINSTATEMENTS	2	2		
d. EXPUNGEMENTS	2	2		
e. TRANSFERS	7	7		
f. REMOVALS RESCINDED AND VOLUNTARY RESIGNATIONS	1	1		
g. REASONABLE ACCOMMODATIONS	1	1		
h. TRAINING	4	4		
i. APOLOGY	0	0		
j. Reassignment	1	1		
k. Performance Rating	3	2		
l.				

PART XII SUMMARY OF ADR PROGRAM ACTIVITIES

TRAINING AND RESOURCES

		NUMBER	TRAINED
A. BASIC ADR ORIENTATION TRAINING			
1.	MANAGERS	21249	5260
2.	EMPLOYEES	109514	20268
		NUMBER	
B. EMPLOYEES THAT CAN PARTICIPATE IN ADR		130763	
		NUMBER	
C. IN HOUSE STAFF RESOURCES AVAILABLE FOR ADR		640	
1.	FULL TIME	28	
2.	PART TIME	3	
3.	COLLATERAL DUTY	609	
		AMOUNT	
D. ADR FUNDING SPENT		\$ 472366.82	

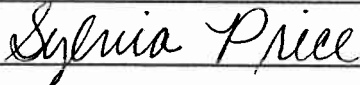
CERTIFICATION AND CONTACT INFORMATION

I certify that the EEO complaint data contained on this report, EEOC Form 462, Annual Federal Equal Employment Opportunity Statistical Report of Discrimination Complaints, for the reporting period October 1, 2001 through September 30, 2002 are accurate and complete.

TYPED NAME AND TITLE OF CERTIFYING OFFICIAL: Ted McBurrows, Director, Equal Employment Opportunity Staff

SIGNATURE OF CERTIFYING OFFICIAL: 

TYPED NAME AND TITLE OF PREPARER: Sylvia Price, EEO Specialist

SIGNATURE OF PREPARER: 

DATE: 12/20/2002 TELEPHONE NUMBER: 202-616-4808 E-MAIL: Sylvia.Price@usdoj.gov

This report is due to the following address on or before October 31st:
 U.S. Equal Employment Opportunity Commission
 Office of Federal Operations
 Federal Sector Programs
 1801 L Street, NW
 Washington, DC 20507

Appendix A - Comments

Part 8