

## 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.

Complaint Activity	Comparative Data					
	Previous Fiscal Year Data					2009 Thru 12-31
	2004	2005	2006	2007	2008	
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

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

Complaints by Issue	Comparative Data					
	Previous Fiscal Year Data					2009 Thru 12- 31
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	2004	2005	2006	2007	2008	
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
<b>Disciplinary Action</b>						
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
<b>Harassment</b>						
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

Complaints by Issue	Comparative Data					
	Previous Fiscal Year Data					2009 Thru 12- 31
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	2004	2005	2006	2007	2008	
Promotion/Non-Selection	159	86	79	77	88	20
<b>Reassignment</b>						
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

Processing Time	Comparative Data					
	Previous Fiscal Year Data					2009 Thru 12-31
	2004	2005	2006	2007	2008	
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

Processing Time	Comparative Data					
	Previous Fiscal Year Data					2009 Thru 12-31
	2004	2005	2006	2007	2008	
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

Complaints Dismissed by Agency*	Comparative Data					
	Previous Fiscal Year Data					2009 Thru 12-31
	2004	2005	2006	2007	2008	
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

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

Total Final Agency Actions Finding Discrimination*	Comparative Data											
	Previous Fiscal Year Data										2009 Thru 12-31	
	2004		2005		2006		2007		2008			
	#	%	#	%	#	%	#	%	#	%	#	%
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

\* 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 Rendered by Issue*	Comparative Data											
	Previous Fiscal Year Data										2009 Thru 12-31	
	2004		2005		2006		2007		2008			
	#	%	#	%	#	%	#	%	#	%	#	%
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

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

Pending Complaints Filed in Previous Fiscal Years by Status	Comparative Data					
	Previous Fiscal Year Data					2009 Thru 12-31
	2004	2005	2006	2007	2008	
Total complaints from previous Fiscal Years	922	964	939	803	749	741
Total Complainants	922	959	927	780	699	685
<b>Number complaints pending</b>						
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

<b>Pending Complaints Filed in Previous Fiscal Years by Status</b>	<b>Comparative Data</b>					
	<b>Previous Fiscal Year Data</b>					<b>2009 Thru 12- 31</b>
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	
Final Agency Action	18	30	24	30	24	25

<b>Complaint Investigations</b>	<b>Comparative Data</b>					
	<b>Previous Fiscal Year Data</b>					<b>2009 Thru 12- 31</b>
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	
Pending Complaints Where Investigations Exceed Required Time Frames	166	209	137	39	41	54