

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: ARS

1. The number of complaints filed: 30		2. Number of Filers (The number of individuals filing those complaints): 25		3. Number of Repeat Filers (The number of individuals who filed 2 or more complaints): 2	
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	3	e. NATIONAL ORIGIN	Hispanic	1
	White			Other	3
	American Indian & Alaskan Native		f. DISABILITY	Physical	2
	Asian & Pacific Islander	2		Mental	4
	Other			Both	
b. COLOR			g. AGE		8
c. RELIGION		1	h. RETALIATION		16
d. SEX (including Equal Pay Act)	Male		i. NON-EEOC REPORTABLE BASES		align="center">1
	Female	4			
Total					45
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			j. TRAINING		2
b. ASSIGNMENT OF DUTIES			k. TIME & ATTENDANCE		1
c. AWARDS			l. TERMINATION		7
d. CONVERSION TO FULL-TIME			m. MEDICAL EXAMINATION		
e. DISCIPLINARY ACTION		5	n. PAY, INCLUDING OVERTIME		1
	Demotion	(1)	o. PROMOTION/NON-SELECTION		9
	Reprimand	(1)	p. HARASSMENT		17
	Suspension	(3)	Sexual		(1)
	Removal		Non-Sexual		(16)
	Miscellaneous		q. REINSTATEMENT		
f. DUTY HOURS			r. RETIREMENT		
g. EVALUATION/APPRaisal		2	s. TERMS/CONDITIONS OF EMPLOYMENT		
h. EXAMINATION/TEST			t. REASONABLE ACCOMODATION		2
i. REASSIGNMENT		1	u. OTHER		1
Total					48
6. Average Length of Time to Complete Each Stage of the Complaint Process:			Average Number of Processing Days	Number of Complaints	
a. INVESTIGATION Investigation (Agency)			129	27	
b. FINAL AGENCY ACTION (Decision) -WITH EEOC HEARING (EEOC)			461	12	
c. FINAL AGENCY ACTION (Decision) -WITHOUT EEOC HEARING (CR)			817	24	
d. DISMISSALS			150	8	
e. SETTLEMENT AGREEMENTS			356	4	
f. WITHDRAWALS			522	5	

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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			1		100%		
b. With an EEOC Administrative Hearing							
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	50%	1	50%
National Origin	Hispanic						
	Other						
Age							
Disability	Physical						
	Mental						
	Both						
Retaliation				1	50%	1	50%
Non-EEOC Reportable Complaints							
Total		<i>0</i>		2	100%	2	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) Total number of pending complaints	(1) Total number of complaints filed in the current fiscal year	(2) 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		3	2	1	1		
b. Investigation		16	11	5	1		
c. Hearing		21	10	11	6		
d. Final Agency Action		23	3	20	11		
e. Appeal		6	5	1	5		
f. Totals		69	31	38	24		
g. Number of complaints in abeyance pending resolution of class complaints: 11							
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				
	Non-sexual				
Medical Examination					
Pay, Including Overtime					
Promotion/Non-Selection				1	100%
Reassignment	Denied				
	Directed				
Reasonable Accommodation					
Reinstatement					
Retirement					
Terms/Conditions of Employment					
Termination					
Training					
Time & Attendance					
Other					
Totals		0		1	100%

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: 1

b. Pending complaints received prior to the current fiscal year: 9