

**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: FSA

<b>1. The number of complaints filed: 66</b>		<b>2. Number of Filers</b> (The number of individuals filing those complaints): <b>59</b>		<b>3. Number of Repeat Filers</b> (The number of individuals who filed 2 or more complaints): <b>7</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	17	e. <b>NATIONAL ORIGIN</b>	Hispanic	12
	White	5		Other	
	American Indian & Alaskan Native	3	f. <b>DISABILITY</b>	Physical	12
	Asian & Pacific Islander			Mental	7
	Other			Both	
b. <b>COLOR</b>		4	g. <b>AGE</b>		15
c. <b>RELIGION</b>			h. <b>RETALIATION</b>		35
d. <b>SEX (including Equal Pay Act)</b>	Male	7	i. <b>NON-EEOC REPORTABLE BASES</b>		
	Female	10			
<b>Total</b>					<b>127</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>			j. <b>TRAINING</b>		
b. <b>ASSIGNMENT OF DUTIES</b>		10	k. <b>TIME &amp; ATTENDANCE</b>		1
c. <b>AWARDS</b>		1	l. <b>TERMINATION</b>		16
d. <b>CONVERSION TO FULL-TIME</b>			m. <b>MEDICAL EXAMINATION</b>		
e. <b>DISCIPLINARY ACTION</b>		9	n. <b>PAY, INCLUDING OVERTIME</b>		
Demotion			o. <b>PROMOTION/NON-SELECTION</b>		48
Reprimand			p. <b>HARASSMENT</b>		25
Suspension		(8)	Sexual		(3)
Removal		(1)	Non-Sexual		(22)
Miscellaneous			q. <b>REINSTATEMENT</b>		
f. <b>DUTY HOURS</b>		2	r. <b>RETIREMENT</b>		
g. <b>EVALUATION/APPRaisal</b>		2	s. <b>TERMS/CONDITIONS OF EMPLOYMENT</b>		2
h. <b>EXAMINATION/TEST</b>		2	t. <b>REASONABLE ACCOMODATION</b>		6
i. <b>REASSIGNMENT</b>		3	u. <b>OTHER</b>		
<b>Total</b>					<b>127</b>
<b>6. Average Length of Time to Complete Each Stage of the Complaint Process:</b>			<b>Average Number of Processing Days</b>	<b>Number of Complaints</b>	
a. <b>INVESTIGATION</b>			923	69	
Investigation (Agency)			(165)	(23)	
b. <b>FINAL AGENCY ACTION (Decision) -WITH EEOC HEARING (EEOC)</b>			905	15	
c. <b>FINAL AGENCY ACTION (Decision) -WITHOUT EEOC HEARING (CR)</b>			377	69	
d. <b>DISMISSALS</b>					
e. <b>SETTLEMENT AGREEMENTS</b>			703	29	
f. <b>WITHDRAWALS</b>			405	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		50%		
b. With an EEOC Administrative Hearing			1		50%		
<b>Totals</b>			<b>2</b>		<b>100%</b>		
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
<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			1	100%	1	50%
<b>National Origin</b>	Hispanic						
	Other						
<b>Age</b>							
<b>Disability</b>	Physical	1	100%			1	50%
	Mental						
	Both						
<b>Retaliation</b>							
<b>Non-EEOC Reportable Complaints</b>							
<b>Total</b>		<b>1</b>	<b>100%</b>	<b>1</b>	<b>100%</b>	<b>2</b>	<b>100%</b>
<b>9. Summary of EEO Active Complaints at the End of the Period Filed in Current and Previous Fiscal Years</b> (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		2	2				
b. Investigation		69	46	23	22		
c. Hearing		40	6	34	31		
d. Final Agency Action		33	1	32	32		
e. Appeal		10	2	8	8		
f. <b>Totals</b>		<b>154</b>	<b>57</b>	<b>97</b>	<b>93</b>		
g. Number of complaints in abeyance pending resolution of class complaints: 14							
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		
<b>Appointment/Hire</b>							
<b>Assignment of Duties</b>							

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<b>Awards</b>					
<b>Conversion to Full-Time</b>					
<b>Disciplinary Action</b>	Demotion				
	Reprimand				
	Suspension				
	Removal				
	Miscellaneous				
<b>Duty Hours</b>					
<b>Evaluation Appraisal</b>					
<b>Examination/Test</b>					
<b>Harassment</b>	Sexual			1	100%
	Non-sexual	1	100%		
<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>		<i>1</i>	<i>100%</i>	<i>1</i>	<i>100%</i>

**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: 21

b. Pending complaints received prior to the current fiscal year: 0