

ANNUAL FEDERAL EQUAL EMPLOYMENT OPPORTUNITY  
STATISTICAL REPORT OF DISCRIMINATION COMPLAINTS  
(REPORTING PERIOD BEGINS OCTOBER 1ST AND ENDS SEPTEMBER 30TH)

AGENCY OR DEPARTMENT:  
IMMIGRATION NATURALIZATION SERVICE

RCS NUMBER 0288-EEO-AN  
REPORTING PERIOD: FY 1999

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PART I. SUMMARY OF PRE-COMPLAINT  
COUNSELING ACTIVITIES

TOTAL  
NUMBER

659	1.	TOTAL NUMBER OF INDIVIDUALS COUNSELED THIS REPORTING PERIOD
185	a.	NUMBER COUNSELED WITHIN 30 DAYS
464	b.	NUMBER COUNSELED WITHIN 60 DAYS EXTENSION
10	c.	NUMBER COUNSELED THROUGH AGENCY DISPUTE RESOLUTION PROCEDURE (DRP)
0	d.	NUMBER COUNSELED ON REMAND (LIKE AND RELATED ISSUES OR OTHER REASONS)

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PART II. SUMMARY OF FORMAL  
COMPLAINT ACTIVITIES

TOTAL  
NUMBER

- 1012 1. COMPLAINTS ON HAND AT THE END OF  
PRIOR REPORTING PERIOD.
- 918 2. COMPLAINTS ON HAND AT THE BEGINNING  
OF REPORTING PERIOD (ITEMS 1 AND 2  
SHOULD BE THE SAME. IF NOT, PLEASE  
EXPLAIN IN COMMENTS).
- 547 3. COMPLAINTS FILED THIS REPORTING PERIOD.
- 10 4. REMANDS  
(COUNSELING, LIKE AND RELATED ISSUES;  
FROM APPEALS; AND OTHER(S))
- 178 5. FORMAL COMPLAINTS CLOSED THIS  
REPORTING PERIOD.
- 1297 6. FORMAL COMPLAINTS OPEN AT THE END OF  
THIS REPORTING PERIOD.
- 404 7. INDIVIDUALS FILING COMPLAINTS

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PART III. AGENCY RESOURCES (WORKFORCE AND EEO PROGRAM)

	NUMBER	PERCENT (%)
1. AGENCY WORKFORCE	30177	
a. NUMBER OF CAREER EMPLOYEES	30177	100.00
2. NUMBER OF EEO COUNSELORS	174	
a. FULL-TIME	9	5.17
b. PART-TIME	0	0.00
c. COLLATERAL DUTY	165	94.83
3. NUMBER OF INVESTIGATORS	0	
a. FULL-TIME	0	0.00
b. PART-TIME	0	0.00
c. COLLATERAL DUTY	0	0.00
4. NUMBER OF COUNSELORS/ INVESTIGATORS	174	
a. FULL-TIME	9	5.17
b. PART-TIME	0	0.00
c. COLLATERAL DUTY	165	94.83

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PART IV. (A) SUMMARY OF BASES AND ISSUES IN COMPLAINTS FILED

BASES OF ALLEGED DISCRIMINATION

ISSUE(S) OF ALLEGED DISCRIMINATION	RACE AND COLOR				RELIGION	SEX	
	BLACK	WHITE	NATIVE	ASIAN		MALE	FEMALE
APPOINTMENT/HIRE	1	0	0	0	0	1	0
ASSIGNMENT OF DUTIES	2	2	0	1	5	6	7
AWARDS	1	0	0	0	1	1	1
CONVERSION TO FULL-TIME	0	0	0	0	0	0	0
DISCIPLINARY ACTION							
a. DEMOTION	0	1	0	0	0	0	0
b. REPRIMAND	4	0	0	0	1	1	5
c. SUSPENSION	1	0	0	0	0	0	3
d. TERMINATION	7	0	0	0	1	0	3
e. OTHER	6	5	1	0	3	11	11
DUTY HOURS	0	1	0	0	1	0	1
EQUAL PAY VIOLATION						0	0
EXAMINATION/TEST	2	0	0	0	0	0	0
EVALUATION/APPRaisal	5	3	0	0	4	5	2
HARRASSMENT							
a. NON-SEXUAL	7	8	1	1	6	12	7
b. SEXUAL						9	17
PAY INCLUDING OVERTIME	3	0	0	0	0	1	1
PROMOTION/NON-SELECTION	21	13	1	8	6	13	15
REASSIGNMENT							
a. REQUEST DENIED	1	3	0	0	0	3	5
b. DIRECTED	2	2	0	0	0	0	2
REINSTATEMENT	0	0	0	0	0	0	1
RETIREMENT	0	0	0	0	0	1	0
TIME AND ATTENDANCE	2	0	0	0	0	0	5
TRAINING	3	0	0	0	0	2	3
TERMS OF EMPLOYMENT	2	16	0	0	1	4	2
REASONABLE ACCOMODATION					0		
OTHER	4	8	1	0	1	4	12
TOTAL	74	62	4	10	30	74	103

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PART IV. (B) SUMMARY OF BASES AND ISSUES IN COMPLAINTS FILED

BASES OF ALLEGED DISCRIMINATION

ISSUE(S) OF ALLEGED DISCRIMINATION	NATIONAL HISPANIC	ORIGIN OTHER	AGE	HANDICAP		REPRISAL	TOTAL
				PHYSICAL	MENTAL		
APPOINTMENT/HIRE	2	2	1	3	0	0	10
ASSIGNMENT OF DUTIES	4	3	7	1	1	13	52
AWARDS	0	1	0	0	0	2	7
CONVERSION TO FULL-TIME	0	0	0	0	0	0	0
DISCIPLINARY ACTION							
a. DEMOTION	3	0	0	0	0	0	4
b. REPRIMAND	0	1	2	0	0	2	16
c. SUSPENSION	1	2	6	2	1	5	21
d. TERMINATION	2	4	0	3	2	4	26
e. OTHER	12	18	0	10	4	40	121
DUTY HOURS	0	2	17	1	0	3	26
EQUAL PAY VIOLATION						3	3
EXAMINATION/TEST	0	0	0	1	0	0	3
EVALUATION/APPRaisal	1	4	6	5	0	28	63
HARRASSMENT							
a. NON-SEXUAL	7	12	13	5	0	10	89
b. SEXUAL						10	36
PAY INCLUDING OVERTIME	1	0	0	0	0	4	10
PROMOTION/NON-SELECTION	16	21	32	18	20	37	221
REASSIGNMENT							
a. REQUEST DENIED	1	2	1	0	0	20	36
b. DIRECTED	1	2	1	1	0	3	14
REINSTATEMENT	0	0	1	0	0	0	2
RETIREMENT	0	0	0	0	0	0	1
TIME AND ATTENDANCE	1	2	0	2	0	7	19
TRAINING	0	1	5	2	0	7	23
TERMS OF EMPLOYMENT	0	4	4	0	1	14	48
REASONABLE ACCOMODATION				4	1	0	5
OTHER	6	5	13	7	1	29	91
TOTAL	58	86	109	65	31	241	947

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PART V. SUMMARY OF BASES FOR CLOSURES BY STATUTE

TOTAL BY STATUTES	489
1. TITLE VII	389
2. AGE DISCRIMINATION IN EMPLOYMENT ACT (ADEA)	43
3. REHABILITATION ACT	53
4. EQUAL PAY ACT (EPA)	4

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PART VI. SUMMARY OF CLOSURES BY AGENCY

	TOTAL NUMBER OF CLOSURES	TOTAL NUMBER OF DAYS	AVG NUMBER OF DAYS
A. TOTAL NUMBER OF CLOSURES	178	161467	907.12
B. NUMBER OF CLOSURES BY CATEGORY			
1. DISMISSALS	26	9689	372.65
2. WITHDRAWALS	0	0	0.00
3. SETTLEMENTS	51	36437	714.45
4. FINAL AGENCY DECISIONS (WITH AND WITHOUT HEARING)	101	115341	1141.99
(a) FINDING DISCRIMINATION	8	10509	1313.62
(b) FINDING NO DISCRIMINATION	93	104832	1127.23
C. TYPES OF FINAL AGENCY DECISIONS	101	115341	1141.99
1. FINAL AGENCY DECISION WITHOUT HEARING	79	93984	1189.67
(a) FINDING DISCRIMINATION	4	4956	1239.00
(b) FINDING NO DISCRIMINATION	75	89028	1187.04
2. FINAL AGENCY DECISION WITH HEARING (AJ'S FINDINGS AND CONCLUSIONS)	22	21357	970.77
(a) AGENCY ACTION ON FINDINGS AND CONCLUSIONS FINDING DISCRIMINATION	4	5553	1388.25
1. ACCEPTED BY AGENCY DECISION	4	5553	1388.25
2. MODIFIED BY AGENCY	0	0	0.00
3. REJECTED BY AGENCY	0	0	0.00
(b) AGENCY ACTION ON RECOMMENDED DECISIONS FINDING NO DISCRIMINATION	18	15804	878.00
1. ACCEPTED AS AGENCY DECISION	18	15804	878.00
2. MODIFIED BY AGENCY	0	0	0.00
3. REJECTED BY AGENCY	0	0	0.00



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PART VII. SUMMARY OF COMPLAINTS CLOSED WITH CORRECTIVE ACTION UP TO  
 AND INCLUDING FINAL DECISION BY THE AGENCY

A. TOTAL NUMBER OF COMPLAINTS CLOSED WITH CORRECTIVE ACTION THIS REPORTING PERIOD 64

B. AMOUNT OF BACKPAY AWARDED THIS REPORTING PERIOD 174080.89

C. ATTORNEY'S FEES AND COSTS AWARDED 258450.61

	TOTAL NUMBER WITH BACKPAY	TOTAL NUMBER WITHOUT BACKPAY
D. TYPES OF CORRECTIVE ACTIONS	13	51
1. HIRE	2	1
a. RETROACTIVE	2	0
b. NON-RETROACTIVE	0	1
2. PROMOTION	4	6
a. RETROACTIVE	4	5
b. NON-RETROACTIVE	0	1
3. DISCIPLINARY ACTION	0	2
a. RESCINDED	0	2
b. MODIFIED	0	0
4. REINSTATEMENT	1	0
5. REASSIGNMENT	2	2
6. PERFORMANCE EVALUATION MODIFIED	1	7
7. PERSONNEL FILE PURGED OF ADVERSE MATERIAL	1	7
8. OTHER	2	26
E. COMPENSATORY DAMAGES		31200.76

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PART VIII. SUMMARY OF OPEN EEO COMPLAINTS INVENTORY PENDING  
 AT THE END OF THE FISCAL YEAR

	TOTAL NUMBER OF OPEN COM- PLAINTS PENDING	TOTAL NUMBER OF DAYS	AVERAGE NUMBER OF DAYS PENDING FROM FILING TO END OF FISCAL YEAR	PENDING 1-180 DAYS	PENDING 181-270 DAYS	PENDING OVER 270 DAYS
1. TOTAL NUMBER OF OPEN COMPLAINTS PENDING IN INVENTORY, END OF REPORTING PERIOD	1297	767232	591.5	271	117	909
2. TOTAL NUMBER OF OPEN COMPLAINTS PENDING IN INVENTORY BY CATEGORY						
a. WRITTEN ACKNOWLEDGEMENT OF RECEIPT (NOTIFICATION OF ACCEPTANCE FOR PROCESSING OR DISMISSAL)	158	24470	154.9	122	11	25
b. INVESTIGATION	416	181440	436.2	133	69	214
c. HEARINGS	440	355817	808.7	10	28	402
d. FINAL DECISION BY THE AGENCY	283	205505	726.2	6	9	268

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PART IX. SUMMARY OF ACTIVITY FOR COMPLETED INVESTIGATIONS

	TOTAL NUMBER	TOTAL NUMBER OF DAYS	AVERAGE NUMBER OF DAYS
1. NUMBER OF INVESTIGATIONS COMPLETED THIS REPORTING PERIOD	488	146741	300.7
a. NUMBER COMPLETED BY AGENCY PERSONNEL	0	0	0.0
b. NUMBER OF INVESTIGATIONS CONTRACTED OUT	488	146741	300.7
2. NUMBER OF INVESTIGATIONS COMPLETED AND NOTICE ISSUED WITHIN 180 DAYS	131	14238	108.7
3. NUMBER OF INVESTIGATIONS COMPLETED AND NOTICE ISSUED AFTER ADDITIONAL EXTENSION OF UP TO 90 DAYS USED	98	20008	204.2
4. NUMBER OF INVESTIGATIONS COMPLETED AND NOTICE ISSUED IN EXCESS OF 270 DAYS	259	112495	434.3
5. TOTAL DOLLAR AMOUNT SPENT FOR ALL INVESTIGATIONS			1477803.55
A. AMOUNT SPENT ON INVESTIGATIONS COMPLETED BY AGENCY PERSONNEL			0.00
B. AMOUNT SPENT ON CONTRACTED INVESTIGATIONS			1477803.55

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COMMENTS:

PART II, ITEM 2-NUMBER OF COMPLAINTS ON HAND AT THE BEGINNING OF THE REPORTING PERIOD DIFFERS DUE TO AUTOMATION/DATABASE DEFECTS, DUPLICATE ENTRIES; AND CLOSURES FOR THE PRIOR REPORTING PERIOD WHICH WERE NOT CAPTURED IN LAST YEAR'S REPORT. THIS YEAR'S REPORT WAS PREPARED MANUALLY AS WE CONTINUE TO RECONCILE AND VALIDATE DATA IN THE NEWLY INSTALLED, EEO ASSISTANT.

TYPED NAME AND TITLE OF PREPARER  
MALINDA EPPERSON, CHIEF, COMPLAINTS BR.

TELEPHONE NUMBER:  
(202) 514-2732

DATE PREPARED: OCTOBER 13, 1999

This Report is due on or before the 31st October to:

Equal Employment Opportunity Commission  
Office of Federal Operations  
Federal Sector Programs  
1801 L Street, N.W.  
Washington, D.C. 20507