## Equal Employment Opportunity Data Posted Pursuant to the No Fear Act:

## **Internal Revenue Service (IRS)**

## For 2nd Quarter 2009 for period ending March 31, 2009

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 4/3/09 for the current and past five fiscal years. Mixed cases are included in this report.

		Comparative Data											
	Fiscal \	ear Dat	2009										
Complaint Activity	plaint Activity 2004 2005				2008	Thru 03-31							
Number of Complaints Filed	734	535	395	412	359	127							
Number of Complainants	730	530	382	371	338	124							
Repeat Filers	n/a	n/a	13	30	18	4							

		C	ompara	ative Da	ata		
Complaints by Basis	Pro	evious	Fiscal	Year D	ata		
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.	2004	2005	2006	2007	2008	2009 Thru 03- 31	
Race	292	210	168	147	148	45	
Color	2	4	7	17	19	4	
Religion	34	26	12	16	23	3	
Reprisal	295	210	183	156	148	63	
Sex	274	188	124	110	122	43	
National Origin	63	38	32	25	34	8	
Equal Pay Act	0	1	0	2	2	0	
Age	208	137	115	104	109	35	
Disability	223	152	106	113	89	30	
Non-EEO	28	21	13	12	29	2	

	Comparative Data										
Complaints by Issue	Pre	evious	Fiscal	Year D	ata						
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.	2004	2005	2006	2007	2008	2009 Thru 03- 31					
Appointment/Hire	0	1	6	14	13	4					
Assignment of Duties	70	57	33	51	36	12					
Awards	10	14	5	13	8	4					
Conversion to Full-time	0	3	1	0	2	0					
Disciplinary Action											
Demotion	7	5	3	5	4	1					
Reprimand	44	25	18	9	15	6					
Suspension	17	7	13	11	7	5					
Removal	0	10	2	5	4	3					
Other	2	21	22	7	17	6					
Duty Hours	11	23	7	6	9	2					
Evaluation Appraisal	167	84	93	79	70	34					
Examination/Test	0	0	0	1	0	0					
Harassment											
Non-Sexual	282	155	160	175	184	66					
Sexual	29	16	11	13	12	2					
Medical Examination	0	0	0	0	2	0					
Pay (Including Overtime)	14	7	13	15	12	3					
Promotion/Non-Selection	159	86	79	77	88	27					
Reassignment											
Denied	0	1	4	7	6	3					
Directed	41	15	22	7	13	1					
Reasonable Accommodation	2	6	17	40	23	8					

		C	ompara	ative Da	ata	
Complaints by Issue	Pre					
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.	2004	2005	2006	2007	2008	2009 Thru 03- 31
Reinstatement	4	4	14	5	2	0
Retirement	2	3	4	3	6	1
Termination	54	23	21	23	35	4
Terms/Conditions of Employment	121	194	169	28	37	7
Time and Attendance	120	48	44	26	29	13
Training	34	21	20	19	17	4
Other	0	0	0	0	1	1

		C	ompara	tive Dat	а	
	P	revious	Fiscal \	ear Dat	а	2009
Processing Time	2004	2005	2006	2007	2008	Thru 03-31
Complaints pending during fiscal year						
Average number of days in investigation	232.78	312.35	340.84	269.93	264.63	269.29
Average number of days in final action	409.15	356.72	94.08	106.81	104.49	122.82
Complaint pending during fiscal year where hearing was requested						
Average number of days in investigation	234.82	303.53	330.96	257.73	267.43	270.91
Average number of days in final action	39.00	0	7.98	11.28	7.33	7.35
Complaint pending during fiscal year where hearing was not requested						
Average number of days in investigation	231.27	320.61	351.44	284.10	262.43	268.45
Average number of days in final	412.62	368.13	157.50	175.88	181.30	197.40

	Comparative Data											
	Previous Fiscal Year Data											
Processing Time	2004	2005	2006	2007	2008	Thru 03-31						
action												

	Comparative Data										
	Pro	ata	2009								
Complaints Dismissed by Agency*	2004	2005	2006	2007	2008	Thru 03- 31					
Total Complaints Dismissed by Agency	1	1	93	56	46	19					
Average days pending prior to dismissal	0	912	432	199	300	202					
Complaints Withdrawn by Complainants											
Total Complaints Withdrawn by Complainants	99	81	81	50	65	11					

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

	Comparative Data											
	Previous Fiscal Year Data										1	009
Total Final Agency Actions	20	004	20	05	20	06	20	07	20	800	0	hru )3- 31
Finding Discrimination*	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0		2		0		9		5		3	
Without Hearing	0	0	1	50	0	0	4	44	1	20	1	33
With Hearing	0	0	1	50	0	0	5	56	4	80	2	67

<sup>\*</sup> 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	Comparative Data										
Rendered by Basis*	Previous Fiscal Year Data 200										
Note: Complaints can be filed	2004 2005 2006 2007 2008 03-3										

	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0		1		0		9		5		3	
Race	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	1	100	0	0	6	67	1	20	2	67
Sex	0	0	1	100	0	0	1	11	0	0	0	0
National Origin	0	0	1	100	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	1	20	0	0
Disability	0	0	0	0	0	0	2	22	3	60	1	33
Non-EEO	0	0	0	0	0	0	1	11	0	0	0	0
		<u>'</u>										
Findings After Hearing	0		1		0	_	5		4		2	
Race	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	1	100	0	0	4	80	1	25	2	100
Sex	0	0	1	100	0	0	1	20	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	1	25	0	0
Disability	0	0	0	0	0	0	1	20	2	50	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing	0		0		0		3		1		1	
Race	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination				(	Com	par	ativ	e Da	ata			
Rendered by Basis*	Previous Fiscal Year Data											009
Note: Complaints can be filed	2004		2005		2006		2007		2008		Thru 03-31	
alleging multiple bases. The sum of the bases may not equal total complaints and findings.	#	%	#	%	#	%	#	%	#	%	#	%
Reprisal	0	0	0	0	0	0	1	33	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	1	33	1	100	1	100
Non-EEO	0	0	0	0	0	0	1	33	0	0	0	0

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

				(	Com	ıpar	ativ	e Da	ata						
		Previous Fiscal Year Data										009			
Findings of Discrimination	20	2004 2005		005	5 2006		2007		2008			hru 3-31			
Rendered by Issue*	#	%	#	%	#	%	#	%	#	%	#	%			
Total Number Findings	0		1		0		9		5		3				
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0			
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	1	33			
Awards	0	0	0	0	0	0	0	0	0	0	0	0			
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0	0	0			
Disciplinary Action															
Demotion	0	0	0	0	0	0	0	0	0	0	0	0			
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0			
Suspension	0	0	0	0	0	0	0	0	0	0	0	0			
Removal	0	0	0	0	0	0	0	0	0	0	0	0			
Other	0	0	0	0	0	0	0	0	0	0	0	0			

	Comparative Data											
Findings of Discrimination Rendered by Issue*	Previous Fiscal Year Data											009
	20	2004		2005		2006		2007		2008		hru 3-31
	#	%	#	%	#	%	#	%	#	%	#	%
Duty Hours	0	0	0	0	0	0	1	11	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	2	22	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment												
Non-Sexual	0	0	0	0	0	0	4	44	2	40	1	33
Sexual	0	0	0	0	0	0	0	0	0	0	1	33
Medical Examination	0	0	0	0	0	0	0	0	0	0	1	33
Pay (Including Overtime)	0	0	0	0	0	0	1	11	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	11	1	20	0	0
Reinstatement	0	0	0	0	0	0	0	0	1	20	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	4	44	1	20	0	0
Time and Attendance	0	0	0	0	0	0	2	22	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
Findings After Hearing	0		1		0	_	5		4		2	
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	1	50
Awards	0	0	0	0	0	0	0	0	0	0	0	0

	Comparative Data												
Findings of Discrimination Rendered by Issue*	Previous Fiscal Year Data											009	
	20	2004		2005		2006		2007		2008		Thru 03-31	
	#	%	#	%	#	%	#	%	#	%	#	%	
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0	0	0	
Disciplinary Action													
Demotion	0	0	0	0	0	0	0	0	0	0	0	0	
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0	
Suspension	0	0	0	0	0	0	0	0	0	0	0	0	
Removal	0	0	0	0	0	0	0	0	0	0	0	0	
Other	0	0	0	0	0	0	0	0	0	0	0	0	
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0	
Evaluation Appraisal	0	0	0	0	0	0	1	20	0	0	0	0	
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0	
Harassment							-						
Non-Sexual	0	0	0	0	0	0	3	60	2	50	1	50	
Sexual	0	0	0	0	0	0	0	0	0	0	1	50	
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0	
Pay (Including Overtime)	0	0	0	0	0	0	1	20	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	0	0	0	0	0	0	
Reinstatement	0	0	0	0	0	0	0	0	1	25	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	40	1	25	0	0	
Time and Attendance	0	0	0	0	0	0	1	20	0	0	0	0	

	Comparative Data											
Findings of Discrimination	Previous Fiscal Year Data											009
	20	2004		2005		2006		2007		2008		hru 3-31
Rendered by Issue*	#	%	#	%	#	%	#	%	#	%	#	%
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
Findings Without Hearing	0		1		0		4		1		1	
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action												
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	1	25	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	1	25	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment												
Non-Sexual	0	0	0	0	0	0	1	25	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	1	100
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

Findings of Discrimination Rendered by Issue*	Comparative Data											
	Previous Fiscal Year Data											009
	2004		2005		2006		2007		2008		Thru 03-31	
	#	%	#	%	#	%	#	%	#	%	#	%
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

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

	Comparative Data										
	Pre	2009									
Pending Complaints Filed in Previous Fiscal Years by Status	2004	2005	2006	2007	2008	Thru 03- 31					
Total complaints from previous Fiscal Years	922	964	939	803	749	741					
Total Complainants	922	959	927	780	699	685					
Number complaints pending											
Investigation	42	88	51	9	9	53					
ROI issued, pending Complainant's action	1	12	3	1	5	14					
Hearing	42	88	51	9	9	53					
Final Agency Action	18	30	24	30	25	27					

Complaint Investigations	Comparative Data				
	Previous Fiscal Year Data	2009			

	2004	2005	2006	2007	2008	
Pending Complaints Where Investigations Exceed Required Time Frames	166	209	137	39	41	57