

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

AGENCY OR DEPARTMENT:  
U.S. DEPARTMENT OF JUSTICE

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

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PART I. SUMMARY OF PRE-COMPLAINT  
COUNSELING ACTIVITIES

TOTAL  
NUMBER

2431	1.	TOTAL NUMBER OF INDIVIDUALS COUNSELED THIS REPORTING PERIOD
1477	a.	NUMBER COUNSELED WITHIN 30 DAYS
935	b.	NUMBER COUNSELED WITHIN 60 DAYS EXTENSION
19	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

- 2412 1. COMPLAINTS ON HAND AT THE END OF  
PRIOR REPORTING PERIOD.
- 2302 2. COMPLAINTS ON HAND AT THE BEGINNING  
OF REPORTING PERIOD (ITEMS 1 AND 2  
SHOULD BE THE SAME. IF NOT, PLEASE  
EXPLAIN IN COMMENTS).
- 1208 3. COMPLAINTS FILED THIS REPORTING PERIOD.
- 17 4. REMANDS  
(COUNSELING, LIKE AND RELATED ISSUES;  
FROM APPEALS; AND OTHER(S))
- 641 5. FORMAL COMPLAINTS CLOSED THIS  
REPORTING PERIOD.
- 2886 6. FORMAL COMPLAINTS OPEN AT THE END OF  
THIS REPORTING PERIOD.
- 935 7. INDIVIDUALS FILING COMPLAINTS

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PART III. AGENCY RESOURCES (WORKFORCE AND EEO PROGRAM)

	NUMBER	PERCENT (%)
1. AGENCY WORKFORCE	123038	
a. NUMBER OF CAREER EMPLOYEES	118366	96.20
2. NUMBER OF EEO COUNSELORS	971	
a. FULL-TIME	14	1.44
b. PART-TIME	0	0.00
c. COLLATERAL DUTY	957	98.56
3. NUMBER OF INVESTIGATORS	313	
a. FULL-TIME	17	5.43
b. PART-TIME	0	0.00
c. COLLATERAL DUTY	296	94.57
4. NUMBER OF COUNSELORS/ INVESTIGATORS	5	
a. FULL-TIME	0	0.00
b. PART-TIME	0	0.00
c. COLLATERAL DUTY	5	100.00

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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	10	2	2	1	1	4	5
ASSIGNMENT OF DUTIES	16	8	3	5	7	10	27
AWARDS	8	1	0	0	1	1	2
CONVERSION TO FULL-TIME	0	0	0	0	0	0	0
DISCIPLINARY ACTION							
a. DEMOTION	0	2	0	1	0	0	0
b. REPRIMAND	8	0	0	0	2	2	8
c. SUSPENSION	13	0	0	0	1	1	9
d. TERMINATION	13	6	0	0	3	4	12
e. OTHER	10	7	1	0	5	11	15
DUTY HOURS	2	1	0	0	1	2	3
EQUAL PAY VIOLATION						0	0
EXAMINATION/TEST	3	1	0	0	0	0	2
EVALUATION/APPRaisal	15	6	0	2	4	9	21
HARRASSMENT							
a. NON-SEXUAL	26	14	1	4	9	17	40
b. SEXUAL						39	35
PAY INCLUDING OVERTIME	5	1	0	0	0	1	6
PROMOTION/NON-SELECTION	54	33	1	9	7	28	47
REASSIGNMENT							
a. REQUEST DENIED	6	7	0	0	2	7	7
b. DIRECTED	3	2	0	0	0	2	4
REINSTATEMENT	0	0	0	0	0	0	1
RETIREMENT	0	0	0	0	0	1	0
TIME AND ATTENDANCE	6	1	0	1	2	2	7
TRAINING	4	1	0	0	0	3	7
TERMS OF EMPLOYMENT	36	36	2	3	12	26	55
REASONABLE ACCOMODATION					1		
OTHER	17	10	1	12	5	8	28
TOTAL	255	139	11	38	63	178	341

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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 ORIGIN		AGE	HANDICAP		REPRISAL	TOTAL
	HISPANIC	OTHER		PHYSICAL	MENTAL		
APPOINTMENT/HIRE	5	8	6	16	0	3	63
ASSIGNMENT OF DUTIES	4	11	19	14	4	49	177
AWARDS	0	2	2	1	0	12	30
CONVERSION TO FULL-TIME	0	0	0	0	0	0	0
DISCIPLINARY ACTION							
a. DEMOTION	3	0	2	0	0	9	17
b. REPRIMAND	2	1	4	0	0	6	33
c. SUSPENSION	3	4	8	4	2	13	58
d. TERMINATION	10	6	11	6	4	17	92
e. OTHER	13	18	4	11	4	47	146
DUTY HOURS	0	2	17	1	0	7	36
EQUAL PAY VIOLATION						3	3
EXAMINATION/TEST	0	0	1	3	1	3	14
EVALUATION/APPRaisal	2	8	12	11	3	77	170
HARRASSMENT							
a. NON-SEXUAL	12	19	22	10	1	69	244
b. SEXUAL						16	90
PAY INCLUDING OVERTIME	1	1	2	0	0	7	24
PROMOTION/NON-SELECTION	21	28	79	32	25	100	464
REASSIGNMENT							
a. REQUEST DENIED	1	2	6	1	0	30	69
b. DIRECTED	1	3	1	1	0	9	26
REINSTATEMENT	0	0	1	0	0	3	5
RETIREMENT	0	1	1	1	1	1	6
TIME AND ATTENDANCE	1	5	4	2	2	13	46
TRAINING	3	2	10	5	5	14	54
TERMS OF EMPLOYMENT	16	14	27	21	6	119	373
REASONABLE ACCOMODATION				14	3	3	21
OTHER	7	18	32	29	11	89	267
TOTAL	105	153	271	183	72	719	2528

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PART V. SUMMARY OF BASES FOR CLOSURES BY STATUTE

TOTAL BY STATUTES	1042
1. TITLE VII	796
2. AGE DISCRIMINATION IN EMPLOYMENT ACT (ADEA)	121
3. REHABILITATION ACT	121
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	641	503845	786.03
B. NUMBER OF CLOSURES BY CATEGORY			
1. DISMISSALS	145	72338	498.88
2. WITHDRAWALS	66	31321	474.56
3. SETTLEMENTS	112	67335	601.21
4. FINAL AGENCY DECISIONS (WITH AND WITHOUT HEARING)	318	332851	1046.70
(a) FINDING DISCRIMINATION	19	22208	1168.84
(b) FINDING NO DISCRIMINATION	299	310643	1038.94
C. TYPES OF FINAL AGENCY DECISIONS	318	332851	1046.70
1. FINAL AGENCY DECISION WITHOUT HEARING	220	241731	1098.78
(a) FINDING DISCRIMINATION	10	12897	1289.70
(b) FINDING NO DISCRIMINATION	210	228834	1089.69
2. FINAL AGENCY DECISION WITH HEARING (AJ'S FINDINGS AND CONCLUSIONS)	98	91120	929.80
(a) AGENCY ACTION ON FINDINGS AND CONCLUSIONS FINDING DISCRIMINATION	9	9311	1034.56
1. ACCEPTED BY AGENCY DECISION	5	5903	1180.60
2. MODIFIED BY AGENCY	4	3408	852.00
3. REJECTED BY AGENCY	0	0	0.00
(b) AGENCY ACTION ON RECOMMENDED DECISIONS FINDING NO DISCRIMINATION	89	81809	919.20
1. ACCEPTED AS AGENCY DECISION	53	48638	917.70
2. MODIFIED BY AGENCY	36	33171	921.42
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 98

B. AMOUNT OF BACKPAY AWARDED THIS REPORTING PERIOD 420929.12

C. ATTORNEY'S FEES AND COSTS AWARDED 342003.61

	TOTAL NUMBER WITH BACKPAY	TOTAL NUMBER WITHOUT BACKPAY
D. TYPES OF CORRECTIVE ACTIONS	47	74
1. HIRE	2	2
a. RETROACTIVE	2	0
b. NON-RETROACTIVE	0	2
2. PROMOTION	5	15
a. RETROACTIVE	5	7
b. NON-RETROACTIVE	0	8
3. DISCIPLINARY ACTION	7	6
a. RESCINDED	7	4
b. MODIFIED	0	2
4. REINSTATEMENT	6	0
5. REASSIGNMENT	2	4
6. PERFORMANCE EVALUATION MODIFIED	2	7
7. PERSONNEL FILE PURGED OF ADVERSE MATERIAL	6	11
8. OTHER	17	29

E. COMPENSATORY DAMAGES 286213.76

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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	2886	1692400	586.4	575	292	2019
2. TOTAL NUMBER OF OPEN COMPLAINTS PENDING IN INVENTORY BY CATEGORY						
a. WRITTEN ACKNOWLEDGEMENT OF RECEIPT (NOTIFICATION OF ACCEPTANCE FOR PROCESSING OR DISMISSAL)	514	99433	193.4	344	63	107
b. INVESTIGATION	900	387764	430.8	214	149	537
c. HEARINGS	836	727669	870.4	10	70	756
d. FINAL DECISION BY THE AGENCY	636	477534	750.8	7	10	619

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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	882	308078	349.3
a. NUMBER COMPLETED BY AGENCY PERSONNEL	261	114750	439.7
b. NUMBER OF INVESTIGATIONS CONTRACTED OUT	621	193328	311.3
2. NUMBER OF INVESTIGATIONS COMPLETED AND NOTICE ISSUED WITHIN 180 DAYS	144	15819	109.9
3. NUMBER OF INVESTIGATIONS COMPLETED AND NOTICE ISSUED AFTER ADDITIONAL EXTENSION OF UP TO 90 DAYS USED	154	32646	212.0
4. NUMBER OF INVESTIGATIONS COMPLETED AND NOTICE ISSUED IN EXCESS OF 270 DAYS	584	259613	444.5
5. TOTAL DOLLAR AMOUNT SPENT FOR ALL INVESTIGATIONS			3322006.04
A. AMOUNT SPENT ON INVESTIGATIONS COMPLETED BY AGENCY PERSONNEL			1397676.49
B. AMOUNT SPENT ON CONTRACTED INVESTIGATIONS			1924329.55

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COMMENTS:

SEE ATTACHMENT

TYPED NAME AND TITLE OF PREPARER  
TED MCBURROWS, DIRECTOR  
EQUAL EMPLOYMENT OPPORTUNITY STAFF

TELEPHONE NUMBER:  
202-616-4800

DATE PREPARED: DECEMBER 1, 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

U.S. Department of Justice  
Fiscal Year 1999  
ATTACHMENT

Comments: Part II. 2.

DEA - 1 case that was remanded was counted as being opened

USMS - 11 cases were inadvertently not entered into the database prior to the close of fiscal year (FY) 98; 14 complaints initiated a group complaint with another DOJ bureau and were not tracked by USMS prior to the close of FY 98

INS - 94 cases lower than last FY due to database errors and closures that were not reported as being closed

FBI - 2 cases were closed before the end of FY 98 but were not reported

OBD - 6 open cases were not reported on the FY 98 report

BOP - during the majority of this reporting period, when a letter was sent to the complainant due to insufficient information in the complaint, the date filed was changed to the date their response was received (44 cases)