

**Department of Veterans Affairs**  
**Equal Employment Opportunity data Posted Pursuant to the No FEAR Act:**  
**Internal Complaint Activity**  
**Veterans Benefits Administration**

29 CFR §1614.704(a) - (c)	29 CFR §1614.705 Comparative Data					2009 Q2
Complaint Activity	Previous Fiscal Year Data					
	2004	2005	2006	2007	2008	
Number of Complaints Filed in FY 1614.704(a)	119	140	114	117	145	77
Number of Complainants 1614.704(b)	112	126	107	106	132	75
Repeat Filers 1614.704(c)	7	14	6	8	16	3

29 CFR §1614.704(d)	29 CFR §1614.705 Comparative Data					2009 Q2
Complaints by Basis	Previous Fiscal Year Data					
	2004	2005	2006	2007	2008	
Race	45	58	96	75	82	96
Color	7	2	3	1	12	12
Religion	1	2	2	2	4	1
Reprisal	55	36	58	90	91	29
Sex	30	48	61	57	68	71
National Origin	7	4	11	8	4	1
Equal Pay Act					0	0
Age	30	44	48	84	54	46
Disability	21	33	49	93	71	46
Other	0	2	4	2	0	0
Non-EEO						

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29 CFR §1614.704(e)  Complaints by Issue	29 CFR §1614.705 Comparative Data					2009 Q2
	Previous Fiscal Year Data					
	2004	2005	2006	2007	2008	
Appointment/Hire	1	2	14	10	6	2
Assignment of Duties	15	8	16	6	8	1
Awards	4	4	3	4	4	2
Conversion to Full-time	0	0	0	0	0	0
<b>Disciplinary Action</b>	<b>32</b>	<b>29</b>	<b>43</b>	<b>27</b>	<b>23</b>	<b>15</b>
Demotion	4	2	0	0	0	2
Reprimand	0	3	7	3	2	2
Suspension	6	10	1	6	6	2
Removal	14	2	0	6	5	4
Other	8	12	35	12	10	5
Duty Hours	2	0	7	0	2	0
Evaluation Appraisal	10	2	8	9	4	4
Examination/Test	3	0	0	0	0	0
<b>Harassment</b>	<b>65</b>	<b>34</b>	<b>109</b>	<b>93</b>	<b>45</b>	<b>75</b>
Non-Sexual	60	33	102	90	39	62
Sexual	5	1	7	3	6	13
Medical Examination	0	0	0	0	0	0
Pay (Including Overtime)	3	1	2	3	1	0
Promotion/Non-Selection	50	55	67	50	65	24
<b>Reassignment</b>	<b>0</b>	<b>4</b>	<b>6</b>	<b>2</b>	<b>3</b>	<b>4</b>
Denied						
Directed						
Reasonable Accommodation	8	11	9	13	15	6
Reinstatement	0	1	0	1	0	0
Retirement	0	3	4	3	1	1
Termination	0	7	12	25	14	11
Terms/Conditions of Employment	6	3	2	2	1	0
Time and Attendance	4	12	8	5	9	7
Training	0	5	1	2	4	1
Other	0	0	0	27	33	15

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Processing Time "...post the average length of time it takes to complete each step of the process for every complaint that is pending during any time of the then fiscal year..."		29 CFR §1614.704(f)										Num.	Ave. Days
		Previous Fiscal Year Data											
		Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days		
		2004		2005		2006		2007		2008			
All complaints pending in Investigative Stage	1614.704	39	66	69	114	44	151	25	145	36	127	46	121
All complaints pending in Final Agency Action Stage	(f) (1)	42	369	16	70	10	756	16	468	12	294	10	456
All complaints pending in which Hearing was not requested	1614.704	25	298	42	144								
Time in Investigation Stage	(f) (2)					9	749	18	256	31	231	10	456
Time to issue Final Agency Action		25	222	42	72	9	211	18	189	31	172	10	200
All complaints pending in which a Hearing was requested	1614.704	25	76	42	70	33	64	18	67	31	59*	16	83*
Time in Investigation Stage	(f) (3)												
Time to issue Final Agency Action		22	244	27	693								
All complaints pending in which a Hearing was requested	1614.704	22	244	27	693	49	550	18	245	14	193	84	563
Time in Investigation Stage		22	225	27	76	49	215	18	229	14	183	84	191
Time to issue Final Agency Action		22	19	27	10	28	11	18	16	14	10	6	12

\* This figure includes the average delay getting the file to Department's adjudication office (OEDCA) in VA's Central Office of 11 days; said delay computed from start of Final Action Stage [see Sec. 1614.702(g)] to receipt of investigative file in OEDCA. Actual processing time in OEDCA was \*72 days.

29 CFR §1614.704(g)	29 CFR §1614.705 Comparative Data					2009 Q2
Complaints Dismissed by Agency Pursuant to 1614.107(a)	Previous Fiscal Year Data					
	2004	2005	2006	2007	2009	
Total Complaints Dismissed by Agency	27	27	13	25	19	18
Average days pending prior to dismissal	599	69.7	49.5	41.76	40.7	50.4

29 CFR §1614.704(h)	29 CFR §1614.705 Comparative Data					2009 Q2
Complaints Withdrawn by Complainants (h)	Previous Fiscal Year Data					
	2004	2005	2006	2007	2008	
Total Complaints Withdrawn by Complainants	10	12	15	13	12	9













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29 CFR §1614.704(l)  Complaints Pending From Previous Fiscal Years by Status	29 CFR §1614.705 Comparative Data					2009 Q2
	Previous Fiscal Year Data					
	2004	2005	2006	2007	2008	
Total complaints from previous Fiscal Years 704(l)(1)	79	52	43	43	39	102
Total Complainants 704(l)(2)	67	47	40	42	35	86
<b>Number complaints pending: 704(l)(3)</b>						
Investigation	84	0	0	3	0	1
ROI issued, pending Complainant's action	NA*	5	2	1	0	7
Hearing	125	65	43	31	36	83
Final Agency Action	18	9	7	8	6	10
Appeal with EEOC Office of Federal Operations	NA*	NA*	NA*	NA*	NA	1
*Do not track						

29 CFR §1614.704(m)	29 CFR §1614.705 Comparative Data				
	2005				