

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

29 CFR §1614.704(a) - (c)	29 CFR §1614.705 Comparative Data					
Complaint Activity	Previous Fiscal Year Data					2009 Q2
	2004	2005	2006	2007	2008	
Number of Complaints Filed in FY 1614.704(a)	2011	1903	1837	1705	1847	896
Number of Complainants 1614.704(b)	1831	1749	1681	1566	1715	851
Repeat Filers 1614.704(c)	180	154	134	118	118	40

29 CFR §1614.704(d)	29 CFR §1614.705 Comparative Data					
Complaints by Basis	Previous Fiscal Year Data					2009 Q2
	2004	2005	2006	2007	2008	
Race	643	676	1172	1105	1288	636
Color	71	39	67	104	87	47
Religion	99	51	53	88	157	79
Reprisal	688	635	1264	1167	1441	656
Sex	506	428	852	793	942	384
National Origin	96	124	326	235	94	40
Equal Pay Act					21	2
Age	471	373	812	609	751	382
Disability	420	467	859	735	875	367
Other	0	0	0	86	0	0
Non-EEO						

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29 CFR §1614.704(e)	29 CFR §1614.705 Comparative Data					
Complaints by Issue	Previous Fiscal Year Data					2009 Q2
	2004	2005	2006	2007	2008	
Appointment/Hire	100	60	193	98	91	57
Assignment of Duties	154	143	267	133	162	52
Awards	23	21	45	42	30	10
Conversion to Full-time	4	6	7	3	1	1
Disciplinary Action	500	318	483	376	293	136
Demotion	10	7	2	14	10	8
Reprimand	48	45	79	64	54	17
Suspension	86	80	192	116	97	40
Removal	181	85	0	71	55	22
Other	175	101	210	111	77	49
Duty Hours	60	51	129	46	54	24
Evaluation Appraisal	64	55	155	113	107	38
Examination/Test	6	5	4	1	1	1
Harassment	1039	701	1732	1446	1289	636
Non-Sexual	994	648	1652	1325	1232	605
Sexual	45	53	80	121	57	31
Medical Examination	1	6	14	15	9	6
Pay (Including Overtime)	51	83	127	122	115	31
Promotion/Non-Selection	619	382	750	587	555	208
Reassignment	0	84	171	101	69	27
Denied						
Directed						
Reasonable Accommodation	82	110	147	77	98	46
Reinstatement	5	2	1	1	2	2
Retirement	12	31	46	33	17	12
Termination	5	138	236	162	159	91
Terms/Conditions of Employment	171	62	99	56	41	15
Time and Attendance	41	168	297	199	175	91
Training	66	54	86	58	45	23
Other	0	0	0	335	347	195

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29 CFR §1614.704(f)													
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..."	Previous Fiscal Year Data										Num.	Ave. Days	
	Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days			2009 Q2
	2004	2005	2006	2007	2008								
All complaints pending in Investigative Stage	1614.704	687	73	1154	132	823	177	401	119	485	116	526	119.82
All complaints pending in Final Agency Action Stage	(f) (1)	584	399	641	78	94	605	178	440	155	434	140	451.59
All complaints pending in which Hearing was not requested	1614.704	554	313	641	238								
	(f) (2)					395	296	388	285	501	262	132	408.21
Time in Investigation Stage		554	226	641	160	395	223	388	219	501	193	132	196.95
Time to issue Final Agency Action		554	77	641	78	395	73	388	66	501	69*	200	69*
All complaints pending in which a Hearing was requested	1614.704	492	238	513	168								
	(f) (3)					338	224	295	235	265	201	960	523.11
Time in Investigation Stage		492	221	513	160	338	213	295	222	265	194	960	194.22
Time to issue Final Agency Action		492	17	513	8	338	11	295	13	265	8	132	14

** This figure includes the average delay in getting the file to the Department's adjudication office (OEDCA) in VA's Central Office of 9 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 wa: *60 days.*

29 CFR §1614.704(g)	29 CFR §1614.705 Comparative Data					
Complaints Dismissed by Agency Pursuant to 1614.107(a)	Previous Fiscal Year Data					2009 Q2
	2004	2005	2006	2007	2008	
Total Complaints Dismissed by Agency	433	465	377	373	345	194
Average days pending prior to dismissal	72.8	59	52.9	54.53	55.7	60.7

29 CFR §1614.704(h)	29 CFR §1614.705 Comparative Data					2009 Q2
Complaints Withdrawn by Complainants	Previous Fiscal Year Data					
	2004	2005	2006	2007	2008	
Total Complaints Withdrawn by Complainants	207	185	165	200	175	75

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29 CFR §1614.704(k)	29 CFR §1614.705 Comparative Data											
Findings of Discrimination Rendered by Issue	Previous Fiscal Year Data										2009 Q2	
	2004		2005		2006		2007		2008			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(k)(1)	34		29		17		32		22	100%	7	100%
Appointment/Hire	2	6%	1	3%	4	24%	1	3%				
Assignment of Duties	1	3%	1	3%			2	6%	1	4%	1	14%
Awards			1	3%			2	6%				
Conversion to Full-time												
Disciplinary Action	5	15%	3	10%			1	3%	2	9%		
Demotion												
Reprimand	1	3%					1	3%				
Suspension	1	3%	2	7%					2	9%		
Removal	1	3%										
Other	2	6%	1	3%								
Duty Hours							1	3%				
Evaluation Appraisal							1	3%				
Examination/Test			1	3%					1	4%		
Harassment	10	29%	6	21%	2	12%	3	9%	6	27%		
Non-Sexual	9	26%	4	14%	1	6%	3	9%	3	14%		
Sexual	1	3%	2	7%	1	6%			3	14%		
Medical Examination			2	7%			1	3%	1	4%	1	14%
Pay (Including Overtime)					1	6%	2	6%				
Promotion/Non-Selection	6	18%	5	17%	3	18%	9	28%	3	14%	2	29%
Reassignment			1	3%			2	6%	4	18%		
Denied												
Directed			1	3%			2	6%	4	18%		
Reasonable Accommodation	7	21%	6	21%	4	24%	6	19%	3	14%		
Reinstatement												
Retirement												
Termination	4	12%	8	28%	3	18%	6	19%	4	18%		
Terms/Conditions of Employment	3	9%										
Time and Attendance	2	6%	4	14%			1	3%	1	4%		
Training	1	3%			1	6%					1	14%
Other	6	18%	1	3%			5	16%	6	27%	2	29%

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29 CFR §1614.704(k) Findings of Discrimination Rendered by Issue	29 CFR §1614.705 Comparative Data											
	Previous Fiscal Year Data										2009 Q2	
	2004		2005		2006		2007		2008			
	#	%	#	%	#	%	#	%	#	%	#	%
Findings After Hearing 704(k)(3)	21		18		12		27		11	50%	5	71%
Appointment/Hire	1	50%			4	100%	1	100%				
Assignment of Duties			1	100%			2	100%			1	100%
Awards			1	100%			2	100%				
Conversion to Full-time												
Disciplinary Action	2	40%	2	67%			1	100%	1	50%		
Demotion												
Reprimand	1	100%					1	100%				
Suspension	1	100%	1	50%					1	50%		
Removal												
Other			1	3%								
Duty Hours							1	100%				
Evaluation Appraisal							1	100%				
Examination/Test												
Harassment	7	70%	5	83%	2	100%	2	67%				
Non-Sexual	7	78%	4	100%	1	100%	2	67%				
Sexual			1	50%	1	100%						
Medical Examination			1	50%			1	100%				
Pay (Including Overtime)							2	100%				
Promotion/Non-Selection	5	83%	4	80%	2	67%	8	89%	3	100%	2	100%
Reassignment			1	100%			2	100%	2	50%		
Denied									0			
Directed			1	100%			2	100%	2	50%		
Reasonable Accommodation	5	71%	2	33%	2	50%	5	83%	1	33%		
Reinstatement												
Retirement												
Termination	2	50%	5	63%	3	100%	4	67%	2	50%		
Terms/Conditions of Employment	2	67%										
Time and Attendance	2	100%	4	100%			1	100%	1	100%		
Training	1	100%			1	100%					1	100%
Other	5	83%					5	100%	3	50%	1	50%

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	Previous Fiscal Year Data										2009 Q2	
	2004		2005		2006		2007		2008			
	#	%	#	%	#	%	#	%	#	%		
Total Number Findings 704(k)(1)	34		29		17		32		22	100%	7	100%
Findings Without Hearing 704(k)(2)	13		11		5		27	84%	11	50%	2	29%
Appointment/Hire	1	50%	1	100%								
Assignment of Duties	1	100%										
Awards												
Conversion to Full-time												
Disciplinary Action	3	60%	1	33%					1	50%		
Demotion												
Reprimand												
Suspension			1	50%					1	50%		
Removal	1	100%										
Other	2	100%										
Duty Hours												
Evaluation Appraisal												
Examination/Test									1	100%		
Harassment	3	30%	1	17%			1	33%	6	100%		
Non-Sexual	2	22%					1	33%	3	100%		
Sexual	1	100%	1	50%					3	100%		
Medical Examination			1	50%							1	100%
Pay (Including Overtime)					1	100%						
Promotion/Non-Selection			1	20%	1	33%	1	11%				
Reassignment									2	50%		
Denied									0			
Directed									2	50%		
Reasonable Accommodation	2	33%	4	67%	2	50%	1	17%	2	67%		
Reinstatement												
Retirement												
Termination	2	50%	3	38%			2	33%	2	50%		
Terms/Conditions of Employment	1	33%										
Time and Attendance												
Training												
Other	1	17%	1	100%					3	50%	1	50%

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29 CFR §1614.704(l)	29 CFR §1614.705 Comparative Data					
Complaints Pending From Previous Fiscal Years by Status	Previous Fiscal Year Data					2009 Q2
	2004	2005	2006	2007	2008	
Total complaints from previous Fiscal Years 704(l)(1)	899	641	446	638	518	1228
Total Complainants 704(l)(2)	792	550	407	570	468	1110
Number complaints pending: 704(l)(3)						
Investigation	7	6	17	2	0	29
ROI issued, pending Complainant's action	55	5	12	3	5	89
Hearing	696	528	373	531	453	949
Final Agency Action	141	102	43	80	46	138
Appeal with EEOC Office of Federal Operations	NA*	NA*	NA*	NA	14	23

29 CFR §1614.704(m)	29 CFR §1614.705 Comparative Data					
Complaint Investigations	Previous Fiscal Year Data					2009 Q2
	2004	2005	2006	2007	2008	
Number Pending Completion of Investigation	687	558	258	401	485	527
Pending Investigations Over Required Time Frames	15	39	66	38	30	43