

Department of Veterans Affairs
Equal Employment Opportunity data Posted Pursuant to the No FEAR Act:
Internal Complaint Activity
VA-Wide

29 CFR §1614.704(a) - (c)	29 CFR §1614.705 Comparative Data					
Complaint Activity	Previous Fiscal Year Data					2008 Q3
	2003	2004	2005	2006	2007	
Number of Complaints Filed in FY 1614.704(a)	2232	2220	2128	2034	1921	1596
Number of Complainants 1614.704(b)	2003	2025	1921	1863	1765	1489
Repeat Filers 1614.704(c)	229	195	176	146	127	92

29 CFR §1614.704(d)	29 CFR §1614.705 Comparative Data					
Complaints by Basis	Previous Fiscal Year Data					2008 Q3
	2003	2004	2005	2006	2007	
Race	1013	747	777	1311	1219	1156
Color	47	79	42	70	108	78
Religion	31	62	56	127	92	139
Reprisal	711	805	709	1395	1324	1258
Sex	748	596	515	951	893	817
National Origin	177	115	132	355	249	228
Equal Pay Act						19
Age	340	523	449	902	728	620
Disability	514	481	523	958	871	796
Other	0	0	74	57	92	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					2008 Q3
	2003	2004	2005	2006	2006	
Appointment/Hire	56	116	64	212	123	82
Assignment of Duties	190	181	159	293	146	135
Awards	46	35	30	61	47	32
Conversion to Full-time	4	4	6	7	3	1
Disciplinary Action	602	549	374	565	403	246
Demotion	18	15	9	2	14	7
Reprimand	46	48	54	95	72	46
Suspension	103	92	95	213	136	85
Removal	325	207	97	0	48	41
Other	110	187	119	255	133	67
Duty Hours	72	64	52	138	46	51
Evaluation Appraisal	67	74	65	167	129	110
Examination/Test	12	6	5	4	1	1
Harassment	1462	1216	771	1901	1592	1117
Non-Sexual	1375	1162	716	1809	1465	1068
Sexual	87	54	55	92	127	49
Medical Examination	5	1	6	14	15	7
Pay (Including Overtime)	57	57	86	135	129	97
Promotion/Non-Selection	742	714	463	846	665	504
Reassignment	131	107	90	180	113	59
Denied	21	22	84			
Directed	110	85	6			
Reasonable Accommodation	132	100	125	179	95	92
Reinstatement	11	5	3	1	2	2
Retirement	22	12	38	50	38	15
Termination	0	5	165	262	201	129
Terms/Conditions of Employment	200	185	66	111	60	30
Time and Attendance	176	49	186	327	218	153
Training	62	82	63	93	61	42
Other	12	0	310	580	382	292

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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										Number	Ave. Days	
	Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days	2008 Q3		
	2003		2004		2005		2006		2007				
	All complaints pending in Investigative Stage	1614.704	1049	130	758	74	1240	132	904	174	460	122	590
All complaints pending in Final Agency Action Stage	(f) (1)	236	418	649	396	692	78	109	619	207	454	172	392
All complaints pending in which Hearing was not requested	1614.704	NA	NA	586	300	692	164	95	585				
Time in Investigation Stage	(f) (2)									417	284	392	274
Time to issue Final Agency Action		NA	NA	586	223	692	86	95	221	417	217	392	199
All complaints pending in which a Hearing was requested	1614.704	NA	NA	586	77	692	78	442	72	417	67*	392	75*
Time in Investigation Stage	(f) (3)												
Time to issue Final Agency Action		NA	NA	521	240	548	93	763	588				
										326	235	218	210
		NA	NA	521	223	548	85	763	213	326	222	218	203
		485	19	521	17	548	8	381	11	326	13	218	8

* This figure includes the average delay in getting the file to the Department's adjudication office (OEDCA) in VA's Central Office of 14 days; said delay computed from the start of the Final Action Stage [see Sec. 1614.702(g)] to receipt of the investigative file in OEDCA. Actual processing time in OEDCA was 61 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					2008 Q3
	2003	2004	2005	2006	2007	
Total Complaints Dismissed by Agency	402	476	510	404	414	249
Average days pending prior to dismissal	82.99	71.9	59.8	52.9	54	54.81

29 CFR §1614.704(h)	29 CFR §1614.705 Comparative Data					
Complaints Withdrawn by Complainants	Previous Fiscal Year Data					2008 Q3
	2003	2004	2005	2006	2007	
Total Complaints Withdrawn by Complainants	295	222	209	188	219	140

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Findings of Discrimination Rendered by Issue	29 CFR §1614.705 Comparative Data											
	Previous Fiscal Year Data										2008 Q3	
	2003		2004		2005		2006		2007			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(k)(1)	41		36		33		18		34		15	100%
Appointment/Hire	1	2%	2	6%	1	3%	4	24%	1	3%		
Assignment of Duties			2	6%	1	3%			2	6%		
Awards					1	3%			2	6%		
Conversion to Full-time												
Disciplinary Action	4	10%	5	14%	3	10%			1	3%		
Demotion	2	5%										
Reprimand	2	5%							1	3%		
Suspension												
Removal												
Other												
Duty Hours									1	3%		
Evaluation Appraisal	3	7%							1	3%		
Examination/Test												
Harassment	14	34%	10	29%	6	19%	2	12%	3	9%	5	33%
Non-Sexual	11	27%	9	26%	4	13%	1	6%	3	9%	3	20%
Sexual	3	7%			2	6%	1	6%			2	13%
Medical Examination					2	6%			1	3%	1	7%
Pay (Including Overtime)	7	17%					1	6%	2	6%	1	7%
Promotion/Non-Selection	10	25%	6	17%	7	23%	3	18%	10	29%	2	13%
Reassignment	1	2%			1	3%			2	6%	3	20%
Denied	1	2%										
Directed					1	3%			2	6%	3	20%
Reasonable Accommodation	9	22%	7	20%	7	23%	5	29%	6	18%	2	13%
Reinstatement												
Retirement												
Termination	4	10%	4	11%	8	26%	3	18%	6	18%	3	20%
Terms/Conditions of Employment	4	10%	3	9%		0%						
Time and Attendance			2	6%	4	13%			1	3%		
Training			1	11%		0%	1	6%				
Other			6	17%	1	3%			6	18%	3	20%

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	Findings of Discrimination Rendered by Issue	Previous Fiscal Year Data										2008 Q3	
		2003		2004		2005		2006		2007			
		#	%	#	%	#	%	#	%	#	%	#	%
Findings After Hearing 704(k)(3)	31		22		20		12		28		8	53%	
Appointment/Hire	1	100%	1	50%			4	100%	1	100%			
Assignment of Duties			1	50%	1	100%			2	100%			
Awards					1	100%			2	100%			
Conversion to Full-time													
Disciplinary Action	2	50%	2	40%	2	67%			1	100%			
Demotion	1	56%	0	0%									
Reprimand	1	50%	1	100%					1	100%			
Suspension			1	100%	1	50%							
Removal													
Other					1	100%							
Duty Hours									1	100%			
Evaluation Appraisal	2	67%							1	100%			
Examination/Test													
Harassment	9	64%	7	70%	5	83%	2	100%	2	67%			
Non-Sexual	7	64%	7	78%	4	100%	1	100%	2	67%			
Sexual	2	67%			1	50%	1	100%					
Medical Examination					1	50%			1	100%			
Pay (Including Overtime)	7	100%							2	100%	1	100%	
Promotion/Non-Selection	9	90%	6	100%	6	86%	2	67%	9	90%	2	100%	
Reassignment					1	100%			2	100%	2	67%	
Denied													
Directed					1	100%			2	100%	2	67%	
Reasonable Accommodation	5	56%	5	71%	2	29%	2	40%	5	83%	1	50%	
Reinstatement													
Retirement													
Termination	2	50%	2	50%	5	63%	3	100%	4	67%	2	67%	
Terms/Conditions of Employment	1	25%	2	67%									
Time and Attendance			2	100%	4	100%			1	100%			
Training			1	100%			1	100%					
Other			5	83%					5	83%	2	67%	

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	Previous Fiscal Year Data										2008 Q3	
	2003		2004		2005		2006		2007			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(k)(1)	41		36		33		18		34		15	100%
Findings Without Hearing 704(k)(2)	10		14		13		6		6	18%	7	47%
Appointment/Hire			1	50%	1	100%						
Assignment of Duties			1	50%								
Awards												
Conversion to Full-time												
Disciplinary Action	2	50%	3	60%	1	33%						
Demotion	1	50%										
Reprimand	1	50%										
Suspension					1	33%						
Removal			1	100%								
Other			2	100%								
Duty Hours												
Evaluation Appraisal	1	33%										
Examination/Test												
Harassment	5	36%	3	30%	1	17%			1	33%	5	100%
Non-Sexual	4	36%	2	22%					1	33%	3	100%
Sexual	1	33%	1	100%	1	50%					2	100%
Medical Examination					1	50%					1	100%
Pay (Including Overtime)							1	100%				
Promotion/Non-Selection	1	10%			1	14%	1	33%	1	10%		
Reassignment	1	100%									1	33%
Denied	1	100%										
Directed											1	33%
Reasonable Accommodation	4	44%	2	29%	5	71%	3	60%	1	17%	1	50%
Reinstatement												
Retirement												
Termination	2	50%	2	50%	3	37%			2	33%	1	33%
Terms/Conditions of Employment	3	75%	1	33%								
Time and Attendance												
Training												
Other			1	17%	1	100%			1	17%	1	33%

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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					2008 Q3
	2003	2004	2005	2006	2007	
Total complaints from previous Fiscal Years 704(l)(1)	3122	1041	758	503	711	947
Total Complainants 704(l)(2)	NA*	913	645	461	640	849
Number complaints pending: 704(l)(3)						
Investigation	1049	7	6	21	2	1
ROI issued, pending Complainant's action	NA*	55	7	13	6	10
Hearing	1572	806	633	415	587	817
Final Agency Action	236	162	112	53	93	101
Appeal with EEOC Office of Federal Operations	NA*	NA	NA*	NA*	NA	18

29 CFR §1614.704(m)	29 CFR §1614.705 Comparative Data					
Complaint Investigations	Previous Fiscal Year Data					2008 Q3
	2003	2004	2005	2006	2006	
Number Pending Completion of Investigation	1049	752	356	281	456	589
Pending Investigations Over Required Time Frames	NA*	21	40	72	50	36