

Equal Employment Opportunity Data Posted
Pursuant to Title III of the Notification and Federal Employee
Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174
Department of Health and Human Services
Centers for Medicare & Medicaid Services
For 2nd Quarter Period Ending March 31, 2008
Date Last Updated: January 25, 2008

| Complaint Activity | Comparative Data | | | | | 2008 Thru 03-31 |
|----------------------------|---------------------------|------|------|------|------|--------------------|
| | Previous Fiscal Year Data | | | | | |
| | 2003 | 2004 | 2005 | 2006 | 2007 | |
| Number of Complaints Filed | 18 | 29 | 37 | 23 | 29 | 19 |
| Number of Complainants | 18 | 29 | 31 | 22 | 27 | 19 |
| Repeat Filers | 0 | 0 | 4 | 1 | 2 | 0 |

| Complaints by Basis | Comparative Data | | | | | 2008 Thru 03-31 |
|--------------------------------------|---------------------------|------|------|------|------|--------------------|
| | Previous Fiscal Year Data | | | | | |
| | 2003 | 2004 | 2005 | 2006 | 2007 | |
| <i>Note: Complaints can be filed</i> | 2003 | 2004 | 2005 | 2006 | 2007 | 03-31 |
| Race | 18 | 21 | 20 | 12 | 14 | 8 |
| Color | 3 | 1 | 1 | 4 | 4 | 0 |
| Religion | 1 | 3 | 3 | 0 | 3 | 0 |
| Reprisal | 2 | 11 | 25 | 14 | 12 | 8 |
| Sex | 9 | 13 | 19 | 9 | 12 | 8 |
| National Origin | 1 | 2 | 0 | 1 | 1 | 1 |
| Equal Pay Act | 0 | 1 | 1 | 0 | 0 | 1 |
| Age | 8 | 10 | 19 | 12 | 16 | 9 |
| Disability | 3 | 8 | 5 | 5 | 5 | 4 |
| Non-EEO | 0 | 0 | 0 | 0 | 0 | 0 |

| Complaints by Issue | Comparative Data | | | | | 2008 Thru 03-31 |
|--------------------------------------|---------------------------|------|------|------|------|--------------------|
| | Previous Fiscal Year Data | | | | | |
| | 2003 | 2004 | 2005 | 2006 | 2007 | |
| <i>Note: Complaints can be filed</i> | 2003 | 2004 | 2005 | 2006 | 2007 | 03-31 |
| Appointment/Hire | 0 | 1 | 2 | 1 | 0 | 1 |
| Assignment of Duties | 7 | 4 | 8 | 6 | 6 | 0 |
| Awards | 2 | 1 | 5 | 3 | 4 | 0 |
| Conversion to Full-time | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Action | | | | | | |
| Demotion | 0 | 0 | 0 | 0 | 0 | 1 |
| Reprimand | 0 | 2 | 3 | 0 | 4 | 0 |
| Removal | 0 | 0 | 0 | 0 | 0 | 0 |
| Suspension | 1 | 0 | 0 | 1 | 0 | 0 |
| Other | 0 | 0 | 0 | 2 | 2 | 2 |
| Duty Hours | 0 | 1 | 0 | 0 | 0 | 0 |
| Evaluation Appraisal | 1 | 1 | 2 | 3 | 2 | 3 |
| Examination/Test | 0 | 0 | 0 | 0 | 0 | 0 |
| Harassment | | | | | | |
| Non-Sexual | 4 | 3 | 12 | 10 | 12 | 9 |
| Sexual | 0 | 0 | 0 | 0 | 0 | 2 |
| Medical Examination | 0 | 0 | 0 | 0 | 0 | 0 |
| Pay (Including Overtime) | 0 | 1 | 1 | 1 | 0 | 1 |
| Promotion/Non-Selection | 10 | 16 | 13 | 7 | 18 | 2 |
| Reassignment | | | | | | |
| Denied | 0 | 0 | 3 | 1 | 2 | 0 |
| Directed | 0 | 2 | 4 | 1 | 1 | 0 |
| Reasonable Accommodation | 1 | 4 | 2 | 2 | 3 | 1 |
| Reinstatement | 0 | 0 | 0 | 0 | 0 | 0 |
| Retirement | 0 | 0 | 0 | 0 | 0 | 0 |
| Termination | 2 | 4 | 6 | 1 | 1 | 0 |
| Terms/Conditions of Employment | 0 | 0 | 6 | 2 | 2 | 2 |
| Time and Attendance | 1 | 1 | 3 | 2 | 2 | 0 |
| Training | 2 | 2 | 0 | 3 | 1 | 2 |
| Other | 0 | 1 | 0 | 0 | 1 | 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 | 0 | 0 |
| Pay (Including Overtime) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Promotion/Non-Selection | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Reassignment | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 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 | 100 | 0 | 0 | 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 | 0 | 0 | 0 | 0 | 0 | 0 |
| Time and Attendance | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Training | 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 |

| | | | | | | | | | | | | |
|---------------------------------|---|---|---|---|---|---|---|---|---|---|---|---|
| Findings Without Hearing | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 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 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 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 | 0 | 0 | 0 | 0 | 0 | 0 |
| Examination/Test | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Harassment | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Non-Sexual | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 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 | 0 | 0 |
| Pay (Including Overtime) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Promotion/Non-Selection | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Reassignment | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 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 | 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 | 0 | 0 | 0 | 0 | 0 | 0 |
| Time and Attendance | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Training | 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 |

| Pending Complaints Filed in Previous Fiscal Years by Status | Comparative Data Previous Fiscal Year Data | | | | | 2008 Thru 03-31 |
|---|--|------|------|------|------|-----------------|
| | 2003 | 2004 | 2005 | 2006 | 2007 | |
| Total complaints from previous fiscal years | 10 | 3 | 10 | 7 | 12 | 27 |
| Total complainants | 10 | 3 | 10 | 7 | 11 | 26 |
| Number Complaints Pending | | | | | | |
| Investigation | 0 | 0 | 0 | 0 | 0 | 0 |
| ROI issued, pending Complainant's action | 0 | 0 | 0 | 0 | 0 | 1 |
| Hearing | 10 | 2 | 3 | 7 | 3 | 14 |
| Final Action | 0 | 0 | 5 | 0 | 1 | 1 |
| Appeal with EEOC Office of Federal Operations | N/A | 1 | 2 | 0 | 8 | 8 |

N/A denotes data not available for CMS in that category.

| Complaint Investigations | Comparative Data Previous Fiscal Year Data | | | | | 2008 Thru 03-31 |
|---|--|------|------|------|------|-----------------|
| | 2003 | 2004 | 2005 | 2006 | 2007 | |
| Pending complaints where investigation exceeds required time frames | 0 | 0 | 0 | 0 | 0 | 0 |