

<b>Equal Employment Opportunity Data Posted Pursuant to the No Fear Act (updated December 11, 2008)</b>				<b>FY 2008</b>	<b>FY 2007</b>	<b>FY 2006</b>	<b>FY 2005</b>	<b>FY 2004</b>	<b>FY 2003</b>
<b>I. Number of Complaints<sup>1</sup></b>									
A. Pending at the beginning of the FY:				9	24	4	12	27	37
B. Filed during the FY:				9	6	12	4	9	12
C. Pending, at any time, during the FY:				18	30	28	29	36	49
<b>II. Number of Complainants</b>				<b>FY 2008</b>	<b>FY 2007</b>	<b>FY 2006</b>	<b>FY 2005</b>	<b>FY 2004</b>	<b>FY 2003</b>
A. Who had a complaint pending at start of FY:				8	11	3	9	12	20
B. Who filed a complaint during this FY:				9	6	10	4	9	10
C. Who had a complaint pending at any time during this FY:				17	17	12	13	21	30
<b>III. Breakdown of all Complaints filed during this FY by basis and issue</b>				<b>FY 2008</b>	<b>FY 2007</b>	<b>FY 2006</b>	<b>FY 2005</b>	<b>FY 2004</b>	<b>FY 2003</b>
A. Complaints filed during the FY broken down by basis:									
1. Race:				5	5	1	1	7	7
a. American Indian/Alaskan Native:				0	0	0	0	0	0
b. American Asian/Pacific Islander:				0	0	0	0	0	0
c. Black:				5	4	1	1	7	7
d. White:				0	1	0	0	0	0
2. Color:				1	2	0	1	1	2
3. Sex:				4	0	7	3	7	4
a. Male:				2	0	2	0	3	0
b. Female:				2	0	5	3	4	4
4. Age:				1	1	4	0	3	0
5. Religion:				0	0	0	0	0	0
6. Reprisal:				2	2	7	4	4	6
7. National Origin:				2	0	2	1	0	2
a. Hispanic:				2	0	1	1	0	2
b. Other:				0	0	1	0	0	0
8. Equal Pay Act:				0	0	0	0	0	0
a. Male:				0	0	0	0	0	0

<sup>1</sup> This includes all cases at all stages in the EEO process.

b. Female:					0	0	0	0	0	0
9. Disability:					2	3	5	0	0	3
<b>B. Complaints filed during the FY broken down by issue:</b>										
1. Appointment/Hire:					0	0	0	0	0	0
2. Assignment of Duties:					0	0	3	0	1	1
3. Awards:					0	0	2	1	1	3
4. Conversion to Full Time:					0	0	0	0	0	0
5. Disciplinary Action:					1	3	3	0	1	3
a. Demotion:					0	0	0	0	0	0
b. Reprimand:					1	2	1	0	1	2
c. Suspension:					0	0	1	0	0	1
d. Removal:					0	0	0	0	0	0
e. Other:					0	1	2	0	0	0
6. Duty Hours:					0	0	0	0	0	0
7. Evaluation/Appraisal:					2	3	4	1	2	6
8. Examination/Test:					0	0	0	0	0	0
9. Harassment:					2	2	2	2	2	3
a. Non-sexual:					2	2	2	1	1	3
b. Sexual:					0	0	0	1	1	0
10. Medical Examination:					0	0	0	0	0	0
11. Pay Including Overtime:					0	0	0	0	0	1
12. Promotion/Non-Selection:					3	0	2	0	2	0
13. Reassignment:					1	0	0	0	1	0
a. Denied:					1	0	0	0	1	0
b. Directed:					0	0	0	0	0	0
14. Reasonable Accommodation:					0	0	2	0	0	1
15. Reinstatement:					0	0	0	0	0	0
16. Retirement:					0	0	0	0	0	0
17. Termination:					0	0	0	0	1	1
18. Terms/Conditions of Employment:					2	3	3	2	3	3
19. Time and Attendance:					1	1	1	0	1	2
20. Training:					1	0	0	1	1	2
21. Other:					1	0	3	1	2	1

<b>IV. Time measurements – All complaints pending at any time during the FY</b>					<b>FY 2008</b>	<b>FY 2007</b>	<b>FY 2006</b>	<b>FY 2005</b>	<b>FY 2004</b>	<b>FY 2003</b>
A. Average number of days for Investigation:					208	215 <sup>2</sup>	178	210 <sup>3</sup>	238	298
B. Average number of days for Final Agency Decision:					263	1983	280	1337	1300 <sup>4</sup>	863
1. Without an EEOC Hearing:					263	320	0	343	170	475
2. With an EEOC Hearing:					0	2238 <sup>5</sup>	280	1734 <sup>6</sup>	1366	1736
C. Total Number of Complaints Dismissed:					0	0	0	0	13	2
D. Average number of days from Receipt to Dismissal:					0	0	0	0	1374	81
<b>V. Final agency actions finding discrimination during the FY broken down by hearing/no hearing and basis/issue.</b>					<b>FY 2008 #%</b>	<b>FY 2007 #%</b>	<b>FY 2006 #%</b>	<b>FY 2005 #%</b>	<b>FY 2004 #%</b>	<b>FY 2003 #%</b>
A. Total number of final agency actions (decisions) finding discrimination during the FY:					0	0	0	0	0	0
B. Decisions finding discrimination without a hearing:					0	0	0	0	0	0
C. Decisions finding discrimination without a hearing broken down by basis:										
1. Race:					0	0	0	0	0	0
a. American Indian/Alaskan Native:					0	0	0	0	0	0
b. American Asian/Pacific Islander:					0	0	0	0	0	0
c. Black:					0	0	0	0	0	0
d. White:					0	0	0	0	0	0
2. Color:					0	0	0	0	0	0
3. Sex:					0	0	0	0	0	0

<sup>2</sup> Investigations that went over 180 days were the result of multiple complaint amendments and complaints consolidated for investigation.

<sup>3</sup> Under EEOC regulations, the amended complaints that went over 180 days were investigated timely.

<sup>4</sup> Sixteen Final Agency Decisions [“FADs”] that issued during this period issued after the cases were pending at EEOC. One case was pending a hearing at EEOC and the complainant filed in District Court. Two cases were pending hearings at EEOC when the administrative judge issued summary judgment. One case was remanded back to the Agency for a FAD at the complainant’s request. The remaining twelve cases were dismissed by the administrative judge for failure to cooperate.

<sup>5</sup> The Agency received twelve consolidated cases on remand from the EEOC for a FAD on September 11, 2006. The consolidated FAD issued on November 8, 2006, within the statutory time limit.

<sup>6</sup> The EEOC issued a decision on a case that had been pending hearing since 2002.

a. Male:					0	0	0	0	0	0
b. Female:					0	0	0	0	0	0
4. Age:					0	0	0	0	0	0
5. Religion:					0	0	0	0	0	0
6. Reprisal:					0	0	0	0	0	0
7. National Origin:					0	0	0	0	0	0
a. Hispanic:					0	0	0	0	0	0
b. Other:					0	0	0	0	0	0
8. Equal Pay Act:					0	0	0	0	0	0
a. Male:					0	0	0	0	0	0
b. Female:					0	0	0	0	0	0
9. Disability:					0	0	0	0	0	0
D. Decisions finding discrimination without a hearing broken down by issue:										
1. Appointment/Hire:					0	0	0	0	0	0
2. Assignment of Duties:					0	0	0	0	0	0
3. Awards:					0	0	0	0	0	0
4. Conversion to Full Time:					0	0	0	0	0	0
5. Disciplinary Action:					0	0	0	0	0	0
a. Demotion:					0	0	0	0	0	0
b. Reprimand:					0	0	0	0	0	0
c. Suspension:					0	0	0	0	0	0
d. Removal:					0	0	0	0	0	0
e. Other:					0	0	0	0	0	0
6. Duty Hours:					0	0	0	0	0	0
7. Evaluation/Appraisal:					0	0	0	0	0	0
8. Examination/Test:					0	0	0	0	0	0
9. Harassment:					0	0	0	0	0	0
a. Non-sexual:					0	0	0	0	0	0
b. Sexual:					0	0	0	0	0	0
10. Medical Examination:					0	0	0	0	0	0
11. Pay Including Overtime:					0	0	0	0	0	0
12. Promotion/Non-Selection:					0	0	0	0	0	0
13. Reassignment:					0	0	0	0	0	0
a. Denied:					0	0	0	0	0	0

b. Directed:					0	0	0	0	0	0
14. Reasonable Accommodation:					0	0	0	0	0	0
15. Reinstatement:					0	0	0	0	0	0
16. Retirement:					0	0	0	0	0	0
17. Termination:					0	0	0	0	0	0
18. Terms/Conditions of Employment:					0	0	0	0	0	0
19. Time and Attendance:					0	0	0	0	0	0
20. Training:					0	0	0	0	0	0
21. Other:					0	0	0	0	0	0
E. Decisions finding discrimination after a hearing:					0	0	0	0	0	0
F. Decisions finding discrimination after a hearing, broken down by basis:										
1. Race:					0	0	0	0	0	0
a. American Indian/Alaskan Native:					0	0	0	0	0	0
b. American Asian/Pacific Islander:					0	0	0	0	0	0
c. Black:					0	0	0	0	0	0
d. White:					0	0	0	0	0	0
2. Color:					0	0	0	0	0	0
3. Sex:					0	0	0	0	0	0
a. Male:					0	0	0	0	0	0
b. Female:					0	0	0	0	0	0
4. Age:					0	0	0	0	0	0
5. Religion:					0	0	0	0	0	0
6. Reprisal:					0	0	0	0	0	0
7. National Origin:					0	0	0	0	0	0
a. Hispanic:					0	0	0	0	0	0
b. Other:					0	0	0	0	0	0
8. Equal Pay Act:					0	0	0	0	0	0
a. Male:					0	0	0	0	0	0
b. Female:					0	0	0	0	0	0
9. Disability:					0	0	0	0	0	0
G. Decisions finding discrimination without a hearing broken down by issue:										
1. Appointment/Hire:					0	0	0	0	0	0
2. Assignment of Duties:					0	0	0	0	0	0

3. Awards:					0	0	0	0	0	0
4. Conversion to Full Time:					0	0	0	0	0	0
5. Disciplinary Action:					0	0	0	0	0	0
a. Demotion:					0	0	0	0	0	0
b. Reprimand:					0	0	0	0	0	0
c. Suspension:					0	0	0	0	0	0
d. Removal:					0	0	0	0	0	0
e. Other:					0	0	0	0	0	0
6. Duty Hours:					0	0	0	0	0	0
7. Evaluation/Appraisal:					0	0	0	0	0	0
8. Examination/Test:					0	0	0	0	0	0
9. Harassment:					0	0	0	0	0	0
a. Non-sexual:					0	0	0	0	0	0
b. Sexual:					0	0	0	0	0	0
10. Medical Examination:					0	0	0	0	0	0
11. Pay Including Overtime:					0	0	0	0	0	0
12. Promotion/Non-Selection:					0	0	0	0	0	0
13. Reassignment:					0	0	0	0	0	0
a. Denied:					0	0	0	0	0	0
b. Directed:					0	0	0	0	0	0
14. Reasonable Accommodation:					0	0	0	0	0	0
15. Reinstatement:					0	0	0	0	0	0
16. Retirement:					0	0	0	0	0	0
17. Termination:					0	0	0	0	0	0
18. Terms/Conditions of Employment:					0	0	0	0	0	0
19. Time and Attendance:					0	0	0	0	0	0
20. Training:					0	0	0	0	0	0
21. Other:					0	0	0	0	0	0
<b>VI. Status of all pending complaints</b>					<b>FY 2008</b>	<b>FY 2007</b>	<b>FY 2006</b>	<b>FY 2005</b>	<b>FY 2004</b>	<b>FY 2003</b>
A. Number of complaints pending investigation at the end of FY:					3	4	7	0	3	3
B. Number of complaints pending hearing at EEOC at the end of FY:					3	5	4	4	8	23
C. Number of complaints pending final agency action at the end of FY:					1	0	13	0	0	1

<b>VII. Complaints not timely investigated<sup>7</sup></b>			<b>FY 2008</b>	<b>FY 2007</b>	<b>FY 2006</b>	<b>FY 2005</b>	<b>FY 2004</b>	<b>FY 2003<sup>8</sup></b>
A. Number of complaints not investigated within the time required by 29 CFR § 1614.106(e)(2):			0	1 <sup>9</sup>	0	1 <sup>10</sup>	0	-

<sup>7</sup> A complaint is timely investigated if completed within 180 days plus any valid extensions.

<sup>8</sup> Data not available for FY 2003.

<sup>9</sup> One consolidated complaint investigation exceeded the statutory time limit.

<sup>10</sup> Complaint was investigated within 182 days.