

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

29 CFR §1614.704(e)	29 CFR §1614.705 Comparative Data					
Complaints by Issue	Previous Fiscal Year Data					2009 Q3
	2004	2005	2006	2007	2008	
Appointment/Hire	1	0	1	2	0	0
Assignment of Duties	0	0	6	0	3	1
Awards	0	3	0	0	1	0
Conversion to Full-time	0	0	0	0	0	0
Disciplinary Action	4	6	28	9	3	1
Demotion	1	0	0	0	0	0
Reprimand	0	0	7	0	1	0
Suspension	0	1	15	9	2	1
Removal	3	2	0	0	0	0
Other	0	3	6	0	0	0
Duty Hours	0	0	0	0	0	0
Evaluation Appraisal	0	1	0	1	1	0
Examination/Test	0	0	0	0	0	0
Harassment	20	9	23	19	9	2
Non-Sexual	18	9	21	16	8	2
Sexual	2	0	2	3	1	0
Medical Examination	0	0	0	0	0	0
Pay (Including Overtime)	2	1	0	0	0	0
Promotion/Non-Selection	15	5	12	9	2	4
Reassignment	0	0	0	8	1	0
Denied						
Directed						
Reasonable Accommodation	1	0	18	0	0	0
Reinstatement	0	0	0	0	0	0
Retirement	0	1	0	0	0	0
Termination	0	4	5	2	6	2
Terms/Conditions of Employment	1	0	5	0	1	0
Time and Attendance	2	1	1	3	1	0
Training	3	2	6	0	0	1
Other	0	3	6	8	2	0

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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
		Number	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	6	37	8	157	15	146	5	147	3	118	3	73.33
All complaints pending in Final Agency Action Stage	(f) (1)	8	438	3	77	4	693	7	796	3	251	1	631
All complaints pending in which Hearing was not requested	1614.704	7	276	5	943								
Time in Investigation Stage	(f) (2)					4	693	5	283	2	223	1	631
Time to issue Final Agency Action		7	228	5	155	4	200	5	221	2	169	1	210
All complaints pending in which a Hearing was requested	1614.704	7	48	5	77	6	45	5	62	2	54	5	48*
Time in Investigation Stage	(f) (3)	6	239	3	99								
Time to issue Final Agency Action		6	226	3	91	4	189	6	189	7	223	1	163
		6	13	3	8	4	14	6	14	7	6	4	18

** This figure includes the average delay in getting the file to the Department's adjudication office (OEDCA) in VA's Central Office of 7 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 41 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 Q3
	2004	2005	2006	2007	2008	
Total Complaints Dismissed by Agency	6	4	7	5	1	0
Average days pending prior to dismissal	77.7	70.5	56.7	90.6	43	0

29 CFR §1614.704(h)	29 CFR §1614.705 Comparative Data					
Complaints Withdrawn by Complainants	Previous Fiscal Year Data					2009 Q3
	2004	2005	2006	2007	2008	
Total Complaints Withdrawn by Complainants	1	3	1	2	2	1

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29 CFR §1614.704(k) Findings of Discrimination Rendered by Issue	29 CFR §1614.705 Comparative Data										2009 Q3	
	Previous Fiscal Year Data											
	2004		2005		2006		2007		2008			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(k)(1)	0		0		0		1		0		0	
Appointment/Hire												
Assignment of Duties												
Awards												
Conversion to Full-time												
Disciplinary Action												
Demotion												
Reprimand												
Suspension												
Removal												
Other												
Duty Hours												
Evaluation Appraisal												
Examination/Test												
Harassment												
Non-Sexual												
Sexual												
Medical Examination												
Pay (Including Overtime)												
Promotion/Non-Selection												
Reassignment												
Denied												
Directed												
Reasonable Accommodation												
Reinstatement												
Retirement												
Termination												
Terms/Conditions of Employment												
Time and Attendance												
Training												
Other							1	100				

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29 CFR §1614.704(k) Findings of Discrimination Rendered by Issue	29 CFR §1614.705 Comparative Data										2009 Q3	
	Previous Fiscal Year Data											
	2004		2005		2006		2007		2008			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(k)(1)	0		0		0		1		0		0	
Findings Without Hearing 704(k)(2)	0		0		0		1	100%	0			
Appointment/Hire												
Assignment of Duties												
Awards												
Conversion to Full-time												
Disciplinary Action												
Demotion												
Reprimand												
Suspension												
Removal												
Other												
Duty Hours												
Evaluation Appraisal												
Examination/Test												
Harassment												
Non-Sexual												
Sexual												
Medical Examination												
Pay (Including Overtime)												
Promotion/Non-Selection												
Reassignment												
Denied												
Directed												
Reasonable Accommodation												
Reinstatement												
Retirement												
Termination												
Terms/Conditions of Employment												
Time and Attendance												
Training												
Other							1	100%				

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29 CFR §1614.704(l)	29 CFR §1614.705 Comparative Data					2009 Q3
Complaints Pending From Previous Fiscal Years by Status	Previous Fiscal Year Data					
	2004	2005	2006	2007	2008	
Total complaints from previous Fiscal Years 704(l)(1)	14	10				
			5	13	3	1
Total Complainants 704(l)(2)	13	9	5	13	3	1
Investigation	21	0	0	1	0	0
ROI issued, pending Complainant's action	NA*	0	0	0	0	0
Hearing	31	2	7	2	3	0
Final Agency Action	5	12	3	1	0	1
Appeal with EEOC Office of Federal Operations	NA*	NA	NA*	NA*	NA	0

29 CFR §1614.704(m)	29 CFR §1614.705 Comparative Data					2009 Q3
Complaint Investigations	Previous Fiscal Year Data					
	2004	2005	2006	2007	2008	
Number Pending Completion of Investigation	6	3	6	5	3	3
Pending Investigations Over Required Time Frames	2	0	1	0	0	0