

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

29 CFR §1614.704(a) - (c)	29 CFR §1614.705 Comparative Data					2009 Q3
Complaint Activity	Previous Fiscal Year Data					
	2004	2005	2006	2007	2008	
Number of Complaints Filed in FY 1614.704(a)	119	140	114	117	145	113
Number of Complainants 1614.704(b)	112	126	107	106	132	110
Repeat Filers 1614.704(c)	7	14	6	8	16	4

29 CFR §1614.704(d)	29 CFR §1614.705 Comparative Data					2009 Q3
Complaints by Basis	Previous Fiscal Year Data					
	2004	2005	2006	2007	2008	
Race	45	58	96	75	82	171
Color	7	2	3	1	12	12
Religion	1	2	2	2	4	2
Reprisal	55	36	58	90	91	97
Sex	30	48	61	57	68	126
National Origin	7	4	11	8	4	1
Equal Pay Act					0	0
Age	30	44	48	84	54	106
Disability	21	33	49	93	71	111
Other	0	2	4	2	0	0
Non-EEO						

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29 CFR §1614.704(e)  Complaints by Issue	29 CFR §1614.705 Comparative Data					2009 Q3
	Previous Fiscal Year Data					
	2004	2005	2006	2007	2008	
Appointment/Hire	1	2	14	10	6	5
Assignment of Duties	15	8	16	6	8	5
Awards	4	4	3	4	4	2
Conversion to Full-time	0	0	0	0	0	0
<b>Disciplinary Action</b>	<b>32</b>	<b>29</b>	<b>43</b>	<b>27</b>	<b>23</b>	<b>22</b>
Demotion	4	2	0	0	0	2
Reprimand	0	3	7	3	2	2
Suspension	6	10	1	6	6	2
Removal	14	2	0	6	5	5
Other	8	12	35	12	10	11
Duty Hours	2	0	7	0	2	2
Evaluation Appraisal	10	2	8	9	4	7
Examination/Test	3	0	0	0	0	0
<b>Harassment</b>	<b>65</b>	<b>34</b>	<b>109</b>	<b>93</b>	<b>45</b>	<b>125</b>
Non-Sexual	60	33	102	90	39	112
Sexual	5	1	7	3	6	13
Medical Examination	0	0	0	0	0	0
Pay (Including Overtime)	3	1	2	3	1	0
Promotion/Non-Selection	50	55	67	50	65	34
<b>Reassignment</b>	<b>0</b>	<b>4</b>	<b>6</b>	<b>2</b>	<b>3</b>	<b>4</b>
Denied						
Directed						
Reasonable Accommodation	8	11	9	13	15	9
Reinstatement	0	1	0	1	0	0
Retirement	0	3	4	3	1	2
Termination	0	7	12	25	14	17
Terms/Conditions of Employment	6	3	2	2	1	0
Time and Attendance	4	12	8	5	9	13
Training	0	5	1	2	4	2
Other	0	0	0	27	33	22

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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..."		29 CFR §1614.704(f)										Num.	Ave. Days
		Previous Fiscal Year Data											
		Num.	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	39	66	69	114	44	151	25	145	36	127	34	106
All complaints pending in Final Agency Action Stage	(f) (1)	42	369	16	70	10	756	16	468	12	294	14	420
All complaints pending in which Hearing was not requested	1614.704	25	298	42	144								
Time in Investigation Stage	(f) (2)					9	749	18	256	31	231	13	415
Time to issue Final Agency Action		25	222	42	72	9	211	18	189	31	172	13	201
All complaints pending in which a Hearing was requested	1614.704	25	76	42	70	33	64	18	67	31	59	20	82
Time in Investigation Stage	(f) (3)					49	550	18	245	14	193	95	544
Time to issue Final Agency Action		22	244	27	693								
		22	225	27	76	49	215	18	229	14	183	95	193
		22	19	27	10	28	11	18	16	14	10	13	13

\* This figure includes the average delay getting the file to Department's adjudication office (OEDCA) in VA's Central Office of 10 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 72 days.

29 CFR §1614.704(g)	29 CFR §1614.705 Comparative Data					2009 Q3
Complaints Dismissed by Agency Pursuant to 1614.107(a)	Previous Fiscal Year Data					
	2004	2005	2006	2007	2009	
Total Complaints Dismissed by Agency	27	27	13	25	19	26
Average days pending prior to dismissal	599	69.7	49.5	41.76	40.7	48.62

29 CFR §1614.704(h)	29 CFR §1614.705 Comparative Data					2009 Q3
Complaints Withdrawn by Complainants (h)	Previous Fiscal Year Data					
	2004	2005	2006	2007	2008	
Total Complaints Withdrawn by Complainants	10	12	15	13	12	15













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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)	79	52	43	43	39	81
Total Complainants 704(l)(2)	67	47	40	42	35	69
<b>Number complaints pending: 704(l)(3)</b>						
Investigation	84	0	0	3	0	0
ROI issued, pending Complainant's action	NA*	5	2	1	0	0
Hearing	125	65	43	31	36	71
Final Agency Action	18	9	7	8	6	9
Appeal with EEOC Office of Federal Operations	NA*	NA*	NA*	NA*	NA	1
*Do not track						

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	39	36	14	25	36	34
Pending Investigations Over Required Time Frames	4	1	4	6	5	0