

**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) - ©	29 CFR §1614.705 Comparative Data					
Complaint Activity	Previous Fiscal Year Data					2012
	2007	2008	2009	2010	2011	
Number of Complaints Filed in FY 1614.704(a)	1921	2118	2232	2199	2369	1755
Number of Complainants 1614.704(b)	1765	1947	2051	2083	2198	1645
Repeat Filers 1614.704(c)	127	136	137	116	147	89

29 CFR §1614.704(d)	29 CFR §1614.705 Comparative Data					
Complaints by Basis	Previous Fiscal Year Data					2012
	2007	2008	2009	2010	2011	
Race	1219	1450	1679	1566	873	647
Color	108	108	103	130	67	55
Religion	92	163	147	121	58	62
Reprisal	1324	1654	1746	1767	869	696
Sex	893	1059	1152	1153	609	452
National Origin	249	329	308	347	187	160
Equal Pay Act		22	8	12	6	7
Age	728	858	1142	1042	590	417
Disability	871	1041	1040	1219	659	499
Other	92	0	0	0	0	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					2012
	2007	2008	2009	2010	2011	
Appointment/Hire	123	105	145	79	108	88
Assignment of Duties	146	184	139	154	131	98
Awards	47	37	24	32	18	16
Conversion to Full-time	3	1	2	1	1	1
<b>Disciplinary Action</b>	<b>403</b>	<b>331</b>	<b>365</b>	<b>342</b>	<b>350</b>	<b>308</b>
Demotion	14	10	17	11	15	17
Reprimand	72	60	51	59	57	47
Suspension	136	107	96	87	103	91
Removal	48	62	68	56	69	50
Other	133	92	133	129	106	103
Duty Hours	46	59	58	65	30	45
Evaluation Appraisal	129	124	95	146	171	170
Examination/Test	1	1	3	2	0	1
<b>Harassment</b>	<b>1592</b>	<b>1445</b>	<b>1780</b>	<b>1734</b>	<b>1101</b>	<b>864</b>
Non-Sexual	1465	1377	1672	1661	1019	816
Sexual	127	68	108	73	82	48
Medical Examination	15	9	8	14	6	8
Pay (Including Overtime)	129	123	68	87	97	54
Promotion/Non-Selection	665	653	468	440	393	302
<b>Reassignment</b>	<b>113</b>	<b>79</b>	<b>78</b>	<b>88</b>	<b>77</b>	<b>62</b>
Denied						
Directed						
Reasonable Accommodation	95	117	113	131	172	131
Reinstatement	2	2	4	3	1	0
Retirement	38	23	24	30	31	17
Termination	201	191	289	273	225	136
Terms/Conditions of Employment	60	46	68	48	44	39
Time and Attendance	218	190	175	171	153	131
Training	61	55	60	63	69	57
Other	382	405	485	411	311	237

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<b>29 CFR §1614.704(f)</b>		<b>Previous Fiscal Year Data</b>										<b>Num.</b>	<b>Ave. Days</b>
<b>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..."</b>		<b>Num.</b>	<b>Ave. Days</b>	<b>Num.</b>	<b>Ave.D avs</b>	<b>Num.</b>	<b>Ave. Days</b>	<b>Num.</b>	<b>Ave.D avs</b>	<b>Num.</b>	<b>Ave.D avs</b>	<b>2012</b>	
		<b>2007</b>		<b>2008</b>		<b>2009</b>		<b>2010</b>		<b>2011</b>			
All complaints pending in Investigative Stage	1614.704	460	122.4	552	117.4	510	101	571	116.5	564	114.9	611	113.6
All complaints pending in Final Agency Action Stage	(f) (1)	207	454	175	421.7	277	449	268	500.6	317	503.3	363	464.0
All complaints pending in which Hearing was not requested	1614.704												
	(f) (2)	417	284	548	259	267	408	261	483.7	301	472.6	351	438.8
Time in Investigation Stage		417	216.6	548	191.1	267	174	261	181.5	301	180.3	351	167.6
Time to issue Final Agency Action		417	67	548	68	<b>425</b>	<b>75</b>	<b>506</b>	<b>*120</b>	465	<b>*125</b>	<b>346</b>	<b>*164</b>
All complaints pending in which a Hearing was requested	1614.704												
	(f) (3)	326	235	291	201	1248	493	1367	554.3	1435	592.4	1617	612.3
Time in Investigation Stage		326	222.3	291	193	1248	184	1367	181.8	1435	183.0	1617	181.4
Time to issue Final Agency Action		326	13	291	8	<b>322</b>	<b>14</b>	<b>365</b>	<b>14</b>	439	15	<b>293</b>	<b>13</b>

*\* This figure includes the average delay in getting the file to the Department's adjudication office (OEDCA) in VA's Central Office of 11 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 153 days.*

<b>29 CFR §1614.704(g)</b>	<b>29 CFR §1614.705 Comparative Data</b>					
<b>Complaints Dismissed by Agency Pursuant to 1614.107(a)</b>	<b>Previous Fiscal Year Data</b>					<b>2012</b>
	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	
Total Complaints Dismissed by Agency	414	389	485	418	556	345
Average days pending prior to dismissal	54.03	54.25	53.5	48.7	49.3	56.4

<b>29 CFR §1614.704(h)</b>	<b>29 CFR §1614.705 Comparative Data</b>					
<b>Complaints Withdrawn by Complainants</b>	<b>Previous Fiscal Year Data</b>					<b>2012</b>
	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	
Total Complaints Withdrawn by Complainants	219	203	184	178	203	166

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<b>29 CFR §1614.704(i)</b>  <i>Total Final Agency Actions Finding Discrimination</i>	<b>29 CFR §1614.705 Comparative Data</b>											
	<b>Previous Fiscal Year Data</b>										<b>2012</b>	
	<b>2007</b>		<b>2008</b>		<b>2009</b>		<b>2010</b>		<b>2011</b>			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(h)(1)	34		24	100	22	100	33	100	33	100%	30	100%
Without Hearing 704(h)(2)	6	18%	12	50%	6	27%	10	30%	10	30%	8	27%
With Hearing 704(h)(3)	28	82%	12	50%	16	73%	23	70%	23	70%	22	73%

<b>29 CFR §1614.704(j)</b>  <b>Findings of Discrimination Rendered by Basis</b>	<b>29 CFR §1614.705 Comparative Data</b>											
	<b>Previous Fiscal Year Data</b>										<b>2012</b>	
	<b>2007</b>		<b>2008</b>		<b>2009</b>		<b>2010</b>		<b>2011</b>			
	#	%	#	%	#	%	#	%	#	%	#	%
<b>Total Number Findings 704(j)(1)</b>	34		24	100	22	100	33	100%	33	100%	30	100%
Race	9	26%	5	17%	2	9%	6	18%	3	9%	2	7%
Color	1	3%	1	6%			1	3%	1	3%	1	3%
Religion	1	3%					0	0%	1	3%		
Reprisal	12	35%	14	58%	9	41%	14	42%	14	42%	12	40%
Sex	4	12%	4	17%			8	24%	6	18%	6	20%
National Origin	2	6%	1	6%			2	6%				
Equal Pay Act	2	6%					0	0%				
Age			1	6%	4	18%	5	15%	2	6%	2	7%
Disability	12	35%	4	17%	8	36%	7	21%	11	33%	15	50%
Non-EEO							0	0%				

<b>29 CFR §1614.704(j)</b>  <b>Findings of Discrimination Rendered by Basis</b>	<b>29 CFR §1614.705 Comparative Data</b>											
	<b>Previous Fiscal Year Data</b>										<b>2012</b>	
	<b>2007</b>		<b>2008</b>		<b>2009</b>		<b>2010</b>		<b>2011</b>			
	#	%	#	%	#	%	#	%	#	%	#	%
<b>Number Findings Rendered After Hearing 704(j)(3)</b>	28		12	50%	16	73%	23	70%	23	70%	22	73%
Race	9	100%	4	80%	2	100%	5	83%	3	100%	2	100%
Color	1	100%					1	100%	1	100%	1	100%
Religion	1	100%					0	0%				
Reprisal	11	92%	7	50%	8	89%	8	57%	11	79%	11	85%
Sex	4	100%			1	50%	4	50%	5	83%	5	83%
National Origin	2	100%					2	100%				
Equal Pay Act	2	100%					0	0%				
Age			1	100%	4	100%	4	80%	2	100%	2	100%
Disability	7	58%	1	25%	4	50%	5	71%	4	36%	12	71%
Non-EEO							0	0%				

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29 CFR §1614.704(j)	29 CFR §1614.705 Comparative Data											
	Previous Fiscal Year Data										2012	
	2007		2008		2009		2010		2011			
	#	%	#	%	#	%	#	%	#	%	#	%
<b>Total Number Findings 704(j)(1)</b>	34		24		6	27%	33	100%	33	100%	30	100%
<b>Number Findings Rendered Without Hearing 704(j)(2)</b>	6		12	50%			10	30%	10	70%	8	27%
Race			1	20%			1	17%				
Color			1	100%			0	0%				
Religion							0	0%	1	100%		
Reprisal	1	8%	7	50%	1	11%	6	43%	3	21%	2	15%
Sex					1	50%	4	50%	1	17%	1	17%
National Origin			1	100%			0	0%				
Equal Pay Act							0	0%				
Age							1	20%				
Disability	5	42%	3	75%	4	50%	2	29%	7	64%	5	29%
Non-EEO							0	0%				

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29 CFR §1614.704(k)  Findings of Discrimination Rendered by Issue	29 CFR §1614.705 Comparative Data											
	Previous Fiscal Year Data										2012	
	2007		2008		2009		2010		2011		#	%
	#	%	#	%	#	%	#	%	#	%		
<b>Total Number Findings 704(k)(1)</b>	34		24	100%	22	100%	33	100%	33	100%	30	100%
Appointment/Hire	1	3%			1	5%	1	3%			1	3%
Assignment of Duties	2	6%	1	4%	1	5%	3	9%	2	6%	1	3%
Awards	2	6%					1	3%	1	3%	1	3%
Conversion to Full-time							0	0%	1	3%		
Disciplinary Action	1	3%	2	8%			0	0%				
Demotion							0	0%	1	3%		
Reprimand	1	3%					0	0%			1	3%
Suspension			2	8%			3	9%	5	15%		
Removal							0	0%			1	3%
Other							0	0%	1	3%		
Duty Hours	1	3%					0	0%				
Evaluation Appraisal	1	3%	1	4%			2	6%	2	6%	2	7%
Examination/Test			1	4%			0	0%				
Harassment	3	9%	6	25%			0	0%				
Non-Sexual	3	9%	3	12%	1	5%	5	15%	4	12%	5	17%
Sexual			3	12%	2	9%	4	12%	3	9%	1	3%
Medical Examination	1	3%	1	4%	1	5%	0	0%	2	6%	1	3%
Pay (Including Overtime)	2	6%					0	0%	1	3%		
Promotion/Non-Selection	10	29%	3	12%	6	27%	12	36%	6	18%	7	23%
Reassignment	2	6%	4	17%			0	0%				
Denied							1	3%				
Directed	2	6%	4	17%			1	3%			2	7%
Reasonable Accommodation	6	18%	4	17%	2	9%	3	9%	8	24%	7	23%
Reinstatement							1	3%				
Retirement							0	0%				
Termination	6	18%	5	21%	1	5%	4	12%	3	9%	1	3%
Terms/Conditions of Employment							1	3%				
Time and Attendance	1	3%	1	4%	1	5%	1	3%	2	6%	2	7%
Training					1	5%	0	0%				
Other	6	18%	6	25%	5	23%	8	24%	4	12%	4	13%

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29 CFR §1614.704(k)	29 CFR §1614.705 Comparative Data											
	Previous Fiscal Year Data										2012	
	2007		2008		2009		2010		2011		#	%
	#	%	#	%	#	%	#	%	#	%		
<b>Findings After Hearing 704(k)(3)</b>	28		12	50%	16	73%	23	100%	23	70%	22	73%
Appointment/Hire	1	100%					1	100%				
Assignment of Duties	2	100%			1	100%	3	100%	1	50%	1	100%
Awards	2	100%					1	100%	1	100%	1	100%
Conversion to Full-time							0	0%	1	100%		
Disciplinary Action	1	100%	1	50%			0	0%				
Demotion							0	0%	1	100%		
Reprimand	1	100%					0	0%			1	100%
Suspension			1	50%			2	67%	4	80%		
Removal							0	0%			1	100%
Other							0	0%	1	100%		
Duty Hours	1	100%					0	0%				
Evaluation Appraisal	1	100%	1	100%			2	100%	2	100%	2	100%
Examination/Test							0	0%				
Harassment	2	67%					0	0%				
Non-Sexual	2	67%					2	40%	3	75%	5	100%
Sexual					1	50%	0	0%	2	67%		
Medical Examination	1	100%					0	0%	1	50%	1	100%
Pay (Including Overtime)	2	100%					0	0%				
Promotion/Non-Selection	9	90%	3	100%	6	100%	12	100%	6	100%	6	86%
Reassignment	2	100%	2	50%			0	0%				
Denied							1	100%				
Directed	2	100%	2	50%			0	0%			1	50%
Reasonable Accommodation	5	83%	1	25%			1	33%	3	38%	4	57%
Reinstatement							1	100%				
Retirement							0	0%				
Termination	4	67%	3	60%	1	100%	0	0%	2	67%		
Terms/Conditions of Employment							1	25%				
Time and Attendance	1	100%	1	100%	1	100%	1	100%	2	100%	2	100%
Training					1	100%	0	0%				
Other	5	83%	3	50%	5	83%	5	63%	2	50%	3	75%

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Findings of Discrimination Rendered by Issue	29 CFR §1614.705 Comparative Data											
	Previous Fiscal Year Data										2012	
	2007		2008		2009		2010		2011			
	#	%	#	%	#	%	#	%	#	%	#	%
<b>Total Number Findings 704(k)(1)</b>	34		12	50%	22		33	100%	33	100%	30	100%
<b>Findings Without Hearing 704(k)(2)</b>	6	18%			6	27%	10	30%	10	30%	8	27%
Appointment/Hire					1	100%	0	0%			1	100%
Assignment of Duties							0	0%	1	50%		
Awards							0	0%				
Conversion to Full-time							0	0%				
Disciplinary Action			1	50%			0	0%				
Demotion							0	0%				
Reprimand							0	0%				
Suspension			1	50%			1	33%	1	20%		
Removal							0	0%				
Other							0	0%				
Duty Hours							0	0%				
Evaluation Appraisal							0	0%				
Examination/Test			1	100%			0	0%				
Harassment	1	33%	6	100%			0	0%				
Non-Sexual	1	33%	3	100%			3	60%	1	25%		
Sexual			3	100%	1	50%	4	100%	1	33%	1	100%
Medical Examination					1	100%	0	0%	1	50%		
Pay (Including Overtime)							0	0%	1	100%		
Promotion/Non-Selection	1	10%					0	0%			1	14%
Reassignment			2	50%			0	0%				
Denied							0	0%				
Directed			2	50%			1	100%			1	50%
Reasonable Accommodation	1	17%	3	75%	2	100%	2	67%	5	63%	3	43%
Reinstatement							0	0%				
Retirement							0	0%				
Termination	2	33%	2	40%			0	0%	1	33%	1	100%
Terms/Conditions of Employment							3	75%				
Time and Attendance							0	0%				
Training							0	0%				
Other	1	17%	3	50%	1	17%	3	37%	2	50%	1	25%



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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					2012
	2007	2008	2009	2010	2011	
Total complaints from previous Fiscal Years 704(l)(1)	711	581	862	1079	1203	1754
Total Complainants 704(l)(2)	640	527	783	969	1078	1563
<b>Number complaints pending: 704(l)(3)</b>						
Investigation	2	0	4	2	2	18
ROI issued, pending Complainant's action	6	5	10	7	7	13
Hearing	587	509	706	892	946	1349
Final Agency Action	93	51	119	132	157	248
Appeal with EEOC Office of Federal Operations	NA	16	23	46	91	126

29 CFR §1614.704(m)	29 CFR §1614.705 Comparative Data					
Complaint Investigations	Previous Fiscal Year Data					2012
	2007	2008	2009	2010	2011	
Number Pending Completion of Investigation	456	549	508	571	565	611
Pending Investigations Over Required Time Frames	50	38	14	24	15	29