

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

29 CFR §1614.704(a) - (c)	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)	1705	1847	1947	1900	2036	1514
Number of Complainants 1614.704(b)	1566	1715	1795	1794	1893	1421
Repeat Filers 1614.704(c)	118	118	123	102	123	81

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	1105	1288	1387	1365	740	552
Color	104	87	87	104	55	49
Religion	88	157	135	105	51	57
Reprisal	1167	1441	1551	1577	756	598
Sex	793	942	956	1014	501	399
National Origin	235	94	91	97	169	148
Equal Pay Act	0	21	6	11	6	7
Age	609	751	941	887	494	350
Disability	735	875	857	1009	539	404
Other	86	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	98	91	134	75	97	74
Assignment of Duties	133	162	123	136	113	92
Awards	42	30	19	25	12	13
Conversion to Full-time	3	1	2	1	1	1
Disciplinary Action	376	293	322	295	292	272
Demotion	14	10	14	8	12	14
Reprimand	64	54	47	49	47	42
Suspension	116	97	88	79	87	83
Removal	71	55	56	47	57	42
Other	111	77	117	112	89	91
Duty Hours	46	54	54	64	29	40
Evaluation Appraisal	113	107	80	126	151	148
Examination/Test	1	1	3	1	0	1
Harassment	1446	1289	1566	1557	945	762
Non-Sexual	1325	1232	1475	1491	873	720
Sexual	121	57	91	66	72	42
Medical Examination	15	9	7	13	6	8
Pay (Including Overtime)	122	115	64	82	89	45
Promotion/Non-Selection	587	555	392	387	321	249
Reassignment	101	69	67	83	74	56
Denied						
Directed						
Reasonable Accommodation	77	98	95	109	130	105
Reinstatement	1	2	4	3	1	0
Retirement	33	17	21	24	24	14
Termination	162	159	242	215	178	115
Terms/Conditions of Employment	56	41	67	43	41	37
Time and Attendance	199	175	153	153	136	114
Training	58	45	49	51	58	48
Other	335	347	424	349	267	212

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29 CFR §1614.704(f)		Previous Fiscal Year Data										Num.	Ave. Days
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..."		Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days	2012	
		2007		2008		2009		2010		2011			
		All complaints pending in Investigative Stage	1614.704	401	119.2	485	116	485	116	488	117.3	489	115.4
All complaints pending in Final Agency Action Stage	(f) (1)	178	440.2	155	434	155	434	235	498.9	270	503.4	305	473.4
All complaints pending in which Hearing was not requested	1614.704												
	(f) (2)	388	285	501	262	501	262	230	489.4	259	473.6	294	444.2
Time in Investigation Stage		388	218.9	501	193	501	193	230	182.1	259	180.6	294	166.9
Time to issue Final Agency Action		388	66	501	69	501	69	453	120	409	*124	305	*164
All complaints pending in which a Hearing was requested	1614.704												
	(f) (3)	295	235	265	201	265	201	1177	556.7	1234	595.8	1372	616.0
Time in Investigation Stage		295	222.2	265	194	265	194	1177	183.2	1234	183.9	1372	182.5
Time to issue Final Agency Action		295	13	265	8	265	8	323	14	393	15	268	12

** This figure includes the average delay in getting the file to the Department's adjudication office (OEDCA) in VA's Central Office of 12 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 152 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					2012
	2007	2008	2009	2010	2011	
Total Complaints Dismissed by Agency	373	345	432	367	489	303
Average days pending prior to dismissal	54.53	55.7	52.8	48.4	48.2	55.2

29 CFR §1614.704(h)	29 CFR §1614.705 Comparative Data					
Complaints Withdrawn by Complainants	Previous Fiscal Year Data					2012
	2007	2008	2009	2010	2011	
Total Complaints Withdrawn by Complainants	200	175	157	162	180	144

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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			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(k)(1)	32		22	100%	19	100%	28	100%	31	100%	24	100%
Appointment/Hire	1	3%			1	5%	1	4%			1	4%
Assignment of Duties	2	6%	1	4%	1	5%	3	11%	2	6%	1	4%
Awards	2	6%					1	4%	1	3%	1	4%
Conversion to Full-time									1	3%		
Disciplinary Action	1	3%	2	9%								
Demotion									1	3%		
Reprimand	1	3%									2	8%
Suspension		1%	5	9%			1	4%	5	16%		
Removal											1	4%
Other									1	3%		
Duty Hours	1	3%									2	8%
Evaluation Appraisal	1	3%					1	4%	2	6%		
Examination/Test			1	4%								
Harassment	3	9%	6	27%								
Non-Sexual	3	9%	3	14%	1	5%	5	18%	3	10%	4	17%
Sexual			3	14%	2	11%	4	14%	3	10%	1	4%
Medical Examination	1	3%	1	4%	1	5%			2	6%	1	4%
Pay (Including Overtime)	2	6%					1	4%	1	3%		
Promotion/Non-Selection	9	28%	3	14%	4	21%	8	29%	5	16%	5	21%
Reassignment	2	6%	4	18%								
Denied							1	4%				
Directed	2	6%	4	18%			1	4%			2	8%
Reasonable Accommodation	6	19%	3	14%	1	5%	3	11%	8	26%	5	21%
Reinstatement							1	4%				
Retirement												
Termination	6	19%	4	18%	1	5%	7	25%	3	10%	1	4%
Terms/Conditions of Employment							1	4%				
Time and Attendance	1	3%	1	4%	1	5%	1	4%	2	6%	2	8%
Training					1	5%						
Other	5	16%	6	27%	5	26%	4	14%	4	13%	3	13%

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	Findings of Discrimination Rendered by Issue	Previous Fiscal Year Data										2012	
		2007		2008		2009		2010		2011			
		#	%	#	%	#	%	#	%	#	%	#	%
Findings After Hearing 704(k)(3)	27		11	50%	14		19		21	68%	18	75%	
Appointment/Hire	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									1	100%			
Disciplinary Action	1	100%	1	50%									
Demotion									1	100%			
Reprimand	1	100%											
Suspension			1	50%					4	80%			
Removal											1	100%	
Other													
Duty Hours	1	100%											
Evaluation Appraisal	1	100%					1	100%	2	100%	2	100%	
Examination/Test													
Harassment	2	67%											
Non-Sexual	2	67%			1	100%	2	40%	2	67%	4	100%	
Sexual					1	50%	0	0%	2	67%			
Medical Examination	1	100%							1	50%	1	100%	
Pay (Including Overtime)	2	100%											
Promotion/Non-Selection	8	89%	3	100%	4	100%	8	100%	5	100%	5	100%	
Reassignment	2	100%	2	50%									
Denied			0										
Directed	2	100%	2	50%							1	50%	
Reasonable Accommodation	5	83%	1	33%			1	33%	3	38%	3	60%	
Reinstatement							1	100%					
Retirement													
Termination	4	67%	2	50%	1	100%	4	57%	2	67%			
Terms/Conditions of Employment							1	100%					
Time and Attendance	1	100%	1	100%	1	100%	1	100%	2	100%			
Training					1	100%							
Other	5	100%	3	50%	4	80%	4	57%	2	50%	2	67%	

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	Previous Fiscal Year Data										2012	
	2007		2008		2009		2010		2011			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(k)(1)	32		22	100%	19	100%			31	100%	24	100%
Findings Without Hearing 704(k)(2)	27	84%	11	50%	5	26%			10	32%	6	25%
Appointment/Hire					1	100%					1	100%
Assignment of Duties									1	50%		
Awards												
Conversion to Full-time												
Disciplinary Action			1	50%								
Demotion												
Reprimand												
Suspension			1	50%			1	100%	1	20%		
Removal												
Other												
Duty Hours												
Evaluation Appraisal												
Examination/Test			1	100%								
Harassment	1	33%	6	100%								
Non-Sexual	1	33%	3	100%			3	60%	1	33%		
Sexual			3	100%	1	50%	4	100%	1	33%	1	100%
Medical Examination					1	100%			1	50%		
Pay (Including Overtime)									1	100%		
Promotion/Non-Selection	1	11%										
Reassignment			2	50%								
Denied			0									
Directed			2	50%			1				1	50%
Reasonable Accommodation	1	17%	2	67%	1	100%	2	67%	5	63%	2	40%
Reinstatement												
Retirement												
Termination	2	33%	2	50%			3	43%	1	33%	1	100%
Terms/Conditions of Employment												
Time and Attendance												
Training												
Other			3	50%	1	20%	3	43%	2	50%	1	33%

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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)	638	518	754	937	1033	1494
Total Complainants 704(l)(2)	570	468	690	837	925	1328
Number complaints pending: 704(l)(3)						
Investigation	2	0	4	1	2	17
ROI issued, pending Complainant's action	3	5	7	6	5	13
Hearing	531	453	615	770	812	1142
Final Agency Action	80	46	106	117	134	209
Appeal with EEOC Office of Federal Operations	NA	14	22	43	80	113

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	401	485	445	488	490	532
Pending Investigations Over Required Time Frames	38	30	9	21	15	29