

## Equal Employment Opportunity Data Posted Pursuant to the No Fear Act:

### Bureau of Indian Affairs: BIA (and below)

For 4th Quarter 2012 for period ending September 30, 2012

\*\*Mixed Cases are Included in this report\*\*

<b>Complaint Activity</b>	<b>Comparative Data</b>					
	<b>Previous Fiscal Year Data</b>					<b>2012 Through 09-30</b>
	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	
Number of Complaints Filed	37	42	53	81	54	35
Number of Complainants	36	38	47	80	54	35
Repeat Filers	6	3	1	1	0	0
<ol style="list-style-type: none"> <li>1. Number of complaints: This is based on the number of complaints filed during the Fiscal Year.</li> <li>2. Number of Complainants: This represents the number of complainants who filed complaints during the Fiscal Year.</li> <li>3. Repeat Filers: This is based on the number of complainants who filed more than one complaint during the Fiscal Year.</li> </ol> <p style="margin-top: 10px;"><b>Complaints by Basis</b></p>	<b>Comparative Data</b>					
	<b>Previous Fiscal Year Data</b>					

<b>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</b>						
	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	
Race	10	16	16	12	13	12
Color	0	2	5	3	4	4
Religion	2	3	1	0	3	1
Reprisal	19	21	24	34	23	16
Sex	17	20	21	35	18	17
PDA	0	0	0	0	0	0
National Origin	9	4	7	11	10	6
Equal Pay Act	0	0	0	0	0	0
Age	11	11	20	19	21	16
Disability	6	5	10	12	7	6
Genetics	0	0	0	0	0	0
Non-EEO	0	0	0	1	1	2

Complaints by Issue	Comparative Data					
	Previous Fiscal Year Data					2012 Through 09-30
<b>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</b>	2007	2008	2009	2010	2011	
Appointment/Hire	5	4	6	8	4	2
Assignment of Duties	5	6	2	4	3	4
Awards	1	1	2	2	1	1
Conversion to Full-time	0	0	0	0	0	0
<b>Disciplinary Action</b>						
Demotion	0	0	0	1	0	1
Reprimand	0	2	1	2	3	3
Suspension	3	0	1	2	3	0
Removal	1	1	7	2	0	0

Other	6	1	0	1	1	1
Duty Hours	0	0	3	0	3	0
Evaluation Appraisal	3	4	1	2	3	1
Examination/Test	0	0	0	0	0	0
<b>Harassment</b>						
Non-Sexual	3	7	5	23	16	8
Sexual	3	4	4	5	1	3
Medical Examination	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	1	0	2
Promotion/Non-Selection	4	6	12	12	7	2
<b>Reassignment</b>						
Denied	0	1	0	0	0	0
Directed	2	0	2	2	3	1
Reasonable Accommodation	0	0	1	0	0	1
Reinstatement	1	0	0	0	1	0
Retirement	0	0	0	0	1	0
Termination	5	7	8	14	12	9
Terms/Conditions of Employment	0	1	1	5	2	4
Time and Attendance	0	0	4	3	1	1
Training	1	1	0	1	3	1
Other	7	1	1	1	1	0
<b>Processing Time</b>	<b>Comparative Data</b>					
	<b>Previous Fiscal Year Data</b>					<b>2012 Through 09-30</b>
	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	
Complaints pending during fiscal year						
Average number of days in investigation	463.84	507.21	432.64	411.32	287.83	372.13
Average number of days in final action	171.95	92.65	273.79	122.19	181.45	181.04

Complaint pending during fiscal year where hearing was requested												
Average number of days in investigation		419.53	500.20	422.36	360.11	287.55	368.84					
Average number of days in final action		20.67	8.62	109.71	10.45	59.45	7.86					
Complaint pending during fiscal year where hearing was not requested												
Average number of days in investigation		517.64	518.00	458.82	483.41	288.50	380.27					
Average number of days in final action		236.79	248.71	328.48	183.65	330.56	248.39					
<b>Complaints Dismissed by Agency</b>	<b>Comparative Data</b>											
	<b>Previous Fiscal Year Data</b>										<b>2012 Through 09-30</b>	
	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>							
Total Complaints Dismissed by Agency	3	3	2	15	20	3						
Average days pending prior to dismissal	327	472	988	299	365	114						
<b>Complaints Withdrawn by Complainants</b>												
Total Complaints Withdrawn by Complainants	5	0	2	3	4	4						
<b>Total Final Agency Actions Finding Discrimination</b>	<b>Comparative Data</b>											
	<b>Previous Fiscal Year Data</b>										<b>2012 Through 09-30</b>	
	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>							
	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>
Total Number Findings	0		0		3		7		3		1	
Without Hearing	0	0	0	0	3	100	5	71	1	33	1	100
With Hearing	0	0	0	0	0	0	2	29	2	67	0	0
<b>Findings of Discrimination Rendered by Basis</b>	<b>Comparative Data</b>											
	<b>Previous Fiscal Year Data</b>										<b>2012 Through 09-30</b>	
<b>Note: Complaints can be</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>							

<i>filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>	#	%	#	%	#	%	#	%	#	%	#	%
<b>Total Number Findings</b>	0		0		3		7		3		1	
Race	0	0	0	0	0	0	3	43	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	1	14	0	0	0	0
Reprisal	0	0	0	0	3	100	3	43	1	33	1	100
Sex	0	0	0	0	1	33	4	57	1	33	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	2	29	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	2	29	1	33	1	100
Disability	0	0	0	0	0	0	2	29	1	33	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0
<b>Findings After Hearing</b>												
<b>Findings After Hearing</b>	0		0		0		2		2		0	
Race	0	0	0	0	0	0	2	100	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	1	50	0	0
Sex	0	0	0	0	0	0	1	50	0	0	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	1	50	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	1	50	1	50	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0

Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0
<b>Findings Without Hearing</b>	0		0		3		5		1		1	
Race	0	0	0	0	0	0	1	20	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	1	20	0	0	0	0
Reprisal	0	0	0	0	3	100	3	60	0	0	1	100
Sex	0	0	0	0	1	33	3	60	1	100	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	1	20	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	2	40	1	100	1	100
Disability	0	0	0	0	0	0	1	20	0	0	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0
<b>Findings of Discrimination Rendered by Issue</b>	<b>Comparative Data</b>											
	<b>Previous Fiscal Year Data</b>										<b>2012 Through 09-30</b>	
	<b>2007</b>		<b>2008</b>		<b>2009</b>		<b>2010</b>		<b>2011</b>			
	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>
<b>Total Number Findings</b>	0		0		3		7		3		1	
Appointment/Hire	0	0	0	0	0	0	2	29	1	33	1	100
Assignment of Duties	0	0	0	0	2	67	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0	0	0
<b>Disciplinary Action</b>												
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	1	33	2	29	0	0	0	0

Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	1	33	0	0	1	33	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment												
Non-Sexual	0	0	0	0	1	33	0	0	0	0	0	0
Sexual	0	0	0	0	1	33	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	1	33	1	14	1	33	0	0
Reassignment												
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	2	29	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other - User Defined	0	0	0	0	0	0	0	0	0	0	0	0
<b>Findings After Hearing</b>	0		0		0		2		2		0	
Appointment/Hire	0	0	0	0	0	0	2	100	1	50	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action												

Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment												
Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	1	50	0	0
Reassignment												
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other - User Defined	0	0	0	0	0	0	0	0	0	0	0	0
<b>Findings Without Hearing</b>	0		0		3		5		1		1	
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	1	100
Assignment of Duties	0	0	0	0	2	67	0	0	0	0	0	0



Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action												
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	1	33	2	40	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	1	33	0	0	1	100	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment												
Non-Sexual	0	0	0	0	1	33	0	0	0	0	0	0
Sexual	0	0	0	0	1	33	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	1	33	1	20	0	0	0	0
Reassignment												
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	2	40	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other - User Defined	0	0	0	0	0	0	0	0	0	0	0	0
<b>Pending Complaints Filed in</b>	<b>Comparative Data</b>											

Previous Fiscal Years by Status	Previous Fiscal Year Data					2012 Through 09-30
	2007	2008	2009	2010	2011	
Total complaints from previous Fiscal Years	106	98	107	117	128	116
Total Complainants	97	93	100	105	122	113
<b>Number complaints pending</b>						
Investigation	16	18	21	4	11	1
ROI issued, pending Complainant's action	1	0	1	2	0	0
Hearing	29	28	35	30	40	41
Final Agency Action	7	16	7	13	12	8
Appeal with EEOC Office of Federal Operations	0	0	0	0	1	20
<b>Complaint Investigations</b>	<b>Comparative Data</b>					
	<b>Previous Fiscal Year Data</b>					<b>2012 Through 09-30</b>
	2007	2008	2009	2010	2011	
Pending Complaints Where Investigations Exceed Required Time Frames	20	27	34	19	15	4

**Pending Complaints Filed in Previous Fiscal Years by Status:**

*Number of Complaints Pending Investigation: This represents the date an investigation started through the end of the Fiscal Year.*

*ROI Issued, Pending complainant's action: This represents the date an Investigation ended through the end of the Fiscal Year.*

*Number of Complaints Pending Hearing: This represents the date a Hearing Request was received through the end of the Fiscal Year.*

*Final Agency Action: This represents the date a Request for a Final Agency Decision (FAD) is received through the end of the Fiscal Year.*

*Appeal with EEOC Office of Federal Operations: This represents the number of complainants who filed Appeals with the EEOC, Office of Federal Operations.*