

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

## USDA

For 4th Quarter 2010 for period ending September 30, 2010

Complaint Activity	Comparative Data					
	Previous Fiscal Year Data					2010Thru09-30
	2005	2006	2007	2008	2009	
Number of Complaints Filed	651	530	545	549	527	465
Number of Complainants	549	483	487	417	394	453
Repeat Filers	60	38	33	50	21	7
Complaints by Basis	Comparative Data					
	Previous Fiscal Year Data					2010Thru09-30
	2005	2006	2007	2008	2009	
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	2005	2006	2007	2008	2009	30
Race	243	207	186	223	181	160
Color	68	45	44	43	44	22
Religion	32	28	21	22	13	15
Reprisal	348	263	264	282	248	175
Sex	240	181	181	198	178	152
National Origin	96	79	42	50	61	47

Equal Pay Act	22	15	8	8	3	1
Age	222	174	184	172	168	153
Disability	113	97	105	99	91	96
Non-EEO	3	14	24	38	33	43
<b>Complaints by Issue</b>	<b>Comparative Data</b>					
	<b>Previous Fiscal Year Data</b>					<b>2010Thru09-30</b>
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	
Appointment/Hire	34	29	34	30	20	22
Assignment of Duties	74	58	58	58	80	47
Awards	13	16	10	29	21	11
Conversion to Full-time	0	0	0	0	0	1
<b>Disciplinary Action</b>						
Demotion	8	4	4	3	4	4
Reprimand	22	14	15	16	25	12
Suspension	39	18	19	27	23	26
Removal	8	5	8	8	7	5
Other	12	6	15	6	11	7
Duty Hours	7	6	7	9	9	5
Evaluation Appraisal	55	47	42	77	66	58
Examination/Test	1	1	2	2	2	1
<b>Harassment</b>						
Non-Sexual	244	202	200	241	237	171
Sexual	17	15	19	15	15	13
Medical Examination	0	0	0	0	0	1

Pay (Including Overtime)	6	6	5	10	5	10
Promotion/Non-Selection	206	151	142	139	117	100
<b>Reassignment</b>						
Denied	9	2	7	4	10	4
Directed	27	21	34	22	35	18
Reasonable Accommodation	27	21	40	36	28	32
Reinstatement	2	0	1	1	1	1
Retirement	6	11	4	4	6	1
Termination	42	46	37	16	35	34
Terms/Conditions of Employment	77	40	43	51	49	36
Time and Attendance	31	31	38	41	31	20
Training	36	19	18	40	35	19
Other	76	87	71	51	57	59
<b>Processing Time</b>	<b>Comparative Data</b>					
	<b>Previous Fiscal Year Data</b>					<b>2010Thru09-30</b>
	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	
Complaints pending during fiscal year						
Average number of days in investigation	259.10	217.52	271.25	234.76	160.67	311.40
Average number of days in final action	480.75	324.58	433.35	736.90	677.81	630.19
Complaint pending during fiscal year where hearing was requested						
Average number of days in investigation	265.80	215.84	340.81	233.11	20.60	280.55
Average number of days in final action	29.80	45.22	120.83	213.93	176.76	189.78
Complaint pending during fiscal year where hearing was not requested						
Average number of	253.85	219.02	214.80	235.92	256.26	329.57

days in investigation												
Average number of days in final action	543.38	620.92	614.43	914.71	825.73	828.13						
<b>Complaints Dismissed by Agency</b>	<b>Comparative Data</b>											
	<b>Previous Fiscal Year Data</b>										<b>2010Thru09-30</b>	
	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>							
Total Complaints Dismissed by Agency	131	81	73	54	39	58						
Average days pending prior to dismissal	750	683	690	288	248	265						
<b>Complaints Withdrawn by Complainants</b>												
Total Complaints Withdrawn by Complainants	61	61	29	31	24	32						
<b>Total Final Agency Actions Finding Discrimination</b>	<b>Comparative Data</b>											
	<b>Previous Fiscal Year Data</b>										<b>2010Thru09-30</b>	
	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>							
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	9		17		8		10		15		26	
Without Hearing	6	67	6	35	3	38	4	40	13	87	22	85
With Hearing	3	33	11	65	5	63	6	60	2	13	4	15
<b>Findings of Discrimination Rendered by Basis</b>	<b>Comparative Data</b>											
	<b>Previous Fiscal Year Data</b>										<b>2010Thru09-30</b>	
	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>							
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>	#	%	#	%	#	%	#	%	#	%	#	%
<b>Total Number Findings</b>	9		15		7		8		15		26	

Race	2	22	2	13	1	14	0	0	4	27	7	27
Color	0	0	0	0	0	0	0	0	0	0	2	8
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	6	67	11	73	3	43	6	75	4	27	11	42
Sex	4	44	4	27	3	43	2	25	6	40	4	15
National Origin	0	0	0	0	2	29	0	0	1	7	1	4
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	1	11	1	7	0	0	3	38	7	47	8	31
Disability	3	33	0	0	2	29	0	0	2	13	5	19
Non-EEO	0	0	0	0	0	0	0	0	0	0	1	4
<b>Findings After Hearing</b>	2		9		4		4		2		4	
Race	0	0	2	22	1	25	0	0	1	50	2	50
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	2	100	6	67	1	25	2	50	1	50	2	50
Sex	1	50	3	33	2	50	1	25	1	50	1	25
National Origin	0	0	0	0	1	25	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	1	11	0	0	3	75	0	0	2	50
Disability	0	0	0	0	0	0	0	0	0	0	1	25
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0
<b>Findings Without Hearing</b>	2		4		2		4		8		16	
Race	1	50	0	0	0	0	0	0	3	38	1	6

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	1	50	3	75	1	50	4	100	0	0	7	44
Sex	0	0	1	25	1	50	1	25	2	25	2	13
National Origin	0	0	0	0	0	0	0	0	1	13	1	6
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	6	75	5	31
Disability	1	50	0	0	2	100	0	0	2	25	3	19
Non-EEO	0	0	0	0	0	0	0	0	0	0	1	6
<b>Findings of Discrimination Rendered by Issue</b>	<b>Comparative Data</b>											
	<b>Previous Fiscal Year Data</b>										<b>2010Thru09-30</b>	
	<b>2005</b>		<b>2006</b>		<b>2007</b>		<b>2008</b>		<b>2009</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>	9		15		7		8		15		26	
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	1	11	0	0	1	14	2	25	0	0	2	8
Awards	1	11	0	0	0	0	2	25	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	2	29	0	0	1	7	1	4
Removal	0	0	0	0	0	0	0	0	0	0	1	4
Other	0	0	1	7	0	0	0	0	0	0	0	0
Duty Hours	1	11	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	1	11	0	0	0	0	3	38	1	7	0	0

Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment												
Non-Sexual	4	44	5	33	2	29	4	50	1	7	12	46
Sexual	0	0	1	7	0	0	1	13	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	1	7	0	0	1	13	1	7	0	0
Promotion/Non-Selection	1	11	5	33	3	43	0	0	10	67	3	12
Reassignment												
Denied	0	0	1	7	0	0	0	0	0	0	0	0
Directed	0	0	1	7	0	0	2	25	1	7	1	4
Reasonable Accommodation	2	22	0	0	1	14	0	0	0	0	3	12
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	1	7	0	0	0	0	0	0	1	4
Termination	1	11	0	0	0	0	0	0	1	7	1	4
Terms/Conditions of Employment	1	11	1	7	1	14	0	0	1	7	0	0
Time and Attendance	1	11	1	7	1	14	0	0	0	0	1	4
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other - User Defined	2	22	2	13	0	0	1	13	0	0	3	12
<b>Findings After Hearing</b>	2		9		4		4		2		4	
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	1	25	0	0	0	0
Awards	0	0	0	0	0	0	1	25	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	25	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	1	11	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	1	25	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment												
Non-Sexual	1	50	2	22	2	50	3	75	0	0	2	50
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	1	11	0	0	1	25	0	0	0	0
Promotion/Non-Selection	1	50	5	56	2	50	0	0	1	50	1	25
Reassignment												
Denied	0	0	1	11	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	1	25	1	50	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	1	11	0	0	0	0	0	0	1	25
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	1	11	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	1	25	0	0	0	0



<b>Findings Without Hearing</b>	7		6		3		4		13		22	
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	1	14	0	0	1	33	1	25	0	0	2	9
Awards	1	14	0	0	0	0	1	25	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	0	0	1	8	1	5
Removal	0	0	0	0	0	0	0	0	0	0	1	5
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	1	14	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	1	14	0	0	0	0	2	50	1	8	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
<b>Harassment</b>												
Non-Sexual	3	43	3	50	0	0	1	25	1	8	10	45
Sexual	0	0	1	17	0	0	1	25	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	1	8	0	0
Promotion/Non-Selection	0	0	0	0	1	33	0	0	9	69	2	9
<b>Reassignment</b>												
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	1	17	0	0	1	25	0	0	1	5
Reasonable Accommodation	2	29	0	0	1	33	0	0	0	0	3	14

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	1	14	0	0	0	0	0	0	1	8	1	5
Terms/Conditions of Employment	1	14	1	17	1	33	0	0	1	8	0	0
Time and Attendance	1	14	0	0	1	33	0	0	0	0	1	5
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other - User Defined	2	29	2	33	0	0	0	0	0	0	3	14
<b>Pending Complaints Filed in Previous Fiscal Years by Status</b>	<b>Comparative Data</b>											
	<b>Previous Fiscal Year Data</b>					<b>2010Thru09-30</b>						
	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>							
Total complaints from previous Fiscal Years	1413	1443	1384	1333	1218	944						
Total Complainants	1014	1081	1078	1063	932	698						
<b>Number complaints pending</b>												
Investigation	50	67	75	102	89	90						
ROI issued, pending Complainant's action	1	2	8	6	1	7						
Hearing	305	287	303	350	300	239						
Final Agency Action	476	534	469	360	109	80						
Appeal with EEOC Office of Federal Operations	0	13	20	23	24	25						
<b>Complaint Investigations</b>	<b>Comparative Data</b>											
	<b>Previous Fiscal Year Data</b>					<b>2010Thru09-30</b>						
	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>							
Pending Complaints Where Investigations Exceed Required Time Frames	95	92	113	163	171	188						