

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

29 CFR §1614.704(a) - (c)		29 CFR §1614.705 Comparative Data				
Complaint Activity	FY 2004 3rd Quarter					
		2003	2002	2001	2000	1999
Number of Complaints Filed in FY 1614.704(a)	1647	2232	2258	2147	2467	2404
Number of Complainants 1614.704(b)	1529	2003	2042	1718	2220	1735
Repeat Filers 1614.704(c)	118	229	216	229	247	269

29 CFR §1614.704(d)		29 CFR §1614.705 Comparative Data				
Complaints by Basis	FY 2004 3rd Quarter	Previous Fiscal Year Data				
		2003	2002	2001	2000	1999
Race	821	1013	806	1196	1304	1670
Color	75	47	70	-	-	-
Religion	73	31	36	88	144	110
National Origin	141	177	80	98	233	501
Sex (including complaints filed under Equal Pay Act)	560	748	635	1121	1258	1850
Disability	526	514	618	643	758	1134
Age	458	340	280	240	327	843
Reprisal	764	711	740	1028	1055	1834
Other	67	0	0	0	0	0

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29 CFR §1614.704(e)		29 CFR §1614.705 Comparative Data				
Complaints by Issue	FY 2004 3rd Quarter	Previous Fiscal Year Data				
		2003	2002	2001	2000	1999
Appointment/Hire	103	56	77	166	199	260
Assignment of Duties	138	190	188	348	451	445
Awards	36	46	40	39	55	113
Conversion to Full-time	5	4	4	7	4	72
<b>Disciplinary Action</b>	<b>496</b>	<b>602</b>	<b>485</b>	<b>319</b>	<b>539</b>	<b>786</b>
Demotion	15	18	18	43	88	131
Reprimand	38	46	36	128	178	242
Suspension	94	103	87	116	159	186
Removal	255	325	301	32	0	0
Other	94	110	43	0	114	227
Duty Hours	60	72	63	100	123	199
Evaluation Appraisal	67	67	55	100	111	549
Examination/Test	3	12	11	23	18	94
<b>Harassment</b>	<b>1019</b>	<b>1462</b>	<b>1296</b>	<b>1403</b>	<b>1424</b>	<b>1730</b>
Non-Sexual	976	1375	1208	1298	1349	1545
Sexual	43	87	88	105	75	185
Medical Examination	1	5	5	19	0	0
Pay (Including Overtime)	36	57	73	27	19	173
Promotion/Non-Selection	601	742	692	925	1036	885
<b>Reassignment</b>	<b>78</b>	<b>131</b>	<b>117</b>	<b>116</b>	<b>140</b>	<b>484</b>
Denied	14	21	19	22	27	95
Directed	64	110	98	94	113	389
Reasonable Accommodation	73	132	145	90	58	110
Reinstatement	14	11	4	9	32	264
Retirement	7	22	24	18	0	72
Termination	0	0	47	227	268	379
Terms/Conditions of Employment	167	200	187	353	378	466
Time and Attendance	167	176	163	211	224	303
Training	73	62	51	156	147	237
Other	353	12	0	0	0	159

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29 CFR §1614.704(f)				FY 2004 3rd Quarter		Previous Fiscal Year Data							
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..."													
		Number	Ave. Days	Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days
				2003		2002		2001		2000		1999	
All complaints pending in Investigative Stage	1614.704	1119	234	1049	130	1741	125	1095	153	1668	270	2163	201
All complaints pending in Final Agency Action Stage	(f) (1)	819	45	236	418	253	349	369	289	327	330	197	514
All complaints pending in which Hearing was not requested	1614.704 (f) (2)	449	304	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Time in Investigation Stage		449	229	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Time to issue Final Agency Action		449	75	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
All complaints pending in which a Hearing was requested	1614.704 (f) (3)	370	247	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Time in Investigation Stage		370	232	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Time to issue Final Agency Action		370	15	485	19	448	20	419	19	267	21	232	36

*\* This figure includes an average delay in getting the file to the Department's adjudication office (OEDCA) in VA's Central office of 18 days; said delay computed from the start of the Final Action Stage to receipt of the investigative file in OEDCA.*

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29 CFR §1614.704(g)		29 CFR §1614.705 Comparative Data				
Complaints Dismissed by Agency Pursuant to 1614.107(a)	FY 2004 3rd Quarter	Previous Fiscal Year Data				
		2003	2002	2001	2000	1999
Total Complaints Dismissed by Agency	341	402	487	437	538	data not available
Average days pending prior to dismissal	72.7	82.99	88.25	90.79	164	

29 CFR §1614.704(h)			29 CFR §1614.705 Comparative Data									
Total Final Agency Actions Finding Discrimination	FY 2004 3rd Quarter		Previous Fiscal Year Data									
			2003		2002		2001		2000		1999	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(h)(1)	27		41		46		43		22		40	
Without Hearing 704(h)(2)	12	44%	10	24%	8	17%	16	37%	11	50%	14	35%
With Hearing 704(h)(3)	15	56%	31	76%	38	83%	27	63%	11	50%	26	65%

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29 CFR §1614.704(i)			29 CFR §1614.705 Comparative Data									
Findings of Discrimination Rendered by Basis	2004		Previous Fiscal Year Data									
	3rd Qtr		2003		2002		2001		2000		1999	
	#	%	#	%	#	%	#	%	#	%	#	%
<b>Total Number Findings 704(i)(1)</b>	34		58		62		53		26		54	
<b>Number Findings Rendered Without Hearing 704(i)(2)</b>	13		17		9		17		12		19	
Race	0	0%	2	3%	0	0%	3	6%	1	4%	3	6%
Color	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Religion	0	0%	2	3%	0	0%	0	0%	0	0%	1	2%
National Origin	0	0%	1	2%	0	0%	0	0%	0	0%	2	4%
Sex (include Equal Pay Act)	2	6%	5	9%	2	3%	4	8%	1	4%	3	6%
Disability	7	21%	2	3%	4	6%	5	9%	5	19%	5	9%
Age	0	0%	2	3%	1	2%	1	2%	1	4%	0	0%
Reprisal	4	12%	3	5%	2	3%	4	8%	4	15%	5	9%

29 CFR §1614.704(i)			29 CFR §1614.705 Comparative Data									
Findings of Discrimination Rendered by Basis	2004		Previous Fiscal Year Data									
	3rd Qtr		2003		2002		2001		2000		1999	
	#	%	#	%	#	%	#	%	#	%	#	%
<b>Total Number Findings 704(i)(1)</b>	34		58		62		53		26		54	
<b>Number Findings Rendered After Hearing 704(i)(3)</b>	21		41		53		36		14		35	
Race	6	18%	5	9%	12	19%	7	13%	3	12%	4	7%
Color	0	0%	1	2%	0	0%	0	0%	0	0%	0	0%
Religion	0	0%	1	2%	0	0%	0	0%	1	4%	0	0%
National Origin	1	3%	1	2%	3	5%	2	4%	0	0%	3	6%
Sex (include Equal Pay Act)	3	9%	12	21%	9	15%	10	19%	1	4%	8	15%
Disability	4	12%	8	14%	8	13%	5	9%	3	12%	7	13%
Age	1	3%	2	3%	4	6%	5	9%	2	8%	2	4%
Reprisal	6	18%	11	19%	17	27%	7	13%	4	15%	11	20%

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29 CFR §1614.704(j)			29 CFR §1614.705 Comparative Data									
Findings of Discrimination Rendered by Issue	2004		Previous Fiscal Year Data									
			2003		2002		2001		2000		1999	
	#	%	#	%	#	%	#	%	#	%	#	%
<b>Total Number Findings 704(j)(1)</b>	40		57		65		47		27		55	
<b>Findings Without Hearing 704(j)(2)</b>	14		19		12		18		14		16	
Appointment/Hire	1	3%	0	0%	0	0%	2	4%	0	0%	3	5%
Assignment of Duties	1	3%	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	3	8%	2	4%	1	2%	0	0%	1	4%	1	2%
Demotion	0	0%	1	2%	0	0%	0	0%	0	0%	0	0%
Reprimand	0	0%	1	2%	1	2%	0	0%	1	4%	1	2%
Suspension	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Removal	1	3%	0	0%	0	0%	0	0%	0	0%	0	0%
Other	2	5%	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%	1	2%	0	0%	0	0%	0	0%	0	0%
Examination/Test	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Harassment	3	8%	5	9%	1	2%	4	9%	1	4%	5	9%
Non-Sexual	2	5%	4	7%	0	0%	1	2%	1	4%	3	5%
Sexual	1	3%	1	2%	1	2%	3	6%	0	0%	2	4%
Medical Examination	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Pay (Including Overtime)	0	0%	0	0%	1	2%	0	0%	0	0%	0	0%
Promotion/Non-Selection	0	0%	1	2%	2	3%	5	11%	5	19%	3	5%
Reassignment	0	0%	1	2%	0	0%	0	0%	0	0%	2	4%
Denied	0	0%	1	2%	0	0%	0	0%	0	0%	2	4%
Directed	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Reasonable Accommodation	2	5%	4	7%	3	5%	1	2%	3	11%	0	0%
Reinstatement	0	0%	0	0%	0	0%	0	0%	1	4%	0	0%
Retirement	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Termination	2	5%	2	4%	1	2%	1	2%	3	11%	1	2%
Terms/Conditions of Employment	1	3%	3	5%	3	5%	5	11%	1	4%	1	2%
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	1	3%	0	0%	0	0%	0	0%	0	0%	0	0%

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29 CFR §1614.704(j)			29 CFR §1614.705 Comparative Data									
Findings of Discrimination Rendered by Issue	2004 end of 3rd Qtr		Previous Fiscal Year Data									
	#	%	2003		2002		2001		2000		1999	
			#	%	#	%	#	%	#	%	#	%
<b>Total Number Findings 704(j)(1)</b>	40		57		65		47		27		55	
<b>Findings After Hearing 704(j)(3)</b>	26		38		53		29		13		39	
Appointment/Hire	1	3%	1	2%	1	2%	3	6%	1	4%	2	4%
Assignment of Duties	1	3%	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	1	3%	2	4%	4	6%	0	0%	1	4%	6	11%
Demotion	0	0%	1	2%	0	0%	0	0%	0	0%	0	0%
Reprimand	1	3%	1	2%	3	5%	0	0%	1	4%	2	4%
Suspension	0	0%	0	0%	1	2%	0	0%	0	0%	3	5%
Removal	0	0%	0	0%	0	0%	0	0%	0	0%	1	2%
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%	2	4%	0	0%	0	0%	0	0%	5	9%
Examination/Test	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Harassment	6	15%	9	16%	12	18%	6	13%	1	4%	7	13%
Non-Sexual	6	15%	7	12%	9	14%	3	6%	1	4%	3	5%
Sexual	0	0%	2	4%	3	5%	3	6%	0	0%	4	7%
Medical Examination	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Pay (Including Overtime)	0	0%	7	12%	1	2%	1	2%	0	0%	1	2%
Promotion/Non-Selection	4	10%	9	16%	16	25%	8	17%	4	15%	3	5%
Reassignment	0	0%	0	0%	1	2%	0	0%	1	4%	5	9%
Denied	0	0%	0	0%	1	2%	0	0%	1	4%	3	5%
Directed	0	0%	0	0%	0	0%	0	0%	0	0%	2	4%
Reasonable Accommodation	3	8%	5	9%	6	9%	3	6%	1	4%	4	7%
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	2	5%	2	4%	2	3%	3	6%	1	4%	3	5%
Terms/Conditions of Employment	2	5%	1	2%	10	15%	5	11%	3	11%	5	9%
Time and Attendance	2	5%	0	0%	0	0%	0	0%	0	0%	0	0%
Training	1	3%	0	0%	0	0%	0	0%	0	0%	0	0%
Other	3	8%	0	0%	0	0%	0	0%	0	0%	0	0%

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29 CFR §1614.704(k)		29 CFR §1614.705 Comparative Data				
Complaints Pending From Previous Fiscal Years by Status	2004	Previous Fiscal Year Data				
	3rd Qtr	2003	2002	2001	2000	1999
Total complaints from previous Fiscal Years 704(k)(1)	1443	3122	3995	4045	3974	3866
Total Complainants 704(k)(2)	1139	NA*	NA*	NA*	NA*	NA*
<b>Number complaints pending [as of 9/30]: 704(k)(3)</b>						
Investigation	80	1049	1741	1095	1688	2163
ROI issued, pending Complainant's action	92	NA*	NA*	NA*	NA*	NA*
Hearing	1158	1572	1619	1811	1696	830
Final Agency Action	163	236	253	369	327	197
Appeal with EEOC Office of Federal Operations	NA	NA*	NA*	NA*	NA*	NA*
*Do not track						



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29 CFR §1614.704(I)		29 CFR §1614.705 Comparative Data					
Complaint Investigations	2004 end of 3rd Qtr	Previous Fiscal Year Data					
		2003	2002	2001	2000	1999	
Number Pending Completion of Investigation	610	1049	1741	1095	1688	data	
Pending Investigations Over Required Time Frames	220	NA*	NA*	NA*	NA*	not availabl	