Department of the Interior

BUREAU: BUREAU OF INDIAN AFFAIRS

Equal Opportunity Data Required to be Posted by the

NO FEAR ACT

| | L. 107-174 | | | | |
|--|------------|---------|---------|---------|---------|
| Reporting Period: FY 2000-2004 Point of Contact: Mercedes Flores | | | | | |
| Formal Complaints | FY 2000 | FY 2001 | FY 2002 | FY 2003 | FY 2004 |
| # of complaints filed | 35 | 78 | 61 | 50 | 49 |
| # of individual filers | 31 | 63 | 59 | 48 | 48 |
| # of repeat filers | 2 | 3 | 2 | 1 | 1 |
| # of Complaints by Basis of Discrimination | FY 2000 | FY 2001 | FY 2002 | FY 2003 | FY 2004 |
| Race | 54 | 42 | 97 | 21 | 26 |
| Color | 0 | 0 | 0 | 0 | 10 |
| National Origin | 51 | 391 | 56 | 16 | 14 |
| Sex | 47 | 436 | 122 | 45 | 24 |
| Religion | 1 | 5 | 4 | 0 | 4 |
| Disability | 58 | 10 | 19 | 18 | 11 |
| Age | 44 | 29 | 64 | 45 | 23 |
| Reprisal | 72 | 436 | 75 | 51 | 30 |
| Non-EEO | 0 | 0 | 0 | 0 | 1 |
| # of Complaints by Issues of Alleged Discrimination | FY 2000 | FY 2001 | FY 2002 | FY 2003 | FY 2004 |
| Appointment/Hire | 1 | 1 | 0 | 1 | 9 |
| Assignment of Duties | 41 | 37 | 51 | 14 | 6 |
| Awards | 3 | 6 | 9 | 6 | 0 |
| Conversion to Full-Time | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Action | | | | | 5 |
| Demotion | 0 | 2 | 0 | 6 | 0 |
| Reprimand | 0 | 7 | 0 | 10 | 4 |
| Suspension | 2 | 0 | 11 | 6 | 0 |
| Removal | 24 | 0 | 0 | 0 | 1 |
| Other | 0 | 6 | 6 | 0 | 0 |
| Duty Hours | 0 | 0 | 0 | 0 | 0 |

| Evaluation/Appraisal | 7 | 2 | 21 | 3 | 3 |
|-------------------------------|-----|------|-----|----|----|
| Examination/Test | 0 | 5 | 0 | 0 | 0 |
| Harassment | | | | | 27 |
| a. Non-sexual | 142 | 1075 | 104 | 70 | 25 |
| b. Sexual | 0 | 0 | 52 | 4 | 2 |
| Medical Examination | 0 | 0 | 0 | 0 | 0 |
| Pay Including Overtime | 12 | 5 | 14 | 5 | 2 |
| Promotion/Non-Selection | 30 | 48 | 35 | 13 | 11 |
| Reassignment | | | | | 3 |
| a. Denied | 0 | 0 | 0 | 0 | 0 |
| b. Directed | 4 | 2 | 1 | 3 | 3 |
| Reasonable Accommodation | 0 | 0 | 7 | 1 | 5 |
| Reinstatement | 0 | 0 | 0 | 0 | 0 |
| Retirement | 0 | 0 | 0 | 0 | 0 |
| Termination | 0 | 17 | 21 | 20 | 2 |
| Terms/Condition of Employment | 12 | 5 | 36 | 6 | 19 |
| Time & Attendance | 19 | 92 | 29 | 19 | 4 |
| Training | 7 | 1 | 14 | 1 | 3 |
| Other | 20 | 38 | 26 | 10 | 0 |
| | | | | | |

* Based on best available data

| Average Processing Time of Pending Complaints - | | FY 2000 FY 20 | | | | FY 2002 | | FY 2003 | | FY 2004 |
|---|-----|---------------|----|---------|-----|---------|----|---------|----|---------|
| All complaints pending during fiscal year | | | | | | | | | | |
| | # | APT | # | APT | # | APT | # | APT | # | APT |
| Investigation | 102 | 461 | 90 | 375 | 108 | 299 | 93 | 282 | 34 | 310 |
| Final Agency Action | 33 | 961 | 43 | 1076 | 32 | 904 | 45 | 876 | 33 | 510 |
| 2. Complaints in which a hearing is not requested | | | | | | | | | | |
| Investigation | 3 | 558 | 2 | 401 | 14 | 218 | 10 | 331 | 3 | 377 |
| Final Agency Action | 13 | 154 | 12 | 188 | 24 | 131 | 21 | 322 | 25 | 386 |
| 3. Complaints in which a hearing is requested | | | | | | | | | | |
| Investigation | 0 | 0 | 2 | 307 | 1 | 413 | 0 | 0 | 30 | 139 |
| Final Agency Action | 12 | 28 | 14 | 34 | 8 | 26 | 17 | 20 | 12 | 60 |
| | | FY 2000 | | FY 2001 | | FY 2002 | | FY 2003 | | FY 2004 |

| DISMISSED | # | APT | # | APT | # | APT | # | APT | # | APT | |
|-----------|---|-----|----|-----|---|-----|---|-----|---|-----|--|
| | 3 | 481 | 35 | 691 | 6 | 391 | 9 | 366 | 5 | 587 | |

- Pending EEO Counseling and average processing time for counseling activity has not been historically tracked in this manner during FY 1999 2003
- APT calculated using total processing days

| Number of Complaints Filed Prior to Fiscal Year | FY 2000 | FY 2001 | FY 2002 | FY 2003 | FY 2004 |
|---|---------|---------|---------|---------|---------|
| Pending Complaints Filed Before Fiscal Year | 137 | 120 | 99 | 102 | 52 |
| Number of Individuals | 98 | 85 | 90 | 93 | 52 |
| Number in Investigations | 77 | 61 | 53 | 54 | 47 |
| Number in FAD | 10 | 7 | 12 | 8 | 41 |
| Complaints Pending in Current Fiscal Year | | | | | |
| Number of Investigations over 180 days | 49 | 21 | 21 | 25 | 30 |

FINAL AGENCY ACTIONS WITH FINDINGS OF DISCRIMINATION

| | | | with a hearing FY 2000 | | without hearing FY 2000 | | hearing | | hearing I | | hearing FY 2002 | | without hearing FY 2002 | | with a hearing FY 2003 | | nout ring 2003 | with a hearing FY 2004 | | without hearing FY 2004 | |
|--------|-------------------------|---|------------------------|---|-------------------------------|---|---------|---|-----------|---|--------------------|---|-------------------------------|---|------------------------------|---|----------------------|------------------------|----|-------------------------------|---|
| | TOTAL | | 0 | | 1 | 0 | | 2 | | 0 | | 0 | | 0 | | 1 | | | 2 | | 0 |
| | | # | % | # | % | # | % | # | % | # | % | # | % | # | % | # | % | # | % | # | % |
| BASES | Race | | | | | | | | | | | | | | | | | | | | |
| | Color | | | | | | | | | | | | | | | | | | | | |
| | National Origin | | | | | | | | | | | | | | | | | | | | |
| | Sex | | | 1 | 100 | | | 1 | 50 | | | | | | | 1 | 100 | 1 | 50 | | |
| | Religion | | | | | | | | | | | | | | | | | | | | |
| | Disability | | | | | | | | | | | | | | | | | 1 | 50 | | |
| | Age | | | | | | | | | | | | | | | | | | | | |
| | Reprisal | | | | | | | 1 | 50 | | | | | | | | | | | | |
| | Non-EEO | | | | | 1 | | | | | | | | | | | | | | | |
| ISSUES | Appointment/Hire | | | | | | | | | | | | | | | | | | | | |
| | Assignments of Duties | | | | | 1 | | 1 | 50 | | | | | | | 1 | 100 | | | | |
| | Awards | | | | | | | | | | | | | | | | | | | | |
| | Conversion to Full Time | | | | | | | | | | | | | | | | | | | | |
| | Disciplinary Action | | | | | | | | | | | | | | | | | | | | |

| Demotion | | | | | | | | | | | | |
|-------------------------------|--|---|-----|--|---|----|--|--|--|--|--|--|
| Reprimand | | | | | | | | | | | | |
| Suspension | | | | | 1 | 50 | | | | | | |
| Removal | | 1 | 100 | | | | | | | | | |
| Duty Hours | | | | | | | | | | | | |
| Evaluation/Appraisal | | | | | | | | | | | | |
| Examination/Test | | | | | | | | | | | | |
| Harassment | | | | | | | | | | | | |
| a. Non-sexual | | | | | | | | | | | | |
| b. Sexual | | | | | | | | | | | | |
| Medical Examination | | | | | | | | | | | | |
| Pay Including Overtime | | | | | | | | | | | | |
| Promotion/Non-Selection | | | | | | | | | | | | |
| Reassignment | | | | | | | | | | | | |
| a. Denied | | | | | | | | | | | | |
| b. Directed | | | | | | | | | | | | |
| Reasonable Accommodation | | | | | | | | | | | | |
| Reinstatement | | | | | | | | | | | | |
| Retirement | | | | | | | | | | | | |
| Termination | | | | | | | | | | | | |
| Terms/Condition of Employment | | | | | | | | | | | | |
| Time & Attendance | | | | | | | | | | | | |
| Training | | | | | | | | | | | | |
| Other | | | | | | | | | | | | |