

**EQUAL EMPLOYMENT OPPORTUNITY (EEO) DATA
POSTED PURSUANT TO THE
NO FEAR ACT**

FISCAL YEAR 2004 (4th Quarter)

- I. Complaints of Discrimination Filed
 - A. Number of Complaints Filed: 23
 - B. Number of Individuals Filing Complaints: 23
 - C. Number of Individuals Filing Two or More Complaints: 0

- II. Bases of Complaints Filed
 - A. Race: 13
 - B. Color: 1
 - C. Religion: 1
 - D. Reprisal: 4
 - E. Sex: 12
 - F. National Origin: 0
 - G. Equal Pay Act: 0
 - H. Age: 9
 - I. Disability: 2
 - J. Non-EEO: 1

- III. Issues of Complaints Filed
 - A. Awards: 1
 - B. Promotion/Non-selection: 16
 - C. Disciplinary Action: 2
 - D. Evaluation/Appraisal: 2
 - E. Reasonable Accommodation: 1
 - F. Harassment (Non-sexual): 5
 - G. Other: 2

- IV. Average Processing Time (Average Processing time includes the 30 days allowed for redaction of the file)
 - A. Investigations: 366.5 days¹
 - B. Final Actions with a Hearing: 691.7 days²

¹During fiscal years FY03 and FY04, the Office of Discrimination Complaints was understaffed and several cases had extended due dates, which resulted in longer processing times for investigations.

²This number includes the investigation processing time for cases in which the complainant elected a hearing before an Administrative Judge (AJ).

C. Final Actions without a Hearing: 503.6 days³

V. Dismissals

A. Number of Dismissals: 5

B. Average Days Pending At the Time of Dismissal: 133.6 days

VI. Findings of Discrimination

A. Findings Rendered with a Hearing

1. Number of Findings: 1
2. Percentage of Findings: 100%

B. Findings Rendered without a Hearing

1. Number of Findings: 0
2. Percentage of Findings: 0

C. Issues of Findings of Discrimination

1. Number of Issues:
 - a. Promotion/Non-selection: 1
2. Percentage of Issues: 100%
3. Number of Issues Involving a Hearing:
 - a. Promotion/Non-selection: 1
4. Percentage of Issues Involving a Hearing:
 - a. Promotion/Non-selection: 100%

D. Bases of Findings of Discrimination

1. Number of Bases:
 - a. National Origin: 1
 - b. Sex: 1
2. Percentage of Bases:
 - a. National Origin: 50%
 - b. Sex: 50%
3. Number of Bases Involving a Hearing:
 - a. National Origin: 1
 - b. Sex: 1
4. Percentage of Bases Involving a Hearing:⁴
 - a. National Origin: 50%

³ This number includes the investigation processing time for cases in which the complainant did not elect a hearing before an AJ.

⁴ Two bases of discrimination were found in the same complaint.

b. Sex: 50%

VII. Number of Pending Complaints Filed in Prior Fiscal Years

- A. Number of Complaints Pending: 14
- B. Number of Individuals Filing These Complaints: 14
- C. Number Pending Investigation: 0
- D. Number Pending Final Agency Action: 7
- E. Number Pending Hearing: 7
- F. Number Pending Appeal: 0

VIII. Number of Pending Complaints Not Investigated within 180 days (plus any authorized extensions): 8⁵

⁵ During fiscal years FY03 and FY04, the Office of Discrimination Complaints was understaffed and several cases had extended due dates, which resulted in longer processing times for investigations.