

**Equal Employment Opportunity Data Posted
Pursuant to the No Fear Act
Department of Health and Human Services
Centers for Medicare & Medicaid Services
For 4th Quarter Period ending September 30, 2004**

29 CFR §1614.704(a) - (c)		29 CFR §1614.705 Comparative Data				
Complaint Activity	FY2004 end of 4th Qtr	Previous Fiscal Year Data				
		2003	2002	2001	2000	1999
Number of Complaints Filed in FY 1614.704(a)	29	18	20	20	22	37
Number of Complainants 1614.704(b)	29	18	20	20	21	32
Repeat Filers 1614.704(c)	0	0	0	0	1	4

29 CFR §1614.704(d)		29 CFR §1614.705 Comparative Data				
Complaints by Basis	FY2004 end of 4th Qtr	Previous Fiscal Year Data				
		2003	2002	2001	2000	1999
Race	21	18	19	10	13	18
Color	1	3	9	0	0	0
Religion	3	1	1	0	2	1
National Origin	2	1	3	2	2	2
Sex (including complaints filed under Equal Pay Act)	13	9	19	5	9	18
Disability	8	3	11	5	4	21
Age	10	8	18	10	11	26
Reprisal	11	2	8	11	3	25
Other	0	0	0	1	0	0

29 CFR §1614.704(e)		29 CFR §1614.705 Comparative Data				
Complaints by Issue	FY2004 end of 4th Qtr	Previous Fiscal Year Data				
		2003	2002	2001	2000	1999
Appointment/Hire	1	0	1	1	1	0
Assignment of Duties	4	7	4	0	2	11
Awards	1	2	4	0	3	0
Conversion to Full-time	0	0	0	0	0	0
Disciplinary Action						
Demotion	0	0	0	0	0	3
Reprimand	2	0	0	0	1	3
Suspension	0	1	0	0	1	3
Removal	0	0	0	0	0	2
Other	0	0	0	0	0	0
Duty Hours	1	0	0	0	0	0
Evaluation Appraisal	1	1	0	0	2	0
Examination/Test	0	0	0	0	0	0
Harassment						
Non-Sexual	3	4	3	4	3	20
Sexual	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0
Pay (Including Overtime)	1	0	0	0	0	0
Promotion/Non-Selection	16	10	11	10	12	46
Reassignment						
Denied	0	0	0	1	0	0
Directed	2	0	0	0	1	4
Reasonable Accommodation	4	1	2	3	1	7
Reinstatement	0	0	0	0	0	0
Retirement	0	0	0	0	0	0
Termination	4	2	2	3	2	3
Terms/Conditions of Employment	0	0	4	2	3	1
Time and Attendance	1	1	2	0	0	0
Training	2	2	3	1	3	0
Other	1	0	0	0	0	8

29 CFR §1614.704(f)			
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..."		2004 end of 4th Qtr	
		Number	Average Days
All complaints pending in Investigative Stage	1614.704 (f)(1)	35	100
All complaints pending in Final Agency Action Stage		10	55
All complaints pending in which Hearing was not requested	1614.704 (f)(2)		
Time in Investigation Stage		5	99
Time to issue Final Agency Action		4	97
All complaints pending in which a Hearing was requested	1614.704 (f)(3)		
Time in Investigation Stage		24	104
Time to issue Final Agency Action		6	27

29 CFR §1614.704(g)		29 CFR §1614.705 Comparative Data				
Complaints Dismissed by Agency Pursuant to 1614.107(a)	FY2004 end of 4th Qtr	Previous Fiscal Year Data				
		2003	2002	2001	2000	1999
Total Complaints Dismissed by Agency	2	2	6	6	1	8
Average days pending prior to dismissal	10	12	78	82	56	428

29 CFR §1614.704(h)			29 CFR §1614.705 Comparative Data									
Total Final Agency Actions Finding Discrimination	2004		Previous Fiscal Year Data									
	4th Qtr		2003		2002		2001		2000		1999	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(h)(1)	0	0	0	0	1	100	2	100	0	0	1	100
Without Hearing 704(h)(2)	0	0	0	0	0	0	0	0	0	0	0	0
With Hearing 704(h)(3)	0	0	0	0	1	100	2	100	0	0	1	100

29 CFR §1614.704(i)			29 CFR §1614.705 Comparative Data									
Findings of Discrimination Rendered by Basis	2004		Previous Fiscal Year Data									
	4th Qtr		2003		2002		2001		2000		1999	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(i)(1)	0	0	0	0	1	100	2	100	0	0	1	100
Number Findings Rendered Without Hearing 704(i)(2)	0	0	0	0	0	0	0	0	0	0	0	0
Number Findings Rendered After Hearing 704(i)(3)	0	0	0	0	1	100	2	100	0	0	1	100
Race	0	0	0	0	1	100	0	0	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	1	100
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
Sex (include Equal Pay Act)	0	0	0	0	1	100	1	100	0	0	0	0
Disability	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
Reprisal	0	0	0	0	0	0	1	100	0	0	1	100

29 CFR §1614.704(j)			29 CFR §1614.705 Comparative Data									
Findings of Discrimination Rendered by Issue	2004		Previous Fiscal Year Data									
	4th Qtr		2003		2002		2001		2000		1999	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(j)(1)	0	0	0	0	1	100	2	100	0	0	1	100
Findings Without Hearing 704(j)(2)	0	0	0	0	0	0	0	0	0	0	0	0
Findings After Hearing 704(j)(3)	0	0	0	0	1	100	2	100	0	0	1	100
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	1	100	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	1	100	1	100	0	0	1	100
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

Findings of Discrimination Rendered by Issue	2004 end of 4th Qtr		Previous Fiscal Year Data									
			2003		2002		2001		2000		1999	
	#	%	#	%	#	%	#	%	#	%	#	%
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	0	0	0	0	0	0	0	0	0	0	0	0

29 CFR §1614.704(k)		29 CFR §1614.705 Comparative Data					
Complaints Pending From Previous Fiscal Years by Status	2004 4th Qtr	Previous Fiscal Year Data					
		2003	2002	2001	2000	1999	
Total complaints from previous Fiscal Years 704(k)(1)	3	10	17	22	N/A	N/A	
Total Complainants 704(k)(2)	3	10	15	19	N/A	N/A	
Number complaints pending [as of 9/30]: 704(k)(3)							
Investigation	0	0	0	1	N/A	N/A	
ROI issued, pending Complainant's action	0	0	0	0	N/A	N/A	
Hearing	2	10	17	21	N/A	N/A	
Final Agency Action	0	0	0	0	N/A	N/A	
Appeal with EEOC Office of Federal Operations	1	N/A	N/A	N/A	N/A	N/A	

29 CFR §1614.704(I)		29 CFR §1614.705 Comparative Data				
Complaint Investigations	2004 end of 4th Qtr	Previous Fiscal Year Data				
		2003	2002	2001	2000	1999
Number Pending Completion of Investigation	5	5	4	16	18	19
Pending Investigations Over Required Time Frames	0	0	0	3	N/A	N/A

N/A - Denotes data not available for CMS in that category.
Date last updated: October 12, 2004