



## Equal Employment Opportunity Data Posted Pursuant to the NoFEAR Act Reported: 30 June 2004

\* = "Data Not Available"

29 CFR §1614.704(a)-(c)		29 CFR §1614.705 Data From Previous Fiscal Years				
Overall Complaint Activity	Fiscal Year 2004 Through Quarter 3	2003	2002	2001	2000	1999
Total number of complaints filed	31	*	*	*	*	*
Total number of individuals who filed those complaints	30	*	*	*	*	*
Total number of individuals who filed two or more of those complaints	1	*	*	*	*	*

29 CFR §1614.704(d)		29 CFR §1614.705 Data From Previous Fiscal Years				
Number of complaints that contained the following alleged bases of discrimination:	Fiscal Year 2004 Through Quarter 3	2003	2002	2001	2000	1999
Race	21	*	*	*	*	*
Color	8	*	*	*	*	*
Religion	2	*	*	*	*	*
National Origin	7	*	*	*	*	*
Sex (includes Equal Pay Act claims)	19	*	*	*	*	*
Disability	7	*	*	*	*	*
Age	10	*	*	*	*	*
Reprisal	17	*	*	*	*	*
Non-EEO	1	*	*	*	*	*

29 CFR §1614.704(e)		29 CFR §1614.705 Data From Previous Fiscal Years				
Number of complaints that contained the following alleged issues:	Fiscal Year 2004 Through Quarter 3	2003	2002	2001	2000	1999
Appointment/Hire	1	*	*	*	*	*
Assignment of Duties	9	*	*	*	*	*
Awards	0	*	*	*	*	*
Conversion to Full Time	0	*	*	*	*	*
Disciplinary Action	2	*	*	*	*	*
Demotion	0	*	*	*	*	*
Reprimand	0	*	*	*	*	*
Suspension	2	*	*	*	*	*
Removal	0	*	*	*	*	*
Other	1	*	*	*	*	*
Duty Hours	2	*	*	*	*	*
Evaluation/Appraisal	11	*	*	*	*	*
Examination/Test	0	*	*	*	*	*
Harassment	15	*	*	*	*	*
Non-Sexual	14	*	*	*	*	*
Sexual	1	*	*	*	*	*
Medical Examination	0	*	*	*	*	*
Pay Including Overtime	1	*	*	*	*	*
Promotion/Non-Selection	12	*	*	*	*	*
Reassignment	1	*	*	*	*	*
Denied	1	*	*	*	*	*
Directed	0	*	*	*	*	*
Reasonable Accommodation	1	*	*	*	*	*
Reinstatement	1	*	*	*	*	*
Retirement	0	*	*	*	*	*
Termination	0	*	*	*	*	*
Terms/Conditions of Employment	7	*	*	*	*	*
Time and Attendance	1	*	*	*	*	*
Training	6	*	*	*	*	*
Other	2	*	*	*	*	*









29 CFR §1614.704(k)		29 CFR §1614.705 Data From Previous Fiscal Years				
Number of Pending Complaints	Fiscal Year 2004 Through Quarter 3	2003	2002	2001	2000	1999
Number of complaints pending for any length of time in the fiscal year	106	*	*	*	*	*
Number of pending complaints that were filed before the start of the then current fiscal year	75	*	*	*	*	*
Number of individuals who filed those complaints in earlier years <sup>2</sup>	86	*	*	*	*	*
Number of complaints that are pending during the fiscal year at the:						
Investigation stage	7	*	*	*	*	*
Hearing stage	35	*	*	*	*	*
Final agency action stage	11	*	*	*	*	*
OFO appeal stage	6	*	*	*	*	*

29 CFR §1614.704(l)		29 CFR §1614.705 Data From Previous Fiscal Years				
Of the total number of complaints pending in the fiscal year, the Agency did not timely complete investigations pursuant to 29 CFR 1614.106(e)(2) and 1614.108(e)	Fiscal Year 2004 Through Quarter 3	2003	2002	2001	2000	1999
Number of Investigations the Agency did not timely complete <sup>3</sup>	57	*	*	*	*	*

1 The NoFEAR Act requires the Agency to report the average time it takes to complete investigations and the total number of complaints that were not timely investigated. For (f)(1)-(3) and (l) calculations, the Agency included cases previously subsumed in the class complaint of *Howard v. Dep't of Commerce*, E.E.O.C. Request No. 05A01214 (Feb. 26, 2001). These cases, generally, were investigated upon receipt of the formal complaints and were to be adjudicated in the context of the class complaint. However, the reports of investigation were not provided to the complainants until August 20, 2003, when the Equal Employment Opportunity Commission (EEOC) Administrative Judge entered an order revising the definition of the provisionally certified class, which excluded the complainants. Thus, the time for investigation of these complaints extended beyond the regulatory requirements.

2 The total number of complaints pending that were filed prior to the start of this fiscal year is less than the total number of individuals who filed those complaints because the EEOC Regulations allow for the joint processing and consolidation of complaints. Under 29 C.F.R. § 1614.606, complaints of discrimination filed by two or more complainants consisting of substantially similar allegations of discrimination or relating to the same matter may be consolidated by the Agency for joint processing. In addition, two or more complaints of discrimination filed by the same complainant shall be consolidated by the Agency for joint processing. *Id.* For example, prior to the start of this fiscal year, the Agency consolidated for joint processing thirteen complaints of discrimination filed by thirteen complainants consisting of substantially similar allegations of discrimination.

3 See footnote 1, above.