

**Equal Employment Opportunity Data Posted  
Pursuant to the No Fear Act:**

**United States Department of Agriculture**

**Comparative Data for Previous Fiscal Years**

**and Third Quarter 2018**



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## 1 COMPLAINT ACTIVITY

Complaint Activity	2013	2014	2015	2016	2017	FY 2018 3rd Quarter 4/01/2018 thru 6/30/2018
Number of Complaints Filed	546	484	513	531	561	413
Number of Complainants	512	465	498	508	531	395
Repeat Filers	28	17	15	19	24	16

## 2 COMPLAINT BY BASIS

Complaints by Basis	2013	2014	2015	2016	2017	3rd Quarter 2018
Race	213	246	205	222	243	168
Color	67	78	71	63	75	62
Religion	20	20	24	35	35	22
Reprisal	316	291	296	273	313	252
Sex	216	214	217	206	217	180
PDA	2	3	2	0	2	2
National Origin	58	76	70	47	67	57
Equal Pay Act	8	4	2	1	8	11
Age	201	186	184	185	208	118
Disability	154	133	167	157	185	152
Genetics	3	2	2	0	1	0
Non-EEO	45	54	58	39	55	34

### 3 COMPLAINTS BY ISSUE

Complaints by Issue	2013	2014	2015	2016	2017	3rd Quarter 2018
Appointment/Hire	36	24	36	28	40	16
Assignment of Duties	124	132	119	92	87	62
Awards	24	11	19	8	17	13
Conversion to Full Time/Permanent Status	2	1	0	0	3	1

#### 3.1 DISCIPLINARY ACTION

Demotion	2	5	3	4	4	2
Reprimand	30	34	56	27	45	33
Suspension	30	32	52	26	36	28
Removal	13	7	9	6	17	15
Other	16	29	9	7	4	8
Duty Hours	12	15	23	20	18	8
Performance Evaluation/Appraisal	88	86	90	92	96	93
Examination/Test	1	2	1	1	2	0

#### 3.2 HARASSMENT

Non-Sexual	277	271	303	285	343	280
Sexual	13	19	16	18	13	20
Medical Examination	2	6	8	1	4	0
Pay including overtime	31	45	41	22	30	7
Promotion/Non-Selection	126	117	160	149	124	55

### 3.3 REASSIGNMENT

Denied	20	26	25	14	17	16
Directed	35	49	39	18	20	21
Reasonable Accommodation Disability	63	54	84	68	84	75
Reinstatement	0	0	1	2	0	0
Religious Accommodation	0	0	0	3	4	0
Retirement	2	1	1	3	6	3
Sex-Stereotyping	0	0	0	1	1	1
Telework	0	0	14	29	25	28
Termination	40	41	41	27	36	27
Terms/Conditions of Employment	182	172	167	103	146	93
Time and Attendance	52	42	79	60	67	62
Training	42	39	49	54	40	37

### 3.4 OTHER – USER DEFINE

User Defined - Other 1	27	20	13	5	2	2
User Defined - Other 2	3	7	6	0	1	0
User Defined - Other 3	0	4	1	0	0	0
User Defined - Other 4	0	3	1	0	0	0

## 4 PROCESSING TIME

<b>Processing Time</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>3rd Quarter 2018</b>
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### 4.1 COMPLAINTS PENDING DURING FISCAL YEAR

Average number of days in investigation	244.06	211.93	198.99	209.13	159.47	170.79
Average number of days in final action	152.16	163.62	106.45	97.53	164.90	38.95

### 4.2 COMPLAINT PENDING DURING FISCAL YEAR WHERE HEARING WAS REQUESTED

Average number of days in investigation	250.99	216.57	203.06	213.18	163.57	173.01
Average number of days in final action	131.97	191.36	94.69	69.31	107.38	22.15

### 4.3 COMPLAINT PENDING DURING FISCAL YEAR WHERE HEARING WAS NOT REQUESTED

Average number of days in investigation	233.18	205.10	192.70	202.08	153.33	168.57
Average number of days in final action	162.75	132.35	114.36	124.03	206.56	50.02



## 5 COMPLAINTS DISMISSED BY AGENCY

Complaints Dismissed by Agency	2013	2014	2015	2016	2017	3rd Quarter 2018
Total Complaints Dismissed by Agency	80	64	57	54	84	65
Average days pending prior to dismissal	114	188	104	111	64	18

### 5.1 COMPLAINTS WITHDRAWN BY COMPLAINANTS

Total Complaints Withdrawn by Complainants	31	34	35	28	37	20
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## 6 TOTAL FINAL AGENCY ACTIONS FINDING DISCRIMINATION

Total Final Agency Actions Finding Discrimination	2013		2014		2015		2016		2017		3rd Quarter 2018	
	#	%	#	%	#	%	#	%	#	%	#	%
Without Hearing	16	80	12	60	5	45	6	86	3	60	5	83
With Hearing	4	20	8	40	6	55	1	14	2	40	1	17
<b>Total Number Findings</b>	<b>20</b>	<b>100%</b>	<b>20</b>	<b>100%</b>	<b>11</b>	<b>100%</b>	<b>7</b>	<b>100%</b>	<b>5</b>	<b>100%</b>	<b>6</b>	<b>100%</b>

## 7 FINDINGS OF DISCRIMINATION RENDERED BY BASIS

Findings of Discrimination Rendered by Basis	2013		2014		2015		2016		2017		3rd Quarter 2018	
	#	%	#	%	#	%	#	%	#	%	#	%
<b>7.1 TOTAL NUMBER FINDINGS</b>	<b>18</b>		<b>19</b>		<b>8</b>		<b>7</b>		<b>4</b>		<b>1</b>	
Race	2	11	4	21	1	13	3	43	3	75	0	0
Color	2	11	1	5	0	0	1	14	0	0	0	0
Religion	0	0	2	11	0	0	0	0	0	0	0	0
Reprisal	6	33	6	32	4	50	4	57	1	25	1	100
Sex	5	28	1	5	0	0	3	43	0	0	1	100
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	2	11	3	16	1	13	0	0	0	0	0	0
Equal Pay Act	0	0	1	5	0	0	0	0	0	0	0	0
Age	5	28	1	5	1	13	0	0	1	25	0	0
Disability	6	33	7	37	7	88	2	29	0	0	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	3	17	2	11	0	0	0	0	0	0	0	0
<b>7.2 FINDINGS AFTER HEARING</b>	<b>4</b>		<b>8</b>		<b>6</b>		<b>1</b>		<b>2</b>		<b>1</b>	
Race	2	50	3	38	1	17	1	100	2	100	0	0
Color	2	50	1	13	0	0	0	0	0	0	0	0
Religion	0	0	2	25	0	0	0	0	0	0	0	0
Reprisal	0	0	4	50	3	50	1	100	0	0	1	100
Sex	1	25	1	13	0	0	1	100	0	0	1	100

PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	2	25	1	17	0	0	0	0	0	0
Equal Pay Act	0	0	1	13	0	0	0	0	0	0	0	0
Age	3	75	0	0	1	17	0	0	1	50	0	0
Disability	1	25	0	0	5	83	0	0	0	0	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	2	50	1	13	0	0	0	0	0	0	0	0
<b>7.3 FINDINGS WITHOUT HEARING</b>	<b>14</b>		<b>11</b>		<b>2</b>		<b>6</b>		<b>2</b>		<b>0</b>	
Race	0	0	1	9	0	0	2	33	1	50	0	0
Color	0	0	0	0	0	0	1	17	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	6	43	2	18	1	50	3	50	1	50	0	0
Sex	4	29	0	0	0	0	2	33	0	0	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	2	14	1	9	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	2	14	1	9	0	0	0	0	0	0	0	0
Disability	5	36	7	64	2	100	2	33	0	0	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	1	7	1	9	0	0	0	0	0	0	0	0

## 8 FINDINGS OF DISCRIMINATION RENDERED BY ISSUE

Findings of Discrimination Rendered by Issue	2013		2014		2015		2016		2017		3rd Quarter 2018	
	#	%	#	%	#	%	#	%	#	%	#	%
<b>Total Number Findings</b>	18		19		8		7		4		1	
Appointment/Hire	2	11	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	3	16	0	0	1	14	2	50	0	0
Awards	0	0	2	11	0	0	0	0	0	0	0	0
Conversion to Full Time/Permanent Status	0	0	0	0	0	0	0	0	0	0	0	0

### 8.1 DISCIPLINARY ACTION

Demotion	0	0	1	5	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	1	13	2	29	0	0	0	0
Suspension	2	11	0	0	0	0	1	14	0	0	0	0
Removal	1	6	0	0	0	0	0	0	0	0	0	0
Other	0	0	1	5	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	1	14	0	0	0	0
Performance Evaluation/Appraisal	0	0	0	0	1	13	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0

### 8.2 HARASSMENT

Non-Sexual	5	28	7	37	3	38	2	29	0	0	0	0
Sexual	1	6	0	0	0	0	0	0	0	0	1	100
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay including overtime	0	0	1	5	0	0	0	0	0	0	0	0
Promotion/Non-Selection	4	22	2	11	0	0	2	29	3	75	0	0



## 8.6 DISCIPLINARY ACTION

Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	1	17	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
Performance Evaluation/Appraisal	0	0	0	0	1	17	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0

## 8.7 HARASSMENT

Non-Sexual	0	0	3	38	3	50	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0	1	100
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	1	25	2	25	0	0	0	0	1	50	0	0

## 8.8 REASSIGNMENT

Denied	0	0	0	0	0	0	0	0	0	0	1	100
Directed	0	0	2	25	0	0	0	0	0	0	0	0
Reasonable Accommodation Disability	1	25	0	0	2	33	0	0	0	0	0	0
Reinstatement	0	0	1	13	0	0	0	0	0	0	0	0
Religious Accommodation	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
Sex-Stereotyping	0	0	0	0	0	0	0	0	0	0	0	0
Telework	0	0	0	0	0	0	0	0	0	0	0	0
Termination	1	25	0	0	0	0	0	0	1	50	0	0







## 9 PENDING COMPLAINTS FILED IN PREVIOUS FISCAL YEARS BY STATUS

Pending Complaints Filed in Previous Fiscal Years by Status	2013	2014	2015	2016	2017	3rd Quarter 2018
Total complaints from previous Fiscal Years	478	467	439	442	444	542
Total Complainants	439	420	403	417	401	487

### 9.1 NUMBER COMPLAINTS PENDING

Investigation	31	21	19	15	15	20
ROI issued, pending Complainant's action	1	3	1	2	0	0
Hearing	340	381	381	376	419	505
Final Agency Action	106	65	50	58	25	31
Appeal with EEOC Office of Federal Operations	75	102	122	143	198	223

## 10 COMPLAINT INVESTIGATIONS

Complaint Investigations	2013	2014	2015	2016	2017	3rd Quarter 2018
Pending Complaints Where Investigations Exceed Required Time Frames	47	23	16	8	13	14

**Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.**