

# Equal Employment Opportunity Data Posted Pursuant to the No FEAR

DOC (Includes Sub-Level Offices)

For 4th Quarter 2021 for period ending September 30, 2021

Notes:

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

Starting in FY2022, issues marked with:

\* are reported under Other Terms / Conditions of Employment.

\*\* are reported under Other Disciplinary Actions.

Reporting of Reassignment Claims has been changed from two separate Denied and Directed rows to one combined row: the first row now accommodates both "Reassignment: Denied/Directed" and

| Part 1 Complaint Activity  |         |         |         |         |         |                      |
|----------------------------|---------|---------|---------|---------|---------|----------------------|
|                            | FY 2016 | FY 2017 | FY 2018 | FY 2019 | FY 2020 | FY 2021 (thru 09-30) |
| Number of Complaints Filed | 188     | 178     | 188     | 196     | 531     | 418                  |
| Number of Complainants     | 178     | 174     | 181     | 186     | 526     | 413                  |
| Repeat Filers              | 10      | 4       | 7       | 10      | 5       | 5                    |

| Part 2 Complaints by Basis |         |         |         |         |         |                      |
|----------------------------|---------|---------|---------|---------|---------|----------------------|
|                            | FY 2016 | FY 2017 | FY 2018 | FY 2019 | FY 2020 | FY 2021 (thru 09-30) |
| Race                       | 80      | 60      | 74      | 72      | 204     | 156                  |
| Color                      | 24      | 28      | 38      | 40      | 68      | 77                   |
| Religion                   | 13      | 7       | 15      | 23      | 42      | 18                   |
| Reprisal                   | 106     | 100     | 123     | 134     | 255     | 219                  |
| Sex                        | 80      | 66      | 78      | 86      | 174     | 145                  |
| PDA                        | 1       | 3       | 1       | 0       | 6       | 6                    |
| National Origin            | 33      | 20      | 27      | 35      | 63      | 49                   |
| Equal Pay Act              | 1       | 1       | 0       | 0       | 1       | 1                    |
| Age                        | 74      | 66      | 71      | 80      | 172     | 138                  |
| Disability                 | 64      | 71      | 79      | 93      | 186     | 143                  |
| Genetics                   | 1       | 1       | 2       | 0       | 3       | 1                    |
| Non-EEO                    | 6       | 5       | 5       | 3       | 24      | 14                   |

| Part 3 Complaints By Issue                        |         |         |         |         |         |                         |
|---------------------------------------------------|---------|---------|---------|---------|---------|-------------------------|
|                                                   | FY 2016 | FY 2017 | FY 2018 | FY 2019 | FY 2020 | FY 2021<br>(thru 09-30) |
| Appointment/Hire                                  | 10      | 10      | 17      | 11      | 42      | 27                      |
| Assignment of Duties*                             | 39      | 46      | 66      | 57      | 111     | 108                     |
| Awards                                            | 2       | 6       | 8       | 2       | 1       | 10                      |
| Conversion to Full Time/Perm                      | 0       | 0       | 0       | 0       | 1       | 0                       |
| Disciplinary Action: Demotion                     | 1       | 0       | 0       | 2       | 13      | 7                       |
| Disciplinary Action: Reprimand**                  | 13      | 23      | 9       | 16      | 22      | 16                      |
| Disciplinary Action: Suspension                   | 5       | 14      | 12      | 8       | 7       | 10                      |
| Disciplinary Action: Removal                      | 3       | 0       | 0       | 0       | 2       | 0                       |
| Disciplinary Action: Other Disciplinary Actions** | 0       | 0       | 0       | 0       | 0       | 0                       |
| Disciplinary Action: Other 2**                    | 0       | 0       | 0       | 0       | 0       | 0                       |
| Duty Hours*                                       | 1       | 1       | 0       | 1       | 4       | 1                       |
| Perf. Eval./ Appraisal                            | 42      | 51      | 65      | 43      | 33      | 37                      |
| Examination/Test                                  | 0       | 1       | 0       | 0       | 1       | 0                       |
| Harassment: Non-Sexual                            | 101     | 98      | 111     | 109     | 294     | 257                     |
| Harassment: Sexual                                | 2       | 10      | 4       | 8       | 11      | 16                      |
| Medical Examination                               | 0       | 0       | 0       | 0       | 0       | 0                       |
| Pay including overtime                            | 8       | 11      | 1       | 10      | 39      | 47                      |
| Promotion/Non-Selection                           | 21      | 21      | 28      | 23      | 39      | 38                      |
| Reassignment: Denied/Directed                     | 3       | 7       | 8       | 1       | 8       | 6                       |
| Reassignment: Directed                            | 5       | 2       | 6       | 4       | 7       | 12                      |
| Reasonable Accommodation                          | 27      | 30      | 37      | 35      | 54      | 55                      |
| Reinstatement*                                    | 0       | 0       | 0       | 0       | 0       | 0                       |
| Religious Accommodation                           | 0       | 2       | 0       | 0       | 3       | 0                       |
| Retirement*                                       | 1       | 2       | 2       | 4       | 0       | 0                       |
| Sex-Stereotyping                                  | 0       | 0       | 0       | 0       | 1       | 0                       |
| Telework                                          | 20      | 18      | 19      | 9       | 16      | 9                       |
| Termination                                       | 39      | 24      | 29      | 73      | 261     | 194                     |
| Terms/Conditions of Employment*                   | 37      | 43      | 49      | 59      | 93      | 80                      |
| Time and Attendance                               | 22      | 40      | 31      | 30      | 53      | 47                      |
| Training                                          | 16      | 15      | 16      | 16      | 40      | 41                      |
| Other Terms/Conditions of Employment*             | 0       | 0       | 0       | 0       | 0       | 0                       |

| Part 4 Processing Time (Complaints Pending During FY)         |         |         |         |         |         |                      |
|---------------------------------------------------------------|---------|---------|---------|---------|---------|----------------------|
|                                                               | FY 2016 | FY 2017 | FY 2018 | FY 2019 | FY 2020 | FY 2021 (thru 09-30) |
| Average days in Investigation for all cases pending during FY | 183.44  | 179.64  | 183.43  | 213.86  | 206.42  | 248.22               |
| Average days in Final Action for all cases pending during FY  | 25.91   | 21.78   | 16.48   | 26.42   | 29.53   | 48.84                |
| Average days in Investigation with                            | 195.67  | 182.96  | 193.56  | 224.13  | 211.1   | 246.13               |
| Average days in Final Action with                             | 12.06   | 13.79   | 8.66    | 13.28   | 10.16   | 35.63                |
| Average Days in Investigation without Hearing                 | 172.57  | 175.31  | 173.32  | 206.26  | 202.25  | 252.09               |
| Average Days in Final Action without Hearing                  | 36.27   | 28.12   | 29.72   | 39.1    | 42.7    | 64.86                |

| Part 5 Complaints Dismissed or Withdrawn   |         |         |         |         |         |                      |
|--------------------------------------------|---------|---------|---------|---------|---------|----------------------|
|                                            | FY 2016 | FY 2017 | FY 2018 | FY 2019 | FY 2020 | FY 2021 (thru 09-30) |
| Total Complaints Dismissed by              | 0       | 0       | 1       | 13      | 33      | 66                   |
| Average Days Pending Prior to Dismissal    | 0       | 0       | 13      | 97.77   | 76.73   | 184.92               |
| Total Complaints Withdrawn by Complainants | 6       | 32      | 13      | 12      | 24      | 32                   |

| Part 6 Total Final Agency Actions Finding Discrimination |               |           |               |           |               |           |               |           |               |           |                            |                        |
|----------------------------------------------------------|---------------|-----------|---------------|-----------|---------------|-----------|---------------|-----------|---------------|-----------|----------------------------|------------------------|
|                                                          | FY 2016 Count | FY 2016 % | FY 2017 Count | FY 2017 % | FY 2018 Count | FY 2018 % | FY 2019 Count | FY 2019 % | FY 2020 Count | FY 2020 % | FY 2021 Count (thru 09-30) | FY 2021 % (thru 09-30) |
| Total Number                                             | 3             |           | 3             |           | 2             |           | 2             |           | 0             |           | 2                          |                        |
| Findings Without Hearing                                 | 3             | 100       | 2             | 67        | 2             | 100       | 2             | 100       | 0             | 0         | 2                          | 100                    |
| Findings With                                            | 0             | 0         | 1             | 33        | 0             | 0         | 0             | 0         | 0             | 0         | 0                          | 0                      |

## Part 7 Finding of Discrimination by Basis

|                       | FY<br>2016<br>Count | FY<br>2016<br>% | FY<br>2017<br>Count | FY<br>2017<br>% | FY<br>2018<br>Count | FY<br>2018<br>% | FY<br>2019<br>Count | FY<br>2019<br>% | FY<br>2020<br>Count | FY<br>2020<br>% | FY 2021<br>Count<br>(thru 09-<br>30) | FY 2021<br>%<br>(thru 09-<br>30) |
|-----------------------|---------------------|-----------------|---------------------|-----------------|---------------------|-----------------|---------------------|-----------------|---------------------|-----------------|--------------------------------------|----------------------------------|
| Total Number Findings | 1                   |                 | 3                   |                 | 1                   |                 | 2                   |                 | 0                   |                 | 2                                    |                                  |
| Race                  | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Color                 | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Religion              | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Reprisal              | 1                   | 100.0           | 1                   | 33.33           | 0                   | 0.00            | 1                   | 50.00           | 0                   | 0.00            | 2                                    | 100.00                           |
| Sex                   | 0                   | 0.00            | 1                   | 33.33           | 1                   | 100.0           | 1                   | 50.00           | 0                   | 0.00            | 1                                    | 50.00                            |
| PDA                   | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| National Origin       | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Equal Pay Act         | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Age                   | 1                   | 100.0           | 1                   | 33.33           | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Disability            | 0                   | 0.00            | 1                   | 33.33           | 0                   | 0.00            | 1                   | 50.00           | 0                   | 0.00            | 1                                    | 50.00                            |
| Genetics              | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Non-EEO               | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |

### Part 7 Finding of Discrimination by Basis (with Hearing)

|                        | FY<br>2016<br>Count | FY<br>2016<br>% | FY<br>2017<br>Count | FY<br>2017<br>% | FY<br>2018<br>Count | FY<br>2018<br>% | FY<br>2019<br>Count | FY<br>2019<br>% | FY<br>2020<br>Count | FY<br>2020<br>% | FY 2021<br>Count<br>(thru 09-<br>30) | FY 2021<br>%<br>(thru 09-<br>30) |
|------------------------|---------------------|-----------------|---------------------|-----------------|---------------------|-----------------|---------------------|-----------------|---------------------|-----------------|--------------------------------------|----------------------------------|
| Findings After Hearing | 0                   |                 | 1                   |                 | 0                   |                 | 0                   |                 | 0                   |                 | 0                                    |                                  |
| Race                   | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Color                  | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Religion               | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Reprisal               | 0                   | 0.00            | 1                   | 100.0           | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Sex                    | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| PDA                    | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| National Origin        | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Equal Pay Act          | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Age                    | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Disability             | 0                   | 0.00            | 1                   | 100.0           | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Genetics               | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Non-EEO                | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |

### Part 7 Finding of Discrimination by Basis (without Hearing)

|                         | FY<br>2016<br>Count | FY<br>2016<br>% | FY<br>2017<br>Count | FY<br>2017<br>% | FY<br>2018<br>Count | FY<br>2018<br>% | FY<br>2019<br>Count | FY<br>2019<br>% | FY<br>2020<br>Count | FY<br>2020<br>% | FY 2021<br>Count<br>(thru 09-<br>30) | FY 2021<br>%<br>(thru 09-<br>30) |
|-------------------------|---------------------|-----------------|---------------------|-----------------|---------------------|-----------------|---------------------|-----------------|---------------------|-----------------|--------------------------------------|----------------------------------|
| Finding Without Hearing | 1                   |                 | 2                   |                 | 1                   |                 | 2                   |                 | 0                   |                 | 2                                    |                                  |
| Race                    | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Color                   | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Religion                | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Reprisal                | 1                   | 100.0           | 0                   | 0.00            | 0                   | 0.00            | 1                   | 50.00           | 0                   | 0.00            | 2                                    | 100.00                           |
| Sex                     | 0                   | 0.00            | 1                   | 50.00           | 1                   | 100.0           | 1                   | 50.00           | 0                   | 0.00            | 1                                    | 50.00                            |
| PDA                     | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| National Origin         | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Equal Pay Act           | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Age                     | 1                   | 100.0           | 1                   | 50.00           | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Disability              | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 1                   | 50.00           | 0                   | 0.00            | 1                                    | 50.00                            |
| Genetics                | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Non-EEO                 | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |

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|                                                          |
|----------------------------------------------------------|
| Part 8 Finding of Discrimination by Issue (with Hearing) |
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[illegible]

|                                                             |
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| Part 8 Finding of Discrimination by Issue (without Hearing) |
|-------------------------------------------------------------|

[illegible]

### Part 9 Complaints Pending from Previous FY By Status

|                                                                     | FY 2016 | FY 2017 | FY 2018 | FY 2019 | FY 2020 | FY 2021<br>(thru<br>09-30) |
|---------------------------------------------------------------------|---------|---------|---------|---------|---------|----------------------------|
| Total complaints from previous Fiscal Years                         | 144     | 140     | 151     | 143     | 0       | 364                        |
| Total Complainants                                                  | 136     | 130     | 142     | 135     | 0       | 354                        |
| Complaints Pending Investigation                                    | 26      | 6       | 3       | 2       | 0       | 15                         |
| ROI issued, pending Complainant's                                   | 0       | 0       | 0       | 0       | 0       | 3                          |
| Complaints Pending in Hearing                                       | 104     | 125     | 135     | 123     | 0       | 236                        |
| Complaints Pending Final Agency                                     | 10      | 5       | 11      | 15      | 0       | 60                         |
| Complaints Pending Appeal with EEOC Office of<br>Federal Operations | 13      | 13      | 13      | 13      | 0       | 13                         |

### Part 10 Complaint Investigations

|                                                                 | FY 2016 | FY 2017 | FY 2018 | FY 2019 | FY 2020 | FY 2021<br>(thru<br>09-30) |
|-----------------------------------------------------------------|---------|---------|---------|---------|---------|----------------------------|
| Pending Complaints Where Investigations Exceed<br>Required Time | 8       | 4       | 2       | 2       | 22      | 139                        |