The U.S. Equal Employment Opportunity Commission

Annual Report on the Federal Work Force Fiscal Year 2004

United States Equal Employment Opportunity Commission
Office of Federal Operations

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PREFACE

The U.S. Equal Employment Opportunity Commission (EEOC or Commission) was established by *the Civil Rights Act of 1964, Title VII*, with a mission of eradicating discrimination in the workplace. In the federal sector, EEOC enforces *Title VII*, which prohibits employment discrimination on the basis of race, color, religion, sex, and national origin; the *Age Discrimination in Employment Act of 1967 (ADEA)*, which prohibits employment discrimination against individuals 40 years of age and older; the *Equal Pay Act of 1963 (EPA)*, which prohibits discrimination on the basis of gender in compensation for substantially similar work under similar conditions; and *Sections 501 and 505* of the*Rehabilitation Act of 1973 (Rehabilitation Act)*, which prohibits employment discrimination against federal employees and applicants with disabilities and requires that reasonable accommodations be provided.

EEOC is charged with monitoring federal agency compliance with equal employment opportunity (EEO) laws and procedures, and reviewing and assessing the effect of agencies' compliance with requirements to maintain continuing affirmative employment programs to promote equal employment opportunity and to identify and eliminate barriers to equality of employment opportunity.

Equal Employment Opportunity Management Directive 715 (EEO MD-715), October 1, 2003, established standards for ensuring agencies develop and maintain model EEO programs. These standards will be used to measure and report on the status of the federal government's efforts to become a model employer. As detailed in *MD-715,* the six elements of a model EEO program are:

- Demonstrated commitment from agency leadership,
- Integration of EEO into the agency's strategic mission,
- Management and program accountability,
- Proactive prevention of unlawful discrimination,
- Efficiency, and
- Responsiveness and legal compliance.

The FY 2004 *Annual Report on the Federal Work Force*, addressed to the President and Congress, presents work force profiles of the federal government and examines the agencies' EEO complaint processing activities. Included for the first time in this report is data on the participation rates by race, national origin and gender for: (1) persons who serve as supervisors and managers in agencies with 500 or more employees (Part II, Profiles for Selected Federal Agencies) and (2) specific components of certain large federal agencies found in Table XII of Appendix IV located at www.eeoc.gov. Also included for the first time is information on the timeliness of agency submissions of MD-715 and Form 462 reports (Appendix III). The report should provide valuable information to agencies as they strive to become model employers. This report covers the period from October 1, 2003, through September 30, 2004.

To prepare this report, the Commission relied on work force data obtained from the U.S. Office of Personnel Management's Central Personnel Data File (CDPF)[(1)], EEO complaint processing data submitted and certified as accurate by federal agencies, and hearings and appeals data obtained from

EEOC's internal databases.

The Commission would like to extend its thanks to the Office of Personnel Management for providing the work force data from the CDPF and to those agencies which timely submitted accurate and verifiable EEO complaint processing data.

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1. We have included additional data from the U.S. Postal Service, the Tennessee Valley Authority and the Army and Air Force Exchange Service, which are not reported in the CDPF. It should be noted that, in certain instances, the CDPF data may not include some employees in non-pay status such as employees on extended military leave.

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EXECUTIVE SUMMARY
STATE OF EEO IN THE FEDERAL GOVERNMENT

- In FY 2004, there were 2.6 million women and men employed by the federal government across the country and around the world.
    - 57.1% were men and 42.9% were women, a ratio which has changed only slightly in the last ten years.
    - 7.5% were Hispanic, 18.2% were Black, 5.8% were Asian Americans/Pacific Islanders, 1.7% were American Indians/Alaskan Natives and 66.9% were White.
    - Between FY 2003 to FY 2004, there was little change in the participation rates of Hispanics and White women within the federal work force. These groups remain below their availability in the national civilian labor force as reported in the 2000 census.
    - The number of employees with targeted disabilities has been steadily declining in the past ten years from 31,359 in FY1995 to 25,917 in FY 2004. In FY 2004, individuals with targeted disabilities were less than one percent (0.99%) of the total work force.
    - Women have made the most gains in securing senior level positions in the federal government, occupying 25.7% of those positions in FY 2004, up from 18.5% in FY 1995.
    - The average grade level for General Schedule federal employees (permanent and temporary) was 9.9. Hispanics (9.2), Blacks (8.9) and American Indians/Alaskan Natives (8.3) all had average grade levels lower than the government-wide average.
    - The average General Schedule grade for women was 9.1, nearly two grades below the average grade level for men of 10.7.
    - The average General Schedule grade level for people with targeted disabilities was 8.4, nearly two grades below the government-wide average (for permanent and temporary employees) of 9.9.
- In FY 2004, EEOC Form 462 reports were timely filed by 106 reporting agencies and EEOC Form 715-01 reports were timely filed by 71 of the reporting agencies.
- In FY 2004, 17,878 individuals filed 19,024 complaints against the federal government alleging employment discrimination.
- The number of complaints filed declined by 5.9% from the number filed the previous year, and there was a 1.1% decrease in the number of individuals who filed complaints over the same period. Six percent (6.0%) of the complaints filed were by individuals who had already filed at least one other complaint during the year.
- Pre-complaint EEO counseling and alternative dispute resolution (ADR) programs addressed many employee concerns before they resulted in a formal EEO complaint. Of the 42,412 instances of counseling in FY 2004, 50.7% did not result in the filing of a formal complaint due to either settlement by the parties or withdrawal of the complaint.
- Federal agencies, as a whole, continued to exceed the regulatory time frames for investigating EEO complaints. There was a total of 11,876 investigations completed government-wide in FY

2004 in an average of 280 days. Regulations require these investigations to be completed in 180 days or less, unless voluntarily extended no more than 90 days or where the complaint is amended or consolidated. Using these regulatory standards, only 5,076, or 42.7%, of the investigations were timely completed.

- Agencies issued 6,186 merit decisions without a decision by an EEOC Administrative Judge, and 2,695 (43.6%) of these decisions were timely issued.
- Since FY 2000, EEOC's hearings inventory has decreased by nearly 46.4% from 11,153 cases to 5,975 in FY 2004. The average processing time for a hearing was 355 days, a 15.7% reduction from FY 2003's average of 421 days.
- At the end of FY 2004, EEOC's appellate inventory stood at 3,634, a 69.5% reduction from the inventory high of 11,918 appeals in January 2000. The average processing time for appeals in FY 2004 was 207 days, a 27.4% reduction from FY 2003's average of 285 days.
- In FY 2004, agencies were required to pay monetary benefits totaling $29.7 million to EEO complainants in response to final agency decisions, settlement agreements, and final agency actions in which agencies agreed to fully implement EEOC Administrative Judge decisions. An additional $22.1 million was paid out in response to appellate decisions.
- In FY 2004, EEOC engaged in a vigorous proactive prevention program, reaching a record number of federal employees by providing over 200 training sessions and responding to nearly 12,000 requests for technical assistance.

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Part I
Summary of EEO Statistics in the Federal Government

Section A. Equal Opportunity in the Federal Work Force

Section B. Federal Agencies' EEO Programs: Complaints Decrease But Processing Times by Agencies Continue to Exceed Regulatory Deadlines

Section C. EEOC: Declining Processing Time and Inventory for Hearings and Appeals

Section A. Equal Opportunity in the Federal Work Force

This year marked the 40th anniversary of the passage and signing into law of the Civil Rights Act of 1964. While there has been significant progress since the time of this landmark legislation, there are still many miles to travel on the road to equal employment opportunity. As President Johnson said when he signed the Act into law:

> "This Civil Rights Act is a challenge to all of us to go to work in our communities and our states, in our homes and in our hearts to eliminate the last vestiges of injustice in our beloved country."

Now, more than ever before, with increasing expectations of government institutions, federal agencies must position themselves to attract, develop and retain a top-quality work force that can ensure our nation's continued growth, security and prosperity. In order to develop this competitive, highly qualified work force, federal agencies must fully utilize the talents of all, regardless of race, color, religion, national origin, sex or disability. In order to assist agencies in attaining these goals, on October 1, 2003, *Management Directive - 715 (MD-715)* became effective and set forth policy guidance and standards for establishing and maintaining effective affirmative programs of equal employment opportunity under *Section 717 of Title VII* and effective affirmative action programs under *Section 501 of the Rehabilitation Act*.

The figures and charts which follow indicate that there has been some progress over the past decade. With proper implementation, *MD-715* will help agencies uncover and effectively address impediments to fair and open competition in the workplace and allow all individuals equal access to federal employment opportunities.

1. Composition of Federal Work Force - Hispanics and White Females Remain Below Availability in the Civilian Labor Force

In FY 2004, the Federal Government had a permanent work force of 2,606,903 individuals compared to 2,857,900 in FY 1995.[(2)] Table 1 shows the participation rate of the identified groups below, as compared to the civilian labor force (CLF):

Table 1 - Composition of Federal Work Force - Ten Year Trend: Some Progress, Little Overall Change FY 1995 - FY 2004[(3)]

	Work Force	Participation Rate		2000 CLF
	FY 2004	FY 1995 %	FY 2004 %	%
Men	1,488,520	58.47	57.10	53.20
Women	1,118,383	41.53	42.90	46.80
Hispanic Males	116,693	3.78	4.48	6.20
Hispanic Females	77,705	2.33	2.98	4.50
White Males	1,061,384	43.28	40.71	39.00
White Females	682,816	26.38	26.19	33.70
Black Males	203,701	8.05	7.81	4.80
Black Females	270,243	10.29	10.37	5.80
Asian American/Pacific Islander Males	86,582	2.67	3.32	2.10
Asian American/Pacific IslanderFemales	64,238	1.83	2.46	1.90
American Indian/Alaskan Native Males	20,160	0.68	0.77	0.50
American Indian/Alaskan Native Females	23,381	0.70	0.90	0.50

For the first time, this report breaks out the employment data for specific components of certain large federal agencies, including the Departments of Agriculture, Commerce, Health and Human Services, Homeland Security, Interior, Justice, Labor, Transportation, Treasury and Veterans' Affairs, as well as certain defense agencies, the National Aeronautics and Space Administration and the United States Postal Service.

A comparison of the data on the participation rates of persons in particular agency components can serve as a diagnostic tool to help identify possible areas where barriers to equal opportunity may exist within an agency. This information is located in Table XII of Appendix IV located at www.eeoc.gov.

2. Grade and Pay: Women Show Some Progress

a. Senior Pay Levels

The Civil Service Reform Act of 1978 established the Senior Executive Service (SES) as a separate personnel system covering a majority of the top managerial, supervisory, and policy-making positions in the Executive Branch of government. Senior Pay Level (SPL) positions include the SES, Executive Schedule, Senior Foreign Service, and other

EEO Program Tips

employees earning salaries above grade 15 in the General Schedule. The SPL represents 1.47% of the total federal General Schedule work force. Table 2 below reflects the SPL representation.

To ensure a discrimination-free work environment, agencies should:

- Identify possible barriers using a variety of sources
- Investigate to pinpoint actual barriers and causes
- Develop plans to address barrier causes
- Assess success of plan
- Adjust plan where necessary

Table 2 - Senior Pay Level Representation FY 1995 / FY 2004

	Senior Pay Level Postions			
	FY 1995		FY 2004	
	Number	% of SPL	Number	% of SPL
Men	11,119	81.54	14,196	74.25
Women	2,517	18.46	4,921	25.75
Hispanics	335	2.46	656	3.43
Whites	12,176	89.29	16,457	86.08
Blacks	834	6.12	1,243	6.50
Asian Americans/Pacific Islanders	212	1.55	607	3.17
American Indians/Alaskan Natives	79	0.58	154	0.80
Individuals with Targeted Disabilities	59	0.43	84	0.44

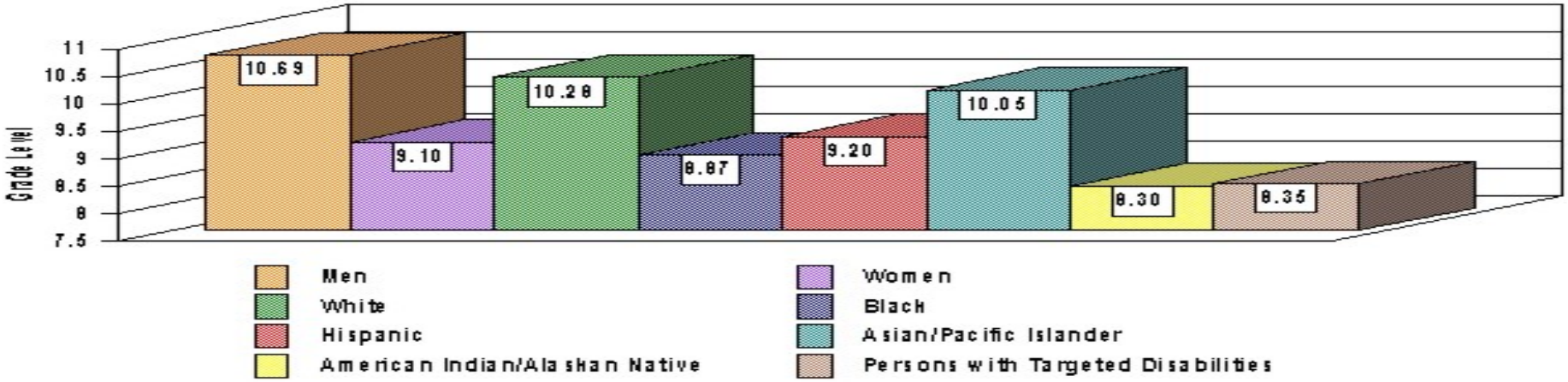
- Between FY 1995 and FY 2004, the representation rate for individuals with targeted disabilities in SPL positions remained essentially unchanged. There was a slight increase in the representation rate for Blacks and Hispanics and a modest increase in the representation rate for American Indians/Alaskan Natives. The representation rate for women increased from 18.46% to 25.74%, while the rate for Asian Americans/Pacific Islanders more than doubled, from 1.55% to 3.17%
- In FY 2004 the "feeder grades" to SPL positions[(4)] (GS grades 14 and 15), showed that men comprised 68.86%; women comprised 31.14%; Hispanics comprised 3.92%; Whites comprised 80.70%; Blacks comprised 8.95%; Asian Americans/Pacific Islanders comprised 5.48%; American Indians/Alaskan Natives comprised 0.94%, and individuals with targeted disabilities comprised 1.03%.
- Part II of this report also contains information on the top three major occupations in selected government agencies. These mission-oriented occupations with 100 or more employees frequently serve as gateways into upper management positions. Thus, data on participation rates of persons holding positions in an agency's major occupation can serve as a diagnostic tool to help determine possible areas where barriers to equal opportunity may exist.
- Among agencies with 500 or more employees, EEOC, Education and the National Science Foundation had the greatest percentage of women in SPL positions, see Table 3 below. SPL data for all agencies is located in Table VII of Appendix IV which can be found at www.eeoc.gov.

Table 3 - Ranking of Agencies with the Highest Percentage of Women in Senior Pay Level Positions (Agencies With 500 Or More Employees)

	Total		Women in Senior Pay Level Positions	
Agency or Department	Work Force #	SPL #	#	%
Equal Employment Opportunity Commission	2,465	38	18	47.37
Education, U.S. Department of	4,584	162	66	40.74
National Science Foundation	1,333	343	125	36.44
Environmental Protection Agency	18,576	326	115	35.28
Federal Trade Commission	1,073	40	14	35.00

3. **Hispanics, Women, Blacks, American Indian/Alaskan Natives and People with Disabilities Remain Below the Government-Wide Average Pay Grade**
   - The average grade level for the total General Schedule work force (permanent and temporary) was 9.91 in FY 2004. Of General Schedule employees, 33.60% were in grades 1-8, 40.65% were in grades 9-12, and 25.75% were in grades 13-15.
   - In FY 2004, the General Schedule participation rate for Hispanics was 7.44%; for Blacks was 18.06%; for Asian Americans/Pacific Islanders was 4.60%; and for American Indians/Alaskan Natives was 2.10%. These participation rates have remained essentially unchanged since FY 2000.[(5)]

Figure 1 - Average Grade in the General Schedule*
FY 2004



*See note 5, *infra*.

4. **Hispanics (9.20), Blacks (8.87) and American Indians/Alaskan Natives (8.30) had average grade levels lower than the 9.91 government-wide average grade level.**

5. **Women held 50.61% of all General Schedule federal jobs in FY 2004.**

6. **Approximately 51.39% of women employed in the federal General Schedule work force were in grades 7-11. The average General Schedule grade for women was 9.10, almost one full grade below the government-wide average of 9.91.**

7. **The average General Schedule grade level for men was 10.69, nearly 2 grades higher than that for women.**

8. **The average General Schedule grade level for people with targeted disabilities was 8.35, nearly 2 grades below the government-wide average.**

- **Rate of Decline for People with Targeted Disabilities[(6)] Remains High**
  - From FY 1995 to FY 2004, the total federal work force decreased by slightly over 251,000 employees, a net change of -8.78%. However, the number of federal employees with targeted disabilities has declined from 31,359 in FY 1995 to 25,917 in FY 2004, a net change of -17.35%.

- Of the 2,606,903 federal employees in FY 2004, 25,917 were persons with targeted disabilities, resulting in a participation rate for employees with targeted disabilities of 0.99%. Over the past 20 years, the federal government's efforts to improve the participation rate of employees with targeted disabilities have failed to result in any significant progress. In order to properly track trends in the employment of people with disabilities, it is necessary for each agency to regularly resurvey its work force to update disability identification information.
- At 2.23% the Equal Employment Opportunity Commission (EEOC) had the highest percentage of individuals with targeted disabilities among those agencies with 500 or more employees. See Table 4 below.

Table 4 - Ranking of Agencies With the Highest Percent of People With Targeted Disabilities (Agencies With 500 Or More Employees)

		People With Targeted Disabilities	
Agency or Department	**Total Work Force**	**#**	**%**
Equal Employment Opportunity Commission	2,465	55	2.23
Social Security Administration	63,599	1,435	2.20
Defense Logistics Agency	21,685	449	2.07
Defense Finance and Accounting Service	13,403	275	2.05
Treasury, U.S. Department of	110,612	2,105	1.90

Table IX in Appendix IV contains this information for all agencies and is located at www.eeoc.gov.

- EEO Program Tips -

All agencies are strongly encouraged to effect steady and measurable progress with respect to the employment and advancement of individuals with disabilities. To increase participation rates of people with targeted disabilities agencies should --

- Examine their employment practices for barriers which may impede the utilization of those with disabilities,
- Broaden recruitment techniques and recruitment sources,
- Monitor career progress of employees with targeted disabilities,
- Seek to retain or re-train these employees, and
- Provide prompt and effective reasonable accommodations.

While there is no general availability figure for individuals with disabilities in the workforce, MD-715 recommends that agencies evaluate themselves against both the work force profile of the federal government and the agencies highly ranked in the most recent EEOC Annual Report on the federal work force.

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2. Source: Office of Personnel Management's *The Fact Book-Federal Civilian Workforce Statistics*, 1997 edition.

3. The Asian American/Pacific Islander data throughout this report continues to combine data for Asian Americans with "Native Hawaiians and Other Pacific Islanders" and does not include data for "Two or More Races" because separate data was unavailable at the time of publication.

4. Over 80% of career Senior Executive Service (SES) appointments, which comprises the bulk of the SPL, come from the ranks of GS-15s, who in turn are promoted over 90% of the time from the ranks of the GS-14s. An additional small number of GS-14s are promoted directly into the SES. *See*, General Accountability Office Report No.GAO-03-34, *Senior Executive Service: Agency Efforts Needed to Improve Diversity as the Senior Corps Turns Over* (January 2003).

5. Unlike Table 1 which reports the total workforce, this Figure represents only the work force in General Schedule positions. OPM classifies General Schedule positions as those positions whose primary duty requires knowledge or experience of an administrative, clerical, scientific, artistic, or technical nature not related to the Federal Wage System positions which refer to those positions whose primary duty involves the performance of physical work which requires knowledge or experience of a trade, craft, or manual-labor work.

6. Defined in Appendix I.

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Section B. Federal Agencies' EEO Programs: Complaints Decrease, But Processing Times by Agencies Continue to Exceed Regulatory Deadlines

Agencies process federal employees' EEO complaints under regulations promulgated by EEOC at *29 C.F.R. Part 1614.* Employees who are unable to resolve their concerns through counseling can file a complaint with their agency.[(7)] The agency will either dismiss[(8)] or accept the complaint. If the complaint is accepted, the agency must conduct an investigation, and in most instances, issue the investigative report within 180 days from the date the complaint is filed.[(9)]

After the employee receives the investigative report, s/he may (1) request a hearing before an EEOC Administrative Judge who issues a decision which the employee or the agency may appeal to EEOC's Office of Federal Operations, or (2) forgo a hearing and request a final agency decision. An employee who is dissatisfied with a final agency decision or the agency's decision to dismiss the complaint may appeal to EEOC. The complainant or agency may also request EEOC to reconsider its decision from the appeal. The complainant has the right to file a civil action in a federal court.

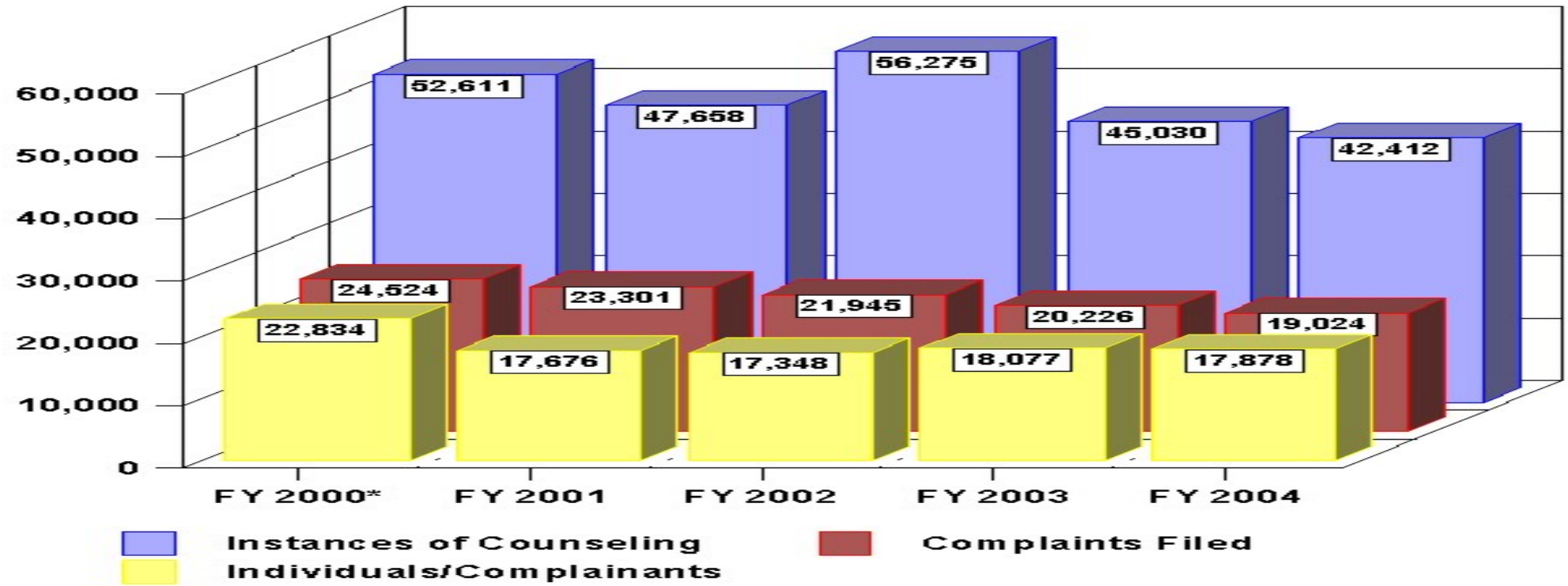
As the EEO complaint process has become increasingly more costly, adversarial, and lengthy, EEOC has encouraged agencies to promote and expand the use of alternative dispute resolution (ADR) as a means of avoiding more formal dispute resolution processes.

Used properly, ADR can provide fast and cost-effective results while at the same time improve workplace communication and morale.[(10)]

1. **Pre-Complaint Counselings and Complaints Decline**

Instances of counseling decreased by 5.8% and formal complaints declined by 5.9% from FY 2003 to FY 2004. Of the 42,412 instances of pre-complaint counseling, only 17,878 individuals filed 19,024 formal complaints in FY 2004.[(11)] The number of formal complaints filed represents 44.9% of all pre-complaint counseling activities in FY 2004. As Figure 2 shows, over the past five fiscal years, the number of pre-complaint counseling activities has fluctuated between a high of 56,275 in FY 2002 and a low of 42,412 in FY 2004, while the number of complaints filed by individuals has steadily decreased. During the same five-year period, the number of formal complaints filed continued to represent less than 50% of all pre-complaint counseling activities. See Figure 2. Significantly, we note that while the United States Postal Service constituted 28.3% of the workforce, it accounted for over 40% of all EEO counselings, as well as all complaints filed, investigated and closed in FY 2004.

Figure 2 - Counseling to Formal Complaints Filed FY 2000 - FY 2004



*** Instances of counselings by ADR Intake Officers were excluded due to concerns about the accuracy of the data.**

National Endowment for the Arts Had Highest Percentage of Individuals Who Completed Counseling Per Work Force

Table 5 shows that in FY 2004, the National Endowment for the Arts reported the highest percentage of individuals who completed counseling per work force (21.2%), while the percentage for the government-wide average was 1.4%. Agencies that had fewer than 25 completed counselings were not included in the ranking. Table 1 in Appendix IV lists this information for all agencies is located at www.eeoc.gov.

Table 5 - Agencies With the Highest Percentage of Individuals Who Completed Counseling Per Work Force In FY 2004

Agencies	Total Work Force	Percentage of Individuals Who Completed Counseling
National Endowment for the Arts	165	21.2%
Commodity Futures Trading Commission	505	19.8%
Broadcasting Board of Governors	1,829	5.9%
Defense - Office of Inspector General	1,289	4.0%
Office of Personnel Management	3,698	2.9%

Office of Personnel Management Had Highest Percentage of Individuals Who Filed Complaints Per Work Force

As shown in Table 6 below, the Office of Personnel Management reported the highest percentage of individuals who filed complaints (complainants) per work force (1.8%), while the percentage for the government-wide average was 0.6% in FY 2004. Agencies that had fewer than 25 complaints filed were not included in the ranking. Table 1 in Appendix IV contains this information for all agencies is located at www.eeoc.gov.

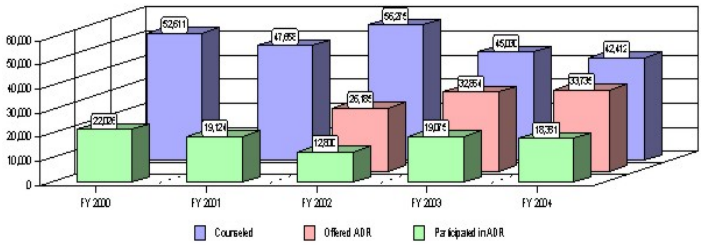
Table 6 - Agencies With the Highest Percentage of Individuals Who Filed Complaints Per Work Force FY 2004

Agencies	Total Work Force	Percentage of Complainants
Office of Personnel Management	3,698	1.8%
Government Printing Office	2,401	1.4%
Broadcasting Board of Governors	1,829	1.3%
Equal Employment Opportunity Commission	2,479	1.2%
Department of Housing and Urban Development	10,135	1.2%

2. Alternative Dispute Resolution (ADR) Usage Increases

In FY 2004, ADR was used in 43.3% of all instances of EEO counseling, which represents an increase of 1 percentage point from the ADR participation rate (42.4 percent) in FY 2003. See Figure 3. This increase may be due to an ADR offer rate that climbed from 73.0 percent in FY 2003 to 79.5% in FY 2004.

Figure 3 - ADR Usage in the Pre-Complaint Process FY 2000 - FY 2004 [12]



The U.S. Postal Service Had Highest ADR Participation Rate in FY 2004

The U.S. Postal Service reported the highest ADR participation rate in the pre-complaint process (72.3%), whereas the government-wide average was 43.3% in FY 2004. See Table 7. The ADR participation rate is obtained by dividing the number of cases processed in ADR by the total number of instances of counseling. Agencies that had fewer than 25 cases processed in ADR were not included in the ranking. See Table 7 in Appendix IV for information on all agencies which is located at www.eeoc.gov.

Best Practices - Improving ADR Usage

1. **Obtain support from Senior Management Officials**
   a. **Issue ADR policy**
   b. **Provide Adequate Funding**
   c. **Employ full-time ADR Manager**
   d. **Use incentives for Managers**
2. **Adopt Training and Marketing Strategies**

3. Select Qualified Neutrals

4. Conduct Evaluation of the ADR Program

Table 7 -
Highest ADR Participation Rate in the Pre-Complaint Process
FY 2004

Agencies	Total Work Force	Counselings	Participation in ADR	Participation Rate
U.S. Postal Service	807,596	19,101	13,815	72.3%
Defense Dependent Education Activity	17,691	112	52	46.4%
Department of the Army	226,632	2,016	722	35.8%
Department of the Air Force	141,147	1,652	519	31.4%
Department of Homeland Security	160,749	2,447	768	31.4%

3. Agencies Fail To Meet Counseling Deadlines in One-Quarter of Cases

On average, agencies failed to meet timeliness requirements for EEO counseling in 23.7% of all completed counselings. Agencies are required to complete counseling in 30 days except when there is a 60-day extension due to an ADR election or the complainant agrees in writing to an extension.

Broadcasting Board of Governors Had Highest Number of Timely Completed Counselings

Of the 31 agencies that timely completed 100% of the counselings for FY 2004, the Broadcasting Board of Governors reported the highest number of counselings. See Table 8. The government-wide average for timely completed counselings was 76.3% in FY 2004; although, without the Postal Service statistics, the timely average was 83.0%. Agencies that had fewer than 25 counselings were not included in the ranking. Table 3 in Appendix IV contains this information for all agencies and is located at www.eeoc.gov.

Table 8 - Highest Percentage of Timely Counselings Completed FY 2004

Agencies	Total Work Force	Counselings*	Counselings Timely Completed
Broadcasting Board of Governors	1,829	149	100.0%
Defense Dependent Education Activity	17,691	112	100.0%
National Endowment for the Arts	165	65	100.0%
Smithsonian Institutition	6,248	36	100.0%
Defense National Geospatial-Intelligence Agency	0**	28	100.0%

*Counselings exclude remands **Total Work Force unavailable for national security reasons.

4.

Pre-Complaint Resolutions Result in Fewer Formal Complaint Filings

One of the purposes for pre-complaint resolution efforts is to resolve existing disputes early on to decrease the chances of future disputes between the parties. Although the EEO resolution rate (the sum of the total settlements and total withdrawals divided by the total completed counselings, see Table 4 in Appendix IV) decreased by 2.7% from FY 2000 to FY 2004, fewer individuals were counseled multiple times. *See* Figure 2. In fact, the number of individuals who sought counseling multiple times decreased from 10.6% in FY 2003 to 6.0% of all counselings in FY 2004. Consequently, resolutions at the pre-complaint stage have resulted in fewer formal complaints.

National Endowment for the Arts and Defense Office of Inspector General Report Highest Pre-Complaint Resolution Rate (No complaint filed)

In FY 2004, the National Endowment for the Arts and Defense Office of Inspector General reported the highest pre-complaint resolution rate (100.0%), whereas the government-wide average was 50.7%. See Table 9. Agencies that had fewer than 25 counselings were not included in the ranking. Table 4 in Appendix IV contains this information for all agencies and is located at www.eeoc.gov.

Best Practices - Improving Counseling Times

See the Commission's "Attaining a Model Agency Program: Efficiency" report located on the web at www.eeoc.gov/federal/efficiency.html

Table 9 - Highest Pre-Complaint Resolution Rates FY 2004

Agencies	Total Work Force	CompletedCounselings	Resolution Rate
National Endowment for the Arts	165	65	100.0%
Defense Office of Inspector General	1,289	51	100.0%
Commodity Futures Trading Commission	505	100	99.0%

Broadcasting Board of Governors	1,829	149	80.5%
Defense Dependent Education Activity	17,691	112	76.8%

The Defense Dependent Education Activity Had Highest ADR Resolution Rate in FY 2004

The Defense Dependent Education Activity reported the highest ADR resolution rate in the pre-complaint process (100.0%), whereas the government-wide average was 48.7% in FY 2004. See Table 10. When the U.S. Postal Service resolution rate (45.6%) is excluded from the government-wide average, the ADR resolution rate increased to 57.4% in FY 2004. The ADR resolution rate is obtained by dividing the number of ADR settlements and withdrawals from the EEO process by the number of ADR closures. Agencies that had fewer than 25 ADR closures were not included in the ranking. Table 5 in Appendix IV contains this information for all agencies and is located at www.eeoc.gov.

Table 10 - Highest ADR Resolution Rates FY 2004

Agency	Workforce	ADR Closures	ADR Resolutions	ADR Resolution Rate
Defense Dependent Education Activity	17,691	52	52	100.0%
Defense Logistics Agency	21,435	77	65	84.4%
Department of Veterans Affairs	235,345	448	355	79.2%
Defense Commissary Agency	15,724	60	42	70.0%
General Services Administration	12,810	25	17	68.0%

5. Monetary Benefits in Pre-Complaint Phase Drops

The monetary benefits awarded during the pre-complaint phase, shown in Table 11, dropped significantly since FY 2000. The data showed a slight increase in the average amount of monetary benefits from FY 2003 to FY 2004.

Table 11 - Monetary Benefits Awarded During the Pre-complaint Stage of the EEO Process

Pre-Complaint Monetary Benefits by Fiscal Year						
FY	Total Instances of Counselings	Total Resolutions	Total Resolutions with Monetary Benefits	Percentage of Resolutions to Counselings	Settlement Monetary Benefits	Average Award Per Resolution with Monetary Benefits
2000	52,611	28,087	845	53.4%	$6,969,433	$8,247
2001	47,658	24,357	983	51.1%	$4,470,855	$4,548
2002	56,275	34,330	568	61.0%	$2,527,538	$4,450
2003	45,030	28,011	621	62.2%	$3,160,565	$5,089
2004	42,412	21,520	603	50.7%	$3,137,912	$5,204

6. Top Basis and Issue Alleged in Complaints Filed Remains Unchanged

Of the 19,024 complaints filed in FY 2004, the top basis alleged was reprisal (7,782) and the top issue was non-sexual harassment (5,175). As shown in Tables 12 and 13, this trend remained unchanged for the past five years. Notably, the complaints alleging age discrimination, for the second time in five years, exceeded race (Black) and sex (Female), the other most prevalent bases alleged. Conversely, the top three issues alleged in complaints filed remained consistent over the same five-year period.

Table 12 - Top 4 Bases in Complaint Allegations Filed for FY 2000 - FY 2004

Basis	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004
Reprisal	9,776	9,082	8,095	8,111	7,782
Age	5,818	5,774	5,344	5,774	5,449
Race - Black	6,330	6,152	5,647	5,279	5,021
Sex - Female	5,907	5,755	5,242	5,150	4,613

Table 13 - Top 3 Issues in Complaint Allegations Filed for FY 2000 - FY 2004

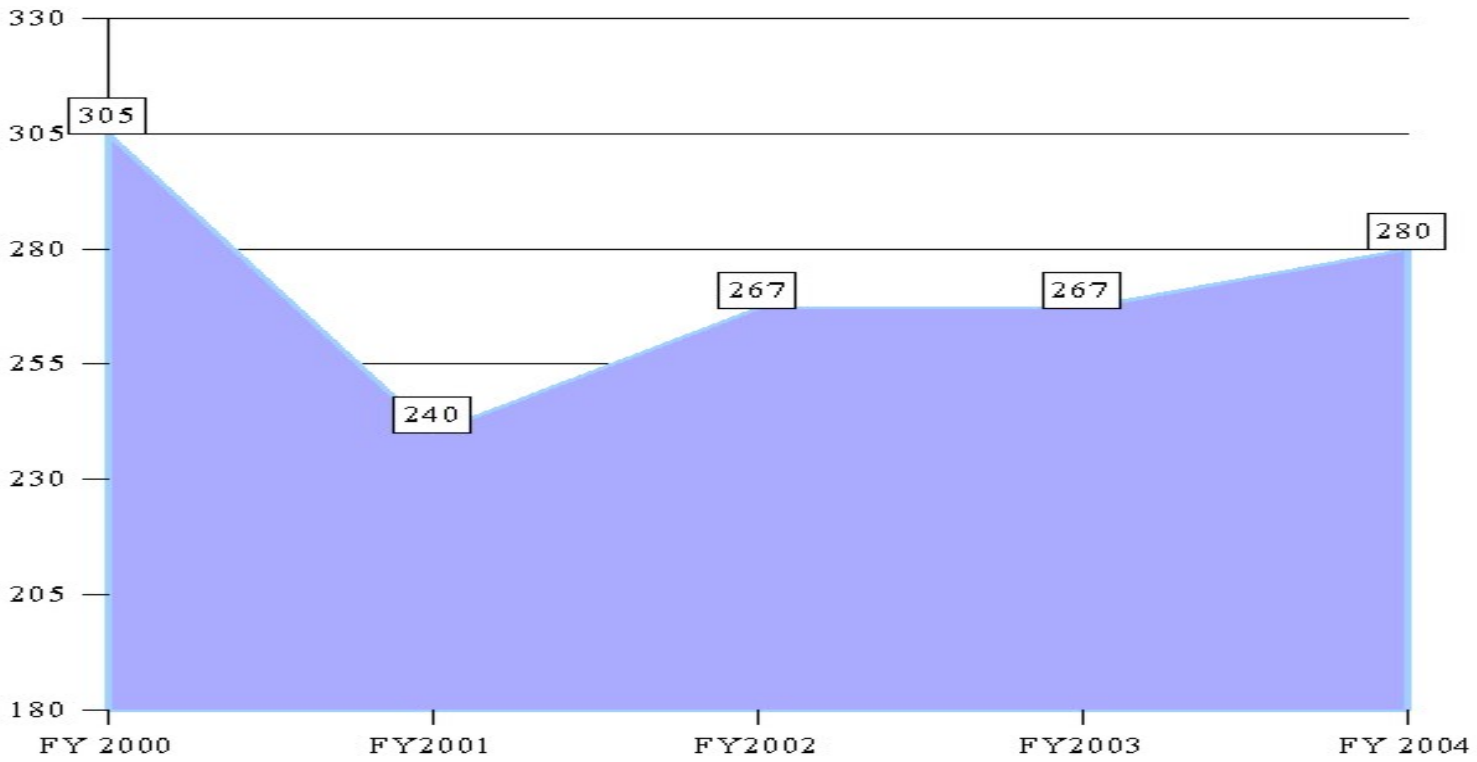
Issue	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004
Harassment - Non-Sexual	5,430	6,082	5,431	5,689	5,175
Promotion/Non-Selection	4,511	4,685	3,664	4,435	3,892
Terms/Conditions	3,700	3,431	3,172	2,541	2,474

7. Agencies Continued to Exceed Time Limits for Investigating Complaints and Issuing Final Agency Decisions

Investigations

In FY 2004, agencies were timely in completing investigations only 42.7% of the time, (including where a written agreement extended the investigation was present or when complaints were consolidated or amended). The percentage of timely completed investigations increased to 51.6% government-wide when the U.S. Postal Service is not included. Agencies averaged 280 days to complete an investigation in FY 2004, a slight increase from the 267 day average in FY 2002 and FY 2003. See Figure 4 below.

Figure 4 - Average Processing Days For Investigations FY 2000 - FY 2004



Federal agencies fail to timely investigate allegations of discrimination for many reasons. EEOC's review of the investigatory practices of a sampling of agencies revealed, among other reasons, that poorly staffed EEO offices, unnecessary and time consuming procedures, delays in obtaining affidavits, and inadequate tracking and monitoring systems contributed to untimely investigations. For more information, see *Federal Sector Investigations - Time and Cost*, issued June 2004 and *Attaining a Model Agency Program: Efficiency* at www.eeoc.gov/federal.

Tennessee Valley Authority: 100% Timely Completed Investigations

As shown in Table 14, the Tennessee Valley Authority was the only agency that timely completed investigations 100% of the time. Government-wide agencies only timely completed investigations 42.7% in FY 2004. Agencies that had fewer than 25 investigations filed were not included in the ranking. Table 9 in Appendix IV contains this information for all agencies and is located at www.eeoc.gov.

Table 14 - Highest Percentage of Timely Completed Investigations FY 2004

Agencies	Total Work Force	Number Completed Investigations	Number Timely Completed	% Timely
Tennessee Valley Authority	12,742	34	34	100.0
General Services Administration	12,810	88	84	95.5
Department of Treasury	128,317	405	366	90.4
Equal Employment Opportunity Commission	2,479	35	31	88.6
Department of Energy	13,819	59	51	86.4

Final Agency Actions

EEOC regulations require an agency to take a final action on each formal complaint filed. Table 15 below provides a breakdown with processing time for all final agency actions. Agencies may issue a decision dismissing a complaint on procedural grounds such as untimely EEO counselor contact or failure to state a claim. Government-wide, agencies took 150 days to issue a decision dismissing a complaint on procedural grounds. In general, acceptance letters/dismissal decisions should be issued well in advance of the 180-day time limit to complete an investigation. A suggested rule-of-thumb is to issue these actions within 60 days of the filing of the formal complaint.

An agency may also issue a decision after an investigation, either finding discrimination or finding no discrimination. In FY 2004, agencies were timely in issuing final agency merit decisions 43.6% of the time. Commission regulations require agencies to issue final decisions within 60 days of complainant's request for such a decision or within 90 days after completion of an investigation if complainant has not requested either a final decision or an EEOC hearing.

Finally, when an EEOC Administrative Judge has issued a decision, the agency may issue a final order either implementing the Administrative Judge's decision or not implementing the Administrative Judge's decision and simultaneously appealing to the EEOC. In FY 2004, agencies issued 4,829 final orders implementing and 114 orders not implementing the Administrative Judge's decision. Commission regulations require agencies to issue an order within 40 days of receiving the Administrative Judge's decision.

Table 15 - EEO Complaint Closures by Type with Government-Wide Average Processing Times in Days (APD) FY 2000 - FY 2004

	Complaint Closures		Merit Final Agency Actions With AJ Decisions		Merit Final Agency Decisions Without AJ Decisions		Procedural Dismissals		Settlements		Withdrawals	
FY	Total	APD	Total	APD	Total	APD	Total	APD	Total	APD	Total	APD
2000	27,177	472	5,766	772	5,216	N/A	7,836	N/A	5,794	507	2,565	350
2001	25,193	464	3,830	800	5,247	N/A	8,308	N/A	5,261	523	2,547	389
2002	22,889	418	3,841	833	5,467	N/A	5,770	N/A	5,606	482	2,205	309
2003	19,772	541	3,893	796	5,287	598	2,723	207	5,573	507	2,296	380
2004	23,153	469	4,748	743	6,167	601	5,444	150	4,469	473	2,325	308

Defense Commissary Agency Issued the Highest Percentage of Timely Merit Decisions Without an Administrative Judge Decision

In FY 2004, the Defense Commissary Agency reported the highest percentage (100%) of timely issued merit decisions without an Administrative Judge decision (among those agencies which issued 25 or more). See Table 16. Government-wide, only 43.6% of agency merit decisions were timely issued. We note that nine agencies issued 100.0% of their merit decisions in a timely fashion, but 8 of them issued less than 25 total merit decisions. Agencies that had fewer than 25 merit decisions without a hearing were not included in the ranking. See Table 11 in Appendix IV for this information on all agencies which is located at www.eeoc.gov.

Best Practices - Final Action Times

See the Commission's "Attaining a Model Agency Program: Efficiency" report located on the web at www.eeoc.gov/federal/efficiency.html

Table 16 - Agencies With the Highest Percentage of Timely Issued Merit Decisions (Without an Administrative Judge Decision) FY 2004

		Merit Decisions without an AJ Decision		
Agencies	Total Work Force	#	Timely	%
Defense Commissary Agency	15,724	34	34	100.0%
Department of the Navy	194,763	237	222	93.7%
Department of the Treasury	128,317	277	188	67.9%
Department of Veterans Affairs	235,345	667	357	53.5%
U.S. Postal Service	807,596	2,915	1,488	51.0%

8. Findings of Discrimination Increased Slightly While Monetary Benefits Decreased

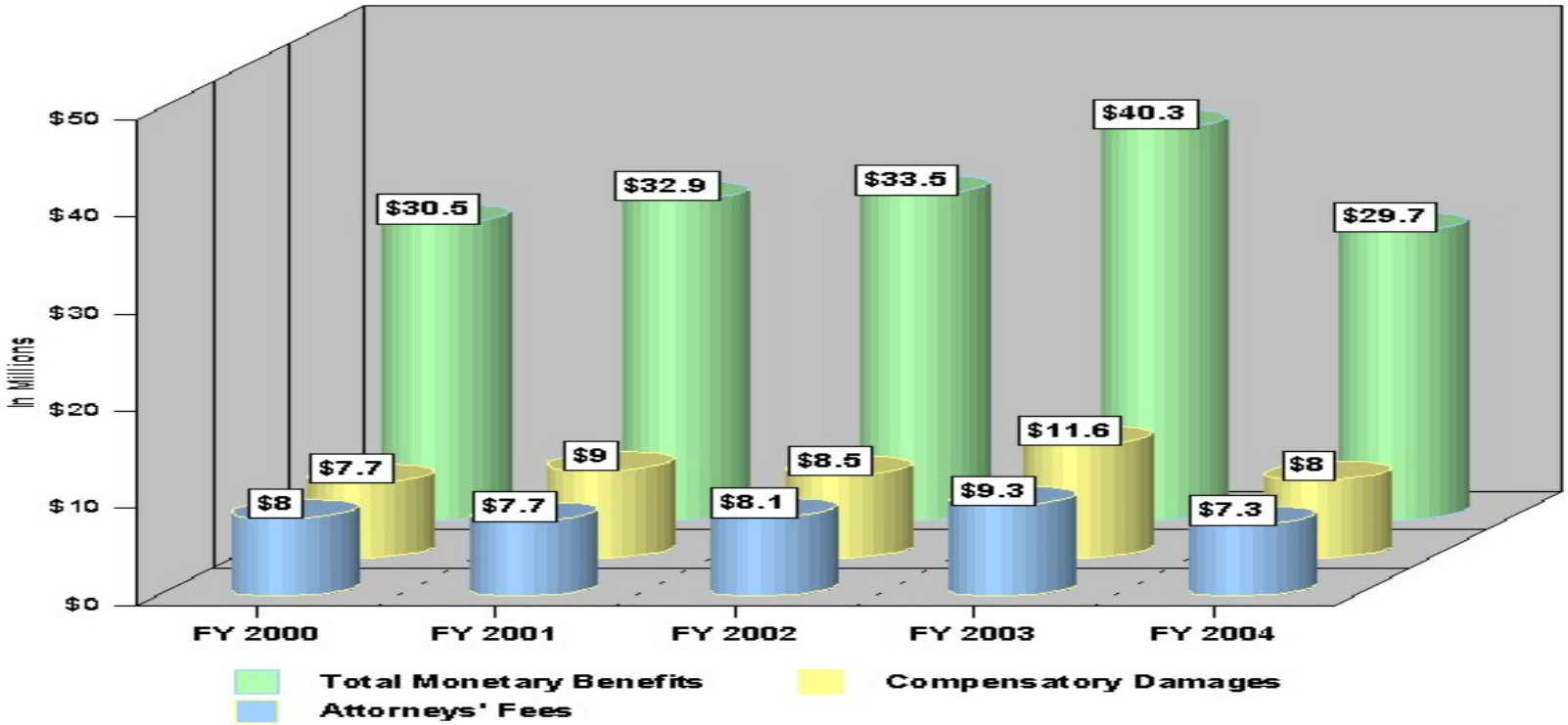
Since FY 2000, findings of discrimination have increased in the federal government. Table 17 below shows that both the total number of merit decisions and the number of findings of discrimination have increased over the past three years.

Table 17 - Amounts Awarded in Resolution of Formal EEO Complaints Before Appeals FY 2000 - FY 2004

Total Complaint Closures			Findings of Discrimination		Settlements		Monetary Benefits		
FY	#	Total Merit Closures	#	% of Merits Closures	#	% of Total Closures	Total Complaint Closures with Benefits #	Total (in millions)	Per Capita
2000	27,177	10,982	305	2.7%	5,794	21.3%	5,703	$ 30.5	$5,345
2001	25,193	9,077	261	2.9%	5,261	20.8%	5,522	$32.9	$5,965
2002	22,889	9,308	248	2.7%	5,606	24.5%	5,854	$33.5	$5,727
2003	19,772	9,180	264	2.9%	5,573	28.2%	5,823	$40.3	$6,926
2004	23,153	10,915	321	2.9%	4,469	19.3%	4,739	$29.7	$6,266

Average monetary benefits awarded in resolution of formal EEO complaints decreased by 9.5% between FY 2003 and FY 2004. Table 17 above shows the total monetary benefits awarded during the formal complaint process for the past five fiscal years, while Figure 5 indicates what portion of these benefits were for compensatory damages and attorneys' fees.

Figure 5 - Monetary Benefits in the Formal Complaint Stage FY 2000 - FY 2004



9. Responsiveness and Legal Compliance

In order to achieve a model EEO program, agencies must meet the six essential elements discussed in detail in EEO Management Directive 715. The fifth element, "Efficiency," encompasses the timely filing of required reports with the EEOC. Appendix III contains the federal agencies' compliance with the requirements to timely submit their Form 462 and MD-715 reports.

EEOC Form 462 reports provide information on discrimination complaint processing data and alternative dispute resolution efforts. Form 462 reports are due on October 31st of each year.

Equal Employment Opportunity Management Directive 715 (MD-715) applies to all executive agencies and military departments (except uniformed members) as defined in Sections 102 and 105 of Title 5. U.S.C. (including those with employees and applicants for employment who are paid from non-appropriated funds), the United States Postal Service, the Postal Rate Commission, the Tennessee Valley Authority, the Smithsonian Institution, and those units of the judicial branch of the federal government having positions in the competitive service. These agencies and their Second Level Reporting Components (as listed in Appendix III) were required to file EEOC FORM 715-01.

The MD-715 reports provide information on an agency's progress in achieving the model EEO program elements, elimination of barriers, and ability to conduct a wide array of examinations of the agency's Title VII and Section 501 work force profiles. EEOC Form 715-01 are timely filed if postmarked or received before January 31st of each year.

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7. Concerns involving both allegations of discrimination and agency actions appealable to the Merit Systems Protection Board follow one of the processes set forth at 29 C.F.R. § 1614.302.

8. There are several reasons an agency may dismiss a complaint, including the complainant's failure to state a claim, timely contact a counselor, or provide necessary information to the agency. *See* 29 C.F.R. § 1614.107(a)

9. The 180-day period may be extended 90 days if both parties agree. *See* 29 C.F.R. § 1614.108(e). The regulations also extend the 180 day time limit for submitting the investigative report to the complainant for consolidated and amended complaints to the earlier of 180 days from the date of the most recent consolidated or amended complaint, or 360 days from the date of the earliest pending complaint. *See* 29 C.F.R. § 1614.108(f).

10. *See* Jeffery M Senger, *Federal Dispute Resolution*: *Using ADR with the United States Government*, 1-7 (Jossey-Bass/John Wiley & Sons, 2003).

11. Counseling may be provided via EEO Counselor or ADR Intake Officer.

12. The EEOC did not collect ADR offer rates until FY 2002.

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Section C. EEOC: Declining Processing Time and Inventory for Hearings and Appeals

By federal regulation, the EEOC is not directly involved in the handling of an EEO complaint from a federal employee until the case has been initially processed by the employing agency and a hearing has been requested before an EEOC Administrative Judge or an appeal from a final agency action has been filed.

If a complainant requests a hearing, an EEOC Administrative Judge may oversee discovery between the parties, and hold a hearing or issue a decision on the record. If a hearing is held, the Administrative Judge will hear the testimony of witnesses, review relevant evidence, and make findings of fact and conclusions of law in a decision issued to the parties. In appropriate cases, an Administrative Judge may, in lieu of holding a hearing, procedurally dismiss a case or issue a decision by summary judgment.

EEOC is also responsible for deciding appeals from final actions issued by federal agencies on complaints of employment discrimination. These final actions may involve an agency's decision to procedurally dismiss a complaint, a final decision on the merits of a complaint when complainant has not requested a hearing, or a decision on whether or not to fully implement the decision of an EEOC Administrative Judge. Once appellate decisions are issued, EEOC monitors agency compliance with all orders issued. EEOC's adjudicatory responsibilities also include resolving allegations of a breach of a settlement agreement involving a federal sector EEO complaint, as well as deciding petitions for review on decisions by the Merit Systems Protection Board or which result from a negotiated grievance process where claims of discrimination are raised.

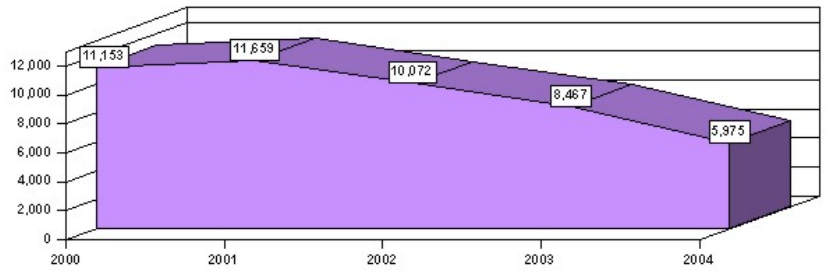
Equally as important as its adjudicatory role, EEOC is vigorously engaged in assisting federal agencies in the proactive prevention of discrimination. EEOC's Office of Federal Operations (OFO) provides outreach, technical assistance and oversight to federal agencies, including conducting program reviews throughout the federal government to evaluate agencies' efforts to develop and maintain model EEO programs. OFO monitors and evaluates agencies' activities to identify and correct barriers to equal opportunity, reasonable accommodation procedures for individuals with disabilities, and alternative dispute resolution programs. OFO also gathers and analyzes data provided by federal agencies on employment trends and EEO complaints processing; issues periodic reports which are publicly available; and works with individual agencies to identify both positive and negative trends in their EEO programs. In addition, through the EEOC's Revolving Fund, OFO also develops and delivers training to federal agencies and other interested parties on a wide variety of federal sector equal employment opportunity topics.

1. Hearings

a. Hearings Inventory Reduced

Hearings inventory fell from 8,467 in FY 2003 to 5,975 in FY 2004, a drop of more than 29.4%. Since FY 2001, the hearings inventory has decreased by nearly 48.8% from a high of 11,659 cases to 5,975 cases. Both efficiency in processing cases and the decrease in hearing requests contribute to this reduction in the hearings inventory.

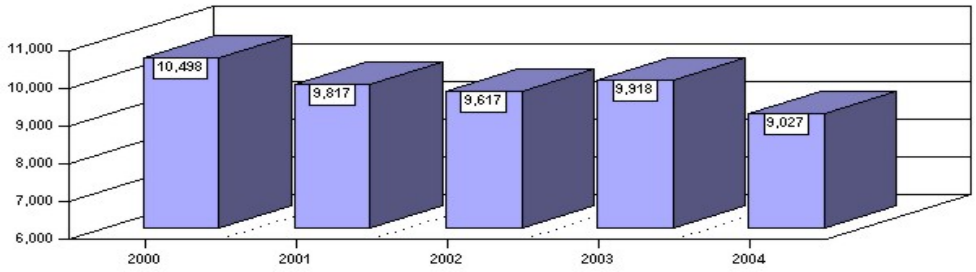
Figure 6 - Hearings Inventory FY 2000 - FY 2004



2. Hearing Requests Down

Hearing requests decreased by 9.0% in FY 2004, from 9,918 hearing requests in FY 2003 to 9,027, and have decreased by 14.0% from FY 2000.

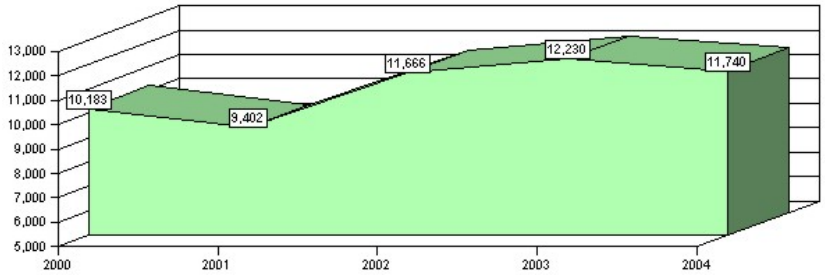
Figure 7 - Requests for EEOC Hearings FY 2000 - FY 2004



3. Hearings Closures Outpace Receipts

During FY 2004, the EEOC's Hearings Program resolved 11,740 cases, including 114 class actions, a 4.0% decrease from the 12,230 cases closed in FY 2003. Of the 11,626 individual cases closed in FY 2004: 1,655 (14.2%) were by decision following a hearing; 3,481 (29.9%) were by decisions on the record; 3,180 (27.3%) were closed by settlements; 1,550 (13.3%) were by procedural dismissal; and 1,760 (15.1%) were withdrawals. By comparison, of the 12,124 individual cases closed in FY 2003: 1,974 (16.3%) were by decision following a hearing; 2,804 (23.1%) were by decisions on the record; 3,951 (32.6%) were closed by settlements; 1,551 (12.8%) were by procedural dismissal; and 1,844 (15.2%) were withdrawals.

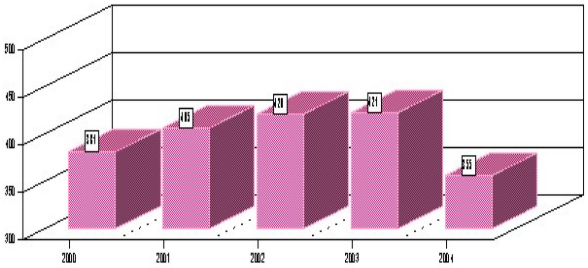
Figure 8 - Hearings Program Closures FY 2000 - FY 2004



4. Average Processing Time Drops for Hearings

The average processing time for hearings fell to 355 days in FY 2004, after holding steady between FY 2002 and FY 2003. The average age of the opened pending inventory also declined in FY 2004 from 296 days to 183 days.

Figure 9 - Average Processing Days for Hearings FY 2000 - FY 2004



5. Agencies Challenge Findings of Discrimination

EEOC Administrative Judges issued 329 decisions finding discrimination in FY 2004, 6.4% of all decisions on the merits of complaints. Agencies may either fully implement an Administrative Judge's final decision or appeal the Administrative Judge's decision to EEOC's Office of Federal Operations. In FY 2004, agencies appealed only 2.2% of all Administrative Judge decisions; however they appealed 28.7% of the cases where an Administrative Judge found discrimination.

Table 18 - Agency Actions on Administrative Judge Decisions FY 2000 - FY 2004

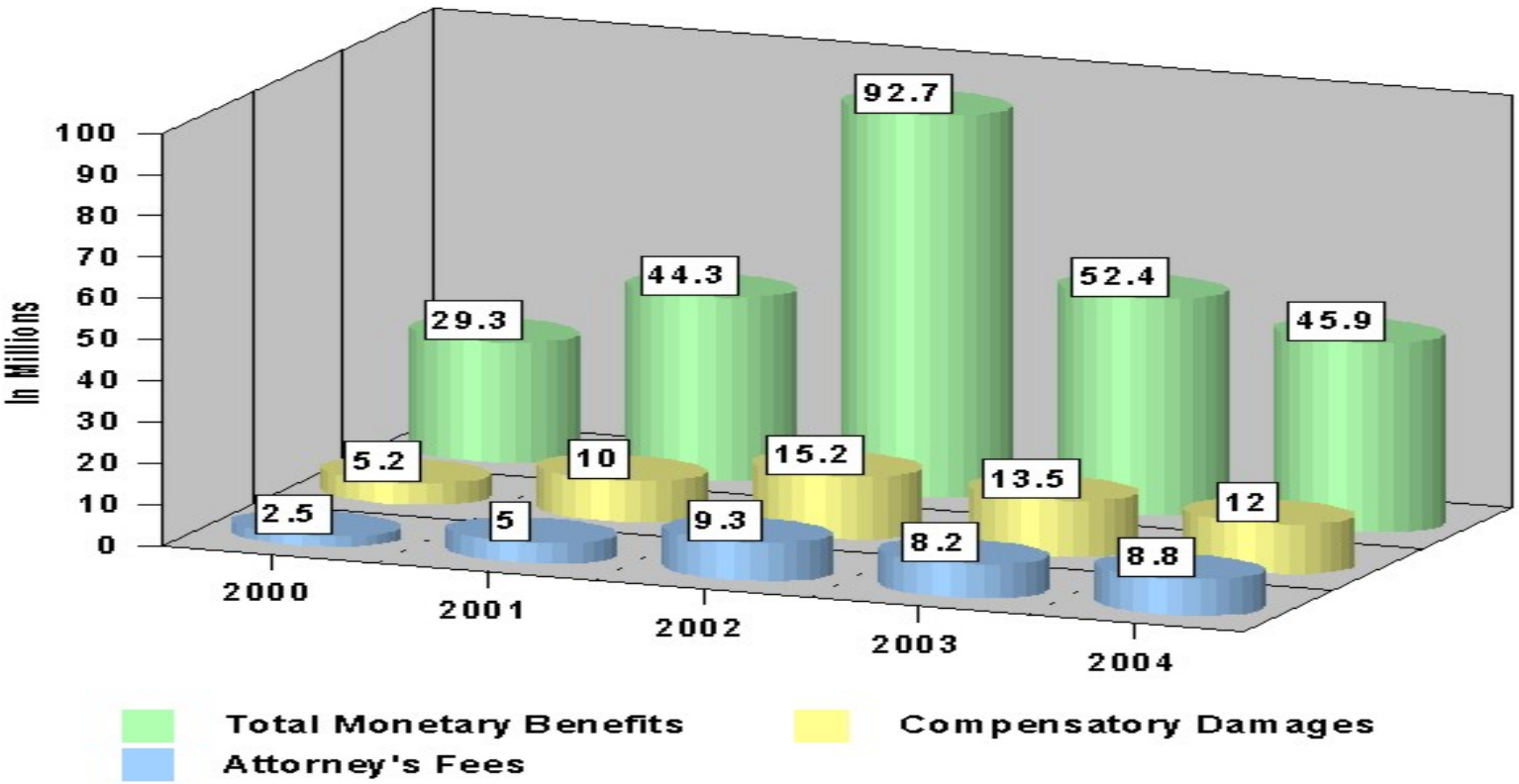
FY	Finding Discrimination[13]				Finding No Discrimination				Totals			
	Implemented		Appealed		Implemented		Appealed		Implemented		Appealed	
	#	%	#	%	#	%	#	%	#	%	#	%
2000	143	73.0%	53	27.0%	3,935	99.6%	14	0.4%	4,078	98.4%	67	1.6%
2001	194	71.3%	78	28.7%	3,636	98.8%	44	1.2%	3,830	96.9%	122	3.1%
2002	197	65.0%	106	35.0%	3,644	100%	0	0%	3,841	97.3%	106	2.7%
2003	159	63.3%	92	36.7%	3,639	99.9%	3	0.1%	3,798	97.6%	95	2.4%
2004	124	71.3%	50	28.7%	4,515	98.7%	59	.31%	4,639	97.8%	109	2.2%

6. Monetary Benefits Decrease at Hearings

In FY 2004, Administrative Judge decisions and settlements at the hearings stage awarded $45.9 million in benefits to complainants, below the $52.4 million in FY 2003. Monetary benefits at the hearing stage have decreased the past two years. Note that benefits at the hearings stage are preliminary, pending a decision on implementation by the agency or appeal.

Figure 10 - Monetary Benefits Awarded from Hearings (In Millions of Dollars)

FY 2000 - FY 2004

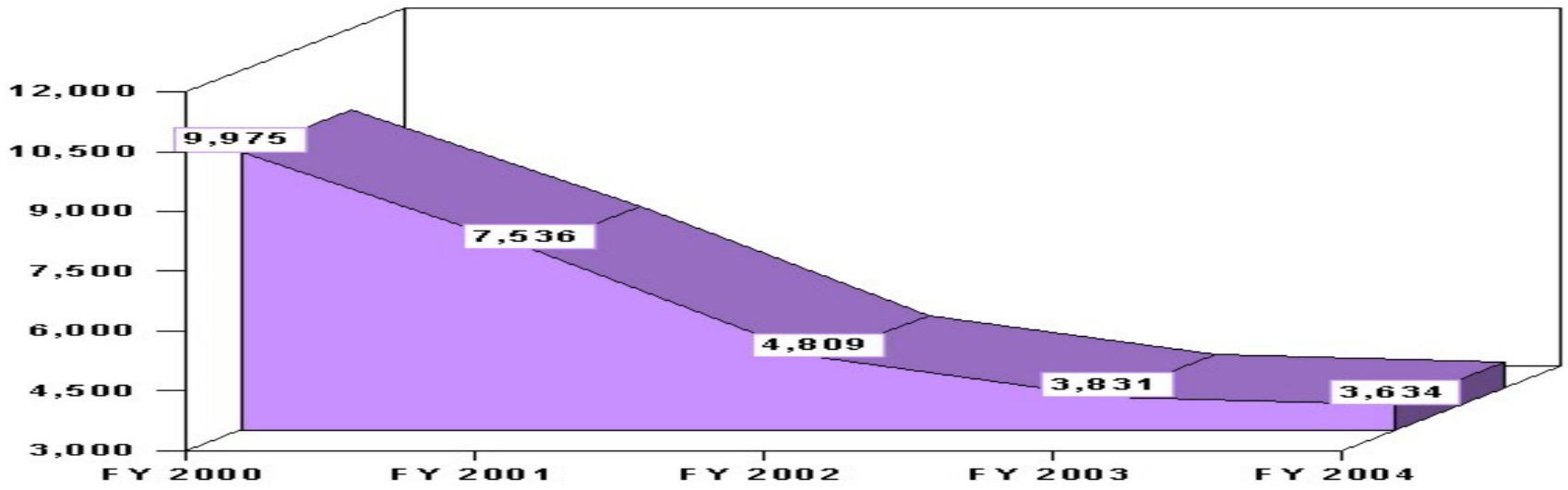


- **Appeals**

a. Appeals Inventory Steadily Declines

OFO's appellate inventory declined in FY 2004 to 3,634, a 5.1% reduction from the 3,831 case inventory at the close of FY 2003. The appellate inventory has fallen 69.5% from the inventory high of 11,918 appeals in January 2000.

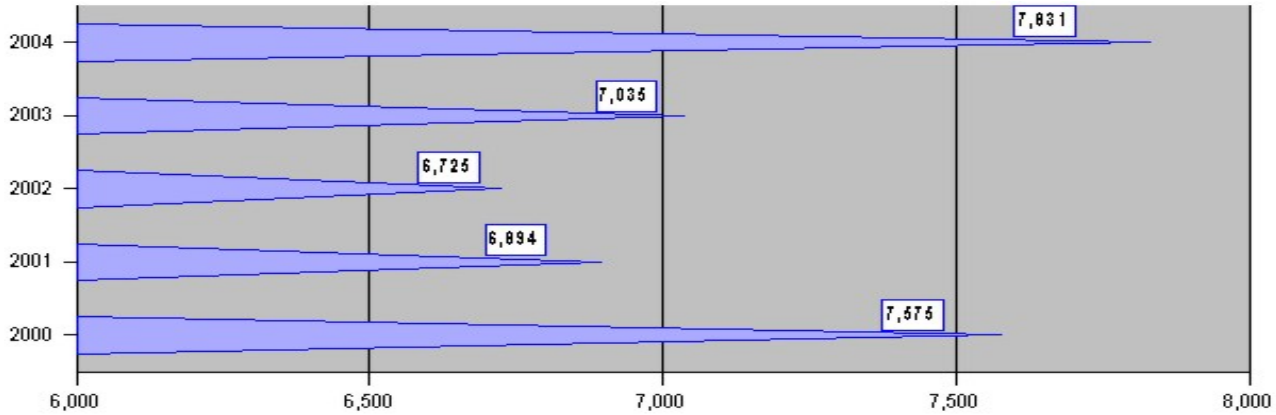
Figure 11 - Appellate Inventory FY 2000 - FY 2004



- **Appeals Receipts On the Rise Again**

OFO received 7,831 appeals in FY 2004, a 11.3% increase from the 7,035 appeals filed in FY 2003. This reversed a three-year downward trend from FY 2000 through FY 2003.

Figure 12 - Appeals Receipts FY 2000 - FY 2004



- **Appeals Closures Steady**

OFO closed a total of 8,028 cases in FY 2004, of which 6,224 were Title VII cases (77.5% of the total); 2,046 appeals involved the Rehabilitation Act (25.5% of the total); 2,093 appeals alleged violations of the ADEA (26.1% of the total); and 4 appeals involved the Equal Pay Act of 1963 (0.1% of the total).

Figure 13 - Appeals Closures FY 2000 - FY 2004

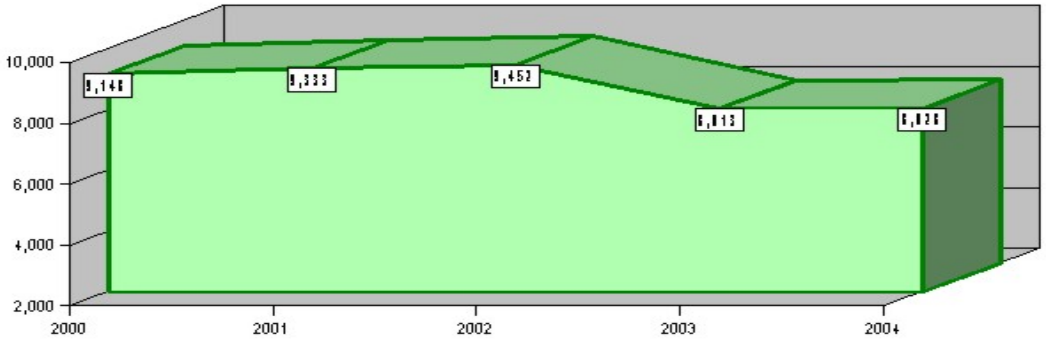


Table 19 below, provides a breakdown by appeal type of all FY 2004 receipts and closures.

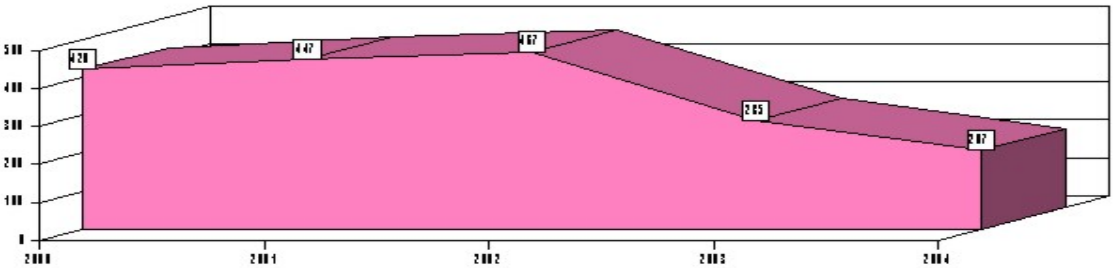
Table 19 - Types of Receipts and Appeals FY 2004

Types of Appeals	Receipts		Closures	
	#	% of Total	#	% of Total
Initial Appeals from Complainants	6,195	79.1%	6,283	78.3%
Initial Appeals from Agencies	139	1.8%	183	2.3%
Petitions to Review MSPB Decisions	146	1.9%	133	1.7%
Appeals from a Grievance/Arbitration of FLRA Decisions	12	0.2%	10	0.1%
Petitions for Enforcement	47	0.6%	49	0.6%
Requests for Reconsiderations	1,292	16.5%	1,370	17.1%
Total	7,831	100.0%	8028	100.0%

- **Appeals Average Processing Time Decreased**

The average processing time for appeals in FY 2004 fell to 207 days from 285 days in FY 2003. OFO resolved 4,059 (51.8%) of the 7,831 appeals received in FY 2004, within 180 days. The average age of an open appeal in the inventory at the end of FY 2004 was 171 days - a 10.0% reduction from the 190-day average age at the end of FY 2003 and a 56.8% reduction from the 396-day average age of the open inventory at the end of FY 2000.

Figure 14 - Average Processing Days on Appeal
FY 2000 - FY 2004



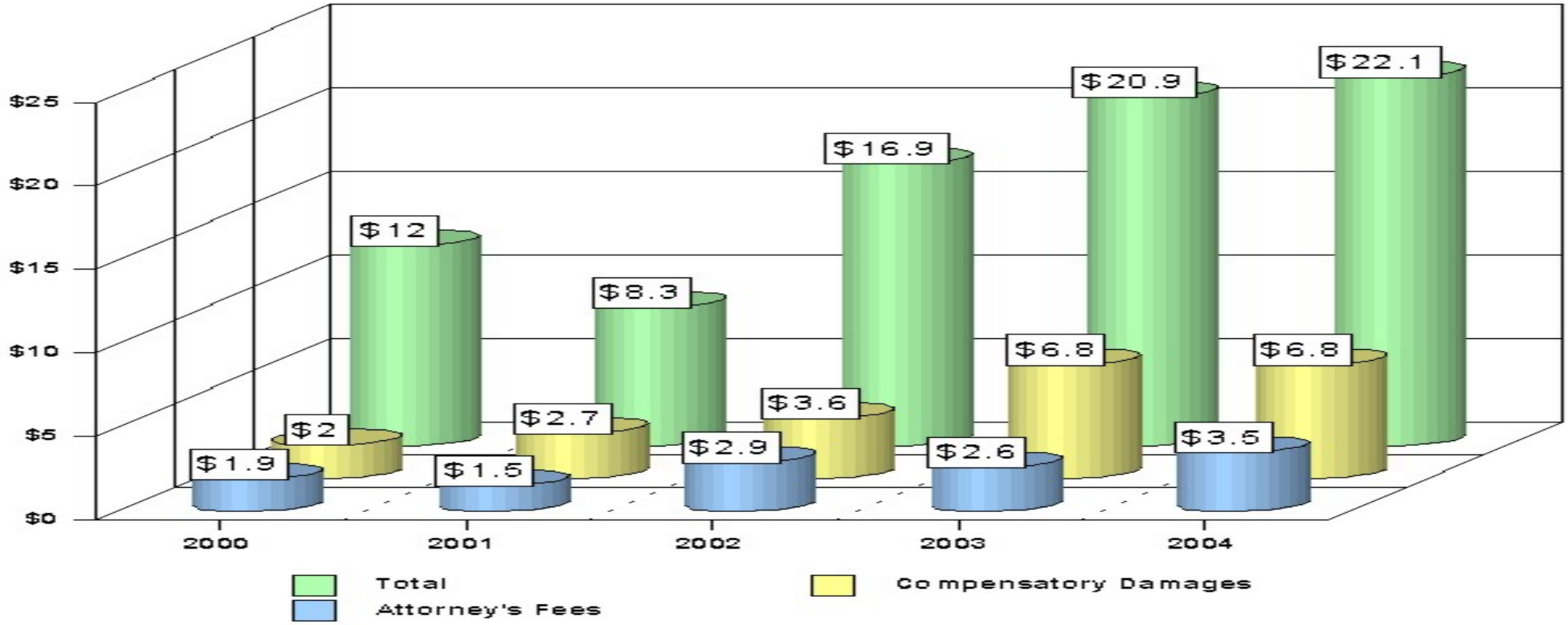
- **Appeals Findings of Discrimination Remain Steady**

In FY 2004, OFO closed 3,451 appeals addressing the merits of the underlying discrimination claims, and made a total of 226 findings of discrimination or 6.5% of the total. This was the same percentage as in FY 2003. Reprisal, disability, and race (Black) were the most prevalent bases of discrimination in the findings OFO issued in FY 2004.

- **Monetary Benefits Awarded in Appellate Process Increases**

In FY 2004, the $22.1 million in monetary benefits awarded in compliance with appellate decisions (including settlement agreements resolving appeals), increased by 5% from the $20.9 million awarded in FY 2003 and increased 84% from the $12.0 million awarded in FY 2000.

Figure 15 - Monetary Benefits Awarded from Appeals[(14)]
FY 2000 - FY 2004 (In Millions of Dollars)



- **The Commission's Outreach and Training Activities Reach Thousands**

In FY 2004, EEOC staff members reached a record number of federal employees, informing them of their rights and responsibilities under the EEO process, affirmative employment programs and laws which the Commission enforces. EEOC's proactive prevention activities targeted multiple agencies who provided their managers and supervisors the opportunity to understand how to prevent employment discrimination within their workplace. These training sessions were provided by staff members from the Office of Federal Operations and various EEOC district offices throughout the country.

Specifically, staff members conducted 207 training sessions reaching 7,922 federal employees. Federal employees trained included 276 new EEO counselors, 224 new EEO investigators and 616 EEO professionals in affirmative employment programs. Additionally, staff members participated in 50 outreach sessions reaching another 4,214 individuals.

EEOC staff members also responded to 2,114 requests for technical assistance with reporting requirements, 1,566 requests for technical assistance with affirmative employment programs and more than 7,987 calls regarding the EEO complaint/appeals process, providing the federal sector EEO community and employees with timely information.

The Commission's training and outreach information can be found at http://www.eeoc.gov/outreach.

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13. These numbers do not parallel Administrative Judge findings of discrimination because agencies may not take final action in the same fiscal year as the decision was issued or may settle a complaint where the Administrative Judge has found discrimination.

14. Note: Hearings Benefits should not be added to Appeals Benefits for a grand total as Hearings Benefits are only preliminary.

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Part II
Profiles for Selected Federal Agencies

What follows are individual profiles of federal agencies with a total work force of 500 or more employees. These profiles of selected indicators were created from data submitted by agencies in annual EEOC Form 462 reports, and the Civilian Personnel Data File (CPDF), which is maintained by the Office of Personnel Management (OPM). On page II-FedGov-1 is a similar profile for the federal government as a whole for comparison purposes.

Each agency's profile narrative highlights the participation by race, national origin, gender, and disability of employees in the workforce as a whole, as well as in the agency's major occupations, supervisor and manager ranks, Senior Pay Level, and the "feeder grades" (GS-14 and GS-15) to the Senior Executive Service.

For the first time, the profiles include participation rates by race, national origin, gender for persons who serve as supervisors and managers. Employees classified as supervisors and managers who are at the GS-12 level or below are identified as First-Level Officials and Managers; those at the GS-13 or 14 level are identified as Mid-Level Officials and Managers; and those at the GS-15 or in the Senior Executive Service are identified as Senior-Level Officials and Managers.

Since those supervisors and managers comprising an agency's First-Level Officials and Managers may constitute a large portion of an agency's available pool of candidates for higher level managerial positions, a comparison of the data on the participation rates of persons as they progress through the managerial ranks can serve as a diagnostic tool to help agencies uncover and effectively address impediments to fair and open competition in the federal workplace and allow individuals equal opportunity for advancement. In general, the data for the profiled agencies indicate that a comparison of the participation rates of women, Hispanics, Blacks, Asian Americans/Pacific Islanders and American Indians/Alaskan Natives will show a decline from the First-Level positions to the Mid-Level positions and another decline from the Mid-Level positions to the Senior-Level positions.

The profile narratives also contains a number of measures related to the agencies' EEO complaint activities, including the number of complaints filed, complainants, complaints closed, merit decisions, findings of discrimination, and settlements. Also included are timeliness measures for various stages of EEO complaint processing. EEOC relies on each agency to provide accurate and reliable data for its complaint processing program. Although the EEOC reviews and analyzes the data submitted, each agency remains ultimately responsible for the accuracy of its own data.

Finally, each profile narrative offer data concerning agencies' success in implementing alternative dispute resolution (ADR) activities at the pre-complaint and formal complaint stages of the discrimination complaint process. EEOC is firmly committed to using Alternative Dispute Resolution (ADR) to resolve workplace disputes. Used properly and in appropriate circumstances, ADR can provide faster and less expensive results while at the same time improving workplace communication and morale.

List of Agencies Included in the Agency Profile Section

The following agencies have profiles listed alphabetically in this part:

- Government-Wide
- Agency for International Development (AID)
- U.S. Department of Agriculture (USDA)
- U.S. Department of the Air Force (USAF)
- Armed Forces Retirement Home (AFRH)
- U.S. Department of the Army (ARMY)
- Army & Air Force Exchange Service (AAFES)
- Broadcasting Board of Governors (BBG)
- U.S. Department of Commerce (COMMERCE)
- Commodity Futures Trading Commission (CFTC)
- Corporation for National & Community Service (CNCS)
- Court Services & Offender Supervision Agency (CSOSA)
- Defense Commissary Agency (DCA)
- Defense Contract Audit Agency (DCAA)
- Defense Contract Management Agency (DCMA)
- Defense Dependent Education Activity (DDEA)
- Defense Finance and Accounting Service (DFAS)
- Defense Human Resources Activity (DHRA)
- Defense Information Systems Agency (DISA)
- Office of the Inspector General, Department of Defense (DOIG)
- Defense Logistics Agency (DLA)
- Office of the Secretary of Defense (DEFSEC)
- Defense Security Service (DSS)
- Defense Threat Reduction Agency (DTRA)
- U.S. Department of Education (ED)
- U.S. Department of Energy (DOE)
- Environmental Protection Agency (EPA)

- Equal Employment Opportunity Commission (EEOC)
- Federal Communications Commission (FCC)
- Federal Deposit Insurance Corporation (FDIC)
- Federal Trade Commission (FTC)
- General Services Administration (GSA)
- Government Printing Office (GPO)
- U.S. Department of Health and Human Services (HHS)
- U.S. Department of Homeland Security (DHS)
- U.S. Department of Housing and Urban Development (HUD)
- U.S. Department of the Interior (DOI)
- U.S. Department of Justice (DOJ)
- U.S. Department of Labor (DOL)
- National Aeronautics & Space Administration (NASA)
- National Archives & Records Administration (NARA)
- National Credit Union Administration (NCUA)
- National Gallery of Art (NGA)
- National Labor Relations Board (NLRB)
- National Science Foundation (NSF)
- U.S. Department of the Navy (NAVY)
- Nuclear Regulatory Commission (NRC)
- Office of Personnel Management (OPM)
- Peace Corps (PC)
- Pension Benefit Guaranty Corporation (PBGC)
- Railroad Retirement Board (RRB)
- Securities and Exchange Commission (SEC)
- Small Business Administration (SBA)
- Smithsonian Institution (SI)
- Social Security Administration (SSA)
- U.S. Department of State (STATE)

- Tennessee Valley Authority (TVA)
- U.S. Department of Transportation (DOT)
- U.S. Department of Treasury (TREAS)
- United States Postal Service (USPS)
- U.S. Department of Veterans Affairs (VA)

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U.S. Equal Employment Opportunity Commission

APPENDIX I
GLOSSARY / DEFINITIONS

Administrative Support Workers - See "Occupational Categories."

ADR Election Rate - Of the total counselings or complaints that received an ADR offer, the election rate represents the percentage that participated in the ADR process.

ADR Offer Rate - The percentage of the total counselings or complaints that received an ADR offer.

ADR Participation Rate - The percentage of completed counselings or complaints workload where both parties agreed to participate in ADR.

ADR Resolution Rate - The percentage of ADR closures that were resolved by either settlement or withdrawal from the EEO process.

Agency - Executive agencies as defined in Section 102 of Title 5, U.S. Code (including those with employees and applicants for employment who are paid from nonappropriated funds), the United States Postal Service, the Postal Rate Commission, and those units of the legislative and judicial branches of the Federal government having positions in the competitive service.

Annual Reports - Reports required to be submitted to EEOC on agencies affirmative employment program accomplishments pursuant to EEOC Management Directives 715.

Central Personnel Data File (CPDF) - This is a computer data file created and maintained by the OPM. The file is based on personnel action information submitted directly to the OPM by Executive Branch federal agency appointing offices, and is updated monthly. Some Executive Branch agencies do not submit data to the CPDF including the following: the Tennessee Valley Authority, United States Postal Service, Central Intelligence Agency, Defense Intelligence Agency, National Geospatial-Intelligence Agency, and the National Security Agency.

Civilian Labor Force (CLF) - Data derived from the decennial census reflecting persons, 16 years of age or older who were employed or seeking employment, excluding those in the Armed Services. CLF data used in this report is based on the 2000 Census.

Craft Workers (skilled) - See "Occupational Categories."

Data from 2000 Census Special EEO File - Data derived from the 2000 decennial census http://www.census.gov/eeo2000/.

Disability - A physical or mental impairment that substantially limits one or more major life activities.

Federal Wage System Positions - Positions OPM classifies as those whose primary duty involves the

performance of physical work which requires a knowledge or experience of a trade, craft, or manual-labor work.

General Schedule Positions - Positions OPM classifies as those whose primary duty requires knowledge or experience of an administrative, clerical, scientific, artistic, or technical nature.

Laborers (unskilled) - See "Occupational Categories."

Lump Sum Payment - A single payment made in a settlement which does not identify the portion of the amount paid for backpay, compensatory damages, attorney fees, etc.

Major Occupations - The most populous occupations in the Professional and the Administrative categories in an agency.

Merit Decision - A decision determining whether or not discrimination was proven.

MD-110 - EEO Management Directive 110 provides policies, procedures and guidance relating to the processing of employment discrimination complaints governed by the Commission's regulations in 29 CFR Part 1614.

MD-715 - A document describing program responsibilities and reporting requirements relating to agencies' EEO programs.

Occupational Categories - The occupational categories for the EEO-9 are as follows:

> **Administrative Support Workers** - Includes all clerical-type work regardless of level of difficulty, where the activities are predominantly non-manual though some manual work not directly involved with altering or transporting the products is included. Includes: bookkeepers, collectors (bills and accounts), messengers and office helpers, office machine operators (including computer), shipping and receiving clerks, stenographers, typists and secretaries, telegraph and telephone operators, legal assistants, and kindred workers.
>
> **Craft Workers (skilled)** - Manual workers of relatively high skill level having a thorough and comprehensive knowledge of the processes involved in their work. Exercise considerable independent judgment and usually receive an extensive period of training. Includes: the building trades, hourly paid supervisors and lead operators who are not members of management, mechanics and repairers, skilled machining occupations, compositors and typesetters, electricians, engravers, painters (construction and maintenance), motion picture projectionists, pattern and model makers, stationary engineers, tailors, arts occupations, hand painters, coaters, bakers, decorating occupations, and kindred workers.
>
> **Laborers (unskilled)** - Workers in manual occupations which generally require no special training who perform elementary duties that may be learned in a few days and require the application of little or no independent judgment. Includes: garage laborers, car washers and greasers, grounds keepers and gardeners, farm workers, stevedores, wood choppers, laborers performing lifting, digging, mixing, loading and pulling operations, and kindred workers.
>
> **Officials and Managers** - Occupations requiring administrative and managerial personnel who set broad policies, exercise overall responsibility for execution of these policies, and direct

individual offices, programs, divisions or other units or special phases of an agency's operations. In the federal sector, this category is further broken out into four sub-categories: (1) Executive/ Senior Level - includes those at the GS-15 grade or in the Senior Executive Service, (2) Mid-Level - includes those at the GS-13 or 14 grade, (3) First-Level - includes those at or below the GS-12 grade and (4) Other - includes employees in a number of different occupations which are primarily business, financial and administrative in nature, and do not have supervisory or significant policy responsibilities, such as Administrative Officers.

Operatives (semiskilled) - Workers who operate machine or processing equipment or perform other factory-type duties of intermediate skill level which can be mastered in a few weeks and require only limited training. Includes: apprentices (auto mechanics, plumbers, bricklayers, carpenters, electricians, machinists, mechanics, building trades, printing trades, etc.), operatives, attendants (auto service and parking), blasters, chauffeurs, delivery workers, sewers and stitchers, dryers, furnace workers, heaters, laundry and dry cleaning operatives, milliners, mine operatives and laborers, motor operators, oilers and greasers (except auto), painters (manufactured articles), photographic process workers, truck and tractor drivers, knitting, looping, taping and weaving machine operators, welders and flame cutters, electrical and electronic equipment assemblers, butchers and meat cutters, inspectors, testers and graders, hand packers and packagers, and kindred workers.

Professionals - Occupations requiring either college graduation or experience of such kind and amount as to provide a comparable background.

Technicians - Occupations requiring a combination of basic scientific knowledge and manual skill which can be obtained through 2 years of post high school education, such as is offered in many technical institutes and junior colleges, or through equivalent on-the- job training.

Sales - Occupations engaging wholly or primarily in direct selling.

Service Workers - Workers in both protective and non-protective service occupations.

Officials and Managers - See "Occupational Categories."

Operatives (semiskilled) - See "Occupational Categories."

Participation Rate - The extent to which members of a specific demographic group participate in an agency's work force.

Permanent Work Force - Full-time, part-time and intermittent employees of a particular agency. For purposes of this Report, those persons employed as of September 30, 2004.

Professionals - See "Occupational Categories."

Race/Ethnicity-

American Indian/Alaskan Native - All persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

Asian American/Pacific Islander - All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands and Samoa.

Black (Not of Hispanic Origin) - All persons having origins in any of the black racial groups of Africa.

Hispanic - All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

White (Not of Hispanic Origin) - All persons having origins in any of the original peoples of Europe, North Africa, or the Middle East.

Reportable Disability - Any self-identified disability reported by an employee to the employing agency.

Sales Workers - See "Occupational Categories."

Second Level Reporting Component - A subordinate component of a Federal agency which has 1,000 or more employees and which is required to file EEOC FORM 715-01 with the EEOC. While many Federal agencies have subordinate components, not every subordinate component is a Second Level Reporting Component for purposes of filing EEOC FORM 715-01. A list of Federal agencies and departments covered by MD-715 and Second Level Reporting Components is posted on EEOC's website at: http://www.eeoc.gov/federal/715instruct/agencylist.html.

Senior Pay Level Positions - Positions which include the Senior Executive Service, Executive Schedule, Senior Foreign Service, and other employees earning salaries above grade 15 in the General Scedule.

Service workers - See "Occupational Categories."

Targeted Disabilities - Those disabilities that the federal government, as a matter of policy, has identified for special emphasis. The targeted disabilities (and the codes that represent them on the Office of Personnel Management's Standard Form 256) are: deafness (16 and 17); blindness (23 and 25); missing extremities (28 and 32 through 38); partial paralysis (64 through 68); complete paralysis (71 through 78); convulsive disorders (82); mental retardation (90); mental illness (91); and distortion of limb and/or spine (92)."

Technicians - See "Occupational Categories."

Total Work Force - All employees of an agency subject to 29 C.F.R. Part 1614 regulations, including temporary, seasonal and permanent employees.

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APPENDIX II
FEDERAL EEO COMPLAINT PROCESSING PROCEDURES

A. Contact EEO Counselor

Aggrieved persons who believe they have been discriminated against must contact an agency EEO counselor prior to filing a formal complaint. The person must initiate counselor contact within 45 days of the matter alleged to be discriminatory. 29 C.F.R. Section 1614.105(a)(1). This time limit shall be extended where the aggrieved person shows that: he or she was not notified of the time limits and was not otherwise aware of them; he or she did not and reasonably should not have known that the discriminatory matter occurred; despite due diligence he or she was prevented by circumstances beyond his or her control from contacting the counselor within the time limits. 29 C.F.R. Section 1614.105(a)(2).

B. EEO Counseling

EEO counselors provide information to the aggrieved individual concerning how the federal sector EEO process works, including time frames and appeal procedures, and attempt to informally resolve the matter. At the initial counseling session, counselors must advise individuals in writing of their rights and responsibilities in the EEO process, including the right to request a hearing before an EEOC administrative judge or an immediate final decision from the agency following its investigation of the complaint. Individuals must be informed of their right to elect between pursuing the matter in the EEO process under part 1614 and a grievance procedure (where available) or the Merit Systems Protection Board appeal process (where applicable). The counselor must also inform the individuals of their right to proceed directly to court in a lawsuit under the Age Discrimination in Employment Act, of their duty to mitigate damages, and that only claims raised in pre-complaint counseling or claims like or related to those raised in counseling may be alleged in a subsequent complaint filed with the agency. 29 C. F.R. Section 1614.105(b)(1).

Counseling must be completed within 30 days of the date the aggrieved person contacted the agency's EEO office to request counseling. If the matter is not resolved in that time period, the counselor must inform the individual in writing of the right to file a discrimination complaint. This notice ("Notice of Final Interview") must inform the individual that a complaint must be filed within 15 days of receipt of the notice, identify the agency official with whom the complaint must be filed, and of the individual's duty to inform the agency if he or she is represented. 29 C. F.R. Section 1614.105(d). The 30-day counseling period may be extended for an additional 60 days: (1) where the individual agrees to such extension in writing; or (2) where the aggrieved person chooses to participate in an ADR procedure. If the claim is not resolved before the 90th day, the Notice of Final Interview described above must be issued to the individual. 29 C.F.R. Section 1614.105(e), (f). When a complaint is filed, the EEO counselor must submit a written report to the agency's EEO office concerning the issues discussed and the actions taken during counseling. 29 C.F.R. Section 1614.105(c).

C. Alternative Dispute Resolution (ADR)

Beginning January 1, 2000 all agencies were required to establish or make available an ADR program. Such program must be available for both the pre-complaint process and the formal complaint process. 29 C.F.R. Section 1614.102(b)(2). At the initial counseling session, counselors must advise individuals that, where an agency agrees to offer ADR in a particular case, the individual may choose between participation in the ADR program and EEO counseling. 29 C.F.R. Section 1614.105(b)(2). As noted above, if the matter is not resolved in the ADR process within 90 days of the date the individual contacted the agency's EEO office, a Notice of Final Interview must be issued to the individual giving him or her the right to proceed with a formal complaint.

D. Complaints

A complaint must be filed with the agency that allegedly discriminated against the complainant within 15 days of receipt of the Notice of Final Interview. The complaint must be a signed statement from the complainant or the complainant's attorney, containing the complainant's (or representative's) telephone number and address, and must be sufficiently precise to identify the complainant and the agency, and describe generally the action or practice which forms the basis of the complaint. 29 C.F.R. Section 1614.106.

A complainant may amend a complaint at any time prior to the conclusion of the investigation to include issues or claims like or related to those raised in the complaint. After requesting a hearing, a complainant may file a motion with the AJ to amend a complaint to include issues or claims like or related to those raised in the complaint. 29 C.F.R. Section 1614.106(d).

The agency must acknowledge receipt of the complaint in writing and inform the complainant of the date on which the complaint was filed, of the address of the EEOC office where a request for a hearing should be sent, that the complainant has the right to appeal the agency's final action or dismissal of a complaint, and that the agency must investigate the complaint within 180 days of the filing date. The agency's acknowledgment must also advise the complainant that when a complaint has been amended, the agency must complete the investigation within the earlier of: (1) 180 days after the last amendment to the complaint; or (2) 360 days after the filing of the original complaint. A complainant may request a hearing from an EEOC AJ on the consolidated complaints any time after 180 days from the date of the first filed complaint. 29 C.F.R. Section 1614.106(e).

E. Dismissals of Complaints

Prior to a request for a hearing, in lieu of accepting a complaint for investigation an agency may dismiss an entire complaint for any of the following reasons: (1) failure to state a claim, or stating the same claim that is pending or has been decided by the agency or the EEOC; (2) failure to comply with the time limits; (3) filing a complaint on a matter that has not been brought to the attention of an EEO counselor and which is not like or related to the matters counseled; (4) filing a complaint which is the basis of a pending civil action, or which was the basis of a civil action already decided by a court; (5) where the complainant has already elected to pursue the matter through either the negotiated grievance procedure or in an appeal to the Merit Systems Protection Board; (6) where the matter is moot or merely alleges a proposal to take a personnel action; (7) where the complainant cannot be located; (8) where the complainant fails to respond to a request to provide relevant information; (9) where the

complaint alleges dissatisfaction with the processing of a previously filed complaint; (10) where the complaint is part of a clear pattern of misuse of the EEO process for a purpose other than the prevention and elimination of employment discrimination. 29 C.F.R. Section 1614.107.

If an agency believes that some, but not all, of the claims in a complaint should be dismissed for the above reasons, it must notify the complainant in writing of the rationale for this determination, identify the allegations which will not be investigated, and place a copy of this notice in the investigative file. This determination shall be reviewable by an EEOC AJ if a hearing is requested on the remainder of the complaint, but is not appealable until final action is taken by the agency on the remainder of the complaint. 29 C.F.R. Section 1614.107(b).

F. Investigations

Investigations are conducted by the respondent agency. The agency must develop an impartial and appropriate factual record upon which to make findings on the claims raised by the complaint. An appropriate factual record is defined in the regulations as one that allows a reasonable fact finder to draw conclusions as to whether discrimination occurred. 29 C.F.R. Section 1614.108(b).

The investigation must be completed within 180 days from the filing of the complaint. A copy of the investigative file must be provided to the complainant, along with a notification that, within 30 days of receipt of the file, the complainant has the right to request a hearing and a decision from an EEOC AJ or may request an immediate final decision from the agency. 29 C.F.R. Section 1614.108(f).

An agency may make an offer of resolution to a complainant who is represented by an attorney at any time after the filing of a complaint, but not later than the date an AJ is appointed to conduct a hearing. An agency may make an offer of resolution to a complaint, represented by an attorney or not, after the parties have received notice than an administrative judge has been appointed to conduct a hearing, but not later than 30 days prior to a hearing.

Such offer of resolution must be in writing and include a notice explaining the possible consequences of failing to accept the offer. If the complainant fails to accept the offer within 30 days of receipt, and the relief awarded in the final decision on the complaint is not more favorable than the offer, then the complainant shall not receive payment from the agency of attorney's fees or costs incurred after the expiration of the 30-day acceptance period. 29 C.F.R. Section 1614.109(c).

G. Hearings

Requests for hearing must be sent by the complainant to the EEOC office indicated in the agency's acknowledgment letter, with a copy to the agency's EEO office. Within 15 days of receipt of the request for a hearing, the agency must provide a copy of the complaint file to EEOC. The EEOC will then appoint an AJ to conduct a hearing. 29 C.F.R. Section 1614.108(g).

Prior to the hearing, the parties may conduct discovery. The purpose of discovery is to enable a party to obtain relevant information for preparation of the party's case. Each party initially bears their own costs for discovery, unless the AJ requires the agency to bear the costs for the complainant to obtain depositions or any other discovery because the agency has failed to

complete its investigation in a timely manner or has failed to adequately investigate the allegations. For a more detailed description of discovery procedures, see EEOC Management Directive 110, Chapter 6.

Agencies provide for the attendance of all employees approved as witnesses by the AJ. Hearings are considered part of the investigative process, and are closed to the public. The AJ conducts the hearing and receives relevant information or documents as evidence. The hearing is recorded and the agency is responsible for paying for the transcripts of the hearing. Rules of evidence are not strictly applied to the proceedings. If the AJ determines that some or all facts are not in genuine dispute, he or she may limit the scope of the hearing or issue a decision without a hearing.

An EEOC AJ may dismiss a complaint for any of the reasons set out above under Dismissals. 29 C.F.R. Section 1614.109(b), or the AJ must conduct the hearing and issue a decision on the complaint within 180 days of receipt by the AJ of the complaint file from the agency. The AJ will send copies of the hearing record, the transcript and the decision to the parties. If an agency does not issue a final order within 40 days of receipt of the AJ's decision, then the decision becomes the final action by the agency in the matter. 29 C.F.R. Section 1614.109(i).

H. Final Action by Agencies

When an AJ has issued a decision (either a dismissal, a summary judgment decision or a decision following a hearing), the agency must take final action on the complaint by issuing a final order within 40 days of receipt of the hearing file and the AJ's decision. The final order must notify the complainant whether or not the agency will fully implement the decision of the AJ, and shall contain notice of the complainant's right to appeal to EEOC or to file a civil action. If the final order does not fully implement the decision of the AJ, the agency must simultaneously file an appeal with EEOC and attach a copy of the appeal to the final order. 29 C. F.R. Section 1614.110(a).

When an AJ has not issued a decision (i.e., when an agency dismisses an entire complaint under 1614.107, receives a request for an immediate final decision, or does not receive a reply to the notice providing the complainant the right to either request a hearing or an immediate final decision), the agency must take final action by issuing a final decision. The agency's final decision will consist of findings by the agency on the merits of each issue in the complaint. Where the agency has not processed certain allegations in the complaint for procedural reasons set out in 29 C.F.R. Section 1614.107, it must provide the rationale for its decision not to process the allegations. The agency's decision must be issued within 60 days of receiving notification that the complainant has requested an immediate final decision. The agency's decision must contain notice of the complainant's right to appeal to the EEOC, or to file a civil action in federal court. 29 C.F.R. Section 1614.110(b).

I. Appeals to the EEOC

Several types of appeals may be brought to the EEOC. A complainant may appeal an agency's final action or dismissal of a complaint within 30 days of receipt. 29 C.F.R. Sections 1614.401 (a), 1614.402(a). A complainant may also appeal to the EEOC for a determination as to whether the agency has complied with the terms of a settlement agreement or decision. 29 C.F.R. Section 1614.504(b). A grievant may appeal the final decision of the agency, arbitrator or the FLRA on a grievance when an issue of employment discrimination was raised in the grievance

procedure. 29 C.F.R. Section 1614.401(d). If the agency's final action and order do not fully implement the AJ's decision, the agency must appeal to the EEOC. 29 C.F.R. Section 1614.110 (a); 29 C.F.R. Section 1614.401(b).

If the complaint is a class action, the class agent or the agency may appeal an AJ's decision accepting or dismissing all or part of the class complaint. A class agent may appeal a final decision on a class complaint. A class member may appeal a final decision on an individual claim for relief pursuant to a finding of class-wide discrimination. Finally, both the class agent or the agency may appeal from an AJ decision on the adequacy of a proposed settlement of a class action. 29 C.F.R. Section 1614.401(c).

Appeals must be filed with EEOC's Office of Federal Operations (OFO). Any statement or brief on behalf of a complainant in support of an appeal must be submitted to OFO within 30 days of filing the notice of appeal. Any statement or brief on behalf of the agency in support of its appeal must be filed within 20 days of filing the notice of appeal. An agency must submit the complaint file to OFO within 30 days of initial notification that the complainant has filed an appeal or within 30 days of submission of an appeal by the agency. Any statement or brief in opposition to an appeal must be submitted to OFO and served on the opposing party within 30 days of receipt of the statement or brief supporting the appeal, or, if no statement or brief supporting the appeal has been filed, within 60 days of receipt of the appeal. 29 C.F.R. Section 1614.403. EEOC has the authority to draw adverse inferences against a party failing to comply with its appeal procedures or requests for information. 29 C.F.R. Section 1614.404(c). The decision on an appeal from an agency's final action is based on a de novo review, except that the review of the factual findings in a decision by an AJ is based on a substantial evidence standard of review. 29 C.F.R. Section 1614.405(a).

A party may request that EEOC reconsider its decision within 30 days of receipt of the Commission's decision. Such requests are not a second appeal, and will be granted only when the previous EEOC decision involved a clearly erroneous interpretation of material fact or law; or when the decision will have a substantial impact on the policies, practices or operations of the agency. 29 C.F.R. Section 1614.405(b). The EEOC's decision will be based on a preponderance of the evidence. The decision will also inform the complainant of his or her right to file a civil action.

J. Civil Actions

Prior to filing a civil action under Title VII of the Civil Rights Act of 1964 or the Rehabilitation Act of 1973, a federal sector complainant must first exhaust the administrative process set out at 29 C.F.R. Part 1614. "Exhaustion" for the purposes of filing a civil action may occur at different stages of the process. The regulations provide that civil actions may be filed in an appropriate federal court: (1) within 90 days of receipt of the final action where no administrative appeal has been filed; (2) after 180 days from the date of filing a complaint if an administrative appeal has not been filed and final action has not been taken; (3) within 90 days of receipt of EEOC's final decision on an appeal; or (4) after 180 days from the filing of an appeal with EEOC if there has been no final decision by the EEOC. 29 C.F.R. Section 1614.407.

Under the Age Discrimination in Employment Act (ADEA), a complainant may proceed directly to federal court after giving the EEOC notice of intent to sue. 29 C.F.R. Section 1614.201. An ADEA complainant who initiates the administrative process in 29 C.F.R. Part 1614 may also file a civil action within the time frames noted above. 29 C.F.R. Section 1614.407.

Under the Equal Pay Act, a complainant may file a civil action within 2 years (3 years for willful violations), regardless of whether he or she has pursued an administrative complaint. 29 C.F.R. Section 1614.408. Filing a civil action terminates EEOC processing of an appeal. 29 C.F.R. Section 1614.409.

K. Class Complaints

Class complaints of discrimination are processed differently than individual complaints. See 29 C. F.R. Section 1614.204. The employee or applicant who wishes to file a class complaint must first seek counseling and be counseled, just like an individual complaint. However, once counseling is completed the class complaint is not investigated by the respondent agency. Rather, the complaint is forwarded to the nearest EEOC Field or District Office, where an EEOC AJ is appointed to make decision as to whether to accept or dismiss the class complaint. The AJ examines the class to determine whether it meets the class certification requirements of numerosity, commonality, typicality and adequacy of representation. The AJ may issue a decision dismissing the class because it fails to meet any of these class certification requirements, as well as for any of the reasons for dismissal discussed above for individual complaints (see section 5, above).

A class complaint may begin as an individual complaint of discrimination. At a certain point, it may become evident that there are many more individuals than the complainant affected by the issues raised in the individual complaint. EEOC's regulations provide that a complainant may move for class certification at any reasonable point in the process when it becomes apparent that there are class implications to the claims raised in an individual complaint. 29 C.F.R. Section 1614.204(b).

The AJ transmits his or her decision to accept or dismiss a class complaint to the class agent and the agency. The agency must then take final action by issuing a final order within 40 days of receipt of the AJ's decision. The final order must notify the agent whether or not the agency will implement the decision of the AJ. If the agency's final order does not implement the AJ's decision, the agency must simultaneously appeal the AJ's decision to EEOC's OFO. A copy of the agency's appeal must be appended to the agency's final order. 29 C.F.R. Section 1614.204(d)(7).

A dismissal of a class complaint shall inform the class agent either that the complaint is being filed on that date as an individual complaint and processed accordingly, or that the complaint is also dismissed as an individual complaint for one of the reasons for dismissal (discussed in section E, above). In addition, a dismissal must inform the class agent of the right to appeal to EEOC's OFO or to file a civil action in federal court.

When a class complaint is accepted, the agency must use reasonable means to notify the class members of the acceptance of the class complaint, a description of the issues accepted as part of the complaint, an explanation of the binding nature of the final decision or resolution on the class members, and the name, address and telephone number of the class representative. 29 C. F.R. Section 1614.204(e). In lieu of an investigation by the respondent agency, an EEOC AJ develops the record through discovery and a hearing. The AJ then issues a recommended decision to the agency. Within 60 days of receipt of the AJ's recommended decision on the merits of the class complaint, the agency must issue a final decision which either accepts, rejects or modifies the AJ's recommended decision. If the agency fails to issue such a decision within that time frame, the AJ's recommended decision becomes the agency's final decision in the class complaint.

When discrimination is found in the final decision and a class member believes that he or she is entitled to relief, the class member may file a written claim with the agency within 30 days of receipt of notification by the agency of its final decision. The EEOC AJ retains jurisdiction over the complaint in order to resolve disputed claims by class members. The claim for relief must contain a specific showing that the claimant is a class member entitled to relief. EEOC's regulations provide that, when a finding of discrimination against a class has been made, there is a presumption of discrimination as to each member of the class. The agency must show by clear and convincing evidence that any class member is not entitled to relief. The agency must issue a final decision on each individual claim for relief within 90 days of filing. Such decision may be appealed to EEOC's OFO, or a civil action may be filed in federal court. 29 C.F.R. Section 1614.204(l)(3).

A class complaint may be resolved at any time by agreement between the agency and the class agent. Notice of such resolution must be provided to all class members, and reviewed and approved by an EEOC AJ. If the AJ finds that the proposed resolution is not fair to the class as a whole, the AJ will issue a decision vacating the agreement, and may replace the class agent with some other eligible class member to further process the class complaint. Such decision may be appealed to EEOC. If the AJ finds that the resolution is fair to the class as a whole, the resolution is binding on all class members. 29 C.F.R. Section 1614.204(g).

L. Grievances

Persons covered by collective bargaining agreements which permit allegations of discrimination to be raised in the grievance procedure, and who wish to file a complaint or grievance on an allegation of employment discrimination, must elect to proceed either under the procedures of 29 C.F.R. Part 1614 or the negotiated grievance procedures, but not both. 29 C.F.R. Section 1614.301(a). An election to proceed under Part 1614 is made by the filing of a complaint, and an election to proceed under the negotiated grievance procedures is made by filing a grievance. Participation in the pre-complaint procedures of Part 1614 is not an election of the 1614 procedures. The election requirement does not apply to employees of agencies not covered by 5 U.S.C. Section 7121(d), notably employees of the United States Postal Service.

M. Mixed Case Complaints

Some employment actions which may be the subject of a discrimination complaint under Part 1614 may also be appealed to the Merit Systems Protection Board (MSPB). In such cases, the employee must elect to proceed with a complaint as a "mixed case complaint" under Part 1614, or a "mixed case appeal" before the MSPB. Whichever is filed first is considered an election to proceed in that forum. 29 C.F.R. Section 1614.302.

Mixed case complaints are processed similarly to other complaints of discrimination, with the following notable exceptions: (1) the agency has only 120 days from the date of the filing of the mixed case complaint to issue a final decision, and the complainant may appeal the matter to the MSPB or file a civil action any time thereafter; (2) the complainant must appeal the agency's decision to the MSPB, not the EEOC, within 30 days of receipt of the agency's decision; (3) at the completion of the investigation the complainant does not have the right to request a hearing before an EEOC AJ, and the agency must issue a decision within 45 days. 29 C.F.R. Section 1614.302(d). Individuals who have filed either a mixed case complaint or a mixed case appeal, and who have received a final decision from the MSPB, may petition the EEOC to review the

MSPB final decision.

In contrast to non-mixed matters, individuals who wish to file a civil action in mixed-case matters must file within 30 days (not 90) of receipt of: (1) the agency's final decision; (2) the MSPB's final decision; or (3) the EEOC's decision on a petition to review. Alternatively, a civil action may be filed after 120 days from the date of filing the mixed case complaint with the agency or the mixed case appeal with the MSPB if there has been no final decision on the complaint or appeal, or 180 days after filing a petition to review with EEOC if there has been no decision by EEOC on the petition. 29 C.F.R. Section 1614.310..

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APPENDIX III
FEDERAL AGENCY EFFICIENCY AND RESPONSIVENESS TABLE

Since October 31, 2004 fell on a Sunday, in 2004, the Form 462 was considered timely filed if certified by appropriate agency personnel on or before November 1, 2004, unless the agency requested and was granted an extension. The last day for timely certification by agencies granted an extension was November 15, 2004.

EEOC Form 715-01 was considered timely filed if postmarked or received on or before January 31, 2005, or on or before the due date established in a grant of an extension request. Requests for extensions were granted in only the rarest of circumstances.

Department or Agency Second Level Reporting Component ★ **Timely Filed** ■ **Timely Requested Extension Granted** ☆ **Filed after 1/31/05 N/R Not Required to File Directly to EEOC**	**Timely Filed:**	
	FORM 715-01	**FORM 462**
African Development Foundation	☆	
Agency for International Development		
Agriculture, Department of	★	★
Second Level Reporting Components:	■	■
Agricultural Marketing Service	★	N/R
Agricultural Research Service	☆	N/R
Animal and Plant Health Inspection Service	★	N/R
Farm Service Agency	★	N/R
Food and Nutrition Service	★	N/R
Food Safety and Inspection Service	★	N/R
Forest Service	★	N/R
National Finance Center	☆	N/R
Natural Resources Conservation Service	★	N/R
National Agricultural Statistics Service	★	N/R
Rural Development	☆	N/R

Air Force, Department of the		★
American Battle Monuments Commission		★
Appalachian Regional Commission		
Architectural & Transportation Barriers Compliance Board	☆	★
Army & Air Force Exchange Service	☆	★
Army, Department of the	★	★
Broadcasting Board of Governors		★
Central Intelligence Agency	☆	★
Chemical Safety & Hazard Investigation Board		
Commission on Civil Rights	☆	★
Committee for Purchase From People who are Blind or Severely Disabled	☆	★
Commerce, Department of		★
Second Level Reporting Components:		
Bureau of the Census		N/R
International Trade Administration		N/R
National Institute of Standards & Technology	☆	N/R
National Oceanic & Atmospheric Administration		N/R
Patent and Trademark Office		N/R
Commodity Futures Trading Commission	★	★
Consumer Product Safety Commission	★	★
Corporation for National Service	☆	
Court Services & Offender Supervision Agency	☆	
Defense [Summary - Independent DOD agencies]		
Defense Commissary Agency	☆	★
Defense Contract Audit Agency	☆	★
Defense Contract Management Agency	★	★
Defense Education Activity	★	★
Defense Finance & Accounting Service		★
Defense Human Resources Activity		★
Defense Information Systems Agency		★
Defense Inspector General	★	★
Defense Intelligence Agency	☆	★

Defense Logistics Agency	☆	★
Defense National Geospatial-Intelligence Agency	★	★
Defense National Guard Bureau	■	★
Defense National Security Agency		★
Defense Nuclear Facilities Safety Board	★	★
DOD Office of the Secretary	☆	★
Defense Security Service		★
Defense Threat Reduction Agency	★	★
Defense Uniformed Services University of Health Sciences		★
Education, Department of		★
Energy, Department of	★	★
Environmental Protection Agency	★	★
Equal Employment Opportunity Commission	★	★
Executive Office of the President:		★
EOP- Council of Economic Advisors		★
EOP- Council on Environmental Quality		★
EOP- National Security Council		★
EOP- Office of Administration		★
EOP- Office of Management and Budget		★
EOP- U.S. Trade Representative		★
EOP- National Drug Control Policy		★
EOP- Office of Science & Technology		★
Export-Import Bank of the U.S.	★	★
Farm Credit Administration		★
Federal Communications Commission	★	★
Federal Deposit Insurance Corporation	★	★
Federal Election Commission	★	★
Federal Energy Regulatory Commission	☆	★
Federal Housing Finance Board	☆	★
Federal Labor Relations Authority		★
Federal Maritime Commission	■	★

Federal Mediation & Conciliation Service		
Federal Mine Safety & Health Commission	★	★
Federal Reserve System Board of Governors	■	★
Federal Retirement Thrift Investment Board		★
Federal Trade Commission		★
General Services Administration	★	★
Government Printing Office	N/A	★
Harry S. Truman Scholarship	★	
Health & Human Services		★
Second Level Reporting Components:		
Centers for Disease Control and Prevention	★	N/R
Centers for Medicare & Medicaid Services	★	N/R
Food and Drug Administration	☆	N/R
Health Resources and Services Administration	☆	N/R
Indian Health Service	■	N/R
National Institutes of Health	★	N/R
Homeland Security, Department of		★
Second Level Reporting Components:		
Bureau of Citizenship and Immigration Services	☆	N/R
Bureau of Customs & Border Protection	☆	N/R
Department of Homeland Security Headquarters		N/R
Federal Emergency Management Agency	☆	N/R
Federal Law Enforcement Training Center	★	N/R
Citizenship and Immigrations Services	☆	N/R
Transportation Security Administration	☆	N/R
United States Coast Guard	☆	N/R
United States Secret Service	★	N/R
Housing & Urban Development, Department of	☆	★
Institute for Museum and Library Services		★
Inter-America Foundation		★
Interior, Department of the	☆	★
Second Level Reporting Components:		

Bureau of Indian Affairs		N/R
Bureau of Land Management	☆	N/R
Bureau of Reclamation	☆	N/R
Fish and Wildlife Service	☆	N/R
Geological Survey	☆	N/R
Minerals Management Service	☆	N/R
National Park Service	☆	N/R
Office of Surface Mining Reclamation and Enforcement	☆	N/R
International Boundary & Water Commission	☆	★
International Trade Commission	☆	★
John F. Kennedy Center for the Performing Arts		★
Japan-U.S. Friendship Commission	★	★
Justice, Department of		★
Second Level Reporting Components:		
Bureau of Alcohol, Tobacco, Firearms, and Explosives		N/R
Drug Enforcement Administration	★	N/R
Executive Office of the U.S. Attorneys	☆	N/R
Federal Bureau of Investigation	★	N/R
Federal Bureau of Prisons	★	N/R
U.S. Marshals Service	☆	N/R
Labor, Department of	★	★
Second Level Reporting Components:		
Bureau of Labor Statistics	★	N/R
Employment Standards Administration	★	N/R
Employment and Training Administration	★	N/R
Mine Safety & Health Administration	★	N/R
Occupational Safety & Health Administration	★	N/R
Marine Mammal Commission		
Merit Systems Protection Board	☆	★
National Aeronautics & Space Administration	☆	★
Second Level Reporting Components:		
Ames Research Center	★	N/R

Dryden Flight Center	★	N/R
Glenn Research Center	★	N/R
Goddard Space Flight Center	★	N/R
Johnson Space Center	★	N/R
Kennedy Space Center	★	N/R
Langley Research Center	★	N/R
Marshall Flight Center	★	N/R
Stennis Space Center	★	N/R
National Archives & Records Administration		★
National Capital Planning Commission		★
National Credit Union Administration	★	★
National Committee on Library & Information Science		
National Council on Disability		★
National Endowment for the Arts	★	★
National Endowment for the Humanities	★	★
National Gallery of Art	★	★
National Labor Relations Board		★
National Mediation Board		★
National Reconnaissance Office	★	N/R
National Science Foundation	★	★
National Transportation Safety Board		
Navajo & Hopi Indian Relocation Commission		★
Navy, Department of the	★	★
Nuclear Regulatory Commission	☆	
Occupational Safety & Health	★	
Office of Government Ethics	☆	★
Office of Personnel Management		★
Overseas Private Investment Corporation	★	★
Office of Special Counsel, U.S.		★
Peace Corps of the United States	★	★
Pension Benefit Guaranty Corporation	★	★

Postal Rate Commission		★
Railroad Retirement Board	★	★
Securities & Exchange Commission	★	★
Selective Service System	☆	
Small Business Administration	☆	★
Smithsonian Institution	★	★
Social Security Administration	★	★
State, Department of	■	★
Tennessee Valley Authority		★
Trade and Development Agency	☆	★
Transportation, Department of		★
Second Level Reporting Components:		
Federal Aviation Administration		N/R
Federal Highway Administration		N/R
Treasury, Department of the	☆	★
Second Level Reporting Components:		
Bureau of Engraving and Printing		N/R
Bureau of Public Debt		N/R
Financial Management Service	☆	N/R
Internal Revenue Service	☆	N/R
Office of the Comptroller of the Currency	☆	N/R
Office of Chief Counsel, Internal Revenue Service	☆	N/R
Office of Thrift Supervision		N/R
U.S. Mint	☆	N/R
U.S. Holocaust Memorial Museum	☆	★
U.S. Armed Forces Retirement Home		★
U.S. Postal Service	■	
Second Level Reporting Components:		
Headquarters	■	
New York Metro Area Office	■	
Northeast Area Office	■	
Eastern Area Office	■	

Western Area Office	■	
Pacific Area Office	■	
Southwest Area Office	■	
Southeast Area Office	■	
Great Lakes Area Office	■	
Capital Metro Operations	■	
United States Tax Court	★	★
Veterans Affairs, Department of	★	★
Second Level Reporting Components:		
Veterans Health Administration	★	
Veterans Benefits Administration	★	
National Cemetery Administration	★	

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Figure 1 - Average Grade in the General Schedule FY 2004

Men	10.69
Women	9.10
White	10.28
Black	8.87
Hispanic	9.20
Asian/Pacific Islander	10.05
American Indian/Alaskan Native	8.30
Persons with Targeted Disabilities	8.35

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Figure 2 - Counseling to Formal Complaints Filed FY 2000 - FY 2004

	FY 2000*	FY 2001	FY 2002	FY 2003	FY 2004
Instances of Counseling	52,611	47,658	56,275	45,030	42,412
Complaints Filed	24,524	23,301	21,945	20,226	19,024
Individuals/ Complainants	22,834	17,676	17,348	18,077	17,878

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Figure 3 - ADR Usage in the Pre-Complaint Process FY 2000 - FY 2004

	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004
Counseled	52,611	47,658	56,275	45,030	42,412
Offered ADR			26,185	32,864	33,735
Participated in ADR	22,026	19,124	12,800	19,075	18,381

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Attaining a Model Agency Program: Efficiency

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Dismissal/Acceptance Stage

- Timeliness Requirements in Staff Performance Plans Produced Quicker Decisions to Accept/Dismiss a Complaint
- Emphasis on Legal Sufficiency of Decision Enhanced Affirmance Rate

Investigation Stage

- Timely Contract Procurement Hastened the Start of the Investigation
- Short Time Frames in Contracts Lead to Quicker Investigations
- Agency Complaints Manager Involvement Essential to Vendor Performance
- Incentives/Penalties Motivate Vendors to Perform
- Fees-for-Services Motivate Better Behavior By Program Managers

Timely Legal Sufficiency Reviews Help Ensure A Quality Work Product

Final Agency Actions

Short Time Frames Produced Quick Results

One-Stop Shopping For Investigations and Final Decisions Produced Quick Results

Eliminating Backlog Key to Improved Average Processing Times

Effective Complaints Tracking and Monitoring System

Conclusion

INTRODUCTION

The United States Equal Employment Opportunity Commission's (EEOC) Management Directive 715 (MD-715) is the first directive issued by EEOC that identifies the Essential Elements for structuring model equal employment opportunity (EEO) programs. Attainment of a model EEO program provides an agency with the necessary foundation for achieving a discrimination-free work environment.

A discrimination-free work environment, characterized by an atmosphere of inclusion and free and open competition for employment opportunities, is the ultimate goal of MD-715 and the federal government. MD-715 provides a roadmap for creating effective EEO programs for all federal employees as required by Title VII, as amended, 42 U.S.C. § 2000e *et seq*., and Section 501 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 791 *et seq*.

There are six Essential Elements for maintaining model Title VII and Rehabilitation Act programs. They are as follows:

- Demonstrated commitment from agency leadership
- Integration of EEO into the agency's strategic mission
- Management and program accountability
- Proactive prevention of unlawful discrimination
- Efficiency
- Responsiveness and legal compliance

Each of these Essential Elements is thoroughly discussed in MD-715. In this report, the Commission focuses on complaint processing aspects of the Essential Element of "Efficiency."

As set forth in greater detail in MD-715, to achieve the Essential Element of Efficiency in complaints processing, agencies must, among other things, maintain a fair and impartial complaint resolution process which is conducted expeditiously with the necessary resources. By recognizing practices which

the identified agencies believe help achieve this goal and sharing with other federal agencies the information learned, EEOC seeks to improve EEO programs throughout the federal government and to further the goal that the federal government becomes a model employer.

BACKGROUND

In its regulations, EEOC has identified timeliness benchmarks for some operations of the administrative complaints process. These benchmarks require agencies to complete the operations in as short a time as possible: 30 to 90 days to timely conduct and conclude EEO counseling (29 C.F.R. § 1614.105) and 180 days to conduct and conclude an investigation (29 C.F.R. § 1614.108). The acceptance and dismissal of complaints (29 C.F.R. § 1614.107) has no specific regulatory benchmark, but needs to be performed in as short a time frame as possible in order to meet the investigative deadline. Finally, regulations require that final agency actions that do not follow a decision by an administrative judge be issued within 60 days of receiving notification from complainant that s/he is requesting an immediate decision from the agency or from the end of the period for complainant to request a hearing when no response has been received from complainant.[(1)] 29 C.F.R. § 1614.110(b).

From agency data contained in EEOC's fiscal year 2003 Annual Report on the Federal Workforce, EEOC examined data for 95 agencies[(2)] to determine the extent to which they demonstrated timeliness in the way they performed complaint processing activities. EEOC also sought to determine if there were any commonalities or differences in how they performed their complaint processing activities based on the size of the agency, and focused the inquiry on size as follows:

0 - 999 employees (38 agencies)
1,000 - 9,999 employees (28 agencies)
10,000 - 19,999 employees (14 agencies)
20,000 - 99,999 employees (8 agencies)
100,000 - 250,000 employees (8 agencies)

From this list, EEOC identified agencies of varying sizes who produced results in short time frames in one or more factors (EEO counseling, dismissals, investigations and final actions)[(3)] and interviewed the appropriate agency officials to learn how the agencies achieved their success.[(4)] Based on these interviews, we report our survey results about case management in counseling, dismissals, investigations and final agency actions. Although agencies identified many practices which led to their success in the timely processing of EEO complaints, we learned that one trend was common to all areas of complaints processing for most agencies: vigilant management controls which focused on ensuring progress at each step of the complaints process led to shorter processing times.

MAINTENANCE OF AN EFFICIENT COMPLAINT RESOLUTION PROCESS

COUNSELING STAGE

Pursuant to 29 C.F.R. § § 1614.105(d) and (e), an EEO Counselor must conclude counseling within 30 days of the date the aggrieved person contacted the EEO Office to request counseling, unless the aggrieved person agrees to a longer counseling period or chooses ADR. Under no circumstances may counseling extend beyond 90-days.

In measuring success in timely counseling, we looked to whether an agency met the 30- day and 90-day standard, recognizing that the 30-day time-frame could be exceeded at the complainant's request, and thus the agency could not always control its ability to meet the 30-day time frame.[(5)]

- **Performance-Based Accountability and Commitment to Early Resolution of Disputes Produced Results**

  Some agencies asserted they achieved success in completing timely EEO counseling by instituting performance-based accountability measures and receiving a strong commitment from the agency head and senior management to alternative resolution of disputes during the counseling stage. For example, the Smithsonian Institution (Smithsonian), which completed 97% of its counseling within the regulatory time frames in 2003, reported several factors that accounted for its success in this area:

  - First, a timeliness requirement was written into the EEO office performance goals. Office goals required meeting the regulatory 30- and 90-day limits. The counselors reported that this timeliness element helped them stay focused on time-frames.
  - Second, the Secretary embraced early complaint resolution and devoted resources to the early resolution of all employment-based complaints. As a result, Smithsonian reported that it was able to significantly increase the percentage of EEO counseling contacts that did not result in the filing of a formal complaint from 30% in FY 2002 to 50% in FY 2003.
  - Third, Smithsonian reported that non-EEO related workplace controversies were diverted to an Ombuds office, which worked cooperatively with the EEO office to resolve these controversies before they resulted in EEO counseling pursuant to 29 C.F.R. § 1614.105.
  - Finally, Smithsonian pointed to its efforts to communicate equality of opportunity throughout the agency, noting that it had in place updated diversity and anti-harassment policies signed by the Secretary; introduced the concept of non-discrimination and equality of employment opportunity at all new-employee orientation classes; provided all new supervisors with two days of EEO training; and required all employees to take an anti-harassment course once every three years.

  The Department of State (State) consistently reported, from 2001 to 2003, that the percentage of its workforce seeking counseling was below the national average.[(6)] State attributed this success to its Secretary's commitment to EEO. Dedication of resources to the agency's EEO office provided for early intervention through ADR, and also included an Ombud's program, which allowed non-EEO related workplace controversies to be diverted from the EEO counseling system. State reported that 90% of referrals to the Ombud's office were successfully resolved.

  Additional techniques implemented by State to improve counseling included the following:

  - State's collateral duty EEO counselors reported to a single manager whose performance plan included a timeliness component. Accordingly, that manager had an incentive to ensure that each counselor made every effort to comply with the statutory requirement.
  - State implemented a "three strikes and you're out" policy, where a collateral duty counselor who turned in a tardy or inferior work product three times had his/her collateral duties terminated.
  - State required that its volunteer EEO counselors be contributing members of the work

force, respected by colleagues and experienced in the program where they worked. This effort was expected to enhance the agency's ability to ensure that competent staff assumed EEO counselor collateral duties.

- **Recognition of Good Performance For Collateral Duty Counselors Can Help Motivate Staff**

  The Defense Finance and Accounting Service (DFAS), which uses collateral duty EEO counselors reported that it placed value on recognizing good performance in that function. Because the EEO office had no direct input into the performance appraisals of its collateral duty counselors, it had to devise an alternative way to reward and reinforce the counselors' good performance. DFAS did this by rewarding the counselors with on-the-spot cash awards, letters to supervisors, luncheon events and awards presentations. In 2001, DFAS completed 91% counselings in 90 days; by 2003, DFAS completed 97% of its counselings in 90 days, despite a 44% increase in the number of counselings conducted in 2003.

DISMISSAL/ACCEPTANCE STAGE

After receipt of the EEO Counselor's report, an agency should either accept or dismiss a complaint within a reasonable amount of time. Equal Employment Opportunity Management Directive for 29 C.F. R. Part 1614. (EEO MD-110), Ch. 5, at 5-1 (Nov. 9, 1999). An investigation following acceptance must be completed within 180 days of the filing of the complaint. Clearly, the sooner the accept/dismiss decision is made, the sooner the investigation can begin.

- **Timeliness Requirements in Staff Performance Plans Produced Quicker Decisions to Accept/Dismiss a Complaint**

  Smithsonian, State and Department of Veterans Affairs (VA) reported imposition of time elements in EEO professionals' performance plans, and believed that this kept staff focused on the goal.[(7)] Smithsonian and State showed dramatic improvements from 2001 to 2003 in timely processing dismissals: in 2001, State dismissed 13 complaints in 344 days; by 2003, State dismissed 35 complaints in 86 days. Similarly, in 2001, Smithsonian dismissed 6 complaints in 346 days, and by 2003, it dismissed 4 complaints in 54 days. The VA's achievements in this area pre-dated 2001. From 2001 to 2003, VA consistently issued the bulk of its dismissal determinations in record time:

  2001: 569 complaints dismissed in 66 days;
  2002: 449 complaints dismissed in 54 days;
  2003: 429 complaints dismissed in 82 days.

  In addition, six agencies reported agency goals of accepting/dismissing a complaint within a short time frame:

  10 days for Department of Transportation (DOT);
  15 days for National Aeronautics and Space Administration (NASA), Department of the Air Force, and Department of the Army; 30 days for Tennessee Valley Authority (TVA); and 45 days for Department of the Treasury (Treasury).

  Each of these agencies dramatically improved processing time for dismissals from 2001 to 2003:

	2001		2002		2003	
	# Dismissals	Avg. Days	# Dismissals	Avg. Days	# Dismissals	Avg. Days
DOT	254	218	148	131	106	107
NASA	4	356	11	221	17	200
Air Force	121	276	86	224	77	136
Army	156	206	251	122	145	74
TVA	7	283	7	225	15	154
Treasury	377	190	337	127	272	120

- **Emphasis on Legal Sufficiency of Decision Enhanced Affirmance Rate**

  State reported two major reasons for a greatly improved processing time in accepting/ dismissing complaints. In addition to imposing time elements in its EEO professionals' performance plans, this agency has full-time attorneys among its staff in the civil rights office to review all formal complaints for acceptance/dismissal and to write all dismissal decisions, and it provided EEOC case law in its analyses to support its dismissal decisions. As a result of these two actions, the agency saw a decrease in EEOC reversals of dismissals on appeal, from a 56% reversal rate in 1999 to 34% in 2003. State believes that its provision of sound legal advice enhanced its ability to produce an accurate product.

INVESTIGATION STAGE

Long investigative delays may impede the primary goal of the investigative process: to gather sufficient evidence to permit a determination of whether unlawful discrimination occurred. Such delays can also result in stale witness memories or lost documents.

EEOC regulation 29 C.F.R. § 1614.106(e)(2) requires agencies to conduct an investigation and issue a report to the complainant within 180 days of the filing of the complaint unless the parties agree in writing to extend the time period. If the parties agree to an extension, they can extend the investigative period by not more than an additional 90 days, to a maximum of 270 days to complete the investigation.

An amended or consolidated complaint can also add 180 days onto the processing of a complaint. In no event can an investigation continue beyond 360 days.[(8)] 29 C.F.R. § 1614.106(e)(2).

The agency may also extend the time period or any period of extension for up to 30 days to sanitize a complaint file containing information classified pursuant to Executive Order No. 12356, or successor orders, in the interest of national defense or foreign policy. 29 C.F.R. § 1614.108(e).

The agencies in this survey largely used contract investigators. The 2003 Annual Report shows that 12 agencies conducted no investigations; 56 agencies used only contract investigators; 27 agencies (including the U.S. Postal Service) either investigated with their own staff or used a combination of in-house staff and contractors.

EEOC has identified several factors which it has found impact the quality and timeliness of EEO

investigations. For each of the agencies identified below, investigations were either sharply reduced in average time from 2001 to 2003, or consistently averaged fewer than 180 days from 2001 - 2003:

- **Timely Contract Procurement Hastened the Start of the Investigation**

  A common problem which resulted in extended investigation times involved delays in the procurement stage for contract investigators. Among those agencies with success in conducting timely investigations, some the Federal Communications Commission (FCC), General Services Administration (GSA), the National Gallery of Art (NGA) and Smithsonian awarded contracts on a case-by-case basis, and usually within five days of acceptance of the complaint. The Department of Health and Human Services (HHS) and TVA benefitted from executing blanket purchase agreements (one agreement provided for many investigations at a set rate).

- **Short Time Frames in Contracts Lead to Quicker Investigations**

  Ten agencies DFAS, FCC, GSA, HHS, National Archives and Records Administration (NARA), NASA, NGA, Smithsonian, State and TVA reported that their contract terms required a short turn-around for delivery of the report of investigation, ranging from 45 days to 120 days of assignment receipt.

  Additionally, complaints managers at NARA, Smithsonian, State and TVA had timeliness elements included in their performance plans for delivery of the completed investigation.

- **Agency Complaints Manager Involvement Essential to Vendor Performance**

  Some agencies (FCC, GSA, NGA, and State) laid the groundwork for the investigator by obtaining documents and calling employees to notify them that they would be interviewed by the investigator. Others (GSA and Smithsonian) required weekly status reports from investigators, including submission of an investigative plan and all investigative questions, along with a list of witness contacts and document requests. Coordination of these activities by the complaints manager, and constant monitoring of the vendor's progress helped the agency to produce a timely, quality work product.

- **Incentives/Penalties Motivate Vendors to Perform**

  Some agencies reported including penalty provisions in contract terms providing that the vendor would not earn as much if the investigation was untimely. One agency (HHS) applied an "interruption schedule" to contracts, to account for complainants who would amend or withdraw their complaints.

  This "interruption schedule" allowed the agency to account for the newly created or suddenly diminished work for the investigator without executing another contract. If a complaint was amended before the investigator completed the complainant's affidavit, the agency would pay an additional 15% on the contract, to account for the additional work the investigator would have to do to collect information on the amended claim. If a complaint was amended at a point beyond completion of the complainant's affidavit, the agency would pay an additional 60% to account for the additional work, and if the investigation was completed, but not yet copied or delivered, the agency would pay an additional 90% to account for the additional work to investigate the amended claim.

A similar schedule applied to withdrawals: if a complainant withdrew a complaint after the investigator completed the complainant's affidavit but before other work was completed, the agency would pay 15% of the contract. If the complainant withdrew the complaint beyond completion of the complainant's affidavit but before completion of the investigation, the agency paid 60% of the contract, and if the complainant withdrew the complaint after the investigation was completed but before copying and delivery was completed, the agency paid 90% of the contract.

- **Fees-for-Services Motivate Better Behavior By Program Managers**

A number of agencies (DFAS, GSA, NARA and Smithsonian) had a fee-for- service arrangement with the program offices from which the complaint arose. This arrangement allowed the EEO office to charge the cost of the investigation back to the program office. Three agencies (GSA, NARA, and Smithsonian) reported that, in their experience, this arrangement motivated the managers in the various program offices to think about their actions before they acted, and provided them an incentive to resolve matters early in the process before costs increased. State reported that while the EEO office absorbed the cost of the investigation, it charged the cost of a settlement or award to the program office where the complaint arose. By doing so, managers were able to see that settlement costs were low when compared with costs awarded by EEOC; this provided additional incentive for settlement.

- **Timely Legal Sufficiency Reviews Help Ensure A Quality Work Product**

All agencies reported that they reviewed investigations for the quality of the work product. FCC, GSA, HHS, NARA, NGA, Smithsonian, and TVA expected a 5-day turn-around on a rejected work product. DFAS and NASA gave the investigator up to 15 days to return a completed work product.

HHS did not pay the invoice until the investigation was completed satisfactorily, and State had its own legal staff in the EEO office to review, among other things, the quality of contractor work-product. GSA worked with an individual from its Office of General Counsel who was dedicated to the EEO Office as a "firewall counsel." This individual provided advice to GSA's EEO Office independent of the Office of General Counsel, and did not take an advocacy position on behalf of the agency.

FINAL AGENCY ACTIONS

For a complaint which has not been amended, where the parties do not participate in alternative dispute resolution (ADR), and which does not go to hearing, the shortest amount of time for processing to final agency action would be approximately 270 days:

180 days for investigation,
30 days to determine if a complainant wants a hearing, and
60 days to issue a final agency decision.

- **Short Time Frames Produced Quick Results**

Agencies in our survey which produced timely final decisions reported that they used a combination of in-house staff and contract workers to produce the final decisions. For example,

DoDEA (15 final decisions issued within an average of 193 days of the regulatory trigger) divided the writing work between employees and contractors, and had check-writing authority for amounts under $2500. As a result, DoDEA was able to quickly contract with a vendor when necessary. The terms of the contract were 30 days.

- **One-Stop Shopping For Investigations and Final Decisions Produced Quick Results**

  FCC (10 final decisions issued within an average of 82 days of the regulatory trigger) reported that the same contractor who investigated the complaint also wrote a draft of the final decision. FCC routinely paid investigators an extra 16% of the contract to draft a final decision which was then delivered along with the report of investigation. If the complainant requested a hearing, the final decision was not used, but if the complainant requested a final decision, then after review and consideration by appropriate staff within the agency, the agency could issue the final decision quickly.

- **Eliminating Backlog Key to Improved Average Processing Times**

  Several agencies reported that their success in eliminating the backlog was key to producing timely decisions. These agencies focused their resources on backlog projects, and once the very oldest cases were cleared from the docket, average processing times reduced dramatically.

EFFECTIVE COMPLAINTS TRACKING AND MONITORING SYSTEM

Under 29 C.F.R. § 1614.602(a), federal agencies have an obligation to report to EEOC information concerning pre-complaint counseling and the status, processing, and disposition of complaints at such times and in such manner as EEOC prescribes. The Commission has mandated that agencies report to the EEOC all data relating to the EEO process in their Annual Federal Equal Employment Opportunity Statistical Report of Discrimination Complaints (the "462 Report").

As such, it is essential that agencies have a case tracking system to capture data for the 462 Report. Moreover, EEOC has found that an accurate, accessible, verifiable and comprehensive case tracking system is essential for managing an effective and timely program complaint processing program.

Development of internal time frames for each step of the complaint process and regular monitoring of them for compliance reduces complaint processing times. The lack of an effective and accurate data collection system increases complaint processing time, impairs management's ability to identify and correct deficiencies in complaint processing, and obscures the actual work load of the EEO staff.

Almost all agencies reviewed in this study used a complaints tracking system. Some used elementary data bases such as spread sheets (DoDEA, FCC, NGA, TVA, and Treasury), one built its own data bases (Smithsonian), and some contracted with vendors to produce custom EEO complaint tracking systems with pull-down menus (Air Force, Army, DFAS, NARA, and NASA).

Several were in the process of acquiring more efficient tracking systems (Air Force, DFAS, NASA, DOT, and Treasury). Almost all agencies reported that constant monitoring of the tracking system helped their complaints managers follow the progress of a complaint and monitor for problems. No agency interviewed for this study reported sufficient satisfaction with a complaints tracking system that we could recommend its use here.

An agency should regularly analyze the information captured by its complaint tracking system to determine where processing times exceed the applicable regulatory time frame. Such an analysis will enable the agency to effectively target and utilize its resources, hold relevant management officials accountable for their performance, and reduce complaint processing times.

CONCLUSION

Each of the agencies reviewed in this study established management controls over complaints processing. The tools used by agencies were:

(1) timeliness controls (timeliness elements in performance plans, short time frames, incentives, and penalties in contracts, inclusion of timeliness elements in office goals, use of blanket purchase agreements and interruption schedule agreements to eliminate the need to execute amended contracts),

(2) creative management (employment of early intervention resolution techniques, rewards for employees who performed well and production of final agency action simultaneously with report of investigation), and

(3) quality controls (report of investigation sufficiency reviews completed immediately upon receipt of report of investigation).

Additionally, use of an efficient complaints monitoring and tracking system helped the agencies follow cases and identify problems as they arose. Use of these tools appears to greatly enhance an agency's ability to produce a timely, quality work product, and improve the likelihood that the agency will meet its goal of maintaining an efficient, fair and impartial complaint resolution process.

Interestingly, this study revealed that the size of the agency did not make a difference in how, or whether, an agency achieved success. Rather, the imposition of management controls was essential for effective performance for all agencies of all sizes.

Footnotes

1. Additionally, a final decision should be issued within 60 days of notice from an administrative judge that a complainant has withdrawn a hearing request. Id.

2. The United States Postal Service was not considered in this study.

3. It should be noted that some of the agencies selected marginally exceeded regulatory time-frames, but the volume of their complaint processing suggested that they be consulted about their practices.

4. Success in one or more areas did not necessarily result in overall success in achieving an efficient complaint processing system. For instance, an agency may have excelled in producing a large number of investigations in a short time-frame, but may not have been timely in conducting EEO counselings, dismissing complaints or writing final decisions.

5. Data prior to 2004 did not delineate counselings by those in ADR or those for which extensions were granted by the complainant so it is difficult to be completely certain whether an agency was actually timely if counselings continued beyond 30 days. Therefore, in assessing agencies, we looked at both the 30-day and the 90-day maximum to determine which agencies to examine in more depth.

6.

	% Workforce Seeking Counseling		
	2001	**2002**	**2003**
State	1.3	1.2	0.8
National Workforce	1.74	1.63	1.41

7. At the Smithsonian, the complaints manager must accept or dismiss a claim within 30 days; at the State Department, the legal staff in the EEO Office must do so within 10 days; and at the VA, the intake specialist will accept or dismiss a claim within 45 days.

8. Generally, an investigation of a mixed case complaint conducted pursuant to 29 C.F.R. § 1614.302 must be completed before the 120-day time period expires for the agency to issue its final decision.

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The U.S. Equal Employment Opportunity Commission

Figure 4 - Average Processing Days For Investigations FY 2000 - FY 2004

	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004
Avg. Days	305	240	267	267	280

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The U.S. Equal Employment Opportunity Commission

Figure 5 - Monetary Benefits in the Formal Complaint Stage FY 2000 - FY 2004

	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004
Total Monetary Benefits	$30.5	$32.9	$33.5	$40.3	$29.7
Compensatory Damages	$7.7	$9	$8.5	$11.6	$8
Attorneys' Fees	$8	$7.7	$8.1	$9.3	$7.3

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The U.S. Equal Employment Opportunity Commission

Figure 6 - Hearings Inventory FY 2000 - FY 2004

	2000	2001	2002	2003	2004
Hearings	11,153	11,659	10,072	8,467	5,975

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The U.S. Equal Employment Opportunity Commission

Figure 7 - Requests for EEOC Hearings FY 2000 - FY 2004

	2000	2001	2002	2003	2004
Hearings	10,498	9,817	9,617	9,918	9,027

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The U.S. Equal Employment Opportunity Commission

Figure 8 - Hearings Program Closures FY 2000 - FY 2004

	2000	2001	2002	2003	2004
Hearings	10,183	9,402	11,666	12,230	11,740

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The U.S. Equal Employment Opportunity Commission

Figure 9 - Average Processing Days for Hearings FY 2000 - FY 2004

	2000	2001	2002	2003	2004
Hearings	381	405	420	421	355

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The U.S. Equal Employment Opportunity Commission

Figure 10 - Monetary Benefits Awarded from Hearings (In Millions of Dollars) FY 2000 - FY 2004

	2000	2001	2002	2003	2004
Total Monetary Benefits	29.3	44.3	92.7	52.4	45.9
Compensatory Damages	5.2	10	15.2	13.5	12
Attorney's Fees	2.5	5	9.3	8.2	8.8

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The U.S. Equal Employment Opportunity Commission

Figure 11 - Appellate Inventory FY 2000 - FY 2004

FY 2000	FY 2001	FY 2002	FY 2003	FY 2004
9,975	7,536	4,809	3,831	3,634

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The U.S. Equal Employment Opportunity Commission

Figure 12 - Appeals Receipts FY 2000 - FY 2004

	2000	2001	2002	2003	2004
Appeals	7,575	6,894	6,725	7,035	7,831

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The U.S. Equal Employment Opportunity Commission

Figure 13 - Appeals Closures FY 2000 - FY 2004

	2000	2001	2002	2003	2004
Appeals	9,148	9,333	9,452	8,013	8,028

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The U.S. Equal Employment Opportunity Commission

Figure 14 - Average Processing Days on Appeal FY 2000 - FY 2004

	2000	2001	2002	2003	2004
Appeals	420	447	467	285	207

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The U.S. Equal Employment Opportunity Commission

Figure 15 - Monetary Benefits Awarded from Appeals FY 2000 - FY 2004 (In Millions of Dollars)

	2000	2001	2002	2003	2004
Total	$12	$8.3	$16.9	$20.9	$22.1
Compensatory Damages	$2	$2.7	$3.6	$6.8	$6.8
Attorney's Fees	$1.9	$1.5	$2.9	$2.6	$3.5

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Preventing employment discrimination from occurring in the workplace in the first place is preferable to remedying the consequences of discrimination. EEOC is committed to providing training and technical assistance, outreach and education programs to assist employers, employees and stakeholder groups understand and prevent discrimination. We believe that discrimination can be averted if companies, federal agencies and individuals know their legal rights and responsibilities.

No-Cost Outreach and Education Programs EEOC representatives are available on a limited basis at no cost to make presentations and participate in meetings with employees and employers, and their representative groups, as well as community organizations and other members of the general public.

Training Institute EEOC provides fee-based training and technical assistance programs throughout the country, and has training and technical assistance materials available for sale.

Government-Wide

Permanent Workforce: 2,606,903

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce*	2,606,903	57.1%	42.9%	7.46%	66.91%	18.18%	5.79%	1.67%
GS-14 and GS-15**	160,919	68.85%	31.15%	3.92%	80.7%	8.95%	5.48%	0.94%
Senior Pay Level**	19,117	74.25%	25.75%	3.44%	86.09%	6.51%	3.18%	0.81%

*Includes data for those agencies which are provided by CPDF plus AAFES, TVA, and USPS; does not include data for intelligence-gathering agencies.

**Includes data only for those agencies which are provided by CPDF; does not include pay-banded employees or data for intelligence-gathering agencies.

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities.

EEO Complaint Processing

I. Counseling

There were 42,412 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). Government-wide, agencies timely processed 76.3% of the total number of counselings. Following counseling, 19,024 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of the 42,412 instances of counseling government-wide, ADR was offered 79.5% of the time; the parties elected to participate in 43.3% of the completed counselings; and 48.7% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, federal agencies offered ADR 7.4% of the time; the parties elected to participate in 2.8% of the complaint workload; and 77.0% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

Government-wide, agencies completed 43% of their investigations within the regulatory time frames, with an average processing time of 280 days for all investigations. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the

Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

The government-wide average processing time for all complaint closures decreased from 541 days in FY 2003 to 469 days in FY 2004.

IV. Pending Inventory

Government-wide, agencies had a total of 25,394 complaints pending at the end of FY 2004, with 1,573 pending acknowledgment for an average of 211 days; 9,017 pending investigation for an average of 221 days; and 5,012 pending the issuance of final decisions for an average of 580 days.

V. Costs

Agencies throughout the government agreed to pay $3,137,912 for 7,856 counseling settlements with benefits, an average $399.42 per counseling settled.

Agencies agreed to pay a total of $29,695,916 for 4,739 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $6,266.28.

Agencies throughout the government expended a total of $29,943,635 for 11,876 complaint investigations, for an average expenditure of $2,521.35. It should be noted that, due to inconsistencies in the way agencies report investigative costs, these figures may not reflect the full costs associated with a federal sector investigation. Some agencies do not report overhead and administrative costs in addition to the salary or contract price of the actual investigator.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	25,196		17,216		42,412	
Settlements	1,429	5.67%	6,427	37.33%	7,856	18.52%
Withdrawal/no Complaint Filed	11,700	46.43%	1,964	11.40%	13,664	32.21%
Complaints Filed*					18,369	43.31%
Decision to File Complaint Pending at End of Fiscal Year					2,523	5.94%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers	ADR Participation

	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	45,030	32,864	73.00%	19,075	42.00%
FY 2004 Pre-Complaint Counselings	42,412	33,735	79.54%	18,381	43.34%
Percentage Change FY 2003 to FY 2004	-5.81%	2.65%		-3.63%	
FY 2003 Complaints*	51,775	6,068	12.00%	3,665	7.00%
FY 2004 Complaints*	48,555	3,572	7.36%	1,347	2.77%
Percentage Change FY 2003 to FY 2004	-6.21%	-41.13%		-63.24%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	42,386	32,344	76.30%			
All Investigations	11,876	5,076	42.74%	267	280	4.86%
Merit Decisions (no AJ)	6,186	2,695	43.57%	598	601	0.50%
Dismissal Decisions	5,444			207	150	-27.54%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (23,153)	#	%	#	%	#	%	#	%
Settlements	4,469	19.29%						
Withdrawals	2,325	10.04%						
Dismissals	5,444	23.51%						
Merit Decisions	10,915	47.15%						
Finding Discrimination	321	2.94%	147	45.79%	124	38.62%	50	15.57%
Finding No Discrimination	10,594	97.05%	6,020	56.82%	4,515	42.61%	59	0.55%

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Agency for International Development (AID)

Permanent Workforce: 1,725 Temporary Workforce: 513 Total Workforce: 2,238

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	1,725	49.74%	50.26%	3.7%	65.37%	25.65%	5.05%	0.22%
Major Occupations								
Misc. Administration & Program	321	50.16%	49.84%	4.98%	72.9%	18.07%	4.05%	0%
Management & Program Analysis	372	44.35%	55.65%	2.42%	69.89%	22.85%	3.76%	0.81%
Auditing	118	65.25%	34.75%	5.08%	54.24%	27.97%	11.86%	0.85%
GS-14 and GS-15*	960	60.52%	39.48%	3.02%	77.5%	14.48%	4.9%	0.1%
Senior Pay Level*	178	72.48%	27.52%	3.93%	82.02%	10.11%	3.93%	0%
First-Level Officials/ Managers	65	46.15%	53.85%	4.62%	72.31%	13.85%	6.15%	3.08%
Mid-Level Officials/ Managers	152	58.55%	41.45%	4.61%	72.37%	19.74%	3.29%	0%
Senior Level Officials/ Managers	429	66.9%	33.1%	3.26%	82.05%	10.96%	3.5%	0.23%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At AID, employees with targeted disabilities represented 0.58% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 27 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). AID timely processed 85.2% of the total number of counselings. Following counseling, 13 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of AID's 27 instances of counseling, there were no offers of ADR.

At the formal complaint phase, AID made no offers of ADR.

III. Processing Times

AID completed 50% of its investigations within the regulatory time frames, with an average processing time of 267 days for all investigations. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations

within the regulatory time frames, with an average processing time of 117 days.

AID's average processing time for all complaint closures decreased from 531 days in FY 2003 to 518 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

AID had a total of 25 complaints pending at the end of FY 2004, with 13 pending investigation for an average of 170 days; and 1 pending the issuance of a final decision for an average of 436 days.

V. Costs

AID incurred no costs this reporting period for counselings settled or for formal complaint closures through settlement agreement, final agency decision, or final agency orders fully implementing AJ decisions.

AID expended a total of $8,930 for 2 complaint investigations, for an average expenditure of $4,465.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	27		0		27	
Settlements	1	3.70%	0	0%	1	3.70%
Withdrawal/no Complaint Filed	10	37%	0	0%	10	37.03%
Complaints Filed*					12	44.44%
Decision to File Complaint Pending at End of Fiscal Year					4	14.81%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	33	0	0.00%	0	0.00%
FY 2004 Pre-Complaint Counselings	27	0	0.00%	0	0.00%
Percentage Change FY 2003 to FY 2004	-18.18%	0%		0%	
FY 2003 Complaints*	24	1	4.00%	0	0.00%
FY 2004 Complaints*	30	0	0.00%	0	0.00%
Percentage Change FY 2003 to FY 2004	25.00%	-100.00%		0%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	27	23	85.18%			
All Investigations	2	1	50.00%	279	267	-4.30%
Merit Decisions (no AJ)	1	0	0.00%	1,317	376	-71.45%
Dismissal Decisions	2			94	298	217.02%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (5)	#	%	#	%	#	%	#	%
Settlements	0	0.00%						
Withdrawals	2	40.00%						
Dismissals	2	40.00%						
Merit Decisions	1	20.00%						
Finding Discrimination	0	0%	0	0%	0	0%	0	0%
Finding No Discrimination	1	100.00%	1	100.00%	0	0.00%	0	0.00%

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U.S. Department of Agriculture (USDA)

Permanent Workforce: 90,256 Temporary Workforce: 21,828 Total Workforce: 112,084

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	90,256	57.17%	42.83%	6.16%	78.38%	10.49%	2.68%	2.29%
Major Occupations								
General Business & Industry	4,303	16.66%	83.34%	5.88%	77.74%	13.06%	1.23%	2.09%
Loan Specialist	4,200	54.5%	45.5%	5.26%	84.74%	7.45%	1.05%	1.5%
Soil Conservation	4,500	75.73%	24.27%	3.96%	85.24%	7.18%	1.02%	2.6%
GS-14 and GS-15*	6,050	72.25%	27.75%	3.26%	83.12%	8.53%	4.17%	0.93%
Senior Pay Level*	455	75.38%	24.62%	3.3%	82.86%	9.23%	3.52%	1.1%
First-Level Officials/ Managers	6,142	75.84%	24.16%	6.43%	81.57%	5.39%	3.14%	3.47%
Mid-Level Officials/ Managers	4,834	71.91%	28.09%	4.39%	82.44%	8.59%	3.12%	1.47%
Senior Level Officials/ Managers	1,694	76.09%	23.91%	3.72%	85.06%	8.03%	2.18%	1%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At USDA, employees with targeted disabilities represented 0.95% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 1,234 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). USDA timely processed 75.2% of the total number of counselings. Following counseling, 658 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of USDA's 1,234 instances of counseling, ADR was offered 82.1% of the time; the parties elected to participate in 30.4% of the completed counselings; and 31.5% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, USDA offered ADR 10.6% of the time; the parties elected to participate in 3.7% of the complaint workload; and 75.9% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

USDA completed 45% of its investigations within the regulatory time frames, with an average processing time of 364 days for all investigations. In most instances, the regulations require completion of investigations within 180

days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

USDA's average processing time for all complaint closures increased from 808 days in FY 2003 to 815 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

USDA had a total of 1,444 complaints pending at the end of FY 2004, with 83 pending acknowledgment for an average of 119 days; 407 pending investigation for an average of 344 days; and 432 pending the issuance of final decisions for an average of 1,048 days.

V. Costs

USDA agreed to pay $334,911 for 154 counseling settlements with benefits, an average $2,174.74 per counseling settled.

USDA agreed to pay a total of $2,507,625 for 280 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $8,955.

USDA expended a total of $2,259,615 for 610 complaint investigations, for an average expenditure of $3,704.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	936		298		1,234	
Settlements	76	8.11%	78	26.17%	154	12.47%

Withdrawal/no Complaint Filed	332	35.4%	16	5.3%	348	28.20%
Complaints Filed*					648	52.51%
Decision to File Complaint Pending at End of Fiscal Year					84	6.80%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	1,356	1,080	80.00%	306	23.00%
FY 2004 Pre-Complaint Counselings	1,234	1,013	82.09%	375	30.39%
Percentage Change FY 2003 to FY 2004	-8.99%	-6.20%		22.54%	
FY 2003 Complaints*	2,727	60	2.00%	41	2.00%
FY 2004 Complaints*	2,590	274	10.58%	96	3.71%
Percentage Change FY 2003 to FY 2004	-5.02%	356.66%		134.14%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	1,231	926	75.22%			
All Investigations	610	275	45.08%	464	364	-21.55%
Merit Decisions (no AJ)	463	24	5.18%	1,102	1,094	-0.72%
Dismissal Decisions	156			426	327	-23.23%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (1,146)	#	%	#	%	#	%	#	%
Settlements	267	23.29%						
Withdrawals	58	5.06%						
Dismissals	156	13.61%						
Merit Decisions	665	58.02%						

Finding Discrimination	14	2.10%	8	57.14%	5	35.71%	1	7.14%
Finding No Discrimination	651	97.90%	460	70.66%	191	29.34%	0	0.00%

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U.S. Department of the Air Force (USAF)

Permanent Workforce: 140,907 Temporary Workforce: 9,121 Total Workforce: 150,032

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	140,907	67.62%	32.38%	7.53%	76.62%	11.12%	3.58%	1.14%
Major Occupations								
Electrical Engineering	233	90.56%	9.44%	5.15%	76.82%	5.58%	12.45%	0%
Management & Program Analysis	3,983	46.15%	53.85%	5.17%	81.17%	9.99%	2.21%	1.43%
General Engineering	2,010	90.65%	9.35%	5.37%	84.68%	3.53%	5.67%	0.75%
GS-14 and GS-15*	5,998	80.34%	19.66%	3.1%	89.9%	4.07%	2.4%	0.53%
Senior Pay Level*	230	83.04%	16.96%	0.87%	93.04%	1.74%	3.04%	1.3%
First-Level Officials/ Managers	9,471	64.41%	35.59%	6.09%	79.33%	11%	2.78%	0.8%
Mid-Level Officials/ Managers	8,208	73.45%	26.55%	3.79%	86.92%	6.09%	2.41%	0.79%
Senior Level Officials/ Managers	1,480	80.81%	19.19%	2.43%	92.84%	3.18%	1.08%	0.47%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At USAF, employees with targeted disabilities represented 0.8% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 1,652 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). USAF timely processed 77.4% of the total number of counselings. Following counseling, 669 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of USAF's 1,652 instances of counseling, ADR was offered 68.6% of the time; the parties elected to participate in 31.4% of the completed counselings; and 67.5% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, USAF offered ADR 25% of the time; the parties elected to participate in 14.6% of the complaint workload; and 75.3% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

USAF completed 27% of its investigations within the regulatory time frames, with an average processing time

of 247 days for all investigations. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

USAF's average processing time for all complaint closures decreased from 440 days in FY 2003 to 392 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

USAF had a total of 682 complaints pending at the end of FY 2004, with 81 pending acknowledgment for an average of 377 days; 235 pending investigation for an average of 178 days; and 197 pending the issuance of final decisions for an average of 486 days.

V. Costs

USAF agreed to pay $238,889 for 361 counseling settlements with benefits, an average $661.74 per counseling settled.

USAF agreed to pay a total of $955,343 for 211 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $4,527.

USAF expended a total of $63,699 for 257 complaint investigations, for an average expenditure of $248.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	1,064		588		1,652	
Settlements	62	5.82%	299	50.85%	361	21.85%

Withdrawal/no Complaint Filed	488	45.8%	98	16.6%	586	35.47%
Complaints Filed*					679	41.10%
Decision to File Complaint Pending at End of Fiscal Year					26	1.57%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	1,748	1,085	62.00%	509	29.00%
FY 2004 Pre-Complaint Counselings	1,652	1,134	68.64%	519	31.42%
Percentage Change FY 2003 to FY 2004	-5.49%	4.51%		1.96%	
FY 2003 Complaints*	1,297	589	45.00%	147	11.00%
FY 2004 Complaints*	1,399	349	24.95%	204	14.58%
Percentage Change FY 2003 to FY 2004	7.86%	-40.74%		38.77%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	1,644	1,272	77.37%			
All Investigations	257	70	27.23%	205	247	20.48%
Merit Decisions (no AJ)	161	45	27.95%	602	582	-3.32%
Dismissal Decisions	137			136	109	-19.85%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (703)	#	%	#	%	#	%	#	%
Settlements	205	29.16%						
Withdrawals	91	12.94%						
Dismissals	137	19.48%						
Merit Decisions	270	38.40%						

Finding Discrimination	10	3.70%	3	30.00%	4	40.00%	3	30.00%
Finding No Discrimination	260	96.29%	158	60.76%	99	38.07%	3	1.15%

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Armed Forces Retirement Home (AFRH)

Permanent Workforce: 505 Temporary Workforce: 14 Total Workforce: 519

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	491	34.06%	65.94%	4.36%	27.52%	64.55%	3.56%	0%
GS-14 and GS-15*	7	71.43%	28.57%	0%	14.29%	57.14%	28.57%	0%
Senior Pay Level*	4	75%	25%	0%	100%	0%	0%	0%
First-Level Officials/ Managers	26	42.31%	57.69%	15.38%	42.31%	26.92%	15.38%	0%
Mid-Level Officials/ Managers	10	50%	50%	0%	40%	40%	20%	0%
Senior Level Officials/ Managers	2	50%	50%	0%	100%	0%	0%	0%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At AFRH, employees with targeted disabilities represented 0.79% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 5 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). AFRH timely processed 20% of the total number of counselings. Following counseling, 5 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of AFHR's 5 instances of counseling, ADR was offered 100% of the time but the parties elected not to participate so there were no ADR closures that were resolved through settlements or withdrawals.

At the formal complaint phase, AFHR made no ADR offers.

III. Processing Times

AFRH performed no investigations during the reporting period. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

AFRH did not have any complaint closures during the reporting period. The government-wide average for complaint closures was 469 days.

IV. Pending Inventory

AFRH had a total of 5 complaints pending at the end of FY 2004, with 5 pending investigation for an average of 90 days.

V. Costs

AFRH incurred no costs this reporting period for counselings settled or for formal complaint closures through settlement agreement, final agency decision, or final agency orders fully implementing AJ decisions.

AFRH incurred not costs for investigations this reporting.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	5		0		5	
Settlements	0	0.00%	0	0%	0	0%
Withdrawal/no Complaint Filed	0	0%	0	0%	0	0.00%
Complaints Filed*					5	100.00%
Decision to File Complaint Pending at End of Fiscal Year					0	0.00%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers	ADR Participation

	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	0	0	0.00%	0	0.00%
FY 2004 Pre-Complaint Counselings	5	5	100.00%	0	0.00%
Percentage Change FY 2003 to FY 2004	0%	0%		0%	
FY 2003 Complaints*	12	0	0.00%	0	0.00%
FY 2004 Complaints*	5	0	0.00%	0	0.00%
Percentage Change FY 2003 to FY 2004	-58.33%	0%		0%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	5	1	20.00%			
All Investigations	0	0	0%	126	0	-100.00%
Merit Decisions (no AJ)	0	0	0%	248	0	-100.00%
Dismissal Decisions	0			0	0	0%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (0)	#	%	#	%	#	%	#	%
Settlements	0	0%						
Withdrawals	0	0%						
Dismissals	0	0%						
Merit Decisions	0	0%						
Finding Discrimination	0	0%	0	0%	0	0%	0	0%
Finding No Discrimination	0	0%	0	0%	0	0%	0	0%

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U.S. Department of the Army (ARMY)

Permanent Workforce: 209,032 Temporary Workforce: 17,531 Total Workforce: 226,568

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	209,032	63.07%	36.93%	6.75%	72.63%	15.55%	4.01%	1.05%
Major Occupations								
Civil Engineering	5,516	86.06%	13.94%	4.68%	82.96%	3.92%	7.87%	0.58%
General Engineering	4,340	88.57%	11.43%	5.35%	81.18%	4.29%	8.23%	0.97%
Management & Program Analysis	5,641	34.78%	65.22%	5.12%	74.65%	14.98%	4.01%	1.24%
GS-14 and GS-15*	13,057	78.24%	21.76%	3.03%	85.75%	6.42%	4.06%	0.74%
Senior Pay Level*	426	84.04%	15.96%	0.7%	90.85%	4.46%	1.41%	0%
First-Level Officials/ Managers	9,019	66.63%	33.37%	6.19%	74.47%	14.39%	3.8%	1.16%
Mid-Level Officials/ Managers	10,048	75.51%	24.49%	4%	83.76%	7.92%	3.38%	0.94%
Senior Level Officials/ Managers	3,210	81.5%	18.5%	2.12%	88.88%	5.45%	2.62%	0.93%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At ARMY, employees with targeted disabilities represented 0.75% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 2,016 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). ARMY timely processed 62% of the total number of counselings. Following counseling, 1,002 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of ARMY's 2,016 instances of counseling, ADR was offered 51.9% of the time; the parties elected to participate in 35.8% of the completed counselings; and 65.2% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, ARMY offered ADR 11.9% of the time; the parties elected to participate in 8.8% of the complaint workload; and 70.4% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

ARMY completed 53% of its investigations within the regulatory time frames, with an average processing time

of 112 days for all investigations. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

ARMY's average processing time for all complaint closures decreased from 352 days in FY 2003 to 324 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

ARMY had a total of 1,276 complaints pending at the end of FY 2004, with 202 pending acknowledgment; 203 pending investigation for an average of 271 days; and 599 pending the issuance of final decisions for an average of 227 days.

V. Costs

ARMY agreed to pay $547,253 for 406 counseling settlements with benefits, an average $1,347.91 per counseling settled.

ARMY agreed to pay a total of $1,703,066 for 416 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $4,093.

ARMY expended a total of $342,154 for 161 complaint investigations, for an average expenditure of $2,125.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	1,321		695		2,016	
Settlements	85	6.43%	321	46.18%	406	20.13%

Withdrawal/no Complaint Filed	390	29.5%	132	18.9%	522	25.89%
Complaints Filed*					866	42.95%
Decision to File Complaint Pending at End of Fiscal Year					222	11.01%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	2,058	1,361	66.00%	337	16.00%
FY 2004 Pre-Complaint Counselings	2,016	1,047	51.93%	722	35.81%
Percentage Change FY 2003 to FY 2004	-2.04%	-23.07%		114.24%	
FY 2003 Complaints*	2,267	577	25.00%	276	12.00%
FY 2004 Complaints*	2,158	256	11.86%	189	8.76%
Percentage Change FY 2003 to FY 2004	-4.80%	-55.63%		-31.52%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	2,016	1,250	62.00%			
All Investigations	161	85	52.79%	248	112	-54.80%
Merit Decisions (no AJ)	107	6	5.61%	497	632	27.16%
Dismissal Decisions	181			74	155	109.50%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (882)	#	%	#	%	#	%	#	%
Settlements	399	45.23%						
Withdrawals	101	11.45%						
Dismissals	181	20.52%						
Merit Decisions	201	22.78%						

Finding Discrimination	18	8.95%	1	5.55%	16	88.88%	1	5.55%
Finding No Discrimination	183	91.04%	106	57.92%	76	41.53%	1	0.54%

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Army & Air Force Exchange Service (AAFES)

Permanent Workforce: 33,464 Temporary Workforce: 0 Total Workforce: 33,461

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	33,464	36.24%	63.76%	13.02%	43.5%	28.81%	13.78%	0.84%
Major Occupations								
Retail Operations - Generalist	6,371	23.25%	76.75%	13.53%	42.3%	25.46%	17.82%	0.83%
Retail Operations - Program / Planner / Analyst	3,413	15.68%	84.32%	15.91%	39.23%	25.26%	18.37%	0.23%
Retail Operations - Food Service Workers	5,938	34.57%	65.43%	13.42%	34.78%	34.12%	16.99%	0.59%
GS-14 and GS-15*	511	66.34%	33.66%	7.44%	76.9%	7.82%	5.87%	1.96%
Senior Pay Level*	13	76.93%	23.07%	7.69%	84.62%	0%	7.69%	0%
First-Level Officials / Managers	3,005	35.77%	64.23%	9.95%	57.73%	22.83%	8.55%	0.93%
Mid-Level Officials / Managers	417	65.47%	34.53%	7.43%	77.46%	6.95%	6.47%	1.67%
Senior Level Officials / Managers	87	74.71%	25.29%	5.74%	80.46%	6.89%	3.45%	1.15%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At AAFES, employees with targeted disabilities represented 1.9% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 309 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). AAFES timely processed 92.9% of the total number of counselings. Following counseling, 123 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of AAFES' 309 instances of counseling, ADR was offered 100% of the time; the parties elected to participate in 17.5% of the completed counselings; and 64.7% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, AAFES offered ADR 22.2% of the time; the parties elected to participate in18% of the complaint workload; and 72.6% of the ADR closures were resolved through settlement/ withdrawals.

III. Processing Times

AAFES completed 76% of its investigations within the regulatory time frames, with an average processing time

of 294 days for all investigations. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

AAFES' average processing time for all complaint closures decreased from 554 days in FY 2003 to 519 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

AAFES had a total of 131 complaints pending at the end of FY 2004, with 74 pending investigation for an average of 201 days; and 11 pending the issuance of final decisions for an average of 1,042 days.

V. Costs

AAFES agreed to pay $1,517 for 40 counseling settlements with benefits, an average $37.93 per counseling settled.

AAFES agreed to pay a total of $440,250 for 59 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $7,461.

AAFES expended a total of $213,235 for 38 complaint investigations, for an average expenditure of $5,611.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	258		51		309	
Settlements	28	10.85%	12	23.52%	40	12.94%
Withdrawal/no Complaint Filed	130	50.3%	21	41.1%	151	48.86%
Complaints Filed*					118	38.18%
Decision to File Complaint Pending at End of Fiscal Year					0	0.00%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	397	397	100.00%	50	13.00%
FY 2004 Pre-Complaint Counselings	309	309	100.00%	54	17.48%
Percentage Change FY 2003 to FY 2004	-22.16%	-22.16%		8.00%	
FY 2003 Complaints*	274	48	18.00%	6	2.00%
FY 2004 Complaints*	306	68	22.22%	55	17.97%
Percentage Change FY 2003 to FY 2004	11.67%	41.66%		816.66%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	309	287	92.88%			
All Investigations	38	29	76.31%	282	294	4.25%
Merit Decisions (no AJ)	41	1	2.44%	677	766	13.14%
Dismissal Decisions	31			185	152	-17.83%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (175)	#	%	#	%	#	%	#	%
Settlements	57	32.57%						
Withdrawals	9	5.14%						
Dismissals	31	17.71%						
Merit Decisions	78	44.57%						
Finding Discrimination	3	3.84%	0	0.00%	2	66.66%	1	33.33%
Finding No Discrimination	75	96.15%	41	54.66%	34	45.33%	0	0.00%

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Broadcasting Board of Governors (BBG)

Permanent Workforce: 1,727 Temporary Workforce: 103 Total Workforce: 1,830

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	1,727	63.83%	36.17%	8.58%	57.43%	20.05%	13.72%	0.22%
Major Occupation:								
General Arts & Information	894	65.88%	34.12%	10.74%	54.47%	11.07%	23.6%	0.11%
GS-14 and GS-15*	307	77.2%	22.8%	6.19%	79.8%	8.79%	4.89%	0.33%
Senior Pay Level*	20	75%	25%	5%	95%	0%	0%	0%
First-Level Officials/ Managers	26	76.92%	23.08%	3.85%	65.38%	19.23%	11.54%	0%
Mid-Level Officials/ Managers	333	66.67%	33.33%	8.41%	68.17%	12.91%	10.51%	0%
Senior Level Officials/ Managers	121	82.64%	17.36%	6.61%	87.6%	2.48%	3.31%	0%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At BBG, employees with targeted disabilities represented 0.82% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 149 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). BBG timely processed 100% of the total number of counselings. Following counseling, 24 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of BBG's 149 instances of counseling, ADR was offered 100% of the time; the parties elected to participate in 2.7% of the completed counselings; and 100% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, BBG offered ADR 49% of the time; the parties elected to participate in 2% of the complaint workload; and none of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

BBG completed all 20 of its investigations within the regulatory time frames, with an average processing time of 116 days. In most instances, the regulations require completion of investigations within 180 days. Of the

agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

BBG's average processing time for all complaint closures increased from 420 days in FY 2003 to 470 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

BBG had a total of 33 complaints pending at the end of FY 2004, with 6 pending investigation for an average of 56 days; and 4 pending the issuance of final decisions for an average of 134 days.

V. Costs

BBG agreed to pay $10,000 for 1 counseling settlements with benefits, an average $10,000 per counseling settled.

BBG agreed to pay a total of $7,320 for 3 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $2,440.

BBG expended a total of $64,435 for 20 complaint investigations, for an average expenditure of $3,221.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	146		3		149	
Settlements	0	0.00%	1	33.33%	1	0.67%
Withdrawal/no Complaint Filed	117	80.1%	2	66.6%	119	79.86%
Complaints Filed*					24	16.10%
Decision to File Complaint Pending at End of Fiscal Year					5	3.35%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	145	18	12.00%	3	2.00%
FY 2004 Pre-Complaint Counselings	149	157	100.00%	4	2.68%
Percentage Change FY 2003 to FY 2004	2.75%	772.22%		33.33%	
FY 2003 Complaints*	53	18	34.00%	0	0.00%
FY 2004 Complaints*	49	24	48.98%	1	2.04%
Percentage Change FY 2003 to FY 2004	-7.54%	33.33%		0%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	149	149	100.00%			
All Investigations	20	20	100.00%	208	116	-44.23%
Merit Decisions (no AJ)	1	1	100.00%	341	195	-42.81%
Dismissal Decisions	3			617	28	-95.46%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)		
Total Closures (16)	#	%	#	%	#	%	#	%	
Settlements	3	18.75%							
Withdrawals	1	6.25%							
Dismissals	3	18.75%							
Merit Decisions	9	56.25%							
	Finding Discrimination	0	0%	0	0%	0	0%	0	0%
Finding No Discrimination	9	100.00%	1	11.11%	8	88.88%	0	0.00%	

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U.S. Department of Commerce (COMMERCE)

Permanent Workforce: 34,510 Temporary Workforce: 3,357 Total Workforce: 37,867

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	34,510	57.73%	42.27%	3.68%	79.16%	16.78%	7.72%	0.57%
Major Occupations								
Patent Examining	3,982	72.98%	27.02%	3.92%	48.37%	14.21%	33.2%	0.3%
Meteorology	2,576	89.52%	10.48%	1.98%	93.32%	2.17%	2.17%	0.35%
Statistician	1,370	46.79%	53.21%	5.33%	68.1%	21.68%	4.53%	0.36%
GS-14 and GS-15*	8,506	71.28%	28.72%	2.59%	77.06%	8.52%	11.47%	3.52%
Senior Pay Level*	547	75.69%	24.31%	1.65%	86.1%	7.68%	4.39%	0.18%
First-Level Officials/ Managers	641	47.43%	52.57%	4.52%	65.68%	26.83%	2.5%	0.47%
Mid-Level Officials/ Managers	1,508	67.37%	32.63%	3.78%	82.76%	9.81%	3.12%	0.53%
Senior Level Officials/ Managers	1,972	75.56%	24.44%	1.98%	84.18%	6.69%	6.85%	0.3%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At COMMERCE, employees with targeted disabilities represented 0.84% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 280 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers).

COMMERCE timely processed 78.21% of the total number of counselings. Following counseling, 151 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of COMMERCE's 280 instances of counseling, ADR was offered 68.6% of the time; the parties elected to participate in 19.3% of the completed counselings; and 37% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, COMMERCE offered ADR 8.5% of the time; the parties elected to participate in 2% of the complaint workload; and 47.1% of the ADR closures were resolved through settlement/ withdrawals.

III. Processing Times

COMMERCE completed 14% of its investigations within the regulatory time frames, with an average processing time of 539 days for all investigations. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

COMMERCE's average processing time for all complaint closures decreased from 653 days in FY 2003 to 587 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

COMMERCE had a total of 356 complaints pending at the end of FY 2004, with 3 pending acknowledgment for an average of 60 days; 161 pending investigation for an average of 348 days; and 62 pending the issuance of final decisions for an average of 654 days.

V. Costs

COMMERCE agreed to pay $38,519 for 16 counseling settlements with benefits, an average $2,407.44 per counseling settled.

COMMERCE agreed to pay a total of $168,859 for 50 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $3,377.

COMMERCE expended a total of $530,285 for 105 complaint investigations, for an average expenditure of $5,050.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	226		54		280	
Settlements	6	2.65%	10	18.51%	16	5.71%

Withdrawal/no Complaint Filed	95	42%	10	18.5%	105	37.50%
Complaints Filed*					135	48.21%
Decision to File Complaint Pending at End of Fiscal Year					24	8.57%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	209	139	67.00%	22	11.00%
FY 2004 Pre-Complaint Counselings	280	192	68.57%	54	19.29%
Percentage Change FY 2003 to FY 2004	33.97%	38.12%		145.45%	
FY 2003 Complaints*	803	24	3.00%	5	1.00%
FY 2004 Complaints*	635	54	8.50%	13	2.05%
Percentage Change FY 2003 to FY 2004	-20.92%	125.00%		160.00%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	280	219	78.21%			
All Investigations	105	15	14.28%	542	539	-0.55%
Merit Decisions (no AJ)	84	19	22.62%	672	99	-85.26%
Dismissal Decisions	40			189	179	-5.29%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (279)	#	%	#	%	#	%	#	%
Settlements	49	17.56%						
Withdrawals	53	18.99%						

Dismissals	40	14.33%						
Merit Decisions	137	49.10%						
Finding Discrimination	2	1.45%	0	0.00%	1	50.00%	1	50.00%
Finding No Discrimination	135	98.54%	84	62.22%	51	37.77%	0	0.00%

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Commodity Futures Trading Commission (CFTC)

Permanent Workforce: 486 Temporary Workforce: 15 Total Workforce: 501

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	486	51.9%	48.1%	2%	66.67%	26.75%	4.6%	0%
Major Occupation:								
General Attorney	170	58.82%	41.18%	2.35%	85.88%	5.88%	5.88%	0%
GS-14 and GS-15*	0	0%	0%	0%	0%	0%	0%	0%
Senior Pay Level*	30	76.67%	23.33%	0%	100%	0%	0%	0%
First-Level Officials / Managers	0	0%	0%	0%	0%	0%	0%	0%
Mid-Level Officials / Managers	0	0%	0%	0%	0%	0%	0%	0%
Senior Level Officials / Managers	29	75.86%	24.14%	0%	100%	0%	0%	0%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At CFTC, employees with targeted disabilities represented 0.2% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 100 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). CFTC timely processed 92% of the total number of counselings. Following counseling, 1 formal complaint of

discrimination was filed.

II. Alternative Dispute Resolution

Of CFTC's 100 instances of counseling, ADR was offered 3% of the time; the parties elected to participate in 3% of the completed counselings; and 75% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, CFTC made no ADR offers.

III. Processing Times

CFTC completed one investigation in 191 days. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100%

of their investigations within the regulatory time frames, with an average processing time of 117 days.

CFTC's average processing time for all complaint closures decreased from 391 days in FY 2003 to 387 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

CFTC had a total of 2 complaints pending at the end of FY 2004, with 1 pending investigation for an average of 61 days; and 1 pending the issuance of final decisions for an average of 782 days.

V. Costs

CFTC incurred no costs for this reporting period for counselings settled or for formal complaint closures through settlement agreement, final agency decision, or final agency orders fully implementing AJ decisions.

CFTC expended a total of $1,050 for 1 complaint investigation, for an average expenditure of $1050.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	96		4		100	
Settlements	-3	-3.12%	3	75.00%	0	0%
Withdrawal/no Complaint Filed	99	103.1%	0	0%	99	99.00%
Complaints Filed*					1	1.00%
Decision to File Complaint Pending at End of Fiscal Year					0	0.00%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	65	5	8.00%	5	8.00%
FY 2004 Pre-Complaint Counselings	100	3	3.00%	3	3.00%
Percentage Change FY 2003 to FY 2004	53.84%	-40.00%		-40.00%	
FY 2003 Complaints*	13	1	8.00%	1	8.00%
FY 2004 Complaints*	10	0	0.00%	0	0.00%
Percentage Change FY 2003 to FY 2004	-23.07%	-100.00%		-100.00%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	100	92	92.00%			
All Investigations	1	0	0.00%	81	191	135.80%
Merit Decisions (no AJ)	6	2	33.33%	607	367	-39.53%
Dismissal Decisions	0			0	0	0%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (8)	#	%	#	%	#	%	#	%
Settlements	0	0.00%						
Withdrawals	0	0.00%						
Dismissals	0	0.00%						
Merit Decisions	8	100.00%						
Finding Discrimination	0	0%	0	0%	0	0%	0	0%
Finding No Discrimination	8	100.00%	6	75.00%	2	25.00%	0	0.00%

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Corporation for National & Community Service (CNCS)

Permanent Workforce: 319 Temporary Workforce: 252 Total Workforce: 571

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	319	38.18%	61.82%	4.02%	59.19%	31.87%	4.55%	0.35%
Major Occupation:								
Misc. Administration & Program	381	39.11%	60.89%	4.2%	64.3%	27.56%	3.67%	0%
GS-14 and GS-15*	10	80%	20%	0%	80%	20%	0%	0%
Senior Pay Level*	18	44.45%	55.55%	0%	94.4%	5.55%	0%	0%
First-Level Officials/ Managers	0	0%	0%	0%	0%	0%	0%	0%
Mid-Level Officials/ Managers	22	72.73%	27.27%	4.55%	63.64%	27.27%	4.55%	0%
Senior Level Officials/ Managers	20	50%	50%	0%	90%	10%	0%	0%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At CNCS, employees with targeted disabilities represented 1.05% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 14 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). CNCS timely processed 71.4% of the total number of counselings. Following counseling, 3 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of CNCS' 14 instances of counseling, ADR was offered 14.3% of the time; the parties elected to participate in 14.3% of the completed counselings; and 50% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, CNCS made no ADR offers.

III. Processing Times

CNCS completed all 17 of its investigations within the regulatory time frames, with an average processing time of 150 days. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the

regulatory time frames, with an average processing time of 117 days.

CNCS' average processing time for all complaint closures decreased from 320 days in FY 2003 to 25 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

CNCS had a total of 2 complaints pending at the end of FY 2004, with none pending acknowledgment; 2 pending investigation for an average of 60 days; and none pending the issuance of final decisions.

V. Costs

CNCS provided no monetary awards for the 7 counseling settlements with benefits achieved.

CNCS agreed to pay a total of $235,330 for 11 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $21,394.

CNCS expended a total of $42,500 for 17 complaint investigations, for an average expenditure of $2,500.00.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	12		2		14	
Settlements	0	0.00%	1	50.00%	1	7.14%
Withdrawal/no Complaint Filed	9	75%	0	0%	9	64.28%
Complaints Filed*					2	14.28%
Decision to File Complaint Pending at End of Fiscal Year					2	14.28%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	12	1	8.00%	1	8.00%
FY 2004 Pre-Complaint Counselings	14	2	14.29%	2	14.29%
Percentage Change FY 2003 to FY 2004	16.66%	100.00%		100.00%	
FY 2003 Complaints*	21	2	10.00%	2	10.00%
FY 2004 Complaints*	19	0	0.00%	0	0.00%
Percentage Change FY 2003 to FY 2004	-9.52%	-100.00%		-100.00%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	14	10	71.42%			
All Investigations	17	17	100.00%	184	150	-18.47%
Merit Decisions (no AJ)	5	2	40.00%	0	Inconsistent data submitted	n/a
Dismissal Decisions	1			188	69	-63.29%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (17)	#	%	#	%	#	%	#	%
Settlements	11	64.70%						
Withdrawals	0	0.00%						
Dismissals	1	5.88%						
Merit Decisions	5	29.41%						
Finding Discrimination	0	0%	0	0%	0	0%	0	0%
Finding No Discrimination	5	100.00%	5	100.00%	0	0.00%	0	0.00%

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Court Services & Offender Supervision Agency (CSOSA)

Permanent Workforce: 967 Temporary Workforce: 87 Total Workforce: 1,054

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	967	38.05%	61.95%	3.6%	14.99%	79.7%	1.51%	0.19%
Major Occupation:								
Social Science	608	39.14%	60.86%	4.44%	13.32%	81.09%	1.15%	0%
GS-14 and GS-15*	92	54.35%	45.65%	1.09%	41.3%	53.26%	4.35%	0%
Senior Pay Level*	11	63.64%	36.36%	0%	36.36%	63.6%	0%	0%
First-Level Officials/ Managers	9	33.33%	66.67%	0%	11.11%	88.89%	0%	0%
Mid-Level Officials/ Managers	93	43.01%	56.99%	19.35%	77.42%	3.23%	0%	0%
Senior Level Officials/ Managers	30	63.33%	36.67%	0%	33.33%	63.33%	3.33%	0%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At CSOSA, employees with targeted disabilities represented 0.19% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 10 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). CSOSA timely processed 30% of the total number of counselings. Following counseling, 6 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of CSOSA's 10 instances of counseling, ADR was offered 100% of the time; the parties elected to participate in 50% of the completed counselings; and 60% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, CSOSA offered ADR 28.6% of the time; the parties elected to participate in 4.8% of the complaint workload; and 100% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

CSOSA completed 11% of its investigations within the regulatory time frames, with an average processing time

of 418 days for all investigations. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frame with an average processing time of 117 days.

CSOSA's average processing time for all complaint closures increased from 410 days in FY 2003 to 570 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

CSOSA had a total of 8 complaints pending at the end of FY 2004, with none pending acknowledgment; 3 pending investigation for an average of 137 days; and 2 pending the issuance of final decisions for an average of 655 days.

V. Costs

CSOSA provided no monetary awards for the 3 counseling settlements achieved.

CSOSA agreed to pay a total of $8,000 for 3 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $2,666.

CSOSA expended a total of $25,685 for 9 complaint investigations, for an average expenditure of $2,854.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	5		5		10	
Settlements	0	0.00%	3	60.00%	3	30.00%
Withdrawal/no Complaint Filed	1	20%	0	0%	1	10.00%
Complaints Filed*					6	60.00%

Decision to File Complaint Pending at End of Fiscal Year					0	0.00%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	25	19	76.00%	5	20.00%
FY 2004 Pre-Complaint Counselings	10	10	100.00%	5	50.00%
Percentage Change FY 2003 to FY 2004	-60.00%	-47.36%		0.00%	
FY 2003 Complaints*	24	8	33.00%	2	8.00%
FY 2004 Complaints*	21	6	28.57%	1	4.76%
Percentage Change FY 2003 to FY 2004	-12.50%	-25.00%		-50.00%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	10	3	30.00%			
All Investigations	9	1	11.11%	410	418	1.95%
Merit Decisions (no AJ)	3	1	33.33%	409	489	19.56%
Dismissal Decisions	0			182	0	-100.00%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (13)	#	%	#	%	#	%	#	%
Settlements	3	23.07%						
Withdrawals	3	23.07%						
Dismissals	0	0.00%						

Merit Decisions	7	53.85%						
Finding Discrimination	0	0%	0	0%	0	0%	0	0%
Finding No Discrimination	7	0%	3	42.85%	4	57.14%	0	0%

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Defense Commissary Agency (DCA)

Permanent Workforce: 11,867 Temporary Workforce: 2,948 Total Workforce: 14,815

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	11,867	40.17%	59.83%	9.23%	45.5%	27.62%	16.81%	0.83%
Major Occupation:								
Commissary Management	1,451	59.06%	40.94%	7.51%	63.4%	18.47%	9.86%	0.83%
GS-14 and GS-15*	130	73.08%	26.92%	3.85%	86.92%	6.15%	1.54%	1.54%
Senior Pay Level*	4	75%	25%	0%	100%	0%	0%	0%
First-Level Officials/ Managers	1,125	50.85%	49.15%	6.75%	59.02%	20.8%	11.73%	1.06%
Mid-Level Officials/ Managers	223	69.06%	30.94%	5.83%	76.68%	13%	2.69%	1.79%
Senior Level Officials/ Managers	27	77.78%	22.22%	0%	96.3%	3.7%	0%	0%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At DCA, employees with targeted disabilities represented 1.07% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 222 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). DCA timely processed 89.64% of the total number of counselings. Following counseling, 157 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of DCA's 222 instances of counseling, ADR was offered 63.1% of the time; the parties elected to participate in 27.9% of the completed counselings; and 70% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, DCA offered ADR 41.9% of the time; the parties elected to participate in 23.8% of the complaint workload; and 50.6% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

DCA completed 63% of its investigations within the regulatory time frames, with an average processing time of 193 days for all investigations. In most instances, the

regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

DCA's average processing time for all complaint closures decreased from 303 days in FY 2003 to 186 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

DCA had a total of 167 complaints pending at the end of FY 2004, with 23 pending acknowledgment for an average of 56 days; 58 pending investigation for an average of 219 days; and 8 pending the issuance of final decisions for an average of 403 days.

V. Costs

DCA agreed to pay $7,246 for 43 counseling settlements with benefits, an average $168.51 per counseling settled.

DCA agreed to pay a total of $104,211 for 48 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $2,171.

DCA expended a total of $19,500 for 78 complaint investigations, for an average expenditure of $250.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	162		60		222	
Settlements	11	6.79%	32	53.33%	43	19.36%
Withdrawal/no Complaint Filed	30	18.5%	10	16.6%	40	18.01%
Complaints Filed*					134	60.36%

Decision to File Complaint Pending at End of Fiscal Year					5	2.25%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	292	164	56.00%	41	14.00%
FY 2004 Pre-Complaint Counselings	222	140	63.06%	62	27.93%
Percentage Change FY 2003 to FY 2004	-23.97%	-14.63%		51.21%	
FY 2003 Complaints*	368	141	38.00%	66	18.00%
FY 2004 Complaints*	353	148	41.93%	84	23.80%
Percentage Change FY 2003 to FY 2004	-4.07%	4.96%		27.27%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	222	199	89.63%			
All Investigations	78	49	62.82%	205	193	-5.85%
Merit Decisions (no AJ)	34	34	100.00%	455	305	-32.96%
Dismissal Decisions	54			408	178	-56.37%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (186)	#	%	#	%	#	%	#	%
Settlements	43	23.11%						
Withdrawals	55	29.56%						
Dismissals	54	29.03%						
Merit Decisions	34	18.27%						
Finding Discrimination	6	17.64%	1	16.66%	4	66.66%	1	16.66%
Finding No Discrimination	28	82.35%	17	60.71%	11	39.28%	0	0.00%

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Defense Contract Audit Agency (DCAA)

Permanent Workforce: 4,009 Temporary Workforce: 41 Total Workforce: 4,050

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	4,009	51.33%	48.67%	5.95%	75.26%	10.94%	7.53%	0.32%
Major Occupation:								
Auditing	3,487	56.61%	43.39%	5.82%	76.17%	9.69%	8.03%	0.29%
GS-14 and GS-15*	214	69.16%	30.84%	3.27%	88.32%	4.21%	4.21%	0%
Senior Pay Level*	16	81%	19%	6.25%	88%	6.25%	0%	0%
First-Level Officials/ Managers	66	6.06%	93.94%	1.52%	72.73%	21.21%	4.55%	0%
Mid-Level Officials/ Managers	602	68.11%	31.89%	2.47%	92.24%	6.17%	5.11%	0.18%
Senior Level Officials/ Managers	59	77.97%	22.03%	3.39%	91.53%	3.39%	1.69%	0%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At DCAA, employees with targeted disabilities represented 1.28% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 62 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). DCAA timely processed 72.6% of the total number of counselings. Following counseling, 36 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of DCAA's 62 instances of counseling, ADR was offered 19.4% of the time; the parties elected to participate in 17.7% of the completed counselings; and 38.5% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, DCAA offered ADR 11.7% of the time; the parties elected to participate in 10.4% of the complaint workload; and 42.9% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

DCAA completed 13% of its investigations within the regulatory time frames, with an average processing time

of 265 days for all investigations. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

DCAA's average processing time for all complaint closures decreased from 665 days in FY 2003 to 603 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

DCAA had a total of 38 complaints pending at the end of FY 2004, with 21 pending investigation for an average of 138 days; and 2 pending the issuance of final decisions for an average of 812 days.

V. Costs

DCAA provided no monetary award for the 3 counseling settlements with benefits that were achieved.

DCAA agreed to pay a total of $16,350 for 10 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $1,635.

DCAA expended a total of $3,375 for 15 complaint investigations, for an average expenditure of $225.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	49		13		62	
Settlements	0	0.00%	3	23.07%	3	4.83%
Withdrawal/no Complaint Filed	20	40.8%	2	15.3%	22	35.48%
Complaints Filed*					35	56.45%

Decision to File Complaint Pending at End of Fiscal Year					2	3.22%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	37	7	19.00%	6	16.00%
FY 2004 Pre-Complaint Counselings	62	12	19.35%	11	17.74%
Percentage Change FY 2003 to FY 2004	67.56%	71.42%		83.33%	
FY 2003 Complaints*	72	6	8.00%	5	7.00%
FY 2004 Complaints*	77	9	11.69%	8	10.39%
Percentage Change FY 2003 to FY 2004	6.94%	50.00%		60.00%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	62	45	72.58%			
All Investigations	15	2	13.33%	211	265	25.59%
Merit Decisions (no AJ)	5	5	100.00%	392	362	-7.65%
Dismissal Decisions	5			72	99	37.50%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (39)	#	%	#	%	#	%	#	%
Settlements	10	25.64%						
Withdrawals	5	12.82%						
Dismissals	5	12.82%						
Merit Decisions	19	48.71%						

Finding Discrimination	0	0%	0	0%	0	0%	0	0%
Finding No Discrimination	19	100.00%	5	26.31%	14	73.68%	0	0.00%

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Defense Contract Management Agency (DCMA)

Permanent Workforce: 10,930 Temporary Workforce: 192 Total Workforce: 11,122

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	10,930	61.45%	38.55%	5.26%	77.55%	12.44%	3.96%	0.79%
Major Occupations								
General Business & Industry	1,131	76.48%	23.52%	4.24%	82.14%	8.93%	3.8%	0.88%
Contracting	2,118	46.65%	53.35%	5%	77.62%	13.5%	3.26%	0.61%
Quality Assurance	2,937	84.34%	15.66%	6.54%	80.29%	9.81%	2.25%	1.12%
GS-14 and GS-15*	514	67.32%	32.68%	3.31%	82.88%	10.31%	2.33%	1.17%
Senior Pay Level*	9	67%	33%	0%	89%	11%	0%	0%
First-Level Officials/ Managers	19	42.11%	57.89%	0%	84.21%	15.79%	0%	0%
Mid-Level Officials/ Managers	733	75.44%	24.56%	3%	84.99%	8.59%	3.14%	0.27%
Senior Level Officials/ Managers	111	70.27%	29.73%	0.9%	81.08%	11.71%	4.5%	1.8%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At DCMA, employees with targeted disabilities represented 1.34% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 77 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). DCMA timely processed 80.5% of the total number of counselings. Following counseling, 47 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of DCMA's 77 instances of counseling, ADR was offered 79.2% of the time; the parties elected to participate in 28.6% of the completed counselings; and 68.2% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, DCMA offered ADR 10.2% of the time; the parties elected to participate in 5.1% of the complaint workload; and 60% of the ADR closures were resolved through settlement/ withdrawals.

III. Processing Times

DCMA completed 10% of its investigations within the regulatory time frames, with an average processing time of 330 days for all investigations. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

DCMA's average processing time for all complaint closures increased from 721 days in FY 2003 to 973 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

DCMA had a total of 78 complaints pending at the end of FY 2004, with 37 pending investigation for an average of 235 days; and 5 pending the issuance of final decisions for an average of 1,313 days.

V. Costs

DCMA agreed to pay $9,286 for 10 counseling settlements with benefits, an average $928.63 per counseling settled.

DCMA agreed to pay a total of $189,718 for 21 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $9,034.

DCMA expended a total of $5,000 for 20 complaint investigations, for an average expenditure of $250.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	55		22		77	
Settlements	2	3.63%	8	36.36%	10	12.98%
Withdrawal/no Complaint Filed	9	16.3%	7	31.8%	16	20.77%

Complaints Filed*					33	42.85%
Decision to File Complaint Pending at End of Fiscal Year					18	23.37%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	85	59	69.00%	15	18.00%
FY 2004 Pre-Complaint Counselings	77	61	79.22%	22	28.57%
Percentage Change FY 2003 to FY 2004	-9.41%	3.38%		46.66%	
FY 2003 Complaints*	219	16	7.00%	13	6.00%
FY 2004 Complaints*	177	18	10.17%	9	5.08%
Percentage Change FY 2003 to FY 2004	-19.17%	12.50%		-30.76%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	87	70	80.45%			
All Investigations	20	2	10.00%	338	330	-2.36%
Merit Decisions (no AJ)	29	1	3.45%	1,048	1,482	41.41%
Dismissal Decisions	7			81	58	-28.39%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (99)	#	%	#	%	#	%	#	%
Settlements	21	21.21%						
Withdrawals	6	6.06%						
Dismissals	7	7.07%						
Merit Decisions	65	65.65%						

Finding Discrimination	0	0%	0	0%	0	0%	0	0%
Finding No Discrimination	65	100.00%	29	44.61%	36	55.38%	0	0.00%

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Defense Dependent Education Activity (DDEA)

Permanent Workforce: 10,713 Temporary Workforce: 6,531 Total Workforce: 17,244

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	10,713	22.15%	77.85%	6.35%	78.67%	10.96%	3.11%	0.34%
Major Occupations								
General Ed. & Vocational Training	9,692	23.12%	76.88%	3.28%	86.44%	7.05%	2.85%	0.38%
Ed. & Vocational Training	2,762	15.17%	84.83%	15.35%	71.87%	11.19%	1.23%	0.36%
Human Resources Management	146	17.81%	82.19%	6.85%	55.48%	32.88%	4.11%	0.68%
GS-14 and GS-15*	113	46.02%	53.98%	0.88%	86.73%	12.39%	0%	0%
Senior Pay Level*	28	39.29%	60.71%	7.14%	89.29%	0%	0%	3.57%
First-Level Officials/ Managers	43	51.16%	48.84%	9.3%	79.07%	9.3%	2.33%	0%
Mid-Level Officials/ Managers	67	41.79%	58.21%	1.49%	79.1%	16.42%	2.99%	0%
Senior Level Officials/ Managers	39	56.41%	43.59%	5.13%	82.05%	10.26%	0%	2.56%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At DDEA, employees with targeted disabilities represented 0.32% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 112 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). DDEA timely processed 100% of the total number of counselings. Following counseling, 36 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of DDEA's 112 instances of counseling, ADR was offered 80.4% of the time; the parties elected to participate in 46.4% of the completed counselings; and 100% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, DDEA offered ADR 7% of the time, but the parties elected not to participate, resulting in no resolutions through settlements or withdrawals.

III. Processing Times

DDEA completed 21% of its investigations within the regulatory time frames, with an average processing time of 298 days for all investigations. In most instances, the

regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

DDEA's average processing time for all complaint closures decreased from 286 days in FY 2003 to 156 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

DDEA had a total of 51 complaints pending at the end of FY 2004, with 6 pending acknowledgment for an average of 6 days; 17 pending investigation for an average of 116 days; and 5 pending the issuance of final decisions for an average of 641 days.

V. Costs

DDEA agreed to pay $20,000 for 36 counseling settlements with benefits, an average $555.55 per counseling settled.

DDEA agreed to pay a total of $200,616 for 17 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $11,800.

DDEA expended a total of $13,000 for 42 complaint investigations, for an average expenditure of $310.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%

Total Instances of Counseling:	60		52		112	
Settlements	-16	-26.66%	52	100.00%	36	32.14%
Withdrawal/no Complaint Filed	50	83.3%	0	0%	50	44.64%
Complaints Filed*					26	23.21%
Decision to File Complaint Pending at End of Fiscal Year					0	0.00%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	73	4	5.00%	3	4.00%
FY 2004 Pre-Complaint Counselings	112	90	80.36%	52	46.43%
Percentage Change FY 2003 to FY 2004	53.42%	2,150.00%		1,633.33%	
FY 2003 Complaints*	163	3	2.00%	3	2.00%
FY 2004 Complaints*	143	10	6.99%	0	0.00%
Percentage Change FY 2003 to FY 2004	-12.27%	233.33%		-100.00%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	112	112	100.00%			
All Investigations	42	9	21.42%	305	298	-2.29%
Merit Decisions (no AJ)	15	8	53.33%	193	152	-21.24%
Dismissal Decisions	8			54	135	150.00%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (92)	#	%	#	%	#	%	#	%

Settlements	16	17.39%						
Withdrawals	7	7.60%						
Dismissals	8	8.69%						
Merit Decisions	61	66.30%						
Finding Discrimination	1	1.63%	0	0.00%	1	100.00%	0	0.00%
Finding No Discrimination	60	98.36%	15	25.00%	45	75.00%	0	0%

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Defense Finance and Accounting Service (DFAS)

Permanent Workforce: 13,025 Temporary Workforce: 378 Total Workforce: 13,403

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	13,025	37.43%	62.57%	4.78%	67.77%	22.11%	4.53%	0.8%
Major Occupations								
Financial Admin. & Program	1,714	39.56%	60.44%	3.97%	72.64%	19.89%	2.68%	0.82%
Information Tech. Management	1,233	59.21%	40.79%	1.95%	84.83%	10.38%	2.51%	0.32%
Accounting	2,577	43.69%	56.31%	4.66%	72.06%	16.84%	5.59%	0.85%
GS-14 and GS-15*	507	62.13%	37.87%	2.37%	81.85%	13.02%	2.56%	0.2%
Senior Pay Level*	20	65%	35%	0%	85%	10%	5%	0%
First-Level Officials/ Managers	698	34.24%	65.76%	4.58%	65.19%	24.36%	4.87%	1%
Mid-Level Officials/ Managers	733	60.85%	39.15%	3.14%	81.17%	14.05%	1.5%	0.14%
Senior Level Officials/ Managers	138	68.84%	31.16%	0.71%	87.23%	7.8%	2.13%	0%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At DFAS, employees with targeted disabilities represented 2.05% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 184 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). DFAS timely processed 95.10% of the total number of counselings. Following counseling, 99 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of DFAS' 184 instances of counseling, ADR was offered 100% of the time; the parties elected to participate in 11.4% of the completed counselings; and 60% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, DFAS offered ADR 5.9% of the time; the parties elected to participate in 4.5% of the complaint workload; and 75% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

DFAS completed 18% of its investigations within the regulatory time frames, with an average processing time of 256 days for all investigations. In most instances, the

regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

DFAS' average processing time for all complaint closures decreased from 526 days in FY 2003 to 396 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

DFAS had a total of 113 complaints pending at the end of FY 2004, with 1 pending acknowledgment for an average of 2 days; 30 pending investigation for an average of 105 days; and 15 pending the issuance of final decisions for an average of 55 days.

V. Costs

DFAS paid nothing for the 12 counseling settlements with benefits that were achieved.

DFAS agreed to pay a total of $104,313 for 36 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $2,897.

DFAS expended a total of $30,328 for 60 complaint investigations, for an average expenditure of $505.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	164		20		184	
Settlements	4	2.43%	8	40.00%	12	6.52%

Withdrawal/no Complaint Filed	70	42.6%	4	20%	74	40.21%
Complaints Filed*					91	49.45%
Decision to File Complaint Pending at End of Fiscal Year					7	3.80%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	215	0	0.00%	0	0.00%
FY 2004 Pre-Complaint Counselings	184	202	100.00%	21	11.41%
Percentage Change FY 2003 to FY 2004	-14.41%	0%		0%	
FY 2003 Complaints*	299	23	8.00%	22	7.00%
FY 2004 Complaints*	289	17	5.88%	13	4.50%
Percentage Change FY 2003 to FY 2004	-3.34%	-26.08%		-40.90%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	184	175	95.10%			
All Investigations	60	11	18.33%	160	256	60.00%
Merit Decisions (no AJ)	29	4	13.79%	585	470	-19.65%
Dismissal Decisions	51			56	34	-39.28%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (176)	#	%	#	%	#	%	#	%
Settlements	36	20.45%						
Withdrawals	9	5.11%						
Dismissals	51	28.97%						

Merit Decisions	80	45.45%						
Finding Discrimination	1	1.25%	0	0.00%	0	0.00%	1	100.00%
Finding No Discrimination	79	98.75%	29	36.70%	50	63.29%	0	0.00%

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Defense Human Resources Activity (DHRA)

Permanent Workforce: 765 Temporary Workforce: 7 Total Workforce: 772

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	765	41.45%	58.55%	6.47%	73.44%	14.9%	4.79%	0.39%
Major Occupations								
Human Resources Management	330	34.85%	65.15%	8.79%	66.97%	21.52%	2.12%	0.61%
Information Tech. Management	203	52.22%	47.78%	6.9%	75.86%	5.91%	10.84%	0.49%
GS-14 and GS-15*	180	45.56%	54.44%	3.89%	87.22%	6.67%	2.22%	0%
Senior Pay Level*	13	53.85%	46.15%	0%	100%	0%	0%	0%
First-Level Officials/ Managers	0	0%	0%	0%	0%	0%	0%	0%
Mid-Level Officials/ Managers	71	47.89%	52.11%	2.82%	83.1%	11.27%	2.82%	0%
Senior Level Officials/ Managers	65	57.58%	42.42%	0%	92.42%	4.55%	1.52%	0%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At DHRA, employees with targeted disabilities represented 0.78% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 5 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). DHRA timely processed 100% of the total number of counselings. Following counseling, 4 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of DHRA's 5 instances of counseling, ADR was offered 100% of the time; the parties elected to participate in 40% of the completed counselings; and 100% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, DHRA made no ADR offers.

III. Processing Times

DHRA completed its one investigation in 119 days, within the regulatory time. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the

only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

DHRA's average processing time for all complaint closures increased from 401 days in FY 2003 to 566 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

DHRA had a total of 3 complaints pending at the end of FY 2004, with 2 pending investigation for an average of 59 days; and 1 pending the issuance of final decisions for an average of 164 days.

V. Costs

DHRA provided no monetary awards for the 2 counseling settlements with benefits that were achieved.

DHRA reported no complaint closures during this reporting period.

DHRA expended a total of $1,700 for 1 complaint investigations, for an average expenditure of $1,700.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	5		2		5	
Settlements	2	40.00%	2	100.00%	2	40.00%
Withdrawal/no Complaint Filed	0	0%	0	0%	0	0.00%
Complaints Filed*					2	40.00%

Decision to File Complaint Pending at End of Fiscal Year					1	20.00%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	2	0	0.00%	0	0.00%
FY 2004 Pre-Complaint Counselings	5	6	100.00%	2	40.00%
Percentage Change FY 2003 to FY 2004	150.00%	0%		0%	
FY 2003 Complaints*	6	2	33.00%	2	33.00%
FY 2004 Complaints*	6	0	0.00%	0	0.00%
Percentage Change FY 2003 to FY 2004	0.00%	-100.00%		-100.00%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	5	5	100.00%			
All Investigations	1	1	100.00%	158	119	-24.68%
Merit Decisions (no AJ)	0	0	0.00%	0	0	0%
Dismissal Decisions	1			0	205	0%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (3)	#	%	#	%	#	%	#	%
Settlements	0	0.00%						
Withdrawals	0	0.00%						
Dismissals	1	33.33%						

Merit Decisions	2	66.66%						
Finding Discrimination	0	0%	0	0%	0	0%	0	0%
Finding No Discrimination	2	100.00%	0	0.00%	2	100.00%	0	0.00%

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Defense Information Systems Agency (DISA)

Permanent Workforce: 5,053 Temporary Workforce: 108 Total Workforce: 5,161

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	5,053	54.91%	45.09%	3.06%	72.42%	17.77%	6.22%	0.52%
Major Occupations								
Telecommunications	544	74.45%	25.55%	2.94%	71.14%	19.85%	5.15%	0.92%
Computer Science	204	72.06%	27.94%	1.96%	56.37%	8.82%	32.35%	0.49%
Information Tech. Management	2,185	57.94%	42.06%	3.75%	74.42%	17.53%	3.66%	0.64%
GS-14 and GS-15*	1,010	71.68%	28.32%	2.38%	80.89%	10.5%	5.94%	0.3%
Senior Pay Level*	27	81.48%	18.52%	3.7%	88.89%	3.7%	3.7%	0%
First-Level Officials/ Managers	16	43.75%	56.25%	0%	81.25%	12.5%	6.25%	0%
Mid-Level Officials/ Managers	397	68.77%	31.23%	3.02%	79.09%	12.34%	4.79%	0.76%
Senior Level Officials/ Managers	260	73.08%	26.92%	1.15%	87.69%	8.46%	2.69%	0%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At DISA, employees with targeted disabilities represented 1.1% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 49 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). DISA timely processed 95.9% of the total number of counselings. Following counseling, 13 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of DISA's 49 instances of counseling, ADR was offered 16.3% of the time but the parties elected not to participate, so there were no resolutions achieved through settlements or withdrawals.

At the formal complaint phase, DISA offered ADR 38.2% of the time; the parties elected to participate in 17.7% of the complaint workload; and 83.3% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

DISA completed 33% of its investigations within the regulatory time frames, with an average processing time of 339 days for al investigations. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the

Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

DISA's average processing time for all complaint closures decreased from 523 days in FY 2003 to 301 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

DISA had a total of 18 complaints pending at the end of FY 2004, with 11 pending investigation for an average of 225 days; and 2 pending the issuance of final decisions for an average of 862 days.

V. Costs

DISA agreed to pay $2,700 for 8 counseling settlements with benefits, an average $337.50 per counseling settled.

DISA agreed to pay a total of $4,744 for 4 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $1,186.

DISA expended a total of $23,991 for 6 complaint investigations, for an average expenditure of $3,998.50.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	49		0		49	
Settlements	8	16.32%	0	0%	8	16.32%
Withdrawal/no Complaint Filed	12	24.4%	0	0%	12	24.48%
Complaints Filed*					16	32.65%
Decision to File Complaint Pending at End of Fiscal Year					13	26.53%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	26	2	8.00%	1	4.00%
FY 2004 Pre-Complaint Counselings	49	8	16.33%	0	0.00%
Percentage Change FY 2003 to FY 2004	88.46%	300.00%		-100.00%	

FY 2003 Complaints*	30	4	13.00%	3	10.00%
FY 2004 Complaints*	34	13	38.24%	6	17.65%
Percentage Change FY 2003 to FY 2004	13.33%	225.00%		100.00%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	49	47	95.91%			
All Investigations	6	2	33.33%	347	339	-2.30%
Merit Decisions (no AJ)	4	n/a	n/a	889	113	-87.28%
Dismissal Decisions	4			11	43	290.90%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (16)	#	%	#	%	#	%	#	%
Settlements	4	25.00%						
Withdrawals	1	6.25%						
Dismissals	4	25.00%						
Merit Decisions	7	43.75%						
Finding Discrimination	0	0%	0	0%	0	0%	0	0%
Finding No Discrimination	7	100.00%	4	57.14%	3	42.85%	0	0.00%

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Office of the Inspector General, Department of Defense (DOIG)

Permanent Workforce: 1,261 Temporary Workforce: 10 Total Workforce: 1,271

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	1,261	58.69%	41.31%	3.77%	71.51%	19.35%	4.72%	0.63%
Major Occupations								
Auditing	570	55.96%	44.04%	2.11%	75.79%	17.19%	4.39%	0.52%
Criminal Investigating	333	81.98%	18.02%	6.91%	80.18%	8.41%	3.9%	0.6%
GS-14 and GS-15*	271	71.59%	28.41%	0.3%	82.66%	9.96%	3.69%	0.74%
Senior Pay Level*	19	89.47%	10.53%	5.26%	84.21%	0%	10.53%	0%
First-Level Officials/ Managers	4	25%	75%	0%	25%	75%	0%	0%
Mid-Level Officials/ Managers	157	68.79%	31.21%	2.55%	81.53%	12.1%	3.82%	0%
Senior Level Officials/ Managers	79	79.75%	20.25%	3.8%	83.54%	6.33%	6.33%	0%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At DOIG, employees with targeted disabilities represented 1.02% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 51 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). DOIG timely processed 98% of the total number of counselings. Following counseling, no formal complaints of

discrimination were filed.

II. Alternative Dispute Resolution

Of DOIG's 51 instances of counseling, ADR was offered 7.8% of the time; but the parties elected not to participate, resulting in no resolutions achieved through settlements or withdrawals.

At the formal complaint phase, DOIG offered ADR 33.3% of the time; the parties elected to participate in 33.3% of the complaint workload; and 100% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

DOIG completed its one investigation in 265 days, beyond the regulatory time frame. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

DOIG's average processing time for all complaint closures decreased from 545 days in FY 2003 to 25 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

DOIG had a total of 2 complaints pending at the end of FY 2004.

V. Costs

DOIG reported no counseling settlements with benefits achieved.

DOIG agreed to pay a total of $19,353 for 1 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions.

DOIG expended a total of $250 for 1 complaint investigation.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	51		0		51	
Settlements	0	0.00%	0	0%	0	0%
Withdrawal/no Complaint Filed	51	100%	0	0%	51	100.00%
Complaints Filed*					0	0.00%
Decision to File Complaint Pending at End of Fiscal Year					0	0.00%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	4	4	100.00%	1	25.00%
FY 2004 Pre-Complaint Counselings	51	4	7.84%	0	0.00%
Percentage Change FY 2003 to FY 2004	1,175.00%	0.00%		-100.00%	
FY 2003 Complaints*	9	2	22.00%	2	22.00%
FY 2004 Complaints*	3	1	33.33%	1	33.33%
Percentage Change FY 2003 to FY 2004	-66.66%	-50.00%		-50.00%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	51	50	98.00%			
All Investigations	1	0	0%	225	265	17.77%
Merit Decisions (no AJ)	0	0	0%	0	0	0%
Dismissal Decisions	0			0	0	0%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (1)	#	%	#	%	#	%	#	%
Settlements	1	100.00%						
Withdrawals	0	0.00%						
Dismissals	0	0.00%						
Merit Decisions	0	0.00%						
Finding Discrimination	0	0%	0	0%	0	0%	0	0%
Finding No Discrimination	0	0%	0	0%	0	0%	0	0%

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Defense Logistics Agency (DLA)

Permanent Workforce: 20,339 Temporary Workforce: 1,346 Total Workforce: 21,685

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	20,339	58.6%	41.4%	4.78%	68.89%	22.49%	2.83%	1.01%
Major Occupations								
Contracting	2,126	35.23%	64.77%	3.72%	67.31%	27.47%	1.03%	0.47%
Misc. Administration & Program	1,605	55.14%	44.86%	3.36%	77.2%	17.46%	1.18%	0.81%
Inventory Management	884	37.33%	62.67%	4.75%	56%	36.99%	1.47%	0.79%
GS-14 and GS-15*	976	64.55%	35.45%	2.66%	84.84%	9.94%	1.23%	1.33%
Senior Pay Level*	52	76.92%	23.08%	0%	92.31%	7.69%	0%	0%
First-Level Officials/ Managers	560	62.32%	37.68%	4.11%	73.04%	18.93%	2.5%	1.43%
Mid-Level Officials/ Managers	1,081	64.75%	35.25%	2.13%	82.42%	13.88%	0.83%	0.74%
Senior Level Officials/ Managers	288	66.32%	33.68%	2.08%	86.11%	8.68%	1.39%	1.74%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At DLA, employees with targeted disabilities represented 2.07% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 482 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). DLA timely processed 91.3% of the total number of counselings. Following counseling, 140 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of DLA's 482 instances of counseling, ADR was offered 100% of the time; the parties elected to participate in 16.2% of the completed counselings; and 84.4% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, DLA offered ADR 10.5% of the time; the parties elected to participate in 9.7% of the complaint workload; and 75% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

DLA completed 29% of its investigations within the regulatory time frames, with an average processing time of 288 days for all investigations. In most instances, the

regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

DLA's average processing time for all complaint closures decreased from 555 days in FY 2003 to 477 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

DLA had a total of 173 complaints pending at the end of FY 2004, with 1 pending acknowledgment for an average of 70 days; 92 pending investigation for an average of 191 days; and 23 pending the issuance of final decisions for an average of 620 days.

V. Costs

DLA agreed to pay $12,569 for 71 counseling settlements with benefits, an average $177.03 per counseling settled.

DLA agreed to pay a total of $301,336 for 54 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $5,580.

DLA expended a total of $86,960 for 62 complaint investigations, for an average expenditure of $1,403.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	405		77		482	
Settlements	15	3.70%	56	72.72%	71	14.73%
Withdrawal/no Complaint Filed	235	58%	9	11.6%	244	50.62%
Complaints Filed*					140	27.38%

Decision to File Complaint Pending at End of Fiscal Year					35	7.26%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	518	519	100.00%	56	11.00%
FY 2004 Pre-Complaint Counselings	482	502	100.00%	78	16.80%
Percentage Change FY 2003 to FY 2004	-6.94%	-3.27%		39.28%	
FY 2003 Complaints*	415	63	15.00%	20	5.00%
FY 2004 Complaints*	372	39	10.48%	36	9.68%
Percentage Change FY 2003 to FY 2004	-10.36%	-38.09%		80.00%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	481	439	91.26%			
All Investigations	62	18	29.03%	236	288	22.03%
Merit Decisions (no AJ)	34	5	14.71%	612	781	27.61%
Dismissal Decisions	38			76	237	211.84%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (199)	#	%	#	%	#	%	#	%
Settlements	53	26.63%						
Withdrawals	22	11.05%						
Dismissals	38	19.09%						
Merit Decisions	86	43.21%						
Finding Discrimination	1	1.16%	0	0.00%	1	100.00%	0	0.00%
Finding No Discrimination	85	98.83%	34	40.00%	51	60.00%	0	0.00%

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Office of the Secretary of Defense (DEFSEC)

Permanent Workforce: 1,325 Temporary Workforce: 236 Total Workforce: 1,565

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	1,325	62.88%	37.12%	1.47%	84.92%	10.22%	3.07%	0.32%
Major Occupations								
Misc. Administration & Program	473	67.86%	32.14%	1.9%	88.79%	7.82%	1.27%	0.21%
Management & Program Analysis	198	53.54%	46.46%	1.01%	85.86%	9.09%	4.04%	0%
GS-14 and GS-15*	820	67.56%	32.44%	1.34%	90%	5.24%	3.17%	0.12%
Senior Pay Level*	307	78.18%	21.82%	0.98%	94.79%	1.95%	1.3%	0.98%
First-Level Officials/ Managers	4	25%	75%	0%	75%	25%	0%	0%
Mid-Level Officials/ Managers	35	57.14%	42.86%	0%	85.71%	11.43%	2.86%	0%
Senior Level Officials/ Managers	716	74.3%	25.7%	0.98%	92.18%	3.49%	3.07%	0.28%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At DEFSEC, employees with targeted disabilities represented 0.84% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 49 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). DEFSEC timely processed 62.5% of the total number of counselings. Following counseling, 34 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of DEFSEC's 49 instances of counseling, ADR was offered 100% of the time; the parties elected to participate in 2% of the completed counselings; and 100% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, DEFSEC offered ADR 8.1% of the time; the parties elected to participate in 4% of the complaint workload; and 66.7% of the ADR closures were resolved through settlement/ withdrawals.

III. Processing Times

DEFSEC completed none of its investigations within the regulatory time frames, with an average processing time

of 364 days for all investigation. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

DEFSEC's average processing time for all complaint closures decreased from 790 days in FY 2003 to 606 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

DEFSEC had a total of 45 complaints pending at the end of FY 2004, with 9 pending acknowledgment for an average of 31 days; 12 pending investigation for an average of 209 days; and 8 pending the issuance of final decisions for an average of 904 days.

V. Costs

DEFSEC provided no monetary award for the 2 counseling settlements with benefits that were achieved.

DEFSEC agreed to pay a total of $15,500 for 6 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $2,583.

DEFSEC expended a total of $2,250 for 9 complaint investigations, for an average expenditure of $250.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	48		1		49	
Settlements	1	2.08%	1	100.00%	2	4.08%
Withdrawal/no Complaint Filed	12	25%	0	0%	12	24.48%
Complaints Filed*					33	67.34%

Decision to File Complaint Pending at End of Fiscal Year					2	4.08%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	34	16	47.00%	7	21.00%
FY 2004 Pre-Complaint Counselings	49	55	100.00%	1	2.04%
Percentage Change FY 2003 to FY 2004	44.11%	243.75%		-85.71%	
FY 2003 Complaints*	67	7	10.00%	5	7.00%
FY 2004 Complaints*	74	6	8.11%	3	4.05%
Percentage Change FY 2003 to FY 2004	10.44%	-14.28%		-40.00%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	48	30	62.50%			
All Investigations	9	0	0.00%	399	364	-8.77%
Merit Decisions (no AJ)	4	0	0.00%	897	910	1.44%
Dismissal Decisions	8			112	92	-17.85%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (29)	#	%	#	%	#	%	#	%
Settlements	6	20.68%						
Withdrawals	2	6.89%						
Dismissals	8	27.58%						
Merit Decisions	13	44.82%						
Finding Discrimination	0	0%	0	0%	0	0%	0	0%
Finding No Discrimination	13	100.00%	4	30.76%	9	69.23%	0	0.00%

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Defense Security Service (DSS)

Permanent Workforce: 2,080 Temporary Workforce: 60 Total Workforce: 2,140

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	2,080	51.68%	48.32%	4.07%	78.18%	14.77%	2.19%	0.8%
Major Occupations								
General Investigating	1,319	57.77%	42.23%	5.16%	81.88%	9.93%	2.27%	0.76%
Security Administration	494	42.51%	57.49%	3.04%	73.08%	21.05%	1.62%	1.21%
GS-14 and GS-15*	95	66.32%	33.68%	1.05%	88.42%	9.47%	1.05%	0%
Senior Pay Level*	0	0%	0%	0%	0%	0%	0%	0%
First-Level Officials/ Managers	24	33.33%	66.67%	12.5%	66.67%	20.83%	0%	0%
Mid-Level Officials/ Managers	155	58.06%	41.94%	3.87%	81.29%	13.55%	0%	1.29%
Senior Level Officials/ Managers	12	75%	25%	0%	91.67%	8.33%	0%	0%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At DSS, employees with targeted disabilities represented 0.84% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 22 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). DSS timely processed 72.7% of the total number of counselings. Following counseling, 13 formal complaints of

discrimination were filed.

II. Alternative Dispute Resolution

Of DSS' 22 instances of counseling, ADR was offered 18.2% of the time, but the parties elected not to participate, resulting in no resolutions achieved through settlements or withdrawals.

At the formal complaint phase, DSS offered ADR 12% of the time; the parties elected to participate in 4% of the complaint workload; and 100% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

DSS completed 17% of its investigations within the regulatory time frames, with an average processing time of 309 days for all investigations. In most instances, the regulations require completion of investigations within

180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

DSS' average processing time for all complaint closures decreased from 492 days in FY 2003 to 470 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

DSS had a total of 11 complaints pending at the end of FY 2004, with 6 pending investigation for an average of 133 days; and 3 pending the issuance of final decisions for an average of 371 days.

V. Costs

DSS agreed to pay $25,000 for 2 counseling settlements with benefits, an average $12,500.00 per counseling settled.

DSS agreed to pay a total of $16,100 for 10 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $1,610.

DSS expended a total of $15,000 for 6 complaint investigations, for an average expenditure of $2,500.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	22		0		22	
Settlements	2	9.09%	0	0%	2	9.09%
Withdrawal/no Complaint Filed	7	31.8%	0	0%	7	31.81%
Complaints Filed*					13	59.09%

Decision to File Complaint Pending at End of Fiscal Year					0	0.00%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	20	1	5.00%	0	0.00%
FY 2004 Pre-Complaint Counselings	22	4	18.18%	0	0.00%
Percentage Change FY 2003 to FY 2004	10.00%	300.00%		0%	
FY 2003 Complaints*	23	0	0.00%	0	0.00%
FY 2004 Complaints*	25	3	12.00%	1	4.05%
Percentage Change FY 2003 to FY 2004	8.69%	0%		0%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	22	16	72.72%			
All Investigations	6	1	16.66%	268	309	15.29%
Merit Decisions (no AJ)	1	0	0.00%	642	466	-27.41%
Dismissal Decisions	2			1	31	3,000.00%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (14)	#	%	#	%	#	%	#	%
Settlements	10	71.42%						
Withdrawals	1	7.14%						
Dismissals	2	14.28%						
Merit Decisions	1	7.14%						
Finding Discrimination	0	0%	0	0%	0	0%	0	0%
Finding No Discrimination	1	100.00%	1	100.00%	0	0.00%	0	0.00%

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Defense Threat Reduction Agency (DTRA)

Permanent Workforce: 1,003 Temporary Workforce: 42 Total Workforce: 1,045

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	1,003	55.69%	44.31%	8.61%	39.62%	19.23%	3.45%	0.39%
Major Occupation:								
Misc. Administration & Program	204	71.08%	28.92%	3.92%	75.98%	17.65%	0.49%	1.96%
GS-14 and GS-15*	246	75.2%	24.8%	2.85%	83.33%	8.54%	4.88%	0.41%
Senior Pay Level*	12	83.33%	16.67%	0%	91.67%	0%	0%	8.33%
First-Level Officials/ Managers	20	55%	45%	25%	65%	10%	0%	0%
Mid-Level Officials/ Managers	105	70.48%	29.52%	8.57%	77.14%	11.43%	1.9%	0.95%
Senior Level Officials/ Managers	105	80.95%	19.05%	2.86%	83.81%	5.71%	7.62%	0%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At DTRA, employees with targeted disabilities represented 0.84% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 13 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). DTRA timely processed 76.9% of the total number of counselings. Following counseling, 7 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of DTRA's 13 instances of counseling, ADR was offered 100% of the time; the parties elected to participate in 7.7% of the completed counselings; and 100% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, DTRA offered ADR 63.6% of the time, but the parties elected not to participate, resulting in no resolutions achieved through settlements or withdrawals.

III. Processing Times

DTRA completed 25% of its investigations within the regulatory time frames, with an average processing time of 263 days for all investigations. In most instances, the

regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

DTRA's average processing time for all complaint closures increased from 54 days in FY 2003 to 219 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

DTRA had a total of 6 complaints pending at the end of FY 2004, with 3 pending investigation for an average of 133 days; and 2 pending the issuance of final decisions for an average of 304 days.

V. Costs

DTRA reported no monetary awards for the one counseling settlement with benefits achieved.

DTRA agreed to pay a total of $3,000 for 2 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $1,500.

DTRA expended a total of $1,000 for 4 complaint investigations, for an average expenditure of $250.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	12		1		13	
Settlements	0	0.00%	1	100.00%	1	7.69%
Withdrawal/no Complaint Filed	5	41.6%	0	0%	5	38.46%
Complaints Filed*					6	46.15%
Decision to File Complaint Pending at End of Fiscal Year					1	7.69%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	7	7	100.00%	3	43.00%
FY 2004 Pre-Complaint Counselings	13	13	100.00%	1	7.69%
Percentage Change FY 2003 to FY 2004	85.71%	85.71%		-66.66%	
FY 2003 Complaints*	6	4	67.00%	0	0.00%
FY 2004 Complaints*	11	7	63.64%	0	0.00%
Percentage Change FY 2003 to FY 2004	83.33%	75.00%		0%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	13	10	76.92%			
All Investigations	4	1	25.00%	175	263	50.28%
Merit Decisions (no AJ)	1	0	0.00%	0	91	0%
Dismissal Decisions	0			47	0	-100.00%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (5)	#	%	#	%	#	%	#	%
Settlements	2	40.00%						
Withdrawals	1	20.00%						
Dismissals	0	0.00%						
Merit Decisions	2	40.00%						
Finding Discrimination	0	0%	0	0%	0	0%	0	0%
Finding No Discrimination	0	0.00%	1	0%	1	0%	0	0%

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U.S. Department of Education (ED)

Permanent Workforce: 4,144 Temporary Workforce: 440 Total Workforce: 4,584

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	4,144	47.91%	52.09%	4.38%	54.99%	35.82%	3.64%	1.15%
Major Occupations								
Management & Program Analysis	1,011	31.26%	68.74%	2.77%	55.09%	40.06%	1.78%	0.3%
Education Program	341	32.84%	67.16%	5.57%	54.84%	34.6%	2.93%	2.05%
Equal Opportunity Compliance	302	41.39%	58.61%	8.94%	46.36%	41.06%	3.31%	0.33%
GS-14 and GS-15*	1,392	28.45%	71.55%	3.02%	71.55%	21.62%	2.87%	0.93%
Senior Pay Level*	162	59.26%	40.74%	1.85%	82.09%	12.34%	3.08%	1.23%
First-Level Officials/ Managers	1	0%	100%	0%	100%	0%	0%	0%
Mid-Level Officials/ Managers	485	45.15%	54.85%	3.92%	63.51%	29.07%	2.68%	0.82%
Senior Level Officials/ Managers	594	54.55%	45.45%	2.69%	77.27%	17%	2.02%	1.01%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At ED, employees with targeted disabilities represented 1.59% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 53 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). ED timely processed 28.3% of the total number of counselings. Following counseling, 38 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of ED's 53 instances of counseling, ADR was offered 100% of the time; the parties elected to participate in 3.8% of the completed counselings; and 100% of the the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, ED offered ADR 5.1% of the time; the parties elected to participate in 5.1% of the complaint workload; and 33.3% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

ED completed 94% of its investigations within the regulatory time frames, with an average processing time of 194 days for all investigations. In most instances, the

regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

ED's average processing time for all complaint closures decreased from 706 days in FY 2003 to 542 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

ED had a total of 49 complaints pending at the end of FY 2004, with 24 pending investigation for an average of 146 days; and 9 pending the issuance of final decisions for an average of 764 days.

V. Costs

ED made no monetary awards for the 2 counseling settlements with benefits achieved.

ED agreed to pay a total of $15,000 for 3 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $5,000.

ED expended a total of $75,503 for 18 complaint investigations, for an average expenditure of $4,195.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	51		2		53	

Settlements	0	0.00%	2	100.00%	2	3.77%
Withdrawal/no Complaint Filed	27	52.9%	0	0%	27	50.94%
Complaints Filed*					24	45.28%
Decision to File Complaint Pending at End of Fiscal Year					0	0.00%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	45	0	0.00%	0	0.00%
FY 2004 Pre-Complaint Counselings	53	53	100.00%	2	3.77%
Percentage Change FY 2003 to FY 2004	17.77%	0%		0%	
FY 2003 Complaints*	78	0	0.00%	0	0.00%
FY 2004 Complaints*	79	4	5.06%	4	5.06%
Percentage Change FY 2003 to FY 2004	1.28%	0%		0%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	53	15	28.30%			
All Investigations	18	17	94.44%	197	194	-1.52%
Merit Decisions (no AJ)	5	1	20.00%	283	537	89.75%
Dismissal Decisions	2			350	244	-30.28%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (30)	#	%	#	%	#	%	#	%
Settlements	3	10.00%						
Withdrawals	8	26.66%						

Dismissals	2	6.66%						
Merit Decisions	17	56.66%						
Finding Discrimination	1	5.88%	0	0.00%	0	0.00%	1	100.00%
Finding No Discrimination	16	94.11%	5	31.25%	11	68.75%	0	0.00%

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U.S. Department of Energy (DOE)

Permanent Workforce: 14,713 Temporary Workforce: 308 Total Workforce: 15,023

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	14,713	62.63%	37.37%	5.93%	77.2%	11.02%	4.35%	1.48%
Major Occupations								
General Engineering	1,624	86.45%	13.55%	7.94%	78.08%	3.82%	8.68%	1.48%
Misc. Administration & Program	1,302	41.86%	58.14%	5.68%	68.36%	22.35%	2.76%	0.84%
Management & Program Analysis	782	34.02%	65.98%	7.03%	71.48%	19.44%	1.53%	0.51%
GS-14 and GS-15*	4,761	72.15%	27.85%	4.31%	82%	7.12%	5.67%	0.9%
Senior Pay Level*	565	81.24%	18.76%	4.24%	87.96%	3.89%	3%	0.88%
First-Level Officials/ Managers	57	87.72%	12.28%	22.81%	66.67%	8.77%	0%	1.75%
Mid-Level Officials/ Managers	1,282	68.88%	31.12%	10.76%	77.85%	6.32%	3.35%	1.72%
Senior Level Officials/ Managers	1,423	77.51%	22.49%	3.72%	85.52%	6.47%	3.37%	0.91%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At DOE, employees with targeted disabilities represented 0.79% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 128 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). DOE timely processed 72.4% of the total number of counselings. Following counseling, 81 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of DOE's 128 instances of counseling, ADR was offered 53.1% of the time; the parties elected to participate in 10.9% of the completed counselings; and 21.4% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, DOE offered ADR 17.3% of the time; the parties elected to participate in 5.8% of the complaint workload; and 90.9% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

DOE completed 86% of its investigations within the regulatory time frames, with an average processing time of 209 days for all investigations. In most instances, the

regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

DOE's average processing time for all complaint closures decreased from 650 days in FY 2003 to 377 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

DOE had a total of 97 complaints pending at the end of FY 2004, with 8 pending acknowledgment for an average of 17 days; 34 pending investigation for an average of 279 days; and 10 pending the issuance of final decisions for an average of 312 days.

V. Costs

DOE agreed to pay $3,000 for 4 counseling settlements with benefits, an average $750.00 per counseling settled.

DOE agreed to pay a total of $719,543 for 44 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $16,353.

DOE expended a total of $157,646 for 59 complaint investigations, for an average expenditure of $2,672.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	114		14		128	
Settlements	1	0.87%	3	21.42%	4	3.12%
Withdrawal/no Complaint Filed	21	18.4%	0	0%	21	16.40%

Complaints Filed*					81	63.28%
Decision to File Complaint Pending at End of Fiscal Year					22	17.18%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	207	118	57.00%	23	11.00%
FY 2004 Pre-Complaint Counselings	128	68	53.13%	14	10.94%
Percentage Change FY 2003 to FY 2004	-74.39%	-55.08%		-91.30%	
FY 2003 Complaints*	245	33	13.00%	15	6.00%
FY 2004 Complaints*	208	36	17.31%	12	5.77%
Percentage Change FY 2003 to FY 2004	-15.10%	9.09%		-20.00%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	127	92	72.44%			
All Investigations	59	51	86.44%	183	209	14.20%
Merit Decisions (no AJ)	24	11	45.83%	528	326	-38.25%
Dismissal Decisions	16			470	184	-60.85%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (111)	#	%	#	%	#	%	#	%
Settlements	41	36.93%						
Withdrawals	10	9.00%						
Dismissals	16	14.41%						
Merit Decisions	44	39.63%						
Finding Discrimination	4	9.09%	0	0.00%	3	75.00%	1	25.00%
Finding No Discrimination	40	90.90%	24	60.00%	16	40.00%	0	0.00%

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Environmental Protection Agency (EPA)

Permanent Workforce: 17,379 Temporary Workforce: 1,197 Total Workforce: 18,576

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	17,379	49.84%	50.16%	4.92%	70.23%	18.4%	5.56%	0.81%
Major Occupations								
Environmental Protection Spec.	2,870	41.01%	58.99%	4.04%	73.62%	16.2%	4.46%	1.67%
General Physical Science	2,255	62.48%	37.52%	4.52%	82.62%	7.14%	4.88%	0.84%
Environmental Engineering	2,011	70.06%	29.94%	7.11%	73.84%	7.86%	10.74%	0.45%
GS-14 and GS-15*	5,152	59.49%	40.51%	3.86%	80.9%	10.38%	4.31%	0.54%
Senior Pay Level*	326	64.73%	35.27%	3.98%	86.5%	6.74%	2.76%	0%
First-Level Officials/ Managers	1	100%	0%	0%	100%	0%	0%	0%
Mid-Level Officials/ Managers	560	60.89%	39.11%	4.11%	80%	10.71%	4.46%	0.71%
Senior Level Officials/ Managers	1,371	61.05%	38.95%	4.23%	83.3%	9.19%	2.77%	0.51%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At EPA, employees with targeted disabilities represented 0.84% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 125 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). EPA timely processed 75.4% of the total number of counselings. Following counseling, 71 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of EPA's 125 instances of counseling, ADR was offered 100% of the time; the parties elected to participate in 3.2% of the completed counselings; but none were resolved through settlements or withdrawals.

At the formal complaint phase, EPA offered ADR 30.5% of the time; the parties elected to participate in 0.4% of the complaint workload, but none of those were resolved through settlements or withdrawals.

III. Processing Times

EPA completed 78% of its investigations within the regulatory time frames, with an average processing time of 305 days for all investigations. In most instances, the regulations require completion of investigations within

180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

EPA's average processing time for all complaint closures increased from 681 days in FY 2003 to 738 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

EPA had a total of 146 complaints pending at the end of FY 2004, with 7 pending acknowledgment for an average of 44 days; 45 pending investigation for an average of 170 days; and 38 pending the issuance of final decisions for an average of 733 days.

V. Costs

EPA reported no monetary awards for the 2 counseling settlements with benefits achieved.

EPA agreed to pay a total of $271,351 for 11 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $24,668.

EPA expended a total of $58,338 for 63 complaint investigations, for an average expenditure of $926.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	123		2		125	
Settlements	2	1.62%	0	0%	2	1.60%
Withdrawal/no Complaint Filed	52	42.2%	0	0%	52	41.60%
Complaints Filed*					71	56.80%

Decision to File Complaint Pending at End of Fiscal Year					0	0.00%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	125	125	100.00%	18	14.00%
FY 2004 Pre-Complaint Counselings	125	125	100.00%	4	3.20%
Percentage Change FY 2003 to FY 2004	0.00%	0.00%		-77.77%	
FY 2003 Complaints*	249	9	4.00%	9	4.00%
FY 2004 Complaints*	239	73	30.54%	1	0.42%
Percentage Change FY 2003 to FY 2004	-4.01%	711.11%		-88.88%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	122	92	75.40%			
All Investigations	63	49	77.77%	318	305	-4.08%
Merit Decisions (no AJ)	31	15	48.39%	872	790	-9.40%
Dismissal Decisions	23			295	588	99.32%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (93)	#	%	#	%	#	%	#	%
Settlements	11	11.82%						
Withdrawals	7	7.52%						
Dismissals	23	24.73%						
Merit Decisions	52	55.91%						
Finding Discrimination	0	0%	0	0%	0	0%	0	0%
Finding No Discrimination	52	100.00%	31	59.61%	21	40.38%	0	0.00%

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Equal Employment Opportunity Commission (EEOC)

Permanent Workforce: 2,397 Temporary Workforce: 68 Total Workforce: 2,465

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	2,397	32.91%	67.09%	12.98%	38.62%	44.5%	3.44%	0.44%
Major Occupations								
General Investigating	906	38.41%	61.59%	17.44%	35.1%	44.15%	2.98%	0.33%
General Attorney	533	39.02%	60.98%	8.63%	62.66%	23.83%	4.88%	0%
GS-14 and GS-15*	636	41.82%	58.18%	10.22%	58.18%	27.52%	4.09%	0%
Senior Pay Level*	38	52.64%	47.36%	18.42%	42.1%	34.21%	5.26%	0%
First-Level Officials/ Managers	45	24.44%	75.56%	22.22%	33.33%	44.44%	0%	0%
Mid-Level Officials/ Managers	237	43.88%	56.12%	11.81%	44.3%	40.08%	3.8%	0%
Senior Level Officials/ Managers	121	55.37%	44.63%	13.22%	54.55%	28.93%	3.31%	0%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities.

EEO Complaint Processing

I. Counseling

There were 49 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). EEOC timely processed 70% of the total number of counselings. Following counseling, 31 formal complaints of

discrimination were filed.

II. Alternative Dispute Resolution

Of EEOC's 49 instances of counseling, ADR was offered 100% of the time; the parties elected to participate in 32.7% of the completed counselings; and 50% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, EEOC offered ADR 10.3% of the time; the parties elected to participate in 10.3% of the complaint workload; and 69.2% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

EEOC completed 89% of its investigations within the regulatory time frames, with an average processing time of 1days for all investigations. In most instances, the

regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

EEOC's average processing time for all complaint closures decreased from 510 days in FY 2003 to 421 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

EEOC had a total of 36 complaints pending at the end of FY 2004, with 6 pending investigation for an average of 83 days; and 15 pending the issuance of final decisions for an average of 581 days.

V. Costs

EEOC reported no monetary awards for the 5 counseling settlements with benefits achieved.

EEOC agreed to pay a total of $33,816 for 15 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $2,254.

EEOC expended a total of $104,000 for 35 complaint investigations, for an average expenditure of $2,971.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	33		16		49	
Settlements	0	0.00%	5	31.25%	5	10.20%
Withdrawal/no Complaint Filed	12	36.3%	3	18.7%	15	30.61%
Complaints Filed*					27	55.10%

Decision to File Complaint Pending at End of Fiscal Year					2	4.08%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	72	56	78.00%	12	17.00%
FY 2004 Pre-Complaint Counselings	49	55	100.00%	16	32.65%
Percentage Change FY 2003 to FY 2004	-31.94%	-1.78%		33.33%	
FY 2003 Complaints*	99	23	23.00%	13	13.00%
FY 2004 Complaints*	87	9	10.34%	9	10.34%
Percentage Change FY 2003 to FY 2004	-12.12%	-60.86%		-30.76%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	49	34	69.38%			
All Investigations	35	31	88.57%	275	162	-41.09%
Merit Decisions (no AJ)	12	3	25.00%	718	482	-32.86%
Dismissal Decisions	4			238	82	-65.54%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (51)	#	%	#	%	#	%	#	%
Settlements	14	27.45%						
Withdrawals	10	19.60%						
Dismissals	4	7.84%						
Merit Decisions	23	45.09%						

Finding Discrimination	1	4.34%	0	0.00%	1	100.00%	0	0.00%
Finding No Discrimination	22	95.65%	12	54.54%	10	45.45%	0	0.00%

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Federal Communications Commission (FCC)

Permanent Workforce: 1,920 Temporary Workforce: 32 Total Workforce: 1,952

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	1,920	47.55%	52.45%	2.92%	60.34%	31.55%	4.91%	0.25%
Major Occupations								
Misc. Administrative & Program	374	30.48%	69.52%	2.14%	48.66%	46.52%	2.41%	0.27%
Electronics Engineer	298	90.27%	9.73%	3.69%	73.83%	8.39%	13.42%	0.67%
General Attorney	519	51.45%	48.55%	2.7%	78.23%	14.26%	4.62%	0.19%
GS-14 and GS-15*	1,041	61.1%	38.9%	2.59%	76.56%	14.31%	6.15%	0.38%
Senior Pay Level*	62	75.81%	24.19%	3.22%	88.7%	0%	0%	0%
First-Level Officials/ Managers	3	33.33%	66.67%	0%	66.67%	33.33%	0%	0%
Mid-Level Officials/ Managers	35	40%	60%	0%	54.29%	45.71%	0%	0%
Senior Level Officials/ Managers	284	61.97%	38.03%	1.06%	84.15%	11.62%	3.17%	0%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At FCC, employees with targeted disabilities represented 1.02% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 15 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). FCC timely processed 86.7% of the total number of counselings. Following counseling, 6 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of FCC's 15 instances of counseling, ADR was offered 100% of the time, but the parties elected not to participate, resulting in no resolutions achieved through settlements or withdrawals.

At the formal complaint phase, FCC offered ADR 60% of the time, but the parties elected not to participate, resulting in no resolutions achieved through settlements or withdrawals.

III. Processing Times

FCC completed all 3 of its investigations within the regulatory time frames, with an average processing time of 133 days for all investigations. In most instances, the regulations require completion of investigations within

180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

FCC's average processing time for all complaint closures increased from 82 days in FY 2003 to 701 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

FCC had a total of 4 complaints pending at the end of FY 2004, with 2 pending investigation for an average of 50 days; and 1 pending the issuance of final decisions for an average of 403 days.

V. Costs

FCC reported no counseling settlements with benefits, achieved during this reporting period.

FCC reported no complaint closures during this reporting period.

FCC expended a total of $14,000 for 3 complaint investigations, for an average expenditure of $4,667.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	15		0		15	
Settlements	0	0.00%	0	0%	0	0%
Withdrawal/no Complaint Filed	6	40%	0	0%	6	40.00%
Complaints Filed*					6	40.00%

Decision to File Complaint Pending at End of Fiscal Year					3	20.00%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	91	6	7.00%	2	2.00%
FY 2004 Pre-Complaint Counselings	15	15	100.00%	0	0.00%
Percentage Change FY 2003 to FY 2004	-83.51%	150.00%		-100.00%	
FY 2003 Complaints*	14	0	0.00%	0	0.00%
FY 2004 Complaints*	10	6	60.00%	0	0.00%
Percentage Change FY 2003 to FY 2004	-28.57%	0%		0%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	15	13	86.66%			
All Investigations	3	3	100.00%	180	133	-26.11%
Merit Decisions (no AJ)	1	1	100.00%	82	0	-100.00%
Dismissal Decisions	0			0	0	0%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (6)	#	%	#	%	#	%	#	%
Settlements	0	0.00%						
Withdrawals	0	0.00%						
Dismissals	0	0.00%						
Merit Decisions	6	100.00%						
Finding Discrimination	0	0%	0	0%	0	0%	0	0%
Finding No Discrimination	6	100.00%	1	20.00%	5	80.00%	0	0.00%

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Federal Deposit Insurance Corporation (FDIC)

Permanent Workforce: 5,191 Temporary Workforce: 101 Total Workforce: 5,292

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	5,191	55.18%	44.82%	4.02%	74.03%	17.76%	3.62%	0.54%
Major Occupations								
Financial Institution Examining	2,260	67.39%	32.61%	3.84%	85.3%	7.65%	2.65%	0.53%
General Attorney	271	65.31%	34.69%	3.69%	88.19%	5.9%	1.48%	0.74%
Financial Analysis	123	63.41%	36.59%	2.44%	78.05%	12.2%	7.32%	0%
GS-14 and GS-15*	1,206	68.08%	31.92%	2.99%	84.33%	8.54%	3.73%	0.41%
Senior Pay Level*	167	76.05%	23.95%	2.99%	85.62%	10.17%	1.19%	0%
First-Level Officials/ Managers	13	23.08%	76.92%	7.69%	38.46%	46.15%	7.69%	0%
Mid-Level Officials/ Managers	87	59.77%	40.23%	5.75%	68.97%	19.54%	5.75%	0%
Senior Level Officials/ Managers	206	74.76%	25.24%	4.37%	83.01%	9.22%	1.46%	0%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At FDIC, employees with targeted disabilities represented 0.77% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 53 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). FDIC timely processed 31% of the total number of counselings. Following counseling, 35 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of FDIC's 53 instances of counseling, ADR was offered 100% of the time; the parties elected to participate in 41.5% of the completed counselings; and 22.7% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, FDIC offered ADR 27.6% of the time; the parties elected to participate in 9% of the complaint workload; and 5.9% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

FDIC completed 39% of its investigations within the regulatory time frames, with an average processing time of 273 days for all investigations. In most instances, the

regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

FDIC's average processing time for all complaint closures decreased from 1,125 days in FY 2003 to 986 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

FDIC had a total of 79 complaints pending at the end of FY 2004, with 1 pending acknowledgment for an average of 1 day; 22 pending investigation for an average of 118 days; and 31 pending the issuance of final decisions for an average of 1,227 days.

V. Costs

FDIC reported no counseling settlements with benefits during this reporting period.

FDIC agreed to pay a total of $13,000 for 12 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $10,833.

FDIC expended a total of $161,298 for 38 complaint investigations, for an average expenditure of $4,245.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%

Total Instances of Counseling:	31		22		53	
Settlements	1	3.22%	5	22.72%	6	11.32%
Withdrawal/no Complaint Filed	14	45.1%	0	0%	14	26.41%
Complaints Filed*					31	58.49%
Decision to File Complaint Pending at End of Fiscal Year					2	3.77%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	52	37	71.00%	12	23.00%
FY 2004 Pre-Complaint Counselings	53	57	100.00%	22	41.51%
Percentage Change FY 2003 to FY 2004	1.92%	54.05%		83.33%	
FY 2003 Complaints*	183	38	21.00%	13	7.00%
FY 2004 Complaints*	134	37	27.61%	12	8.96%
Percentage Change FY 2003 to FY 2004	-26.77%	-2.63%		-7.69%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	53	51	96.22%			
All Investigations	38	15	39.47%	693	272	-60.75%
Merit Decisions (no AJ)	19	6	31.58%	1,293	734	-43.20%
Dismissal Decisions	3			1,136	0	-100.00%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (55)	#	%	#	%	#	%	#	%
Settlements	8	14.54%						
Withdrawals	7	12.72%						
Dismissals	3	5.45%						
Merit Decisions	37	67.27%						
Finding Discrimination	4	10.81%	0	0.00%	4	100.00%	0	0.00%
Finding No Discrimination	33	89.18%	19	57.57%	14	42.42%	0	0.00%

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Federal Trade Commission (FTC)

Permanent Workforce: 953 Temporary Workforce: 120 Total Workforce: 1,073

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	953	49.87%	50.13%	2.42%	72.22%	21.24%	3.82%	0.27%
Major Occupation:								
General Attorney	540	56.67%	43.33%	2.41%	85.93%	7.22%	4.26%	0.19%
GS-14 and GS-15*	535	60.75%	39.25%	2.06%	87.66%	6.17%	3.93%	0.19%
Senior Pay Level*	40	65%	35%	0%	95%	5%	0%	0%
First-Level Officials / Managers	0	0%	0%	0%	0%	0%	0%	0%
Mid-Level Officials / Managers	58	43.1%	56.9%	70.69%	27.59%	0%	1.72%	0%
Senior Level Officials / Managers	237	67.93%	32.07%	0.84%	94.51%	3.8%	0.84%	0%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At FTC, employees with targeted disabilities represented 0.37% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 21 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). FTC timely processed 95.2% of the total number of counselings. Following counseling, 6 formal complaints of

discrimination were filed.

II. Alternative Dispute Resolution

Of FTC's 21 instances of counseling, ADR was offered 100% of the time. However, the parties elected not to participate so there were no resolutions achieved through settlements or withdrawals. There was, however, one settlement from an ADR proceeding pending from the prior fiscal year.

At the formal complaint phase, FTC offered ADR 50% of the time. However, the parties elected not to participate so there were no resolutions achieved through settlements or withdrawals.

III. Processing Times

FTC completed all 3 of its investigations within the regulatory time frames, with an average processing time of 169 days for all investigations. In most instances, the regulations require completion of investigations within

180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

FTC's average processing time for all complaint closures increased from 298 days in FY 2003 to 847 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

FTC had a total of 5 complaints pending at the end of FY 2004, with 1 pending acknowledgment for an average of 7 days; 2 pending investigation for an average of 124 days; and 2 pending the issuance of final decisions for an average of 268 days.

V. Costs

FTC reported no monetary awards for the one settlement with benefits achieved during counseling.

FTC agreed to pay a total of $20,104 for 4 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $5,026.

FTC expended a total of $10,600 for 3 complaint investigations, for an average expenditure of $3,533.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	20		1		21	
Settlements	0	0.00%	1	100.00%	1	4.76%
Withdrawal/no Complaint Filed	13	65%	0	0%	13	61.90%

Complaints Filed*					7	33.33%
Decision to File Complaint Pending at End of Fiscal Year					0	0.00%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	33	33	100.00%	1	3.00%
FY 2004 Pre-Complaint Counselings	21	22	100.00%	0	0.00%
Percentage Change FY 2003 to FY 2004	-36.36%	-27.27%		-100.00%	
FY 2003 Complaints*	10	4	40.00%	0	0.00%
FY 2004 Complaints*	12	6	50.00%	0	0.00%
Percentage Change FY 2003 to FY 2004	20.00%	50.00%		0%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	21	20	95.23%			
All Investigations	3	3	100.00%	0	169	0%
Merit Decisions (no AJ)	1	1	100.00%	0	167	0%
Dismissal Decisions	0			0	0	0%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (7)	#	%	#	%	#	%	#	%
Settlements	4	57.14%						
Withdrawals	0	0.00%						

Dismissals	0	0.00%						
Merit Decisions	3	42.85%						
Finding Discrimination	0	0%	0	0%	0	0%	0	0%
Finding No Discrimination	3	100.00%	1	33.33%	2	66.66%	0	0%

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General Services Administration (GSA)

Permanent Workforce: 12,402 Temporary Workforce: 195 Total Workforce: 12,597

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	12,402	50.91%	49.09%	5.08%	63.07%	26.49%	4.42%	0.92%
Major Occupations								
Contracting	1,332	29.28%	70.72%	5.18%	54.5%	35.21%	4.13%	0.98%
General Business & Industry	1,080	54.81%	45.19%	5.83%	74.81%	15.28%	2.87%	1.2%
Building Management	964	68.98%	31.02%	6.64%	62.24%	27.7%	2.49%	0.93%
GS-14 and GS-15*	2,241	60.15%	39.85%	2.81%	76.97%	16.2%	3.39%	0.62%
Senior Pay Level*	114	72.81%	27.19%	2.63%	88.59%	7.89%	0.87%	0%
First-Level Officials/ Managers	100	63%	37%	7%	72%	15%	5%	1%
Mid-Level Officials/ Managers	1,382	58.83%	41.17%	3.84%	70.26%	21.92%	3.04%	0.94%
Senior Level Officials/ Managers	708	65.96%	34.04%	2.97%	85.31%	9.32%	1.84%	0.56%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At GSA, employees with targeted disabilities represented 0.94% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 144 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). GSA timely processed 94.4% of the total number of counselings. Following counseling, 89 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of GSA's 144 instances of counseling, ADR was offered 79.9% of the time; the parties elected to participate in 18.8% of the completed counselings; and 68% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, GSA offered ADR 28.7% of the time; the parties elected to participate in 3.4% of the complaint workload; and 44.4% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

GSA completed 95% of its investigations within the regulatory time frames, with an average processing time of 166 days for all investigations. In most instances, the

regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

GSA's average processing time for all complaint closures increased from 452 days in FY 2003 to 509 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

GSA had a total of 112 complaints pending at the end of FY 2004, with 1 pending acknowledgment for an average of 22 days; 29 pending investigation for an average of 106 days; and 10 pending the issuance of final decisions for an average of 371 days.

V. Costs

GSA agreed to pay $11,152 for 20 counseling settlements with benefits, an average $557.60 per counseling settled.

GSA agreed to pay a total of $272,538 for 34 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $8,015.

GSA expended a total of $255,180 for 88 complaint investigations, for an average expenditure of $2,900.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	119		25		144	
Settlements	4	3.36%	16	64.00%	20	13.88%

Withdrawal/no Complaint Filed	32	26.8%	1	4%	33	22.91%
Complaints Filed*					86	59.72%
Decision to File Complaint Pending at End of Fiscal Year					5	3.47%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	167	189	100.00%	23	14.00%
FY 2004 Pre-Complaint Counselings	144	115	79.86%	27	18.75%
Percentage Change FY 2003 to FY 2004	-13.77%	-39.15%		17.39%	
FY 2003 Complaints*	259	74	29.00%	6	2.00%
FY 2004 Complaints*	237	68	28.69%	8	3.38%
Percentage Change FY 2003 to FY 2004	-8.49%	-9.33%		33.33%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	144	136	94.44%			
All Investigations	88	84	95.45%	154	166	7.79%
Merit Decisions (no AJ)	22	17	77.27%	364	339	-6.86%
Dismissal Decisions	28			226	142	-37.16%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (125)	#	%	#	%	#	%	#	%
Settlements	34	27.20%						
Withdrawals	2	1.60%						
Dismissals	28	22.40%						
Merit Decisions	61	48.80%						

Finding Discrimination	0	0%	0	0%	0	0%	0	0%
Finding No Discrimination	61	100.00%	22	36.06%	39	63.93%	0	0.00%

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Government Printing Office (GPO)

Permanent Workforce: 2,363 Temporary Workforce: 33 Total Workforce: 2,396

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	2,363	58.64%	41.36%	1.58%	39.56%	57.05%	1.54%	0.25%
Major Occupation:								
Printing Services	279	57.35%	42.65%	1.43%	67.03%	29.75%	1.08%	0.72%
GS-14 and GS-15*	135	77.78%	22.22%	2.96%	74.07%	20%	2.22%	0.74%
Senior Pay Level*	29	82.76%	17.24%	0%	89.65%	10.34%	0%	0%
First-Level Officials/ Managers	40	40%	60%	5%	22.5%	72.5%	0%	0%
Mid-Level Officials/ Managers	119	66.39%	33.61%	3.36%	73.11%	22.69%	0.84%	0%
Senior Level Officials/ Managers	77	88.31%	11.69%	0%	81.82%	14.29%	2.6%	1.3%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At GPO, employees with targeted disabilities represented 1.54% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 65 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). GPO timely processed 67.7% of the total number of counselings. Following counseling, 34 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of GPO's 65 instances of counseling, ADR was offered 86.2% of the time; the parties elected to participate in 4.6% of the completed counselings; and 33.3% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, GPO offered ADR 0.9% of the time; the parties elected to participate in 0.9% of the complaint workload; but there were no resolutions through settlements or withdrawals.

III. Processing Times

GPO completed 12% of its investigations within the regulatory time frames, with an average processing time of 340 days for all investigations. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the

only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

GPO's average processing time for all complaint closures decreased from 877 days in FY 2003 to 513 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

GPO had a total of 64 complaints pending at the end of FY 2004, with 30 pending investigation for an average of 226 days; and 2 pending the issuance of final decisions for an average of 886 days.

V. Costs

GPO agreed to pay $101 for 13 counseling settlements with benefits, an average $7.76 per counseling settled.

GPO agreed to pay a total of $108,127 for 15 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $7,208.

GPO expended a total of $62,024 for 25 complaint investigations, for an average expenditure of $2,481.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	62		3		65	
Settlements	12	19.35%	1	33.33%	13	20.00%
Withdrawal/no Complaint Filed	18	29%	0	0%	18	27.69%
Complaints Filed*					29	44.61%

Decision to File Complaint Pending at End of Fiscal Year					5	7.69%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	59	60	100.00%	0	0.00%
FY 2004 Pre-Complaint Counselings	65	56	86.15%	3	4.62%
Percentage Change FY 2003 to FY 2004	10.16%	-6.66%		0%	
FY 2003 Complaints*	126	2	2.00%	2	2.00%
FY 2004 Complaints*	113	1	0.89%	1	0.89%
Percentage Change FY 2003 to FY 2004	-10.31%	-50.00%		-50.00%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	65	44	67.69%			
All Investigations	25	3	12.00%	477	340	-28.72%
Merit Decisions (no AJ)	15	5	33.33%	1,185	340	-71.30%
Dismissal Decisions	12			430	142	-66.97%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (49)	#	%	#	%	#	%	#	%
Settlements	15	30.61%						
Withdrawals	2	4.08%						
Dismissals	12	24.48%						

Merit Decisions	20	40.81%						
Finding Discrimination	0	0%	0	0%	0	0%	0	0%
Finding No Discrimination	20	100.00%	15	75.00%	5	25.00%	0	0.00%

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U.S. Department of Health and Human Services (HHS)

Permanent Workforce: 52,194 Temporary Workforce: 11,375 Total Workforce: 63,581

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	52,194	39.27%	60.73%	3.54%	55.87%	16.8%	7.19%	16.58%
Major Occupations								
Medical Officer	4,650	66.43%	33.57%	4.17%	77.14%	5.53%	11.46%	1.7%
Nurse	3,267	9.86%	90.14%	3.09%	55.04%	5.36%	2.57%	33.95%
Information Technology Mgt.	2,512	58.04%	41.96%	2.79%	64.13%	17.24%	8.16%	7.68%
GS-14 and GS-15*	10,768	51.82%	48.18%	3.01%	77.34%	9.92%	7.19%	2.54%
Senior Pay Level*	2,102	71.56%	28.44%	2.66%	83.06%	5.28%	8.03%	0.95%
First-Level Officials/ Managers	1,140	27.81%	72.19%	1.32%	30.09%	8.25%	1.23%	59.12%
Mid-Level Officials/ Managers	2,330	50.34%	49.66%	2.92%	71.29%	13.95%	4.03%	7.81%
Senior Level Officials/ Managers	3,430	61.31%	38.69%	2.45%	82.39%	8.16%	4.69%	2.3%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At HHS, employees with targeted disabilities represented 1.02% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 470 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). HHS timely processed 73.8% of the total number of counselings. Following counseling, 244 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of HHS' 470 instances of counseling, ADR was offered 73.8% of the time; the parties elected to participate in 28.3% of the completed counselings; and 42.8% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, HHS offered ADR 5.6% of the time; the parties elected to participate in 3.5% of the complaint workload; and 50% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

HHS completed 80% of its investigations within the regulatory time frames, with an average processing time of 170 days for all investigations. In most instances, the

regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

HHS' average processing time for all complaint closures decreased from 564 days in FY 2003 to 510 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

HHS had a total of 307 complaints pending at the end of FY 2004, with 5 pending acknowledgment for an average of 36 days; 85 pending investigation for an average of 124 days; and 83 pending the issuance of final decisions for an average of 550 days.

V. Costs

HHS agreed to pay $115,166 for 43 counseling settlements with benefits, an average $2,678.27 per counseling settled.

HHS agreed to pay a total of $1,465,486 for 74 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $19,803.

HHS expended a total of $534,883 for 153 complaint investigations, for an average expenditure of $3,496.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	325		145		470	
Settlements	7	2.15%	36	24.82%	43	9.14%

Withdrawal/no Complaint Filed	158	48.6%	26	17.9%	184	39.14%
Complaints Filed*					217	46.17%
Decision to File Complaint Pending at End of Fiscal Year					26	5.53%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	541	309	57.00%	126	23.00%
FY 2004 Pre-Complaint Counselings	470	347	73.83%	133	28.30%
Percentage Change FY 2003 to FY 2004	-13.12%	12.29%		5.55%	
FY 2003 Complaints*	666	43	6.00%	34	5.00%
FY 2004 Complaints*	577	32	5.55%	20	3.47%
Percentage Change FY 2003 to FY 2004	-13.36%	-25.58%		-41.17%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	470	347	73.82%			
All Investigations	153	122	79.73%	178	170	-4.49%
Merit Decisions (no AJ)	45	1	2.22%	795	604	-24.02%
Dismissal Decisions	68			171	171	0.00%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (270)	#	%	#	%	#	%	#	%
Settlements	70	25.92%						
Withdrawals	36	13.33%						
Dismissals	68	25.18%						

Merit Decisions	96	35.55%						
Finding Discrimination	5	5.20%	1	20.00%	3	60.00%	1	20.00%
Finding No Discrimination	91	94.79%	44	48.35%	47	51.64%	0	0.00%

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U.S. Department of Homeland Security (DHS)

Permanent Workforce: 136,200 Temporary Workforce: 26,743 Total Workforce: 162,944

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	136,200	66.21%	33.79%	16.6%	63.68%	14.5%	4.42%	0.78%
Major Occupations								
Gen. Inspect., Invest. & Compliance	15,692	75.45%	24.55%	16.34%	67.78%	10.22%	4.86%	0.8%
Criminal Investigating	9,665	86.5%	13.5%	14.24%	76.04%	6.21%	2.86%	0.66%
Border Patrol Agent	10,731	94.3%	5.7%	50.42%	46.74%	1.32%	1.03%	0.48%
GS-14 and GS-15*	8,125	69.76%	30.24%	7.74%	80.49%	8.59%	2.55%	0.63%
Senior Pay Level*	477	79.04%	20.96%	5.03%	86.58%	5.66%	2.3%	0.41%
First-Level Officials/ Managers	4,688	71.57%	28.43%	28.65%	57.83%	9.36%	3.46%	0.7%
Mid-Level Officials/ Managers	5,493	73.37%	26.63%	13.93%	74.09%	8.36%	2.93%	0.69%
Senior Level Officials/ Managers	2,137	74.12%	25.88%	6.22%	85.31%	6.27%	1.82%	0.37%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At DHS, employees with targeted disabilities represented 0.45% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 2,447 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). DHS timely processed 75.92% of the total number of counselings. Following counseling, 1,254 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of DHS' 2,447 instances of counseling, ADR was offered 85.7% of the time; the parties elected to participate in 31.4% of the completed counselings; and 51.2% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, DHS offered ADR 18.1% of the time; the parties elected to participate in1.5% of the complaint workload; and 44.1% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

DHS completed 44% of its investigations within the regulatory time frames, with an average processing time of 257 days for all investigations. In most instances, the

regulations require investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

DHS' average processing time for all complaint closures was 534 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

DHS had a total of 2,485 complaints pending at the end of FY 2004, with 137 pending acknowledgment for an average of 66 days; 802 pending investigation for an average of 165 days; and 900 pending the issuance of final decisions for an average of 577 days.

V. Costs

DHS agreed to pay $47,054 for 234 counseling settlements with benefits, an average $201.09 per counseling settled.

DHS agreed to pay a total of $1,953,893 for 229 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $8,532.

DHS expended a total of $1,666,496 for 750 complaint investigations, for an average expenditure of $2,222.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	1,669		778		2,447	
Settlements	46	2.75%	188	24.16%	234	9.56%
Withdrawal/no Complaint Filed	265	15.8%	210	26.9%	475	19.41%

Complaints Filed*					1,213	49.57%
Decision to File Complaint Pending at End of Fiscal Year					525	21.45%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	NA	NA	NA	NA	NA
FY 2004 Pre-Complaint Counselings	2,447	2,097	85.70%	768	31.39%
Percentage Change FY 2003 to FY 2004	NA	NA		NA	
FY 2003 Complaints*	NA	NA	NA	NA	NA
FY 2004 Complaints*	3,379	611	18.08%	49	1.45%
Percentage Change FY 2003 to FY 2004	NA	NA		NA	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	2,446	1,857	75.91%			
All Investigations	750	331	44.13%	NA	257	NA
Merit Decisions (no AJ)	114	38	33.33%	NA	902	NA
Dismissal Decisions	258			NA	236	NA

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (894)	#	%	#	%	#	%	#	%
Settlements	195	21.81%						
Withdrawals	117	13.08%						
Dismissals	258	28.85%						
Merit Decisions	324	36.24%						
Finding Discrimination	39	12.03%	20	51.28%	14	35.89%	5	12.82%
Finding No Discrimination	285	87.96%	94	32.98%	175	61.40%	16	5.61%

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U.S. Department of Housing and Urban Development (HUD)

Permanent Workforce: 9,857 Temporary Workforce: 361 Total Workforce: 10,218

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	9,857	39.78%	60.22%	7.05%	50.75%	36.92%	4.22%	1.03%
Major Occupations								
General Business & Industry	3,191	38.48%	61.52%	7.87%	56.57%	31.18%	2.85%	1.54%
Misc. Administration & Program	1,444	44.18%	55.82%	7.2%	52.49%	36.22%	3.32%	0.76%
Management & Program Analysis	577	36.92%	63.08%	4.33%	44.54%	47.49%	3.12%	0.52%
GS-14 and GS-15*	2,347	54.62%	45.38%	5.58%	61.1%	29.1%	3.49%	0.72%
Senior Pay Level*	119	65.55%	34.45%	7.56%	59.66%	29.41%	2.52%	0.84%
First-Level Officials/ Managers	6	33.33%	66.67%	0%	100%	0%	0%	0%
Mid-Level Officials/ Managers	662	53.02%	46.98%	9.37%	59.67%	27.04%	3.32%	0.6%
Senior Level Officials/ Managers	598	62.21%	37.79%	5.02%	63.38%	26.92%	3.68%	1%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At HUD, employees with targeted disabilities represented 1.36% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 154 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). HUD timely processed 99.4% of the total number of counselings. Following counseling, 123 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of HUD's 154 instances of counseling, ADR was offered 97.4% of the time; the parties elected to participate in 24.0% of the completed counselings; and 54.1% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, HUD offered ADR 7.3% of the time; the parties elected to participate in 4.8% of the complaint workload; and 65.2% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

HUD completed 17% of its investigations within the regulatory time frames, with an average processing time of 385 days for all investigations. In most instances, the

regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

HUD's average processing time for all complaint closures increased from 796 days in FY 2003 to 809 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

HUD had a total of 188 complaints pending at the end of FY 2004, with 5 pending acknowledgment for an average of 8 days; 90 pending investigation for an average of 218 days; and 21 pending the issuance of final decisions for an average of 840 days.

V. Costs

HUD agreed to pay $14,000 for 4 counseling settlements with benefits, an average $3,500.00 per counseling settled.

HUD agreed to pay a total of $316,350 for 43 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $7,357.

HUD expended a total of $113,302 for 60 complaint investigations, for an average expenditure of $1,888.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	117		37		154	
Settlements	0	0.00%	4	10.81%	4	2.59%

Withdrawal/no Complaint Filed	9	7.6%	16	43.2%	25	16.23%
Complaints Filed*					121	78.57%
Decision to File Complaint Pending at End of Fiscal Year					4	2.59%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	188	182	97.00%	53	28.00%
FY 2004 Pre-Complaint Counselings	154	150	97.40%	37	24.03%
Percentage Change FY 2003 to FY 2004	-18.08%	-17.58%		-30.18%	
FY 2003 Complaints*	386	39	10.00%	35	9.00%
FY 2004 Complaints*	358	26	7.26%	17	4.75%
Percentage Change FY 2003 to FY 2004	-7.25%	-92.33%		-51.42%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	154	153	99.35%			
All Investigations	60	10	16.66%	274	385	40.51%
Merit Decisions (no AJ)	41	0	0.00%	952	1,297	36.23%
Dismissal Decisions	30			252	482	91.26%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (170)	#	%	#	%	#	%	#	%
Settlements	40	23.52%						
Withdrawals	20	11.76%						
Dismissals	30	17.64%						
Merit Decisions	80	47.05%						

Finding Discrimination	5	6.25%	0	0.00%	3	60.00%	2	40.00%
Finding No Discrimination	75	93.75%	41	54.66%	34	45.33%	0	0.00%

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U.S. Department of the Interior (DOI)

Permanent Workforce: 60,623 Temporary Workforce: 16,977 Total Workforce: 77,600

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	60,623	59.93%	40.07%	4.68%	72.91%	5.16%	2.01%	14.98%
Major Occupations								
Park Ranger	5,289	65.83%	34.17%	3.69%	88.01%	3.95%	1.64%	2.7%
Misc. Administration & Program	2,484	45.97%	54.03%	5.03%	69.89%	7.61%	1.61%	15.86%
General Biological Science	3,681	67.37%	32.63%	2.88%	91.2%	1.22%	1.68%	3.02%
GS-14 and GS-15*	4,897	72.13%	27.87%	2.65%	83.21%	3.94%	2.67%	7.92%
Senior Pay Level*	368	72.83%	27.17%	2.98%	78.26%	8.15%	1.9%	10.86%
First-Level Officials/ Managers	4,480	67.17%	32.83%	4.46%	79.67%	3.46%	1.43%	10.98%
Mid-Level Officials/ Managers	4,316	72.34%	27.66%	4.29%	82.55%	3.1%	1.65%	8.41%
Senior Level Officials/ Managers	1,240	72.02%	27.98%	2.02%	82.26%	3.95%	1.53%	10.24%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At DOI, employees with targeted disabilities represented 0.89% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 568 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). DOI timely processed 86.4% of the total number of counselings. Following counseling, 326 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of DOI's 568 instances of counseling, ADR was offered 63.2% of the time; the parties elected to participate in 15.3% of the completed counselings; and 56.6% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, DOI offered ADR 5.4% of the time; the parties elected to participate in 3.7% of the complaint workload; and 37.5% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

DOI completed 61% of its investigations within the regulatory time frames, with an average processing time of 217 days for all investigations. In most instances, the

regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

DOI's average processing time for all complaint closures decreased from 682 days in FY 2003 to 542 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

DOI had a total of 425 complaints pending at the end of FY 2004, with 71 pending acknowledgment for an average of 73 days; 151 pending investigation for an average of 202 days; and 28 pending the issuance of final decisions for an average of 376 days.

V. Costs

DOI agreed to pay $128,877 for 61 counseling settlements with benefits, an average $2,112.74 per counseling settled.

DOI agreed to pay a total of $1,580,544 for 115 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $13,744.

DOI expended a total of $598,413 for 202 complaint investigations, for an average expenditure of $2,962.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	469		99		568	
Settlements	34	7.24%	27	27.27%	61	10.73%
Withdrawal/no Complaint Filed	110	23.4%	29	29.2%	139	24.47%

Complaints Filed*					262	46.12%
Decision to File Complaint Pending at End of Fiscal Year					106	18.66%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	616	330	54.00%	94	15.00%
FY 2004 Pre-Complaint Counselings	568	359	63.20%	87	15.32%
Percentage Change FY 2003 to FY 2004	-7.79%	8.78%		-7.44%	
FY 2003 Complaints*	901	137	15.00%	64	7.00%
FY 2004 Complaints*	785	42	5.35%	29	3.69%
Percentage Change FY 2003 to FY 2004	-12.87%	-69.34%		-54.68%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	568	491	86.44%			
All Investigations	202	123	60.89%	229	217	-5.24%
Merit Decisions (no AJ)	109	39	35.78%	673	420	-37.60%
Dismissal Decisions	56			465	377	-18.92%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (360)	#	%	#	%	#	%	#	%
Settlements	104	28.88%						
Withdrawals	11	3.05%						
Dismissals	56	15.55%						
Merit Decisions	189	52.50%						
Finding Discrimination	11	5.82%	2	18.18%	9	81.81%	0	0.00%
Finding No Discrimination	178	94.17%	107	60.11%	71	39.88%	0	0.00%

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U.S. Department of Justice (DOJ)

Permanent Workforce: 99,990 Temporary Workforce: 2,916 Total Workforce: 102,906

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	99,990	59.58%	40.42%	8.59%	70.04%	17.72%	2.8%	0.82%
Major Occupations								
Criminal Investigating	21,728	84.95%	15.05%	7.86%	82.29%	6.32%	2.99%	0.54%
General Attorney	9,286	62.71%	37.29%	4.8%	84.18%	7.24%	3.37%	0.41%
Correctional Officer	14,989	86.57%	13.43%	12.72%	60.38%	24.11%	1.43%	1.35%
GS-14 and GS-15*	11,634	69.33%	30.67%	5.85%	80.06%	10.41%	3.09%	0.59%
Senior Pay Level*	4,368	70.49%	29.51%	4.85%	85.92%	6.82%	1.99%	0.41%
First-Level Officials/ Managers	4,295	61.44%	38.56%	10.99%	64.1%	21.61%	1.75%	1.56%
Mid-Level Officials/ Managers	6,441	72.36%	27.64%	7.44%	76.68%	12.84%	2.17%	0.87%
Senior Level Officials/ Managers	3,689	73.19%	26.81%	5.12%	83.19%	9.03%	2.11%	0.54%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At DOJ, employees with targeted disabilities represented 0.39% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 1,835 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). DOJ timely processed 95.1% of the total number of counselings. Following counseling, 610 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of DOJ's 1,835 instances of counseling, ADR was offered 43.2% of the time; the parties elected to participate in 4.6% of the completed counselings; and 39.0% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, DOJ offered ADR 11.1% of the time; the parties elected to participate in 1.4% of the complaint workload; and 34.6% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

DOJ completed 55% of its investigations within the regulatory time frames, with an average processing time of 266 days for all investigations. In most instances, the

regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

DOJ's average processing time for all complaint closures decreased from 728 days in FY 2003 to 565 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

DOJ had a total of 846 complaints pending at the end of FY 2004, with 36 pending acknowledgment for an average of 71 days; 220 pending investigation for an average of 182 days; and 153 pending the issuance of final decisions for an average of 362 days.

V. Costs

DOJ agreed to pay $392,012 for 92 counseling settlements with benefits, an average $4,261.00 per counseling settled.

DOJ agreed to pay a total of $581,701 for 111 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $5,241.

DOJ expended a total of $1,742,139 for 398 complaint investigations, for an average expenditure of $4,377.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	1,753		82		1,835	
Settlements	63	3.59%	29	35.36%	92	5.01%

Withdrawal/no Complaint Filed	1,063	60.6%	3	3.6%	1,066	58.09%
Complaints Filed*					604	32.91%
Decision to File Complaint Pending at End of Fiscal Year					73	3.97%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	1,711	733	43.00%	83	5.00%
FY 2004 Pre-Complaint Counselings	1,835	793	43.22%	84	4.58%
Percentage Change FY 2003 to FY 2004	7.24%	8.18%		1.20%	
FY 2003 Complaints*	2,049	181	9.00%	30	1.00%
FY 2004 Complaints*	1,850	206	11.14%	26	1.41%
Percentage Change FY 2003 to FY 2004	-9.71%	13.81%		-13.33%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	1,819	1,730	95.10%			
All Investigations	398	217	54.52%	297	266	-10.43%
Merit Decisions (no AJ)	298	46	15.44%	896	940	4.91%
Dismissal Decisions	206			285	291	2.10%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (1,004)	#	%	#	%	#	%	#	%
Settlements	104	10.35%						
Withdrawals	55	5.47%						
Dismissals	206	20.51%						
Merit Decisions	639	63.64%						

Finding Discrimination	10	1.56%	2	20.00%	5	50.00%	3	30.00%
Finding No Discrimination	629	98.43%	296	47.05%	333	52.94%	0	0.00%

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U.S. Department of Labor (DOL)

Permanent Workforce: 15,436 Temporary Workforce: 377 Total Workforce: 15,814

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	15,436	49.64%	50.36%	6.96%	64.47%	23.61%	4.23%	0.7%
Major Occupations								
Economist	1,331	63.86%	36.14%	3.23%	80.02%	12.25%	4.28%	0.23%
Industrial Hygiene	500	61%	39%	6.6%	77.4%	11.6%	4%	0.4%
Auditing	222	63.96%	36.04%	4.5%	58.11%	27.03%	9.91%	0.45%
GS-14 and GS-15*	2,353	60.48%	39.52%	4.59%	77.22%	14.28%	3.19%	0.72%
Senior Pay Level*	250	70.8%	29.2%	4.4%	83.2%	9.2%	2.8%	0.4%
First-Level Officials/ Managers	93	24.73%	75.27%	5.38%	56.99%	39.78%	1.08%	0%
Mid-Level Officials/ Managers	1,640	65.79%	34.21%	6.22%	74.57%	16.04%	2.13%	1.04%
Senior Level Officials/ Managers	886	65.35%	34.65%	3.72%	83.52%	13.88%	1.92%	0.34%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At DOL, employees with targeted disabilities represented 1.3% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 221 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers).

DOL timely processed 93.2% of the total number of counselings. Following counseling, 160 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of DOL's 221 instances of counseling, ADR was offered 100% of the time; the parties elected to participate in 10.9% of the completed counselings; and 36.4% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, DOL offered ADR 29.1% of the time; the parties elected to participate in 12.9% of the complaint workload; and 87.7% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

DOL completed 21% of its investigations within the regulatory time frames, with an average processing time of 300 days for all investigations. In most instances, the

regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

DOL's average processing time for all complaint closures increased from 775 days in FY 2003 to 894 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

DOL had a total of 241 complaints pending at the end of FY 2004, with 14 pending acknowledgment for an average of 17 days; 108 pending investigation for an average of 215 days; and 14 pending the issuance of final decisions for an average of 502 days.

V. Costs

DOL agreed to pay $16,762 for 4 counseling settlements with benefits, an average $4,190.50 per counseling settled.

DOL agreed to pay a total of $408,169 for 42 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $9,718.

DOL expended a total of $192,283 for 70 complaint investigations, for an average expenditure of $2,747.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	188		33		221	
Settlements	0	0.00%	4	12.12%	4	1.81%

Withdrawal/no Complaint Filed	46	24.4%	8	24.2%	54	24.43%
Complaints Filed*					153	69.23%
Decision to File Complaint Pending at End of Fiscal Year					10	4.52%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	229	238	100.00%	57	25.00%
FY 2004 Pre-Complaint Counselings	221	241	100.00%	24	10.86%
Percentage Change FY 2003 to FY 2004	-3.49%	1.26%		-57.89%	
FY 2003 Complaints*	473	136	29.00%	30	6.00%
FY 2004 Complaints*	443	129	29.12%	57	12.87%
Percentage Change FY 2003 to FY 2004	-6.34%	-5.14%		90.00%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	221	206	93.21%			
All Investigations	70	15	21.42%	294	300	2.04%
Merit Decisions (no AJ)	31	2	6.45%	969	1,187	22.49%
Dismissal Decisions	62			366	373	1.91%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (202)	#	%	#	%	#	%	#	%
Settlements	39	19.30%						
Withdrawals	11	5.44%						

Dismissals	62	30.69%						
Merit Decisions	90	44.55%						
Finding Discrimination	3	3.33%	2	66.66%	1	33.33%	0	0.00%
Finding No Discrimination	87	96.66%	29	33.33%	58	66.66%	0	0.00%

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National Aeronautics & Space Administration (NASA)

Permanent Workforce: 18,505 Temporary Workforce: 773 Total Workforce: 19,278

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	18,505	65.21%	34.79%	5.06%	76.68%	11.51%	5.87%	0.85%
Major Occupations								
General Engineering	2,816	78.55%	21.45%	6.29%	81.71%	5.89%	5.26%	0.85%
Electronics Engineering	919	86.29%	13.71%	5.98%	74.86%	7.29%	11.1%	0.76%
Aerospace Engineering	4,147	81.89%	18.11%	5.04%	81.17%	5.79%	7.5%	0.51%
GS-14 and GS-15*	7,555	78.19%	21.81%	4.17%	83.07%	5.85%	6.25%	0.71%
Senior Pay Level*	580	80.69%	19.31%	3.44%	84.82%	5.86%	5%	1.03%
First-Level Officials/ Managers	4	25%	75%	0%	50%	25%	25%	0%
Mid-Level Officials/ Managers	451	63.41%	36.59%	4.43%	76.94%	11.53%	6.21%	0.89%
Senior Level Officials/ Managers	1,763	79.86%	20.14%	5.05%	83.21%	6.58%	4.48%	0.68%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At NASA, employees with targeted disabilities represented 0.99% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 119 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). NASA timely processed 91.6% of the total number of counselings. Following counseling, 38 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of NASA's 119 instances of counseling, ADR was offered 88.2% of the time; the parties elected to participate in 8.4% of the completed counselings; and 64.3% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, NASA offered ADR 27.3% of the time; the parties elected to participate in 24% of the complaint workload; and 55.6% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

NASA completed 50% of its investigations within the regulatory time frames, with an average processing time

of 216 days for all investigations. In most instances, the regulations require completion of investigations within 180 days.Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

NASA's average processing time for all complaint closures increased from 372 days in FY 2003 to 525 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

NASA had a total of 74 complaints pending at the end of FY 2004, with 26 pending investigation for an average of 184 days; and 29 pending the issuance of final decisions for an average of 932 days.

V. Costs

NASA agreed to pay $55,232 for 9 counseling settlements with benefits, an average $6,136.88 per counseling settled.

NASA agreed to pay a total of $189,580 for 19 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $9,977.

NASA expended a total of $107,044 for 20 complaint investigations, for an average expenditure of $5,352.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	105		14		119	
Settlements	5	4.76%	4	28.57%	9	7.56%

Withdrawal/no Complaint Filed	25	23.8%	5	35.7%	30	25.21%
Complaints Filed*					38	31.93%
Decision to File Complaint Pending at End of Fiscal Year					42	35.29%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	174	174	100.00%	78	45.00%
FY 2004 Pre-Complaint Counselings	119	105	88.24%	10	8.40%
Percentage Change FY 2003 to FY 2004	-31.60%	-39.65%		-87.17%	
FY 2003 Complaints*	132	50	38.00%	18	14.00%
FY 2004 Complaints*	121	33	27.27%	29	23.97%
Percentage Change FY 2003 to FY 2004	-8.33%	-34.00%		61.11%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	119	109	91.59%			
All Investigations	20	10	50.00%	174	216	24.13%
Merit Decisions (no AJ)	14	0	0.00%	618	663	7.28%
Dismissal Decisions	8			200	199	-0.50%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (47)	#	%	#	%	#	%	#	%
Settlements	16	34.04%						
Withdrawals	0	0.00%						

Dismissals	8	17.02%						
Merit Decisions	23	48.93%						
Finding Discrimination	3	13.04%	2	66.66%	1	33.33%	0	0.00%
Finding No Discrimination	20	86.95%	12	60.00%	8	40.00%	0	0.00%

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National Archives & Records Administration (NARA)

Permanent Workforce: 2,627 Temporary Workforce: 352 Total Workforce: 2,979

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	2,627	46.7%	53.3%	1.71%	65.18%	30.11%	2.61%	0.36%
Major Occupation:								
Archivist	327	61.77%	38.23%	0%	91.74%	6.73%	1.22%	0.31%
GS-14 and GS-15*	206	60.19%	39.81%	1.46%	83.98%	10.68%	3.88%	0%
Senior Pay Level*	23	86.96%	13.04%	0%	95.65%	0%	4.34%	0%
First-Level Officials/ Managers	97	43.3%	56.7%	1.03%	61.86%	37.11%	0%	0%
Mid-Level Officials/ Managers	160	62.5%	37.5%	1.25%	88.75%	9.38%	0.63%	0%
Senior Level Officials/ Managers	79	69.62%	30.38%	2.53%	87.34%	7.59%	2.53%	0%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At NARA, employees with targeted disabilities represented 1.54% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 53 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). NARA timely processed 98.1% of the total number of counselings. Following counseling, 11 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of NARA's 53 instances of counseling, ADR was offered 62.3% of the time; the parties elected to participate in 41.5% of the completed counselings; and 75% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, NARA offered ADR 2.3% of the time; the parties elected to participate in 2.3% of the complaint workload; and 100% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

NARA completed 25% of its investigations within the regulatory time frames, with an average processing time of 221 days for all investigations. In most instances, the regulations require completion of investigations within 180 days. Of

the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

NARA's average processing time for all complaint closures increased from 752 days in FY 2003 to 835 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

NARA had a total of 19 complaints pending at the end of FY 2004, with 6 pending investigation for an average of 104 days; and 5 pending the issuance of final decisions for an average of 1,229 days.

V. Costs

NARA reported no monetary awards for the 13 counseling settlements with benefits achieved.

NARA reported no monetary awards for the 6 complaint closures achieved through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions.

NARA expended a total of $26,419 for 8 complaint investigations, for an average expenditure of $3,302.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	33		20		53	
Settlements	2	6.06%	11	55.00%	13	24.52%
Withdrawal/no Complaint Filed	21	63.6%	4	20%	25	47.16%
Complaints Filed*					11	20.75%

Decision to File Complaint Pending at End of Fiscal Year					4	7.54%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	35	26	74.00%	16	46.00%
FY 2004 Pre-Complaint Counselings	53	33	62.26%	22	41.51%
Percentage Change FY 2003 to FY 2004	51.42%	26.92%		37.50%	
FY 2003 Complaints*	77	2	3.00%	2	3.00%
FY 2004 Complaints*	44	1	2.27%	1	2.27%
Percentage Change FY 2003 to FY 2004	-42.85%	-50.00%		-50.00%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	53	52	98.11%			
All Investigations	8	2	25.00%	84	221	163.09%
Merit Decisions (no AJ)	7	5	71.43%	1,207	1,133	-6.13%
Dismissal Decisions	4			118	36	-69.49%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (25)	#	%	#	%	#	%	#	%
Settlements	6	24.00%						
Withdrawals	1	4.00%						
Dismissals	4	16.00%						

Merit Decisions	14	56.00%						
Finding Discrimination	0	0%	0	0%	0	0%	0	0%
Finding No Discrimination	14	100.00%	7	50.00%	7	50.00%	0	0.00%

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National Credit Union Administration (NCUA)

Permanent Workforce: 874 Temporary Workforce: 14 Total Workforce: 888

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	874	57.66%	42.34%	4.05%	80.18%	12.16%	3.15%	0.45%
Major Occupations								
Credit Union Examiner	665	64.36%	35.64%	3.56%	85.71%	7.52%	3.16%	0.3%
GS-14 and GS-15*	0	0%	0%	0%	0%	0%	0%	0%
Senior Pay Level*	37	70.28%	29.72%	0%	89.18%	8.1%	2.7%	0%
First-Level Officials/ Managers	0	0%	0%	0%	0%	0%	0%	0%
Mid-Level Officials/ Managers	0	0%	0%	0%	0%	0%	0%	0%
Senior Level Officials/ Managers	36	69.44%	30.56%	0%	91.67%	5.56%	2.78%	0%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At NCUA, employees with targeted disabilities represented 0.56% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 7 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). NCUA timely processed 100% of the total number of counselings. Following counseling, 5 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of NCUA's 7 instances of counseling, ADR was offered 14.3% of the time; the parties elected to participate in 14.3% of the completed counselings; and 100% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, NCUA made no offers of to participate in ADR.

III. Processing Times

NCUA completed all 3 of its investigations within the regulatory time frames, with an average processing time of 105 days. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the

Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

NCUA's average processing time for all complaint closures increased from 668 days in FY 2003 to 1,359 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

NCUA had a total of 8 complaints pending at the end of FY 2004, with 2 pending investigation for an average of 22 days; and 4 pending the issuance of final decisions for an average of 1,029 days.

V. Costs

NCUA reported no counseling settlements with benefits achieved.

NCUA agreed to pay a total of $2,500 for one complaint closure achieved through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions.

NCUA expended a total of $9,375 for 3 complaint investigations, for an average expenditure of $3,125.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	6		1		7	
Settlements	0	0.00%	0	0%	0	0%
Withdrawal/no Complaint Filed	1	16.6%	1	100%	2	28.57%
Complaints Filed*					5	71.42%
Decision to File Complaint Pending at End of Fiscal Year					0	0.00%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	8	8	100.00%	0	0.00%
FY 2004 Pre-Complaint Counselings	7	1	14.29%	1	14.29%
Percentage Change FY 2003 to FY 2004	-12.50%	-87.50%		0%	
FY 2003 Complaints*	17	5	29.00%	0	0.00%
FY 2004 Complaints*	17	0	0.00%	0	0.00%
Percentage Change FY 2003 to FY 2004	0.00%	-100.00%		0%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	7	7	100.00%			
All Investigations	3	3	100.00%	181	105	-41.98%
Merit Decisions (no AJ)	1	0	0.00%	1,325	1,506	13.66%
Dismissal Decisions	0			163	0	-100.00%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (9)	#	%	#	%	#	%	#	%
Settlements	1	11.11%						
Withdrawals	1	11.11%						
Dismissals	0	0.00%						
Merit Decisions	7	77.77%						
Finding Discrimination	1	14.28%	0	0.00%	0	0.00%	1	100.00%

Finding No Discrimination	6	85.71%	1	16.66%	5	83.33%	0	0.00%

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National Gallery of Art (NGA)

Permanent Workforce: 777 Temporary Workforce: 33 Total Workforce: 810

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	777	57.91%	42.09%	2.34%	50.98%	44.69%	0.61%	0.12%
GS-14 and GS-15*	0	0%	0%	0%	0%	0%	0%	0%
Senior Pay Level*	21	61.91%	38.09%	0%	90.48%	4.76%	4.76%	0%
First-Level Officials/ Managers	44	88.64%	11.36%	0%	25%	75%	0%	0%
Mid-Level Officials/ Managers	42	54.76%	45.24%	0%	92.86%	4.76%	2.38%	0%
Senior Level Officials/ Managers	33	51.52%	48.48%	0%	93.94%	3.03%	3.03%	0%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At NGA, employees with targeted disabilities represented 0.99% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 11 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). NGA timely processed 27.3% of the total number of counselings. Following counseling, 9 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of NGA's 11 instances of counseling, ADR was offered 100% of the time; the parties elected to participate in 9.1% of the completed counselings; and 100% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, NGA offered ADR 61.1% of the time; the parties elected to participate in 5.6% of the complaint workload, but no resolutions through settlements or withdrawals were achieved.

III. Processing Times

NGA completed all 9 of its investigations within the regulatory time frames, with an average processing time of 148 days. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the

Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

NGA's average processing time for all complaint closures increased from 128 days in FY 2003 to 737 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

NGA had a total of 10 complaints pending at the end of FY 2004, with 1 pending investigation for an average of 144 days; and 4 pending the issuance of final decisions for an average of 350 days.

V. Costs

NGA agreed to pay $33,500 for 2 counseling settlements with benefits, an average $16,750.00 per counseling settled.

NGA reported no complaint closures during this reporting period.

NGA expended a total of $27,000 for 9 complaint investigations, for an average expenditure of $3,000.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	10		1		11	
Settlements	1	10.00%	1	100.00%	2	18.18%
Withdrawal/no Complaint Filed	0	0%	0	0%	0	0.00%
Complaints Filed*					9	81.81%
Decision to File Complaint Pending at End of Fiscal Year					0	0.00%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	27	23	85.00%	3	11.00%
FY 2004 Pre-Complaint Counselings	11	11	100.00%	1	9.09%
Percentage Change FY 2003 to FY 2004	-59.25%	-52.17%		-66.66%	
FY 2003 Complaints*	21	13	62.00%	2	10.00%
FY 2004 Complaints*	18	11	61.11%	1	5.56%
Percentage Change FY 2003 to FY 2004	-14.28%	-15.38%		-50.00%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	11	3	27.27%			
All Investigations	9	9	100.00%	156	148	-5.12%
Merit Decisions (no AJ)	10	9	90.00%	155	214	38.06%
Dismissal Decisions	2			28	19	-32.14%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (18)	#	%	#	%	#	%	#	%
Settlements	0	0.00%						
Withdrawals	0	0.00%						
Dismissals	2	11.11%						
Merit Decisions	16	88.88%						
Finding Discrimination	0	0%	0	0%	0	0%	0	0%
Finding No Discrimination	16	100.00%	10	62.50%	6	37.50%	0	0.00%

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National Labor Relations Board (NLRB)

Permanent Workforce: 1,869 Temporary Workforce: 29 Total Workforce: 1,898

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	1,869	38.78%	61.22%	7.48%	68.54%	21.12%	2.58%	0.26%
Major Occupations								
Labor-Management Relations Examining	364	51.92%	48.08%	8.24%	81.87%	7.69%	2.2%	0%
General Attorney	763	49.15%	50.85%	6.29%	80.47%	10.09%	2.75%	0.39%
GS-14 and GS-15*	747	51%	49%	5.35%	79.92%	12.05%	2.41%	0.27%
Senior Pay Level*	118	80.51%	19.49%	5.08%	87.28%	7.62%	0%	0%
First-Level Officials/ Managers	49	8.16%	91.84%	6.12%	51.02%	38.78%	4.08%	0%
Mid-Level Officials/ Managers	126	52.38%	47.62%	3.97%	69.84%	23.02%	3.17%	0%
Senior Level Officials/ Managers	277	68.95%	31.05%	5.05%	84.48%	9.39%	1.08%	0%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At NLRB, employees with targeted disabilities represented 0.79% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 24 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). NLRB timely processed 58.3% of the total number of counselings. Following counseling, 9 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of NLRB's 24 instances of counseling, ADR was offered 41.7% of the time; the parties elected to participate in 4.2% of the completed counselings, but no resolutions through settlements or withdrawals were achieved.

At the formal complaint phase, NLRB offered ADR 8.3% of the time; the parties elected to participate in 8.3% of the complaint workload; and 25% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

NLRB completed all 3 of its investigations within the regulatory time frames, with an average processing time of 238 days for all investigations. In most instances, the regulations require completion of investigations within

180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

NLRB's average processing time for all complaint closures increased from 744 days in FY 2003 to 1,034 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

NLRB had a total of 12 complaints pending at the end of FY 2004, with 4 pending investigation for an average of 119 days.

V. Costs

NLRB reported no monetary awards for the 2 counseling settlements with benefits achieved.

NLRB reported no monetary awards for the 3 complaint closures achieved through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions.

NLRB expended a total of $45,000 for 3 complaint investigations, for an average expenditure of $15,000.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	23		1		24	
Settlements	2	8.69%	0	0%	2	8.33%

Withdrawal/no Complaint Filed	13	56.5%	0	0%	13	54.16%
Complaints Filed*					9	37.50%
Decision to File Complaint Pending at End of Fiscal Year					0	0.00%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	33	12	36.00%	2	6.00%
FY 2004 Pre-Complaint Counselings	24	10	41.67%	1	4.17%
Percentage Change FY 2003 to FY 2004	-27.27%	-16.66%		-50.00%	
FY 2003 Complaints*	49	10	20.00%	1	2.00%
FY 2004 Complaints*	36	3	8.33%	3	8.33%
Percentage Change FY 2003 to FY 2004	-26.53%	-70.00%		200.00%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	24	14	58.33%			
All Investigations	3	3	100.00%	298	238	-20.13%
Merit Decisions (no AJ)	1	1	100.00%	588	1,625	176.36%
Dismissal Decisions	14			81	170	109.87%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (24)	#	%	#	%	#	%	#	%
Settlements	3	12.50%						
Withdrawals	3	12.50%						

Dismissals	14	58.33%						
Merit Decisions	4	16.66%						
Finding Discrimination	0	0%	0	0%	0	0%	0	0%
Finding No Discrimination	4	100.00%	1	25.00%	3	75.00%	0	0.00%

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National Science Foundation (NSF)

Permanent Workforce: 1,110 Temporary Workforce: 223 Total Workforce: 1,333

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	1,110	39.24%	60.76%	2.62%	60.16%	31.35%	5.62%	0.22%
GS-14 and GS-15*	161	42.86%	57.14%	1.24%	80.12%	12.42%	6.21%	0%
Senior Pay Level*	343	63.56%	36.44%	3.79%	81.63%	5.83%	8.45%	0.29%
First-Level Officials/ Managers	31	0%	100%	0%	19.35%	80.65%	0%	0%
Mid-Level Officials/ Managers	17	29.41%	70.59%	5.88%	70.59%	23.53%	0%	0%
Senior Level Officials/ Managers	150	55.33%	44.67%	4.67%	85.33%	7.33%	2.67%	0%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At NSF, employees with targeted disabilities represented 1.05% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 7 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). NSF timely processed 85.7% of the total number of counselings. Following counseling, 3 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of NSF's 7 instances of counseling, ADR was offered 71.4 % of the time, but the parties elected not to participate, resulting in no resolutions achieved through settlements or withdrawals. There was, however, one settlement from an ADR proceeding pending from the prior fiscal year.

At the formal complaint phase, NSF offered ADR 27.3% of the time; the parties elected to participate in 9.1% of the complaint workload; and 100% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

NSF completed all 3 of its investigations within the regulatory time frames, with an average processing time of 144 days for all investigations. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations

within the regulatory time frames, with an average processing time of 117 days.

NSF's average processing time for all complaint closures increased from 212 days in FY 2003 to 470 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

NSF had a total of 3 complaints pending at the end of FY 2004, with 2 pending investigation for an average of 55 days.

V. Costs

NSF reported no monetary awards for the 3 counseling settlements with benefits achieved during this reporting period.

NSF reported no monetary awards for the 2 complaint closures achieved through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions.

NSF expended a total of $14,214 for 3 complaint investigations, for an average expenditure of $4,738.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	6		1		7	
Settlements	2	33.33%	1	100.00%	3	42.85%
Withdrawal/no Complaint Filed	1	16.6%	0	0%	1	14.28%
Complaints Filed*					3	42.85%
Decision to File Complaint Pending at End of Fiscal Year					0	0.00%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	7	7	100.00%	1	14.00%
FY 2004 Pre-Complaint Counselings	7	5	71.43%	0	0.00%
Percentage Change FY 2003 to FY 2004	0.00%	-28.57%		-100.00%	
FY 2003 Complaints*	11	6	55.00%	0	0.00%
FY 2004 Complaints*	11	3	27.27%	1	9.09%
Percentage Change FY 2003 to FY 2004	0.00%	-50.00%		0%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	7	6	85.71%			
All Investigations	3	3	100.00%	99	144	45.45%
Merit Decisions (no AJ)	0	0	0.00%	0	0	0%
Dismissal Decisions	3			63	251	298.41%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (8)	#	%	#	%	#	%	#	%
Settlements	2	25.00%						
Withdrawals	2	25.00%						
Dismissals	3	37.50%						
Merit Decisions	1	12.50%						
Finding Discrimination	1	100.00%	0	0.00%	0	0.00%	1	100.00%

Finding No Discrimination	0	0.00%	0	0%	0	0%	0	0%

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U.S. Department of the Navy (NAVY)

Permanent Workforce: 172,466 Temporary Workforce: 5,071 Total Workforce: 177,538

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	172,466	69.84%	30.16%	4.37%	71.92%	12.67%	10.3%	0.69%
Major Occupations								
Electronics Engineering	8,993	90.43%	9.57%	5.14%	74.32%	3.78%	16.49%	0.27%
Management & Program Analysis	5,924	36.19%	63.81%	3.56%	76.45%	13.25%	6.16%	0.57%
IT Management	7,349	60.46%	39.54%	3.69%	78.73%	10.36%	6.59%	0.64%
GS-14 and GS-15*	12,059	81.04%	18.96%	2.2%	88.8%	4.07%	4.5%	0.38%
Senior Pay Level*	716	86.74%	13.26%	1.95%	91.2%	1.81%	0.83%	0%
First-Level Officials/ Managers	9,766	62.06%	37.94%	4.17%	74.02%	13.35%	7.67%	0.8%
Mid-Level Officials/ Managers	10,594	75.89%	24.11%	2.57%	85.01%	6.18%	5.76%	0.48%
Senior Level Officials/ Managers	3,553	84.1%	15.9%	1.77%	91.25%	3.32%	0.34%	0%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At NAVY, employees with targeted disabilities represented 0.88% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 1,250 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). NAVY timely processed 63.1% of the total number of counselings. Following counseling, 611 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of NAVY's 1,250 instances of counseling, ADR was offered 18.5% of the time; the parties elected to participate in 11.2% of the completed counselings; and 23.1% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, NAVY offered ADR 2.3% of the time; the parties elected to participate in 1.4% of the complaint workload; and 90.9% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

NAVY completed 59% of its investigations within the regulatory time frames, with an average processing time of 299 days for all investigations. In most instances, the

regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

NAVY's average processing time for all complaint closures increased from 506 days in FY 2003 to 575 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

NAVY had a total of 764 complaints pending at the end of FY 2004, with 24 pending acknowledgment for an average of 25 days; 228 pending investigation for an average of 220 days; and 242 pending the issuance of final decisions for an average of 348 days.

V. Costs

NAVY agreed to pay $46,151 for 143 counseling settlements with benefits, an average $322.74 per counseling settled.

NAVY agreed to pay a total of $2,207,101 for 245 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $9,008.

NAVY expended a total of $69,250 for 277 complaint investigations, for an average expenditure of $250.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	1,090		160		1,250	
Settlements	113	10.36%	30	18.75%	143	11.44%

Withdrawal/no Complaint Filed	411	37.7%	7	4.3%	418	33.44%
Complaints Filed*					611	48.88%
Decision to File Complaint Pending at End of Fiscal Year					78	6.24%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	1,275	194	15.00%	23	2.00%
FY 2004 Pre-Complaint Counselings	1,250	231	18.48%	140	11.20%
Percentage Change FY 2003 to FY 2004	-39.26%	-83.02%		-58.45%	
FY 2003 Complaints*	1,980	104	5.00%	33	2.00%
FY 2004 Complaints*	1,692	39	2.31%	24	1.42%
Percentage Change FY 2003 to FY 2004	-14.54%	-62.50%		-27.27%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	1,250	789	63.12%			
All Investigations	277	163	58.84%	339	299	-11.79%
Merit Decisions (no AJ)	237	222	93.67%	549	589	7.28%
Dismissal Decisions	132			283	145	-48.76%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (928)	#	%	#	%	#	%	#	%
Settlements	236	25.43%						
Withdrawals	86	9.26%						
Dismissals	132	14.22%						
Merit Decisions	474	51.07%						

Finding Discrimination	13	2.74%	1	7.69%	8	61.53%	4	30.76%
Finding No Discrimination	461	97.25%	236	51.19%	225	48.80%	0	0%

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Nuclear Regulatory Commission (NRC)

Permanent Workforce: 3,074 Temporary Workforce: 150 Total Workforce: 3,224

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	3,074	63.06%	36.94%	4.31%	74.93%	12.99%	7.38%	0.37%
Major Occupations								
Gen. Inspect., Invest. & Compl'nce	826	83.54%	16.46%	6.78%	74.46%	7.26%	11.14%	0.36%
Nuclear Engineering	412	91.99%	8.01%	4.85%	86.17%	3.16%	5.34%	0.49%
Health Physics	184	73.37%	26.63%	5.43%	80.44%	8.15%	5.98%	0%
GS-14 and GS-15*	1,533	77.63%	22.37%	2.15%	81.01%	7.11%	9.26%	0.45%
Senior Pay Level*	242	84.3%	15.7%	1.65%	89.25%	3.71%	5.37%	0%
First-Level Officials/ Managers	0	0%	0%	0%	0%	0%	0%	0%
Mid-Level Officials/ Managers	13	76.92%	23.08%	0%	76.92%	23.08%	0%	0%
Senior Level Officials/ Managers	364	79.67%	20.33%	2.47%	84.34%	7.14%	5.49%	0.55%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At NRC, employees with targeted disabilities represented 0.93% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 27 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). NRC timely processed 81.5% of the total number of counselings. Following counseling, 12 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of NRC's 27 instances of counseling, ADR was offered 14.8% of the time; the parties elected to participate in 14.8% of the completed counselings; and 50% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, NRC reported no ADR offers.

III. Processing Times

NRC completed all 6 of its investigations within the regulatory time frames, with an average processing time of 85 days for all investigations. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more

investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

NRC's average processing time for all complaint closures increased from 567 days in FY 2003 to 587 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

NRC had a total of 11 complaints pending at the end of FY 2004, with 8 pending investigation for an average of 168 days; and 3 pending the issuance of final decisions for an average of 157 days.

V. Costs

NRC agreed to pay $13,348 for 4 counseling settlements with benefits, an average $3,337.00 per counseling settled.

NRC agreed to pay a total of $162,353 for 9 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $18,039.

NRC expended a total of $15,733 for 6 complaint investigations, for an average expenditure of $2,622.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	21		6		27	

Settlements	1	4.76%	3	50.00%	4	14.81%
Withdrawal/no Complaint Filed	8	38%	0	0%	8	29.62%
Complaints Filed*					12	44.44%
Decision to File Complaint Pending at End of Fiscal Year					3	11.11%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	29	29	100.00%	4	14.00%
FY 2004 Pre-Complaint Counselings	27	4	14.81%	4	14.81%
Percentage Change FY 2003 to FY 2004	-6.89%	-86.20%		0.00%	
FY 2003 Complaints*	31	9	29.00%	1	3.00%
FY 2004 Complaints*	27	0	0.00%	0	0.00%
Percentage Change FY 2003 to FY 2004	-12.90%	-100.00%		-100.00%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	27	22	81.48%			
All Investigations	6	6	100.00%	177	85	-51.97%
Merit Decisions (no AJ)	1	0	0.00%	707	1,328	87.83%
Dismissal Decisions	0			995	0	-100.00%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures	Final Agency Decision (no AJ decision)	Final Order (AJ Decision Fully Implemented)	Final Order (AJ Decision Not Fully Implemented)

Total Closures (16)	#	%	#	%	#	%	#	%
Settlements	8	50.00%						
Withdrawals	4	25.00%						
Dismissals	0	0.00%						
Merit Decisions	4	25.00%						
Finding Discrimination	1	25.00%	1	100.00%	0	0.00%	0	0.00%
Finding No Discrimination	3	75.00%	0	0.00%	3	100.00%	0	0.00%

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Office of Personnel Management (OPM)

Permanent Workforce: 3,524 Temporary Workforce: 124 Total Workforce: 3,648

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	3,524	37.45%	62.55%	3.78%	63.67%	30.01%	2.02%	0.49%
Major Occupations								
Human Resources Management	399	38.1%	61.9%	5.51%	62.91%	28.82%	2.51%	0.25%
Contact Representative	234	21.37%	78.63%	0.85%	66.67%	31.2%	1.28%	0%
Information Tech. Management	168	58.33%	41.67%	3.57%	64.88%	24.4%	5.95%	1.19%
GS-14 and GS-15*	432	53.01%	46.99%	3.93%	76.62%	16.43%	2.54%	0.46%
Senior Pay Level*	65	69.24%	30.76%	7.69%	80%	10.76%	1.53%	0%
First-Level Officials/ Managers	35	45.71%	54.29%	2.86%	65.71%	28.57%	7.14%	0%
Mid-Level Officials/ Managers	103	48.54%	51.46%	1.94%	71.84%	24.27%	1.94%	0%
Senior Level Officials/ Managers	170	68.24%	31.76%	6.47%	81.18%	10.59%	1.76%	0%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At OPM, employees with targeted disabilities represented 0.88% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 109 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). OPM timely processed 71.6% of the total number of counselings. Following counseling, 66 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of OPM's 109 instances of counseling, ADR was offered 21.1% of the time; the parties elected to participate in 2.8% of the completed counselings; and 20% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, OPM reported no ADR offers, although there was one settlement from an ADR proceeding pending from the prior fiscal year.

III. Processing Times

OPM completed 10% of its investigations within the regulatory time frames, with an average processing time of 325 days for all investigations. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more

investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

OPM's average processing time for all complaint closures decreased from 775 days in FY 2003 to 588 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

OPM had a total of 85 complaints pending at the end of FY 2004, with 15 pending acknowledgment for an average of 60 days; 45 pending investigation for an average of 165 days; and 7 pending the issuance of final decisions for an average of 776 days.

V. Costs

OPM agreed to pay $800 for the one counseling settlement with benefits achieved during this reporting period.

OPM agreed to pay a total of $4,000 for the one complaint closure achieved through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions.

OPM expended a total of $34,988 for 10 complaint investigations, for an average expenditure of $3,499.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	104		5		109	
Settlements	0	0.00%	1	20.00%	1	0.91%
Withdrawal/no Complaint Filed	41	39.4%	0	0%	41	37.61%

Complaints Filed*					66	60.55%
Decision to File Complaint Pending at End of Fiscal Year					1	0.91%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	56	13	23.00%	2	4.00%
FY 2004 Pre-Complaint Counselings	109	23	21.10%	3	2.75%
Percentage Change FY 2003 to FY 2004	94.64%	76.92%		50.00%	
FY 2003 Complaints*	60	1	2.00%	1	2.00%
FY 2004 Complaints*	109	0	0.00%	0	0.00%
Percentage Change FY 2003 to FY 2004	81.66%	-100.00%		-100.00%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	109	78	71.55%			
All Investigations	10	1	10.00%	295	325	10.16%
Merit Decisions (no AJ)	0	0	0.00%	0	0	0%
Dismissal Decisions	10			667	279	-58.17%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (24)	#	%	#	%	#	%	#	%
Settlements	1	4.16%						
Withdrawals	3	12.50%						
Dismissals	10	41.66%						
Merit Decisions	10	41.66%						
Finding Discrimination	0	0%	0	0%	0	0%	0	0%

Finding No Discrimination	10	100.00%	0	0.00%	10	100.00%	0	0.00%

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Peace Corps (PC)

Permanent Workforce: 21 Temporary Workforce: 823 Total Workforce: 844

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	21	44.79%	55.21%	4.14%	73.81%	17.29%	4.38%	0.35%
Major Occupations								
Misc. Administration & Program	299	39.46%	60.54%	4.68%	81.61%	10.03%	3.68%	0%
Program Management	141	60.28%	39.72%	4.26%	85.82%	9.22%	0.71%	0%
GS-14 and GS-15*	194	54.13%	45.87%	3.6%	78.35%	12.88%	5.15%	0%
Senior Pay Level*	19	63.16%	36.84%	10.52%	68.42%	10.52%	10.52%	0%
First-Level Officials/ Managers	14	28.57%	71.43%	0%	64.29%	28.57%	7.14%	0%
Mid-Level Officials/ Managers	52	40.38%	59.62%	5.77%	76.92%	15.38%	1.92%	0%
Senior Level Officials/ Managers	51	58.82%	41.18%	3.92%	80.39%	7.84%	7.84%	0%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At PC, employees with targeted disabilities represented 0.59% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 10 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). PC

timely processed 100% of the total number of counselings. Following counseling, 4 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of PC's 10 instances of counseling, no ADR offers were reported.

At the formal complaint phase, PC reported no ADR offers.

III. Processing Times

PC completed its 2 investigations within the regulatory time frames, with an average processing time of 212 days for all investigations. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

PC's average processing time for all complaint closures was 1,178 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

PC had a total of 9 complaints pending at the end of FY 2004, with 1 pending acknowledgment for an average of 18 days; 2 pending investigation for an average of 64 days; and 5 pending the issuance of final decisions for an average of 485 days.

V. Costs

PC reported no counseling settlements with benefits.

PC agreed to pay a total of $20,000 for the one complaint closures achieved through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions.

PC expended a total of $7,000 for 2 complaint investigations, for an average expenditure of $3,500.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	10		0		10	
Settlements	0	0.00%	0	0%	0	0%
Withdrawal/no Complaint Filed	0	0%	0	0%	0	0.00%
Complaints Filed*					4	40.00%
Decision to File Complaint Pending at End of Fiscal Year					6	60.00%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	10	0	0.00%	0	0.00%
FY 2004 Pre-Complaint Counselings	10	0	0.00%	0	0.00%
Percentage Change FY 2003 to FY 2004	0.00%	0%		0%	
FY 2003 Complaints*	9	0	0.00%	0	0.00%
FY 2004 Complaints*	13	0	0.00%	0	0.00%
Percentage Change FY 2003 to FY 2004	44.44%	0%		0%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	10	10	100.00%			
All Investigations	2	2	100.00%	0	212	0%
Merit Decisions (no AJ)	0	0	0.00%	0	0	0%
Dismissal Decisions	0			0	0	0%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (4)	#	%	#	%	#	%	#	%
Settlements	1	25.00%						
Withdrawals	0	0.00%						
Dismissals	0	0.00%						
Merit Decisions	3	75.00%						
Finding Discrimination	0	0%	0	0%	0	0%	0	0%
Finding No Discrimination	3	100.00%	0	0.00%	3	100.00%	0	0.00%

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Pension Benefit Guaranty Corporation (PBGC)

Permanent Workforce: 755 Temporary Workforce: 47 Total Workforce: 802

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	755	45.64%	54.36%	2.74%	48.75%	42.64%	5.73%	0.12%
GS-14 and GS-15*	247	57.49%	42.51%	0.4%	76.11%	18.21%	5.26%	0%
Senior Pay Level*	28	75%	25%	0%	89.28%	10.71%	0%	0%
First-Level Officials/ Managers	1	100%	0%	0%	100%	0%	0%	0%
Mid-Level Officials/ Managers	37	43.24%	56.76%	0%	64.86%	29.73%	5.41%	0%
Senior Level Officials/ Managers	104	65.38%	34.62%	0%	78.85%	21.15%	0%	0%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At PBGC, employees with targeted disabilities represented 1.37% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 12 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). PBGC timely processed 16.7% of the total number of counselings. Following counseling, 13 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

PBGC reported no ADR offers at the counseling phase

PBGC reported no ADR offers at the formal complaint phase.

III. Processing Times

PBGC completed none of its investigations within the regulatory time frames, with an average processing time of 244 days for all investigations. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

PBGC's average processing time for all complaint closures decreased from 480 days in FY 2003 to 317 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

PBGC had a total of 14 complaints pending at the end of FY 2004, with 0 pending acknowledgment for an average of 0 days; 10 pending investigation for an average of 205 days; and 3 pending the issuance of final decisions for an average of 452 days.

V. Costs

PBGC reported no counseling settlements with benefits.

PBGC agreed to pay a total of $1,000 for 1 complaint closure through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions.

PBGC expended a total of $19,425 for 4 complaint investigations, for an average expenditure of $4,856.25.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	12		0		12	
Settlements	0	0.00%	0	0%	0	0%
Withdrawal/no Complaint Filed	0	0%	0	0%	0	0.00%
Complaints Filed*					12	100.00%
Decision to File Complaint Pending at End of Fiscal Year					0	0.00%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	21	9	43.00%	2	10.00%
FY 2004 Pre-Complaint Counselings	12	0	0.00%	0	0.00%
Percentage Change FY 2003 to FY 2004	-42.85%	-100.00%		-100.00%	
FY 2003 Complaints*	17	9	53.00%	2	12.00%
FY 2004 Complaints*	18	0	0.00%	0	0.00%
Percentage Change FY 2003 to FY 2004	5.88%	-100.00%		-100.00%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	12	2	16.66%			
All Investigations	4	0	0.00%	99	244	146.46%
Merit Decisions (no AJ)	0	0	0%	0	0	0%
Dismissal Decisions	3			59	63	6.77%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (4)	#	%	#	%	#	%	#	%
Settlements	1	25.00%						
Withdrawals	0	0.00%						
Dismissals	3	75.00%						
Merit Decisions	0	0.00%						
Finding Discrimination	0	0%	0	0%	0	0%	0	0%
Finding No Discrimination	0	0%	0	0%	0	0%	0	0%

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Railroad Retirement Board (RRB)

Permanent Workforce: 1,083 Temporary Workforce: 4 Total Workforce: 1,087

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	1,083	38.55%	61.45%	4.59%	60.34%	32.93%	1.74%	0.36%
Major Occupations								
Misc. Administration & Program	150	42.67%	57.33%	4%	69.33%	23.33%	2.67%	0.67%
RR Retirement Claims Examining	468	30.77%	69.23%	5.56%	62.61%	30.13%	1.07%	0.64%
Information Technology Mgt.	132	65.9%	34.1%	2.27%	71.21%	24.24%	2.27%	0%
GS-14 and GS-15*	93	61.3%	38.7%	2.15%	81.72%	12.9%	3.22%	0%
Senior Pay Level*	13	76.93%	23.07%	0%	92.3%	7.69%	0%	0%
First-Level Officials/ Managers	54	50%	50%	1.85%	77.78%	20.37%	0%	0%
Mid-Level Officials/ Managers	115	62.61%	37.39%	0%	80.87%	17.39%	1.74%	0%
Senior Level Officials/ Managers	46	67.39%	32.61%	2.17%	86.96%	8.7%	2.17%	0%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At RRB, employees with targeted disabilities represented 1.2% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 4 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). RRB timely processed 100% of the total number of counselings. Following counseling, 2 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of RRB's 4 instances of counseling, ADR was offered 50% of the time, but the parties elected not to participate, resulting in no resolutions achieved through settlements or withdrawals.

At the formal complaint phase, RRB reported no ADR offers during this reporting period.

III. Processing Times

RRB completed its 3 investigations within the regulatory time frames, with an average processing time of 174 days for all investigations. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the

only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

RRB's average processing time for all complaint closures decreased from 759 days in FY 2003 to 482 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

RRB had a total of 2 complaints pending at the end of FY 2004, with 1 pending the issuance of a final decision for 223 days.

V. Costs

RRB reported no counseling settlements with benefits achieved during this reporting period.

RRB agreed to pay a total of $24,100 for the 1 complaint closure achieved through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions.

RRB expended a total of $9,065 for 3 complaint investigations, for an average expenditure of $3,022.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	4		0		4	
Settlements	0	0.00%	0	0%	0	0%
Withdrawal/no Complaint Filed	2	50%	0	0%	2	50.00%
Complaints Filed*					2	50.00%

Decision to File Complaint Pending at End of Fiscal Year					0	0.00%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	6	4	67.00%	0	0.00%
FY 2004 Pre-Complaint Counselings	4	2	50.00%	0	0.00%
Percentage Change FY 2003 to FY 2004	-33.33%	-50.00%		0%	
FY 2003 Complaints*	5	0	0.00%	0	0.00%
FY 2004 Complaints*	5	0	0.00%	0	0.00%
Percentage Change FY 2003 to FY 2004	0.00%	0%		0%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	4	4	100.00%			
All Investigations	3	3	100.00%	259	174	-32.81%
Merit Decisions (no AJ)	0	0	0.00%	0	0	0%
Dismissal Decisions	0			0	0	0%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (3)	#	%	#	%	#	%	#	%
Settlements	1	33.33%						
Withdrawals	1	33.33%						
Dismissals	0	0.00%						
Merit Decisions	1	33.33%						
Finding Discrimination	0	0%	0	0%	0	0%	0	0%
Finding No Discrimination	1	100.00%	0	0%	1	100.00%	0	0%

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Securities and Exchange Commission (SEC)

Permanent Workforce: 3,581 Temporary Workforce: 216 Total Workforce: 3,797

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	3,581	50.94%	49.06%	4.47%	68.52%	19.06%	7.66%	0.26%
Major Occupations								
General Attorney	1,521	57.99%	42.01%	3.88%	80.6%	7.43%	7.76%	0.33%
Accounting	893	59.35%	40.65%	5.04%	78.28%	6.94%	9.41%	0.34%
Securities Compliance Examining	258	59.69%	40.31%	5.43%	75.96%	8.53%	10.08%	0%
GS-14 and GS-15*	0	0%	0%	0%	0%	0%	0%	0%
Senior Pay Level*	102	68.63%	31.37%	2.94%	93.13%	2.94%	0.98%	0%
First-Level Officials/ Managers	0	0%	0%	0%	0%	0%	0%	0%
Mid-Level Officials/ Managers	0	0%	0%	0%	0%	0%	0%	0%
Senior Level Officials/ Managers	93	69.89%	30.11%	3.23%	93.55%	2.15%	1.08%	0%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At SEC, employees with targeted disabilities represented 1.13% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 39 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). SEC timely processed 97.4% of the total number of counselings. Following counseling, 25 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of SEC's 39 instances of counseling, ADR was offered 100% of the time; the parties elected to participate in 15.4% of the completed counselings; and 28.6% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, SEC reported no ADR offers.

III. Processing Times

SEC completed 88% of its investigations within the regulatory time frames, with an average processing time of 169 days for all investigations. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more

investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

SEC's average processing time for all complaint closures decreased from 587 days in FY 2003 to 376 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

SEC had a total of 14 complaints pending at the end of FY 2004, with 10 pending investigation for an average of 80 days; and 1 pending the issuance of a final decision for 156 days.

V. Costs

SEC reported no counseling settlements with benefits achieved during this reporting perid.

SEC agreed to pay a total of $47,075 for 5 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $9,415.

SEC expended a total of $69,109 for 8 complaint investigations, for an average expenditure of $8,639.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	32		7		39	
Settlements	0	0.00%	0	0%	0	0%

Withdrawal/no Complaint Filed	10	31.2%	2	28.5%	12	30.76%
Complaints Filed*					25	64.10%
Decision to File Complaint Pending at End of Fiscal Year					2	5.12%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	18	25	100.00%	6	33.00%
FY 2004 Pre-Complaint Counselings	39	45	100.00%	6	15.38%
Percentage Change FY 2003 to FY 2004	116.66%	80.00%		0.00%	
FY 2003 Complaints*	48	1	2.00%	1	2.00%
FY 2004 Complaints*	41	0	0.00%	0	0.00%
Percentage Change FY 2003 to FY 2004	-14.58%	-100.00%		-100.00%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	39	38	97.43%			
All Investigations	8	7	87.50%	267	169	-36.70%
Merit Decisions (no AJ)	5	2	40.00%	336	385	14.58%
Dismissal Decisions	13			88	121	37.50%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (27)	#	%	#	%	#	%	#	%

Settlements	5	18.51%						
Withdrawals	2	7.40%						
Dismissals	13	48.14%						
Merit Decisions	7	25.92%						
Finding Discrimination	0	0%	0	0%	0	0%	0	0%
Finding No Discrimination	7	100.00%	5	71.42%	2	28.57%	0	0.00%

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Small Business Administration (SBA)

Permanent Workforce: 2,836 Temporary Workforce: 1,316 Total Workforce: 4,152

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	2,836	47.11%	52.89%	11.15%	60.64%	23.98%	3.32%	0.89%
Major Occupations								
General Business & Industry	1,061	39.77%	60.23%	15.27%	54.67%	24.88%	3.68%	1.51%
Loan Specialist	805	59.13%	40.87%	10.43%	66.83%	20.37%	1.99%	0.37%
General Attorney	223	52.91%	47.09%	5.38%	77.13%	13%	4.93%	0%
GS-14 and GS-15*	551	61.71%	38.29%	7.62%	69.14%	17.96%	4.35%	0.9%
Senior Pay Level*	65	70.07%	29.93%	12.3%	69.23%	18.46%	0%	0%
First-Level Officials/ Managers	19	26.32%	73.68%	10.53%	73.68%	15.79%	0%	0%
Mid-Level Officials/ Managers	295	63.05%	36.95%	9.15%	70.85%	16.27%	3.73%	0%
Senior Level Officials/ Managers	206	69.9%	30.1%	12.62%	64.56%	19.42%	1.94%	1.46%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At SBA, employees with targeted disabilities represented 0.94% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 54 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). SBA timely processed 81.5% of the total number of counselings. Following counseling, 23 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of SBA's 54 instances of counseling, ADR was offered 53.7% of the time; the parties elected to participate in 29.6% of the completed counselings; and 46.2% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, SBA reported no ADR offers.

III. Processing Times

SBA completed 4% of its investigations within the regulatory time frames, with an average processing time of 304 days for all investigations. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more

investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

SBA's average processing time for all complaint closures decreased from 600 days in FY 2003 to 491 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

SBA had a total of 40 complaints pending at the end of FY 2004, with 1 pending acknowledgment for 359 days; 19 pending investigation for an average of 213 days; and 5 pending the issuance of final decisions for an average of 423 days.

V. Costs

SBA agreed to pay $6,070 for 7 counseling settlements with benefits, an average $867.14 per counseling settled.

SBA agreed to pay a total of $99,246 for 6 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $16,541.

SBA expended a total of $75,059 for 23 complaint investigations, for an average expenditure of $3,263.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	41		13		54	

Settlements	3	7.31%	4	30.76%	7	12.96%
Withdrawal/no Complaint Filed	24	58.5%	2	15.3%	26	48.14%
Complaints Filed*					20	37.03%
Decision to File Complaint Pending at End of Fiscal Year					1	1.85%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	44	23	52.00%	13	30.00%
FY 2004 Pre-Complaint Counselings	54	29	53.70%	16	29.63%
Percentage Change FY 2003 to FY 2004	22.72%	26.08%		23.07%	
FY 2003 Complaints*	98	3	3.00%	1	1.00%
FY 2004 Complaints*	69	0	0.00%	0	0.00%
Percentage Change FY 2003 to FY 2004	-29.59%	-100.00%		-100.00%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	54	44	81.48%			
All Investigations	23	1	4.34%	212	304	43.39%
Merit Decisions (no AJ)	4	1	25.00%	584	480	-17.80%
Dismissal Decisions	10			81	123	51.85%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures	Final Agency Decision (no AJ decision)	Final Order (AJ Decision Fully Implemented)	Final Order (AJ Decision Not Fully Implemented)

Total Closures (29)	#	%	#	%	#	%	#	%
Settlements	2	6.89%						
Withdrawals	2	6.89%						
Dismissals	10	34.48%						
Merit Decisions	15	51.72%						
Finding Discrimination	4	26.66%	0	0.00%	4	100.00%	0	0.00%
Finding No Discrimination	11	73.33%	4	36.36%	7	63.63%	0	0.00%

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Smithsonian Institution (SI)

Permanent Workforce: 4,690 Temporary Workforce: 352 Total Workforce: 5,042

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	4,690	56.59%	43.41%	4.3%	51.92%	39.17%	2.47%	2.12%
Major Occupations								
Misc. Administration & Program	4,909	56.45%	43.55%	4.09%	52.45%	39.38%	2.4%	1.67%
General Arts & Information	374	35.56%	64.44%	2.67%	70.32%	10.96%	2.67%	13.37%
Museum Curator	110	49.02%	50.98%	1.9%	91.82%	4.55%	0.95%	0.95%
GS-14 and GS-15*	507	63.91%	36.09%	3.55%	84.22%	6.7%	3.94%	1.57%
Senior Pay Level*	124	73.39%	26.61%	2.41%	91.12%	4.03%	2.41%	0%
First-Level Officials/ Managers	271	69.37%	30.63%	2.58%	38.75%	57.2%	1.48%	0%
Mid-Level Officials/ Managers	256	53.12%	46.88%	2.34%	77.73%	13.67%	3.13%	3.13%
Senior Level Officials/ Managers	200	70.5%	29.5%	1%	90%	5.5%	2%	1.5%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At SI, employees with targeted disabilities represented 0.83% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 36 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). SI timely processed 100% of the total number of counselings. Following counseling, 23 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of SI's 36 instances of counseling, ADR was offered 100% of the time; the parties elected to participate in 47.2% of the completed counselings; and 35.3% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, SI offered ADR 5.4% of the time; the parties elected to participate in 5.4% of the complaint workload; and 100% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

SI completed its 10 investigations within the regulatory time frames, with an average processing time of 153 days for all investigations. In most instances, the

regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

SI's average processing time for all complaint closures decreased from 334 days in FY 2003 to 326 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

SI had a total of 26 complaints pending at the end of FY 2004, with 14 pending investigation for an average of 62 days.

V. Costs

SI agreed to pay $51,200 for 3 counseling settlements with benefits, an average $17,066.66 per counseling settled.

SI agreed to pay a total of $567,516 for 7 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $81,073.

SI expended a total of $33,700 for 10 complaint investigations, for an average expenditure of $3,370.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	19		17		36	
Settlements	1	5.26%	2	11.76%	3	8.33%
Withdrawal/no Complaint Filed	7	36.8%	4	23.5%	11	30.55%
Complaints Filed*					21	58.33%

Decision to File Complaint Pending at End of Fiscal Year					1	2.77%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	42	12	29.00%	10	24.00%
FY 2004 Pre-Complaint Counselings	36	37	100.00%	17	47.22%
Percentage Change FY 2003 to FY 2004	-14.28%	208.33%		70.00%	
FY 2003 Complaints*	50	2	4.00%	1	2.00%
FY 2004 Complaints*	56	3	5.36%	3	5.36%
Percentage Change FY 2003 to FY 2004	12.00%	50.00%		200.00%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	36	36	100.00%			
All Investigations	10	10	100.00%	165	153	-7.27%
Merit Decisions (no AJ)	5	2	40.00%	126	226	79.36%
Dismissal Decisions	7			54	33	-38.88%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (30)	#	%	#	%	#	%	#	%
Settlements	7	23.33%						
Withdrawals	0	0.00%						
Dismissals	7	23.33%						
Merit Decisions	16	53.33%						
Finding Discrimination	0	0%	0	0%	0	0%	0	0%
Finding No Discrimination	16	100.00%	5	31.25%	11	68.75%	0	0.00%

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Social Security Administration (SSA)

Permanent Workforce: 64,026 Temporary Workforce: 1,232 Total Workforce: 65,258

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	64,026	29.69%	70.31%	12.09%	55.39%	27.71%	3.6%	1.2%
Major Occupations								
Social Insurance Administration	27,664	30.06%	69.94%	14.25%	61.1%	19.51%	3.68%	1.15%
Contact Representative	11,158	21.58%	78.42%	22.53%	39%	32.68%	4.31%	1.48%
Claims Assistance & Examining	2,746	18.24%	81.76%	7.14%	34.09%	55.9%	2.4%	0.47%
GS-14 and GS-15*	2,789	54.07%	45.93%	5.8%	73.71%	16.95%	2.22%	1.29%
Senior Pay Level*	1,345	82.83%	17.17%	4.31%	87.43%	6.24%	0.66%	1.33%
First-Level Officials/ Managers	1,279	27.6%	72.4%	14%	50.59%	32.06%	2.11%	1.25%
Mid-Level Officials/ Managers	3,142	47.61%	52.39%	7.77%	69.38%	19.48%	1.69%	1.69%
Senior Level Officials/ Managers	560	59.82%	40.18%	5.36%	73.75%	19.29%	0.89%	0.71%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At SSA, employees with targeted disabilities represented 2.2% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 725 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). SSA timely processed 72.28% of the total number of counselings. Following counseling, 459 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of SSA's 725 instances of counseling, ADR was offered 98.2% of the time; the parties elected to participate in 16% of the completed counselings; and 51.0% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, SSA offered ADR 23.8% of the time; the parties elected to participate in 3.8% of the complaint workload; and 36.54% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

SSA completed 17% of its investigations within the regulatory time frames, with an average processing time

of 352 days for all investigations. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

SSA's average processing time for all complaint closures decreased from 647 days in FY 2003 to 575 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

SSA had a total of 1,037 complaints pending at the end of FY 2004, with 47 pending acknowledgment for an average of 31 days; 212 pending investigation for an average of 267 days; and 493 pending the issuance of final decisions for an average of 570 days.

V. Costs

SSA agreed to pay $5,725 for 59 counseling settlements with benefits, an average $97.03 per counseling settled.

SSA agreed to pay a total of $657,316 for 121 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $5,432.

SSA expended a total of $815,819 for 397 complaint investigations, for an average expenditure of $2,055.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	621		104		725	
Settlements	19	3.05%	40	38.46%	59	8.13%
Withdrawal/no Complaint Filed	249	40%	13	12.5%	262	36.13%
Complaints Filed*					385	53.10%

Decision to File Complaint Pending at End of Fiscal Year					19	2.62%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	759	425	56.00%	103	14.00%
FY 2004 Pre-Complaint Counselings	725	712	98.21%	116	16.00%
Percentage Change FY 2003 to FY 2004	-4.47%	67.52%		12.62%	
FY 2003 Complaints*	1,571	176	11.00%	16	1.00%
FY 2004 Complaints*	1,490	355	23.83%	56	3.76%
Percentage Change FY 2003 to FY 2004	-5.15%	101.70%		250.00%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	725	524	72.27%			
All Investigations	397	66	16.62%	352	352	0.00%
Merit Decisions (no AJ)	65	1	1.54%	797	556	-30.23%
Dismissal Decisions	97			130	185	42.30%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (453)	#	%	#	%	#	%	#	%
Settlements	104	22.95%						
Withdrawals	53	11.69%						
Dismissals	97	21.41%						
Merit Decisions	199	43.92%						
Finding Discrimination	21	10.55%	13	61.90%	4	19.04%	4	19.04%
Finding No Discrimination	178	89.44%	52	29.21%	126	70.78%	0	0.00%

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U.S. Department of State (STATE)

Permanent Workforce: 18,166 Temporary Workforce: 5,872 Total Workforce: 24,040

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	18,166	51.19%	48.81%	5.29%	46.82%	15.12%	5.14%	0.35%
Major Occupations								
Foreign Affairs	7,278	54.11%	45.89%	5.15%	84.42%	4.89%	5.15%	0.38%
Misc. Administration & Program	2,494	48.32%	51.68%	4.09%	77.39%	14.84%	3.25%	0.44%
Computer Specialist	1,143	84.34%	15.66%	6.21%	78.57%	7.96%	5.16%	2.01%
GS-14 and GS-15*	5,599	69.09%	30.91%	3.58%	86.24%	6.32%	3.44%	0.32%
Senior Pay Level*	1,182	74.2%	25.8%	2.96%	87.22%	6.85%	2.62%	0.33%
First-Level Officials/ Managers	428	64.72%	35.28%	5.37%	70.09%	19.86%	3.97%	0.7%
Mid-Level Officials/ Managers	1,378	62.19%	37.81%	3.41%	78.37%	14.3%	3.85%	0.36%
Senior Level Officials/ Managers	2,041	72.32%	27.68%	3.58%	87.51%	6.22%	2.35%	0.34%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At STATE, employees with targeted disabilities represented 0.39% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 90 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). STATE timely processed 24.4% of the total number of counselings. Following counseling, 77 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of STATE's 90 instances of counseling, ADR was offered 32.2% of the time; the parties elected to participate in 24.4% of the completed counselings; and 40% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, STATE offered ADR 6.9% of the time; the parties elected to participate in 6.3% of the complaint workload; and 60% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

STATE completed 65% of its investigations within the regulatory time frames, with an average processing time

of 162 days for all investigations. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

STATE's average processing time for all complaint closures decreased from 407 days in FY 2003 to 315 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

STATE had a total of 79 complaints pending at the end of FY 2004, with 2 pending acknowledgment; 38 pending investigation for an average of 96 days; and 6 pending the issuance of final decisions for an average of 220 days.

V. Costs

STATE agreed to pay $8,937 for 9 counseling settlements with benefits, an average $993.00 per counseling settled.

STATE agreed to pay a total of $250,913 for 13 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $19,301.

STATE expended a total of $229,549 for 26 complaint investigations, for an average expenditure of $8,829.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	60		30		90	
Settlements	3	5.00%	6	20.00%	9	10.00%
Withdrawal/no Complaint Filed	7	11.6%	6	20%	13	14.44%
Complaints Filed*					66	73.33%

Decision to File Complaint Pending at End of Fiscal Year					2	2.22%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	276	138	50.00%	32	12.00%
FY 2004 Pre-Complaint Counselings	90	29	32.22%	22	24.44%
Percentage Change FY 2003 to FY 2004	-67.39%	-78.98%		-31.25%	
FY 2003 Complaints*	162	7	4.00%	3	2.00%
FY 2004 Complaints*	159	11	6.92%	10	6.29%
Percentage Change FY 2003 to FY 2004	-1.85%	57.14%		233.33%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	90	22	24.44%			
All Investigations	26	17	65.38%	198	162	-18.18%
Merit Decisions (no AJ)	14	0	0.00%	483	285	-40.99%
Dismissal Decisions	25			86	173	101.16%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (80)	#	%	#	%	#	%	#	%
Settlements	13	16.25%						
Withdrawals	5	6.25%						
Dismissals	25	31.25%						
Merit Decisions	37	46.25%						
Finding Discrimination	0	0%	0	0%	0	0%	0	0%
Finding No Discrimination	37	100.00%	14	37.83%	23	62.16%	0	0.00%

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Tennessee Valley Authority (TVA)

Total Workforce: 12,742

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	12,742	79.96%	20.04%	0.54%	88.34%	9.04%	1%	0.91%
Major Occupations								
Business Support	575	10.78%	89.22%	0.87%	84.51%	13.23%	0%	1.39%
Unit Operations	731	92.61%	7.39%	0.41%	87.82%	10.4%	0%	1.37%
Program Analyst	102	60.71%	39.29%	0%	89.22%	9.8%	0.98%	0%
Senior Pay Level*	45	84.38%	15.62%	0%	95.56%	4.44%	0%	0%

*Does not include pay-banded employees

** Not provided by the agency

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At TVA, employees with targeted disabilities represented 0.61% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 130 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). TVA timely processed 96.2% of the total number of counselings. Following counseling, 53 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of TVA's 130 instances of counseling, ADR was offered 27.7 % of the time; the parties elected to participate in

8.5% of the completed counselings; and 87.5% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, TVA offered ADR 1.3% of the time; the parties elected to participate in 1.3% of the complaint workload; and 50% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

Of the agencies completing 25 or more investigations, TVA was the only agency to complete 100% of their

investigations within the regulatory time frames, with an average processing time of 117 days. In most instances, the regulations require completion of investigations within 180 days.

TVA's average processing time for all complaint closures decreased from 294 days in FY 2003 to 148 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

TVA had a total of 91 complaints pending at the end of FY 2004, with 2 pending acknowledgment for an average of 869 days; 13 pending investigation for an average of 90 days; and 40 pending the issuance of final decisions for an average of 408 days.

V. Costs

TVA agreed to pay $73,082 for 13 counseling settlements with benefits, an average $5,621.69 per counseling settled.

TVA agreed to pay a total of $204,585 for 20 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $10,229.

TVA expended a total of $102,531 for 34 complaint investigations, for an average expenditure of $3,016.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	122		8		130	
Settlements	8	6.55%	5	62.50%	13	10.00%
Withdrawal/no Complaint Filed	16	13.1%	2	25%	18	13.84%
Complaints Filed*					53	40.76%
Decision to File Complaint Pending at End of Fiscal Year					46	35.38%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	203	16	8.00%	15	7.00%
FY 2004 Pre-Complaint Counselings	130	36	27.69%	11	8.46%
Percentage Change FY 2003 to FY 2004	-35.96%	125.00%		-26.66%	
FY 2003 Complaints*	162	6	4.00%	6	4.00%
FY 2004 Complaints*	150	2	1.33%	2	1.33%
Percentage Change FY 2003 to FY 2004	-7.40%	-66.66%		-66.66%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	130	125	96.15%			
All Investigations	34	34	100%	108	117	8.33%
Merit Decisions (no AJ)	23	6	26.09%	559	300	-46.33%
Dismissal Decisions	8			154	50	-67.53%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (59)	#	%	#	%	#	%	#	%
Settlements	18	30.50%						
Withdrawals	5	8.47%						
Dismissals	8	13.55%						
Merit Decisions	28	47.45%						
Finding Discrimination	2	7.14%	1	50.00%	1	50.00%	0	0.00%
Finding No Discrimination	26	92.85%	22	84.61%	4	15.38%	0	0.00%

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U.S. Department of Transportation (DOT)

Permanent Workforce: 56,254 Temporary Workforce: 945 Total Workforce: 57,349

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	56,254	73.07%	26.93%	5.68%	78.14%	11.16%	3.48%	1.51%
Major Occupations								
Air Traffic Control	21,806	84.5%	15.5%	4.28%	87.48%	5.53%	1.54%	1.17%
Transportation Specialist	7,023	87.53%	12.47%	7.62%	75.3%	10.61%	4.2%	2.28%
Aviation Safety	3,874	92.69%	7.31%	5.52%	86.11%	4.88%	1.81%	1.68%
GS-14 and GS-15*	5,932	77.87%	22.13%	4.29%	81.13%	9.35%	4.28%	0.92%
Senior Pay Level*	480	72.5%	27.5%	3.75%	82.29%	9.37%	4.58%	0%
First-Level Officials/ Managers	85	75.29%	24.71%	8.24%	84.71%	4.71%	2.35%	0%
Mid-Level Officials/ Managers	1,723	73.13%	26.87%	4.47%	77.95%	12.07%	4.99%	0.52%
Senior Level Officials/ Managers	1,120	74.46%	25.54%	3.75%	82.41%	10.18%	3.39%	0.27%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At DOT, employees with targeted disabilities represented 0.56% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 821 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers).

DOT timely processed 73.6% of the total number of counselings. Following counseling, 493 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of DOT's 821 instances of counseling, ADR was offered 96.6 % of the time; the parties elected to participate in 20% of the completed counselings; and 36.5% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, DOT offered ADR 8% of the time; the parties elected to participate in 5.5% of the complaint workload; and 61.5% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

DOT completed 76% of its investigations within the regulatory time frames, with an average processing time of 177 days for all investigations. In most instances, the

regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

DOT's average processing time for all complaint closures increased from 223 days in FY 2003 to 245 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

DOT had a total of 673 complaints pending at the end of FY 2004, with 172 pending acknowledgment for an average of 149 days; 101 pending investigation for an average of 249 days; and 46 pending the issuance of final decisions for an average of 800 days.

V. Costs

DOT agreed to pay $153,829 for 82 counseling settlements with benefits, an average $1,875.96 per counseling settled.

DOT agreed to pay a total of $753,030 for 82 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $9,183.

DOT expended a total of $1,163,430 for 279 complaint investigations, for an average expenditure of $4,170.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	662		159		821	
Settlements	41	6.19%	41	25.78%	82	9.98%
Withdrawal/no Complaint Filed	70	10.5%	17	10.6%	87	10.59%
Complaints Filed*					481	58.58%

Decision to File Complaint Pending at End of Fiscal Year					171	20.82%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	607	462	76.00%	184	30.00%
FY 2004 Pre-Complaint Counselings	821	793	96.59%	164	19.98%
Percentage Change FY 2003 to FY 2004	35.25%	71.64%		-10.86%	
FY 2003 Complaints*	361	116	10.00%	56	5.00%
FY 2004 Complaints*	493	93	8.00%	64	5.50%
Percentage Change FY 2003 to FY 2004	36.60%	-19.82%		14.28%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	821	604	73.56%			
All Investigations	279	213	76.34%	223	177	-20.62%
Merit Decisions (no AJ)	113	38	33.63%	494	264	-46.60%
Dismissal Decisions	136			107	69	-35.51%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (490)	#	%	#	%	#	%	#	%
Settlements	74	15.10%						
Withdrawals	23	4.69%						
Dismissals	136	27.75%						
Merit Decisions	257	52.44%						
Finding Discrimination	8	3.11%	2	25.00%	6	75.00%	0	0.00%
Finding No Discrimination	249	96.88%	111	44.57%	138	55.42%	0	0.00%

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U.S. Department of Treasury (TREAS)

Permanent Workforce: 108,122 Temporary Workforce: 2,490 Total Workforce: 110,612

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	108,122	37.46%	62.54%	7.82%	63.2%	24.28%	3.86%	0.81%
Major Occupations								
Internal Revenue Audit	12,766	56.35%	43.65%	5.51%	73.9%	12.02%	7.82%	0.75%
Internal Review Officer	5,849	46.78%	53.22%	9.06%	63.93%	22.96%	3.16%	0.89%
Criminal Investigating	3,159	87.56%	12.44%	8.04%	76.16%	10.45%	4.5%	0.85%
GS-14 and GS-15*	8,762	58.19%	41.81%	3.45%	77.87%	13.77%	4.3%	0.59%
Senior Pay Level*	566	69.44%	30.56%	2.29%	85.15%	10.07%	2.12%	0.35%
First-Level Officials/ Managers	3,321	21.68%	78.32%	8.22%	61.76%	27.79%	1.45%	0.78%
Mid-Level Officials/ Managers	4,269	55.47%	44.53%	6.07%	72.19%	17.99%	2.95%	0.8%
Senior Level Officials/ Managers	1,342	65.8%	34.2%	2.09%	84.28%	10.28%	2.83%	0.52%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At TREAS, employees with targeted disabilities represented 1.9% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 1,661 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). TREAS timely processed 98.9% of the total number of counselings. Following counseling, 804 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of TREAS' 1,661 instances of counseling, ADR was offered 99.4% of the time; the parties elected to participate in 20.8% of the completed counselings; and 63.6% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, TREAS offered ADR 2.7% of the time; the parties elected to participate in 0.1% of the complaint workload; and 100% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

TREAS completed 90% of its investigations within the regulatory time frames, with an average processing time

of 160 days for all investigations. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

TREAS' average processing time for all complaint closures increased from 426 days in FY 2003 to 478 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

TREAS had a total of 1,014 complaints pending at the end of FY 2004, with 506 pending investigation for an average of 174 days; and 84 pending the issuance of final decisions for an average of 367 days.

V. Costs

TREAS agreed to pay $131,590 for 252 counseling settlements with benefits, an average $522.18 per counseling settled.

TREAS agreed to pay a total of $619,017 for 177 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $3,497.

TREAS expended a total of $1,327,386 for 405 complaint investigations, for an average expenditure of $3,277.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	1,290		371		1,661	
Settlements	89	6.89%	163	43.93%	252	15.17%
Withdrawal/no Complaint Filed	237	18.3%	73	19.6%	310	18.66%

Complaints Filed*					804	48.40%
Decision to File Complaint Pending at End of Fiscal Year					295	17.76%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	1,729	1,558	90.00%	443	26.00%
FY 2004 Pre-Complaint Counselings	1,661	1,651	99.40%	346	20.83%
Percentage Change FY 2003 to FY 2004	-3.93%	5.96%		-21.89%	
FY 2003 Complaints*	883	73	3.00%	30	1.00%
FY 2004 Complaints*	804	50	2.74%	2	0.11%
Percentage Change FY 2003 to FY 2004	-8.90%	-31.50%		-93.33%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	1,661	1,643	98.91%			
All Investigations	405	366	90.37%	242	160	-33.88%
Merit Decisions (no AJ)	277	188	67.87%	558	574	2.90%
Dismissal Decisions	140			120	185	54.16%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (814)	#	%	#	%	#	%	#	%
Settlements	176	21.62%						
Withdrawals	108	13.26%						
Dismissals	140	17.19%						
Merit Decisions	390	47.91%						
Finding Discrimination	3	0.76%	0	0.00%	1	33.33%	2	66.66%
Finding No Discrimination	387	99.23%	277	71.57%	110	28.42%	0	0.00%

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United States Postal Service (USPS)

Permanent Workforce: 707,485 Temporary Workforce: Unavailable

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	707,485	61.66%	38.34%	7.71%	63.18%	21.05%	7.49%	0.56%
Major Occupations								
City Carrier	227,220	74.51%	25.49%	10.16%	63.81%	17.5%	8.03%	0.49%
Clerk	225,391	55.07%	44.93%	7.22%	56.79%	24.95%	10.47%	0.57%
Supervisor	33,655	64.96%	35.04%	7.72%	59.95%	27.36%	4.44%	0.53%
GS-14 and GS-15 Equivalents	8,705	71.75%	28.25%	6.02%	72.07%	16.58%	4.66%	0.67%
Senior Pay Level*	784	72.57%	27.43%	6.25%	74.23%	16.33%	2.68%	0.51%

*USPS does not use the General Schedule.

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At USPS, employees with targeted disabilities represented 0.9% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 19,101 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). USPS timely processed 68.2% of the total number of counselings. Following counseling, 7,549 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of USPS' 19,101 instances of counseling, ADR was offered 100% of the time; the parties elected to participate in 72.3% of the completed counselings; and 45.6% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, USPS offered ADR 1.1% of the time; the parties elected to participate in 0.5% of the

complaint workload; and 93.2% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

USPS completed 30% of its investigations within the regulatory time frames, with an average processing time of 325 days for all investigations. In most instances, the regulations require completion of investigations within

180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

USPS' average processing time for all complaint closures decreased from 590 days in FY 2003 to 445 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

USPS had a total of 8,770 complaints pending at the end of FY 2004, with 573 pending acknowledgment for an average of 106 days; 38,762 pending investigation for an average of 262 days; and 636 pending the issuance of final decisions for an average of 915 days.

V. Costs

USPS agreed to pay $417,939 for 5,298 counseling settlements with benefits, an average $78.88 per counseling settled.

USPS agreed to pay a total of $6,787,596 for 1,428 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $4,753.

USPS expended a total of $9,325,295 for 4,822 complaint investigations, for an average expenditure of $1,934.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	6,506		12,595		19,101	
Settlements	482	7.40%	4,816	38.23%	5,298	27.73%
Withdrawal/no Complaint Filed	5,001	76.8%	921	7.3%	5,922	31.00%
Complaints Filed*					7,549	39.52%
Decision to File Complaint Pending at End of Fiscal Year					332	1.73%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	20,102	19,547	97.00%	15,193	76.00%
FY 2004 Pre-Complaint Counselings	19,101	19,248	100.00%	13,815	72.33%
Percentage Change FY 2003 to FY 2004	-4.97%	-1.52%		-9.07%	
FY 2003 Complaints*	19,809	2,928	15.00%	2,502	13.00%
FY 2004 Complaints*	18,748	202	1.08%	102	0.54%
Percentage Change FY 2003 to FY 2004	-5.35%	-93.10%		-95.92%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	19,095	13,014	68.15%			
All Investigations	4,822	1,438	29.82%	256	325	26.95%
Merit Decisions (no AJ)	2,915	1,488	51.05%	557	544	-2.33%
Dismissal Decisions	2,784			585	76	-87.00%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (9,978)	#	%	#	%	#	%	#	%
Settlements	1,347	13.49%						
Withdrawals	1,071	10.73%						
Dismissals	2,784	27.90%						
Merit Decisions	4,776	47.86%						
Finding Discrimination	88	1.84%	73	82.95%	8	9.09%	7	7.95%
Finding No Discrimination	4,688	98.15%	2,842	60.62%	1,809	38.58%	37	0.78%

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U.S. Department of Veterans Affairs (VA)

Permanent Workforce: 212,836 Temporary Workforce: 23,395 Total Workforce: 236,258

Workforce Composition

Employee Pool	Total #	Men	Women	Hispanics	Whites	Blacks	Asian Americans / Pacific Islanders	American Indians / Alaskan Natives
Permanent Workforce	212,836	41.67%	58.33%	6.82%	61.85%	23.76%	6.67%	0.89%
Major Occupations								
Medical Officer	15,956	71.06%	28.94%	7.06%	64.78%	3.8%	24.06%	0.31%
Nurse	39,651	14.36%	85.64%	6.32%	67.14%	15.1%	10.76%	0.68%
Veterans Claims Examining	6,161	44.57%	55.43%	5.96%	67.05%	22.77%	2.66%	1.56%
GS-14 and GS-15*	12,502	69.73%	30.27%	5.59%	71.77%	6.05%	16.11%	0.41%
Senior Pay Level*	509	70.73%	29.27%	2.55%	87.42%	6.48%	1.96%	1.57%
First-Level Officials/ Managers	6,651	47.96%	52.04%	5.83%	69.48%	20.75%	2.98%	0.95%
Mid-Level Officials/ Managers	4,800	61.48%	38.52%	4.13%	81.79%	10.69%	2.77%	0.63%
Senior Level Officials/ Managers	2,948	77.34%	22.66%	4.65%	80.12%	4.58%	10.07%	0.58%

*Does not include pay-banded employees

Targeted Disabilities

Employees with targeted disabilities represented 0.99% of the total government workforce in FY 2004, and of agencies with a permanent workforce of 500 or more, the Equal Employment Opportunity Commission, at 2.23%, had the highest percentage of employees with targeted disabilities. At VA, employees with targeted disabilities represented 1.56% of the total workforce.

EEO Complaint Processing

I. Counseling

There were 4,129 instances of pre-complaint counseling (performed by EEO counselors and/or ADR intake officers). VA timely processed 97.69% of the total number of counselings. Following counseling, 2,220 formal complaints of discrimination were filed.

II. Alternative Dispute Resolution

Of VA's 4,129 instances of counseling, ADR was offered 22.8% of the time; the parties elected to participate in 10.3% of the completed counselings; and 79.2% of the ADR closures were resolved through settlements or withdrawals.

At the formal complaint phase, VA offered ADR 1.9% of the time; the parties elected to participate in 1.21% of the complaint workload; and 45.1% of the ADR closures were resolved through settlements or withdrawals.

III. Processing Times

VA completed 49% of its investigations within the regulatory time frames, with an average processing time

of 220 days for all investigations. In most instances, the regulations require completion of investigations within 180 days. Of the agencies completing 25 or more investigations, the Tennessee Valley Authority was the only agency to complete 100% of their investigations within the regulatory time frames, with an average processing time of 117 days.

VA's average processing time for all complaint closures decreased from 317 days in FY 2003 to 299 days in FY 2004. The government-wide average was 469 days.

IV. Pending Inventory

VA had a total of 2,673 complaints pending at the end of FY 2004, with 25 pending acknowledgment for an average of 9 days; 757 pending investigation for an average of 74 days; and 651 pending the issuance of final decisions for an average of 399 days.

V. Costs

VA agreed to pay $103,750 for 127 counseling settlements with benefits, an average $816.92 per counseling settled.

VA agreed to pay a total of $1,577,193 for 535 complaint closures through settlement agreement, final agency decision, and final agency orders fully implementing AJ decisions. For complaint closures with benefits, the average award (including back/front pay, compensatory damages, attorney's fees, and lump sum payments) was $2,948.

VA expended a total of $6,509,100 for 1,948 complaint investigations, for an average expenditure of $3,341.

Outcome of Counselings Completed in FY 2004

Counseling Outcomes	Completed by EEO Counselor		Completed Using ADR		All Completed Counselings	
	#	%	#	%	#	%
Total Instances of Counseling:	3,681		448		4,129	
Settlements	64	1.73%	63	14.06%	127	3.07%
Withdrawal/no Complaint Filed	1,388	37.7%	292	65.1%	1,680	40.68%

Complaints Filed*					2,074	50.23%
Decision to File Complaint Pending at End of Fiscal Year					248	6.00%

*Includes only complaints filed in FY 2004 where counseling was also completed during FY 2004.

Agency Use of ADR for EEO Dispute Resolution

	Counselings / Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2003 Pre-Complaint Counselings	4,057	1,068	26.00%	351	9.00%
FY 2004 Pre-Complaint Counselings	4,129	940	22.77%	427	10.34%
Percentage Change FY 2003 to FY 2004	1.77%	-11.98%		21.65%	
FY 2003 Complaints*	5,394	70	1.00%	33	1.00%
FY 2004 Complaints*	5,048	96	1.90%	61	1.21%
Percentage Change FY 2003 to FY 2004	-6.41%	37.14%		84.84%	

*Includes all complaints filed in the fiscal year, including those where the counseling was completed in the prior fiscal year.

Timeliness

	Total #	# Timely	% Timely	FY 2003 APD*	FY 2004 APD	% Change
All Counselings (minus remands)	4,119	4,024	97.69%			
All Investigations	1,948	959	49.23%	233	220	-5.57%
Merit Decisions (no AJ)	667	357	53.52%	350	303	-13.42%
Dismissal Decisions	513			82	72	-12.19%

*APD = Average Processing Days

Outcomes of Complaints Closed in FY 2004

Complaint Outcomes	Complaint Closures		Final Agency Decision (no AJ decision)		Final Order (AJ Decision Fully Implemented)		Final Order (AJ Decision Not Fully Implemented)	
Total Closures (2,375)	#	%	#	%	#	%	#	%
Settlements	507	21.34%						
Withdrawals	199	8.37%						
Dismissals	513	21.60%						
Merit Decisions	1,156	48.67%						
Finding Discrimination	37	3.20%	14	37.83%	14	37.83%	9	24.32%

Finding No Discrimination	1,119	96.79%	653	58.35%	466	41.64%	0	0.00%

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U.S. Census Bureau

Census 2000 EEO Data Tool

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Choose the Table You Want to Display All tables include Race/Ethnicity and Sex. Geography varies depending on level of detail

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Select Geography (●) Residence: Data based on where people live.

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USCENSUSBUREAU Helping You Make Informed Decisions

EEOC U.S. Equal Employment Opportunity Commission

The U.S. Equal Employment Opportunity Commission

TABLE 1
TEN YEAR TREND
GOVERNMENT WIDE EMPLOYMENT OF WORKERS*

	2000 CIVILIAN LABOR WORKFORCE	FEDERAL WORK FORCE										
	%	% 1995	% 1996	% 1997	% 1998	% 1999	% 2000	% 2001	% 2002	% 2003	% 2004	# 2004
MEN	53.20	58.47	58.40	58.35	58.13	57.89	57.70	57.55	57.57	57.43	57.10	1,488,520
WOMEN	46.80	41.53	41.60	41.65	41.87	42.11	42.30	42.45	42.43	42.57	42.90	1,118,383
HISPANIC	10.70	6.11	6.26	6.39	6.59	6.69	6.81	6.94	7.10	7.22	7.46	194,398
MEN	6.20	3.78	3.88	3.97	4.07	4.10	4.15	4.22	4.33	4.39	4.48	116,693
WOMEN	4.50	2.33	2.38	2.42	2.52	2.59	2.65	2.72	2.77	2.83	2.98	77,705
WHITE	72.70	69.66	69.46	69.16	68.48	68.08	67.78	67.52	67.31	67.17	66.91	1,744,200
MEN	39.00	43.28	43.08	42.87	42.36	41.97	41.67	41.40	41.28	41.11	40.71	1,061,384
WOMEN	33.70	26.38	26.38	26.29	26.12	26.11	26.10	26.11	26.03	26.06	26.19	682,816
BLACK	10.60	18.34	18.32	18.35	18.57	18.70	18.76	18.74	18.63	18.56	18.18	473,944
MEN	4.80	8.05	8.04	8.04	8.13	8.15	8.15	8.11	8.07	8.00	7.81	203,701
WOMEN	5.80	10.29	10.27	10.31	10.45	10.55	10.62	10.63	10.56	10.56	10.37	270,243
ASIAN AMERICAN/ PACIFIC ISLANDER	4.00	4.50	4.59	4.71	4.95	5.11	5.22	5.32	5.45	5.54	5.79	150,820
MEN	2.10	2.67	2.72	2.77	2.89	2.97	3.03	3.10	3.16	3.21	3.32	86,582

WOMEN	1.90	1.83	1.87	1.93	2.06	2.14	2.18	2.22	2.29	2.33	2.46	64,238
AMERICAN INDIAN/ ALASKAN NATIVE	1.00	1.38	1.37	1.39	1.40	1.42	1.44	1.48	1.50	1.50	1.67	43,541
MEN	0.50	0.68	0.68	0.69	0.69	0.69	0.70	0.71	0.72	0.71	0.77	20,160
WOMEN	0.50	0.70	0.69	0.71	0.72	0.73	0.74	0.76	0.79	0.79	0.90	23,381
TOTAL FEDERAL EMPLOYEES												2,606,903

*Includes data for those agencies which are provided by CPDF plus AAFES, TVA AND USPS; does not include data for intelligence gathering agencies. Separate data for "Native Hawaiian or Other Pacific Islander" was unavailable at time of publication. Percentages may not add to 100% due to rounding and the additional Two or More Races category in the 2000 Census Special EEO file.

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TABLE II TEN YEAR TREND GOVERNMENT WIDE EMPLOYMENT OF PEOPLE WITH TARGETED DISABILITIES*

TARGETED DISABILITY BY TYPE	FY 1995	FY 1996	FY 1997	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	TEN YEAR NET CHANGE
TOTAL											
TARGETED DISABILITIES	31,359	29,930	28,671	28,035	27,601	27,231	26,834	26,230	25,551	25,917	-17.35%
% OF TOTAL WORK FORCE	1.22	1.18	1.16	1.14	1.13	1.12	1.10	1.07	1.05	0.99	
DEAFNESS											
TOTAL	6,123	5,896	5,639	5,512	5,368	5,220	5,088	4,949	4,796	4,745	-22.51%
% OF TARGETED DISABILITIES	19.53	19.70	19.67	19.66	19.45	19.17	18.96	18.87	18.77	18.31	
BLINDNESS											
TOTAL	2,920	2,784	2,676	2,615	2,570	2,603	2,636	2,582	2,588	2,687	-7.98%
% OF TARGETED DISABILITIES	9.31	9.30	9.33	9.33	9.31	9.56	9.82	9.84	10.13	10.37	
MISSING EXTREMITIES											
TOTAL	2,066	1,963	1,856	1,812	1,733	1,697	1,627	1,556	1,525	1,505	-27.15%
% OF TARGETED DISABILITIES	6.59	6.56	6.47	6.46	6.28	6.23	6.06	5.93	5.97	5.81	

PARTIAL PARALYSIS											
TOTAL	4,185	3,939	3,694	3,585	3,503	3,475	3,346	3,283	3,219	3,229	-22.84%
% OF TARGETED DISABILITIES	13.35	13.16	12.88	12.79	12.69	12.76	12.47	12.52	12.60	12.46	
COMPLETE PARALYSIS											
TOTAL	1,749	1,641	1,559	1,507	1,459	1,435	1,415	1,387	1,316	1,328	-24.07%
% OF TARGETED DISABILITIES	5.58	5.48	5.44	5.38	5.29	5.27	5.27	5.29	5.15	5.12	
CONVULSIVE DISORDERS											
TOTAL	4,339	4,125	3,967	3,860	3,826	3,811	3,767	3,730	3,637	3,660	-15.65%
% OF TARGETED DISABILITIES	13.84	13.78	13.84	13.93	13.86	14.00	14.04	14.22	14.23	14.12	
MENTAL RETARDATION											
TOTAL	3,193	2,994	2,837	2,770	2,672	2,533	2,428	2,261	2,106	2,057	-35.58%
% OF TARGETED DISABILITIES	10.18	10.00	9.90	9.88	9.68	9.30	9.05	8.62	8.24	7.94	
MENTAL ILLNESS											
TOTAL	5,869	5,737	5,622	5,579	5,690	5,697	5,801	5,786	5,695	6,043	2.96%
% OF TARGETED DISABILITIES	18.72	19.17	19.61	19.90	20.62	20.92	21.62	22.06	22.29	23.32	
DISTORTION OF LIMB &/OR SPINE											
TOTAL	915	851	821	795	780	757	726	696	669	663	-27.54%
% OF TARGETED DISABILITIES	2.92	2.84	2.86	2.84	2.83	2.78	2.71	2.65	2.62	2.56	

*Includes data for those agencies which are provided by CPDF plus AAFES, TVA AND USPS; does not include data for intelligence gathering agencies. Percentages may not add to 100% due to rounding.

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TABLE III GENERAL SCHEDULE WORK FORCE GOVERNMENT WIDE EMPLOYMENT OF WORKERS*

	FEDERAL WORK FORCE										
	% 1995	% 1996	% 1997	% 1998	% 1999	% 2000	% 2001	% 2002	% 2003	% 2004	# 2004
MEN	47.81	47.57	47.74	47.82	47.93	48.09	48.29	48.67	19.05	49.39	639,887
WOMEN	52.90	52.43	52.26	52.18	52.07	51.91	51.71	51.33	50.95	50.61	655,668
HISPANIC	5.88	6.06	6.27	6.47	6.61	6.75	6.93	7.06	7.24	7.44	96,389
MEN	2.9	3.01	3.14	3.26	3.33	3.41	3.52	3.63	3.76	3.88	50,221
WOMEN	2.97	3.05	3.13	3.22	3.28	3.34	3.41	3.43	3.48	3.56	46,168
WHITE	70.38	69.94	69.64	69.26	68.94	68.60	68.32	68.23	68.11	67.80	878,335
MEN	36.95	36.52	36.51	36.4	36.35	36.33	36.34	36.54	36.75	36.85	477,377
WOMEN	33.43	33.43	33.13	32.86	32.59	32.27	31.97	31.69	31.37	30.95	400,978
BLACK	17.99	18.14	18.11	18.21	18.28	18.41	18.39	18.17	18.10	18.06	234,009
MEN	5.27	5.31	5.33	5.38	5.43	5.50	5.52	5.52	5.54	5.60	72,505
WOMEN	12.72	12.83	12.78	12.82	12.85	12.91	12.86	12.65	12.55	12.47	161,504
ASIAN AMERICAN/ PACIFIC ISLANDER	3.76	3.88	3.97	4.01	4.08	4.14	4.24	4.39	4.43	4.60	59,569
MEN	1.91	1.96	2.00	1.99	2.02	2.04	2.09	2.16	2.19	2.27	29,422

WOMEN	1.86	1.92	1.98	2.02	2.06	2.10	2.15	2.22	2.23	2.33	30,147
AMERICAN INDIAN/ ALASKAN NATIVE	2.00	1.97	2.00	2.04	2.08	2.11	2.13	2.16	2.12	2.10	27,233
MEN	0.78	0.77	0.77	0.79	0.80	0.81	0.82	0.82	0.80	0.80	10,362
WOMEN	1.22	1.20	1.23	1.26	1.28	1.30	1.31	1.34	1.31	1.30	16,871

*Includes data for only those agencies reported by CPDF. Does not include data for AAFES, TVA, USPS, or intelligence gathering agencies. Separate data for "Native Hawaiian or Other Pacific Islander" was unavailable at time of publication. Percentages may not add to 100% due to rounding.

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TABLE IV WAGE GRADE SYSTEM WORK FORCE GOVERNMENT WIDE EMPLOYMENT OF WORKERS*

	FEDERAL WAGE GRADE SYSTEM WORK FORCE										
	% 1995	% 1996	% 1997	% 1998	% 1999	% 2000	% 2001	% 2002	% 2003	% 2004	# 2004
MEN	89.27	89.28	89.41	89.37	89.05	88.96	89.48	89.47	89.09	89.19	174,908
WOMEN	10.73	10.72	10.59	10.63	10.95	11.04	10.52	10.53	10.91	10.81	21,206
HISPANIC	7.81	8.08	8.23	8.09	7.73	7.67	7.70	7.67	7.70	7.87	15,437
MEN	7.11	7.36	7.50	7.36	7.00	6.92	6.99	6.94	6.91	7.08	13,880
WOMEN	0.69	0.72	0.73	0.73	0.73	0.75	0.71	0.73	0.79	0.79	1,557
WHITE	65.53	65.64	65.87	65.87	66.06	66.07	66.32	66.35	66.43	66.43	130,279
MEN	60.32	60.37	60.67	60.65	60.62	60.59	60.97	60.95	60.81	60.85	119,344
WOMEN	5.22	5.27	5.20	5.22	5.39	5.49	5.35	5.40	5.63	5.58	10,935
BLACK	19.33	18.98	18.61	18.73	18.88	18.95	18.60	18.48	18.62	18.34	35,976
MEN	15.31	15.07	14.78	14.89	14.93	15.04	15.06	15.02	15.10	14.86	29,141
WOMEN	4.01	3.91	3.83	3.84	3.95	3.91	3.55	3.46	3.52	3.49	6,835
ASIAN AMERICAN/ PACIFIC ISLANDER	4.81	4.74	4.65	4.63	4.71	4.60	4.62	4.75	4.50	4.73	9,279
MEN	4.38	4.30	4.21	4.18	4.22	4.11	4.13	4.24	3.98	4.20	8,241

WOMEN	0.43	0.44	0.44	0.45	0.49	0.49	0.49	0.51	0.52	0.53	1,038
AMERICAN INDIAN/ ALASKAN NATIVE	2.53	2.57	2.63	2.68	2.67	2.71	2.76	2.74	2.75	2.62	5,143
MEN	2.14	2.19	2.25	2.28	2.27	2.30	2.35	2.32	2.30	2.19	4,302
WOMEN	0.38	0.38	0.39	0.40	0.40	0.41	0.42	0.43	0.45	0.43	841

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TABLE V DISTRIBUTION ACROSS GRADE RANGES GENERAL SCHEDULE AND RELATED (GSR)*

GENERAL SCHEDULE AND RELATED GRADES	YEAR	TOTAL			HISPANIC				WHITE				BLACK				ASIAN AMERICAN/ PACIFIC ISLANDER				AMERICAN INDIAN / NATIVE ALASKAN			
		ALL	MEN	WOMEN	MEN		WOMEN		MEN		WOMEN		MEN		WOMEN		MEN		WOMEN		MEN		WOMEN	
		#	#	#	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
GSR 1-6	2000	312,706	96,101	216,605	9,238	2.95	16,153	5.17	59,252	18.95	120,631	38.58	20,257	6.48	62,172	19.88	4,446	1.42	9,412	3.01	2,908	0.93	8,237	2.63
	2001	313,031	100,242	212,787	9,852	3.15	16,444	5.25	62,415	19.94	118,058	37.71	20,305	6.49	60,383	19.29	4,622	1.48	9,539	3.05	3,050	0.97	8,363	2.67
	2002	302,510	101,208	201,302	10,322	3.41	15,586	5.15	63,133	20.87	111,307	36.79	19,951	6.60	56,309	18.61	4,804	1.59	9,657	3.19	2,998	0.99	8,443	2.79
	2003	289,422	99,141	190,258	10,084	3.48	14,867	5.14	62,458	21.58	105,037	36.29	19,235	6.65	53,204	18.38	4590	1.59	9,108	3.15	2,797	0.97	8,042	2.78
	2004	277,373	94,443	182,930	9,366	3.38	14,477	5.22	59,217	21.35	99,912	36.02	18,656	6.73	51,533	18.58	4,484	1.62	9,202	3.32	2,717	0.98	7,806	2.81
GSR 7-11	2000	521,050	233,603	287,447	20,792	3.99	19,258	3.70	171,375	32.89	181,005	34.74	20,257	3.89	70,375	13.51	8,793	1.69	10,711	2.06	4,299	0.83	6,098	1.17
	2001	524,541	235,645	288,896	21,625	4.12	19,775	3.77	171,702	32.73	180,380	34.39	28,856	5.50	71,438	13.62	9,128	1.74	11,072	2.11	4,334	0.83	6,231	1.19
	2002	531,578	238,842	292,736	22,400	4.21	20,815	3.92	173,261	32.59	181,762	34.19	29,166	5.49	71,969	13.54	9,645	1.81	11,715	2.20	4,368	0.82	6,475	1.22
	2003	536,608	243,276	293,332	23,969	4.47	21,879	4.08	175,383	32.68	180,853	33.70	29,523	5.50	72,086	13.43	10,059	1.87	12,020	2.24	4,342	0.81	6,494	1.21
	2004	547,366	252,224	295,142	25,857	4.72	23,064	4.21	180,642	33.00	180,376	32.95	30,602	5.59	72,374	13.22	10,706	1.96	12,728	2.33	4,417	0.81	6,600	1.21
GSR 12-13	2000	408,064	260,419	147,645	12,820	3.14	6,884	1.69	212,594	52.10	102,259	25.06	19,712	4.83	30,269	7.42	12,592	3.09	6,428	1.58	2,701	0.66	1,805	0.44
	2001	417,964	261,896	156,060	13,208	3.16	7,599	1.82	212,774	50.91	107,076	25.62	20,331	4.86	32,481	7.77	12,861	3.08	6,963	1.67	2,731	0.65	1,941	0.46
	2002	426,056	264,204	161,852	13,737	3.22	8,100	1.90	213,614	50.14	110,128	25.85	20,815	4.89	34,155	8.02	13,259	3.11	7,396	1.74	2,779	0.65	2,073	0.49
	2003	429,986	264,178	165,808	14,004	3.26	8,525	1.98	215,841	50.20	112,099	26.07	21,247	4.94	35,312	8.21	13,307	3.09	7,707	1.79	2,779	0.65	2,165	0.50
	2004	432,842	263,545	169,297	14,532	3.36	9,052	2.09	210,928	48.73	113,419	26.20	21,568	4.98	36,263	8.38	13,776	3.18	8,328	1.92	2,741	0.63	2,235	0.52
GSR 14-15	2000	141,045	101,453	39,592	3,538	2.51	1,413	1.00	30,056	21.31	87,002	61.68	5,414	3.84	5,800	4.11	4,620	3.28	1,915	1.36	879	0.62	408	0.29
	2001	145,406	103,485	41,921	3,741	2.57	1,508	1.04	88,362	60.77	31,658	21.77	5,569	3.83	6,211	4.27	4,899	3.37	2,117	1.46	914	0.63	427	0.29
	2002	150,134	105,815	44,319	3,885	2.59	1,625	1.08	89,978	59.93	33,185	22.10	5,832	3.88	6,747	4.49	5,163	3.44	2,302	1.53	957	0.64	460	0.31
	2003	155,595	108,385	47,210	4,111	2.64	1,773	1.14	91,592	58.87	35,000	22.49	6,158	3.96	7,364	4.73	5,547	3.57	2,578	1.66	977	0.63	495	0.32
	2004	160,919	110,807	50,112	4,352	2.70	1,965	1.22	93,062	57.83	36,799	22.87	6,442	4.00	7,964	4.95	5,948	3.70	2,865	1.78	1,003	0.62	519	0.32
TOTAL GS GRADES	2000	1,382,865	691,576	691,289	46,388	3.35	43,708	3.16	473,277	34.22	490,897	35.50	65,640	4.75	168,616	12.19	30,451	2.20	28,466	2.06	10,787	0.78	16,548	1.20
	2001	1,400,942	701,268	699,664	48,426	3.46	45,326	3.24	535,253	38.21	437,172	31.21	75,061	5.36	170,513	12.17	31,510	2.25	29,691	2.12	11,029	0.79	16,962	1.21
	2002	1,410,278	710,069	700,209	50,344	3.57	46,126	3.27	539,986	38.29	436,382	30.94	75,764	5.37	169,180	12.00	32,871	2.33	31,070	2.20	11,102	0.79	17,451	1.24
	2003	1,411,611	714,980	696,608	52,168	3.70	47,044	3.33	545,274	38.63	432,989	30.67	76,163	5.40	167,966	11.90	33,503	2.37	31,413	2.23	10,895	0.77	17,196	1.22
	2004	1,418,500	721,019	697,481	54,107	3.81	48,558	3.42	543,855	38.34	430,506	30.35	77,268	5.45	168,134	11.85	34,917	2.46	33,123	2.34	10,878	0.77	17,160	1.21
SENIOR PAY	2000	16,675	12,603	4,072	388	2.33	162	0.97	11,117	66.67	3,320	19.91	730	4.38	455	2.73	277	1.66	98	0.59	91	0.55	38	0.23
	2001	16,918	12,837	4,081	389	2.30	130	0.77	11,338	67.02	3,361	19.87	707	4.18	436	2.58	308	1.82	114	0.67	95	0.56	40	0.24
	2002	17,943	13,508	4,435	436	2.43	161	0.90	11,859	66.09	3,647	20.33	755	4.21	459	2.56	358	2.00	127	0.71	100	0.56	41	0.23
	2003	18,472	13,814	4,658	461	2.50	171	0.93	12,082	65.41	3,820	20.68	769	4.16	485	2.63	403	2.18	143	0.77	99	0.54	39	0.21
	2004	19,117	14,196	4,921	472	2.47	184	0.96	12,439	65.07	4,018	21.02	727	3.80	516	2.70	445	2.33	162	0.85	113	0.59	41	0.21
OTHER (NON GSR) **	2000	363,019	265,092	97,927	18,833	5.19	6,004	1.65	187,160	51.56	63,101	17.38	38,826	10.70	18,695	5.15	13,387	3.69	6,500	1.79	6,876	1.89	3,627	1.00
	2001	354,673	261,050	93,623	18,701	5.27	5,744	1.62	184,023	51.89	59,767	16.85	37,878	10.68	17,592	4.96	13,562	3.82	6,820	1.92	6,886	1.94	3,700	1.04
	2002	390,886	284,320	106,556	21,166	5.41	6,802	1.74	199,973	51.16	67,677	17.31	41,425	10.60	20,718	5.30	14,694	3.76	7,385	1.89	7,064	1.81	3,984	1.02
	2003	409,517	291,456	118,061	8,173	2.00	8,169	1.99	203,163	49.61	73,886	18.04	43,452	10.61	23,726	5.79	15,234	3.72	8,212	2.01	6,968	1.70	4,068	0.99
	2004	418,974	296,838	122,136	23,732	5.66	8,662	2.07	206,700	49.33	75,965	18.13	43,521	10.39	24,734	5.90	16,034	3.83	8,645	2.06	6,851	1.64	4,130	0.99

* Includes data for only those agencies reported by CPDF. Does not include data for AAFES, TVA, USPS, or intelligence gathering agencies. Separate data for "Native Hawaiian or Other Pacific Islander" was unavailable at time of publication. Percentages may not add to 100% due to rounding.

** Other (Non GSR) represents workforce in pay banding systems.

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TABLE 6 GOVERNMENT WIDE EMPLOYMENT OF PEOPLE WITH DISABILITIES BY GRADE LEVEL*

DISABILITY BY TYPE	GSR-1	GSR-2	GSR-3	GSR-4	GSR-5	GSR-6	GSR-7	GSR-8	GSR-9	GSR-10	GSR-11	GSR-12	GSR-13	GSR-14	GSR-15	SENIOR PAY	OTHER GS RELATED	TOTAL GS RELATED	ALL
TOTAL GS & RELATED	2,675	4,580	21,191	57,801	107,021	84,105	142,520	56,608	132,692	17,899	197,647	228,430	204,412	99,465	61,454	19,117	418,974	1,418,500	1,856,591
% OF WORK FORCE	0.14	0.25	1.14	3.11	5.76	4.53	7.68	3.05	7.15	0.96	10.65	12.30	11.01	5.36	3.31	1.05	22.57	76.40	100.00
NO DISABILITIES	2,526	4,216	18,831	50,810	95,035	7,575	130,272	50,849	121,110	16,201	179,815	207,690	188,294	91,586	56,409	17,329	388,158	1,289,394	1,694,881
% OF GRADE LEVEL	94.43	92.05	88.86	87.91	88.80	90.07	91.41	89.83	91.27	90.51	90.98	90.92	92.11	92.08	91.79	90.64	92.64	90.90	91.29
NOT IDENTIFIED / DISCLOSED	25	89	397	1,138	2,423	1,717	2,964	1,684	3,511	544	5,997	7,305	6,484	3,673	2,496	1,020	8,133	40,447	49,600
% OF GRADE LEVEL	0.93	1.94	1.87	1.97	2.26	2.04	2.08	2.97	2.65	3.04	3.03	3.20	3.17	3.69	4.06	5.34	1.94	2.85	2.67
REPORTABLE DISABILITIES	91	155	1,443	4,253	7,343	5,385	7,700	3,156	6,831	1,013	10,059	11,569	8,299	3,649	2,254	751	19,251	73,200	93,135
% OF GRADE LEVEL	3.40	3.38	6.81	7.36	6.86	6.40	5.40	5.58	5.15	5.66	5.09	5.06	4.06	3.67	3.67	3.93	4.60	5.16	5.01
TARGETED DISABILITIES	33	120	519	1,597	2,214	1,249	1,578	917	1,233	140	1,761	1,844	1,320	549	292	84	3,423	15,366	18,873
% OF GRADE LEVEL	1.23	2.62	2.45	2.76	2.07	1.49	1.11	1.62	0.93	0.78	0.89	0.81	0.65	0.55	0.48	0.44	0.82	1.08	1.02
DEAFNESS	2	4	62	356	440	232	270	83	156	10	162	199	111	21	6	1	482	2,114	2,597
% OF TARGETED DISABILITIES	6.06	3.33	11.95	22.29	19.87	18.57	17.11	9.05	12.65	7.14	9.20	10.79	8.41	3.83	2.05	1.19	14.08	13.76	13.76
BLINDNESS	3	7	42	157	232	136	186	299	164	21	312	259	228	80	56	17	324	2,182	2,523
% OF TARGETED DISABILITIES	9.09	5.83	8.09	9.83	10.48	10.89	11.79	32.61	13.30	15.00	17.72	14.05	17.27	14.57	19.18	20.24	9.47	14.20	13.37
MISSING EXTREMITIES	2	1	8	44	92	59	81	56	84	12	129	152	120	52	21	9	168	913	1,090
% OF TARGETED DISABILITIES	6.06	0.83	1.54	2.76	4.16	4.72	5.13	6.11	6.81	8.57	7.33	8.24	9.09	9.47	7.19	10.71	4.91	5.94	5.78
PARTIAL PARALYSIS	5	20	47	236	295	198	265	131	248	23	356	400	275	128	67	23	272	2,694	2,989
% OF TARGETED DISABILITIES	15.15	16.67	9.06	14.78	13.32	15.85	16.79	14.29	20.11	16.43	20.22	21.69	20.83	23.32	22.95	27.38	7.95	17.53	15.84
COMPLETE PARALYSIS	0	6	15	79	130	67	102	58	107	10	155	180	136	50	37	14	92	1,132	1,238
% OF TARGETED DISABILITIES	0.00	150.00	24.19	22.19	29.55	28.88	37.78	69.88	68.59	7.14	8.80	9.76	10.30	9.11	12.67	16.67	2.69	7.37	6.56
CONVULSIVE DISORDERS	1	9	57	185	313	196	256	118	204	28	269	265	214	105	42	9	487	2,262	2,758
% OF TARGETED DISABILITIES	3.03	7.50	10.98	11.58	14.14	15.69	16.22	12.87	16.55	20.00	15.28	14.37	16.21	19.13	14.38	10.71	14.23	14.72	14.61

MENTAL RETARDATION	13	55	161	225	163	42	45	12	11	1	6	7	1	1	0	0	635	743	1,379
% OF TARGETED DISABILITIES	39.39	45.83	31.02	14.09	7.36	3.36	2.85	1.31	0.89	0.71	0.34	0.38	0.08	0.18	0.00	0.00	18.55	4.84	7.31
MENTAL ILLNESS	6	14	117	283	487	274	308	123	231	32	312	328	199	98	57	6	891	2,869	3,766
% OF TARGETED DISABILITIES	18.18	11.67	22.54	17.72	22.00	21.94	19.52	13.41	18.73	22.86	17.72	17.79	15.08	17.85	19.52	7.14	26.03	18.67	19.95
DISTORTION OF LIMB &/OR SPINE	1	4	10	32	62	45	65	37	28	3	60	54	36	14	6	4	72	457	533
% OF TARGETED DISABILITIES	3.03	3.33	1.93	2.00	2.80	3.60	4.12	4.03	2.27	2.14	3.41	2.93	2.73	2.55	2.05	4.76	2.10	2.97	2.82

*Includes data for only those agencies reported by CPDF. Does not include data for AAFES, TVA, USPS, or intelligence gathering agencies. Percentages may not add to 100% due to rounding.

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TABLE VII SENIOR PAY PARTICIPATION BY AGENCY*

AGENCY	TOTAL			HISPANIC				WHITE				BLACK				ASIAN AMERICAN/ PACIFIC ISLANDER				AMERICAN INDIAN/ NATIVE ALASKAN			
	ALL	MEN	WOMEN	MEN	%	WOMEN	%	MEN	%	WOMEN	%	MEN	%	WOMEN	%	MEN	%	WOMEN	%	MEN	%	WOMEN	%
ADV COUNCIL ON HISTORIC PRESERVATION	1	1	0	0	0.00	0	0.00	1	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
AFRICAN DEVELOPMENT FOUNDATION	1	1	0	0	0.00	0	0.00	0	0.00	0	0.00	1	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
AGENCY FOR INTERNATIONAL DEVELOPMENT	178	129	49	6	3.37	1	0.56	109	61.24	37	20.79	10	5.62	8	4.49	4	2.25	3	1.69	0	0.00	0	0.00
AGRICULTURE, DEPARTMENT OF	455	343	112	12	2.64	3	0.66	284	62.42	93	20.44	31	6.81	11	2.42	12	2.64	4	0.88	4	0.88	1	0.22
AMERICAN BATTLE MONUMENTS COMMISSION	3	3	0	0	0.00	0	0.00	3	100.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
ANTITRUST MODERNIZATION COMMISSION	2	1	1	0	0.00	0	0.00	1	50.00	1	50.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
APPALACHIAN REGIONAL COMMISSION	2	1	1	0	0.00	0	0.00	1	50.00	1	50.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
ARCHITECTURAL & TRANS. BARRIER COMPLIANCE BOARD	15	11	4	0	0.00	0	0.00	11	73.33	3	20.00	0	0.00	0	0.00	0	0.00	1	6.67	0	0.00	0	0.00
ARCTIC RESEARCH COMMISSION	6	4	2	0	0.00	0	0.00	4	66.67	2	33.33	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
ARMED FORCES RETIREMENT HOME	4	3	1	0	0.00	0	0.00	3	75.00	1	25.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
BARRY GOLDWATER SCHOOL & EXCEL IN ED FOUNDATION	1	1	0	0	0.00	0	0.00	1	100.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
BROADCASTING BOARD OF GOVERNORS	20	15	5	1	5.00	0	0.00	14	70.00	5	25.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
CHEMICAL SAFETY/ HAZARD INVESTIGATION BD	6	5	1	0	0.00	0	0.00	5	83.33	1	16.67	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
CMSN ON REVIEW OF OVERSEAS MIL STRUCTURE	5	5	0	0	0.00	0	0.00	5	100.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
CMSN REGARDING WEAPONS OF MASS DESTRUCTION	4	4	0	0	0.00	0	0.00	4	100.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
COMMERCE, DEPARTMENT OF	547	414	133	6	1.10	3	0.55	366	66.91	105	19.20	25	4.57	17	3.11	16	2.93	8	1.46	1	0.18	0	0.00
COMMISSION ON CIVIL RIGHTS	10	5	5	1	10.00	1	10.00	1	10.00	1	10.00	2	20.00	2	20.00	1	10.00	0	0.00	1	10.00	0	0.00
COMMISSION ON OCEAN POLICY	15	11	4	0	0.00	0	0.00	11	73.33	4	26.67	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
COMMITTEE FOR PURCH FROM ... BLIND OR SEVERE DISABLED	5	5	0	0	0.00	0	0.00	5	100.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
COMMODITY FUTURES TRADING CMSN	30	23	7	0	0.00	0	0.00	23	76.67	7	23.33	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
CONSUMER PRODUCT SAFETY CMSN	14	9	5	0	0.00	0	0.00	7	50.00	5	35.71	1	7.14	0	0.00	0	0.00	0	0.00	1	7.14	0	0.00

CORP FOR NATIONAL AND COMMUNITY SERVICE	18	8	10	0	0.00	0	0.00	8	44.44	9	50.00	0	0.00	1	5.56	0	0.00	0	0.00	0	0.00	0	0.00
COUNCIL OF ECONOMIC ADVISERS	7	5	2	0	0.00	0	0.00	5	71.43	2	28.57	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
COUNCIL ON ENVIR QUAL/OFO OF ENVIR QUALITY	3	2	1	0	0.00	0	0.00	2	66.67	1	33.33	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
COURT SERVICES AND OFFENDER SUPERVISION AGY	11	7	4	0	0.00	0	0.00	2	18.18	2	18.18	5	45.45	2	18.18	0	0.00	0	0.00	0	0.00	0	0.00
DEFENSE NUCLEAR FACILITIES SAFETY BOARD	42	42	0	1	2.38	0	0.00	41	97.62	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
DEFENSE, OTHER	647	502	145	8	1.24	1	0.15	475	73.42	129	19.94	7	1.08	9	1.39	7	1.08	6	0.93	5	0.77	0	0.00
AIR FORCE, DEPARTMENT OF	230	191	39	1	0.43	1	0.43	178	77.39	36	15.65	3	1.30	1	0.43	7	3.04	0	0.00	2	0.87	1	0.43
ARMY, DEPARTMENT OF	426	358	68	2	0.47	1	0.23	326	76.53	61	14.32	14	3.29	5	1.17	1	0.23	5	1.17	0	0.00	0	0.00
NAVY, DEPARTMENT OF	716	621	95	12	1.68	2	0.28	566	79.05	87	12.15	9	1.26	4	0.56	30	4.19	2	0.28	4	0.56	0	0.00
EDUCATION, DEPARTMENT OF	162	96	66	2	1.23	1	0.62	78	48.15	55	33.95	14	8.64	6	3.70	2	1.23	3	1.85	1	0.62	1	0.62
ELECTION ASSISTANCE COMMISSION	5	3	2	1	20.00	0	0.00	1	20.00	1	20.00	1	20.00	1	20.00	0	0.00	0	0.00	0	0.00	0	0.00
ENERGY, DEPARTMENT OF	565	459	106	17	3.01	7	1.24	412	72.92	85	15.04	15	2.65	7	1.24	12	2.12	5	0.88	3	0.53	2	0.35
ENVIRONMENTAL PROTECTION AGENCY	326	211	115	11	3.37	2	0.61	182	55.83	100	30.67	13	3.99	9	2.76	5	1.53	4	1.23	0	0.00	0	0.00
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION	38	20	18	3	7.89	4	10.53	10	26.32	6	15.79	6	15.79	7	18.42	1	2.63	1	2.63	0	0.00	0	0.00
EXPORT-IMPORT BANK OF THE UNITED STATES	31	24	7	0	0.00	0	0.00	22	70.97	6	19.35	2	6.45	1	3.23	0	0.00	0	0.00	0	0.00	0	0.00
FARM CREDIT ADMINISTRATION	20	17	3	1	5.00	0	0.00	16	80.00	3	15.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
FARM CREDIT SYSTEM INSURANCE CORPORATION	3	1	2	0	0.00	0	0.00	1	33.33	1	33.33	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	1	33.33
FEDERAL COMMUNICATIONS COMMISSION	62	47	15	1	1.61	1	1.61	41	66.13	14	22.58	5	8.06	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
FEDERAL DEPOSIT INSURANCE CORPORATION	167	127	40	4	2.40	1	0.60	111	66.47	32	19.16	11	6.59	6	3.59	1	0.60	1	0.60	0	0.00	0	0.00
FEDERAL ELECTION COMMISSION	15	11	4	0	0.00	0	0.00	11	73.33	3	20.00	0	0.00	1	6.67	0	0.00	0	0.00	0	0.00	0	0.00
FEDERAL FINANCIAL INST. EXAM. COUNCIL	1	1	0	0	0.00	0	0.00	1	100.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
FEDERAL HOUSING FINANCE BOARD	17	13	4	0	0.00	1	5.88	11	64.71	3	17.65	2	11.76	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
FEDERAL LABOR RELATIONS AUTHORITY	26	17	9	1	3.85	0	0.00	15	57.69	7	26.92	1	3.85	1	3.85	0	0.00	0	0.00	0	0.00	1	3.85
FEDERAL MARITIME COMMISSION	15	10	5	0	0.00	0	0.00	9	60.00	4	26.67	1	6.67	0	0.00	0	0.00	1	6.67	0	0.00	0	0.00
FEDERAL MEDIATION AND CONCILIATION SERVICE	4	4	0	0	0.00	0	0.00	4	100.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
FEDERAL MINE SAFETY AND HEALTH REVIEW CMSN	15	13	2	0	0.00	0	0.00	13	86.67	1	6.67	0	0.00	1	6.67	0	0.00	0	0.00	0	0.00	0	0.00

FEDERAL RETIREMENT THRIFT INVESTMENT BOARD	13	10	3	0	0.00	0	0.00	10	76.92	3	23.08	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
FEDERAL TRADE COMMISSION	40	26	14	0	0.00	0	0.00	25	62.50	13	32.50	1	2.50	1	2.50	0	0.00	0	0.00	0	0.00	0	0.00
GENERAL SERVICES ADMINISTRATION	114	83	31	2	1.75	1	0.88	76	66.67	25	21.93	4	3.51	5	4.39	1	0.88	0	0.00	0	0.00	0	0.00
GOVERNMENT PRINTING OFFICE	29	24	5	0	0.00	0	0.00	23	79.31	3	10.34	1	3.45	2	6.90	0	0.00	0	0.00	0	0.00	0	0.00
HARRY S. TRUMAN SCHOLARSHIP FOUNDATION	1	1	0	0	0.00	0	0.00	1	100.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
HEALTH AND HUMAN SERVICES, DEPARTMENT OF	2,102	1,504	598	42	2.00	14	0.67	1,270	60.42	476	22.65	57	2.71	54	2.57	121	5.76	48	2.28	14	0.67	6	0.29
HOMELAND SECURITY, DEPARTMENT OF	477	377	100	20	4.19	4	0.84	327	68.55	86	18.03	19	3.98	8	1.68	9	1.89	2	0.42	2	0.42	0	0.00
HOUSING AND URBAN DEVELOPMENT, DEPT. OF	119	78	41	3	2.52	6	5.04	57	47.90	14	11.76	15	12.61	20	16.81	2	1.68	1	0.84	1	0.84	0	0.00
INTERAGENCY COUNCIL ON THE HOMELESS	1	0	0	0	0.00	0	0.00	1	100.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
INTER-AMERICAN FOUNDATION	2	1	1	1	50.00	0	0.00	0	0.00	1	50.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
INTERIOR, DEPARTMENT OF	368	268	100	6	1.63	5	1.36	212	57.61	76	20.65	10	2.72	20	5.43	7	1.90	0	0.00	33	8.97	7	1.90
INTERNATIONAL BOUNDARY & WATER CMSN: US/ MEXICO	2	2	0	2	100.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
INTERNATIONAL JOINT CMSN: US/ CANADA	4	2	2	0	0.00	0	0.00	2	50.00	2	50.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
INTERNATIONAL TRADE COMMISSION	19	12	7	0	0.00	0	0.00	12	63.16	7	36.84	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
JAPAN-UNITED STATES FRIENDSHIP COMMISSION	1	1	0	0	0.00	0	0.00	1	100.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
JUSTICE, DEPARTMENT OF	4,368	3,079	1,289	139	3.18	73	1.67	2,696	61.72	1,057	24.20	172	3.94	126	2.88	61	1.40	26	0.60	11	0.25	7	0.16
LABOR, DEPARTMENT OF	250	177	73	7	2.80	4	1.60	156	62.40	52	20.80	10	4.00	13	5.20	3	1.20	4	1.60	1	0.40	0	0.00
MARINE MAMMAL COMMISSION	4	3	1	0	0.00	0	0.00	3	75.00	1	25.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MEDICARE PAYMENT ADVISORY COMMISSION	27	18	9	0	0.00	0	0.00	18	66.67	9	33.33	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MERIT SYSTEMS PROTECTION BOARD	13	6	7	0	0.00	0	0.00	6	46.15	5	38.46	0	0.00	2	15.38	0	0.00	0	0.00	0	0.00	0	0.00
MILLENNIUM CHALLENGE CORPORATION	25	18	7	0	0.00	0	0.00	16	64.00	7	28.00	2	8.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
MORRIS K UDALL SCHOLARSHIP ... FOUNDATION	3	1	2	0	0.00	0	0.00	1	33.33	2	66.67	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION	580	468	112	17	2.93	3	0.52	403	69.48	88	15.17	19	3.28	15	2.59	25	4.31	4	0.69	4	0.69	2	0.34
NATIONAL ARCHIVES AND RECORDS ADMINISTRATION	23	20	3	0	0.00	0	0.00	19	82.61	3	13.04	0	0.00	0	0.00	1	4.35	0	0.00	0	0.00	0	0.00

NATIONAL CAPITAL PLANNING COMMISSION	7	4	3	0	0.00	0	0.00	2	28.57	2	28.57	1	14.29	1	14.29	1	14.29	0	0.00	0	0.00	0	0.00
NATIONAL COUNCIL ON DISABILITY	14	6	8	0	0.00	0	0.00	6	42.86	5	35.71	0	0.00	3	21.43	0	0.00	0	0.00	0	0.00	0	0.00
NATIONAL CREDIT UNION ADMINISTRATION	37	26	11	0	0.00	0	0.00	23	62.16	10	27.03	2	5.41	1	2.70	1	2.70	0	0.00	0	0.00	0	0.00
NATIONAL FOUNDATION ON ARTS AND HUMANITIES	23	13	10	1	4.35	0	0.00	10	43.48	9	39.13	2	8.70	1	4.35	0	0.00	0	0.00	0	0.00	0	0.00
NATIONAL LABOR RELATIONS BOARD	118	95	23	3	2.54	3	2.54	87	73.73	16	13.56	5	4.24	4	3.39	0	0.00	0	0.00	0	0.00	0	0.00
NATIONAL MEDIATION BOARD	5	2	3	0	0.00	0	0.00	2	40.00	3	60.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
NATIONAL SCIENCE FOUNDATION	343	218	125	9	2.62	4	1.17	174	50.73	106	30.90	10	2.92	10	2.92	24	7.00	5	1.46	1	0.29	0	0.00
NATIONAL SECURITY COUNCIL	8	6	2	0	0.00	0	0.00	6	75.00	1	12.50	0	0.00	0	0.00	0	0.00	1	12.50	0	0.00	0	0.00
NATIONAL TRANSPORTATION SAFETY BOARD	24	18	6	0	0.00	0	0.00	17	70.83	6	25.00	1	4.17	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
NUCLEAR REGULATORY COMMISSION	242	204	38	4	1.65	0	0.00	181	74.79	35	14.46	8	3.31	1	0.41	11	4.55	2	0.83	0	0.00	0	0.00
NUCLEAR WASTE TECHNICAL REVIEW BOARD	15	12	3	0	0.00	0	0.00	11	73.33	2	13.33	1	6.67	1	6.67	0	0.00	0	0.00	0	0.00	0	0.00
OCCUPATIONAL SAFETY & HEALTH REVIEW COMMISSION	17	13	4	0	0.00	0	0.00	13	76.47	1	5.88	0	0.00	3	17.65	0	0.00	0	0.00	0	0.00	0	0.00
OFFICE OF ADMINISTRATION	6	4	2	1	16.67	0	0.00	3	50.00	2	33.33	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
OFFICE OF GOVERNMENT ETHICS	5	3	2	0	0.00	0	0.00	3	60.00	2	40.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
OFFICE OF MANAGEMENT AND BUDGET	78	58	20	0	0.00	2	2.56	56	71.79	17	21.79	2	2.56	0	0.00	0	0.00	1	1.28	0	0.00	0	0.00
OFFICE OF NATIONAL DRUG CONTROL POLICY	18	15	3	0	0.00	0	0.00	15	83.33	3	16.67	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION	2	2	0	0	0.00	0	0.00	2	100.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
OFFICE OF PERSONNEL MANAGEMENT	65	45	20	2	3.08	3	4.62	39	60.00	13	20.00	3	4.62	4	6.15	1	1.54	0	0.00	0	0.00	0	0.00
OFFICE OF SCIENCE AND TECHNOLOGY POLICY	8	5	3	0	0.00	0	0.00	5	62.50	3	37.50	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
OFFICE OF SPECIAL COUNSEL	6	5	1	0	0.00	0	0.00	5	83.33	1	16.67	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
OFFICE OF THE U.S. TRADE REPRESENTATIVE	31	18	13	0	0.00	1	3.23	18	58.06	11	35.48	0	0.00	1	3.23	0	0.00	0	0.00	0	0.00	0	0.00
OVERSEAS PRIVATE INVESTMENT CORPORATION	27	20	7	0	0.00	0	0.00	18	66.67	7	25.93	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
PEACE CORPS	19	12	7	1	5.26	1	5.26	7	36.84	6	31.58	2	10.53	0	0.00	2	10.53	0	0.00	0	0.00	0	0.00
PENSION BENEFIT GUARANTY CORPORATION	28	21	7	0	0.00	0	0.00	19	67.86	6	21.43	2	7.14	1	3.57	0	0.00	0	0.00	0	0.00	0	0.00
PRESIDIO TRUST	19	12	7	0	0.00	0	0.00	12	63.16	7	36.84	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00

RAILROAD RETIREMENT BOARD	13	10	3	0	0.00	0	0.00	10	76.92	2	15.38	0	0.00	1	7.69	0	0.00	0	0.00	0	0.00	0	0.00
SECURITIES AND EXCHANGE COMMISSI9ON	102	70	32	3	2.94	0	0.00	64	62.75	31	30.39	2	1.96	1	0.98	1	0.98	0	0.00	0	0.00	0	0.00
SELECTIVE SERVICE SYSTEM	1	1	0	0	0.00	0	0.00	0	0.00	0	0.00	1	100.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
SMALL BUSINESS ADMINISTRATION	65	46	19	7	10.77	1	1.54	32	49.23	13	20.00	7	10.77	5	7.69	0	0.00	0	0.00	0	0.00	0	0.00
SMITHSONIAN INSTITUTION	124	91	33	1	0.81	2	1.61	85	68.55	28	22.58	3	2.42	2	1.61	2	1.61	1	0.81	0	0.00	0	0.00
SOCIAL SECURITY ADMINISTRATION	1,345	1,114	231	46	3.42	12	0.89	996	74.05	180	13.38	53	3.94	31	2.30	7	0.52	2	0.15	12	0.89	6	0.45
STATE, DEPARTMENT OF	1,182	877	305	29	2.45	6	0.51	779	65.91	252	21.32	46	3.89	35	2.96	20	1.69	11	0.93	3	0.25	1	0.08
TRADE AND DEVELOPMENT AGENCY	4	1	3	0	0.00	0	0.00	1	25.00	3	75.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
TRANSPORTATION, DEPARTMENT OF	480	348	132	12	2.50	6	1.25	292	60.83	103	21.46	27	5.63	18	3.75	17	3.54	5	1.04	0	0.00	0	0.00
TREASURY, DEPARTMENT OF	566	393	173	11	1.94	2	0.35	335	59.19	147	25.97	40	7.07	17	3.00	7	1.24	5	0.88	0	0.00	2	0.35
US CHINA ECONOMIC & SECURITY REVIEW COMMISSION	13	11	2	0	0.00	0	0.00	11	84.62	2	15.38	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
US COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM	2	2	0	0	0.00	0	0.00	1	50.00	0	0.00	1	50.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
US HOLOCAUST MEMORIAL MUSEUM	4	3	1	0	0.00	0	0.00	3	75.00	1	25.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
US TAX COURT	13	11	2	0	0.00	0	0.00	10	76.92	2	15.38	1	7.69	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
VETERANS AFFAIRS, DEPARTMENT OF	509	360	149	12	2.36	1	0.20	318	62.48	127	24.95	17	3.34	16	3.14	7	1.38	3	0.59	6	1.18	2	0.39
VIETNAM EDUCATION FOUNDATION	7	6	1	0	0.00	0	0.00	2	28.57	0	0.00	0	0.00	0	0.00	4	57.14	1	14.29	0	0.00	0	0.00
GOVERNMENT WIDE	19,117	14,196	4,921	472	2.47	184	0.96	12,439	65.07	4,018	21.02	727	3.80	516	2.70	445	2.33	162	0.85	113	0.59	41	0.21

*Includes data for only those agencies reported by CDPF. Does not include data for AAFES, TVA, USPS, or intelligence gathering agencies. Separate data for "Native Hawaiian or Other Pacific Islander" was unavailable at time of publication. Percentages may not add to 100% due to rounding.

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The U.S. Equal Employment Opportunity Commission

TABLE XIII TEN YEAR TREND SENIOR PAY LEVEL GOVERNMENT WIDE EMPLOYMENT OF WORKERS*

YEAR	1995		1996		1997		1998		1999		2000		2001		2002		2003		2004	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
MEN	12,176	80.79	12,056	79.66	12,124	78.82	12,164	77.80	12,228	76.56	12,603	75.58	12,837	75.88	13,508	75.28	13,814	74.78	14,196	74.25
WOMEN	2896	19.21	3,079	20.34	3,257	21.17	3,469	22.19	3,744	23.44	4,072	24.42	4,081	24.12	4,435	24.72	4,658	25.22	4,921	25.75
HISPANIC																				
MEN	288	1.91	280	1.85	303	1.97	332	2.12	352	2.20	388	2.33	389	2.30	436	2.43	461	2.50	472	2.47
WOMEN	97	0.64	99	0.65	109	0.71	124	0.79	137	0.86	162	0.97	130	0.77	161	0.90	171	0.93	184	0.96
WHITE																				
MEN	10,991	72.92	10,863	71.77	10,874	70.70	10,837	69.32	10,860	67.99	11,117	66.67	11,338	67.02	11,859	66.09	12,082	65.41	12,439	65.05
WOMEN	2,416	16.03	2,556	16.89	2,689	17.48	2,856	18.27	3,053	19.11	3,319	19.90	3,361	19.87	3,647	20.33	3,820	20.68	4,018	21.02
BLACK																				
MEN	654	4.34	651	4.30	650	4.23	669	4.28	681	4.26	730	4.38	707	4.18	755	4.21	769	4.16	727	3.80
WOMEN	295	1.96	324	2.14	355	2.31	379	2.42	426	2.67	455	2.73	436	2.58	459	2.56	485	2.63	516	2.70
ASIAN AMERICAN/ PACIFIC ISLANDER																				
MEN	181	1.20	196	1.30	228	1.48	247	1.58	250	1.57	277	1.66	308	1.82	358	2.00	403	2.18	445	2.33
WOMEN	69	0.46	77	0.51	76	0.49	81	0.52	92	0.58	98	0.59	114	0.67	127	0.71	143	0.77	162	0.85
AMERICAN INDIAN/ NATIVE ALASKAN																				
MEN	62	0.41	66	0.44	69	0.45	79	0.51	85	0.53	91	0.55	95	0.56	100	0.56	99	0.54	113	0.59
WOMEN	19	0.13	23	0.15	28	0.18	29	0.19	36	0.23	38	0.23	40	0.24	41	0.23	39	0.21	41	0.21
ALL	15,072		15,135		15,381		15,633		15,972		16,675		16,918		17,943		18,472		19,117	

*Includes data for only those agencies reported by CPDF. Does not include data for AAFES, TVA, USPS, or intelligence gathering agencies. Separate data for "Native Hawaiian or Other Pacific Islander" was unavailable at time of publication. Percentages may not add to 100% due to rounding.

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TABLE IX
AGENCY PARTICIPATION OF PEOPLE WITH TARGETED DISABILITIES BY DISABILITY*

AGENCY OR DEPARTMENT	TOTAL WORK FORCE		PEOPLE WITH TARGETED DISABILITIES ***	DEAFNESS	BLINDNESS	MISSING EXTREMITIES	PARTIAL PARALYSIS	COMPLETE PARALYSIS	CONVULSIVE DISORDERS	MENTAL RETARDATION	MENTAL ILLNESS	DISTORTION LIMB &/OR SPINE
ADVISORY COUNCIL ON HISTORIC PRESERVATION	47	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
AFRICAN DEVELOPMENT FOUNDATION	26	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
AGENCY FOR INTERNATIONAL DEVELOPMENT	2,238	#	13	3	0	1	3	1	2	3	0	0
		%	0.58	23.08	0.00	7.69	23.08	7.69	15.38	23.08	0.00	0.00
AGRICULTURE, U.S DEPARTMENT OF	112,084	#	1068	124	79	74	214	103	144	71	223	36
		%	0.95	11.61	7.40	6.93	20.04	9.64	13.48	6.65	20.88	3.37
AMERICAN BATTLE MONUMENTS COMMISSION, THE	40	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ANTITRUST MODERNIZATION COMMISSION	10	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
APPALACHIAN REGIONAL COMMISSION	10	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ARCHITECTURAL & TRANSPORTATION BARRIERS COMPLIANCE BOARD, U. S.	40	#	12	0	2	0	2	6	2	0	0	0
		%	30.00	0.00	16.67	0.00	16.67	50.00	16.67	0.00	0.00	0.00
ARCTIC RESEARCH COMMISSION	8	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ARMED FORCES RETIREMENT HOME	505	#	4	0	0	1	0	0	0	2	1	0
		%	0.79	0.00	0.00	25.00	0.00	0.00	0.00	50.00	25.00	0.00
ARMY AIR FORCE EXCHANGE SERVICE	33,461	#	628	61	48	20	60	23	88	169	142	17
		%	1.87	0.18	0.14	0.05	0.17	0.06	0.26	0.50	0.42	0.05
BARRY GOLDWATER SCHOOL & EXCELLENCE IN EDUCATION FOUNDATION	10	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
BROADCASTING BOARD OF	1,830	#	15	0	2	1	3	0	2	5	3	0

GOVERNORS		%	0.82	0.00	13.33	6.67	20.00	0.00	13.33	33.33	20.00	0.00
CHEMICAL SAFETY & HAZARD INVESTIGATION BOARD	39	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CHINA ECONOMIC & SECURITY REVIEW COMMISSION	25	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CHRISTOPHER COLUMBUS FELLOWSHIP FOUNDATION	12	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
COMMERCE, U.S. DEPARTMENT OF	37,867	#	319	44	43	7	45	19	53	35	66	7
		%	0.84	13.79	13.48	2.19	14.11	5.96	16.61	10.97	20.69	2.19
COMMISSION ON CIVIL RIGHTS	65	#	1	0	1	0	0	0	0	0	0	0
		%	1.54	0.00	100.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
COMMISSION OF FINE ARTS	6	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM	32	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
COMMISSION ON OCEAN POLICY	21	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
COMMISSION ON REVIEW OF OVERSEAS MILITARY STRUCTURE	5	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
COMMISSION REGARDING WEAPONS OF MASS DESTRUCTION	40	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
COMMITTEE FOR PURCHASE FROM PEOPLE BLIND OR SEVERE DISABLED	34	#	2	0	1	0	0	0	1	0	0	0
		%	5.88	0.00	50.00	0.00	0.00	0.00	50.00	0.00	0.00	0.00
COMMODITY FUTURES TRADING COMMISSION	501	#	1	0	0	0	1	0	0	0	0	0
		%	0.20	0.00	0.00	0.00	100.00	0.00	0.00	0.00	0.00	0.00
CONSUMER PRODUCT SAFETY COMMISSION, U. S.	465	#	3	0	2	0	0	0	0	0	1	0
		%	0.65	0.00	66.67	0.00	0.00	0.00	0.00	0.00	33.33	0.00
CORPORATION FOR NATIONAL AND COMMUNITY SERVICE	571	#	6	2	1	1	2	0	0	0	0	0
		%	1.05	33.33	16.67	16.67	33.33	0.00	0.00	0.00	0.00	0.00
COUNCIL OF ECONOMIC ADVISORS	32	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
COUNCIL ON ENVIRONMENTAL	24	#	0	0	0	0	0	0	0	0	0	0

QUALITY		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
COURT SERVICES & OFFENDER SUPERVISION AGENCY	1,054	#	2	0	0	1	0	0	1	0	0	0
		%	0.19	0.00	0.00	50.00	0.00	0.00	50.00	0.00	0.00	0.00
DEFENSE, U.S. DEPARTMENT OF SUMMARY**	648,411	#	5,709	934	503	364	1,076	365	943	451	865	208
		%	0.88	16.36	8.81	6.38	18.85	6.39	16.52	7.90	15.15	3.64
AIR FORCE, DEPARTMENT OF THE	150,032	#	1196	144	108	76	220	78	221	94	205	50
		%	0.80	12.04	9.03	6.35	18.39	6.52	18.48	7.86	17.14	4.18
ARMY, DEPARTMENT OF THE	226,568	#	1710	266	157	117	353	113	280	109	252	63
		%	0.75	15.56	9.18	6.84	20.64	6.61	16.37	6.37	14.74	3.68
DEFENSE COMMISSARY AGENCY	14,815	#	158	23	16	7	20	3	32	16	36	5
		%	1.07	14.56	10.13	4.43	12.66	1.90	20.25	10.13	22.78	3.16
DEFENSE CONTRACT AUDIT AGENCY	4,050	#	52	3	3	4	18	3	5	1	14	1
		%	1.28	5.77	5.77	7.69	34.62	5.77	9.62	1.92	26.92	1.92
DEFENSE CONTRACT MANAGEMENT AGENCY	11,122	#	149	20	12	10	33	14	26	3	26	5
		%	1.34	13.42	8.05	6.71	22.15	9.40	17.45	2.01	17.45	3.36
DEFENSE EDUCATION ACTIVITY	17,244	#	56	3	7	3	12	2	18	1	9	1
		%	0.32	5.36	12.50	5.36	21.43	3.57	32.14	1.79	16.07	1.79
DEFENSE FINANCE AND ACCOUNTING SERVICE	13,403	#	275	80	18	17	50	20	39	9	36	6
		%	2.05	29.09	6.55	6.18	18.18	7.27	14.18	3.27	13.09	2.18
DEFENSE HUMAN RESOURCE ACTIVITY	772	#	6	1	2	0	1	0	2	0	0	0
		%	0.78	16.67	33.33	0.00	16.67	0.00	33.33	0.00	0.00	0.00
DEFENSE INFORMATION SYSTEMS AGENCY	5,161	#	57	15	3	3	8	5	12	4	4	3
		%	1.10	26.32	5.26	5.26	14.04	8.77	21.05	7.02	7.02	5.26
DEFENSE INSPECTOR GENERAL, OFFICE OF THE	1,271	#	13	2	2	1	4	0	0	2	2	0.00
		%	1.02	15.38	15.38	7.69	30.77	0.00	0.00	15.38	15.38	0.00
DEFENSE LOGISTICS AGENCY	21,685	#	449	127	34	26	65	22	58	45	56	16
		%	2.07	28.29	7.57	5.79	14.48	4.90	12.92	10.02	12.47	3.56
DEFENSE NUCLEAR FACILITIES SAFETY BOARD	96	#	1	0	0	0	0	0	0	0	1	0
		%	1.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100.00	0.00
DEFENSE SECRETARY, OFFICE OF THE	1,565	#	3	0	0	0	1	1	1	0	0	0
		%	0.84	0.00	0.00	0.00	33.33	33.33	33.33	0.00	0.00	0.00
DEFENSE SECURITY SERVICE	2,140	#	16	1	2	1	4	1	3	1	2	1
		%	0.84	6.25	12.50	6.25	25.00	6.25	18.75	6.25	12.50	6.25

DEFENSE THREAT REDUCTION AGENCY	1,045	#	7	1	1	0	1	0	1	3	0	0
		%	0.84	14.29	14.29	0.00	14.29	0.00	14.29	42.86	0.00	0.00
NAVY, DEPARTMENT OF THE	177,538	#	1562	248	138	99	286	103	245	163	223	57
		%	0.88	15.88	8.83	6.34	18.31	6.59	15.69	10.44	14.28	3.65
EDUCATION, U.S. DEPARTMENT OF	4,584	#	73	7	28	2	11	8	5	7	5	0
		%	1.59	9.59	38.36	2.74	15.07	10.96	6.85	9.59	6.85	0.00
ELECTION ASSISTANCE COMMISSION	19	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ENERGY U.S. DEPARTMENT OF	15,023	#	119	10	11	6	22	17	23	1	25	4
		%	0.79	8.40	9.24	5.04	18.49	14.29	19.33	0.84	21.01	3.36
ENVIRONMENTAL PROTECTION AGENCY, U.S.	18,576	#	195	28	28	10	43	12	31	13	25	5
		%	0.84	14.36	14.36	5.13	22.05	6.15	15.90	6.67	12.82	2.56
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, U.S.	2,465	#	55	11	13	4	8	2	4	0	13	0
		%	2.23	20.00	23.63	7.27	14.55	3.64	7.27	0.00	23.63	0.00
EXPORT-IMPORT BANK OF THE UNITED STATES	411	#	7	3	0	1	2	0	0	0	1	0
		%	1.70	42.86	0.00	14.29	28.57	0.00	0.00	0.00	14.29	0.00
FARM CREDIT ADMINISTRATION	284	#	5	0	1	0	1	0	0	0	3	0
		%	1.76	0.00	20.00	0.00	20.00	0.00	0.00	0.00	60.00	0.00
FARM CREDIT SYSTEM INSURANCE CORPORATION	10	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FEDERAL COMMUNICATIONS COMMISSION	1,952	#	20	2	5	1	3	2	4	1	2	0
		%	1.02	10.00	25.00	5.00	15.00	10.00	20.00	5.00	10.00	0.00
FEDERAL DEPOSIT INSURANCE CORPORATION	5,292	#	41	15	4	2	7	1	4	1	4	3
		%	0.77	36.59	9.67	4.88	17.07	2.44	9.76	2.44	9.76	7.32
FEDERAL ELECTION COMMISSION	378	#	1	1	0	0	0	0	0	0	0	0
		%	0.26	100.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FEDERAL ENERGY REGULATORY COMMISSION	1,124	#	9	0	0	0	1	2	3	0	3	0
		%	0.84	0.00	0.00	0.00	11.11	22.22	33.33	0.00	33.33	0.00
FEDERAL FINANCIAL INSTITUTIONS EXAMINATION COUNCIL	7	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FEDERAL HOUSING FINANCE BOARD	115	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FEDERAL LABOR RELATIONS	184	#	0	0	0	0	0	0	0	0	0	0

AUTHORITY		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FEDERAL MARITIME COMMISSION	128	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FEDERAL MEDIATION AND CONCILIATION SERVICE	278	#	6	2	0	0	0	0	0	2	2	0
		%	2.16	33.33	0.00	0.00	0.00	0.00	0.00	33.33	33.33	0.00
FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION	40	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FEDERAL RETIREMENT THRIFT INVESTMENT BOARD	98	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FEDERAL TRADE COMMISSION	1,073	#	4	1	0	0	0	0	1	0	1	1
		%	0.37	25.00	0.00	0.00	0.00	0.00	25.00	0.00	25.00	25.00
GENERAL PRINTING OFFICE UNITED STATES	2,396	#	37	9	1	0	3	1	3	17	2	1
		%	1.54	24.32	2.70	0.00	8.11	2.70	8.11	45.95	5.41	2.70
GENERAL SERVICES ADMINISTRATION	12,597	#	119	13	17	4	18	8	16	31	9	3
		%	0.94	10.92	14.29	3.36	15.13	6.72	13.45	26.05	7.56	2.52
HARRY S. TRUMAN SCHOLARSHIP FOUNDATION	3	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
HEALTH AND HUMAN SERVICES, DEPARTMENT OF THE	63,581	#	651	86	70	23	100	38	93	70	158	13
		%	1.02	13.21	10.75	3.53	15.36	5.84	14.29	10.75	24.27	2.00
HOLOCAUST MEMORIAL MUSEUM	229	#	1	0	0	0	0	0	1	0	0	0
		%	0.44	0.00	0.00	0.00	0.00	0.00	100.00	0.00	0.00	0.00
HOMELAND SECURITY DEPARTMENT OF THE	162,944	#	740	76	99	35	80	36	147	40	213	14
		%	0.45	10.27	13.38	4.73	10.81	4.86	19.86	5.41	28.78	1.89
HOUSING & URBAN DEVELOPMENT, DEPARTMENT OF THE	10,218	#	139	18	22	9	29	14	17	5	20	5
		%	1.36	12.95	15.83	6.47	20.86	10.07	12.23	3.60	14.39	3.60
INTERAGENCY COUNCIL ON THE HOMELESS	14	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
INTER-AMERICAN FOUNDATION	44	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
INTERIOR, DEPARTMENT OF THE	77,600	#	692	92	79	41	123	37	94	53	148	25
		%	0.89	13.29	11.42	5.92	17.77	5.35	13.58	7.66	21.39	3.61
INTERNATIONAL BOUNDARY & WATER COMMISSION, US &	256	#	1	0	0	0	0	0	0	1	0	0

MEXICO		%	0.84	0.00	0.00	0.00	0.00	0.00	0.00	100.00	0.00	0.00
INTERNATIONAL BOUNDARY COMMISSION: US & CANADA	15	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
INTERNATIONAL JOINT COMMISSION US AND CANADA	18	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
INTERNATIONAL TRADE COMMISSION	360	#	2	0	0	0	0	0	1	0	1	0
		%	0.56	0.00	0.00	0.00	0.00	0.00	50.00	0.00	50.00	0.00
JAPAN-U.S. FRIENDSHIP COMMISSION	13	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
JUSTICE, DEPARTMENT OF THE	102,906	#	406	39	77	28	62	29	99	9	54	9
		%	0.39	9.61	18.97	6.90	15.27	7.14	24.38	2.22	13.30	2.22
LABOR, DEPARTMENT OF THE	15,814	#	206	36	31	16	33	20	22	4	40	4
		%	1.30	17.48	15.05	7.77	16.02	9.71	10.68	1.94	19.42	1.94
MARINE MAMMAL COMMISSION	23	#	1	0	0	0	0	0	0	1	0	0
		%	4.35	0.00	0.00	0.00	0.00	0.00	0.00	100.00	0.00	0.00
MEDICARE PAYMENT ADVISORY COMMISSION	50	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MERIT SYSTEMS PROTECTION BOARD, US	217	#	1	0	0	0	0	0	0	0	1	0
		%	0.46	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100.00	0.00
MILLENNIUM CHALLENGE CORPORATION	45	#	1	0	0	0	0	0	0	0	1	0
		%	0.84	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100.00	0.00
MORRIS K UDALL SCHOLARSHIP... FOUNDATION	42	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION	19,278	#	190	24	29	12	36	25	25	4	28	7
		%	0.99	12.63	15.26	6.32	18.95	13.16	13.16	2.11	14.74	3.68
NATIONAL ARCHIVES AND RECORDS ADMINISTRATION	2,979	#	46	10	1	0	6	0	2	20	7	0
		%	1.54	21.74	2.17	0.00	13.04	0.00	4.35	43.48	15.22	0.00
NATIONAL CAPITAL PLANNING COMMISSION	53	#	1	0	0	0	0	0	0	0	1	0
		%	1.89	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100.00	0.00
NATIONAL COMM. ON LIBRARIES AND INFORMATION SCIENCE	23	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NATIONAL COUNCIL	27	#	3	1	1	1	0	0	0	0	0	0

ON DISABILITY		%	11.11	33.33	33.33	33.33	0.00	0.00	0.00	0.00	0.00	0.00
NATIONAL CREDIT UNION ADMINISTRATION	888	#	5	0	0	0	2	0	2	0	1	0
		%	0.56	0.00	0.00	0.00	40.00	0.00	40.00	0.00	20.00	0.00
NATIONAL ENDOWMENT FOR THE ARTS	173	#	1	0	0	1	0	0	0	0	0	0
		%	0.84	0.00	0.00	100.00	0.00	0.00	0.00	0.00	0.00	0.00
NATIONAL ENDOWMENT FOR THE HUMANITIES	182	#	3	1	0	0	0	0	0	1	1	0
		%	0.84	33.33	0.00	0.00	0.00	0.00	0.00	33.33	33.33	0.00
NATIONAL GALLERY OF ART	810	#	8	0	0	0	1	0	1	2	2	2
		%	0.99	0.00	0.00	0.00	12.50	0.00	12.50	25.00	25.00	25.00
NATIONAL LABOR RELATIONS BOARD	1,898	#	15	0	2	0	5	2	1	1	4	0
		%	0.79	0.00	13.33	0.00	33.33	13.33	6.67	6.67	26.67	0.00
NATIONAL MEDIATION BOARD	48	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NATIONAL SCIENCE FOUNDATION	1,333	#	14	3	2	0	3	1	0	0	5	0
		%	1.05	21.43	14.29	0.00	21.43	7.14	0.00	0.00	35.71	0.00
NATIONAL SECURITY COUNCIL	58	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NATIONAL TRANSPORTATION SAFETY BOARD	430	#	1	1	0	0	0	0	0	0	0	0
		%	0.23	100.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NAVAJO & HOPI INDIAN RELOCATION, OFFICE OF	53	#	2	0	1	0	0	0	0	0	1	0
		%	3.77	0.00	50.00	0.00	0.00	0.00	0.00	0.00	50.00	0.00
NUCLEAR REGULATORY COMMISSION	3,224	#	30	4	8	3	5	0	2	1	6	1
		%	0.93	13.33	26.67	10.00	16.67	0.00	6.67	3.33	20.00	3.33
NUCLEAR WASTE TECHNICAL REVIEW BOARD	23	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION	58	#	1	0	0	0	0	0	0	0	0	1
		%	1.72	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100.00
OFFICE OF ADMINISTRATION	213	#	3	1	0	0	1	0	0	0	1	0
		%	1.41	33.33	0.00	0.00	33.33	0.00	0.00	0.00	33.33	0.00
OFFICE OF GOVERNMENT ETHICS	82	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OFFICE OF MANAGEMENT AND BUDGET	506	#	1	0	0	0	0	1	0	0	0	0
		%	0.20	0.00	0.00	0.00	0.00	100.00	0.00	0.00	0.00	0.00

OFFICE OF NATIONAL DRUG CONTROL POLICY	124	#	1	0	0	0	0	0	0	0	0	1
		%	0.81	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100.00
OFFICE OF PERSONNEL MANAGEMENT, US	3,648	#	32	7	5	3	6	1	3	3	4	0
		%	0.88	21.88	15.63	9.38	18.75	3.13	9.38	9.38	12.50	0.00
OFFICE OF SCIENCE AND TECHNOLOGY POLICY	31	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OFFICE OF SPECIAL COUNSEL	103	#	1	0	0	0	1	0	0	0	0	0
		%	0.97	0.00	0.00	0.00	100.00	0.00	0.00	0.00	0.00	0.00
OFFICE OF U. S. TRADE REPRESENTATIVE	213	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OVERSEAS PRIVATE INVESTMENT CORPORATION	212	#	3	0	1	0	1	0	0	0	1	0
		%	1.42	0.00	33.33	0.00	33.33	0.00	0.00	0.00	33.33	0.00
PEACE CORPS OF THE UNITED STATES	844	#	5	0	3	1	0	0	0	0	1	0
		%	0.59	0.00	60.00	20.00	0.00	0.00	0.00	0.00	20.00	0.00
PENSION BENEFIT GUARANTY COMMISSION	802	#	11	1	1	0	1	1	3	1	3	0
		%	1.37	9.09	9.09	0.00	9.09	9.09	27.27	9.09	27.27	0.00
PRESIDIO TRUST	342	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
RAILROAD RETIREMENT BOARD	1,087	#	13	1	2	0	1	0	3	0	6	0
		%	1.20	7.69	15.38	0.00	7.69	0.00	23.08	0.00	46.15	0.00
SECURITIES AND EXCHANGE COMMISSION, US	3,797	#	43	14	4	1	4	3	5	4	7	1
		%	1.13	32.56	9.30	2.33	9.30	6.98	11.63	9.30	16.28	2.33
SELECTIVE SERVICE SYSTEM	204	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SMALL BUSINESS ADMINISTRATION	4,152	#	39	1	5	2	7	4	8	2	9	1
		%	0.94	2.56	12.82	5.13	17.95	10.26	20.51	5.13	23.08	2.56
SMITHSONIAN INSTITUTION	5,042	#	42	7	3	1	8	0	7	5	9	2
		%	0.83	16.67	7.14	2.38	19.05	0.00	16.67	11.90	21.43	4.76
SOCIAL SECURITY ADMINISTRATION	65,258	#	1435	199	351	86	242	145	126	81	163	42
		%	2.20	13.87	24.46	5.99	16.86	10.10	8.78	5.64	11.36	2.93
STATE, DEPARTMENT OF THE	24,040	#	93	16	18	7	21	1	11	4	14	1
		%	0.39	17.20	19.35	7.53	22.58	1.08	11.83	4.30	15.05	1.08
TAX COURT	224	#	0	0	0	0	0	0	0	0	0	0

		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TENNESSEE VALLEY AUTHORITY	12,742	#	79	6	6	9	17	6	10	0	18	7
		%	0.61	0.04	0.04	0.07	0.13	0.04	0.07	0.00	0.14	0.05
TRADE AND DEVELOPMENT AGENCY	41	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TRANSPORTATION, DEPARTMENT OF THE	57,349	#	322	46	34	25	61	38	40	7	65	6
		%	0.56	14.29	10.56	7.76	18.94	11.80	12.42	2.17	20.19	1.86
TREASURY, DEPARTMENT OF THE	110,612	#	2105	330	475	89	312	121	260	81	383	54
		%	1.90	15.68	22.57	4.23	14.82	5.75	12.35	3.85	18.19	2.57
UNITED STATES POSTAL SERVICE	704,109	#	6337	2,081	110	386	163	61	804	509	2,117	106
		%	0.90	0.29	0.01	0.05	0.02	0.01	0.11	0.07	0.30	0.01
UTAH RECLAMATION MITIGATION AND CONSERVATION COMMISSION	17	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
VALLES CALDERA TRUST	36	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
VETERANS AFFAIRS, DEPARTMENT OF THE	236,258	#	3692	365	454	223	368	175	541	336	1,153	77
		%	1.56	9.89	12.30	6.04	9.97	4.74	14.65	9.10	31.23	2.09
VIETNAM EDUCATION FOUNDATION	9	#	0	0	0	0	0	0	0	0	0	0
		%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

*Includes data for those agencies which are provided by CPDF plus AAFES, TVA AND USPS; does not include data for intelligence gathering agencies. Separate data for "Native Hawaiian or Other Pacific Islander" was unavailable at time of publication. Percentages may not add to 100% due to rounding.

** Defense summary consists of data for those defense agencies shown in this table except Defense Nuclear Facilities Safety Board.

***Percentages reflected are based on people with disabilities total and not the overall work force total.

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TABLE 10A WORK FORCE TREND AGENCIES WITH 500 OR MORE EMPLOYEES*

YEAR	TOTAL ALL	TOTAL		HISPANIC				WHITE				BLACK				ASIAN AMERICAN / PACIFIC ISLANDER				AMERICAN INDIAN / NATIVE ALASKAN			
		MALE	FEMALE	MALE		FEMALE		MALE		FEMALE		MALE		FEMALE		MALE		FEMALE		MALE		FEMALE	
	#	#	#	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
AGENCY FOR INTERNATIONAL DEVELOPMENT																							
1995	2,807	1,495	1,312	60	2.14	30	1.07	1,201	42.79	653	23.26	174	6.20	589	20.98	53	1.89	35	1.25	7	0.25	5	0.18
1996	2,459	1,299	1,160	51	2.07	27	1.10	1,047	42.58	586	23.83	152	6.18	506	20.58	42	1.71	37	1.50	7	0.28	4	0.16
1997	2,313	1,203	1,110	48	2.08	24	1.04	960	41.50	562	24.30	150	6.49	486	21.01	39	1.69	34	1.47	6	0.26	4	0.17
1998	2,223	1,132	1,091	47	2.11	25	1.12	901	40.53	554	24.92	136	6.12	476	21.14	42	1.89	32	1.44	6	0.27	4	0.18
1999	2,091	1,073	1,018	44	2.10	22	1.05	857	40.99	512	24.49	130	6.22	448	21.43	37	1.77	32	1.53	5	0.24	4	0.19
2000	1,850	947	903	42	2.27	18	0.97	750	40.54	447	24.16	117	6.32	404	21.84	35	1.89	30	1.62	3	0.16	4	0.22
2001	1,745	886	859	38	2.18	16	0.92	702	40.23	414	23.72	107	6.13	394	22.58	36	2.06	31	1.78	3	0.17	4	0.23
2002	1,736	862	874	39	2.25	16	0.92	676	38.94	412	23.73	110	6.34	409	23.56	35	2.02	34	1.96	2	0.12	3	0.17
2003	1,706	833	873	41	2.40	15	0.88	642	37.63	411	24.09	113	6.62	411	24.09	36	2.11	34	1.99	1	0.06	2	0.12
2004	2,238	1,113	1,125	55	2.45	28	1.25	869	38.82	594	26.54	136	6.07	438	19.57	52	2.32	61	2.72	1	0.04	4	0.17
AGRICULTURE																							
1995	90,343	53,020	37,323	2,782	3.08	1,646	1.82	44,479	49.23	28,662	31.73	3,391	3.75	5,350	5.92	1,093	1.21	745	0.82	1,275	1.41	920	1.02
1996	89,534	52,560	36,974	2,818	3.15	1,629	1.82	43,924	49.06	28,347	31.66	3,401	3.80	5,326	5.95	1,120	1.25	762	0.85	1,297	1.45	910	1.02
1997	87,392	51,367	36,025	2,817	3.22	1,626	1.86	42,727	48.89	27,402	31.36	3,388	3.88	5,353	6.13	1,144	1.31	754	0.86	1,291	1.48	890	1.02
1998	85,711	50,131	35,580	2,841	3.31	1,636	1.91	41,476	48.39	26,850	31.33	3,373	3.94	5,461	6.37	1,160	1.35	758	0.88	1,281	1.49	875	1.02
1999	85,156	49,626	35,530	2,850	3.35	1,660	1.95	40,973	48.12	26,711	31.37	3,361	3.95	5,527	6.49	1,171	1.38	767	0.90	1,271	1.49	865	1.02
2000	85,305	49,347	35,958	2,901	3.40	1,714	2.01	40,595	47.59	26,861	31.49	3,392	3.98	5,703	6.69	1,194	1.40	799	0.94	1,265	1.48	881	1.03
2001	88,194	50,947	37,247	3,142	3.56	1,817	2.06	41,672	47.25	27,720	31.43	3,506	3.98	5,969	6.77	1,281	1.45	851	0.96	1,346	1.53	890	1.01
2002	90,858	52,339	38,519	3,291	3.62	1,943	2.14	42,790	47.10	28,629	31.51	3,550	3.91	6,118	6.73	1,378	1.52	923	1.02	1,330	1.46	906	1.00
2003	89,853	51,355	38,498	3,051	3.40	1,819	2.02	42,298	47.07	28,727	74.62	3,425	3.81	6,130	6.82	1,280	1.42	918	1.02	1,301	1.45	904	1.01
2004	112,084	64,084	48,000	4,249	3.79	2,652	2.36	52,451	46.80	35,405	73.76	4,070	3.63	7,685	6.85	1,779	1.58	1,224	1.09	1,535	1.36	1,034	0.92
ARMED FORCES RETIREMENT HOME																							
1995	967	508	459	15	1.55	14	1.45	253	26.16	117	12.10	227	23.47	313	32.37	5	0.52	15	1.55	8	0.83	0	0.00
1996	913	467	446	13	1.42	14	1.53	239	26.18	112	12.27	208	22.78	306	33.52	5	0.55	14	1.53	2	0.22	0	0.00
1997	911	457	454	13	1.43	17	1.87	222	24.37	107	11.75	215	23.60	316	34.69	4	0.44	14	1.54	3	0.33	0	0.00
1998	850	421	429	15	1.76	21	2.47	207	24.35	99	11.65	189	22.24	294	34.59	5	0.59	15	1.76	5	0.59	0	0.00
1999	813	400	413	15	1.85	20	2.46	205	25.22	98	12.05	170	20.91	279	34.32	5	0.62	16	1.97	5	0.62	0	0.00
2000	772	365	407	15	1.94	20	2.59	183	23.70	98	12.69	157	20.34	275	35.62	6	0.78	14	1.81	4	0.52	0	0.00
2001	758	359	399	15	1.98	20	2.64	180	23.75	94	12.40	157	20.71	269	35.49	5	0.66	16	2.11	2	0.26	0	0.00
2002	738	337	401	13	1.76	18	2.44	161	21.82	96	13.01	156	21.14	272	36.86	5	0.68	15	2.03	2	0.27	0	0.00
2003	661	276	385	9	1.36	18	2.72	123	18.61	88	13.31	138	20.88	264	39.94	5	0.76	15	2.27	1	0.15	0	0.00
2004	505	172	333	5	0.99	17	3.37	74	14.65	65	12.87	89	17.62	237	46.93	4	0.79	14	2.77	0	0.00	0	0.00
BROADCASTING BOARD OF GOVERNORS**																							
1994	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
1995	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
1996	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
1997	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
1998	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
1999	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
2000	1,899	1,239	660	107	5.63	56	8.48	808	42.55	311	47.12	156	8.21	222	33.64	164	8.64	71	10.76	4	9.40	0	0.00

2001	1,848	1,196	652	106	5.74	53	8.13	773	41.83	302	46.32	151	8.17	225	34.51	161	8.71	72	11.04	5	11.95	0	0.00
2002	1,912	1,230	682	108	5.65	54	7.92	794	41.53	324	47.51	157	8.21	225	32.99	166	8.68	79	11.58	5	12.04	0	0.00
2003	1,900	1,221	679	107	5.63	56	8.25	786	41.37	317	46.69	148	7.79	225	33.14	175	9.21	81	11.93	5	12.09	0	0.00
2004	1,830	1,168	662	102	5.57	55	8.31	752	41.09	299	45.17	144	7.87	223	33.69	166	9.07	85	12.84	4	9.73	0	0.00
COMMERCE																							
1995	32,038	17,955	14,083	465	1.45	382	1.19	14,741	46.01	9,188	28.68	1,730	5.40	3,955	12.34	943	2.94	490	1.53	76	0.24	68	0.21
1996	32,326	17,810	14,516	463	1.43	401	1.24	14,550	45.01	9,633	29.80	1,711	5.29	3,883	12.01	998	3.09	523	1.62	88	0.27	76	0.24
1997	32,081	17,447	14,634	466	1.45	417	1.30	14,229	44.35	9,772	30.46	1,648	5.14	3,825	11.92	1,015	3.16	540	1.68	89	0.28	80	0.25
1998	32,764	17,924	14,840	490	1.50	446	1.36	14,417	44.00	9,832	30.01	1,758	5.37	3,893	11.88	1,180	3.60	593	1.81	79	0.24	76	0.23
1999	34,168	18,539	15,629	514	1.50	516	1.51	14,796	43.30	10,311	30.18	1,809	5.29	4,042	11.83	1,341	3.92	680	1.99	79	0.23	80	0.23
2000	34,146	18,394	15,752	532	1.56	541	1.58	14,641	42.88	10,362	30.35	1,782	5.22	4,037	11.82	1,358	3.98	726	2.13	81	0.24	86	0.25
2001	35,008	18,490	16,518	578	1.65	595	1.70	14,555	41.58	10,774	30.78	1,812	5.18	4,221	12.06	1,461	4.17	820	2.34	84	0.24	108	0.31
2002	35,931	19,130	16,801	611	1.70	624	1.74	14,906	41.49	10,802	30.06	1,873	5.21	4,330	12.05	1,644	4.58	937	2.61	96	0.27	108	0.30
2003	35,374	18,970	16,404	590	1.67	615	1.74	14,757	41.72	10,546	29.81	1,840	5.20	4,182	11.82	1,686	4.77	948	2.68	97	0.27	113	0.32
2004	37,867	20,347	17,520	673	1.77	722	1.90	15,737	41.55	11,239	29.68	1,972	5.20	4,380	11.56	1,867	4.93	1,055	2.78	98	0.25	124	0.32
COMMODITY FUTURES TRADING COMMISSION																							
1995	541	275	266	2	0.37	5	0.92	230	42.51	132	24.40	34	6.28	120	22.18	9	1.66	9	1.66	0	0.00	0	0.00
1996	551	286	265	3	0.54	6	1.09	239	43.38	134	24.32	35	6.35	114	20.69	9	1.63	11	2.00	0	0.00	0	0.00
1997	564	290	274	3	0.53	6	1.06	240	42.55	133	23.58	38	6.74	124	21.99	9	1.60	11	1.95	0	0.00	0	0.00
1998	580	294	286	6	1.03	5	0.86	234	40.34	141	24.31	43	7.41	132	22.76	11	1.90	8	1.38	0	0.00	0	0.00
1999	571	285	286	4	0.70	7	1.23	232	40.63	128	22.42	40	7.01	140	24.52	9	1.58	11	1.93	0	0.00	0	0.00
2000	570	297	273	4	0.70	5	0.88	234	41.05	125	21.93	47	8.25	132	23.16	12	2.11	11	1.93	0	0.00	0	0.00
2001	542	281	261	5	0.92	5	0.92	217	40.04	119	21.96	43	7.93	126	23.25	16	2.95	11	2.03	0	0.00	0	0.00
2002	522	274	248	6	1.15	5	0.96	210	40.23	113	21.65	43	8.24	114	21.84	15	2.87	16	3.07	0	0.00	0	0.00
2003	533	274	259	7	1.31	4	0.75	216	40.53	127	23.83	38	7.13	115	21.58	13	2.44	13	2.44	0	0.00	0	0.00
2004	501	260	241	6	1.20	4	0.80	211	42.12	123	24.55	31	6.19	103	20.56	12	2.40	11	2.20	0	0.00	0	0.00
CORPORATION FOR NATIONAL AND COMMUNITY SERVICE																							
1995	561	236	325	17	3.03	13	2.32	160	28.52	189	33.69	52	9.27	109	19.43	6	1.07	13	2.32	1	0.18	1	0.18
1996	521	235	286	19	3.65	8	1.54	149	28.60	169	32.44	59	11.32	97	18.62	7	1.34	11	2.11	1	0.19	1	0.19
1997	533	228	305	13	2.44	10	1.88	151	28.33	181	33.96	58	10.88	100	18.76	5	0.94	13	2.44	1	0.19	1	0.19
1998	534	226	308	12	2.25	4	0.75	151	28.28	181	33.90	56	10.49	108	20.22	6	1.12	14	2.62	1	0.19	1	0.19
1999	596	247	349	15	2.52	5	0.84	160	26.85	194	32.55	63	10.57	136	22.82	8	1.34	12	2.01	1	0.17	2	0.34
2000	623	250	373	18	2.89	13	2.09	159	25.52	204	32.74	63	10.11	145	23.27	8	1.28	11	1.77	2	0.32	0	0.00
2001	584	235	349	13	2.23	10	1.71	154	26.37	199	34.08	59	10.10	129	22.09	8	1.37	11	1.88	1	0.17	0	0.00
2002	605	234	371	14	2.31	15	2.48	157	25.95	214	35.37	52	8.60	129	21.32	9	1.49	13	2.15	2	0.33	0	0.00
2003	586	233	353	12	2.05	14	2.39	160	27.30	198	33.79	49	8.36	128	21.84	11	1.88	12	2.05	1	0.17	1	0.17
2004	571	218	353	11	1.93	12	2.10	144	25.22	194	33.98	50	8.76	132	23.12	12	2.10	14	2.45	1	0.18	1	0.18
COURT SERVICES AND OFFENDER SUPERVISION**																							
1995	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
1996	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
1997	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
1998	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
1999	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
2000	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
2001	860	327	533	11	1.28	11	1.28	72	8.37	62	7.21	240	27.91	450	52.33	4	0.47	9	1.05	0	0.00	1	0.12
2002	915	347	568	14	1.53	16	1.75	68	7.43	71	7.76	258	28.20	471	51.48	7	0.77	9	0.98	0	0.00	1	0.11
2003	987	370	617	16	1.62	18	1.82	63	6.38	77	7.80	286	28.98	511	51.77	5	0.51	10	1.01	0	0.00	1	0.10
2004	1,054	401	653	15	1.42	23	2.18	75	7.12	83	7.87	304	28.84	536	50.85	7	0.66	9	0.85	0	0.00	2	0.19
DEFENSE SUMMARY***																							
1995	767,482	481,521	285,961	29,719	3.87	17,432	2.27	368,062	47.96	191,769	24.99	52,698	6.87	57,644	7.51	26,558	3.46	16,408	2.14	4,484	0.58	2,708	0.34
1996	730,665	458,294	272,371	29,041	3.97	16,948	2.32	349,982	47.90	182,317	24.95	49,628	6.79	54,719	7.49	25,299	3.46	15,819	2.17	4,344	0.59	2,568	0.35

1997	689,024	432,092	256,932	27,845	4.04	16,110	2.34	329,941	47.89	171,510	24.89	46,222	6.71	51,502	7.47	23,914	3.47	15,371	2.23	4,170	0.61	2,439	0.35
1998	672,981	421,348	251,633	27,108	4.03	16,342	2.43	320,584	47.64	166,313	24.71	46,329	6.88	51,032	7.58	23,211	3.45	15,512	2.30	4,116	0.61	2,434	0.35
1999	651,187	408,194	242,993	25,406	3.90	15,736	2.42	310,552	47.69	159,905	24.56	45,323	6.96	49,586	7.61	22,858	3.51	15,385	2.36	4,055	0.62	2,381	0.37
2000	637,304	399,301	238,003	24,512	3.85	15,405	2.42	303,902	47.69	156,327	24.53	44,612	7.00	48,915	7.68	22,300	3.50	15,008	2.35	3,975	0.62	2,348	0.37
2001	632,883	399,027	233,856	24,440	3.86	15,072	2.38	304,194	48.06	154,176	24.36	44,061	6.96	47,879	7.57	22,413	3.54	14,424	2.28	3,919	0.62	2,305	0.36
2002	618,128	393,837	224,291	24,112	3.90	14,834	2.40	300,008	48.53	145,310	23.51	43,275	7.00	46,847	7.58	22,624	3.66	15,089	2.44	3,818	0.62	2,211	0.36
2003	599,712	379,211	220,501	23,070	3.85	14,257	2.38	289,010	48.19	144,801	24.15	41,905	6.99	45,140	7.53	21,585	3.60	14,200	2.37	3,641	0.61	2,103	0.35
2004	684,293	425,024	259,269	26,918	3.93	17,418	2.55	320,434	46.83	167,383	24.46	48,642	7.11	53,893	7.88	24,771	3.62	18,217	2.66	3,959	0.58	2,358	0.34
DEFENSE AIR FORCE																							
1995	165,495	111,723	53,772	10,643	6.43	4,735	2.86	88,306	53.36	39,062	23.60	8,525	5.15	7,634	4.61	3,113	1.88	1,726	1.04	1,136	0.69	615	0.37
1996	164,158	110,386	53,772	10,598	6.46	4,752	2.89	86,952	52.97	38,862	23.67	8,532	5.20	7,780	4.74	3,160	1.92	1,761	1.07	1,144	0.70	617	0.38
1997	159,788	107,578	52,210	10,367	6.49	4,649	2.91	84,606	52.95	37,532	23.49	8,331	5.21	7,654	4.79	3,118	1.95	1,759	1.10	1,156	0.72	616	0.39
1998	154,697	104,446	50,251	9,812	6.34	4,426	2.86	82,304	53.20	36,086	23.33	8,157	5.27	7,417	4.79	3,042	1.97	1,740	1.12	1,131	0.73	582	0.39
1999	149,797	101,148	48,649	8,337	5.57	3,976	2.65	80,666	53.85	35,106	23.44	7,986	5.33	7,251	4.84	3,013	2.01	1,728	1.15	1,146	0.77	588	0.39
2000	144,758	97,206	47,552	7,370	5.09	3,700	2.56	77,905	53.82	34,388	23.76	7,786	5.38	7,144	4.94	3,026	2.09	1,716	1.19	1,119	0.77	604	0.42
2001	144,290	97,421	46,869	7,019	4.86	3,553	2.46	78,407	54.34	33,783	23.41	7,785	5.44	7,187	4.98	3,086	2.14	1,740	1.21	1,124	0.78	606	0.42
2002	142,123	95,389	46,734	6,815	4.80	3,541	2.49	76,525	53.84	33,610	23.65	7,840	5.52	7,179	5.05	3,101	2.18	1,794	1.26	1,108	0.78	610	0.43
2003	132,948	89,857	43,091	5,992	4.51	3,059	2.30	73,301	55.14	31,640	23.80	7,612	5.73	6,754	5.08	1,923	1.45	1,061	0.80	1,029	0.77	577	0.43
2004	150,032	101,454	48,578	7,487	4.99	3,815	2.54	80,697	53.78	34,257	22.83	8,809	5.87	7,878	5.25	3,364	2.24	2,009	1.33	1,097	0.73	619	0.41
DEFENSE ARMY																							
1995	240,952	151,259	89,693	8,756	3.63	4,251	1.76	120,157	49.87	62,662	26.01	15,829	6.57	18,486	7.67	4,846	2.01	3,280	1.36	1,671	0.69	1,014	0.42
1996	233,878	147,068	86,810	8,822	3.77	4,298	7.84	115,799	49.51	59,938	25.63	15,896	6.80	18,282	7.82	4,904	2.10	3,331	1.42	1,647	0.70	961	0.41
1997	224,582	141,609	82,973	8,529	3.80	4,181	1.86	111,272	49.55	56,944	25.36	15,376	6.85	17,635	7.85	4,855	2.16	3,308	1.47	1,577	0.70	905	0.40
1998	216,796	137,013	79,783	8,434	3.89	4,133	1.91	107,239	49.47	54,527	25.15	15,099	6.96	17,000	7.84	4,710	2.17	3,241	1.49	1,531	0.71	882	0.41
1999	210,054	132,873	77,181	8,394	4.00	4,107	1.96	103,501	49.27	52,502	24.99	14,837	7.06	16,514	7.86	4,634	2.21	3,177	1.51	1,507	0.72	881	0.42
2000	208,803	132,250	76,553	8,536	4.09	4,174	2.00	102,600	49.14	51,706	24.76	14,974	7.17	16,636	7.97	4,646	2.23	3,154	1.51	1,494	0.72	883	0.42
2001	208,792	132,340	76,452	8,850	4.24	4,212	2.02	102,370	49.03	51,578	24.70	14,935	7.15	16,612	7.96	4,724	2.26	3,198	1.53	1,461	0.70	852	0.41
2002	209,797	132,519	77,278	8,961	4.27	4,354	2.08	102,316	48.77	51,783	24.68	15,062	7.18	16,940	8.07	4,714	2.25	3,361	1.60	1,466	0.70	840	0.40
2003	205,878	129,355	76,523	9,065	4.40	4,478	2.18	99,550	48.35	50,977	24.76	14,574	7.08	16,825	8.17	4,767	2.32	3,426	1.66	1,399	0.68	817	0.40
2004	226,568	142,889	83,679	10,122	4.46	5,178	2.28	109,524	48.34	55,022	24.28	16,599	7.32	18,632	8.22	5,112	2.25	3,979	1.75	1,532	0.68	868	0.38
DEFENSE NAVY																							
1995	225,727	154,674	71,053	6,139	2.72	3,144	1.39	115,162	51.02	47,594	21.08	16,414	7.27	14,140	6.26	15,785	6.99	5,628	2.49	1,174	0.52	547	0.24
1996	209,174	142,184	66,990	5,784	2.77	3,004	1.44	106,010	50.68	44,842	21.44	14,689	7.02	13,202	6.32	14,614	6.99	5,442	2.60	1,087	0.52	500	0.24
1997	194,345	131,843	62,502	5,419	2.79	2,860	1.47	98,488	50.68	41,709	21.46	13,475	6.93	12,275	6.32	13,453	6.92	5,198	2.67	1,008	0.52	460	0.24
1998	186,794	127,158	59,636	5,232	2.80	2,794	1.50	95,061	50.89	39,743	21.28	12,960	6.94	11,602	6.21	12,905	6.91	5,053	2.71	1,000	0.54	444	0.24
1999	181,149	123,856	57,293	5,111	2.82	2,703	1.49	92,636	51.14	38,111	21.04	12,546	6.93	11,116	6.14	12,608	6.96	4,945	2.73	955	0.53	418	0.23
2000	176,151	120,638	55,513	5,055	2.87	2,621	1.49	90,433	51.34	37,016	21.01	12,310	6.99	10,774	6.12	11,918	6.77	4,711	2.67	922	0.52	391	0.22
2001	174,813	120,462	54,351	4,993	2.86	2,626	1.50	90,483	51.76	36,143	20.68	11,958	6.84	10,462	5.98	12,125	6.94	4,740	2.71	903	0.52	380	0.22
2002	176,216	126,762	49,454	5,204	2.95	2,528	1.43	95,574	54.24	31,400	17.82	12,478	7.08	10,260	5.82	12,593	7.15	4,881	2.77	913	0.52	385	0.22
2003	175,794	122,842	52,952	5,126	2.92	2,562	1.46	91,622	52.12	35,161	20.00	12,361	7.03	9,883	5.62	12,829	7.30	4,982	2.83	904	0.51	364	0.21
2004	177,538	123,983	53,555	5,163	2.90	2,611	1.47	92,384	52.03	35,355	19.91	12,551	7.06	9,950	5.60	13,003	7.32	5,293	2.98	882	0.50	346	0.19
DEFENSE ARMY AND AIR FORCE EXCHANGE																							
1995	49,544	15,891	33,653	1,741	3.51	3,601	7.27	7,723	15.59	15,725	31.74	4,914	9.92	9,247	18.66	1,382	2.79	4,824	9.74	131	0.26	256	0.52
1996	43,067	13,823	29,244	1,595	3.70	3,306	7.68	6,628	15.39	13,470	31.28	4,211	9.78	7,882	18.30	1,262	2.93	4,351	10.10	127	0.29	235	0.55
1997	39,622	12,598	27,024	1,392	3.51	2,978	7.52	6,135	15.48	12,480	31.50	3,782	9.55	7,235	18.26	1,175	2.97	4,113	10.38	114	0.29	218	0.55
1998	45,558	15,328	30,230	1,812	3.98	3,642	7.99	7,216	15.84	13,492	29.61	4,815	10.57	8,279	18.17	1,335	2.93	4,525	9.93	150	0.33	292	0.64
1999	45,083	15,221	29,862	1,840	4.08	3,677	8.16	6,929	15.37	13,015	28.87	4,941	10.96	8,307	18.43	1,356	3.01	4,581	10.16	155	0.34	282	0.63
2000	43,687	15,299	28,388	1,843	4.22	3,570	8.17	6,971	15.96	12,092	27.68	4,863	11.13	8,020	18.36	1,465	3.35	4,453	10.19	157	0.36	253	0.58
2001	40,876	14,910	25,966	1,881	4.60	3,315	8.11	7,019	17.17	11,378	27.84	4,631	11.33	7,264	17.77	1,228	3.00	3,752	9.18	151	0.37	257	0.63
2002	40,032	14,188	25,844	1,844	4.61	3,284	8.20	6,586	16.45	10,993	27.46	4,324	10.80	7,130	17.81	1,310	3.27	4,221	10.54	124	0.31	216	0.54
2003	36,612	12,964	23,648	1,667	4.55	3,057	8.35	6,110	16.69	10,000	27.31	3,863	10.55	6,488	17.72	1,213	3.31	3,908	10.67	111	0.30	195	0.53

2004	33,461	12,128	21,333	1,550	4.63	2,806	8.39	5,719	17.09	8,850	26.45	3,647	10.90	5,995	17.92	1,111	3.32	3,501	10.46	101	0.30	181	0.54
DEFENSE COMMISSARY AGENCY																							
1995	17,884	7,870	10,014	685	3.83	647	3.62	4,601	25.73	5,200	29.08	1,768	9.89	2,851	15.94	747	4.18	1,241	6.94	69	0.39	75	0.42
1996	17,127	7,504	9,623	633	3.70	573	3.35	4,410	25.75	5,031	29.37	1,653	9.65	2,666	15.57	741	4.33	1,281	7.48	67	0.39	72	0.42
1997	17,086	7,148	9,938	613	3.59	626	3.66	4,231	24.76	5,304	31.04	1,546	9.05	2,684	15.71	698	4.09	1,255	7.35	60	0.35	69	0.40
1998	17,290	7,147	10,143	630	3.64	708	4.09	4,188	24.22	5,380	31.12	1,596	9.23	2,651	15.33	671	3.88	1,326	7.67	62	0.36	78	0.45
1999	17,762	7,291	10,471	642	3.61	745	4.19	4,252	23.94	5,450	30.68	1,643	9.25	2,773	15.61	692	3.90	1,406	7.92	62	0.35	97	0.55
2000	17,367	7,039	10,328	652	3.75	786	4.53	3,808	21.93	4,946	28.48	1,760	10.13	2,954	17.01	759	4.37	1,554	8.95	60	0.35	88	0.51
2001	16,207	6,580	9,627	602	3.71	765	4.72	3,619	22.33	4,586	28.30	1,598	9.86	2,672	16.49	710	4.38	1,524	9.40	51	0.31	80	0.49
2002	15,133	6,106	9,027	593	3.92	752	4.97	3,159	20.87	3,831	25.32	1,606	10.61	2,656	17.55	688	4.55	1,718	11.35	60	0.40	70	0.46
2003	15,928	6,531	9,397	643	4.04	818	5.14	3,354	21.06	4,004	25.14	1,735	10.89	2,694	16.91	737	4.63	1,809	11.36	62	0.39	72	0.45
2004	14,815	5,951	8,864	588	3.97	780	5.26	3,047	20.57	3,694	24.93	1,528	10.31	2,564	17.31	735	4.96	1,756	11.85	53	0.36	70	0.47
DEFENSE CONTRACT AUDIT AGENCY																							
1995	5,042	2,836	2,206	91	1.80	74	1.47	2,403	47.66	1,631	32.35	161	3.19	298	5.91	176	3.49	197	3.91	5	0.10	6	0.12
1996	4,773	2,671	2,102	85	1.78	69	1.45	2,264	47.43	1,544	32.35	156	3.27	297	6.22	162	3.39	185	3.88	4	0.08	7	0.15
1997	4,484	2,526	1,958	83	1.85	63	1.40	2,140	47.73	1,442	32.16	150	3.35	274	6.11	148	3.30	172	3.84	5	0.11	7	0.16
1998	4,172	2,357	1,815	81	1.94	58	1.39	1,991	47.72	1,343	32.19	144	3.45	245	5.87	136	3.26	161	3.86	5	0.12	8	0.19
1999	3,876	2,175	1,701	81	2.09	68	1.75	1,837	47.39	1,241	32.02	130	3.35	235	6.06	123	3.17	149	3.84	4	0.10	8	0.21
2000	4,168	2,293	1,875	111	2.66	93	2.23	1,899	45.56	1,318	31.62	143	3.43	293	7.03	135	3.24	163	3.91	5	0.12	8	0.19
2001	4,006	2,186	1,820	102	2.55	94	2.35	1,821	45.46	1,273	31.78	136	3.39	279	6.96	121	3.02	167	4.17	6	0.15	7	0.17
2002	4,079	2,199	1,880	107	2.62	101	2.48	1,817	44.55	1,305	31.99	144	3.53	294	7.21	124	3.04	173	4.24	7	0.17	7	0.17
2003	4,020	2,122	1,898	105	2.61	107	2.66	1,751	43.56	1,321	32.86	138	3.43	293	7.29	120	2.99	171	4.25	8	0.20	6	0.15
2004	4,050	2,079	1,971	111	2.74	130	3.21	1,698	41.93	1,350	33.33	141	3.48	302	7.46	121	2.99	184	4.54	8	0.20	5	0.12
DEFENSE CONTRACT MANAGEMENT AGENCY**																							
1995	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
1996	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
1997	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
1998	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
1999	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
2000	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
2001	12,142	7,463	4,679	374	3.08	271	2.23	6,087	50.13	3,338	27.49	644	5.30	880	7.25	302	2.49	149	1.23	56	0.46	41	0.34
2002	11,370	6,962	4,408	358	3.15	252	2.22	5,643	49.63	3,127	27.50	617	5.43	842	7.41	292	2.57	147	1.29	52	0.46	40	0.35
2003	10,840	6,617	4,223	343	3.16	242	2.23	5,358	49.43	3,007	27.74	581	5.36	799	7.37	282	2.60	139	1.28	53	0.49	36	0.33
2004	11,122	6,835	4,287	341	3.07	244	2.19	5,575	50.13	3,050	27.42	576	5.18	808	7.26	289	2.60	151	1.36	54	0.49	34	0.31
DEFENSE EDUCATION ACTIVITY																							
1995	10,411	3,066	7,345	286	2.75	477	2.58	2,457	23.60	5,970	57.34	281	2.70	758	7.28	31	0.30	111	1.07	11	0.11	29	0.28
1996	10,345	3,022	7,323	267	2.58	466	4.50	2,424	23.43	5,938	57.40	289	2.79	779	7.53	30	0.29	111	1.07	12	0.12	29	0.28
1997	10,463	3,059	7,404	272	2.60	462	4.42	2,442	23.34	5,951	56.88	299	2.86	818	7.82	33	0.32	143	1.37	13	0.12	30	0.29
1998	10,491	3,091	7,400	274	2.61	476	4.54	2,450	23.35	5,872	55.97	320	3.05	858	8.18	38	0.36	166	1.58	9	0.09	28	0.27
1999	10,498	3,068	7,430	270	2.57	488	4.65	2,411	22.97	5,903	56.23	334	3.18	857	8.16	44	0.42	157	1.50	9	0.09	25	0.24
2000	10,741	3,084	7,657	263	2.45	519	4.83	2,434	22.66	6,058	56.40	331	3.08	880	8.19	46	0.43	172	1.60	10	0.09	28	0.26
2001	16,969	3,659	13,310	330	1.94	890	5.24	2,804	16.52	10,475	61.73	446	2.63	1,514	8.92	68	0.40	388	2.29	11	0.06	43	0.25
2002	10,800	3,097	7,703	260	2.41	533	4.94	2,437	22.56	6,095	56.44	337	3.12	869	8.05	53	0.49	187	1.73	10	0.09	19	0.18
2003	10,750	3,082	7,668	252	2.34	521	4.85	2,435	22.65	6,087	56.62	327	3.04	848	7.89	56	0.52	192	1.79	12	0.11	20	0.19
2004	17,244	3,819	13,425	302	1.75	892	5.17	2,988	17.33	10,577	61.34	425	2.46	1,465	8.50	88	0.51	449	2.60	16	0.09	42	0.24
DEFENSE FINANCE AND ACCOUNTING SERVICES																							
1995	23,018	7,640	15,378	350	1.52	631	2.74	5,704	24.78	10,181	44.23	1,222	5.31	3,869	16.81	306	1.33	573	2.49	58	0.25	124	0.54
1996	21,814	7,587	14,227	330	1.51	605	2.77	5,699	26.13	9,437	43.26	1,195	5.48	3,528	16.17	298	1.37	536	2.46	65	0.30	121	0.55
1997	20,281	7,305	12,976	312	1.54	548	2.70	5,462	26.93	8,519	42.00	1,162	5.73	3,255	16.05	309	1.52	544	2.68	60	0.30	110	0.54
1998	17,939	6,630	11,309	286	1.59	491	2.74	4,930	27.48	7,320	40.80	1,084	6.04	2,917	16.26	279	1.56	481	2.68	51	0.28	100	0.56
1999	18,135	6,707	11,428	306	1.69	523	2.88	4,945	27.27	7,354	40.55	1,128	6.22	2,948	16.26	275	1.52	497	2.74	53	0.29	106	0.58

2000	16,967	6,337	10,630	287	1.69	458	2.70	4,672	27.54	6,815	40.17	1,079	6.36	2,788	16.43	251	1.48	478	2.82	48	0.28	91	0.54
2001	16,067	6,019	10,048	277	1.72	455	2.83	4,448	27.68	6,428	40.01	1,003	6.24	2,640	16.43	242	1.51	441	2.74	49	0.30	84	0.52
2002	14,835	5,543	9,292	266	1.79	444	2.99	4,101	27.64	5,939	40.03	899	6.06	2,387	16.09	233	1.57	443	2.99	44	0.30	79	0.53
2003	14,049	5,261	8,788	257	1.83	429	3.05	3,913	27.85	5,658	40.27	836	5.95	2,213	15.75	215	1.53	412	2.93	40	0.28	76	0.54
2004	13,403	5,017	8,386	242	1.81	398	2.97	3,733	27.85	5,351	39.92	790	5.89	2,174	16.22	213	1.59	394	2.94	39	0.29	69	0.51
DEFENSE HUMAN RESOURCES ACTIVITY																							
1995	355	148	207	8	2.25	8	2.25	124	34.93	152	42.82	13	3.66	38	10.70	3	0.85	8	2.25	0	0.00	1	0.28
1996	377	155	222	7	1.86	11	2.92	132	35.01	165	43.77	12	3.18	35	9.28	3	0.80	9	2.39	1	0.27	2	0.53
1997	707	307	400	13	1.84	20	2.83	262	37.06	298	42.15	20	2.83	58	8.20	11	1.56	21	2.97	1	0.14	3	0.42
1998	717	306	411	13	1.81	20	2.79	253	35.29	303	42.26	24	3.35	63	8.79	14	1.95	22	3.07	2	0.28	3	0.42
1999	664	284	380	13	1.96	17	2.56	241	36.30	285	42.92	18	2.71	53	7.98	10	1.51	22	3.31	2	0.30	3	0.45
2000	687	285	402	14	2.04	19	2.77	243	35.37	302	43.96	14	2.04	55	8.01	12	1.75	23	3.35	2	0.29	3	0.44
2001	674	275	399	13	1.93	20	2.97	235	34.87	301	44.66	15	2.23	54	8.01	11	1.63	21	3.12	1	0.15	3	0.45
2002	673	285	388	12	1.78	22	3.27	237	35.22	287	42.64	24	3.57	57	8.47	11	1.63	20	2.97	1	0.15	2	0.30
2003	734	312	422	16	2.18	28	3.81	253	34.47	299	40.74	26	3.54	70	9.54	16	2.18	23	3.13	1	0.14	2	0.27
2004	772	320	452	17	2.20	33	4.27	254	32.90	313	40.54	32	4.15	83	10.75	16	2.07	21	2.72	1	0.13	2	0.26
DEFENSE INFORMATION SYSTEMS AGENCY																							
1995	7,385	3,957	3,428	115	1.56	128	1.73	3,167	42.88	2,322	31.44	477	6.46	819	11.09	177	2.40	128	1.73	21	0.28	31	0.42
1996	6,563	3,476	3,087	107	1.63	120	1.83	2,754	41.96	2,102	32.03	424	6.46	707	10.77	171	2.61	131	2.00	20	0.30	27	0.41
1997	6,328	3,351	2,977	99	1.56	114	1.80	2,667	42.15	2,037	32.19	394	6.23	676	10.68	173	2.73	129	2.04	18	0.28	21	0.33
1998	6,221	3,235	2,986	97	1.56	110	1.77	2,553	41.04	2,019	32.45	397	6.38	695	11.17	172	2.76	140	2.25	16	0.26	22	0.35
1999	5,203	2,729	2,474	57	1.10	56	1.08	2,133	41.00	1,700	32.67	349	6.71	569	10.94	174	3.34	133	2.56	16	0.31	16	0.31
2000	6,042	3,150	2,892	105	1.74	99	1.64	2,429	40.20	1,968	32.57	400	6.62	649	10.74	196	3.24	153	2.53	20	0.33	23	0.38
2001	6,000	3,135	2,865	100	1.67	95	1.58	2,417	40.28	1,962	32.70	396	6.60	636	10.60	205	3.42	152	2.53	17	0.28	20	0.33
2002	5,898	3,119	2,779	100	1.70	90	1.53	2,401	40.71	1,894	32.11	398	6.75	623	10.56	206	3.49	151	2.56	14	0.24	21	0.36
2003	5,519	2,949	2,570	94	1.70	82	1.49	2,257	40.90	1,759	31.87	388	7.03	576	10.44	196	3.55	136	2.46	14	0.25	17	0.31
2004	5,161	2,834	2,327	89	1.72	69	1.34	2,159	41.83	1,579	30.59	384	7.44	533	10.33	188	3.64	133	2.58	14	0.27	13	0.25
DEFENSE LOGISTICS AGENCY																							
1995	48,736	29,394	19,342	1,741	3.57	851	1.75	21,306	43.72	12,925	26.52	5,168	10.60	4,981	10.22	880	1.81	405	0.83	299	0.61	180	0.37
1996	45,718	27,583	18,135	1,638	3.58	812	1.78	20,101	43.97	12,126	26.52	4,719	10.32	4,620	10.11	850	1.86	409	0.89	275	0.60	168	0.37
1997	44,209	26,639	17,570	1,615	3.65	748	1.69	19,687	44.53	11,812	26.72	4,186	9.47	4,358	9.86	890	2.01	479	1.08	261	0.59	173	0.39
1998	40,545	24,328	16,217	1,260	3.11	633	1.56	18,282	45.09	11,021	27.18	3,767	9.29	4,007	9.88	774	1.91	394	0.97	245	0.60	162	0.40
1999	38,076	22,883	15,193	1,211	3.18	592	1.55	17,068	44.83	10,204	26.80	3,557	9.34	3,824	10.04	812	2.13	420	1.10	235	0.62	153	0.40
2000	35,300	21,026	14,274	1,124	3.18	551	1.56	15,788	44.73	9,595	27.18	3,122	8.84	3,589	10.17	773	2.19	390	1.10	219	0.62	149	0.42
2001	22,651	13,200	9,451	730	3.22	291	1.28	9,494	41.91	6,139	27.10	2,360	10.84	2,674	11.81	462	2.04	242	1.07	154	0.68	105	0.46
2002	21,698	12,469	9,229	721	3.32	317	1.46	9,019	41.57	5,981	27.56	2,153	9.92	2,611	12.03	425	1.96	217	1.00	151	0.70	103	0.47
2003	20,763	11,929	8,834	649	3.13	307	1.48	8,673	41.77	5,688	27.39	2,109	10.16	2,523	12.15	364	1.75	222	1.07	134	0.65	94	0.45
2004	21,685	12,707	8,978	707	3.26	330	1.52	9,155	42.22	5,783	26.67	2,333	10.76	2,543	11.73	383	1.77	230	1.06	129	0.59	92	0.42
DEFENSE SECURITY SERVICE																							
1995	2,721	1,476	1,245	41	1.51	47	1.73	1,272	46.75	885	32.52	120	4.41	281	10.33	32	1.18	26	0.96	11	0.40	6	0.22
1996	2,580	1,383	1,197	39	1.51	47	1.73	1,189	46.09	849	32.91	111	4.30	272	10.54	33	1.28	25	0.97	11	0.43	4	0.16
1997	2,503	1,350	1,153	38	1.52	37	1.48	1,161	46.38	821	32.80	106	4.23	263	10.51	32	1.28	28	1.12	13	0.52	4	0.16
1998	2,454	1,317	1,137	39	1.59	33	1.34	1,133	46.17	811	33.05	103	4.20	257	10.47	29	1.18	31	1.26	13	0.53	5	0.20
1999	2,420	1,312	1,108	38	1.57	32	1.32	1,130	46.69	792	32.73	104	4.30	251	10.37	28	1.16	29	1.20	12	0.50	4	0.17
2000	2,533	1,340	1,193	39	1.54	41	1.62	1,155	45.60	863	34.07	109	4.30	259	10.23	25	0.99	27	1.07	12	0.47	3	0.12
2001	2,655	1,386	1,269	38	1.43	43	1.62	1,200	45.20	922	34.73	109	4.11	271	10.21	27	1.02	29	1.09	12	0.45	4	0.15
2002	2,561	1,291	1,270	39	1.52	43	1.68	1,118	43.65	916	35.77	101	3.94	279	10.89	22	0.86	27	1.05	11	0.43	5	0.20
2003	2,377	1,214	1,163	44	1.85	43	1.81	1,037	43.63	815	34.29	93	3.91	274	11.53	28	1.18	25	1.05	12	0.50	6	0.25
2004	2,140	1,106	1,034	43	2.01	44	2.06	946	44.21	727	33.97	83	3.88	233	10.89	24	1.12	23	1.07	10		7	0.33
DEFENSE THREAT REDUCTION AGENCY**																							
1995	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*

1996	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
1997	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
1998	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
1999	925	454	471	49	5.30	48	5.19	344	37.19	346	37.41	40	4.32	73	7.89	19	2.05	4	0.43	2	0.22	0	0.00
2000	960	487	473	51	5.31	49	5.10	367	38.23	340	35.42	47	4.90	79	8.23	20	2.08	5	0.52	2	0.21	0	0.00
2001	960	515	445	46	4.79	41	4.27	397	41.35	317	33.02	45	4.69	81	8.44	24	2.50	6	0.63	3	0.31	0	0.00
2002	1,004	537	467	45	4.48	43	4.28	409	40.74	314	31.27	55	5.48	102	10.16	25	2.49	8	0.80	3	0.30	0	0.00
2003	949	509	440	47	4.95	40	4.21	376	39.62	285	30.03	61	6.43	107	11.28	23	2.42	8	0.84	2	0.21	0	0.00
2004	1,045	582	463	50	4.78	40	3.83	126	12.06	288	27.56	79	7.56	122	11.67	24	2.30	12	1.15	3	0.29	1	0.10
OFFICE OF THE INSPECTOR GENERAL (DEFENSE)																							
1995	1,567	929	638	22	1.40	13	0.83	768	49.01	427	27.25	108	6.89	170	10.85	27	1.72	23	1.47	4	0.26	5	0.32
1996	1,413	851	562	20	1.42	13	0.92	701	49.61	372	26.33	100	7.08	151	10.69	26	1.84	22	1.56	4	0.28	4	0.28
1997	1,332	794	538	23	1.73	11	0.83	661	49.62	347	26.05	86	6.46	155	11.64	21	1.58	22	1.65	3	0.23	3	0.23
1998	1,221	744	477	22	1.80	12	0.98	616	50.45	306	25.06	81	6.63	134	10.97	21	1.72	21	1.72	4	0.33	4	0.33
1999	1,224	734	490	20	1.63	12	0.98	607	49.59	304	24.84	85	6.94	148	12.09	19	1.55	22	1.80	3	0.25	4	0.33
2000	1,207	724	483	21	1.74	10	0.83	594	49.21	306	25.35	88	7.29	143	11.85	19	1.57	20	1.66	2	0.17	4	0.33
2001	1,248	741	507	22	1.76	14	1.12	608	48.72	331	26.52	87	6.97	140	11.22	22	1.76	18	1.44	2	0.16	4	0.32
2002	1,179	682	497	21	1.78	17	1.44	556	47.16	305	25.87	80	6.79	149	12.64	23	1.95	22	1.87	2	0.17	4	0.34
2003	1,180	678	502	23	1.95	17	1.44	550	46.61	301	25.51	77	6.53	153	12.97	26	2.20	25	2.12	2	0.17	6	0.51
2004	1,271	746	525	29	2.28	19	1.49	595	46.81	314	24.70	90	7.08	156	12.27	31	2.44	29	2.28	1	0.08	7	0.55
DEFENSE OFFICE OF THE SECRETARY																							
1995	1,792	913	879	8	0.45	12	0.67	817	45.59	590	32.92	63	3.52	247	13.78	22	1.23	26	1.45	3	0.17	4	0.22
1996	1,407	764	643	6	0.43	8	0.57	704	50.04	443	31.49	36	2.56	169	12.01	16	1.14	20	1.42	2	0.14	3	0.21
1997	1,378	755	623	8	0.58	7	0.51	692	50.22	435	31.57	37	2.69	159	11.54	16	1.16	20	1.45	2	0.15	2	0.15
1998	4,032	2,331	1,701	45	1.12	25	0.62	1,739	43.13	1,093	27.11	486	12.05	538	13.34	49	1.22	40	0.99	12	0.30	5	0.12
1999	3,807	2,195	1,612	47	1.23	25	0.66	1,634	42.92	1,027	26.98	454	11.93	514	13.50	47	1.23	44	1.16	13	0.34	2	0.05
2000	3,914	2,291	1,623	45	1.15	27	0.69	1,693	43.25	1,017	25.98	487	12.44	528	13.49	51	1.30	49	1.25	15	0.38	2	0.05
2001	3,995	2,343	1,652	48	1.20	28	0.70	1,745	43.68	1,045	26.16	483	12.09	527	13.19	52	1.30	51	1.28	15	0.38	1	0.03
2002	3,745	2,122	1,623	40	1.07	26	0.69	1,659	44.30	1,028	27.45	358	9.56	513	13.70	53	1.42	55	1.47	12	0.32	1	0.03
2003	3,871	2,219	1,652	53	1.37	24	0.62	1,724	44.54	1,052	27.18	363	9.38	523	13.51	63	1.63	52	1.34	16	0.41	1	0.03
2004	1,565	984	581	16	1.02	7	0.45	892	57.00	437	27.92	49	3.13	111	7.09	23	1.47	25	1.60	4	0.26	1	0.06
EDUCATION																							
1995	4,580	1,802	2,778	77	1.68	102	1.42	1,262	27.55	1,286	28.08	389	8.49	1,296	28.30	65	1.42	72	1.57	9	0.20	22	0.48
1996	4,373	1,712	2,661	69	1.58	93	2.13	1,198	27.40	1,226	28.04	373	8.53	1,254	28.68	64	1.46	66	1.51	8	0.18	22	0.50
1997	4,265	1,629	2,636	64	1.50	88	2.06	1,133	26.57	1,241	29.10	363	8.51	1,218	28.56	61	1.43	67	1.57	8	0.19	22	0.52
1998	4,311	1,628	2,683	72	1.67	98	2.27	1,113	25.82	1,248	28.95	373	8.65	1,238	28.72	59	1.37	77	1.79	11	0.26	22	0.51
1999	4,366	1,653	2,713	72	1.65	101	2.31	1,121	25.68	1,256	28.77	387	8.86	1,255	28.74	63	1.44	78	1.79	10	0.23	23	0.53
2000	4,369	1,642	2,727	70	1.60	99	2.27	1,118	25.59	1,224	28.02	384	8.79	1,296	29.66	60	1.37	85	1.95	10	0.23	23	0.53
2001	4,411	1,633	2,778	71	1.61	109	2.47	1,110	25.16	1,242	28.16	381	8.64	1,311	29.72	60	1.36	94	2.13	11	0.25	22	0.50
2002	4,309	1,618	2,691	70	1.62	110	2.55	1,093	25.37	1,204	27.94	383	8.89	1,263	29.31	61	1.42	93	2.16	11	0.26	21	0.49
2003	4,225	1,585	2,640	71	1.68	111	2.63	1,081	25.59	1,179	27.91	367	8.69	1,241	29.37	55	1.30	90	2.13	11	0.26	19	0.45
2004	4,584	1,746	2,838	76	1.65	125	2.72	1,195	26.06	1,326	28.92	389	8.48	1,253	27.33	66	1.44	101	2.20	20	0.44	33	0.72
ENERGY																							
1995	19,262	11,843	7,419	487	2.53	439	2.28	10,090	52.38	5,114	26.55	690	3.58	1,559	8.09	430	2.23	210	1.09	146	0.76	97	0.50
1996	19,004	11,649	7,355	494	2.60	457	2.40	9,840	51.78	5,045	26.55	701	3.69	1,540	8.10	466	2.45	220	1.16	148	0.78	93	0.49
1997	18,145	11,196	6,949	474	2.61	421	2.32	9,453	52.10	4,779	26.34	654	3.60	1,454	8.02	471	2.60	202	1.11	144	0.79	93	0.51
1998	16,759	10,386	6,373	445	2.66	398	2.37	8,767	52.31	4,361	26.02	598	3.57	1,335	7.97	449	2.68	192	1.15	127	0.76	87	0.52
1999	15,828	9,849	5,979	428	2.70	384	2.43	8,307	52.48	4,078	25.76	552	3.49	1,256	7.94	434	2.74	178	1.12	128	0.81	83	0.52
2000	15,368	9,556	5,812	439	2.86	367	2.39	8,037	52.30	3,947	25.68	516	3.36	1,224	7.96	435	2.83	189	1.23	129	0.84	85	0.55
2001	15,608	9,690	5,918	463	2.97	384	2.46	8,123	52.04	4,032	25.83	524	3.36	1,210	7.75	446	2.86	204	1.31	134	0.86	88	0.56
2002	15,726	9,745	5,981	486	3.09	408	2.59	8,133	51.72	4,073	25.90	529	3.36	1,199	7.62	463	2.94	209	1.33	134	0.85	92	0.59

2003	15,196	9,451	5,745	473	3.11	399	2.63	7,863	51.74	3,888	25.59	516	3.40	1,153	7.59	463	3.05	213	1.40	136	0.89	92	0.61
2004	15,023	9,408	5,615	488	3.24	404	2.68	7,817	52.03	3,781	25.16	521	3.46	1,135	7.55	448	2.98	206	1.37	134	0.89	89	0.59
ENVIRONMENTAL PROTECTION AGENCY																							
1995	17,376	8,802	8,574	323	1.86	376	2.16	7,371	42.42	5,386	31.00	696	4.01	2,428	13.97	379	2.18	338	1.95	33	0.19	46	0.26
1996	16,659	8,409	8,250	303	1.82	359	2.15	7,047	42.30	3,181	19.09	662	3.97	4,346	14.08	367	2.20	317	1.90	30	0.18	47	0.28
1997	17,180	8,669	8,511	325	1.89	384	2.24	7,225	42.05	5,322	30.98	688	4.00	2,403	13.99	392	2.28	343	2.00	39	0.23	59	0.34
1998	17,840	8,951	8,889	356	2.00	430	2.41	7,376	41.35	5,488	30.76	737	4.13	2,505	14.04	429	2.40	394	2.21	53	0.30	72	0.40
1999	17,842	8,936	8,906	373	2.09	428	2.40	7,302	40.93	5,457	30.59	744	4.17	2,515	14.09	448	2.51	430	2.41	69	0.39	76	0.43
2000	17,411	8,727	8,684	372	2.14	422	2.42	7,114	40.86	5,291	30.39	722	4.15	2,475	14.22	453	2.60	422	2.42	66	0.38	74	0.43
2001	17,456	8,691	8,765	378	2.17	425	2.43	7,037	40.31	5,286	30.28	744	4.26	2,536	14.53	466	2.67	443	2.54	66	0.38	75	0.43
2002	17,495	8,681	8,814	394	2.25	437	2.50	6,998	40.00	5,285	30.21	750	4.29	2,564	14.66	474	2.71	451	2.58	65	0.37	77	0.44
2003	17,642	8,685	8,957	408	2.31	455	2.58	6,950	39.39	5,370	30.44	765	4.34	2,582	14.64	492	2.79	472	2.68	70	0.40	78	0.44
2004	18,576	9,258	9,318	424	2.33	491	2.64	7,437	40.03	5,610	30.20	796	4.28	2,622	1.41	521	2.80	513	2.76	70	0.37	82	0.44
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION																							
1995	2,742	926	1,816	122	4.42	184	6.71	432	15.75	605	22.06	335	12.22	977	35.63	32	1.17	36	1.31	5	0.18	14	0.49
1996	2,620	894	1,726	116	4.43	171	6.53	420	16.03	562	21.45	323	12.33	945	36.07	32	1.22	33	1.26	3	0.11	15	0.55
1997	2,565	870	1,695	107	4.17	168	6.55	412	16.06	544	21.21	318	12.40	934	36.41	30	1.17	35	1.36	3	0.11	14	0.53
1998	2,510	850	1,660	103	4.10	162	6.45	408	16.25	548	21.83	307	12.23	899	35.82	29	1.16	38	1.51	3	0.12	13	0.51
1999	2,853	983	1,870	123	4.31	200	7.01	475	16.65	648	22.71	344	12.06	957	33.54	38	1.33	56	1.96	3	0.12	9	0.36
2000	2,709	929	1,780	116	4.28	192	7.09	435	16.06	602	22.22	337	12.44	920	33.96	38	1.40	54	1.99	3	0.11	12	0.42
2001	2,866	984	1,882	132	4.61	228	7.96	472	16.47	635	22.16	339	11.83	950	33.15	39	1.36	55	1.92	2	0.07	14	0.49
2002	2,734	920	1,814	125	4.57	226	8.27	438	16.02	621	22.71	317	11.59	904	33.07	38	1.39	53	1.94	2	0.07	10	0.37
2003	2,555	857	1,698	114	4.46	216	8.45	406	15.89	580	22.70	298	11.66	846	33.11	37	1.45	47	1.84	2	0.08	9	0.35
2004	2,465	811	1,654	110	4.46	210	8.51	382	15.49	570	23.12	282	11.44	815	33.06	35	1.41	50	2.02	2	0.08	9	0.36
FEDERAL COMMUNICATIONS COMMISSION																							
1995	2,028	985	1,043	28	1.38	29	1.43	776	38.26	511	25.20	135	6.66	462	22.78	42	2.07	38	1.87	4	0.20	3	0.15
1996	1,879	912	967	24	1.28	25	1.33	715	38.05	466	24.80	133	7.08	440	23.42	36	1.92	34	1.81	4	0.21	2	0.11
1997	1,879	912	967	24	1.28	25	1.33	715	38.05	466	24.80	133	7.08	440	23.42	36	1.92	34	1.81	4	0.21	2	0.11
1998	1,656	782	874	21	1.27	18	1.09	615	37.14	412	24.88	111	6.70	416	25.12	31	1.87	26	1.57	4	0.24	2	0.12
1999	1,599	751	848	21	1.31	18	1.13	585	36.59	393	24.58	110	6.88	409	25.58	31	1.94	26	1.63	4	0.25	2	0.13
2000	1,909	896	1,013	25	1.31	22	1.15	685	35.88	502	26.30	134	7.02	450	23.57	47	2.46	37	1.94	5	0.26	2	0.10
2001	1,955	934	1,021	30	1.53	21	1.07	702	35.91	484	24.76	151	7.72	470	24.04	47	2.40	45	2.30	4	0.20	1	0.05
2002	2,024	970	1,054	31	1.53	20	0.99	728	35.97	510	25.20	156	7.71	478	23.62	51	2.52	45	2.22	4	0.20	1	0.05
2003	2,012	962	1,050	39	1.94	22	1.09	714	35.49	500	24.85	157	7.80	481	23.91	48	2.39	46	2.29	4	0.20	1	0.05
2004	1,952	928	1,024	35	1.79	22	1.12	691	35.39	487	24.94	150	7.68	466	23.87	48	2.45	48	2.45	4	0.20	1	0.05

*Includes data for only those agencies reported by CPDF. Does not include data for AAFES, TVA, USPS, or intelligence gathering agencies. Separate data for "Native Hawaiian or Other Pacific Islander" was unavailable at time of publication. Percentages may not add to 100% due to rounding.

**Agencies that have been established within last ten years or whose work force has recently reached 500 or more employees

***Defense summary consists of data for those agencies shown in this table except the Defense Nuclear Facilities Safety Board.

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TABLE 10 WORK FORCE TREND AGENCIES WITH 500 OR MORE EMPLOYEES*

YEAR	TOTAL ALL	TOTAL		HISPANIC				WHITE				BLACK				ASIAN AMERICAN / PACIFIC ISLANDER				AMERICAN INDIAN / NATIVE ALASKAN			
		MALE	FEMALE	MALE		FEMALE		MALE		FEMALE		MALE		FEMALE		MALE		FEMALE		MALE		FEMALE	
	#	#	#	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
FEDERAL TRADE COMMISSION																							
1995	897	430	467	4	0.45	9	1.00	371	41.36	280	31.22	45	5.02	163	18.17	10	1.11	14	1.56	0	0.00	1	0.11
1996	874	427	447	3	0.34	10	1.14	369	42.22	264	30.21	47	5.38	159	18.19	8	0.92	13	1.49	0	0.00	1	0.11
1997	878	414	464	6	0.68	13	1.48	357	40.66	279	31.78	46	5.24	158	18.00	5	0.57	12	1.37	0	0.00	2	0.23
1998	888	422	466	5	0.56	12	1.35	360	40.54	276	31.08	48	5.41	163	18.36	9	1.01	13	1.46	0	0.00	2	0.23
1999	852	409	443	5	0.59	8	0.94	351	41.20	258	30.28	45	5.28	161	18.90	8	0.94	14	1.64	0	0.00	2	0.23
2000	896	423	473	7	0.78	10	1.12	357	39.84	278	31.03	47	5.25	164	18.30	12	1.34	20	2.23	0	0.00	1	0.11
2001	820	343	477	9	0.98	10	1.09	278	33.90	275	33.54	45	4.89	169	18.37	11	1.20	21	2.28	0	0.00	2	0.22
2002	959	462	497	11	1.15	10	1.04	394	41.08	294	30.66	44	4.59	168	17.52	13	1.36	23	2.40	0	0.00	2	0.21
2003	969	468	501	10	1.03	10	1.03	402	41.49	292	30.13	44	4.54	175	18.06	12	1.24	22	2.27	0	0.00	2	0.21
2004	1,073	535	538	13	1.21	13	1.21	456	42.49	319	29.72	48	4.47	180	16.77	17	1.58	24	2.23	1	0.09	2	0.18
GENERAL SERVICES ADMINISTRATION																							
1995	16,146	9,348	6,798	410	2.54	292	1.81	6,542	40.52	3,834	23.75	2,015	12.48	2,414	14.95	319	2.54	210	1.30	62	0.38	48	0.30
1996	15,393	8,923	6,470	401	2.61	283	1.84	6,205	40.31	3,598	23.37	1,948	12.66	2,337	15.18	308	2.61	207	1.34	61	0.40	45	0.29
1997	14,127	8,146	5,981	393	2.78	272	1.93	5,607	39.69	3,298	23.35	1,802	12.76	2,178	15.42	290	2.78	192	1.36	54	0.38	41	0.29
1998	14,013	8,037	5,976	399	2.85	279	1.99	5,535	39.50	3,283	23.43	1,768	12.62	2,179	15.55	283	2.85	193	1.38	52	0.37	42	0.30
1999	13,965	7,929	6,036	396	2.84	288	2.06	5,450	39.03	3,272	23.43	1,747	12.51	2,227	15.95	280	2.01	204	1.46	56	0.40	45	0.32
2000	14,000	7,866	6,134	386	2.76	287	2.05	5,432	38.80	3,325	23.75	1,702	12.16	2,252	16.09	281	2.01	218	1.56	65	0.46	52	0.37
2001	14,016	7,768	6,248	397	2.83	304	2.17	5,324	37.99	3,328	23.74	1,679	11.98	2,292	16.35	287	2.05	252	1.80	81	0.58	72	0.51
2002	14,095	7,707	6,388	417	2.96	350	2.48	5,277	37.44	3,403	24.14	1,620	11.49	2,289	16.24	292	2.07	258	1.83	101	0.72	88	0.62
2003	12,400	6,364	6,036	282	2.27	309	2.49	4,579	36.93	3,265	26.33	1,184	9.55	2,134	17.21	263	2.12	268	2.16	56	0.45	60	0.48
2004	12,597	6,412	6,185	303	2.40	337	2.67	4,599	36.50	3,347	26.56	1,164	9.24	2,173	17.25	286	2.27	272	2.15	60	0.47	56	0.44
GOVERNMENT PRINTING OFFICE																							
1995	4,061	2,457	1,604	63	1.55	29	0.71	1,171	28.84	429	10.56	1,198	29.50	1,132	27.87	22	0.54	10	0.25	3	0.07	4	0.10
1996	3,749	2,251	1,498	53	1.41	26	0.69	1,068	28.49	404	10.78	1,108	29.55	1,055	28.14	20	0.53	9	0.24	2	0.05	4	0.11
1997	3,554	2,106	1,448	51	1.44	28	0.79	998	28.08	388	10.92	1,035	29.12	1,020	28.70	20	0.56	9	0.25	2	0.06	3	0.08
1998	3,389	2,001	1,388	47	1.39	25	0.74	946	27.91	365	10.77	986	29.09	985	29.06	20	0.59	10	0.30	2	0.06	3	0.09
1999	3,232	1,878	1,354	43	1.33	28	0.87	875	27.07	349	10.80	938	29.02	964	29.83	20	0.62	10	0.31	2	0.06	3	0.09
2000	3,149	1,822	1,327	42	1.33	26	0.83	849	26.96	344	10.92	909	28.87	944	29.98	19	0.60	10	0.32	3	0.10	3	0.10
2001	3,001	1,733	1,268	35	1.17	26	0.87	800	26.66	320	10.66	877	29.22	908	30.26	16	0.53	11	0.37	5	0.17	3	0.10
2002	2,979	1,727	1,252	36	1.21	25	0.84	770	25.85	324	10.88	897	30.11	887	29.78	17	0.57	15	0.50	7	0.23	1	0.03
2003	2,789	1,618	1,171	31	1.11	19	0.68	725	25.99	314	11.26	840	30.12	816	29.26	18	0.65	19	0.68	4	0.14	3	0.11
2004	2,396	1,405	991	25	1.04	13	0.54	653	27.25	295	12.31	706	29.46	661	27.58	18	0.75	19	0.79	3	0.12	3	0.12
HEALTH AND HUMAN SERVICES																							
1995	48,348	18,414	29,934	537	1.11	720	1.49	12,516	25.89	16,010	33.11	2,548	5.27	6,123	12.66	771	1.59	930	1.92	2,042	4.22	6,151	12.72
1996	48,005	18,093	29,912	539	1.12	733	1.53	12,270	25.56	15,917	33.16	2,468	5.14	6,132	12.77	790	1.65	969	2.02	2,026	4.22	6,161	12.84
1997	48,605	18,313	30,292	555	1.14	782	1.61	12,458	25.63	15,964	32.84	2,431	5.00	6,235	12.83	828	1.70	1,020	2.10	2,041	4.20	6,291	12.94
1998	49,151	18,342	30,809	585	1.19	808	1.64	12,439	25.31	16,095	32.75	2,387	4.86	6,385	12.99	849	1.73	1,094	2.23	2,082	4.24	6,427	13.08
1999	50,163	18,606	31,557	632	1.26	851	1.70	12,543	25.00	16,436	32.77	2,391	4.77	6,608	13.17	909	1.81	1,191	2.37	2,131	4.25	6,471	12.90
2000	51,173	18,786	32,387	668	1.31	922	1.80	12,502	24.43	16,667	32.57	2,439	4.77	6,958	13.60	1,001	1.96	1,308	2.56	2,176	4.25	6,532	12.76
2001	52,241	18,919	33,322	702	1.34	1,010	1.93	12,439	23.81	16,824	32.20	2,500	4.79	7,343	14.06	1,073	2.05	1,443	2.76	2,205	4.22	6,702	12.83

2002	54,147	19,588	34,559	776	1.43	1,089	2.04	12,693	23.44	17,135	31.65	2,593	4.79	7,583	14.00	1,198	2.21	1,587	2.93	2,328	4.30	7,165	13.23
2003	52,938	19,007	33,931	773	1.46	1,088	2.06	12,241	23.12	16,702	31.55	2,509	4.74	7,438	14.05	1,220	2.30	1,652	3.12	2,264	4.28	7,051	13.32
2004	63,581	24,965	38,616	992	1.56	1,263	1.98	16,319	25.66	19,205	30.20	2,792	4.39	7,891	12.41	2,230	3.50	2,347	3.69	2,632	4.13	7,910	12.44
HOMELAND SECURITY**																							
1995	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
1996	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
1997	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
1998	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
1999	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
2000	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
2001	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
2002	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
2003	156,611	103,946	52,665	18,581	11.86	7,320	4.67	68,620	43.82	31,007	19.80	11,455	7.31	11,493	7.34	4,507	2.88	2,424	1.55	783	0.50	421	0.27
2004	162,944	107,874	55,070	19,405	11.91	7,644	4.69	71,361	43.79	32,407	19.89	11,586	7.11	12,053	7.40	4,706	2.89	2,502	1.54	816	0.50	464	0.28
HOUSING AND URBAN DEVELOPMENT																							
1995	11,130	4516	6614	284	2.55	424	3.81	3,145	28.26	3,287	29.53	901	8.10	2,660	23.90	144	1.29	168	1.51	42	0.38	75	0.67
1996	10,771	4372	6399	276	2.56	416	3.86	3,039	28.21	3,126	29.02	871	8.09	2,623	24.35	143	1.33	164	1.52	43	0.40	70	0.65
1997	9,987	4059	5928	249	2.49	398	3.99	2,810	28.14	2,839	28.43	824	8.25	2,465	24.68	135	1.35	161	1.61	41	0.41	65	0.65
1998	9,405	3817	5588	241	2.56	375	3.99	2,636	28.03	2,635	28.02	766	8.14	2,357	25.06	135	1.44	158	1.68	39	0.41	63	0.67
1999	9,448	3848	5600	253	2.68	385	4.07	2,624	27.77	2,618	27.71	786	8.32	2,366	25.04	145	1.53	170	1.80	40	0.42	61	0.65
2000	9,822	4062	5760	279	2.84	402	4.09	2,728	27.77	2,649	26.97	855	8.70	2,466	25.11	156	1.59	181	1.84	44	0.45	62	0.63
2001	9,727	3952	5775	278	2.86	405	4.16	2,622	26.96	2,583	26.55	850	8.74	2,535	26.06	161	1.66	190	1.95	41	0.42	62	0.64
2002	9,793	3948	5845	278	2.84	411	4.20	2,594	26.49	2,550	26.04	872	8.90	2,623	26.78	166	1.70	199	2.03	38	0.39	62	0.63
2003	10,177	4040	6137	290	2.85	437	4.29	2,608	25.63	2,636	25.90	935	9.19	2,765	27.17	170	1.67	230	2.26	37	0.36	69	0.68
2004	10,218	4064	6154	284	2.77	437	4.27	2,573	25.18	2,613	25.57	987	9.65	2,786	27.26	186	1.82	246	2.40	34	0.33	72	0.70
INTERIOR																							
1995	60,269	38221	22048	1,471	2.44	1,085	1.80	30,134	50.00	15,247	25.30	1,748	2.90	1,848	3.07	512	0.85	386	0.64	4,356	7.23	3,482	5.78
1996	56,027	35775	20252	1,413	2.52	1,011	1.80	28,237	50.40	14,295	25.51	1,632	2.91	1,652	2.95	474	0.85	373	0.67	4,019	7.17	2,921	5.21
1997	55,817	35469	20348	1,452	2.60	1,062	1.90	27,846	49.89	14,292	25.61	1,721	3.08	1,695	3.04	508	0.91	428	0.77	3,942	7.06	2,871	5.14
1998	56,337	35626	20711	1,519	2.70	1,111	1.97	27,920	49.56	14,518	25.77	1,766	3.13	1,776	3.15	523	0.93	468	0.83	3,898	6.92	2,838	5.04
1999	56,739	35504	21235	1,567	2.76	1,147	2.02	27,780	48.96	14,881	26.23	1,736	3.06	1,846	3.25	545	0.96	495	0.87	3,876	6.83	2,866	5.05
2000	57,577	35802	21775	1,641	2.85	1,207	2.10	27,925	48.50	15,221	26.44	1,762	3.06	1,903	3.31	589	1.02	520	0.90	3,885	6.75	2,924	5.08
2001	59,141	36596	22545	1,708	2.89	1,242	2.10	28,438	48.09	15,765	26.66	1,786	3.02	1,910	3.23	602	1.02	548	0.93	4,062	6.87	3,080	5.21
2002	60,465	37233	23232	1,685	2.79	1,267	2.10	29,108	48.14	16,226	26.84	1,739	2.88	1,936	3.20	626	1.04	570	0.94	4,075	6.74	3,233	5.35
2003	60,840	37344	23496	1,708	2.81	1,280	2.10	29,272	48.11	16,383	26.93	1,726	2.84	1,936	3.18	645	1.06	600	0.99	3,993	6.56	3,297	5.42
2004	77,600	46505	31095	2,104	2.71	1,534	1.97	36,017	46.41	20,742	26.72	1,914	2.46	2,097	2.70	807	1.03	754	0.97	5,663	7.29	5,968	7.69
JUSTICE																							
1995	98,017	60085	37932	7,527	7.68	3,273	3.34	44,251	45.15	23,581	24.06	6,597	6.73	9,878	10.08	1,270	1.30	977	1.00	440	0.45	223	0.23
1996	104,921	64842	40079	8,526	8.13	3,629	3.46	47,337	45.12	24,923	23.75	6,986	6.66	10,177	9.70	1,483	1.41	1,101	1.05	510	0.49	249	0.24
1997	111,218	69092	42126	9,273	8.34	3,903	3.51	50,231	45.16	26,351	23.69	7,353	6.61	10,387	9.34	1,672	1.50	1,202	1.08	563	0.51	283	0.25
1998	117,180	72831	44349	10,050	8.58	4,252	3.63	52,708	44.98	27,533	23.50	7,679	6.55	10,953	9.35	1,807	1.54	1,302	1.11	587	0.50	309	0.26
1999	119,902	74169	45733	10,321	8.61	4,439	3.70	53,386	44.52	28,277	23.58	7,972	6.65	11,333	9.45	1,884	1.57	1,367	1.14	606	0.51	317	0.26
2000	120,858	75108	45750	11,024	9.12	4,586	3.79	53,470	44.24	28,185	23.30	8,047	6.66	11,305	9.35	1,946	1.61	1,393	1.15	621	0.51	311	0.26
2001	122,669	76390	46279	8,971	7.31	4,792	3.91	56,420	45.99	28,222	23.01	8,279	6.75	11,465	9.35	2,088	1.70	1,479	1.21	632	0.52	321	0.26
2002	124,539	77466	47073	12,623	10.14	5,081	4.08	53,712	43.13	28,618	22.98	8,296	6.66	11,616	9.33	2,219	1.78	1,419	1.14	616	0.49	339	0.27
2003	98,180	58404	39776	5,148	5.24	3,138	3.20	43,817	44.63	25,071	25.54	7,382	7.52	10,238	10.43	1,515	1.54	1,045	1.06	542	0.55	284	0.29
2004	102,906	61303	41603	5,415	5.26	3,432	3.33	46,037	44.74	26,044	25.30	7,600	7.38	10,641	10.34	1,693	1.64	1,198	1.16	558	0.54	288	0.27
LABOR																							
1995	15,700	8159	7541	486	3.10	435	2.77	6,489	41.33	4,073	25.94	962	6.13	2,770	17.64	171	1.09	207	1.32	51	0.32	56	0.36
1996	14,928	7707	7221	447	2.99	410	2.75	6,147	41.18	3,889	26.05	906	6.07	2,662	17.83	161	1.08	198	1.33	46	0.31	62	0.42
1997	15,271	7837	7434	494	3.23	459	3.01	6,173	40.42	4,026	26.36	932	6.10	2,666	17.46	194	1.27	224	1.47	44	0.29	59	0.39

1998	15,225	7741	7484	502	3.30	479	3.15	6,086	39.97	4,005	26.35	913	6.00	2,701	17.74	195	1.28	240	1.58	45	0.30	59	0.39
1999	15,348	7791	7557	513	3.34	509	3.32	6,088	39.67	4,017	26.17	941	6.13	2,715	17.69	202	1.32	256	1.67	47	0.31	60	0.39
2000	15,626	7910	7716	525	3.36	534	3.42	6,132	39.24	4,057	25.96	989	6.33	2,779	17.78	217	1.39	285	1.82	47	0.30	61	0.39
2001	16,368	8149	8219	541	3.30	586	3.58	6,279	38.36	4,312	26.34	1,041	6.35	2,926	17.87	241	1.47	330	2.01	47	0.28	65	0.40
2002	15,832	7881	7951	519	3.28	560	3.54	6,047	38.19	4,204	26.55	1,005	6.35	2,794	17.65	252	1.59	333	2.10	58	0.37	60	0.38
2003	15,838	7877	7961	533	3.37	577	3.64	6,055	38.23	4,185	26.42	969	6.12	2,779	17.55	266	1.68	361	2.28	54	0.34	59	0.37
2004	15,814	7849	7965	523	3.30	578	3.65	6,001	37.95	4,195	26.52	973	6.15	2,762	17.46	296	1.87	374	2.36	56	0.35	56	0.35
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION																							
1995	21,325	14437	6888	627	2.94	300	1.41	12,055	56.53	5,048	23.67	938	4.40	1,217	5.71	716	3.36	252	1.18	101	0.47	71	0.33
1996	20,633	13989	6644	598	2.90	294	1.42	11,679	56.60	4,838	23.44	924	4.48	1,197	5.80	687	3.33	244	1.18	101	0.49	72	0.35
1997	19,295	13105	6190	567	2.94	278	1.44	10,970	56.85	4,498	23.31	802	4.16	1,113	5.77	666	3.45	230	1.19	100	0.52	71	0.37
1998	18,246	12341	5905	557	3.05	273	1.50	10,184	55.81	4,270	23.40	847	4.64	1,069	5.86	657	3.60	230	1.26	96	0.53	63	0.35
1999	18,322	12287	6035	568	3.10	295	1.61	10,094	55.09	4,320	23.58	848	4.63	1,107	6.04	681	3.72	242	1.32	96	0.52	71	0.39
2000	18,416	12289	6127	581	3.15	309	1.68	10,059	54.62	4,344	23.59	839	4.56	1,147	6.23	719	3.90	257	1.40	91	0.49	70	0.38
2001	18,568	12329	6239	596	3.21	311	1.67	10,050	54.13	4,430	23.86	843	4.54	1,160	6.25	749	4.03	266	1.43	91	0.49	72	0.39
2002	18,520	12262	6258	597	3.22	309	1.67	9,969	53.83	4,426	23.90	845	4.56	1,176	6.35	760	4.10	275	1.48	91	0.49	72	0.39
2003	18,500	12159	6341	596	3.22	319	1.72	9,866	53.33	4,442	24.01	840	4.54	1,223	6.61	767	4.15	286	1.55	90	0.49	71	0.38
2004	19,278	12571	6707	631	3.27	346	1.79	10,159	52.70	4,624	23.98	883	4.58	1,337	6.93	801	4.15	332	1.72	97	0.50	68	0.35
NATIONAL ARCHIVES AND RECORDS ADMINISTRATION																							
1995	2,012	933	1079	17	0.84	19	0.94	710	35.29	663	32.95	191	9.49	376	18.69	13	0.65	17	0.84	2	0.10	4	0.20
1996	3,127	1404	1723	25	0.80	40	1.28	973	31.12	938	30.00	369	11.80	698	22.32	36	1.15	38	1.22	1	0.03	9	0.29
1997	2,854	1278	1576	25	0.88	24	0.84	884	30.97	871	30.52	339	11.88	642	22.49	27	0.95	31	1.09	3	0.11	8	0.28
1998	2,417	1063	1354	19	0.79	16	0.66	772	31.94	771	31.90	250	10.34	523	21.64	19	0.79	36	1.49	3	0.12	8	0.33
1999	2,403	1059	1344	17	0.71	18	0.75	773	32.17	782	32.54	251	10.45	507	21.10	16	0.67	31	1.29	2	0.08	6	0.25
2000	2,482	1106	1376	18	0.73	17	0.68	794	31.99	803	32.35	268	10.80	521	20.99	22	0.89	29	1.17	4	0.16	6	0.24
2001	2,585	1174	1411	19	0.74	20	0.77	844	32.65	807	31.22	282	10.91	547	21.16	26	1.01	31	1.20	3	0.12	6	0.23
2002	2,723	1262	1461	20	0.73	23	0.84	910	33.42	841	30.89	297	10.91	556	20.42	31	1.14	33	1.21	4	0.15	8	0.29
2003	2,619	1221	1398	22	0.84	21	0.80	886	33.83	840	32.07	283	10.81	501	19.13	27	1.03	30	1.15	3	0.11	6	0.23
2004	2,979	1391	1588	25	0.83	26	0.87	990	33.23	952	31.95	341	11.44	556	18.66	31	1.04	47	1.57	4	0.13	7	0.23
NATIONAL CREDIT UNION ADMINISTRATION																							
1995	869	553	316	18	2.07	11	1.27	491	56.50	234	26.93	29	3.34	59	6.79	14	1.61	11	1.27	1	0.12	1	0.12
1996	877	555	322	18	2.05	11	1.25	489	55.76	239	27.25	33	3.76	58	6.61	12	1.37	11	1.25	3	0.34	3	0.34
1997	867	535	332	22	2.54	10	1.15	464	53.52	240	27.68	31	3.58	65	7.50	16	1.85	12	1.38	2	0.23	5	0.58
1998	829	517	312	19	2.29	11	1.33	455	54.89	232	27.99	29	3.50	55	6.63	12	1.45	10	1.21	2	0.24	4	0.48
1999	910	560	350	21	2.31	14	1.54	484	53.19	259	28.46	34	3.74	65	7.14	19	2.09	9	0.99	2	0.22	3	0.33
2000	930	561	369	20	2.15	12	1.29	490	52.69	277	29.78	31	3.33	68	7.31	19	2.04	9	0.97	1	0.11	3	0.32
2001	913	546	367	20	2.19	14	1.53	477	52.25	267	29.24	32	3.50	73	8.00	16	1.75	9	0.99	1	0.11	4	0.44
2002	920	545	375	19	2.07	14	1.52	476	51.74	276	30.00	34	3.70	72	7.83	15	1.63	9	0.98	1	0.11	4	0.43
2003	898	528	370	19	2.12	15	1.67	459	51.11	271	30.18	33	3.67	71	7.91	16	1.78	9	1.00	1	0.11	4	0.45
2004	888	512	376	20	2.25	16	1.80	442	49.77	270	30.40	34	3.82	74	8.33	16	1.80	12	1.35	0	0.00	4	0.45
NATIONAL GALLERY OF ART																							
1995	813	481	332	5	0.62	5	0.62	180	22.14	204	25.09	295	36.29	117	14.39	0	0.00	6	0.74	1	0.12	0	0.00
1996	769	458	311	6	0.78	5	0.65	171	22.24	195	25.36	279	36.28	106	13.78	1	0.13	5	0.65	1	0.13	0	0.00
1997	795	473	322	5	0.63	5	0.63	171	21.51	205	25.79	294	36.98	107	13.46	2	0.25	5	0.63	1	0.13	0	0.00
1998	774	451	323	6	0.78	4	0.52	170	21.96	204	26.36	272	35.14	107	13.82	2	0.26	7	0.90	1	0.13	1	0.13
1999	795	462	333	9	1.13	4	0.50	171	21.51	207	26.04	279	35.09	115	14.47	2	0.25	6	0.75	1	0.13	1	0.13
2000	779	454	325	9	1.16	4	0.51	167	21.44	203	26.06	275	35.30	110	14.12	2	0.26	7	0.90	1	0.13	1	0.13
2001	781	470	311	11	1.41	3	0.38	185	23.69	195	24.97	271	34.70	106	13.57	2	0.26	6	0.77	1	0.13	1	0.13
2002	795	469	326	8	1.01	4	0.50	183	23.02	206	25.91	275	34.59	108	13.58	2	0.25	8	1.01	1	0.13	0	0.00
2003	806	467	339	14	1.74	6	0.74	188	23.33	212	26.30	260	32.26	108	13.40	4	0.50	13	1.61	1	0.12	0	0.00
2004	810	469	341	13	1.60	6	0.74	192	23.70	221	27.28	259	31.98	103	12.72	4	0.49	1	0.12	1	0.12	0	0.00

NATIONAL LABOR RELATIONS BOARD																							
1995	1,983	839	1144	46	2.32	77	3.88	690	34.80	658	33.18	92	4.64	379	19.11	10	0.50	27	1.36	1	0.05	3	0.15
1996	1,914	800	1114	44	2.30	75	3.92	655	34.22	645	33.70	87	4.55	368	19.23	13	0.68	24	1.25	1	0.05	2	0.10
1997	1,918	791	1127	43	2.24	78	4.07	649	33.84	661	34.46	85	4.43	360	18.77	13	0.68	26	1.36	1	0.05	2	0.10
1998	1,843	758	1085	43	2.33	75	4.07	621	33.70	626	33.97	81	4.40	354	19.21	12	0.65	28	1.52	1	0.05	2	0.11
1999	1,841	743	1098	43	2.34	82	4.45	611	33.19	636	34.55	80	4.35	349	18.96	8	0.43	29	1.58	1	0.05	2	0.11
2000	1,940	772	1168	45	2.32	80	4.12	634	32.68	698	35.98	83	4.28	356	18.35	9	0.46	31	1.60	1	0.05	3	0.15
2001	2,019	796	1223	49	2.43	87	4.31	647	32.05	751	37.20	87	4.31	353	17.48	11	0.54	28	1.39	2	0.10	4	0.20
2002	2,099	828	1271	53	2.53	90	4.29	671	31.97	771	36.73	91	4.34	373	17.77	11	0.52	33	1.57	2	0.10	4	0.19
2003	1,891	741	1150	47	2.49	85	4.49	600	31.73	707	37.39	78	4.12	324	17.13	14	0.74	30	1.59	2	0.11	4	0.21
2004	1,898	736	1162	51	2.68	91	4.79	591	31.14	710	37.40	79	4.16	322	16.96	13	0.68	36	1.89	2	0.10	3	0.15
NATIONAL SCIENCE FOUNDATION																							
1995	1,151	441	710	6	0.52	12	1.04	348	30.23	313	27.19	64	5.56	366	31.80	19	1.65	18	1.56	4	0.35	1	0.09
1996	1,121	423	698	6	0.54	11	0.98	334	29.79	311	27.74	62	5.53	357	31.85	18	1.61	19	1.69	3	0.27	0	0.00
1997	1,090	410	680	6	0.55	12	1.10	328	30.09	303	27.80	55	5.05	345	31.65	19	1.74	20	1.83	2	0.18	0	0.00
1998	1,013	380	633	5	0.49	12	1.18	304	30.01	277	27.34	51	5.03	324	31.98	18	1.78	20	1.97	2	0.20	0	0.00
1999	931	352	579	4	0.43	11	1.18	281	30.18	250	26.85	50	5.37	298	32.01	15	1.61	20	2.15	2	0.21	0	0.00
2000	861	325	536	3	0.35	11	1.28	263	30.55	231	26.83	43	4.99	276	32.06	14	1.63	18	2.09	2	0.23	0	0.00
2001	1,075	381	694	9	0.84	14	1.30	295	27.44	311	28.93	57	5.30	341	31.72	19	1.77	26	2.42	1	0.09	2	0.19
2002	1,077	384	693	9	0.84	15	1.39	304	28.23	326	30.27	50	4.64	323	29.99	20	1.86	29	2.69	1	0.09	0	0.00
2003	1,092	396	696	11	1.01	17	1.56	304	27.84	322	29.49	57	5.22	326	29.85	23	2.11	31	2.84	1	0.09	0	0.00
2004	1,333	523	810	17	1.27	18	1.35	400	30.01	402	30.15	67	5.02	351	26.33	36	2.70	39	2.92	3	0.22	0	0.00
NUCLEAR REGULATORY COMMISSION																							
1995	3,102	1956	1146	37	1.19	27	0.87	1,654	53.32	808	26.05	117	3.77	264	8.51	147	4.74	44	1.42	1	0.03	3	0.10
1996	3,062	1932	1130	37	1.21	25	0.82	1,633	53.33	794	25.93	113	3.69	264	8.62	145	4.74	44	1.44	4	0.13	3	0.10
1997	2,999	1892	1107	40	1.33	21	0.70	1,587	52.92	781	26.04	116	3.87	256	8.54	145	4.83	46	1.53	4	0.13	3	0.10
1998	2,903	1840	1063	38	1.31	21	0.72	1,532	52.77	742	25.56	116	4.00	251	8.65	149	5.13	46	1.58	5	0.17	3	0.10
1999	2,813	1771	1042	38	1.35	22	0.78	1,465	52.08	719	25.56	112	3.98	252	8.96	151	5.37	45	1.60	5	0.18	4	0.14
2000	2,787	1744	1043	43	1.54	25	0.90	1,439	51.63	713	25.58	108	3.88	257	9.22	150	5.38	46	1.65	4	0.14	2	0.07
2001	2,785	1743	1042	58	2.08	30	1.08	1,425	51.17	708	25.42	107	3.84	253	9.08	147	5.28	49	1.76	6	0.22	2	0.07
2002	2,872	1782	1090	71	2.47	45	1.57	1,436	50.00	723	25.17	116	4.04	267	9.30	153	5.33	53	1.85	6	0.21	2	0.07
2003	2,995	1878	1117	81	2.70	52	1.74	1,499	50.05	733	24.47	128	4.27	276	9.22	162	5.41	54	1.80	8	0.27	2	0.07
2004	3,224	2033	1191	84	2.60	55	1.70	1,633	50.65	783	24.28	135	4.18	284	8.80	170	5.27	68	2.10	11	0.34	1	0.03
OFFICE OF PERSONNEL MANAGEMENT																							
1995	3,770	1457	2313	55	1.46	55	1.46	1,131	30.00	1,404	37.24	249	6.60	814	21.59	20	0.53	34	0.90	2	0.05	6	0.16
1996	3,669	1367	2302	54	1.47	50	1.36	1,049	28.59	1,435	39.11	243	6.62	777	21.18	16	0.44	33	0.90	5	0.14	7	0.19
1997	3,471	1303	2168	50	1.44	52	1.50	1,004	28.93	1,327	38.23	226	6.51	749	21.58	19	0.55	33	0.95	4	0.12	7	0.20
1998	3,443	1284	2159	49	1.42	54	1.57	983	28.55	1,304	37.87	227	6.59	760	22.07	20	0.58	34	0.99	5	0.15	7	0.20
1999	3,484	1306	2178	54	1.55	69	1.98	989	28.39	1,282	36.80	236	6.77	781	22.42	21	0.60	36	1.03	6	0.17	10	0.29
2000	3,598	1325	2273	59	1.64	79	2.20	991	27.54	1,333	37.05	245	6.81	799	22.21	23	0.64	48	1.33	7	0.19	14	0.39
2001	3,441	1264	2177	54	1.57	73	2.12	942	27.38	1,261	36.65	241	7.00	782	22.73	22	0.64	47	1.37	5	0.15	14	0.41
2002	3,534	1291	2243	57	1.61	82	2.32	963	27.25	1,296	36.67	243	6.88	801	22.67	23	0.65	47	1.33	5	0.14	17	0.48
2003	3,456	1267	2189	56	1.62	88	2.55	946	27.37	1,258	36.40	235	6.80	789	22.83	24	0.69	42	1.22	6	0.17	12	0.35
2004	3,648	1366	2282	59	1.61	79	2.16	1,011	27.71	1,312	35.96	260	7.12	835	22.88	29	0.79	45	1.23	7	0.19	11	0.30
OFFICE OF MANAGEMENT AND BUDGET																							
1995	532	271	261	2	0.38	4	0.75	244	45.86	161	30.26	15	2.82	84	15.79	10	1.88	11	2.07	0	0.00	1	0.19
1996	522	263	259	4	0.77	1	0.19	236	45.21	156	29.89	14	2.68	85	16.28	9	1.72	16	3.07	0	0.00	1	0.19
1997	511	249	262	3	0.59	3	0.59	223	43.64	156	30.53	16	3.13	87	17.03	7	1.37	15	2.94	0	0.00	1	0.20
1998	507	244	263	3	0.59	5	0.99	218	43.00	152	29.98	15	2.96	87	17.16	8	1.58	18	3.55	0	0.00	1	0.20
1999	525	255	270	3	0.57	12	2.29	224	42.67	152	28.95	17	3.24	87	16.57	1	0.19	8	1.52	0	0.00	1	0.19
2000	513	243	270	4	0.78	14	2.73	216	42.11	154	30.02	13	2.53	83	16.18	10	1.95	18	3.51	0	0.00	1	0.19

2001	516	244	272	4	0.78	1	0.19	217	42.05	162	31.40	14	2.71	74	14.34	9	1.74	23	4.46	0	0.00	2	0.39
2002	504	233	271	4	0.79	1	0.20	210	41.67	172	34.13	11	2.18	67	13.29	8	1.59	20	3.97	0	0.00	1	0.20
2003	498	225	273	3	0.60	10	2.01	203	40.76	171	34.34	12	2.41	64	12.85	7	1.41	27	5.42	0	0.00	1	0.20
2004	506	237	269	3	0.59	7	1.38	212	41.90	174	34.39	14	2.77	62	12.25	8	1.58	25	4.94	0	0.00	1	0.20
PEACE CORPS OF THE UNITED STATES																							
1995	933	430	503	21	2.25	20	2.14	331	35.48	317	33.98	59	6.32	139	14.90	18	1.93	25	2.68	1	0.11	2	0.21
1996	882	411	471	21	2.38	12	1.36	320	36.28	304	34.47	48	5.44	127	14.40	20	2.27	27	3.06	2	0.23	1	0.11
1997	855	388	467	13	1.52	13	1.52	304	35.56	303	35.44	48	5.61	125	14.62	22	2.57	25	2.92	1	0.12	1	0.12
1998	841	382	459	11	1.31	8	0.95	297	35.32	304	36.15	49	5.83	117	13.91	25	2.97	28	3.33	0	0.00	2	0.24
1999	829	375	454	13	1.57	11	1.33	287	34.62	293	35.34	56	6.76	118	14.23	18	2.17	31	3.74	1	0.12	1	0.12
2000	822	356	466	17	2.07	12	1.46	266	32.36	304	36.98	55	6.69	121	14.72	17	2.07	28	3.41	1	0.12	1	0.12
2001	778	333	445	17	2.19	7	0.90	243	31.23	290	37.28	59	7.58	123	15.81	13	1.67	23	2.96	1	0.13	2	0.26
2002	844	353	491	20	2.37	11	1.30	258	30.57	322	38.15	56	6.64	128	15.17	18	2.13	28	3.32	1	0.12	2	0.24
2003	912	388	524	24	2.63	12	1.32	288	31.58	361	39.58	51	5.59	121	13.27	24	2.63	25	2.74	1	0.11	5	0.55
2004	844	378	466	21	2.49	14	1.66	288	34.12	335	39.69	50	5.92	96	11.37	19	2.25	18	2.13	0	0.00	3	0.36
PENSION BENEFIT GUARANTY CORPORATION																							
1995	723	326	397	6	0.83	7	0.97	238	32.92	158	21.85	67	9.27	214	29.60	14	1.94	18	2.49	1	0.14	0	0.00
1996	765	338	427	7	0.92	8	1.05	245	32.03	172	22.48	71	9.28	228	29.80	14	1.83	18	2.35	1	0.13	1	0.13
1997	744	338	406	8	1.08	9	1.21	241	32.39	165	22.18	71	9.54	216	29.03	17	2.28	16	2.15	1	0.13	0	0.00
1998	750	334	416	7	0.93	7	0.93	238	31.73	162	21.60	73	9.73	230	30.67	14	1.87	17	2.27	2	0.27	0	0.00
1999	737	325	412	8	1.09	7	0.95	225	30.53	160	21.71	77	10.45	225	30.53	13	1.76	19	2.58	2	0.27	1	0.14
2000	745	335	410	8	1.07	10	1.34	226	30.34	156	20.94	83	11.14	226	30.34	16	2.15	18	2.42	2	0.27	0	0.00
2001	755	341	414	6	0.79	8	1.06	228	30.20	150	19.87	89	11.79	235	31.13	15	1.99	20	2.65	3	0.40	1	0.13
2002	776	351	425	8	1.03	10	1.29	234	30.15	150	19.33	90	11.60	238	30.67	17	2.19	26	3.35	2	0.26	1	0.13
2003	793	359	434	7	0.88	12	1.51	237	29.89	156	19.67	96	12.11	242	30.52	18	2.27	23	2.90	1	0.13	1	0.13
2004	802	366	436	7	0.87	15	1.87	237	29.55	154	19.20	98	12.22	244	30.42	23	2.87	23	2.87	1	0.12	0	0.00
RAILROAD RETIREMENT BOARD																							
1995	1,532	616	916	10	0.65	41	2.68	513	33.49	447	29.18	80	5.22	412	26.89	13	0.85	14	0.91	0	0.00	3	0.18
1996	1,423	561	862	8	0.56	42	2.95	474	33.31	422	29.66	68	4.78	384	26.99	11	0.77	12	0.84	0	0.00	2	0.13
1997	1,318	520	798	8	0.61	43	3.26	439	33.31	392	29.74	63	4.78	353	26.78	10	0.76	8	0.61	0	0.00	2	0.14
1998	1,279	499	780	8	0.63	40	3.13	420	32.84	386	30.18	61	4.77	343	26.82	10	0.78	8	0.63	0	0.00	2	0.15
1999	1,247	486	761	9	0.72	44	3.53	407	32.64	366	29.35	59	4.73	340	27.27	10	0.80	8	0.64	1	0.08	3	0.23
2000	1,165	459	706	7	0.60	46	3.95	385	33.05	336	28.84	58	4.98	313	26.87	8	0.69	8	0.69	1	0.09	3	0.24
2001	1,171	457	714	8	0.68	44	3.76	379	32.37	335	28.61	58	4.95	324	27.67	11	0.94	8	0.68	1	0.09	3	0.26
2002	1,161	453	708	7	0.60	47	4.05	378	32.56	329	28.34	57	4.91	321	27.65	10	0.86	8	0.69	1	0.09	3	0.26
2003	1,128	440	688	7	0.62	47	4.17	367	32.54	316	28.01	56	4.96	314	27.84	9	0.80	8	0.71	1	0.09	3	0.27
2004	1,087	419	668	7	0.64	43	3.96	345	31.74	311	28.61	55	5.06	303	27.87	11	1.01	8	0.74	1	0.09	3	0.28
SECURITIES AND EXCHANGE COMMISSION																							
1995	2,714	1407	1307	38	1.40	53	1.95	1,037	38.21	781	28.78	271	9.99	405	14.92	59	2.17	64	2.36	2	0.07	4	0.15
1996	2,696	1351	1345	35	1.30	58	2.15	1,070	39.69	739	27.41	187	6.94	477	17.69	56	2.08	67	2.49	3	0.11	4	0.15
1997	2,689	1338	1351	38	1.41	59	2.19	1,049	39.01	740	27.52	184	6.84	478	17.78	63	2.34	71	2.64	4	0.15	3	0.11
1998	2,652	1310	1342	39	1.47	52	1.96	1,025	38.65	737	27.79	179	6.75	476	17.95	63	2.38	74	2.79	4	0.15	3	0.11
1999	2,703	1341	1362	45	1.66	56	2.07	1,039	38.44	764	28.26	185	6.84	464	17.17	68	2.52	77	2.85	4	0.15	1	0.04
2000	2,804	1414	1390	50	1.78	63	2.25	1,103	39.34	780	27.82	176	6.28	464	16.55	80	2.85	82	2.92	5	0.18	1	0.04
2001	2,913	1449	1464	52	1.79	67	2.30	1,130	38.79	815	27.98	174	5.97	486	16.68	87	2.99	95	3.26	6	0.21	1	0.03
2002	2,926	1456	1470	49	1.67	67	2.29	1,140	38.96	819	27.99	165	5.64	483	16.51	97	3.32	100	3.42	5	0.17	1	0.03
2003	3,116	1559	1557	54	1.73	73	2.34	1,226	39.35	887	28.47	165	5.30	481	15.44	108	3.47	114	3.66	6	0.19	2	0.06
2004	3,797	1934	1863	76	2.00	94	2.48	1,528	40.24	1,074	28.29	188	4.95	536	14.12	136	3.58	155	4.08	6	0.16	4	0.11
SMALL BUSINESS ADMINISTRATION																							
1995	3,559	1662	1897	140	3.93	170	4.78	1,249	35.09	1,057	29.70	216	6.07	603	16.94	43	1.21	55	1.55	14	0.39	12	0.34
1996	3,413	1593	1820	132	3.87	167	4.89	1,199	35.13	1,014	29.71	205	6.01	576	16.88	44	1.29	52	1.52	13	0.38	11	0.32

1997	3,418	1590	1828	138	4.04	172	5.03	1,184	34.64	1,010	29.55	207	6.06	571	16.71	48	1.40	62	1.81	13	0.38	13	0.38
1998	3,564	1618	1946	148	4.15	186	5.22	1,186	33.28	1,078	30.25	216	6.06	592	16.61	55	1.54	76	2.13	13	0.36	14	0.39
1999	3,554	1625	1929	148	4.16	185	5.21	1,179	33.17	1,065	29.97	230	6.47	589	16.57	55	1.55	78	2.19	13	0.37	12	0.34
2000	3,447	1571	1876	142	4.12	187	5.43	1,142	33.13	1,024	29.71	224	6.50	579	16.80	51	1.48	74	2.15	12	0.35	12	0.35
2001	3,339	1513	1826	141	4.22	182	5.45	1,090	32.64	985	29.50	222	6.65	574	17.19	49	1.47	73	2.19	11	0.33	12	0.36
2002	3,243	1471	1772	142	4.38	176	5.43	1,051	32.41	953	29.39	223	6.88	562	17.33	45	1.39	70	2.16	10	0.31	11	0.34
2003	3,145	1422	1723	141	4.48	172	5.47	1,009	32.08	916	29.13	217	6.90	551	17.52	46	1.46	71	2.26	9	0.29	13	0.41
2004	4,152	1956	2196	207	4.99	256	6.17	1,388	33.43	1,130	27.22	299	7.20	697	16.79	51	1.23	87	2.10	11	0.26	26	0.63
SMITHSONIAN INSTITUTION																							
1995	4,763	2820	1943	78	1.64	44	0.92	1,470	30.86	1,156	24.27	1,202	25.24	682	14.32	51	1.07	37	0.78	19	0.40	24	0.50
1996	4,621	2714	1907	73	1.58	44	0.95	1,423	30.79	1,123	24.30	1,149	24.86	682	14.76	51	1.10	34	0.74	18	0.39	24	0.52
1997	4,590	2683	1907	69	1.50	44	0.96	1,390	30.28	1,116	24.31	1,157	25.21	688	14.99	52	1.13	33	0.72	15	0.33	26	0.57
1998	4,619	2698	1921	78	1.69	42	0.91	1,414	30.61	1,119	24.23	1,133	24.53	695	15.05	52	1.13	36	0.78	21	0.45	29	0.63
1999	4,688	2744	1944	85	1.81	46	0.98	1,423	30.35	1,121	23.91	1,163	24.81	716	15.27	54	1.15	33	0.70	19	0.41	28	0.60
2000	4,638	2709	1929	81	1.75	49	1.06	1,399	30.16	1,104	23.80	1,162	25.05	707	15.24	45	0.97	38	0.82	22	0.47	31	0.67
2001	4,595	2678	1917	85	1.85	48	1.04	1,423	30.97	1,099	23.92	1,102	23.98	696	15.15	45	0.98	40	0.87	23	0.50	34	0.74
2002	4,677	2744	1933	96	2.05	54	1.15	1,415	30.25	1,088	23.26	1,165	24.91	715	15.29	44	0.94	43	0.92	24	0.51	33	0.71
2003	4,783	2800	1983	134	2.80	64	1.34	1,406	29.40	1,079	22.56	1,182	24.71	750	15.68	55	1.15	54	1.13	23	0.48	36	0.75
2004	5,042	2853	2189	138	2.74	79	1.57	1,425	28.26	1,193	23.66	1,180	23.40	795	15.77	65	1.29	60	1.19	45	0.89	62	1.23
SOCIAL SECURITY ADMINISTRATION																							
1995	65,283	18666	46617	1,271	1.95	3,584	5.49	14,142	21.66	26,929	41.25	2,786	4.27	14,921	22.86	343	0.53	853	1.31	124	0.19	330	0.46
1996	65,256	18731	46525	1,376	2.11	3,751	5.75	14,052	21.53	26,773	41.03	2,814	4.31	14,782	22.65	365	0.56	872	1.34	124	0.19	347	0.47
1997	64,207	18590	45617	1,389	2.16	3,730	5.81	13,882	21.62	26,094	40.64	2,811	4.38	14,590	22.72	384	0.60	864	1.35	124	0.19	339	0.50
1998	63,403	18435	44968	1,463	2.31	3,948	5.23	13,584	21.42	25,449	40.14	2,836	4.47	14,312	22.57	398	0.63	908	1.43	154	0.24	351	0.52
1999	62,004	18193	43811	1,529	2.47	4,157	6.70	13,249	21.37	24,331	39.24	2,843	4.59	13,960	22.51	434	0.70	998	1.61	138	0.22	365	0.59
2000	62,247	18240	44007	1,697	2.73	4,513	7.25	13,004	20.89	24,114	38.74	2,880	4.63	13,868	22.28	494	0.79	1,075	1.73	165	0.27	437	0.70
2001	63,178	18478	44700	1,867	2.96	4,935	7.81	12,885	20.39	24,032	38.04	2,977	4.71	13,981	22.13	562	0.89	1,214	1.92	187	0.30	538	0.85
2002	63,226	18486	44740	1,869		5,130	8.11	12,700	20.09	23,646	37.40	3,110	4.92	14,104	22.31	598	0.95	1,310	2.07	209	0.33	550	0.87
2003	63,599	18630	44969	1,952	3.07	5,425	8.53	12,552	19.74	23,321	36.67	3,248	5.11	14,215	22.35	664	1.04	1,445	2.27	214	0.34	563	0.89
2004	65,258	19375	45883	2,104	3.22	5,781	8.86	12,777	19.58	23,375	35.82	3,515	5.39	14,568	22.32	765	1.17	1,588	2.43	214	0.33	571	0.87
STATE																							
1995	12,017	6808	5209	266	2.21	203	1.69	5,710	47.52	3,267	27.19	634	5.28	1,516	12.62	169	1.41	199	1.66	29	0.24	24	0.20
1996	12,034	6766	5268	269	2.24	200	1.66	5,664	47.07	3,346	27.80	620	5.15	1,501	12.47	184	1.53	195	1.62	29	0.24	26	0.22
1997	11,730	6538	5192	257	2.19	203	1.73	5,467	46.61	3,280	27.96	600	5.12	1,487	12.68	184	1.57	200	1.71	30	0.26	22	0.19
1998	11,631	6465	5166	161	2.24	201	1.73	5,507	47.35	3,266	28.08	580	4.99	1,480	12.72	188	1.62	197	1.69	29	0.25	22	0.19
1999	11,780	6474	5306	247	2.10	197	1.67	5,418	45.99	3,370	28.61	593	4.03	1,521	12.91	188	1.60	196	1.66	28	0.24	22	0.19
2000	13,294	7076	6218	267	2.01	228	1.72	5,873	44.18	3,844	28.92	697	5.24	1,906	14.34	208	1.56	216	1.62	31	0.23	24	0.18
2001	13,234	7057	6177	277	2.09	222	1.68	5,840	44.13	3,812	28.80	698	5.27	1,897	14.33	211	1.59	221	1.67	31	0.23	25	0.19
2002	13,721	7290	6431	305	2.22	210	1.53	6,004	43.76	4,009	29.22	719	5.24	1,930	14.07	231	1.68	257	1.87	31	0.23	25	0.18
2003	17,511	9795	7716	483	2.76	320	1.83	7,937	45.33	4,868	27.80	932	5.32	2,124	12.13	406	2.32	377	2.15	37	0.21	27	0.15
2004	24,040	12305	11735	606	2.52	668	2.78	9,996	41.58	7,811	32.49	1,133	4.71	2,503	10.41	523	2.18	715	2.97	47	0.20	38	0.16
TENNESSEE VALLEY AUTHORITY																							
1995	16,553	12672	3881	57	0.34	7	0.04	11,362	68.64	3,244	19.60	1,058	6.39	563	3.40	104	0.63	30	0.18	91	0.55	37	0.22
1996	16,021	12322	3699	55	0.34	4	0.02	11,063	69.05	3,101	19.34	1,014	6.33	524	3.27	98	0.61	30	0.19	92	0.57	40	0.25
1997	14,510	11376	3134	49	0.34	6	0.04	10,240	70.57	2,679	18.46	915	6.31	386	2.66	88	0.61	26	0.18	84	0.58	37	0.25
1998	13,818	10887	2931	47	0.34	6	0.04	9,825	71.10	2,515	18.20	853	6.17	351	2.54	85	0.62	26	0.19	77	0.56	33	0.24
1999	13,321	10503	2818	44	0.33	6	0.05	9,474	71.12	2,404	18.05	833	6.25	349	2.62	80	0.60	25	0.19	72	0.54	34	0.26
2000	13,121	10363	2758	46	0.35	7	0.05	9,326	71.08	2,344	17.86	838	6.39	354	2.70	81	0.62	24	0.18	72	0.55	29	0.22
2001	13,430	10626	2804	43	0.32	10	0.07	9,521	70.89	2,379	17.71	893	6.65	364	2.71	89	0.66	24	0.18	80	0.60	27	0.20
2002	13,444	10625	2819	46	0.34	10	0.07	9,534	70.92	2,390	17.78	862	6.41	366	2.72	97	0.72	27	0.20	86	0.64	26	0.19
2003	13,379	10561	2818	54	0.40	11	0.08	9,450	70.63	2,393	17.89	865	6.47	359	2.68	102	0.76	28	0.21	90	0.67	27	0.20

2004	12,742	10188	2554	57	0.45	13	0.10	9,096	71.39	2,161	16.96	824	6.47	329	2.58	104	0.82	24	0.19	95	0.75	21	0.16
TRANSPORTATION																							
1995	62,530	45768	16762	2,014	3.22	719	1.15	38,572	61.69	11,764	18.81	3,232	5.17	3,558	5.69	1,251	2.00	459	0.73	699	1.12	262	0.42
1996	62,283	45563	16720	2,045	3.28	730	1.17	38,300	61.49	11,708	18.80	3,218	5.17	3,563	5.72	1,291	2.07	456	0.73	709	1.14	263	0.42
1997	63,016	46006	17010	2,112	3.35	755	1.20	38,618	61.28	11,913	18.90	3,237	5.14	3,602	5.72	1,327	2.11	470	0.75	712	1.13	270	0.43
1998	63,647	46402	17245	2,157	3.39	786	1.23	38,949	61.20	12,061	18.95	3,249	5.10	3,645	5.73	1,345	2.11	484	0.76	702	1.10	269	0.42
1999	62,898	45738	17160	2,188	3.48	788	1.25	38,237	60.79	11,971	19.03	3,253	5.17	3,655	5.81	1,380	2.19	478	0.76	680	1.08	268	0.43
2000	62,372	45318	17054	2,197	3.52	816	1.31	37,818	60.63	11,810	18.94	3,243	5.20	3,676	5.89	1,397	2.24	494	0.79	663	1.06	258	0.41
2001	64,316	46579	17737	2,340	3.64	860	1.34	38,651	60.10	12,174	18.93	3,419	5.32	3,881	6.03	1,507	2.34	557	0.87	662	1.03	265	0.41
2002	100,754	72373	28381	5,425	5.38	1,947	1.93	56,189	55.77	18,558	18.42	7,607	7.55	6,704	6.65	2,284	2.27	809	0.80	868	0.86	363	0.36
2003	57,731	42445	15286	2,363	4.09	816	1.41	34,991	60.61	10,453	18.11	3,015	5.22	3,258	5.64	1,444	2.50	511	0.89	632	1.09	248	0.43
2004	57,349	41903	15446	2,396	4.18	867	1.51	34,369	59.93	10,445	18.21	3,057	5.33	3,344	5.83	1,464	2.55	536	0.93	617	1.08	254	0.44
TREASURY																							
1995	148,872	66818	82054	4,907	3.30	6,120	4.11	51,043	34.29	49,666	33.36	8,221	5.52	23,250	15.62	2,219	1.49	2,350	1.58	428	0.29	668	0.45
1996	142,617	64262	78355	4,926	3.45	5,949	4.17	49,832	34.94	47,226	33.11	6,901	4.84	22,253	15.60	2,179	1.53	2,282	1.60	424	0.30	645	0.45
1997	137,362	61912	75450	5,085	3.70	5,850	4.26	46,643	33.96	45,196	32.90	7,627	5.55	21,563	15.70	2,136	1.56	2,215	1.61	421	0.31	626	0.46
1998	137,444	61275	76169	5,234	3.81	6,091	4.43	45,786	33.31	45,125	32.83	7,640	5.56	22,023	16.02	2,182	1.59	2,296	1.67	433	0.32	634	0.46
1999	139,632	61607	78025	5,378	3.85	6,250	4.48	45,730	32.75	45,962	32.92	7,818	5.60	22,774	16.31	2,234	1.60	2,380	1.70	447	0.32	659	0.47
2000	139,663	61347	78316	5,525	3.96	6,464	4.63	45,318	32.45	45,961	32.91	7,843	5.62	22,847	16.36	2,220	1.59	2,388	1.71	441	0.32	656	0.47
2001	143,588	62606	80982	5,860	4.08	6,956	4.84	45,899	31.97	47,236	32.90	8,027	5.59	23,560	16.41	2,358	1.64	2,543	1.77	462	0.32	687	0.48
2002	140,690	61396	79294	5,878	4.18	6,668	4.74	45,028	32.01	46,781	33.25	7,695	5.47	22,647	16.10	2,347	1.67	2,546	1.81	448	0.32	652	0.46
2003	108,199	40683	67516	2,699	2.49	5,333	4.93	30,055	27.78	39,273	36.30	5,967	5.51	20,139	18.61	1,681	1.55	2,173	2.01	281	0.26	598	0.55
2004	110,612	41432	69180	2,861	2.59	5,796	5.24	30,303	27.40	39,613	35.81	6,135	5.55	20,727	18.74	1,835	1.66	2,435	2.20	298	0.27	609	0.55
U.S. POSTAL SERVICE																							
1995	753,180	488456	264724	35,314	4.69	14,469	1.92	337,772	44.85	162,774	21.61	87,369	11.60	72,130	9.58	25,941	3.44	13,771	1.83	2,060	0.27	1,580	0.21
1996	759,449	489217	270232	35,851	4.72	14,988	1.97	336,981	44.37	166,211	21.89	87,596	11.53	73,156	9.63	26,645	3.51	14,225	1.87	2,144	0.28	1,653	0.22
1997	764,681	489649	275032	36,364	4.76	15,271	2.00	335,567	43.88	168,356	22.02	87,929	11.50	74,687	9.77	27,612	3.61	14,994	1.96	2,177	0.28	1,724	0.23
1998	791,073	500821	290252	38,431	4.86	16,762	2.12	338,496	42.79	174,517	22.06	90,766	11.47	79,564	10.06	30,842	3.90	17,535	2.22	2,286	0.29	1,874	0.24
1999	794,495	499575	294920	39,447	4.97	17,581	2.21	335,083	42.18	176,198	22.18	90,539	11.40	80,611	10.15	32,208	4.05	18,584	2.34	2,298	0.29	1,946	0.24
2000	786,516	493033	293483	39,434	5.01	17,770	2.26	329,161	41.85	175,483	22.31	89,104	11.33	79,445	10.10	33,053	4.20	18,826	2.39	2,281	0.29	1,959	0.25
2001	774,675	483846	290829	39,313	5.07	17,889	2.31	321,049	41.44	173,695	22.42	87,456	11.29	78,194	10.09	33,732	4.35	19,072	2.46	2,296	0.30	1,979	0.26
2002	751,711	467740	283971	38,459	5.12	17,725	2.36	309,238	41.14	169,743	22.58	84,147	11.19	75,618	10.06	33,677	4.48	18,947	2.52	2,219	0.30	1,938	0.26
2003	729,398	451809	277589	37,496	5.14	17,526	2.40	297,638	40.81	166,171	22.78	80,813	11.08	73,172	10.03	33,697	4.62	18,841	2.58	2,165	0.30	1,879	0.26
2004	704,109	434151	269958	36,775	5.22	17,482	2.48	283,569	40.27	161,310	22.91	77,714	11.04	70,535	10.02	33,971	4.82	18,783	2.67	2,122	0.30	1,848	0.26
VETERANS AFFAIRS																							
1995	219,995	94651	125344	6,351	2.89	5,840	2.65	63,420	28.83	80,028	36.38	20,490	9.31	32,612	14.82	3,646	1.66	5,944	2.70	744	0.34	920	0.42
1996	211,761	91307	120454	6,156	2.91	5,717	2.70	61,212	28.91	76,669	36.21	19,523	9.22	31,151	14.71	3,691	1.74	6,023	2.84	725	0.34	894	0.42
1997	201,701	87300	114401	6,036	2.99	5,660	2.81	58,147	28.83	72,446	35.92	18,727	9.28	29,459	14.61	3,691	1.83	5,966	2.96	699	0.35	870	0.43
1998	198,272	85812	112460	5,988	3.02	5,656	2.85	56,849	28.67	70,956	35.79	18,544	9.35	28,874	14.56	3,735	1.88	6,079	3.07	696	0.35	895	0.45
1999	195,226	84289	110937	5,989	3.07	5,678	2.91	55,439	28.40	69,644	35.67	18,372	9.41	28,629	14.66	3,790	1.94	6,090	3.12	699	0.36	896	0.46
2000	196,009	84352	111657	6,201	3.16	5,921	3.02	55,041	28.08	69,747	35.58	18,473	9.42	28,786	14.69	3,930	2.01	6,290	3.21	707	0.36	913	0.47
2001	201,343	86173	115170	6,396	3.18	6,243	3.10	55,833	27.73	71,050	35.51	19,094	9.48	29,708	14.75	4,115	2.04	6,732	3.34	735	0.37	987	0.49
2002	201,078	85354	115724	6,372	3.17	6,382	3.17	55,114	27.41	71,619	35.62	18,946	9.42	29,743	14.79	4,193	2.09	6,963	3.46	729	0.36	1,017	0.51
2003	207,091	87231	119860	6,605	3.19	6,382	3.27	55,915	27.00	73,855	35.66	19,576	9.45	30,833	14.89	4,388	2.12	7,309	3.53	747	0.36	1,089	0.53
2004	236,258	98435	137823	7,851	3.32	8,266	3.50	61,981	26.23	84,147	35.62	21,548	9.12	34,595	14.64	6,189	2.62	9,573	4.05	866	0.37	1,242	0.53

*Includes data for only those agencies reported by CPDF. Does not include data for AAFES, TVA, USPS, or intelligence gathering agencies. Separate data for "Native Hawaiian or Other Pacific Islander" was unavailable at time of publication. Percentages may not add to 100% due to rounding.

**Agencies that have been established within last ten years or whose work force has recently reached 500 or more employees

***Defense summary consists of data for those agencies shown in this table except the Defense Nuclear Facilities Safety Board.

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The U.S. Equal Employment Opportunity Commission

TABLE XI GOVERNMENT WIDE EMPLOYMENT OF WORKERS IN GS AND GS RELATED GRADES*

GS AND RELATED GRADES		TOTAL			HISPANIC				WHITE				BLACK				ASIAN AMERICAN/ PACIFIC ISLANDER				AMERICAN INDIAN/ NATIVE ALASKAN			
		ALL	MEN	WOMEN	MEN		WOMEN		MEN		WOMEN		MEN		WOMEN		MEN		WOMEN		MEN		WOMEN	
GRADE	YEAR	#	#	#	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
1	2000	2,740	919	1,821	118	4.31	252	9.20	503	18.36	844	30.80	225	8.21	593	21.64	53	1.93	93	3.39	20	0.73	39	1.42
	2001	2,510	940	1,570	111	4.42	186	7.41	509	20.28	730	29.08	252	10.04	539	21.47	46	1.83	78	3.11	22	0.88	37	1.47
	2002	2,678	1,019	1,659	97	3.62	175	6.53	611	22.82	834	31.14	246	9.19	508	18.97	42	1.57	107	4.00	23	0.86	35	1.31
	2003	2,753	1,067	1,686	94	3.41	170	6.18	637	23.14	829	30.11	236	8.57	527	19.14	81	2.94	138	5.01	19	0.69	22	0.80
	2004	2,675	996	1,679	82	3.07	178	6.65	607	22.69	830	31.03	208	7.78	498	18.62	83	3.10	160	5.98	16	0.60	13	0.49
2	2000	5,751	2,143	3,608	238	4.14	447	7.77	1,295	22.52	1,787	31.07	429	7.46	1,111	19.32	95	1.65	163	2.83	86	1.50	100	1.74
	2001	6,267	2,315	3,952	263	4.20	442	7.05	1,346	21.48	1,918	30.60	516	8.23	1,342	21.41	102	1.63	158	2.52	88	1.40	92	1.47
	2002	6,026	2,320	3,706	264	4.38	411	6.82	1,345	22.32	1,788	29.67	527	8.75	1,257	20.86	105	1.74	131	2.17	79	1.31	119	1.97
	2003	5,157	2,039	3,118	268	5.20	383	7.43	1,216	23.58	1,565	30.35	414	8.03	949	18.40	71	1.38	115	2.23	70	1.36	106	2.06
	2004	4,580	1,858	2,722	221	4.83	300	6.55	1,114	24.32	1,409	30.76	385	8.41	795	17.36	83	1.81	122	2.66	55	1.20	96	2.10
3	2000	25,385	8,184	17,201	677	2.67	1,436	5.66	5,028	19.81	8,762	34.52	1,612	6.35	5,024	19.79	526	2.07	1,301	5.13	341	1.34	678	2.67
	2001	27,662	9,822	17,840	871	3.15	1,555	5.62	6,484	23.44	9,495	34.33	1,542	5.57	4,667	16.87	539	1.95	1,362	4.92	386	1.40	761	2.75
	2002	25,302	9,346	15,956	861	3.40	1,424	5.63	6,144	24.28	8,424	33.29	1,439	5.69	4,016	15.87	543	2.15	1,424	5.63	359	1.42	668	2.64
	2003	22,306	8,253	14,053	785	3.52	1,289	5.78	5,404	24.23	7,271	32.60	1,298	5.82	3,560	15.96	480	2.15	1,343	6.02	286	1.28	590	2.65
	2004	21,190	7,775	13,415	805	3.80	1,347	6.36	5,010	23.64	6,814	32.16	1,193	5.63	3,470	16.38	488	2.30	1,243	5.87	279	1.32	541	2.55
4	2000	66,724	20,940	45,784	1,948	2.92	3,461	5.19	12,740	19.09	24,533	36.77	4,638	6.95	13,500	20.23	875	1.31	2,046	3.07	739	1.11	2,244	3.36
	2001	65,512	21,317	44,195	1,901	2.90	3,450	5.27	13,291	20.29	23,850	36.41	4,441	6.78	12,676	19.35	886	1.35	2,015	3.08	798	1.22	2,204	3.36
	2002	63,006	21,479	41,527	1,884	2.99	3,204	5.09	13,542	21.49	22,496	35.70	4,353	6.91	11,569	18.36	941	1.49	2,083	3.31	759	1.20	2,175	3.45
	2003	60,386	21,016	39,370	1,901	3.15	3,176	5.26	13,508	22.37	21,300	35.27	4,052	6.71	10,886	18.03	849	1.41	1,954	3.24	706	1.17	2,054	3.40
	2004	57,798	20,238	37,560	2,002	3.46	3,043	5.26	12,937	22.38	20,161	34.88	3,795	6.57	10,505	18.18	816	1.41	1,930	3.34	688	1.19	1,921	3.32
5	2000	122,162	38,376	83,786	3,944	3.23	6,465	5.29	23,489	19.23	46,694	38.22	8,062	6.60	23,837	19.51	1,788	1.46	3,474	2.84	1,093	0.89	3,316	2.71
	2001	122,285	39,748	82,537	4,347	3.55	6,591	5.39	24,125	19.73	45,457	37.17	8,259	6.75	23,589	19.29	1,901	1.55	3,527	2.88	1,116	0.91	3,373	2.76
	2002	117,844	40,582	77,262	4,829	4.10	6,116	5.19	24,570	20.85	42,473	36.04	8,138	6.91	21,734	18.44	1,946	1.65	3,491	2.96	1,099	0.93	3,448	2.93
	2003	112,913	40,248	72,665	4,683	4.15	5,750	5.09	24,634	21.82	39,816	35.26	7,931	7.02	20,609	18.25	1,939	1.72	3,224	2.86	1,061	0.94	3,266	2.89
	2004	107,018	37,069	69,949	3,842	3.59	5,606	5.24	22,670	21.18	37,735	35.26	7,745	7.24	20,067	18.75	1,785	1.67	3,296	3.08	1,027	0.96	3,245	3.03
6	2000	89,944	25,539	64,405	2,313	2.57	4,902	5.45	16,197	18.01	38,011	42.26	5,291	5.88	18,107	20.13	1,109	1.23	2,335	2.60	629	0.70	1,860	2.07
	2001	88,795	26,102	62,693	2,359	2.66	4,220	4.75	16,660	18.76	36,608	41.23	5,295	5.96	17,570	19.79	1,148	1.29	2,399	2.70	640	0.72	1,896	2.14
	2002	87,654	26,462	61,192	2,387	2.72	4,256	4.86	16,921	19.30	35,292	40.26	5,248	5.99	17,225	19.65	1,227	1.40	2,421	2.76	679	0.77	1,998	2.28
	2003	85,907	26,541	59,366	2,353	2.74	4,099	4.77	17,059	19.86	34,256	39.88	5,304	6.17	16,673	19.41	1,170	1.36	2,334	2.72	655	0.76	2,004	2.33
	2004	84,103	26,503	57,600	2,414	2.87	4,003	4.76	16,876	20.07	32,961	39.19	5,329	6.34	16,195	19.26	1,232	1.46	3,296	3.92	652	0.78	1,990	2.37
7	2000	134,691	46,000	88,691	2,540	1.89	6,141	4.56	31,196	23.16	53,478	39.70	7,463	5.54	23,902	17.75	1,767	1.31	3,310	2.46	1,034	0.77	1,860	1.38
	2001	137,825	48,420	89,405	5,009	3.63	6,342	4.60	32,569	23.63	53,738	38.99	7,767	5.64	24,091	17.48	1,989	1.44	3,325	2.41	1,086	0.79	1,909	1.39
	2002	139,443	50,221	89,222	5,359	3.84	6,548	4.70	33,862	24.28	53,556	38.41	7,740	5.55	23,613	16.93	2,173	1.56	3,476	2.49	1,089	0.78	2,029	1.46
	2003	140,599	52,381	88,218	5,909	4.20	6,860	4.88	35,220	25.05	52,401	37.27	7,862	5.59	23,461	16.69	2,319	1.65	3,488	2.48	1,071	0.76	2,008	1.43
	2004	142,518	54,419	88,099	5,854	4.11	7,047	4.94	36,772	25.80	52,130	36.58	8,306	5.83	23,307	16.35	2,379	1.67	3,540	2.48	1,108	0.78	2,075	1.46
	2000	51,266	17,708	33558	1,702	3.32	2,596	5.06	11,953	23.32	18,983	37.03	3,161	6.17	10,688	20.85	472	0.92	807	1.57	420	0.82	484	0.94

8	2001	52,430	1,825	34176	1,790	3.41	2,689	5.13	12,223	23.31	19,033	36.30	3,301	6.30	11,031	21.04	521	0.99	921	1.76	419	0.80	502	0.96
	2002	53,654	18,629	35025	1,866	3.48	2,928	5.46	12,425	23.16	19,433	36.22	3,382	6.30	11,193	20.86	537	1.00	965	1.80	419	0.78	506	0.94
	2003	54,487	19,045	35442	1,990	3.65	3,201	5.87	12,593	23.11	19,420	35.64	3,458	6.35	11,262	20.67	564	1.04	1,009	1.85	440	0.81	550	1.01
	2004	56,607	20,062	36545	2,161	3.82	3,473	6.14	13,173	23.27	19,870	35.10	3,621	6.40	11,477	20.27	634	1.12	1,138	2.01	473	0.84	587	1.04
9	2000	132,521	64,264	68,257	6,567	4.96	4,310	3.25	46,602	35.17	43,208	32.60	7,471	5.64	16,212	12.23	2,394	1.81	2,704	2.04	1,230	0.93	1,823	1.38
	2001	134,585	64,699	69,886	6,744	5.01	4,582	3.40	46,663	34.67	43,886	32.61	7,597	5.64	16,738	12.44	2,480	1.84	2,821	2.10	1,215	0.90	1,859	1.38
	2002	129,972	59,588	70,384	4,932	3.79	4,505	3.47	43,438	33.42	44,172	33.99	7,522	5.79	16,960	13.05	2,483	1.91	2,912	2.24	1,213	0.93	1,835	1.41
	2003	130,976	60,420	70,556	5,181	3.96	4,594	3.51	43,955	33.56	44,195	33.74	7,581	5.79	16,915	12.91	2,548	1.95	3,025	2.31	1,155	0.88	1,827	1.39
	2004	132,984	62,487	70,197	5,920	4.45	4,885	3.67	45,079	33.90	43,425	32.65	7,647	5.75	16,926	12.73	2,678	2.01	3,154	2.37	1,163	0.87	1,807	1.36
10	2000	16,676	8,516	8,160	481	2.88	366	2.19	6,807	40.82	5,379	32.26	826	4.95	1,924	11.54	268	1.61	300	1.80	134	0.80	191	1.15
	2001	16,366	8,151	8,215	450	2.75	378	2.31	6,468	39.52	5,347	32.67	854	5.22	1,969	12.03	260	1.59	305	1.86	119	0.73	216	1.32
	2002	17,208	8,640	8,568	510	2.96	432	2.51	6,828	39.68	5,483	31.86	895	5.20	2,084	12.11	278	1.62	316	1.84	129	0.75	253	1.47
	2003	17,714	8,751	8,963	516	2.91	473	2.67	6,855	38.70	5,688	32.11	949	5.36	2,211	12.48	292	1.65	333	1.88	139	0.78	258	1.46
	2004	17,899	8,952	8,947	523	2.92	485	2.71	6,969	38.94	5,665	31.65	995	5.56	2,199	12.29	340	1.90	345	1.93	125	0.70	253	1.41
11	2000	185,896	97,115	88,781	7,502	4.04	5,845	3.14	74,817	40.25	59,957	32.25	9,423	5.07	17,649	9.49	3,879	2.09	3,590	1.93	1,481	0.80	1,740	0.94
	2001	183,335	96,121	87,657	7,632	4.16	5,784	3.15	73,779	40.24	58,376	31.84	9,337	5.09	17,609	9.60	3,878	2.12	3,700	2.02	1,495	0.82	1,745	0.95
	2002	191,301	101,764	89,537	9,735	5.09	6,402	3.35	76,710	40.10	59,118	30.90	9,627	5.03	18,119	9.47	4,174	2.18	4,046	2.11	1,518	0.79	1,852	0.97
	2003	192,832	102,679	90,153	10,373	5.38	6,751	3.50	76,760	39.81	59,149	30.67	9,673	5.02	18,237	9.46	4,336	2.25	4,165	2.16	1,537	0.80	1,851	0.96
	2004	197,640	106,298	91,342	11,399	5.77	7,174	3.63	78,645	39.79	59,282	29.99	1,031	0.52	18,457	9.34	4,675	2.37	4,551	2.30	1,548	0.78	1,878	0.95
12	2000	223,794	136,794	87,082	7,306	3.26	4,469	2.00	109,770	49.05	59,166	26.44	11,211	5.01	18,422	8.23	6,889	3.08	3,857	1.72	1,536	0.69	1,168	0.52
	2001	227,396	135,739	91,657	7,440	3.27	4,938	2.17	108,632	47.77	61,719	27.14	11,332	4.98	19,612	8.62	6,791	2.99	4,136	1.82	1,544	0.68	1,252	0.55
	2002	229,528	135,369	94,159	7,651	3.33	5,183	2.26	107,880	47.00	62,945	27.42	11,434	4.98	20,361	8.87	6,831	2.98	4,308	1.88	1,573	0.69	1,362	0.59
	2003	229,917	134,174	95,743	7,766	3.38	5,378	2.34	106,478	46.31	63,708	27.71	11,617	5.05	20,799	9.05	6,742	2.93	4,438	1.93	1,571	0.68	1,420	0.62
	2004	228,407	131,388	97,019	7,817	3.42	5,682	2.49	103,467	45.30	63,936	27.99	11,620	5.09	21,204	9.28	6,929	3.03	4,743	2.08	1,555	0.68	1,454	0.64
13	2000	184,270	123,707	60,563	5,514	2.99	2,415	1.31	102,824	55.80	43,093	23.39	8,501	4.61	11,847	6.43	5,703	3.09	2,571	1.40	1,165	0.63	637	0.35
	2001	190,568	126,165	64,403	5,768	3.03	2,661	1.40	104,141	54.65	45,357	23.80	8,999	4.72	12,869	6.75	6,070	3.19	2,827	1.48	1,187	0.62	689	0.36
	2002	196,528	128,835	67,693	6,086	3.10	2,917	1.48	105,734	53.80	47,183	24.01	9,381	4.77	13,794	7.02	6,428	3.27	3,088	1.57	1,206	0.61	711	0.36
	2003	200,069	130,004	70,065	6,238	3.12	3,147	1.57	106,363	53.16	48,391	24.19	9,630	4.81	14,513	7.25	6,565	3.28	3,269	1.63	1,208	0.60	745	0.37
	2004	204,393	132,145	72,248	6,715	3.29	3,370	1.65	107,451	52.57	49,466	24.20	9,946	4.87	15,047	7.36	6,847	3.35	3,585	1.75	1,186	0.58	780	0.38
14	2000	86,999	61,010	25,989	2,262	2.60	915	1.05	52,065	59.85	19,513	22.43	3,582	4.12	4,205	4.83	2,507	2.88	1,057	1.21	594	0.68	299	0.34
	2001	90,377	62,615	28,762	2,390	2.64	992	1.10	53,171	58.83	20,706	22.91	3,762	4.16	4,563	5.05	2,673	2.96	1,183	1.31	619	0.68	318	0.35
	2002	93,303	63,970	29,333	2,479	2.66	1,083	1.16	54,073	57.95	21,593	23.14	3,940	4.22	5,006	5.37	2,835	3.04	1,301	1.39	643	0.69	350	0.38
	2003	96,281	65,222	31,059	2,620	2.72	1,178	1.22	54,748	56.86	22,576	23.45	4,159	4.32	5,481	5.69	3,048	3.17	1,454	1.51	647	0.67	370	0.38
	2004	99,432	66,607	32,825	2,773	2.79	1,312	1.32	55,485	55.80	23,570	23.70	4,395	4.42	5,938	5.97	3,305	3.32	1,625	1.63	649	0.65	380	0.38
15	2000	54,046	40,443	13,603	1,276	2.36	498	0.92	34,937	64.64	10,543	19.51	1,832	3.39	1,595	2.95	2,113	3.91	858	1.59	285	0.53	109	0.20
	2001	55,029	40,870	14,159	1,351	2.46	516	0.94	35,191	63.95	10,952	19.90	1,807	3.28	1,648	2.99	2,226	4.05	934	1.70	295	0.54	109	0.20
	2002	56,831	41,845	14,986	1,406	2.47	542	0.95	35,905	63.18	11,592	20.40	1,892	3.33	1,741	3.06	2,328	4.10	1,001	1.76	314	0.55	110	0.19
	2003	59,314	43,163	16,151	1,491	2.51	595	1.00	36,844	62.12	12,424	20.95	1,999	3.37	1,883	3.17	2,499	4.21	1,124	1.89	330	0.56	125	0.21
	2004	61,416	44,148	17,268	1,578	2.57	653	1.06	37,530	61.11	13,214	21.52	2,044	3.33	2,023	3.29	2,643	4.30	1,239	2.02	353	0.57	139	0.23
TOTAL GS & GS RELATED	2000	1,382,865	691,576	691,289	46,388	3.35	43,708	3.16	530,223	38.34	433,951	31.38	73,727	5.33	168,616	12.19	30,451	2.20	28,466	2.06	10,787	0.78	16,548	1.20
	2001	1,400,942	701,278	699,664	48,426	3.46	45,326	3.24	535,252	38.21	437,172	31.21	75,061	5.36	170,513	12.17	31,510	2.25	29,691	2.12	11,029	0.79	16,962	1.21
	2002	1,410,278	710,069	700,209	50,344	3.57	46,126	3.27	539,988	38.29	436,382	30.94	75,764	5.37	169,180	12.00	32,871	2.33	31,070	2.20	11,102	0.79	17,451	1.24
	2003	1,411,611	715,003	696,608	52,168	3.70	47,044	3.33	542,274	38.42	432,989	30.67	76,163	5.40	167,966	11.90	33,503	2.37	31,413	2.23	10,895	0.77	17,196	1.22

	2004	1,418,500	721,019	697,481	54,107	3.81	48,558	3.42	543,855	38.34	430,506	30.35	77,268	5.45	168,134	11.85	34,917	2.46	33,123	2.34	10,878	0.77	17,160	1.21
TOTAL SENIOR PAY	2000	16,675	12,603	4,072	388	2.33	162	0.97	11,117	66.67	3,319	19.90	730	4.38	455	2.73	277	1.66	98	0.59	91	0.55	38	0.23
	2001	16,918	12,837	4,081	389	2.30	130	0.77	11,338	67.02	3,361	19.87	707	4.18	436	2.58	308	1.82	114	0.67	95	0.56	40	0.24
	2002	17,943	13,508	4,435	436	2.43	161	0.90	11,859	66.09	3,647	20.33	755	4.21	459	2.56	358	2.00	127	0.71	100	0.56	41	0.23
	2003	18,472	13,814	4,658	461	2.50	171	0.93	12,082	65.41	3,820	20.68	769	4.16	485	2.63	403	2.18	143	0.77	99	0.54	39	0.21
	2004	19,117	14,196	4,921	472	2.47	184	0.96	12,439	65.07	4,018	21.02	727	3.80	516	2.70	445	2.33	162	0.85	113	0.59	41	0.21
OTHER (NON GSR) **	2000	363,019	265,092	97,927	18,833	5.19	6,004	1.65	187,170	51.56	63,101	17.38	38,826	10.70	18,695	5.15	13,387	3.69	6,500	1.79	6,876	1.89	3,627	1.00
	2001	354,673	261,050	93,623	18,701	5.27	5,744	1.62	184,023	51.89	59,767	16.85	37,878	10.68	17,592	4.96	13,562	3.82	6,820	1.92	6,886	1.94	3,700	1.04
	2002	390,886	284,320	106,566	21,166	5.41	6,802	1.74	199,971	51.16	67,677	17.31	41,425	10.60	20,718	5.30	14,694	3.76	7,385	1.89	7,064	1.81	3,984	1.02
	2003	409,517	291,456	118,061	22,624	5.52	8,169	1.99	203,163	49.61	73,886	18.04	43,472	10.62	23,726	5.79	15,234	3.72	8,212	2.01	6,963	1.70	4,068	0.99
	2004	418,974	296,838	122,136	23,732	5.66	8,662	2.07	206,700	49.33	75,965	18.13	43,521	10.39	24,734	5.90	16,034	3.83	8,645	2.06	6,851	1.64	4,130	0.99

*Includes data for only those agencies reported by CPDF. Does not include data for AAFES, TVA, USPS, or intelligence gathering agencies. Separate data for "Native Hawaiian or Other Pacific Islander" was unavailable at time of publication. Percentages may not add to 100% due to rounding.

**Other (Non GSR) represents work force in pay banding systems.

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TABLE XII DEPARTMENT OR AGENCY WITH SECOND LEVEL REPORTING COMPONENTS

AGENCY	TOTAL ALL	TOTAL		HISPANIC				WHITE				BLACK				ASIAN AMERICAN / PACIFIC ISLANDER*				AMERICAN INDIAN / NATIVE ALASKAN			
		MALE	FEMALE	MALE		FEMALE		MALE		FEMALE		MALE		FEMALE		MALE		FEMALE		MALE		FEMALE	
		#	#	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Agriculture, Department of Second Level Reporting Components:																							
Agricultural Marketing Service	5,505	2,610	2,895	262	4.76	312	5.67	1,778	32.30	1,517	27.56	473	8.59	974	17.69	67	1.22	62	1.13	30	0.54	30	0.54
Agricultural Research Service	9,473	5,319	4,154	285	3.01	199	2.10	4,325	45.66	3,130	33.04	341	3.60	543	5.73	337	3.56	239	2.52	31	0.33	43	0.45
Animal and Plant Health Inspection Service	7,704	4,568	3,136	541	7.02	288	3.74	3,385	43.94	2,287	29.69	216	2.80	386	5.01	394	5.11	145	1.88	32	0.42	30	0.39
Farm Service Agency	6,129	2,803	3,326	113	1.84	106	1.73	2,420	39.48	2,661	43.42	197	3.21	473	7.72	29	0.47	42	0.69	44	0.72	44	0.72
Food and Nutrition Service	1,483	504	979	32	2.16	65	4.38	368	24.81	574	38.71	86	5.80	294	19.82	16	1.08	39	2.63	2	0.13	7	0.47
Food Safety and Inspection Service	10,192	5,898	4,294	382	3.75	193	1.89	4,599	45.12	2,602	25.53	558	5.47	1,303	12.78	280	2.75	95	0.93	79	0.78	101	0.99
Forest Service	43,414	27,264	16,150	1,978	4.56	928	2.14	23,209	53.46	13,598	31.32	676	1.56	744	1.71	381	0.88	311	0.72	1020	2.35	569	1.31
Grain Inspection, Packers & Stockyards Admin	763	536	227	9	1.18	7	0.92	388	50.85	145	19.00	124	16.25	66	8.65	7	0.92	6	0.79	8	1.05	3	0.39
National Finance Center	1,593	445	1,148	22	1.38	32	2.01	290	18.20	510	32.02	120	7.53	578	36.28	9	0.56	20	1.26	4	0.25	8	0.50
National Agricultural Statistics Service	1,093	527	566	17	1.56	25	2.29	434	39.71	418	38.24	54	4.94	97	8.87	15	1.37	22	2.01	7	0.64	4	0.37
Natural Resources Conservation Service	13,298	9,017	4,281	376	2.83	165	1.24	7,723	58.08	3,499	26.31	583	4.38	431	3.24	102	0.77	80	0.60	233	1.75	106	0.80
Rural Development	6,374	2,105	4,269	140	2.20	251	3.94	1,661	26.06	3,143	49.31	245	3.84	736	11.55	31	0.49	69	1.08	28	0.44	70	1.10
Commerce, Department of Second Level Reporting Components:																							
Bureau of the Census	11,296	3,774	7,522	206	1.82	378	3.35	2,827	25.03	5,339	47.26	531	4.70	1,525	13.50	191	1.69	199	1.76	19	0.17	81	0.72
International Trade Administration	1,818	894	924	39	2.15	30	1.65	758	41.69	598	32.89	60	3.30	245	13.48	37	2.04	51	2.81	0	0.00	0	0.00
National Institute of Standards & Technology	2,940	1,900	1,040	50	1.70	47	1.60	1,556	52.93	810	27.55	119	4.05	103	3.50	171	5.82	77	2.62	4	0.14	3	0.10
National Oceanic & Atmospheric Administration	12,379	8,468	3,911	206	1.66	121	0.98	7,498	60.57	2,882	23.28	386	3.12	690	5.57	323	2.61	191	1.54	55	0.44	27	0.22
Patent and Trademark Office	6,755	3,958	2,797	119	1.76	85	1.26	2,096	31.03	947	14.02	663	9.81	1,294	19.16	1,065	15.77	464	6.87	15	0.22	7	0.10
Defense [Summary - Independent DOD agencies]																							

Defense Commissary Agency	14,815	5,951	8,864	588	3.97	780	5.26	3,047	20.57	3,694	24.93	1,528	10.31	2,564	17.31	735	4.96	1,756	11.85	53	0.36	70	0.47
Defense Contract Audit Agency	4,050	2,079	1,971	111	2.74	130	3.21	1,698	41.93	1,350	33.33	141	3.48	302	7.46	121	2.99	184	4.54	8	0.20	5	0.12
Defense Contract Management Agency	11,122	6,835	4,287	341	3.07	244	2.19	5,575	50.13	3,050	27.42	576	5.18	808	7.26	289	2.60	151	1.36	54	0.49	34	0.31
Defense Education Activity	17,244	3,819	13,425	302	1.75	892	5.17	2,988	17.33	10,577	61.34	425	2.46	1,465	8.50	88	0.51	449	2.60	16	0.09	42	0.24
Defense Finance & Accounting	13,403	5,017	8,386	242	1.81	398	2.97	3,733	27.85	6,351	47.38	790	5.89	2,174	16.22	213	1.59	394	2.94	39	0.29	69	0.51
Defense Human Resources Activity	772	320	452	17	2.20	33	4.27	254	32.90	313	40.54	32	4.15	83	10.75	16	2.07	21	2.72	1	0.13	2	0.26
Defense Information Systems Agency	5,161	2,834	2,327	89	1.72	69	1.34	2,159	41.83	1,579	30.59	384	7.44	533	10.33	188	3.64	133	2.58	14	0.27	13	0.25
Defense Inspector General	3,711	2,330	1,381	69	1.86	49	1.32	1,643	44.27	854	23.01	541	14.58	433	11.67	58	1.56	44	1.19	19	0.51	1	0.03
Defense Logistics Agency	21,685	12,707	8,978	707	3.26	330	1.52	9,155	42.22	5,783	26.67	2,333	10.76	2,543	11.73	383	1.77	230	1.06	129	0.59	92	0.42
DOD Office of the Secretary	1,565	984	581	16	1.02	7	0.45	892	57.00	437	27.92	49	3.13	111	7.09	23	1.47	25	1.60	4	0.26	1	0.06
Defense Security Service	2,140	1,106	1,034	43	2.01	44	2.06	946	44.21	727	33.97	83	3.88	233	10.89	24	1.12	23	1.07	10	0.47	7	0.33
Defense Threat Reduction	1,045	582	463	50	4.78	40	3.83	426	40.77	288	27.56	79	7.56	122	11.67	24	2.30	12	1.15	3	0.29	1	0.10
Health and Human Services Second Level Reporting Components:																							
Administration for Children and Families	1,360	475	885	35	2.57	36	2.65	327	24.04	404	29.71	85	6.25	399	29.34	17	1.25	31	2.28	11	0.81	15	1.10
Centers for Disease Control and Prevention	8,060	3,217	4,843	117	1.45	144	1.79	2,383	29.57	2,954	36.65	483	5.99	1,455	18.05	218	2.70	267	3.31	16	0.20	23	0.29
Centers for Medicare & Medicaid Services	4,581	1,661	2,920	59	1.29	152	3.32	1,286	28.07	1,741	38.00	228	4.98	871	19.01	73	1.59	125	2.73	15	0.33	31	0.68
Food and Drug Administration	11,476	5,730	5,746	279	2.43	295	2.57	4,345	37.86	3,765	32.81	502	4.37	1,134	9.88	586	5.11	529	4.61	18	0.16	23	0.20
Health Resources and Services Administration	1,385	408	977	29	2.09	42	3.03	274	19.78	508	36.68	92	6.64	387	27.94	11	0.79	35	2.53	2	0.14	5	0.36
Indian Health Service	13,192	3,692	9,500	79	0.60	90	0.68	1,007	7.63	1,554	11.78	38	0.29	65	0.49	50	0.38	53	0.40	2518	19.09	7738	58.66
National Institutes of Health	17,736	7,507	10,229	288	1.62	329	1.85	5,005	28.22	6,268	35.34	1,011	5.70	2,440	13.76	1,170	6.60	1,153	6.50	33	0.19	39	0.22
Homeland Security, Department of Second Level Reporting Components:																							
Bureau of Citizenship and Immigration Services	8,801	3,397	5,404	466	5.29	901	10.24	2,140	24.32	2,767	31.44	369	4.19	1,171	13.31	402	4.57	526	5.98	20	0.23	39	0.44
Bureau of Customs & Border Protection	40,645	29,924	10,721	10,143	24.96	2560	6.30	16,758	41.23	5,696	14.01	1,489	3.66	1,784	4.39	1,357	3.34	616	1.52	177	0.44	65	0.16

Federal Emergency Management Agency	20,600	11,804	8,796	710	3.45	693	3.36	10,053	48.80	6,712	32.58	697	3.38	1,141	5.54	242	1.17	164	0.80	102	0.50	86	0.42
Federal Law Enforcement Training Center	1,032	731	301	26	2.52	13	1.26	654	63.37	238	23.06	34	3.29	39	3.78	5	0.48	7	0.68	112	10.85	4	0.39
Immigrations and Customs Enforcement	16,141	11,518	4,623	2,362	14.63	874	5.41	7,819	48.44	2,568	15.91	934	5.79	970	6.01	322	1.99	184	1.14	81	0.50	27	0.17
Transportation Security Administration	60,719	40,307	20,412	5,203	8.57	2328	3.83	25,708	42.34	11,415	18.80	6,981	11.50	5,641	9.29	2,059	3.39	811	1.34	356	0.59	217	0.36
United States Coast Guard	6,872	4,400	2,472	191	2.78	112	1.63	3,557	51.76	1,570	22.85	462	6.72	661	9.62	158	2.30	113	1.64	32	0.47	16	0.23
United States Secret Service	6,501	4,851	1,650	247	3.80	129	1.98	3,891	59.85	976	15.01	551	8.48	476	7.32	134	2.06	61	0.94	28	0.43	8	0.12
Interior, Department of the Second Level Reporting Components:																							
Bureau of Indian Affairs	10,804	5,339	5,465	79	0.73	67	0.62	831	7.69	475	4.40	22	0.20	13	0.12	14	0.13	7	0.06	4393	40.66	4903	45.38
Bureau of Land Management	12,217	7,935	4,282	479	3.92	327	2.68	6,974	57.08	3,469	28.39	151	1.24	244	2.00	94	0.77	78	0.64	237	1.94	164	1.34
Bureau of Reclamation	5,905	3,841	2,064	295	5.00	183	3.10	3,244	54.94	1,629	27.59	99	1.68	93	1.57	99	1.68	74	1.25	104	1.76	85	1.44
Fish and Wildlife Service	9,944	6,022	3,922	274	2.76	209	2.10	5,265	52.95	3,232	32.50	179	1.80	266	2.67	88	0.88	111	1.12	216	2.17	104	1.05
Geological Survey	9,427	5,903	3,524	184	1.95	172	1.82	5,388	57.15	2,930	31.08	139	1.47	237	2.51	140	1.49	141	1.50	52	0.55	44	0.47
Minerals Management Service	1,761	882	879	32	1.82	65	3.69	733	41.62	647	36.74	69	3.92	124	7.04	38	2.16	30	1.70	10	0.57	13	0.74
National Park Service	23,788	14,926	8,862	710	2.98	387	1.63	12,338	51.87	7,242	30.44	1,119	4.70	767	3.22	292	1.23	234	0.98	467	1.96	232	0.98
Ofc of Surface Mining Reclamation & Enforcement	564	332	232	6	1.06	12	2.13	300	53.19	154	27.30	16	2.84	60	10.64	7	1.24	4	0.71	3	0.53	2	0.35
Justice, Department of Second Level Reporting Components:																							
Bureau of Alcohol, Tobacco, Firearms, Explosives	4,691	2,894	1,797	204	4.35	103	2.20	2,294	48.90	1,124	23.96	296	6.31	515	10.98	69	1.47	48	1.02	31	0.66	7	0.15
Drug Enforcement Administration	9,230	5,890	3,340	539	5.84	363	3.93	4,682	50.73	2,005	21.72	492	5.33	854	9.25	154	1.67	105	1.14	23	0.25	13	0.14
Executive Office of the U.S. Attorneys	11,591	4,663	6,928	285	2.46	677	5.84	3,814	32.90	4,589	39.59	382	3.30	1,373	11.85	165	1.42	242	2.09	17	0.15	47	0.41
Federal Bureau of Investigation	28,637	15,714	12,923	1,028	3.59	823	2.87	12,850	44.87	8,745	30.54	1,187	4.14	2,948	10.29	579	2.02	341	1.19	70	0.24	66	0.23
Federal Bureau of Prisons	34,146	24,558	9,588	2,870	8.41	944	2.76	16,363	47.92	5,636	16.51	4,457	13.05	2,674	7.83	488	1.43	208	0.61	380	1.11	126	0.37
U.S. Marshals Service	4,528	3,263	1,265	283	6.25	157	3.47	2,629	58.06	807	17.82	243	5.37	244	5.39	84	1.86	44	0.97	24	0.53	13	0.29
Labor, Department of Second Level Reporting Components:																							
Bureau of Labor Statistics	2,542	1,303	1,239	31	1.22	39	1.53	1,027	40.40	712	28.01	154	6.06	410	16.13	85	3.34	73	2.87	6	0.24	5	0.20
Employment Standards Administration	3,921	1,553	2,368	221	5.64	262	6.68	968	24.69	1,098	28.00	271	6.91	873	22.26	80	2.04	119	3.03	13	0.33	16	0.41

Employment and Training Administration	1,243	491	752	44	3.54	70	5.63	325	26.15	301	24.22	101	8.13	342	27.51	16	1.29	30	2.41	5	0.40	9	0.72
Mine Safety & Health Administration	2,149	1,604	545	42	1.95	17	0.79	1,508	70.17	450	20.94	41	1.91	69	3.21	6	0.28	6	0.28	7	0.33	3	0.14
Occupational Safety & Health Administration	2,198	1,255	943	76	3.46	67	3.05	1,004	45.68	580	26.39	118	5.37	254	11.56	41	1.87	32	1.46	16	0.73	10	0.45
NASA Second Level Reporting Components:																							
Ames Research Center	1,456	984	472	60	4.12	47	3.23	716	49.18	278	19.09	38	2.61	40	2.75	162	11.13	99	6.80	8	0.55	8	0.55
Dryden Flight Center	579	448	131	37	6.39	17	2.94	343	59.24	85	14.68	18	3.11	17	2.94	43	7.43	8	1.38	7	1.21	4	0.69
Glenn Research Center	1,923	1,366	557	63	3.28	29	1.51	1,092	56.79	410	21.32	110	5.72	87	4.52	95	4.94	26	1.35	6	0.31	5	0.26
Goddard Space Flight Center	3,361	2,117	1,244	74	2.20	37	1.10	1,667	49.60	824	24.52	217	6.46	311	9.25	153	4.55	69	2.05	6	0.18	3	0.09
Johnson Space Center	3,113	1,984	1,129	149	4.79	111	3.57	1,593	51.17	810	26.02	108	3.47	149	4.79	118	3.79	47	1.51	16	0.51	12	0.39
Kennedy Space Center	1,965	1,301	664	134	6.82	49	2.49	1,033	52.57	500	25.45	73	3.72	87	4.43	53	2.70	19	0.97	8	0.41	9	0.46
Langley Research Center	2,253	1,582	671	40	1.78	13	0.58	1,319	58.54	495	21.97	118	5.24	138	6.13	91	4.04	21	0.93	14	0.62	4	0.18
Marshall Flight Center	2,738	1,793	945	38	1.39	14	0.51	1,564	57.12	719	26.26	115	4.20	188	6.87	53	1.94	12	0.44	23	0.84	12	0.44
Stennis Space Center	306	191	115	8	2.61	3	0.98	161	52.61	95	31.05	15	4.90	15	4.90	6	1.96	1	0.33	1	0.33	1	0.33
Transportation, Department of Second Level Reporting Components:																							
Federal Aviation Administration	47,792	36,009	11,783	1,941	4.06	680	1.42	29,814	62.38	8,419	17.62	2,479	5.19	2,068	4.33	1,193	2.50	385	0.81	582	1.22	231	0.48
Federal Highway Administration	2,879	1,826	1,053	106	3.68	43	1.49	1,452	50.43	684	23.76	139	4.83	279	9.69	119	4.13	41	1.42	10	0.35	6	0.21
Treasury, Department of the Second Level Reporting Components:																							
Bureau of Engraving and Printing	2,343	1,705	638	88	3.76	18	0.77	924	39.44	168	7.17	654	27.91	436	18.61	32	1.37	13	0.55	7	0.30	3	0.13
Bureau of Public Debt	1,839	622	1,217	9	0.49	14	0.76	567	30.83	1,136	61.77	38	2.07	54	2.94	6	0.33	8	0.44	2	0.11	5	0.27
Financial Management Service	2,081	795	1,286	40	1.92	55	2.64	432	20.76	403	19.37	251	12.06	762	36.62	71	3.41	60	2.88	1	0.05	6	0.29
Internal Revenue Service	95,620	33,274	62,346	2,450	2.56	5500	5.75	24,603	25.73	35,741	37.38	4,494	4.70	18,386	19.23	1,481	1.55	2,143	2.24	246	0.26	576	0.60
Office of the Comptroller of the Currency	2,717	1,472	1,245	56	2.06	67	2.47	1,200	44.17	824	30.33	150	5.52	293	10.78	46	1.69	54	1.99	20	0.74	7	0.26
Office of Thrift Supervision	881	587	294	18	2.04	16	1.82	496	56.30	171	19.41	40	4.54	83	9.42	30	3.41	21	2.38	3	0.34	3	0.34
U.S. Mint	2,071	1,432	639	133	6.42	62	2.99	871	42.06	245	11.83	305	14.73	266	12.84	111	5.36	62	2.99	12	0.58	4	0.19
U.S. Postal Service Second Level Reporting Components:																							
Headquarters	9,858	5,888	3,970	332	3.37	192	1.95	4,206	42.67	2,211	22.43	952	9.66	1,255	12.73	368	3.73	290	2.94	30	0.30	22	0.22
Capital Metro	33,592	20,203	13,389	422	1.26	210	0.63	8,712	25.93	4,989	14.85	9,156	27.26	6,996	20.83	1,858	5.53	1,160	3.45	55	0.16	34	0.10
Eastern Area	106,660	66,926	39,734	887	0.83	426	0.40	53,763	50.41	29,131	27.31	11,380	10.67	9,526	8.93	693	0.65	496	0.47	203	0.19	155	0.15

Great Lakes Area	91,116	49,925	41,191	1,453	1.59	877	0.96	35,119	38.54	24,265	26.63	11,559	12.69	14,651	16.08	1,614	1.77	1,251	1.37	180	0.20	147	0.16
New York Metro Area	68,629	45,505	23,124	7,332	10.68	3086	4.50	24,116	35.14	7,781	11.34	8,803	12.83	9,168	13.36	5,087	7.41	2,974	4.33	167	0.24	115	0.17
Northeast Area	57,299	38,354	18,945	685	1.20	292	0.51	35,491	61.94	16,942	29.57	1,508	2.63	1,281	2.24	562	0.98	367	0.64	108	0.19	63	0.11
Pacific Area	96,500	60,447	36,053	11,405	11.82	6589	6.83	22,755	23.58	13,882	14.39	7,544	7.82	6,563	6.80	18,393	19.06	8,670	8.98	350	0.36	349	0.36
Southeast Area	81,113	48,201	32,912	3,730	4.60	1625	2.00	30,206	37.24	20,002	24.66	13,205	16.28	10,658	13.14	892	1.10	502	0.62	168	0.21	125	0.15
Southwest Area	69,899	42,647	27,252	7,960	11.39	2986	4.27	22,386	32.03	14,285	20.44	10,490	15.01	8,643	12.36	1,375	1.97	956	1.37	436	0.62	382	0.55
Western Area	89,443	56,055	33,388	2,569	2.87	1199	1.34	46,815	52.34	27,822	31.11	3,117	3.48	1,794	2.01	3,129	3.50	2,117	2.37	425	0.48	456	0.51
Veterans Affairs, Department of Second Level Reporting Components:																							
Veterans Health Administration	217,990	89,108	128,882	7,221	3.31	7746	3.55	55,462	25.44	78,890	36.19	19,714	9.04	31,790	14.58	5,934	2.72	9,320	4.28	777	0.36	1136	0.52
Veterans Benefits Administration	12,844	6,241	6,603	384	2.99	365	2.84	4,369	34.02	4,004	31.17	1,257	9.79	1,972	15.35	167	1.30	175	1.36	64	0.50	87	0.68
National Cemetery Administration	1,542	1,215	327	130	8.43	28	1.82	811	52.59	209	13.55	217	14.07	79	5.12	45	2.92	7	0.45	12	0.78	4	0.26

* Separate data for "Native Hawaiian or Other Pacific Islander" was unavailable at time of publication.

Percentages may not add to 100% due to rounding.

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The U.S. Equal Employment Opportunity Commission

Table 1 Total Workforce Counselings Complaints

Agency Name	Total Work Force*	No. Completed Counselings	No. Individuals with Completed Counselings	Counseled Individuals as % of Total Work Force	Number Complaints Filed	Number Complainants	No. Complainants as % of Total Work Force
Agency for International Development	2,222	27	23	1.04	13	11	0.50
Armed Forces Retirement Home	506	5	5	0.99	5	5	0.99
Broadcasting Board of Governors	1,829	149	108	5.90	24	24	1.31
Central Intelligence Agency	0	38	38		14	14	
Commodity Futures Trading Commission	505	100	100	19.80	1	1	0.20
Consumer Product Safety Commission	465	10	10	2.15	2	2	0.43
Corporation for National and Community Service	601	14	14	2.33	3	2	0.33
Court Services and Offender Supervision Agency for the District of Columbia	1,055	10	10	0.95	6	6	0.57
Defense Army and Air Force Exchange Service	38,274	309	294	0.77	123	117	0.31
Defense Commissary Agency	15,724	222	220	1.40	157	153	0.97
Defense Contract Audit Agency	4,083	62	50	1.22	36	32	0.78
Defense Contract Management Agency	11,096	77	77	0.69	47	45	0.41
Defense Dependent Education Activity	17,691	112	112	0.63	36	35	0.20
Defense Finance and Accounting Service	13,638	184	156	1.14	99	84	0.62
Defense Human Resource Activity	776	5	5	0.64	4	4	0.52
Defense Information Systems Agency	5,189	49	45	0.87	13	12	0.23
Defense Intelligence Agency	0	10	10		12	12	

Defense Logistics Agency	21,435	482	419	1.95	140	135	0.63
Defense National Geospatial-Intelligence	0	54	40		28	27	
Defense National Guard Bureau	76,444	188	187	0.24	46	41	0.05
Defense National Security Agency	17,409	60	59	0.34	23	23	0.13
Defense Nuclear Facilities Safety Board	97	0	0	0.00	0	0	0.00
Defense Office of the Inspector General	1,289	51	51	3.96	0	0	0.00
Defense, Office of the Secretary	5,720	49	45	0.79	34	29	0.51
Defense Security Service	2,159	22	21	0.97	13	12	0.56
Defense Threat Reduction Agency	1,043	13	13	1.25	7	6	0.58
Defense Uniformed Services University	730	4	4	0.55	2	2	0.27
Department of Agriculture	123,751	1,234	1,151	0.93	658	581	0.47
Department of Commerce	38,734	280	266	0.69	151	148	0.38
Department of Education	4,614	53	51	1.11	38	38	0.82
Department of Energy	13,819	128	118	0.85	81	74	0.54
Department of Health and Human Services	64,991	470	440	0.68	244	234	0.36
Department of Homeland Security	160,749	2,447	2,364	1.47	1,254	1,204	0.75
Department of Housing and Urban Development	10,135	154	149	1.47	123	120	1.18
Department of Justice	103,914	1,835	1,616	1.56	610	599	0.58
Department of Labor	15,855	221	179	1.13	160	123	0.78
Department of State	28,716	90	103	0.36	77	75	0.26
Department of the Air Force	141,147	1,652	1,435	1.02	669	605	0.43
Department of the Army	226,632	2,016	1,934	0.85	1,002	978	0.43
Department of the Interior	77,519	568	560	0.72	326	309	0.40
Department of the Navy	194,763	1,250	1,192	0.61	611	572	0.29
Department of the Treasury	128,317	1,661	1,470	1.15	804	759	0.59
Department of Transportation	56,343	821	776	1.38	493	477	0.85

Department of Veterans Affairs	235,345	4,129	3,904	1.66	2,220	2,025	0.86
Environmental Protection Agency	18,696	125	112	0.60	71	69	0.37
EOP - National Drug Control Policy	120	0	0	0.00	0	0	0.00
EOP - Office of Administration	214	4	4	1.87	1	1	0.47
EOP - Office of Management and Budget	498	0	0	0.00	0	0	0.00
EOP - Office of the U.S. Trade Representative	203	1	1	0.49	0	0	0.00
Equal Employment Opportunity Commission	2,479	49	46	1.86	31	30	1.21
Export-Import Bank of the US	410	6	6	1.46	7	5	1.22
Farm Credit Administration	286	3	3	1.05	0	0	0.00
Federal Communications Commission	1,967	15	15	0.76	6	6	0.31
Federal Deposit Insurance Corporation	5,246	53	50	0.95	35	31	0.59
Federal Election Commission	379	0	0	0.00	0	0	0.00
Federal Energy Regulatory Commission	1,212	7	7	0.58	3	3	0.25
Federal Housing Finance Board	116	2	2	1.72	2	2	1.72
Federal Labor Relations Authority	186	4	3	1.61	3	2	1.08
Federal Maritime Commission	129	11	11	8.53	1	1	0.78
Federal Mediation and Conciliation Service	280	1	1	0.36	1	1	0.36
Federal Reserve System--Board of Governors	1,827	17	17	0.93	3	3	0.16
Federal Retirement Thrift Investment Board	94	4	4	4.26	2	2	2.13
Federal Trade Commission	1,104	21	17	1.54	6	4	0.36
General Services Administration	12,810	144	130	1.01	89	73	0.57
Government Printing Office	2,401	65	52	2.17	34	33	1.37
Holocaust Memorial Museum U.S.	376	3	3	0.80	0	0	0.00

International Boundary and Water Commission	252	5	4	1.59	5	4	1.59
International Trade Commission	359	2	2	0.56	0	0	0.00
John F. Kennedy Center for the Performing Arts	1,076	4	4	0.37	2	2	0.19
Merit Systems Protection Board	219	4	4	1.83	1	1	0.46
National Aeronautics and Space Administration	19,533	119	92	0.47	38	38	0.19
National Archives and Records Administration	3,067	53	50	1.63	11	11	0.36
National Credit Union Administration	915	7	7	0.77	5	5	0.55
National Endowment for the Arts	165	65	35	21.21	0	0	0.00
National Endowment for the Humanities	159	0	0	0.00	0	0	0.00
National Gallery of Art	805	11	11	1.37	9	9	1.12
National Labor Relations Board	1,959	24	23	1.17	9	9	0.46
National Science Foundation	1,348	7	5	0.37	3	3	0.22
National Transportation Safety Board	432	4	4	0.93	4	4	0.93
Nuclear Regulatory Commission	3,179	27	25	0.79	12	12	0.38
Office of Personnel Management	3,698	109	108	2.92	66	66	1.78
Office of Special Counsel	104	2	2	1.92	0	0	0.00
Overseas Private Investment Corporation	209	2	2	0.96	1	1	0.48
Peace Corps	852	10	10	1.17	4	4	0.47
Pension Benefit Guaranty Corporation	799	12	7	0.88	13	8	1.00
Railroad Retirement Board	1,099	4	4	0.36	2	2	0.18
Securities and Exchange Commission	3,829	39	34	0.89	25	21	0.55
Selective Service System	148	3	3	2.03	3	3	2.03
Small Business Administration	4,464	54	54	1.21	23	22	0.49
Smithsonian Institution	6,248	36	30	0.48	23	18	0.29

Social Security Administration	65,758	725	667	1.01	459	425	0.65
Tennessee Valley Authority	12,742	130	122	0.96	53	50	0.39
U.S. Postal Service	807,596	19,101	18,875	2.34	7,549	7,139	0.88
U.S. Tax Court	248	3	3	1.21	0	0	0.00
Cabinet Level Subtotal	2,665,737	40,063	38,391	1.44	17,890	16,829	0.63
Midsize Agencies Subtotal	145,497	1,386	1,257	0.86	791	726	0.50
Small Agencies Subtotal	46,385	963	847	1.83	343	323	0.70
Grand Total	2,857,619	42,412	40,495	1.42	19,024	17,878	0.63

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Table 2 Complaints Filed Bases and Issues

ALLEGATION ISSUES	TITLE VII										EQUAL PAY ACT		ADEA	REHABILITATION ACT		ALL STATUTES	TOTALS		
	RACE AND COLOR					RELIGION	SEX		NATIONAL ORIGIN										
	AMERICAN INDIAN / ALASKAN NATIVE	ASIAN AMERICAN / PACIFIC ISLANDER	BLACK	WHITE	COLOR		MALE	FEMALE	HISPANIC	OTHER	MALE	FEMALE	AGE	MENTAL	PHYSICAL	REPRISAL	BASES BY ISSUE	COMPLAINTS BY ISSUE	COMPLAINANTS BY ISSUE
APPOINTMENT/ HIRE	5	27	172	63	114	72	146	170	51	75	0	0	414	60	168	192	1,729	990	887
ASSIGNMENT OF DUTIES	13	40	464	142	185	104	244	421	107	82	0	0	471	101	371	688	3,433	1,757	1,654
AWARDS	9	16	116	42	47	26	58	85	16	32	0	0	116	14	47	186	810	362	345
CONVERSION TO FULL-TIME	1	1	10	1	2	5	7	9	3	6	0	0	10	2	10	9	76	50	49
DEMOTION	3	4	28	16	15	7	23	20	6	7	0	0	47	6	17	50	249	117	116
REPRIMAND	6	38	263	115	132	68	188	240	68	59	0	0	270	70	213	511	2,241	612	594
SUSPENSION	9	32	263	89	134	81	158	204	64	73	0	0	264	79	163	474	2,087	981	945
REMOVAL	5	26	251	74	115	58	120	165	42	52	0	0	162	102	225	280	1,677	905	874
OTHER DISCIPLINE	10	9	59	7	17	5	22	56	82	8	0	0	71	27	78	102	553	382	230
DUTY HOURS	9	33	182	78	77	108	129	186	42	41	0	0	206	47	280	291	1,709	815	791
EVALUATION/ APPRAISAL	11	35	354	90	135	70	170	268	59	103	0	0	315	71	178	626	2,485	1,154	1,063
EXAMINATION/ TEST	0	4	18	8	7	6	8	16	5	7	0	0	17	6	11	24	137	66	64
NON-SEXUAL HARASSMENT	61	133	1,206	484	443	399	643	1,324	329	299	0	0	1,137	407	1,022	2,387	10,274	5,175	4,824
SEXUAL HARASSMENT							133	497								155	785	782	762
MEDICAL EXAMINATION	0	2	19	6	6	11	7	17	3	3	0	0	18	23	34	41	190	82	80
PAY INCLUDING OVERTIME	3	16	110	55	55	64	109	116	34	38	20	80	150	28	124	241	1,243	621	601
PROMOTION/NON-SELECTION	54	149	1,140	380	548	315	641	732	301	308	0	0	1,606	104	459	1,331	8,068	3,892	3,588
DENIED REASSIGNMENT	9	13	115	52	58	36	71	109	30	36	0	0	145	29	160	173	1,036	491	459
DIRECTED REASSIGNMENT	9	11	122	57	40	36	78	127	32	25	0	0	164	16	111	245	1,073	564	543
REASONABLE ACCOMODATION						82								177	801	327	1,387	1,030	1,004
REINSTATEMENT	2	4	19	8	3	5	5	6	9	3	0	0	15	11	19	18	127	78	76
RETIREMENT	1	0	61	9	13	11	16	25	8	47	0	0	64	12	40	34	341	164	155
TERMINATION	13	53	279	91	159	109	146	258	80	106	0	0	325	136	347	378	2,480	1,369	1,333
TERMS/ CONDITIONS OF EMPLOYMENT	14	60	579	244	289	169	360	637	153	165	0	0	585	149	597	1,058	5,059	2,474	2,341
TIME AND ATTENDANCE	10	28	264	116	246	101	157	320	60	56	0	0	301	113	342	553	2,667	1,135	1,099
TRAINING	13	15	150	32	65	28	68	122	30	32	0	0	164	32	72	219	1,042	511	483
OTHER	0	8	73	18	21	9	24	55	11	19	0	0	36	17	35	104	430	209	205
TOTAL ISSUES BY BASES	270	757	6,317	2,277	2,926	1,985	3,731	6,185	1,625	1,682	20	80	7,073	1,839	5,924	10,697			

TOTAL COMPLAINTS FILED BY BASES	186	541	5,021	1,894	2,183	1,481	2,925	4,613	1,282	1,214	20	76	5,449	1,326	4,518	7,782			
TOTAL COMPLAINANTS BY BASES	162	497	4,559	1,738	1,856	1,371	2,666	4,234	1,073	1,094	20	74	5,020	1,222	4,229	6,665			

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Table 3 All Timely Completed Counselings

Agency Name	Number Timely within 30 Days	Number Timely with Written Extension	Number Timely with ADR Participation	Total Number Timely Completed	Total Number Counseled (excluding remands)	Percentage Timely Completed Counselings (excluding remands)
Agency for International Development	7	16	0	23	27	85.19
Armed Forces Retirement Home	1	0	0	1	5	20.00
Broadcasting Board of Governors	134	13	2	149	149	100.00
Central Intelligence Agency	14	15	2	31	37	83.78
Commodity Futures Trading Commission	90	0	2	92	100	92.00
Consumer Product Safety Commission	7	0	3	10	10	100.00
Corporation for National and Community Service	8	0	2	10	14	71.43
Court Services and Offender Supervision Agency for the District of Columbia	0	2	1	3	10	30.00
Defense Army and Air Force Exchange Service	183	53	51	287	309	92.88
Defense Commissary Agency	134	44	21	199	222	89.64
Defense Contract Audit Agency	15	22	8	45	62	72.58
Defense Contract Management Agency	53	11	6	70	87	80.46

Defense Dependent Education Activity	99	9	14	122	112	108.93
Defense Finance and Accounting Service	47	112	16	175	184	95.11
Defense Human Resource Activity	1	3	1	5	5	100.00
Defense Information Systems Agency	34	13	0	47	49	95.92
Defense Intelligence Agency	0	6	0	6	10	60.00
Defense Logistics Agency	371	15	53	439	481	91.27
Defense National Geospatial-Intelligence	25	3	0	28	28	100.00
Defense National Guard Bureau	147	15	0	162	229	70.74
Defense National Security Agency	12	44	0	56	60	93.33
Defense Nuclear Facilities Safety Board	0	0	0	0	0	0.00
Defense Office of the Inspector General	50	0	0	50	51	98.04
Defense, Office of the Secretary	15	14	1	30	48	62.50
Defense Security Service	11	5	0	16	22	72.73
Defense Threat Reduction Agency	8	2	0	10	13	76.92
Defense Uniformed Services University	4	0	0	4	4	100.00
Department of Agriculture	398	217	311	926	1,231	75.22
Department of Commerce	62	126	31	219	280	78.21
Department of Education	14	0	1	15	53	28.30
Department of Energy	42	31	19	92	127	72.44
Department of Health and Human Services	128	134	85	347	470	73.83

Department of Homeland Security	907	487	463	1,857	2,446	75.92
Department of Housing and Urban Development	64	64	25	153	154	99.35
Department of Justice	1,431	244	55	1,730	1,819	95.11
Department of Labor	115	52	39	206	221	93.21
Department of State	17	0	5	22	90	24.44
Department of the Air Force	670	267	335	1,272	1,644	77.37
Department of the Army	883	129	238	1,250	2,016	62.00
Department of the Interior	258	185	48	491	568	86.44
Department of the Navy	505	140	144	789	1,250	63.12
Department of the Treasury	767	557	319	1,643	1,661	98.92
Department of Transportation	356	196	52	604	821	73.57
Department of Veterans Affairs	3,468	190	366	4,024	4,119	97.69
Environmental Protection Agency	40	52	0	92	122	75.41
EOP - National Drug Control Policy	0	0	0	0	0	0.00
EOP - Office of Administration	3	1	0	4	4	100.00
EOP - Office of Management and Budget	0	0	0	0	0	0.00
EOP - Office of the U.S. Trade Representative	1	0	0	1	1	100.00
Equal Employment Opportunity Commission	12	17	5	34	49	69.39
Export-Import Bank of the US	5	0	1	6	6	100.00
Farm Credit Administration	1	0	2	3	3	100.00

Federal Communications Commission	13	0	0	13	15	86.67
Federal Deposit Insurance Corporation	30	0	21	51	53	96.23
Federal Election Commission	0	0	0	0	0	0.00
Federal Energy Regulatory Commission	7	0	0	7	7	100.00
Federal Housing Finance Board	1	1	0	2	2	100.00
Federal Labor Relations Authority	1	3	0	4	4	100.00
Federal Maritime Commission	11	0	0	11	11	100.00
Federal Mediation and Conciliation Service	1	0	0	1	1	100.00
Federal Reserve System--Board of Governors	14	2	1	17	17	100.00
Federal Retirement Thrift Investment Board	4	0	0	4	4	100.00
Federal Trade Commission	16	4	0	20	21	95.24
General Services Administration	57	59	20	136	144	94.44
Government Printing Office	32	7	5	44	65	67.69
Holocaust Memorial Museum U.S.	3	0	0	3	3	100.00
International Boundary and Water Commission	4	1	0	5	5	100.00
International Trade Commission	0	1	1	2	2	100.00
John F. Kennedy Center for the Performing Arts	1	3	0	4	4	100.00
Merit Systems Protection Board	3	0	1	4	4	100.00
National Aeronautics and Space Administration	56	46	7	109	119	91.60

National Archives and Records Administration	41	7	4	52	53	98.11
National Credit Union Administration	3	3	1	7	7	100.00
National Endowment for the Arts	54	11	0	65	65	100.00
National Endowment for the Humanities	0	0	0	0	0	0.00
National Gallery of Art	3	0	0	3	11	27.27
National Labor Relations Board	8	6	0	14	24	58.33
National Science Foundation	6	0	0	6	7	85.71
National Transportation Safety Board	3	0	0	3	4	75.00
Nuclear Regulatory Commission	3	17	2	22	27	81.48
Office of Personnel Management	25	50	3	78	109	71.56
Office of Special Counsel	2	0	0	2	2	100.00
Overseas Private Investment Corporation	0	2	0	2	2	100.00
Peace Corps	0	10	0	10	10	100.00
Pension Benefit Guaranty Corporation	0	2	0	2	12	16.67
Railroad Retirement Board	2	2	0	4	4	100.00
Securities and Exchange Commission	7	24	7	38	39	97.44
Selective Service System	3	0	0	3	3	100.00
Small Business Administration	22	22	0	44	54	81.48
Smithsonian Institution	21	8	7	36	36	100.00
Social Security Administration	140	286	98	524	725	72.28

Tennessee Valley Authority	66	7	52	125	130	96.15
U.S. Postal Service	3,972	3,848	5,194	13,014	19,095	68.15
U.S. Tax Court	3	0	0	3	3	100.00
Cabinet Level Subtotal	15,266	7,238	7,901	30,405	40,041	75.93
Midsize Agencies Subtotal	432	480	205	1,117	1,383	80.77
Small Agencies Subtotal	557	220	45	822	962	85.45
Grand Total	16,255	7,938	8,151	32,344	42,386	76.31

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Table 4 Outcomes of All Pre-Complaint Closures

Agency Name	# Completed Counselings	# Settlements	% Settlements	# Withdrawals/ No Complaint Filings	% Withdrawals/ No Complaint Filings	Total # Resolutions	% Resolutions	# Complaint Filings	% Complaint Filings	# Decision to File Complaint Pending	% Decision to File Complaint Pending
Agency for International Development	27	1	3.70	10	37.04	11	40.74	12	44.44	4	14.81
Armed Forces Retirement Home	5	0	0.00	0	0.00	0	0.00	5	100.00	0	0.00
Broadcasting Board of Governors	149	1	0.67	119	79.87	120	80.54	24	16.11	5	3.36
Central Intelligence Agency	38	1	2.63	19	50.00	20	52.63	14	36.84	4	10.53
Commodity Futures Trading Commission	100	0	0.00	99	99.00	99	99.00	1	1.00	0	0.00
Consumer Product Safety Commission	10	4	40.00	4	40.00	8	80.00	2	20.00	0	0.00
Corporation for National and Community Service	14	1	7.14	9	64.29	10	71.43	2	14.29	2	14.29
Court Services and Offender Supervision Agency for the District of Columbia	10	3	30.00	1	10.00	4	40.00	6	60.00	0	0.00
Defense Army and Air Force Exchange Service	309	40	12.95	151	48.87	191	61.81	118	38.19	0	0.00
Defense Commissary Agency	222	43	19.37	40	18.02	83	37.39	134	60.36	5	2.25
Defense Contract Audit Agency	62	3	4.84	22	35.48	25	40.32	35	56.45	2	3.23
Defense Contract Management Agency	77	10	12.99	16	20.78	26	33.77	33	42.86	18	23.38
Defense Dependent Education Activity	112	36	32.14	50	44.64	86	76.79	26	23.21	0	0.00
Defense Finance and Accounting Service	184	12	6.52	74	40.22	86	46.74	91	49.46	7	3.80
Defense Human Resource Activity	5	2	40.00	0	0.00	2	40.00	2	40.00	1	20.00

Defense Information Systems Agency	49	8	16.33	12	24.49	20	40.82	16	32.65	13	26.53
Defense Intelligence Agency	10	2	20.00	0	0.00	2	20.00	8	80.00	0	0.00
Defense Logistics Agency	482	71	14.73	244	50.62	315	65.35	132	27.39	35	7.26
Defense National Geospatial-Intelligence	54	11	20.37	4	7.41	15	27.78	28	51.85	11	20.37
Defense National Guard Bureau	188	59	31.38	81	43.09	140	74.47	33	17.55	15	7.98
Defense National Security Agency	60	14	23.33	22	36.67	36	60.00	22	36.67	2	3.33
Defense Nuclear Facilities Safety Board	0	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Defense Office of the Inspector General	51	0	0.00	51	100.00	51	100.00	0	0.00	0	0.00
Defense, Office of the Secretary	49	2	4.08	12	24.49	14	28.57	33	67.35	2	4.08
Defense Security Service	22	2	9.09	7	31.82	9	40.91	13	59.09	0	0.00
Defense Threat Reduction Agency	13	1	7.69	5	38.46	6	46.15	6	46.15	1	7.69
Defense Uniformed Services University	4	1	25.00	1	25.00	2	50.00	2	50.00	0	0.00
Department of Agriculture	1,234	154	12.48	348	28.20	502	40.68	648	52.51	84	6.81
Department of Commerce	280	16	5.71	105	37.50	121	43.21	135	48.21	24	8.57
Department of Education	53	2	3.77	27	50.94	29	54.72	24	45.28	0	0.00
Department of Energy	128	4	3.13	21	16.41	25	19.53	81	63.28	22	17.19
Department of Health and Human Services	470	43	9.15	184	39.15	227	48.30	217	46.17	26	5.53
Department of Homeland Security	2,447	234	9.56	475	19.41	709	28.97	1,213	49.57	525	21.45
Department of Housing and Urban Development	154	4	2.60	25	16.23	29	18.83	121	78.57	4	2.60
Department of Justice	1,835	92	5.01	1,066	58.09	1,158	63.11	604	32.92	73	3.98
Department of Labor	221	4	1.81	54	24.43	58	26.24	153	69.23	10	4.52
Department of State	90	9	10.00	13	14.44	22	24.44	66	73.33	2	2.22

Department of the Air Force	1,652	361	21.85	586	35.47	947	57.32	679	41.10	26	1.57
Department of the Army	2,016	406	20.14	522	25.89	928	46.03	866	42.96	222	11.01
Department of the Interior	568	61	10.74	139	24.47	200	35.21	262	46.13	106	18.66
Department of the Navy	1,250	143	11.44	418	33.44	561	44.88	611	48.88	78	6.24
Department of the Treasury	1,661	252	15.17	310	18.66	562	33.84	804	48.40	295	17.76
Department of Transportation	821	82	9.99	87	10.60	169	20.58	481	58.59	171	20.83
Department of Veterans Affairs	4,129	127	3.08	1,680	40.69	1,807	43.76	2,074	50.23	248	6.01
Environmental Protection Agency	125	2	1.60	52	41.60	54	43.20	71	56.80	0	0.00
EOP - National Drug Control Policy	0	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
EOP - Office of Administration	4	0	0.00	2	50.00	2	50.00	1	25.00	1	25.00
EOP - Office of Management and Budget	0	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
EOP - Office of the U.S. Trade Representative	1	0	0.00	0	0.00	0	0.00	0	0.00	1	100.00
Equal Employment Opportunity Commission	49	5	10.20	15	30.61	20	40.82	27	55.10	2	4.08
Export-Import Bank of the US	6	0	0.00	0	0.00	0	0.00	6	100.00	0	0.00
Farm Credit Administration	3	2	66.67	1	33.33	3	100.00	0	0.00	0	0.00
Federal Communications Commission	15	0	0.00	6	40.00	6	40.00	6	40.00	3	20.00
Federal Deposit Insurance Corporation	53	6	11.32	14	26.42	20	37.74	31	58.49	2	3.77
Federal Election Commission	0	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Federal Energy Regulatory Commission	7	1	14.29	0	0.00	1	14.29	3	42.86	3	42.86
Federal Housing Finance Board	2	0	0.00	0	0.00	0	0.00	2	100.00	0	0.00
Federal Labor Relations Authority	4	0	0.00	1	25.00	1	25.00	3	75.00	0	0.00
Federal Maritime Commission	11	0	0.00	10	90.91	10	90.91	1	9.09	0	0.00

Federal Mediation and Conciliation Service	1	0	0.00	0	0.00	0	0.00	0	0.00	1	100.00
Federal Reserve System--Board of Governors	17	0	0.00	0	0.00	0	0.00	17	100.00	0	0.00
Federal Retirement Thrift Investment Board	4	1	25.00	0	0.00	1	25.00	3	75.00	0	0.00
Federal Trade Commission	21	1	4.76	13	61.90	14	66.67	7	33.33	0	0.00
General Services Administration	144	20	13.89	33	22.92	53	36.81	86	59.72	5	3.47
Government Printing Office	65	13	20.00	18	27.69	31	47.69	29	44.62	5	7.69
Holocaust Memorial Museum U.S.	3	0	0.00	3	100.00	3	100.00	0	0.00	0	0.00
International Boundary and Water Commission	5	0	0.00	0	0.00	0	0.00	5	100.00	0	0.00
International Trade Commission	2	1	50.00	1	50.00	2	100.00	0	0.00	0	0.00
John F. Kennedy Center for the Performing Arts	4	0	0.00	1	25.00	1	25.00	3	75.00	0	0.00
Merit Systems Protection Board	4	1	25.00	2	50.00	3	75.00	1	25.00	0	0.00
National Aeronautics and Space Administration	119	9	7.56	30	25.21	39	32.77	38	31.93	42	35.29
National Archives and Records Administration	53	13	24.53	25	47.17	38	71.70	11	20.75	4	7.55
National Credit Union Administration	7	0	0.00	2	28.57	2	28.57	5	71.43	0	0.00
National Endowment for the Arts	65	65	100.00	0	0.00	65	100.00	0	0.00	0	0.00
National Endowment for the Humanities	0	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
National Gallery of Art	11	2	18.18	0	0.00	2	18.18	9	81.82	0	0.00
National Labor Relations Board	24	2	8.33	13	54.17	15	62.50	9	37.50	0	0.00
National Science Foundation	7	3	42.86	1	14.29	4	57.14	3	42.86	0	0.00
National Transportation Safety Board	4	0	0.00	0	0.00	0	0.00	4	100.00	0	0.00

Nuclear Regulatory Commission	27	4	14.81	8	29.63	12	44.44	12	44.44	3	11.11
Office of Personnel Management	109	1	0.92	41	37.61	42	38.53	66	60.55	1	0.92
Office of Special Counsel	2	0	0.00	2	100.00	2	100.00	0	0.00	0	0.00
Overseas Private Investment Corporation	2	0	0.00	1	50.00	1	50.00	1	50.00	0	0.00
Peace Corps	10	0	0.00	0	0.00	0	0.00	4	40.00	6	60.00
Pension Benefit Guaranty Corporation	12	0	0.00	0	0.00	0	0.00	12	100.00	0	0.00
Railroad Retirement Board	4	0	0.00	2	50.00	2	50.00	2	50.00	0	0.00
Securities and Exchange Commission	39	0	0.00	12	30.77	12	30.77	25	64.10	2	5.13
Selective Service System	3	1	33.33	1	33.33	2	66.67	1	33.33	0	0.00
Small Business Administration	54	7	12.96	26	48.15	33	61.11	20	37.04	1	1.85
Smithsonian Institution	36	3	8.33	11	30.56	14	38.89	21	58.33	1	2.78
Social Security Administration	725	59	8.14	262	36.14	321	44.28	385	53.10	19	2.62
Tennessee Valley Authority	130	13	10.00	18	13.85	31	23.85	53	40.77	46	35.38
U.S. Postal Service	19,101	5,298	27.74	5,922	31.00	11,220	58.74	7,549	39.52	332	1.74
U.S. Tax Court	3	1	33.33	2	66.67	3	100.00	0	0.00	0	0.00
Cabinet Level Subtotal	40,063	7,609	18.99	12,774	31.88	20,383	50.88	17,320	43.23	2,360	5.89
Midsize Agencies Subtotal	1,386	119	8.59	446	32.18	565	40.76	705	50.87	116	8.37
Small Agencies Subtotal	963	128	13.29	444	46.11	572	59.40	344	35.72	47	4.88
Grand Total	42,412	7,856	18.52	13,664	32.22	21,520	50.74	18,369	43.31	2,523	5.95

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Table 5 ADR Pre-Complaint Resolutions

Agency Name	Number ADR Counseling Closures	Number ADR Settlements Closures	% Settlements of ADR Closures	Number Withdrawals from EEO Process	% Withdrawals of ADR Closures	Total Number Pre-Complaint Resolutions (ADR)	% Resolutions of Closures (ADR)
Agency for International Development	0	0	0.00	0	0.00	0	0.00
Armed Forces Retirement Home	0	0	0.00	0	0.00	0	0.00
Broadcasting Board of Governors	3	1	33.33	2	66.67	3	100.00
Central Intelligence Agency	1	1	100.00	0	0.00	1	100.00
Commodity Futures Trading Commission	4	3	75.00	0	0.00	3	75.00
Consumer Product Safety Commission	5	4	80.00	0	0.00	4	80.00
Corporation for National and Community Service	2	1	50.00	0	0.00	1	50.00
Court Services and Offender Supervision Agency for the District of Columbia	5	3	60.00	0	0.00	3	60.00
Defense Army and Air Force Exchange Service	51	12	23.53	21	41.18	33	64.71
Defense Commissary Agency	60	32	53.33	10	16.67	42	70.00
Defense Contract Audit Agency	13	3	23.08	2	15.38	5	38.46
Defense Contract Management Agency	22	8	36.36	7	31.82	15	68.18
Defense Dependent Education Activity	52	52	100.00	0	0.00	52	100.00
Defense Finance and Accounting Service	20	8	40.00	4	20.00	12	60.00
Defense Human Resource Activity	2	2	100.00	0	0.00	2	100.00
Defense Information Systems Agency	0	0	0.00	0	0.00	0	0.00
Defense Intelligence Agency	4	2	50.00	0	0.00	2	50.00

Defense Logistics Agency	77	56	72.73	9	11.69	65	84.42
Defense National Geospatial-Intelligence	12	6	50.00	1	8.33	7	58.33
Defense National Guard Bureau	18	7	38.89	6	33.33	13	72.22
Defense National Security Agency	0	0	0.00	0	0.00	0	0.00
Defense Nuclear Facilities Safety Board	0	0	0.00	0	0.00	0	0.00
Defense Office of the Inspector General	0	0	0.00	0	0.00	0	0.00
Defense, Office of the Secretary	1	1	100.00	0	0.00	1	100.00
Defense Security Service	0	0	0.00	0	0.00	0	0.00
Defense Threat Reduction Agency	1	1	100.00	0	0.00	1	100.00
Defense Uniformed Services University	1	0	0.00	1	100.00	1	100.00
Department of Agriculture	298	78	26.17	16	5.37	94	31.54
Department of Commerce	54	10	18.52	10	18.52	20	37.04
Department of Education	2	2	100.00	0	0.00	2	100.00
Department of Energy	14	3	21.43	0	0.00	3	21.43
Department of Health and Human Services	145	36	24.83	26	17.93	62	42.76
Department of Homeland Security	778	188	24.16	210	26.99	398	51.16
Department of Housing and Urban Development	37	4	10.81	16	43.24	20	54.05
Department of Justice	82	29	35.37	3	3.66	32	39.02
Department of Labor	33	4	12.12	8	24.24	12	36.36
Department of State	30	6	20.00	6	20.00	12	40.00
Department of the Air Force	588	299	50.85	98	16.67	397	67.52
Department of the Army	695	321	46.19	132	18.99	453	65.18
Department of the Interior	99	27	27.27	29	29.29	56	56.57
Department of the Navy	160	30	18.75	7	4.38	37	23.13
Department of the Treasury	371	163	43.94	73	19.68	236	63.61
Department of Transportation	159	41	25.79	17	10.69	58	36.48

Department of Veterans Affairs	448	63	14.06	292	65.18	355	79.24
Environmental Protection Agency	2	0	0.00	0	0.00	0	0.00
EOP - National Drug Control Policy	0	0	0.00	0	0.00	0	0.00
EOP - Office of Administration	0	0	0.00	0	0.00	0	0.00
EOP - Office of Management and Budget	0	0	0.00	0	0.00	0	0.00
EOP - Office of the U.S. Trade Representative	0	0	0.00	0	0.00	0	0.00
Equal Employment Opportunity Commission	16	5	31.25	3	18.75	8	50.00
Export-Import Bank of the US	1	0	0.00	0	0.00	0	0.00
Farm Credit Administration	2	2	100.00	0	0.00	2	100.00
Federal Communications Commission	0	0	0.00	0	0.00	0	0.00
Federal Deposit Insurance Corporation	22	5	22.73	0	0.00	5	22.73
Federal Election Commission	0	0	0.00	0	0.00	0	0.00
Federal Energy Regulatory Commission	0	0	0.00	0	0.00	0	0.00
Federal Housing Finance Board	0	0	0.00	0	0.00	0	0.00
Federal Labor Relations Authority	0	0	0.00	0	0.00	0	0.00
Federal Maritime Commission	0	0	0.00	0	0.00	0	0.00
Federal Mediation and Conciliation Service	0	0	0.00	0	0.00	0	0.00
Federal Reserve System--Board of Governors	1	1	100.00	0	0.00	1	100.00
Federal Retirement Thrift Investment Board	0	0	0.00	0	0.00	0	0.00
Federal Trade Commission	1	1	100.00	0	0.00	1	100.00
General Services Administration	25	16	64.00	1	4.00	17	68.00
Government Printing Office	3	1	33.33	0	0.00	1	33.33
Holocaust Memorial Museum U.S.	0	0	0.00	0	0.00	0	0.00

International Boundary and Water Commission	0	0	0.00	0	0.00	0	0.00
International Trade Commission	1	1	100.00	0	0.00	1	100.00
John F. Kennedy Center for the Performing Arts	0	0	0.00	0	0.00	0	0.00
Merit Systems Protection Board	1	0	0.00	0	0.00	0	0.00
National Aeronautics and Space Administration	14	4	28.57	5	35.71	9	64.29
National Archives and Records Administration	20	11	55.00	4	20.00	15	75.00
National Credit Union Administration	1	0	0.00	1	100.00	1	100.00
National Endowment for the Arts	0	0	0.00	0	0.00	0	0.00
National Endowment for the Humanities	0	0	0.00	0	0.00	0	0.00
National Gallery of Art	1	1	100.00	0	0.00	1	100.00
National Labor Relations Board	1	0	0.00	0	0.00	0	0.00
National Science Foundation	1	1	100.00	0	0.00	1	100.00
National Transportation Safety Board	1	0	0.00	0	0.00	0	0.00
Nuclear Regulatory Commission	6	3	50.00	0	0.00	3	50.00
Office of Personnel Management	5	1	20.00	0	0.00	1	20.00
Office of Special Counsel	0	0	0.00	0	0.00	0	0.00
Overseas Private Investment Corporation	0	0	0.00	0	0.00	0	0.00
Peace Corps	0	0	0.00	0	0.00	0	0.00
Pension Benefit Guaranty Corporation	0	0	0.00	0	0.00	0	0.00
Railroad Retirement Board	0	0	0.00	0	0.00	0	0.00
Securities and Exchange Commission	7	0	0.00	2	28.57	2	28.57
Selective Service System	0	0	0.00	0	0.00	0	0.00
Small Business Administration	13	4	30.77	2	15.38	6	46.15
Smithsonian Institution	17	2	11.76	4	23.53	6	35.29

Social Security Administration	104	40	38.46	13	12.50	53	50.96
Tennessee Valley Authority	8	5	62.50	2	25.00	7	87.50
U.S. Postal Service	12,595	4,816	38.24	921	7.31	5,737	45.55
U.S. Tax Court	0	0	0.00	0	0.00	0	0.00
Cabinet Level Subtotal	16,922	6,310	37.29	1,925	11.38	8,235	48.66
Midsize Agencies Subtotal	205	76	37.07	27	13.17	103	50.24
Small Agencies Subtotal	89	41	46.07	12	13.48	53	59.55
Grand Total	17,216	6,427	37.33	1,964	11.41	8,391	48.74

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Table 6 Benefits Provided in All Pre-Complaint Counselings

Agency Name	Total Number Counselings Closed with Benefits	Number Counselings Resolved with Non-Monetary Benefits	% Counselings resolved with Non-Monetary Benefits	Number of Counselings Resolved with Monetary Benefits	% Counselings Resolved with Monetary Benefits	Total Amount of Settlement Awards	Average Amount of Award Per All Settlement Closures	Average Amount of Award Per Monetary Settlement Closures
Agency for International Development	1	1	100.00	0	0.00	0	0	0
Armed Forces Retirement Home	0	0	0.00	0	0.00	0	0	0
Broadcasting Board of Governors	1	1	100.00	1	100.00	10000	10000	10000
Central Intelligence Agency	1	1	100.00	0	0.00	0	0	0
Commodity Futures Trading Commission*	0	3	300.00	0	0.00	0	0	0
Consumer Product Safety Commission	4	4	100.00	0	0.00	0	0	0
Corporation for National and Community Service	1	1	100.00	0	0.00	0	0	0
Court Services and Offender Supervision Agency for the District of Columbia	3	3	100.00	0	0.00	0	0	0
Defense Army and Air Force Exchange Service	40	38	95.00	2	5.00	1517	37.93	758.5
Defense Commissary Agency	43	38	88.37	5	11.63	7246	168.51	1449.2

Defense Contract Audit Agency	3	3	100.00	0	0.00	0	0	0
Defense Contract Management Agency	10	7	70.00	4	40.00	9286.25	928.63	2321.56
Defense Dependent Education Activity*	36	67	186.11	1	2.78	20000	555.56	20000
Defense Finance and Accounting Service	12	12	100.00	0	0.00	0	0	0
Defense Human Resource Activity	2	2	100.00	0	0.00	0	0	0
Defense Information Systems Agency	8	6	75.00	2	25.00	2700	337.5	1350
Defense Intelligence Agency	2	2	100.00	0	0.00	0	0	0
Defense Logistics Agency	71	68	95.77	6	8.45	12569.36	177.03	2094.89
Defense National Geospatial-Intelligence	11	5	45.45	5	45.45	14100	1281.82	2820
Defense National Guard Bureau	59	24	40.68	6	10.17	0	0	0
Defense National Security Agency	14	14	100.00	0	0.00	0	0	0
Defense Nuclear Facilities Safety Board	0	0	0.00	0	0.00	0	0	0
Defense Office of the Inspector General	0	0	0.00	0	0.00	0	0	0
Defense, Office of the Secretary	2	2	100.00	0	0.00	0	0	0
Defense Security Service	2	1	50.00	1	50.00	25000	12500	25000
Defense Threat Reduction Agency*	1	2	200.00	0	0.00	0	0	0

Defense Uniformed Services University	1	0	0.00	1	100.00	3000	3000	3000
Department of Agriculture	154	111	72.08	45	29.22	334911.82	2174.75	7442.48
Department of Commerce	16	14	87.50	2	12.50	38519	2407.44	19259.5
Department of Education	2	2	100.00	0	0.00	0	0	0
Department of Energy	4	2	50.00	2	50.00	3000	750	1500
Department of Health and Human Services	43	37	86.05	11	25.58	115166.79	2678.3	10469.71
Department of Homeland Security	234	232	99.15	10	4.27	47054	201.09	4705.4
Department of Housing and Urban Development	4	0	0.00	4	100.00	14000	3500	3500
Department of Justice	92	85	92.39	9	9.78	392012	4261	43556.89
Department of Labor	4	2	50.00	3	75.00	16762	4190.5	5587.33
Department of State	9	5	55.56	4	44.44	8937	993	2234.25
Department of the Air Force	361	249	68.98	42	11.63	238889.17	661.74	5687.84
Department of the Army	406	369	90.89	37	9.11	547253	1347.91	14790.62
Department of the Interior	61	53	86.89	23	37.70	128877.22	2112.74	5603.36
Department of the Navy	143	138	96.50	11	7.69	46151.23	322.74	4195.57
Department of the Treasury	252	241	95.63	13	5.16	131589.7	522.18	10122.28
Department of Transportation	82	77	93.90	23	28.05	153829	1875.96	6688.22
Department of Veterans Affairs	127	117	92.13	14	11.02	103750	816.93	7410.71

Environmental Protection Agency	2	2	100.00	0	0.00	0	0	0
EOP - National Drug Control Policy	0	0	0.00	0	0.00	0	0	0
EOP - Office of Administration	0	0	0.00	0	0.00	0	0	0
EOP - Office of Management and Budget	0	0	0.00	0	0.00	0	0	0
EOP - Office of the U.S. Trade Representative	0	0	0.00	0	0.00	0	0	0
Equal Employment Opportunity Commission	5	5	100.00	0	0.00	0	0	0
Export-Import Bank of the US	0	0	0.00	0	0.00	0	0	0
Farm Credit Administration	2	0	0.00	2	100.00	40140	20070	20070
Federal Communications Commission	0	0	0.00	0	0.00	0	0	0
Federal Deposit Insurance Corporation	6	6	100.00	0	0.00	0	0	0
Federal Election Commission	0	0	0.00	0	0.00	0	0	0
Federal Energy Regulatory Commission	1	1	100.00	1	100.00	1000	1000	1000
Federal Housing Finance Board	0	0	0.00	0	0.00	0	0	0
Federal Labor Relations Authority	0	0	0.00	0	0.00	0	0	0
Federal Maritime Commission	0	0	0.00	0	0.00	0	0	0
Federal Mediation and Conciliation Service	0	0	0.00	0	0.00	0	0	0

Federal Reserve System--Board of Governors	0	1	100.00	0	0.00	0	0	0
Federal Retirement Thrift Investment Board	1	0	0.00	0	0.00	0	0	0
Federal Trade Commission	1	1	100.00	0	0.00	0	0	0
General Services Administration	20	16	80.00	5	25.00	11152.48	557.62	2230.5
Government Printing Office	13	13	100.00	1	7.69	101.52	7.81	101.52
Holocaust Memorial Museum U.S.	0	0	0.00	0	0.00	0	0	0
International Boundary and Water Commission	0	0	0.00	0	0.00	0	0	0
International Trade Commission	1	1	100.00	0	0.00	0	0	0
John F. Kennedy Center for the Performing Arts	0	0	0.00	0	0.00	0	0	0
Merit Systems Protection Board	1	1	100.00	0	0.00	0	0	0
National Aeronautics and Space Administration*	9	12	133.33	3	33.33	55232	6136.89	18410.67
National Archives and Records Administration*	13	24	184.62	0	0.00	0	0	0
National Credit Union Administration	0	0	0.00	0	0.00	0	0	0
National Endowment for the Arts	65	0	0.00	0	0.00	0	0	0
National Endowment for the Humanities	0	0	0.00	0	0.00	0	0	0
National Gallery of Art	2	1	50.00	1	50.00	33500	16750	33500

National Labor Relations Board	2	2	100.00	0	0.00	0	0	0
National Science Foundation*	3	4	133.33	0	0.00	0	0	0
National Transportation Safety Board	0	0	0.00	0	0.00	0	0	0
Nuclear Regulatory Commission	4	2	50.00	2	50.00	13348.38	3337.1	6674.19
Office of Personnel Management	1	1	100.00	1	100.00	800	800	800
Office of Special Counsel	0	0	0.00	0	0.00	0	0	0
Overseas Private Investment Corporation	0	0	0.00	0	0.00	0	0	0
Peace Corps	0	0	0.00	0	0.00	0	0	0
Pension Benefit Guaranty Corporation	0	0	0.00	0	0.00	0	0	0
Railroad Retirement Board	0	0	0.00	0	0.00	0	0	0
Securities and Exchange Commission	0	0	0.00	0	0.00	0	0	0
Selective Service System	1	0	0.00	1	100.00	2500	2500	2500
Small Business Administration	7	6	85.71	1	14.29	6070	867.14	6070
Smithsonian Institution	3	1	33.33	2	66.67	51200	17066.67	25600
Social Security Administration	59	56	94.92	3	5.08	5725	97.03	1908.33
Tennessee Valley Authority	13	13	100.00	2	15.38	73082	5621.69	36541
U.S. Postal Service	5298	5284	99.74	291	5.49	417939.79	78.89	1436.22
U.S. Tax Court	1	1	100.00	0	0.00	0	0	0
Cabinet Level Subtotal	7609	7309	96.06	577	7.58	2834060.3	372.46	4911.72

Midsize Agencies Subtotal	119	112	94.12	16	13.45	202461.48	1701.36	12653.84
Small Agencies Subtotal	128	72	56.25	10	7.81	101389.9	792.11	10138.99
Grand Total	7856	7493	95.38	603	7.68	3137911.7	399.43	5203.83

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The U.S. Equal Employment Opportunity Commission

Table 7 Pre-Complaint ADR Offers Rejections Acceptence

Agency Name	# Completed Counselings	# Counselings ADR Offered	% Counselings ADR Offered	# Offers Rejected by Individual Line	% Offers Rejected by Individual	# Offers Rejected by Agency	% Offers Rejected by Agency	Total Counselings Accepted into ADR	% Counselings Accepted into ADR
Agency for International Development	27	0	0.00	0	0.00	0	0.00	0	0.00
Armed Forces Retirement Home	5	5	100.00	5	100.00	0	0.00	0	0.00
Broadcasting Board of Governors	149	157	105.37	153	97.45	0	0.00	4	2.68
Central Intelligence Agency	38	38	100.00	32	84.21	5	13.16	1	2.63
Commodity Futures Trading Commission	100	3	3.00	0	0.00	0	0.00	3	3.00
Consumer Product Safety Commission	10	11	110.00	5	45.45	0	0.00	6	60.00
Corporation for National and Community Service	14	2	14.29	0	0.00	0	0.00	2	14.29
Court Services and Offender Supervision Agency for the District of Columbia	10	10	100.00	4	40.00	1	10.00	5	50.00
Defense Army and Air Force Exchange Service	309	309	100.00	255	82.52	0	0.00	54	17.48
Defense Commissary Agency	222	140	63.06	69	49.29	9	6.43	62	27.93
Defense Contract Audit Agency	62	12	19.35	1	8.33	0	0.00	11	17.74

Defense Contract Management Agency	77	61	79.22	36	59.02	3	4.92	22	28.57
Defense Dependent Education Activity	112	90	80.36	36	40.00	2	2.22	52	46.43
Defense Finance and Accounting Service	184	202	109.78	181	89.60	0	0.00	21	11.41
Defense Human Resource Activity	5	6	120.00	4	66.67	0	0.00	2	40.00
Defense Information Systems Agency	49	8	16.33	4	50.00	4	50.00	0	0.00
Defense Intelligence Agency	10	13	130.00	9	69.23	0	0.00	4	40.00
Defense Logistics Agency	482	502	104.15	424	84.46	0	0.00	78	16.18
Defense National Geospatial-Intelligence	54	28	51.85	16	57.14	1	3.57	11	20.37
Defense National Guard Bureau	188	60	31.91	41	68.33	0	0.00	19	10.11
Defense National Security Agency	60	67	111.67	67	100.00	0	0.00	0	0.00
Defense Nuclear Facilities Safety Board	0	0	0.00	0	0.00	0	0.00	0	0.00
Defense Office of the Inspector General	51	4	7.84	4	100.00	0	0.00	0	0.00
Defense, Office of the Secretary	49	55	112.24	54	98.18	0	0.00	1	2.04
Defense Security Service	22	4	18.18	4	100.00	0	0.00	0	0.00
Defense Threat Reduction Agency	13	13	100.00	12	92.31	0	0.00	1	7.69
Defense Uniformed Services University	4	4	100.00	3	75.00	0	0.00	1	25.00
Department of Agriculture	1,234	1,013	82.09	621	61.30	17	1.68	375	30.39

Department of Commerce	280	192	68.57	114	59.38	24	12.50	54	19.29
Department of Education	53	53	100.00	51	96.23	0	0.00	2	3.77
Department of Energy	128	68	53.13	50	73.53	4	5.88	14	10.94
Department of Health and Human Services	470	347	73.83	176	50.72	38	10.95	133	28.30
Department of Homeland Security	2,447	2,097	85.70	1,322	63.04	7	0.33	768	31.39
Department of Housing and Urban Development	154	150	97.40	82	54.67	31	20.67	37	24.03
Department of Justice	1,835	793	43.22	652	82.22	57	7.19	84	4.58
Department of Labor	221	241	109.05	182	75.52	35	14.52	24	10.86
Department of State	90	29	32.22	0	0.00	7	24.14	22	24.44
Department of the Air Force	1,652	1,134	68.64	550	48.50	65	5.73	519	31.42
Department of the Army	2,016	1,047	51.93	326	31.14	1	0.10	722	35.81
Department of the Interior	568	359	63.20	260	72.42	12	3.34	87	15.32
Department of the Navy	1,250	231	18.48	77	33.33	14	6.06	140	11.20
Department of the Treasury	1,661	1,651	99.40	1,155	69.96	150	9.09	346	20.83
Department of Transportation	821	793	96.59	420	52.96	209	26.36	164	19.98
Department of Veterans Affairs	4,129	940	22.77	513	54.57	0	0.00	427	10.34
Environmental Protection Agency	125	125	100.00	97	77.60	24	19.20	4	3.20
EOP - National Drug Control Policy	0	0	0.00	0	0.00	0	0.00	0	0.00
EOP - Office of Administration	4	0	0.00	0	0.00	0	0.00	0	0.00

EOP - Office of Management and Budget	0	0	0.00	0	0.00	0	0.00	0	0.00
EOP - Office of the U.S. Trade Representative	1	0	0.00	0	0.00	0	0.00	0	0.00
Equal Employment Opportunity Commission	49	55	112.24	39	70.91	0	0.00	16	32.65
Export-Import Bank of the US	6	5	83.33	4	80.00	0	0.00	1	16.67
Farm Credit Administration	3	3	100.00	1	33.33	0	0.00	2	66.67
Federal Communications Commission	15	15	100.00	15	100.00	0	0.00	0	0.00
Federal Deposit Insurance Corporation	53	57	107.55	35	61.40	0	0.00	22	41.51
Federal Election Commission	0	0	0.00	0	0.00	0	0.00	0	0.00
Federal Energy Regulatory Commission	7	0	0.00	0	0.00	0	0.00	0	0.00
Federal Housing Finance Board	2	0	0.00	0	0.00	0	0.00	0	0.00
Federal Labor Relations Authority	4	3	75.00	3	100.00	0	0.00	0	0.00
Federal Maritime Commission	11	0	0.00	0	0.00	0	0.00	0	0.00
Federal Mediation and Conciliation Service	1	2	200.00	1	50.00	1	50.00	0	0.00
Federal Reserve System--Board of Governors	17	17	100.00	16	94.12	0	0.00	1	5.88
Federal Retirement Thrift Investment Board	4	0	0.00	0	0.00	0	0.00	0	0.00
Federal Trade Commission	21	22	104.76	22	100.00	0	0.00	0	0.00
General Services Administration	144	115	79.86	85	73.91	3	2.61	27	18.75

Government Printing Office	65	56	86.15	49	87.50	4	7.14	3	4.62
Holocaust Memorial Museum U.S.	3	4	133.33	3	75.00	0	0.00	1	33.33
International Boundary and Water Commission	5	3	60.00	3	100.00	0	0.00	0	0.00
International Trade Commission	2	2	100.00	1	50.00	0	0.00	1	50.00
John F. Kennedy Center for the Performing Arts	4	0	0.00	0	0.00	0	0.00	0	0.00
Merit Systems Protection Board	4	1	25.00	0	0.00	0	0.00	1	25.00
National Aeronautics and Space Administration	119	105	88.24	89	84.76	6	5.71	10	8.40
National Archives and Records Administration	53	33	62.26	8	24.24	3	9.09	22	41.51
National Credit Union Administration	7	1	14.29	0	0.00	0	0.00	1	14.29
National Endowment for the Arts	65	0	0.00	0	0.00	0	0.00	0	0.00
National Endowment for the Humanities	0	0	0.00	0	0.00	0	0.00	0	0.00
National Gallery of Art	11	11	100.00	10	90.91	0	0.00	1	9.09
National Labor Relations Board	24	10	41.67	8	80.00	1	10.00	1	4.17
National Science Foundation	7	5	71.43	5	100.00	0	0.00	0	0.00
National Transportation Safety Board	4	4	100.00	3	75.00	0	0.00	1	25.00
Nuclear Regulatory Commission	27	4	14.81	0	0.00	0	0.00	4	14.81

Office of Personnel Management	109	23	21.10	20	86.96	0	0.00	3	2.75
Office of Special Counsel	2	0	0.00	0	0.00	0	0.00	0	0.00
Overseas Private Investment Corporation	2	0	0.00	0	0.00	0	0.00	0	0.00
Peace Corps	10	0	0.00	0	0.00	0	0.00	0	0.00
Pension Benefit Guaranty Corporation	12	0	0.00	0	0.00	0	0.00	0	0.00
Railroad Retirement Board	4	2	50.00	2	100.00	0	0.00	0	0.00
Securities and Exchange Commission	39	45	115.38	38	84.44	1	2.22	6	15.38
Selective Service System	3	0	0.00	0	0.00	0	0.00	0	0.00
Small Business Administration	54	29	53.70	12	41.38	1	3.45	16	29.63
Smithsonian Institution	36	37	102.78	20	54.05	0	0.00	17	47.22
Social Security Administration	725	712	98.21	481	67.56	115	16.15	116	16.00
Tennessee Valley Authority	130	36	27.69	0	0.00	25	69.44	11	8.46
U.S. Postal Service	19,101	19,248	100.77	3,852	20.01	1,581	8.21	13,815	72.33
U.S. Tax Court	3	3	100.00	3	100.00	0	0.00	0	0.00
Cabinet Level Subtotal	40,063	31,964	79.78	11,623	36.36	2,271	7.10	18,072	45.11
Midsize Agencies Subtotal	1,386	1,216	87.73	819	67.35	174	14.31	223	16.09
Small Agencies Subtotal	963	555	57.63	453	81.62	16	2.88	86	8.93
Grand Total	42,412	33,735	79.54	12,895	38.22	2,461	7.30	18,381	43.34

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Table 8 Timeliness and Cost of All Completed Complaint Investigations

Agency Name	Total # Completed Investigations	Average Processing Days Completed Investigations	# Timely Completed within 180 Days	# Timely Completed within 181-360 Days	Total # Timely Completed Investigations	% Investigations Timely Completed	Total Cost All Investigations	Average Cost All Investigations
Agency for International Development	2	267	1	0	1	50.00	$8,930.00	$4,465.00
Armed Forces Retirement Home	0	0	0	0	0	0.00	$0.00	$0.00
Broadcasting Board of Governors	20	116	20	0	20	100.00	$64,435.00	$3,221.75
Central Intelligence Agency	5	245	1	0	1	20.00	$29,100.00	$5,820.00
Commodity Futures Trading Commission	1	191	0	0	0	0.00	$1,050.00	$1,050.00
Consumer Product Safety Commission	1	76	1	0	1	100.00	$2,600.00	$2,600.00
Corporation for National and Community Service	17	150	17	0	17	100.00	$42,500.00	$2,500.00
Court Services and Offender Supervision Agency for the District of Columbia	9	418	1	0	1	11.11	$25,685.00	$2,853.89
Defense Army and Air Force Exchange Service	38	294	2	27	29	76.32	$213,235.00	$5,611.45
Defense Commissary Agency	78	193	40	32	72	92.31	$19,500.00	$250.00
Defense Contract Audit Agency	15	265	2	0	2	13.33	$3,375.00	$225.00
Defense Contract Management Agency	20	330	2	0	2	10.00	$5,000.00	$250.00

Defense Dependent Education Activity	42	298	5	4	9	21.43	$13,000.00	$309.52
Defense Finance and Accounting Service	60	256	10	1	11	18.33	$30,327.91	$505.47
Defense Human Resource Activity	1	119	1	0	1	100.00	$1,700.00	$1,700.00
Defense Information Systems Agency	6	339	1	1	2	33.33	$23,991.20	$3,998.53
Defense Intelligence Agency	6	254	2	4	6	100.00	$1,500.00	$250.00
Defense Logistics Agency	62	288	13	5	18	29.03	$86,960.00	$1,402.58
Defense National Geospatial-Intelligence	6	127	3	3	6	100.00	$750.00	$125.00
Defense National Guard Bureau	22	140	11	3	14	63.64	$9,295.59	$422.53
Defense National Security Agency	18	367	1	2	3	16.67	$267,205.90	$14,844.77
Defense Nuclear Facilities Safety Board	0	0	0	0	0	0.00	$0.00	$0.00
Defense Office of the Inspector General	1	265	0	0	0	0.00	$250.00	$250.00
Defense, Office of the Secretary	9	364	0	0	0	0.00	$2,250.00	$250.00
Defense Security Service	6	309	0	1	1	16.67	$15,000.00	$2,500.00
Defense Threat Reduction Agency	4	263	1	0	1	25.00	$1,000.00	$250.00
Defense Uniformed Services University	1	200	0	1	1	100.00	$250.00	$250.00
Department of Agriculture	610	364	110	165	275	45.08	$2,259,614.94	$3,704.29
Department of Commerce	105	539	0	15	15	14.29	$530,285.00	$5,050.33
Department of Education	18	194	11	6	17	94.44	$75,503.19	$4,194.62

Department of Energy	59	209	37	14	51	86.44	$157,646.40	$2,671.97
Department of Health and Human Services	153	170	103	19	122	79.74	$534,882.99	$3,495.97
Department of Homeland Security	750	257	233	98	331	44.13	$1,666,495.79	$2,221.99
Department of Housing and Urban Development	60	385	3	7	10	16.67	$113,302.00	$1,888.37
Department of Justice	398	266	147	70	217	54.52	$1,742,138.90	$4,377.23
Department of Labor	70	300	10	5	15	21.43	$192,283.00	$2,746.90
Department of State	26	162	17	0	17	65.38	$229,549.00	$8,828.81
Department of the Air Force	257	247	58	12	70	27.24	$63,698.60	$247.85
Department of the Army	161	112	55	30	85	52.80	$342,153.53	$2,125.18
Department of the Interior	202	217	96	27	123	60.89	$598,412.53	$2,962.44
Department of the Navy	277	299	33	130	163	58.84	$69,250.00	$250.00
Department of the Treasury	405	160	128	238	366	90.37	$1,327,386.00	$3,277.50
Department of Transportation	279	177	167	46	213	76.34	$1,163,430.00	$4,170.00
Department of Veterans Affairs	1,948	220	601	358	959	49.23	$6,509,100.26	$3,341.43
Environmental Protection Agency	63	305	9	40	49	77.78	$58,338.00	$926.00
EOP - National Drug Control Policy	1	103	1	0	1	100.00	$2,500.00	$2,500.00
EOP - Office of Administration	0	0	0	0	0	0.00	$0.00	$0.00
EOP - Office of Management and Budget	0	0	0	0	0	0.00	$0.00	$0.00
EOP - Office of the U.S. Trade Representative	1	211	0	0	0	0.00	$3,500.00	$3,500.00

Equal Employment Opportunity Commission	35	162	23	8	31	88.57	$104,000.00	$2,971.43
Export-Import Bank of the US	3	193	1	2	3	100.00	$7,500.00	$2,500.00
Farm Credit Administration	1	245	0	0	0	0.00	$3,415.00	$3,415.00
Federal Communications Commission	3	133	3	0	3	100.00	$14,000.00	$4,666.67
Federal Deposit Insurance Corporation	38	272	10	5	15	39.47	$161,297.52	$4,244.67
Federal Election Commission	0	0	0	0	0	0.00	$0.00	$0.00
Federal Energy Regulatory Commission	2	180	2	0	2	100.00	$15,710.00	$7,855.00
Federal Housing Finance Board	2	148	2	0	2	100.00	$9,002.00	$4,501.00
Federal Labor Relations Authority	1	107	1	0	1	100.00	$6,757.00	$6,757.00
Federal Maritime Commission	1	60	1	0	1	100.00	$2,500.00	$2,500.00
Federal Mediation and Conciliation Service	0	0	0	0	0	0.00	$0.00	$0.00
Federal Reserve System--Board of Governors	3	160	2	0	2	66.67	$8,995.00	$2,998.33
Federal Retirement Thrift Investment Board	1	115	1	0	1	100.00	$0.00	$0.00
Federal Trade Commission	3	169	2	1	3	100.00	$10,600.00	$3,533.33
General Services Administration	88	166	57	27	84	95.45	$255,179.98	$2,899.77
Government Printing Office	25	340	3	0	3	12.00	$62,024.00	$2,480.96
Holocaust Memorial Museum U.S.	0	0	0	0	0	0.00	$0.00	$0.00

International Boundary and Water Commission	4	126	4	0	4	100.00	$7,838.00	$1,959.50
International Trade Commission	0	0	0	0	0	0.00	$0.00	$0.00
John F. Kennedy Center for the Performing Arts	1	175	1	0	1	100.00	$2,800.00	$2,800.00
Merit Systems Protection Board	0	0	0	0	0	0.00	$0.00	$0.00
National Aeronautics and Space Administration	20	216	6	4	10	50.00	$107,044.00	$5,352.20
National Archives and Records Administration	8	221	2	0	2	25.00	$26,419.00	$3,302.38
National Credit Union Administration	3	105	3	0	3	100.00	$9,375.00	$3,125.00
National Endowment for the Arts	0	0	0	0	0	0.00	$0.00	$0.00
National Endowment for the Humanities	0	0	0	0	0	0.00	$0.00	$0.00
National Gallery of Art	9	148	7	2	9	100.00	$27,000.00	$3,000.00
National Labor Relations Board	3	238	2	1	3	100.00	$45,000.00	$15,000.00
National Science Foundation	3	144	3	0	3	100.00	$14,214.00	$4,738.00
National Transportation Safety Board	5	248	1	1	2	40.00	$20,000.00	$4,000.00
Nuclear Regulatory Commission	6	85	6	0	6	100.00	$15,732.88	$2,622.15
Office of Personnel Management	10	325	1	0	1	10.00	$34,988.40	$3,498.84
Office of Special Counsel	1	266	0	1	1	100.00	$3,579.84	$3,579.84
Overseas Private Investment Corporation	0	0	0	0	0	0.00	$0.00	$0.00

Peace Corps	2	212	0	2	2	100.00	$7,000.00	$3,500.00
Pension Benefit Guaranty Corporation	4	244	0	0	0	0.00	$19,425.00	$4,856.25
Railroad Retirement Board	3	174	2	1	3	100.00	$9,065.00	$3,021.67
Securities and Exchange Commission	8	169	7	0	7	87.50	$69,109.00	$8,638.63
Selective Service System	1	86	1	0	1	100.00	$3,300.00	$3,300.00
Small Business Administration	23	304	1	0	1	4.35	$75,059.00	$3,263.43
Smithsonian Institution	10	153	9	1	10	100.00	$33,700.00	$3,370.00
Social Security Administration	397	352	37	29	66	16.62	$815,818.71	$2,054.96
Tennessee Valley Authority	34	117	33	1	34	100.00	$102,531.00	$3,015.62
U.S. Postal Service	4,822	325	1,359	79	1,438	29.82	$9,325,295.42	$1,933.91
U.S. Tax Court	0	0	0	0	0	0.00	$0.00	$0.00
Cabinet Level Subtotal	10,995	281	3,262	1,403	4,665	42.43	$27,595,018.15	$2,509.78
Midsize Agencies Subtotal	673	298	162	107	269	39.97	$1,608,968.21	$2,390.74
Small Agencies Subtotal	208	203	123	19	142	68.27	$739,649.12	$3,556.01
Grand Total	11,876	280	3,547	1,529	5,076	42.74	$29,943,635.48	$2,521.36

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Table 9 Timeliness and Cost of Complaint Investigations Completed by Agency Investigators

Agency Name	Total # Completed Investigations	Average Processing Days Completed Investigations	# Timely Completed within 180 Days	# Timely Completed within 181-360 Days	Total # Timely Completed Investigations	% Investigations Timely Completed	Total Cost Agency Investigations	Average Cost Agency Investigations
Agency for International Development	0	0	0	0	0	0.00	$0.00	$0.00
Armed Forces Retirement Home	0	0	0	0	0	0.00	$0.00	$0.00
Broadcasting Board of Governors	0	0	0	0	0	0.00	$7,440.00	$7,440.00
Central Intelligence Agency	3	286	0	0	0	0.00	$18,600.00	$6,200.00
Commodity Futures Trading Commission	0	0	0	0	0	0.00	$0.00	$0.00
Consumer Product Safety Commission	0	0	0	0	0	0.00	$0.00	$0.00
Corporation for National and Community Service	0	0	0	0	0	0.00	$0.00	$0.00
Court Services and Offender Supervision Agency for the District of Columbia	0	0	0	0	0	0.00	$0.00	$0.00
Defense Army and Air Force Exchange Service	25	292	2	19	21	84.00	$125,165.00	$5,006.60
Defense Commissary Agency	0	0	0	0	0	0.00	$0.00	$0.00
Defense Contract Audit Agency	0	0	0	0	0	0.00	$0.00	$0.00

Defense Contract Management Agency	0	0	0	0	0	0.00	$0.00	$0.00
Defense Dependent Education Activity	0	0	0	0	0	0.00	$0.00	$0.00
Defense Finance and Accounting Service	0	0	0	0	0	0.00	$0.00	$0.00
Defense Human Resource Activity	0	0	0	0	0	0.00	$0.00	$0.00
Defense Information Systems Agency	0	0	0	0	0	0.00	$0.00	$0.00
Defense Intelligence Agency	6	254	2	4	6	100.00	$1,500.00	$250.00
Defense Logistics Agency	0	0	0	0	0	0.00	$0.00	$0.00
Defense National Geospatial-Intelligence	0	0	0	0	0	0.00	$0.00	$0.00
Defense National Guard Bureau	13	125	10	0	10	76.92	$2,000.00	$153.85
Defense National Security Agency	18	367	1	2	3	16.67	$267,205.90	$14,844.77
Defense Nuclear Facilities Safety Board	0	0	0	0	0	0.00	$0.00	$0.00
Defense Office of the Inspector General	0	0	0	0	0	0.00	$0.00	$0.00
Defense, Office of the Secretary	9	364	0	0	0	0.00	$2,250.00	$250.00
Defense Security Service	0	0	0	0	0	0.00	$0.00	$0.00
Defense Threat Reduction Agency	0	0	0	0	0	0.00	$0.00	$0.00
Defense Uniformed Services University	0	0	0	0	0	0.00	$0.00	$0.00
Department of Agriculture	0	0	0	0	0	0.00	$0.00	$0.00
Department of Commerce	87	560	0	12	12	13.79	$455,264.00	$5,232.92

Department of Education	0	0	0	0	0	0.00	$0.00	$0.00
Department of Energy	3	180	3	0	3	100.00	$6,150.00	$2,050.00
Department of Health and Human Services	0	0	0	0	0	0.00	$0.00	$0.00
Department of Homeland Security	98	284	22	19	41	41.84	$173,902.00	$1,774.51
Department of Housing and Urban Development	0	0	0	0	0	0.00	$0.00	$0.00
Department of Justice	146	349	24	15	39	26.71	$854,384.11	$5,851.95
Department of Labor	70	300	10	5	15	21.43	$192,283.00	$2,746.90
Department of State	8	139	7	0	7	87.50	$102,238.00	$12,779.75
Department of the Air Force	20	220	4	1	5	25.00	$5,198.60	$259.93
Department of the Army	161	112	55	30	85	52.80	$176,574.47	$1,096.74
Department of the Interior	1	304	0	0	0	0.00	$2,499.00	$2,499.00
Department of the Navy	0	0	0	0	0	0.00	$0.00	$0.00
Department of the Treasury	405	160	128	238	366	90.37	$1,327,386.00	$3,277.50
Department of Transportation	208	178	133	31	164	78.85	$867,360.00	$4,170.00
Department of Veterans Affairs	1,883	218	590	352	942	50.03	$6,262,415.00	$3,325.76
Environmental Protection Agency	0	0	0	0	0	0.00	$0.00	$0.00
EOP - National Drug Control Policy	0	0	0	0	0	0.00	$0.00	$0.00
EOP - Office of Administration	0	0	0	0	0	0.00	$0.00	$0.00
EOP - Office of Management and Budget	0	0	0	0	0	0.00	$0.00	$0.00

EOP - Office of the U.S. Trade Representative	0	0	0	0	0	0.00	$0.00	$0.00
Equal Employment Opportunity Commission	35	162	23	8	31	88.57	$104,000.00	$2,971.43
Export-Import Bank of the US	0	0	0	0	0	0.00	$0.00	$0.00
Farm Credit Administration	0	0	0	0	0	0.00	$0.00	$0.00
Federal Communications Commission	0	0	0	0	0	0.00	$0.00	$0.00
Federal Deposit Insurance Corporation	0	0	0	0	0	0.00	$0.00	$0.00
Federal Election Commission	0	0	0	0	0	0.00	$0.00	$0.00
Federal Energy Regulatory Commission	0	0	0	0	0	0.00	$0.00	$0.00
Federal Housing Finance Board	0	0	0	0	0	0.00	$0.00	$0.00
Federal Labor Relations Authority	0	0	0	0	0	0.00	$0.00	$0.00
Federal Maritime Commission	0	0	0	0	0	0.00	$0.00	$0.00
Federal Mediation and Conciliation Service	0	0	0	0	0	0.00	$0.00	$0.00
Federal Reserve System--Board of Governors	0	0	0	0	0	0.00	$0.00	$0.00
Federal Retirement Thrift Investment Board	0	0	0	0	0	0.00	$0.00	$0.00
Federal Trade Commission	0	0	0	0	0	0.00	$0.00	$0.00
General Services Administration	0	0	0	0	0	0.00	$0.00	$0.00
Government Printing Office	0	0	0	0	0	0.00	$0.00	$0.00

Holocaust Memorial Museum U.S.	0	0	0	0	0	0.00	$0.00	$0.00
International Boundary and Water Commission	0	0	0	0	0	0.00	$0.00	$0.00
International Trade Commission	0	0	0	0	0	0.00	$0.00	$0.00
John F. Kennedy Center for the Performing Arts	0	0	0	0	0	0.00	$0.00	$0.00
Merit Systems Protection Board	0	0	0	0	0	0.00	$0.00	$0.00
National Aeronautics and Space Administration	0	0	0	0	0	0.00	$0.00	$0.00
National Archives and Records Administration	0	0	0	0	0	0.00	$0.00	$0.00
National Credit Union Administration	0	0	0	0	0	0.00	$0.00	$0.00
National Endowment for the Arts	0	0	0	0	0	0.00	$0.00	$0.00
National Endowment for the Humanities	0	0	0	0	0	0.00	$0.00	$0.00
National Gallery of Art	0	0	0	0	0	0.00	$0.00	$0.00
National Labor Relations Board	3	238	2	1	3	100.00	$45,000.00	$15,000.00
National Science Foundation	0	0	0	0	0	0.00	$0.00	$0.00
National Transportation Safety Board	0	0	0	0	0	0.00	$0.00	$0.00
Nuclear Regulatory Commission	0	0	0	0	0	0.00	$0.00	$0.00
Office of Personnel Management	0	0	0	0	0	0.00	$0.00	$0.00
Office of Special Counsel	1	266	0	1	1	100.00	$3,579.84	$3,579.84

Overseas Private Investment Corporation	0	0	0	0	0	0.00	$0.00	$0.00
Peace Corps	0	0	0	0	0	0.00	$0.00	$0.00
Pension Benefit Guaranty Corporation	0	0	0	0	0	0.00	$0.00	$0.00
Railroad Retirement Board	0	0	0	0	0	0.00	$0.00	$0.00
Securities and Exchange Commission	0	0	0	0	0	0.00	$0.00	$0.00
Selective Service System	0	0	0	0	0	0.00	$0.00	$0.00
Small Business Administration	0	0	0	0	0	0.00	$0.00	$0.00
Smithsonian Institution	3	202	2	1	3	100.00	$10,500.00	$3,500.00
Social Security Administration	0	0	0	0	0	0.00	$0.00	$0.00
Tennessee Valley Authority	0	0	0	0	0	0.00	$0.00	$0.00
U.S. Postal Service	975	397	210	6	216	22.15	$1,863,106.35	$1,910.88
U.S. Tax Court	0	0	0	0	0	0.00	$0.00	$0.00
Cabinet Level Subtotal	4,136	264	1,201	734	1,935	46.00	$12,686,881.43	$3,067.43
Midsize Agencies Subtotal	3	202	2	1	3	100.00	$10,500.00	$3,500.00
Small Agencies Subtotal	42	179	25	10	35	83.33	$178,619.84	$4,252.85
Grand Total	4,181	263	1,228	745	1,973	47.19	$12,876,001.27	$3,079.65

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Table 10 Timeliness of Completed Complaint Investigations by Contract Investigators

Agency Name	Total # Completed Investigations	Average Processing Days Completed Investigations	# Timely Completed within 180 Days	# Timely Completed within 181-360 Days	Total # Timely Completed Investigations	% Investigations Timely Completed	Total Cost Contract Investigations	Average Cost Contract Investigations
Agency for International Development	2	267	1	0	1	50.00	$8,930.00	$4,465.00
Armed Forces Retirement Home	0	0	0	0	0	0.00	$0.00	$0.00
Broadcasting Board of Governors	20	116	20	0	20	100.00	$56,995.00	$2,849.75
Central Intelligence Agency	2	183	1	0	1	50.00	$10,500.00	$5,250.00
Commodity Futures Trading Commission	1	191	0	0	0	0.00	$1,050.00	$1,050.00
Consumer Product Safety Commission	1	76	1	0	1	100.00	$2,600.00	$2,600.00
Corporation for National and Community Service	17	150	17	0	17	100.00	$42,500.00	$2,500.00
Court Services and Offender Supervision Agency for the District of Columbia	9	418	1	0	1	11.11	$25,685.00	$2,853.89
Defense Army and Air Force Exchange Service	13	298	0	8	8	61.54	$88,070.00	$6,774.62
Defense Commissary Agency	78	193	40	32	72	92.31	$19,500.00	$250.00
Defense Contract Audit Agency	15	265	2	0	2	13.33	$3,375.00	$225.00
Defense Contract Management Agency	20	330	2	0	2	10.00	$5,000.00	$250.00

Defense Dependent Education Activity	42	298	5	4	9	21.43	$13,000.00	$309.52
Defense Finance and Accounting Service	60	256	10	1	11	18.33	$30,327.91	$505.47
Defense Human Resource Activity	1	119	1	0	1	100.00	$1,700.00	$1,700.00
Defense Information Systems Agency	6	339	1	1	2	33.33	$23,991.20	$3,998.53
Defense Intelligence Agency	0	0	0	0	0	0.00	$0.00	$0.00
Defense Logistics Agency	62	288	13	5	18	29.03	$86,960.00	$1,402.58
Defense National Geospatial-Intelligence	6	127	3	3	6	100.00	$750.00	$125.00
Defense National Guard Bureau	9	161	1	3	4	44.44	$7,295.59	$810.62
Defense National Security Agency	0	0	0	0	0	0.00	$0.00	$0.00
Defense Nuclear Facilities Safety Board	0	0	0	0	0	0.00	$0.00	$0.00
Defense Office of the Inspector General	1	265	0	0	0	0.00	$250.00	$250.00
Defense, Office of the Secretary	0	0	0	0	0	0.00	$0.00	$0.00
Defense Security Service	6	309	0	1	1	16.67	$15,000.00	$2,500.00
Defense Threat Reduction Agency	4	263	1	0	1	25.00	$1,000.00	$250.00
Defense Uniformed Services University	1	200	0	1	1	100.00	$250.00	$250.00
Department of Agriculture	610	364	110	165	275	45.08	$2,259,614.94	$3,704.29
Department of Commerce	18	436	0	3	3	16.67	$75,021.00	$4,167.83
Department of Education	18	194	11	6	17	94.44	$75,503.19	$4,194.62

Department of Energy	56	211	34	14	48	85.71	$151,496.40	$2,705.29
Department of Health and Human Services	153	170	103	19	122	79.74	$534,882.99	$3,495.97
Department of Homeland Security	652	252	211	79	290	44.48	$1,492,593.79	$2,289.25
Department of Housing and Urban Development	60	385	3	7	10	16.67	$113,302.00	$1,888.37
Department of Justice	252	219	123	55	178	70.63	$887,754.79	$3,522.84
Department of Labor	0	0	0	0	0	0.00	$0.00	$0.00
Department of State	18	173	10	0	10	55.56	$127,311.00	$7,072.83
Department of the Air Force	237	249	54	11	65	27.43	$58,500.00	$246.84
Department of the Army	0	0	0	0	0	0.00	$165,579.06	$165,579.06
Department of the Interior	201	217	96	27	123	61.19	$595,913.53	$2,964.74
Department of the Navy	277	299	33	130	163	58.84	$69,250.00	$250.00
Department of the Treasury	0	0	0	0	0	0.00	$0.00	$0.00
Department of Transportation	71	174	34	15	49	69.01	$296,070.00	$4,170.00
Department of Veterans Affairs	65	271	11	6	17	26.15	$246,685.26	$3,795.16
Environmental Protection Agency	63	305	9	40	49	77.78	$58,338.00	$926.00
EOP - National Drug Control Policy	1	103	1	0	1	100.00	$2,500.00	$2,500.00
EOP - Office of Administration	0	0	0	0	0	0.00	$0.00	$0.00
EOP - Office of Management and Budget	0	0	0	0	0	0.00	$0.00	$0.00
EOP - Office of the U.S. Trade Representative	1	211	0	0	0	0.00	$3,500.00	$3,500.00

Equal Employment Opportunity Commission	0	0	0	0	0	0.00	$0.00	$0.00
Export-Import Bank of the US	3	193	1	2	3	100.00	$7,500.00	$2,500.00
Farm Credit Administration	1	245	0	0	0	0.00	$3,415.00	$3,415.00
Federal Communications Commission	3	133	3	0	3	100.00	$14,000.00	$4,666.67
Federal Deposit Insurance Corporation	38	272	10	5	15	39.47	$161,297.52	$4,244.67
Federal Election Commission	0	0	0	0	0	0.00	$0.00	$0.00
Federal Energy Regulatory Commission	2	180	2	0	2	100.00	$15,710.00	$7,855.00
Federal Housing Finance Board	2	148	2	0	2	100.00	$9,002.00	$4,501.00
Federal Labor Relations Authority	1	107	1	0	1	100.00	$6,757.00	$6,757.00
Federal Maritime Commission	1	60	1	0	1	100.00	$2,500.00	$2,500.00
Federal Mediation and Conciliation Service	0	0	0	0	0	0.00	$0.00	$0.00
Federal Reserve System--Board of Governors	3	160	2	0	2	66.67	$8,995.00	$2,998.33
Federal Retirement Thrift Investment Board	1	115	1	0	1	100.00	$0.00	$0.00
Federal Trade Commission	3	169	2	1	3	100.00	$10,600.00	$3,533.33
General Services Administration	88	166	57	27	84	95.45	$255,179.98	$2,899.77
Government Printing Office	25	340	3	0	3	12.00	$62,024.00	$2,480.96
Holocaust Memorial Museum U.S.	0	0	0	0	0	0.00	$0.00	$0.00

International Boundary and Water Commission	4	126	4	0	4	100.00	$7,838.00	$1,959.50
International Trade Commission	0	0	0	0	0	0.00	$0.00	$0.00
John F. Kennedy Center for the Performing Arts	1	175	1	0	1	100.00	$2,800.00	$2,800.00
Merit Systems Protection Board	0	0	0	0	0	0.00	$0.00	$0.00
National Aeronautics and Space Administration	20	216	6	4	10	50.00	$107,044.00	$5,352.20
National Archives and Records Administration	8	221	2	0	2	25.00	$26,419.00	$3,302.38
National Credit Union Administration	3	105	3	0	3	100.00	$9,375.00	$3,125.00
National Endowment for the Arts	0	0	0	0	0	0.00	$0.00	$0.00
National Endowment for the Humanities	0	0	0	0	0	0.00	$0.00	$0.00
National Gallery of Art	9	148	7	2	9	100.00	$27,000.00	$3,000.00
National Labor Relations Board	0	0	0	0	0	0.00	$0.00	$0.00
National Science Foundation	3	144	3	0	3	100.00	$14,214.00	$4,738.00
National Transportation Safety Board	5	248	1	1	2	40.00	$20,000.00	$4,000.00
Nuclear Regulatory Commission	6	85	6	0	6	100.00	$15,732.88	$2,622.15
Office of Personnel Management	10	325	1	0	1	10.00	$34,988.40	$3,498.84
Office of Special Counsel	0	0	0	0	0	0.00	$0.00	$0.00
Overseas Private Investment Corporation	0	0	0	0	0	0.00	$0.00	$0.00

Peace Corps	2	212	0	2	2	100.00	$7,000.00	$3,500.00
Pension Benefit Guaranty Corporation	4	244	0	0	0	0.00	$19,425.00	$4,856.25
Railroad Retirement Board	3	174	2	1	3	100.00	$9,065.00	$3,021.67
Securities and Exchange Commission	8	169	7	0	7	87.50	$69,109.00	$8,638.63
Selective Service System	1	86	1	0	1	100.00	$3,300.00	$3,300.00
Small Business Administration	23	304	1	0	1	4.35	$75,059.00	$3,263.43
Smithsonian Institution	7	133	7	0	7	100.00	$23,200.00	$3,314.29
Social Security Administration	397	352	37	29	66	16.62	$815,818.71	$2,054.96
Tennessee Valley Authority	34	117	33	1	34	100.00	$102,531.00	$3,015.62
U.S. Postal Service	3847	306	1149	73	1222	31.77	$7,462,189.07	$1,939.74
U.S. Tax Court	0	0	0	0	0	0.00	$0.00	$0.00
Cabinet Level Subtotal	6859	291	2061	669	2730	39.80	$14,908,136.72	$2,173.51
Midsize Agencies Subtotal	670	299	160	106	266	39.70	$1,598,468.21	$2,385.77
Small Agencies Subtotal	166	209	98	9	107	64.46	$561,029.28	$3,379.69
Grand Total	7695	290	2319	784	3103	40.32	$17,067,634.21	$2,218.02

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The U.S. Equal Employment Opportunity Commission

Table 11 Timeliness of Merit Final Agency Decision (FAD) Issuance (No AJ Decision)

Agency Name	Total # Merit FADs Issued	Total APD from Date of Complaint Filing	Total APD From Date FAD Required	# Timely Completed Where FAD Requested	# Timely Completed Where No Election Made	# Timely Completed Where AJ Ordered FAD	Total # Merit FADs Timely Issued	% Merit FADs Timely Issued
Agency for International Development	1	376	217	0	0	0	0	0.00
Armed Forces Retirement Home	0	0	0	0	0	0	0	0.00
Broadcasting Board of Governors	1	195	28	1	0	0	1	100.00
Central Intelligence Agency..	2	285	61	0	1	0	1	50.00
Commodity Futures Trading Commission	6	367	91	1	1	0	2	33.33
Consumer Product Safety Commission	1	132	24	1	0	0	1	100.00
Corporation for National and Community Service	5	20	36	0	0	2	2	40.00
Court Services and Offender Supervision Agency for the District of Columbia	3	489	118	0	1	0	1	33.33
Defense Army and Air Force Exchange Service	41	766	429	0	0	1	1	2.44
Defense Commissary Agency	34	305	22	8	18	8	34	100.00
Defense Contract Audit Agency	5	362	23	0	5	0	5	100.00
Defense Contract Management Agency	29	1,482	1,235	0	0	1	1	3.45
Defense Dependent Education Activity	15	152	62	8	0	0	8	53.33
Defense Finance and Accounting Service	29	470	219	1	3	0	4	13.79
Defense Human Resource Activity	0	0	0	0	0	0	0	0.00

Defense Information Systems Agency	8	113	85	4	1	0	5	62.50
Defense Intelligence Agency	0	0	0	0	0	0	0	0.00
Defense Logistics Agency	34	781	186	5	0	0	5	14.71
Defense National Geospatial-Intelligence	0	0	0	0	0	0	0	0.00
Defense National Guard Bureau	23	788	237	8	7	1	16	69.57
Defense National Security Agency	6	508	69	3	0	1	4	66.67
Defense Nuclear Facilities Safety Board	0	0	0	0	0	0	0	0.00
Defense Office of the Inspector General	0	0	0	0	0	0	0	0.00
Defense, Office of the Secretary	4	910	280	0	0	0	0	0.00
Defense Security Service	1	466	140	0	0	0	0	0.00
Defense Threat Reduction Agency	1	91	91	0	0	0	0	0.00
Defense Uniformed Services University	0	0	0	0	0	0	0	0.00
Department of Agriculture	463	1,094	582	15	9	0	24	5.18
Department of Commerce	84	999	324	3	0	16	19	22.62
Department of Education	5	537	165	1	0	0	1	20.00
Department of Energy	24	326	66	7	0	4	11	45.83
Department of Health and Human Services	45	604	320	0	1	0	1	2.22
Department of Homeland Security	114	902	378	28	5	5	38	33.33
Department of Housing and Urban Development	41	1,297	256	0	0	0	0	0.00
Department of Justice	298	940	241	26	19	1	46	15.44
Department of Labor	31	1,187	436	1	1	0	2	6.45
Department of State	0	285	0	0	0	0	0	0.00
Department of the Air Force	161	582	171	5	17	23	45	27.95

Department of the Army	107	632	437	1	1	4	6	5.61
Department of the Interior	109	420	179	17	4	18	39	35.78
Department of the Navy	237	589	54	175	18	29	222	93.67
Department of the Treasury	277	574	51	181	0	7	188	67.87
Department of Transportation	113	264	86	12	14	12	38	33.63
Department of Veterans Affairs	667	303	71	82	166	109	357	53.52
Environmental Protection Agency	31	790	91	5	10	0	15	48.39
EOP - National Drug Control Policy	0	0	0	0	0	0	0	0.00
EOP - Office of Administration	0	0	0	0	0	0	0	0.00
EOP - Office of Management and Budget	0	0	0	0	0	0	0	0.00
EOP - Office of the U.S. Trade Representative	1	335	95	0	0	0	0	0.00
Equal Employment Opportunity Commission	12	482	174	1	1	1	3	25.00
Export-Import Bank of the US	0	0	0	0	0	0	0	0.00
Farm Credit Administration	0	0	0	0	0	0	0	0.00
Federal Communications Commission	1	0	30	1	0	0	1	100.00
Federal Deposit Insurance Corporation	19	734	324	2	4	0	6	31.58
Federal Election Commission	0	0	0	0	0	0	0	0.00
Federal Energy Regulatory Commission	0	0	0	0	0	0	0	0.00
Federal Housing Finance Board	0	0	0	0	0	0	0	0.00
Federal Labor Relations Authority	0	0	0	0	0	0	0	0.00
Federal Maritime Commission	0	0	0	0	0	0	0	0.00
Federal Mediation and Conciliation Service	0	0	0	0	0	0	0	0.00
Federal Reserve System--Board of Governors	3	432	60	0	2	0	2	66.67

Federal Retirement Thrift Investment Board	0	0	0	0	0	0	0	0.00
Federal Trade Commission	1	167	60	1	0	0	1	100.00
General Services Administration	22	339	53	9	7	1	17	77.27
Government Printing Office	15	340	243	3	2	0	5	33.33
Holocaust Memorial Museum U.S.	1	21	21	0	1	0	1	100.00
International Boundary and Water Commission	0	0	0	0	0	0	0	0.00
International Trade Commission	0	0	0	0	0	0	0	0.00
John F. Kennedy Center for the Performing Arts	0	0	0	0	0	0	0	0.00
Merit Systems Protection Board	0	0	0	0	0	0	0	0.00
National Aeronautics and Space Administration	14	663	281	0	0	0	0	0.00
National Archives and Records Administration	7	1,133	58	5	0	0	5	71.43
National Credit Union Administration	1	1,506	710	0	0	0	0	0.00
National Endowment for the Arts	0	0	0	0	0	0	0	0.00
National Endowment for the Humanities	0	0	0	0	0	0	0	0.00
National Gallery of Art	10	214	59	0	9	0	9	90.00
National Labor Relations Board	1	1,625	28	0	0	1	1	100.00
National Science Foundation	3	0	102	0	0	0	0	0.00
National Transportation Safety Board	0	0	0	0	0	0	0	0.00
Nuclear Regulatory Commission	1	1,328	535	0	0	0	0	0.00
Office of Personnel Management	0	0	0	0	0	0	0	0.00
Office of Special Counsel	0	0	0	0	0	0	0	0.00

Overseas Private Investment Corporation	0	0	0	0	0	0	0	0.00
Peace Corps	0	0	0	0	0	0	0	0.00
Pension Benefit Guaranty Corporation	0	0	0	0	0	0	0	0.00
Railroad Retirement Board	0	0	0	0	0	0	0	0.00
Securities and Exchange Commission	5	385	65	1	1	0	2	40.00
Selective Service System	1	0	50	1	0	0	1	100.00
Small Business Administration	4	480	112	1	0	0	1	25.00
Smithsonian Institution	5	226	61	1	1	0	2	40.00
Social Security Administration	65	556	421	0	1	0	1	1.54
Tennessee Valley Authority	23	300	254	0	0	6	6	26.09
U.S. Postal Service	2,915	544	163	397	1,088	3	1,488	51.05
U.S. Tax Court	0	0	0	0	0	0	0	0.00
Cabinet Level Subtotal	5,921	604	199	988	1,377	243	2,608	44.05
Midsize Agencies Subtotal	183	553	263	18	23	7	48	26.23
Small Agencies Subtotal	82	438	129	16	19	4	39	47.56
Grand Total	6,186	601	200	1,022	1,419	254	2,695	43.57

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Table 12 Average Processing Days (APD) All Complaint Closures

Agency Name	APD All Closed Complaints	APD All Withdrawals	APD Non-ADR Withdrawals	APD ADR Withdrawals	APD All Settlements	APD Non-ADR Settlements	APD ADR Settlements	APD All Final Agency Actions
Agency for International Development	518	809	809	0	0	0	0	324
Armed Forces Retirement Home	0	0	0	0	0	0	0	0
Broadcasting Board of Governors	470	79	79	0	445	445	0	509
Central Intelligence Agency	696	0	0	0	1,422	1,422	0	356
Commodity Futures Trading Commission	387	0	0	0	0	0	0	387
Consumer Product Safety Commission	325	0	0	0	350	0	350	301
Corporation for National and Community Service	25	0	0	0	23	23	0	28
Court Services and Offender Supervision Agency for the District of Columbia	570	723	723	0	233	29	335	649
Defense Army and Air Force Exchange Service	519	272	392	211	347	545	180	630
Defense Commissary Agency	186	27	24	46	99	318	57	328

Defense Contract Audit Agency	603	674	674	0	214	255	119	750
Defense Contract Management Agency	973	173	173	0	476	465	688	1,185
Defense Dependent Education Activity	156	198	198	0	77	77	0	170
Defense Finance and Accounting Service	396	193	202	121	367	456	165	419
Defense Human Resource Activity	566	0	0	0	0	0	0	566
Defense Information Systems Agency	301	183	0	183	215	157	235	343
Defense Intelligence Agency	616	300	300	0	676	676	0	957
Defense Logistics Agency	477	278	287	81	344	412	273	569
Defense National Geospatial-Intelligence	82	17	15	20	30	34	27	380
Defense National Guard Bureau	454	97	109	0	87	75	96	726
Defense National Security Agency	525	368	368	0	1,075	1,075	0	405
Defense Nuclear Facilities Safety Board	0	0	0	0	0	0	0	0
Defense Office of the Inspector General	25	0	0	0	25	0	25	0
Defense, Office of the Secretary	606	303	303	0	614	685	471	633
Defense Security Service	470	251	251	0	535	587	67	326
Defense Threat Reduction Agency	219	133	133	0	416	416	0	65

Defense Uniformed Services University	0	0	0	0	0	0	0	0
Department of Agriculture	815	429	504	71	590	586	596	915
Department of Commerce	587	135	129	479	598	612	518	720
Department of Education	542	354	354	0	540	1,087	267	621
Department of Energy	377	277	277	0	408	429	346	372
Department of Health and Human Services	510	354	354	0	519	584	127	540
Department of Homeland Security	534	271	268	377	378	396	103	639
Department of Housing and Urban Development	809	343	392	63	574	792	66	980
Department of Justice	565	515	515	0	633	672	223	559
Department of Labor	894	457	0	457	780	0	780	955
Department of State	315	270	270	0	488	700	307	282
Department of the Air Force	392	267	279	177	275	331	244	479
Department of the Army	324	181	188	65	194	240	96	498
Department of the Interior	542	288	288	0	535	583	168	556
Department of the Navy	575	293	283	425	474	481	360	655
Department of the Treasury	478	261	261	0	487	490	67	519
Department of Transportation	245	348	348	0	369	627	31	216
Department of Veterans Affairs	299	278	280	218	310	312	271	299

Environmental Protection Agency	738	308	308	0	827	827	0	765
EOP - National Drug Control Policy	0	0	0	0	0	0	0	0
EOP - Office of Administration	0	0	0	0	0	0	0	0
EOP - Office of Management and Budget	447	0	0	0	447	447	0	0
EOP - Office of the U.S. Trade Representative	335	0	0	0	0	0	0	335
Equal Employment Opportunity Commission	421	407	438	132	259	234	278	510
Export-Import Bank of the US	212	147	147	0	234	103	497	0
Farm Credit Administration	505	0	0	0	505	505	0	0
Federal Communications Commission	701	0	0	0	0	0	0	701
Federal Deposit Insurance Corporation	986	698	698	0	1,139	1,291	77	1,006
Federal Election Commission	520	0	0	0	520	0	520	0
Federal Energy Regulatory Commission	30	0	0	0	30	30	0	0
Federal Housing Finance Board	374	84	84	0	0	0	0	520
Federal Labor Relations Authority	209	209	209	0	0	0	0	0
Federal Maritime Commission	0	0	0	0	0	0	0	0
Federal Mediation and Conciliation Service	0	0	0	0	0	0	0	0

Federal Reserve System--Board of Governors	358	377	377	0	0	0	0	349
Federal Retirement Thrift Investment Board	203	0	0	0	203	203	0	0
Federal Trade Commission	847	0	0	0	1,057	1,057	0	566
General Services Administration	509	173	173	0	548	585	268	501
Government Printing Office	513	236	236	0	737	737	0	425
Holocaust Memorial Museum U.S.	21	0	0	0	0	0	0	21
International Boundary and Water Commission	163	218	218	0	0	0	0	136
International Trade Commission	0	0	0	0	0	0	0	0
John F. Kennedy Center for the Performing Arts	175	0	0	0	0	0	0	175
Merit Systems Protection Board	182	0	0	0	182	182	0	0
National Aeronautics and Space Administration	525	0	0	0	503	502	503	537
National Archives and Records Administration	835	692	692	0	348	407	52	1,005
National Credit Union Administration	1,359	357	357	0	1,095	1,095	0	1,540
National Endowment for the Arts	240	0	0	0	0	0	0	240
National Endowment for the Humanities	0	0	0	0	0	0	0	0

National Gallery of Art	328	0	0	0	0	0	0	328
National Labor Relations Board	1,034	314	314	0	160	174	133	1,300
National Science Foundation	470	350	686	14	427	427	0	551
National Transportation Safety Board	273	0	0	0	460	460	0	180
Nuclear Regulatory Commission	587	267	267	0	534	534	0	1,014
Office of Personnel Management	588	487	487	0	652	0	652	600
Office of Special Counsel	305	0	0	0	305	305	0	0
Overseas Private Investment Corporation	0	0	0	0	0	0	0	0
Peace Corps	1,178	0	0	0	515	515	0	1,398
Pension Benefit Guaranty Corporation	317	0	0	0	1,081	1,081	0	63
Railroad Retirement Board	482	243	243	0	372	372	0	830
Securities and Exchange Commission	376	363	363	0	90	90	0	449
Selective Service System	0	0	0	0	0	0	0	0
Small Business Administration	491	251	251	0	433	433	0	515
Smithsonian Institution	326	0	0	0	318	534	30	328
Social Security Administration	575	331	334	160	507	586	130	643
Tennessee Valley Authority	148	31	31	0	49	51	5	214
U.S. Postal Service	**445**	342	317	388	643	666	608	425
U.S. Tax Court	0	0	0	0	0	0	0	0

Cabinet Level Subtotal	463	306	293	355	472	494	420	484
Midsize Agencies Subtotal	566	337	339	160	508	570	233	613
Small Agencies Subtotal	541	377	392	73	459	486	320	581
Grand Total	469	308	297	354	473	497	413	490

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Table 13 Average Processing Days (APD) Final Agency Decision (FAD) and Fully Implemented (FI) AJ Decisions

Agency Name	APD All FADs	APD FADs Finding Discrimination	APD FADs Finding No Discrimination	APD Merit FADs	APD FAD Dismissals	APD ALL FOs on AJ Decisions	APD AJ Decisions Fully Implemented (FI)	APD AJ Discrimination Findings FI	APD AJ No Discrimination Findings FI	APD AJ Dismissals FI
Agency for International Development	324	0	376	376	298	0	0	0	0	0
Armed Forces Retirement Home	0	0	0	0	0	0	0	0	0	0
Broadcasting Board of Governors	70	0	195	195	28	729	729	0	729	0
Central Intelligence Agency	218	0	285	285	203	737	737	0	737	0
Commodity Futures Trading Commission	367	0	367	367	0	447	447	0	447	0
Consumer Product Safety Commission	132	0	132	132	0	470	470	0	470	0
Corporation for National and Community Service	28	0	20	20	69	0	0	0	0	0
Court Services and Offender Supervision Agency for the District of Columbia	489	0	489	489	0	770	770	0	770	0
Defense Army and Air Force Exchange Service	502	0	766	766	152	878	881	812	885	0
Defense Commissary Agency	212	362	302	305	178	697	714	1,000	645	636
Defense Contract Audit Agency	245	0	362	362	99	1,053	1,053	0	1,091	511
Defense Contract Management Agency	1,205	0	1,482	1,482	58	1,166	1,166	0	1,166	0

Defense Dependent Education Activity	147	0	152	152	135	180	180	103	184	100
Defense Finance and Accounting Service	192	0	470	470	34	774	775	0	775	0
Defense Human Resource Activity	205	0	0	0	205	747	747	0	747	0
Defense Information Systems Agency	78	0	113	113	43	1,052	1,052	0	1,052	0
Defense Intelligence Agency	0	0	0	0	0	957	957	0	957	0
Defense Logistics Agency	505	0	781	781	237	649	649	480	663	464
Defense National Geospatial-Intelligence	180	0	0	0	180	680	680	0	680	0
Defense National Guard Bureau	717	0	788	788	653	763	771	0	900	728
Defense National Security Agency	338	0	508	508	134	773	773	0	773	0
Defense Nuclear Facilities Safety Board	0	0	0	0	0	0	0	0	0	0
Defense Office of the Inspector General	0	0	0	0	0	0	0	0	0	0
Defense, Office of the Secretary	365	0	910	910	92	991	991	0	991	0
Defense Security Service	249	0	466	466	31	482	482	0	0	482
Defense Threat Reduction Agency	91	0	91	91	0	39	39	0	39	0
Defense Uniformed Services University	0	0	0	0	0	0	0	0	0	0
Department of Agriculture	913	1,284	1,091	1,094	327	919	914	973	925	716
Department of Commerce	739	0	999	999	179	676	685	792	690	306
Department of Education	453	0	537	537	244	719	663	0	663	0
Department of Energy	271	0	326	326	184	558	447	683	321	1,758

Department of Health and Human Services	355	856	598	604	171	879	874	1,124	890	658
Department of Homeland Security	452	1,119	856	902	236	926	943	364	955	1,281
Department of Housing and Urban Development	953	0	1,297	1,297	482	1,029	1,034	1,108	1,028	0
Department of Justice	689	1,023	939	940	291	384	378	1,456	347	655
Department of Labor	653	743	1,218	1,187	373	1,394	1,394	2,053	1,407	917
Department of State	219	0	285	285	173	358	358	0	331	480
Department of the Air Force	377	590	582	582	109	719	717	1,729	666	791
Department of the Army	341	929	629	632	155	902	918	1,208	780	1,409
Department of the Interior	407	681	415	420	377	812	812	1,296	709	1,111
Department of the Navy	433	683	589	589	145	993	985	1,335	973	958
Department of the Treasury	443	0	574	574	185	799	782	483	785	0
Department of Transportation	77	157	85	86	69	455	455	711	444	0
Department of Veterans Affairs	206	343	302	303	72	505	505	523	512	386
Environmental Protection Agency	704	0	790	790	588	922	922	0	922	0
EOP - National Drug Control Policy	0	0	0	0	0	0	0	0	0	0
EOP - Office of Administration	0	0	0	0	0	0	0	0	0	0
EOP - Office of Management and Budget	0	0	0	0	0	0	0	0	0	0
EOP - Office of the U.S. Trade Representative	335	0	335	335	0	0	0	0	0	0
Equal Employment Opportunity Commission	382	0	482	482	82	696	696	610	705	0
Export-Import Bank of the US	0	0	0	0	0	0	0	0	0	0

Farm Credit Administration	0	0	0	0	0	0	0	0	0	0
Federal Communications Commission	0	0	0	0	0	701	701	0	701	0
Federal Deposit Insurance Corporation	734	0	734	734	0	1,252	1,252	1,885	1,098	1,125
Federal Election Commission	0	0	0	0	0	0	0	0	0	0
Federal Energy Regulatory Commission	0	0	0	0	0	0	0	0	0	0
Federal Housing Finance Board	0	0	0	0	0	520	520	0	0	520
Federal Labor Relations Authority	0	0	0	0	0	0	0	0	0	0
Federal Maritime Commission	0	0	0	0	0	0	0	0	0	0
Federal Mediation and Conciliation Service	0	0	0	0	0	0	0	0	0	0
Federal Reserve System--Board of Governors	349	0	432	432	98	0	0	0	0	0
Federal Retirement Thrift Investment Board	0	0	0	0	0	0	0	0	0	0
Federal Trade Commission	167	0	167	167	0	765	765	0	765	0
General Services Administration	234	0	339	339	142	800	800	0	832	380
Government Printing Office	296	0	340	340	237	985	985	0	1,032	750
Holocaust Memorial Museum U.S.	21	0	21	21	0	0	0	0	0	0
International Boundary and Water Commission	18	0	0	0	18	254	254	0	254	0
International Trade Commission	0	0	0	0	0	0	0	0	0	0
John F. Kennedy Center for the Performing Arts	175	0	0	0	175	0	0	0	0	0
Merit Systems Protection Board	0	0	0	0	0	0	0	0	0	0

National Aeronautics and Space Administration	508	1,105	589	663	199	596	596	584	624	379
National Archives and Records Administration	996	0	1,133	1,133	36	1,012	1,012	0	1,202	569
National Credit Union Administration	1,506	0	1,506	1,506	0	1,546	1,749	0	1,749	0
National Endowment for the Arts	0	0	0	0	0	240	240	0	0	240
National Endowment for the Humanities	0	0	0	0	0	0	0	0	0	0
National Gallery of Art	181	0	214	214	19	621	621	0	621	0
National Labor Relations Board	898	0	1,625	1,625	170	1,351	1,351	0	1,121	1,404
National Science Foundation	251	0	0	0	251	1,453	0	0	0	0
National Transportation Safety Board	0	0	0	0	0	180	180	0	180	0
Nuclear Regulatory Commission	1,328	1,328	0	1,328	0	909	909	0	909	0
Office of Personnel Management	279	0	0	0	279	921	921	0	921	0
Office of Special Counsel	0	0	0	0	0	0	0	0	0	0
Overseas Private Investment Corporation	0	0	0	0	0	0	0	0	0	0
Peace Corps	0	0	0	0	0	1,398	1,398	0	1,398	0
Pension Benefit Guaranty Corporation	63	0	0	0	63	0	0	0	0	0
Railroad Retirement Board	0	0	0	0	0	830	830	0	830	0
Securities and Exchange Commission	204	0	385	385	121	1,432	1,432	0	884	1,980
Selective Service System	0	0	0	0	0	0	0	0	0	0
Small Business Administration	225	0	480	480	123	884	884	1,121	749	0

Smithsonian Institution	114	0	226	226	33	562	562	0	562	0
Social Security Administration	345	38	685	556	185	953	946	915	948	938
Tennessee Valley Authority	235	529	290	300	50	81	81	0	102	0
U.S. Postal Service	315	640	541	544	76	760	757	782	758	424
U.S. Tax Court	0	0	0	0	0	0	0	0	0	0
Cabinet Level Subtotal	381	723	599	601	121	730	727	935	720	781
Midsize Agencies Subtotal	394	202	587	553	218	901	897	1,162	885	845
Small Agencies Subtotal	317	1,328	427	438	171	916	915	610	852	1,179
Grand Total	380	670	596	598	125	743	740	958	731	833

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Table 14 Average Processing Days (APD) AJ Decisions Not Fully Implemented (NFI)

Agency Name	APD All AJ Decisions NFI	APD Finding Discrimination NFI	APD Appeal Finding, Not Remedy	APD Appeal Remedy, Not Finding	APD Appeal Remedy and Finding	APD Finding No Discrimination NFI	APD Dismissals NFI
Agency for International Development	0	0	0	0	0	0	0
Armed Forces Retirement Home	0	0	0	0	0	0	0
Broadcasting Board of Governors	0	0	0	0	0	0	0
Central Intelligence Agency	0	0	0	0	0	0	0
Commodity Futures Trading Commission	0	0	0	0	0	0	0
Consumer Product Safety Commission	0	0	0	0	0	0	0
Corporation for National and Community Service	0	0	0	0	0	0	0
Court Services and Offender Supervision Agency for the District of Columbia	0	0	0	0	0	0	0
Defense Army and Air Force Exchange Service	769	769	0	0	769	0	0
Defense Commissary Agency	370	370	0	0	370	0	0
Defense Contract Audit Agency	0	0	0	0	0	0	0
Defense Contract Management Agency	0	0	0	0	0	0	0
Defense Dependent Education Activity	0	0	0	0	0	0	0
Defense Finance and Accounting Service	735	735	0	0	735	0	0
Defense Human Resource Activity	0	0	0	0	0	0	0

Defense Information Systems Agency	0	0	0	0	0	0	0
Defense Intelligence Agency	0	0	0	0	0	0	0
Defense Logistics Agency	0	0	0	0	0	0	0
Defense National Geospatial-Intelligence	0	0	0	0	0	0	0
Defense National Guard Bureau	730	0	0	0	0	0	730
Defense National Security Agency	0	0	0	0	0	0	0
Defense Nuclear Facilities Safety Board	0	0	0	0	0	0	0
Defense Office of the Inspector General	0	0	0	0	0	0	0
Defense, Office of the Secretary	0	0	0	0	0	0	0
Defense Security Service	0	0	0	0	0	0	0
Defense Threat Reduction Agency	0	0	0	0	0	0	0
Defense Uniformed Services University	0	0	0	0	0	0	0
Department of Agriculture	1,983	1,983	0	0	1,983	0	0
Department of Commerce	236	236	0	0	236	0	0
Department of Education	1,333	1,333	0	0	1,333	0	0
Department of Energy	2,770	2,770	0	0	2,770	0	0
Department of Health and Human Services	1,169	1,169	0	0	1,169	0	0
Department of Homeland Security	777	1,937	0	2,120	1,204	449	498
Department of Housing and Urban Development	925	925	0	0	925	0	0
Department of Justice	1,048	1,048	0	678	1,233	0	0
Department of Labor	0	0	0	0	0	0	0
Department of State	0	0	0	0	0	0	0
Department of the Air Force	766	801	0	0	801	730	0

Department of the Army	329	603	603	0	0	374	11
Department of the Interior	0	0	0	0	0	0	0
Department of the Navy	1,481	1,481	0	0	1,481	0	0
Department of the Treasury	1,724	1,724	0	0	1,724	0	0
Department of Transportation	0	0	0	0	0	0	0
Department of Veterans Affairs	511	511	0	518	507	0	0
Environmental Protection Agency	0	0	0	0	0	0	0
EOP - National Drug Control Policy	0	0	0	0	0	0	0
EOP - Office of Administration	0	0	0	0	0	0	0
EOP - Office of Management and Budget	0	0	0	0	0	0	0
EOP - Office of the U.S. Trade Representative	0	0	0	0	0	0	0
Equal Employment Opportunity Commission	0	0	0	0	0	0	0
Export-Import Bank of the US	0	0	0	0	0	0	0
Farm Credit Administration	0	0	0	0	0	0	0
Federal Communications Commission	0	0	0	0	0	0	0
Federal Deposit Insurance Corporation	0	0	0	0	0	0	0
Federal Election Commission	0	0	0	0	0	0	0
Federal Energy Regulatory Commission	0	0	0	0	0	0	0
Federal Housing Finance Board	0	0	0	0	0	0	0
Federal Labor Relations Authority	0	0	0	0	0	0	0
Federal Maritime Commission	0	0	0	0	0	0	0
Federal Mediation and Conciliation Service	0	0	0	0	0	0	0

Federal Reserve System--Board of Governors	0	0	0	0	0	0	0
Federal Retirement Thrift Investment Board	0	0	0	0	0	0	0
Federal Trade Commission	0	0	0	0	0	0	0
General Services Administration	0	0	0	0	0	0	0
Government Printing Office	0	0	0	0	0	0	0
Holocaust Memorial Museum U.S.	0	0	0	0	0	0	0
International Boundary and Water Commission	0	0	0	0	0	0	0
International Trade Commission	0	0	0	0	0	0	0
John F. Kennedy Center for the Performing Arts	0	0	0	0	0	0	0
Merit Systems Protection Board	0	0	0	0	0	0	0
National Aeronautics and Space Administration	0	0	0	0	0	0	0
National Archives and Records Administration	0	0	0	0	0	0	0
National Credit Union Administration	529	529	0	0	529	0	0
National Endowment for the Arts	0	0	0	0	0	0	0
National Endowment for the Humanities	0	0	0	0	0	0	0
National Gallery of Art	0	0	0	0	0	0	0
National Labor Relations Board	0	0	0	0	0	0	0
National Science Foundation	1,453	1,453	0	0	1,453	0	0
National Transportation Safety Board	0	0	0	0	0	0	0
Nuclear Regulatory Commission	0	0	0	0	0	0	0
Office of Personnel Management	0	0	0	0	0	0	0

Office of Special Counsel	0	0	0	0	0	0	0
Overseas Private Investment Corporation	0	0	0	0	0	0	0
Peace Corps	0	0	0	0	0	0	0
Pension Benefit Guaranty Corporation	0	0	0	0	0	0	0
Railroad Retirement Board	0	0	0	0	0	0	0
Securities and Exchange Commission	0	0	0	0	0	0	0
Selective Service System	0	0	0	0	0	0	0
Small Business Administration	0	0	0	0	0	0	0
Smithsonian Institution	0	0	0	0	0	0	0
Social Security Administration	1,196	1,196	0	1,121	1,221	0	0
Tennessee Valley Authority	0	0	0	0	0	0	0
U.S. Postal Service	862	1,115	491	891	1,383	837	5
U.S. Tax Court	0	0	0	0	0	0	0
Cabinet Level Subtotal	845	1,110	547	1,250	1,101	690	348
Midsize Agencies Subtotal	1,196	1,196	0	1,121	1,221	0	0
Small Agencies Subtotal	991	991	0	0	991	0	0
Grand Total	860	1,112	547	1,238	1,105	690	348

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Table 15 Complaint Workload

Agency or Department	Pending End of Period			Pending Acknowledgment			Pending Investigation			Pending Hearing			Pending Final Agency Action		
	#	Total Days	Average Days	#	Total Days	Average Days	#	Total Days	Average Days	#	Total Days	Average Days	#	Total Days	Average Days
Agency for International Development	25	13,633	545	0	0	0	13	2,213	170	11	10,984	999	1	436	436
Armed Forces Retirement Home	5	451	90	0	0	0	5	451	90	0	0	0	0	0	0
Broadcasting Board of Governors	33	12,881	390	0	0	0	6	338	56	23	12,008	522	4	535	134
Central Intelligence Agency	18	10,526	585	0	0	0	5	353	71	12	9,914	826	1	259	259
Commodity Futures Trading Commission	2	843	422	0	0	0	1	61	61	0	0	0	1	782	782
Consumer Product Safety Commission	1	49	49	0	0	0	1	49	49	0	0	0	0	0	0
Corporation for National and Community Service	2	120	60	0	0	0	2	120	60	0	0	0	0	0	0
Court Services and Offender Supervision Agency for the District of Columbia	8	2,573	322	0	0	0	3	410	137	3	853	284	2	1,310	655
Defense Army and Air Force Exchange Service	131	62,631	478	0	0	0	74	14,878	201	46	36,293	789	11	11,460	1,042
Defense Commissary Agency	167	34,971	209	23	1,296	56	58	12,727	219	78	17,728	227	8	3,220	403
Defense Contract Audit Agency	38	19,946	525	0	0	0	21	2,906	138	15	15,416	1,028	2	1,624	812
Defense Contract Management Agency	78	61,301	786	0	0	0	37	8,706	235	36	46,030	1,279	5	6,565	1,313
Defense Dependent Education Activity	51	14,948	293	6	34	6	17	1,966	116	23	9,741	424	5	3,207	641
Defense Finance and Accounting Service	113	73,606	651	1	2	2	30	3,154	105	67	62,075	926	15	8,375	558
Defense Human Resource Activity	3	282	94	0	0	0	2	118	59	0	0	0	1	164	164

Defense Information Systems Agency	18	7,304	406	0	0	0	11	2,477	225	5	3,104	621	2	1,723	862
Defense Intelligence Agency	18	7,922	440	1	22	22	10	2,446	245	3	1,679	560	4	3,775	944
Defense Logistics Agency	173	58,286	337	1	70	70	92	17,537	191	57	26,413	463	23	14,266	620
Defense National Geospatial-Intelligence	19	4,027	212	5	75	15	10	850	85	4	3,102	776	0	0	0
Defense National Guard Bureau	67	37,601	561	5	689	138	24	6,138	256	8	9,373	1,172	30	21,401	713
Defense National Security Agency	34	9,530	280	1	14	14	19	2,558	135	6	3,145	524	8	3,813	477
Defense Nuclear Facilities Safety Board	0	0		0	0	0	0	0	0	0	0	0	0	0	0
Defense Office of the Inspector General	2	1,135	568	0	0	0	0	0	0	2	1,135	568	0	0	0
Defense, Office of the Secretary	45	22,034	490	9	281	31	12	2,505	209	16	12,015	751	8	7,233	904
Defense Security Service	11	2,765		0	0	0	6	797	133	2	855	428	3	1,113	371
Defense Threat Reduction Agency	6	1,351	225	0	0	0	3	398	133	1	345	345	2	608	304
Defense Uniformed Services University	2	120	60	0	0	0	1	120	120	1	0	0	0	0	0
Department of Agriculture	1,444	1,113,823	771	83	9,845	119	407	140,196	344	522	510,958	979	432	452,824	1,048
Department of Commerce	356	175,750	494	3	181	60	161	55,968	348	130	79,027	608	62	40,574	654
Department of Education	49	18,599	380	0	0	0	24	3,512	146	16	8,210	513	9	6,877	764
Department of Energy	97	31,370	323	8	134	17	34	9,480	279	45	18,641	414	10	3,115	312
Department of Health and Human Services	307	119,104	388	5	178	36	85	10,520	124	134	62,724	468	83	45,682	550
Department of Homeland Security	2,485	1,143,111	460	137	8,994	66	802	132,092	165	646	482,864	747	900	519,161	577
Department of Housing and Urban Development	188	92,492	492	5	41	8	90	19,588	218	72	55,224	767	21	17,639	840
Department of Justice	846	270,751	320	36	2,549	71	220	40,122	182	437	172,687	395	153	55,393	362
Department of Labor	241	147,480	612	14	236	17	108	23,193	215	105	117,027	1,115	14	7,024	502
Department of State	79	26,753	339	2	0	0	38	3,665	96	33	21,768	660	6	1,320	220

Department of the Air Force	682	289,772	425	81	30,547	377	235	41,742	178	169	121,696	720	197	95,787	486
Department of the Army	1,276	566,947	444	202	179,327	888	203	55,097	271	272	196,768	723	599	135,755	227
Department of the Interior	425	215,089	506	71	5,169	73	151	30,563	202	175	168,842	965	28	10,515	376
Department of the Navy	764	345,217	452	24	600	25	228	50,254	220	270	210,066	778	242	84,297	348
Department of the Treasury	1,014	493,861	487	0	0	0	506	88,099	174	424	374,901	884	84	30,861	367
Department of Transportation	673	403,596	600	172	25,650	149	101	25,161	249	354	316,000	893	46	36,785	800
Department of Veterans Affairs	2,673	804,499	301	25	213	9	757	56,068	74	1,240	488,553	394	651	259,665	399
Environmental Protection Agency	146	77,998	534	7	310	44	45	7,654	170	56	42,197	754	38	27,837	733
EOP - National Drug Control Policy	1	412	412	0	0	0	0	0	0	1	412	412	0	0	0
EOP - Office of Administration	1	48	48	0	0	0	1	48	48	0	0	0	0	0	0
EOP - Office of Management and Budget	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
EOP - Office of the U.S. Trade Representative	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Equal Employment Opportunity Commission	36	15,743	437	0	0	0	6	497	83	15	6,536	436	15	8,710	581
Export-Import Bank of the US	8	2,313	289	0	0	0	3	813	271	4	1,194	299	1	306	306
Farm Credit Administration	1	468	468	0	0	0	0	0	0	1	468	468	0	0	0
Federal Communications Commission	4	751	188	0	0	0	2	100	50	1	248	248	1	403	403
Federal Deposit Insurance Corporation	79	63,378	802	1	1	1	22	2,600	118	25	22,755	910	31	38,022	1,227
Federal Election Commission	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Federal Energy Regulatory Commission	5	780	156	0	0	0	2	360	180	2	360	180	1	60	60
Federal Housing Finance Board	1	289	289	0	0	0	0	0	0	1	289	289	0	0	0
Federal Labor Relations Authority	3	1,069	356	0	0	0	2	333	167	1	736	736	0	0	0
Federal Maritime Commission	1	160	160	0	0	0	0	0	0	1	160	160	0	0	0

Federal Mediation and Conciliation Service	2	120	60	0	0	0	2	120	60	0	0	0	0	0	0
Federal Reserve System--Board of Governors	6	1,053	176	2	183	92	0	0	0	4	870	218	0	0	0
Federal Retirement Thrift Investment Board	3	274	91	0	0	0	2	166	83	1	108	108	0	0	0
Federal Trade Commission	5	790	158	1	7	7	2	247	124	0	0	0	2	536	268
General Services Administration	112	47,384	423	1	22	22	29	3,070	106	72	40,586	564	10	3,706	371
Government Printing Office	64	37,165	581	0	0	0	30	6,776	226	32	28,617	894	2	1,772	886
Holocaust Memorial Museum U.S.	3	1,349	450	0	0	0	0	0	0	3	1,349	450	0	0	0
International Boundary and Water Commission	1	3	3	0	0	0	1	3	3	0	0	0	0	0	0
International Trade Commission	0	0		0	0	0	0	0	0	0	0	0	0	0	0
John F. Kennedy Center for the Performing Arts	3	229	76	0	0	0	2	49	25	1	180	180	0	0	0
Merit Systems Protection Board	1	14	14	1	14	14	0	0	0	0	0	0	0	0	0
National Aeronautics and Space Administration	74	45,355	613	0	0	0	26	4,779	184	19	13,536	712	29	27,040	932
National Archives and Records Administration	19	12,243	644	0	0	0	6	621	104	8	5,477	685	5	6,145	1,229
National Credit Union Administration	8	5,902	738	0	0	0	2	43	22	2	1,745	873	4	4,114	1,029
National Endowment for the Arts	0	0		0	0	0	0	0	0	0	0	0	0	0	0
National Endowment for the Humanities	0	0		0	0	0	0	0	0	0	0	0	0	0	0
National Gallery of Art	10	2,482	248	0	0	0	1	144	144	5	939	188	4	1,399	350
National Labor Relations Board	12	8,795	733	0	0	0	4	475	119	8	8,320	1,040	0	0	0
National Science Foundation	3	346	115	0	0	0	2	109	55	1	237	237	0	0	0
National Transportation Safety Board	11	6,899	627	1	30	30	1	195	195	7	4,514	645	2	2,160	1,080
Nuclear Regulatory Commission	11	1,813	165	0	0	0	8	1,341	168	0	0	0	3	472	157

Office of Personnel Management	85	28,855	339	15	897	60	45	7,406	165	18	15,121	840	7	5,431	776
Office of Special Counsel	1	169	169	0	0	0	0	0	0	1	169	169	0	0	0
Overseas Private Investment Corporation	1	210	210	0	0	0	1	210	210	0	0	0	0	0	0
Peace Corps	9	3,055	339	1	18	18	2	127	64	1	485	485	5	2,425	485
Pension Benefit Guaranty Corporation	14	4,154	297	0	0	0	10	2,051	205	1	748	748	3	1,355	452
Railroad Retirement Board	2	471	236	0	0	0	0	0	0	1	248	248	1	223	223
Securities and Exchange Commission	14	3,652	261	0	0	0	10	799	80	3	2,697	899	1	156	156
Selective Service System	1	122	122	0	0	0	1	122	122	0	0	0	0	0	0
Small Business Administration	40	14,671	367	1	359	359	19	4,042	213	15	8,156	544	5	2,114	423
Smithsonian Institution	26	9,506	366	0	0	0	14	868	62	12	8,638	720	0	0	0
Social Security Administration	1,037	663,276	640	47	1,470	31	212	56,638	267	285	324,189	1,138	493	280,979	570
Tennessee Valley Authority	91	29,769	327	2	1,738	869	13	1,173	90	36	10,541	293	40	16,317	408
U.S. Postal Service	8,770	5,153,517	588	573	60,610	106	3,876	1,015,079	262	3,685	3,495,770	949	636	582,058	915
U.S. Tax Court	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Cabinet Level Subtotal	23,345	11,831,491	507	1,493	326,757	219	8,453	1,880,680	222	9,099	7,150,175	786	4,300	2,473,879	575
Midsize Agencies Subtotal	1,605	951,337	593	59	3,900	66	380	80,824	213	520	470,598	905	646	396,015	613
Small Agencies Subtotal	444	183,274	413	21	1,149	55	184	27,150	148	173	115,986	670	66	38,989	591
Grand Total	25,394	12,966,102	511	1,573	331,806	211	9,017	1,988,654	221	9,792	7,736,759	790	5,012	2,908,883	580

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Table 16 Complaint ADR Offers Rejections Acceptences

Agency Name	# Complaint Workload	# Offered ADR	% Offered ADR	# Offers Rejected by Complainant	% Rejected by Complainant	# Offers Rejected by Agency	% Offers Rejected by Agency	Total Accepted into ADR	% Complaints Accepted into ADR
Agency for International Development	30	0	0.00	0	0.00	0	0.00	0	0.00
Armed Forces Retirement Home	5	0	0.00	0	0.00	0	0.00	0	0.00
Broadcasting Board of Governors	49	24	48.98	23	95.83	0	0.00	1	2.04
Central Intelligence Agency	40	15	37.50	9	60.00	5	33.33	1	2.50
Commodity Futures Trading Commission	10	0	0.00	0	0.00	0	0.00	0	0.00
Consumer Product Safety Commission	5	5	100.00	3	60.00	0	0.00	2	40.00
Corporation for National and Community Service	19	0	0.00	0	0.00	0	0.00	0	0.00
Court Services and Offender Supervision Agency for the District of Columbia	21	6	28.57	3	50.00	2	33.33	1	4.76
Defense Army and Air Force Exchange Service	306	68	22.22	6	8.82	7	10.29	55	17.97
Defense Commissary Agency	353	148	41.93	59	39.86	5	3.38	84	23.80

Defense Contract Audit Agency	77	9	11.69	1	11.11	0	0.00	8	10.39
Defense Contract Management Agency	177	18	10.17	9	50.00	0	0.00	9	5.08
Defense Dependent Education Activity	143	10	6.99	8	80.00	2	20.00	0	0.00
Defense Finance and Accounting Service	289	17	5.88	1	5.88	3	17.65	13	4.50
Defense Human Resource Activity	6	0	0.00	0	0.00	0	0.00	0	0.00
Defense Information Systems Agency	34	13	38.24	4	30.77	3	23.08	6	17.65
Defense Intelligence Agency	29	0	0.00	0	0.00	0	0.00	0	0.00
Defense Logistics Agency	372	39	10.48	3	7.69	0	0.00	36	9.68
Defense National Geospatial-Intelligence	51	7	13.73	5	71.43	0	0.00	2	3.92
Defense National Guard Bureau	113	38	33.63	19	50.00	3	7.89	16	14.16
Defense National Security Agency	55	0	0.00	0	0.00	0	0.00	0	0.00
Defense Nuclear Facilities Safety Board	0	0	0.00	0	0.00	0	0.00	0	0.00
Defense Office of the Inspector General	3	1	33.33	0	0.00	0	0.00	1	33.33
Defense, Office of the Secretary	74	6	8.11	3	50.00	0	0.00	3	4.05
Defense Security Service	25	3	12.00	2	66.67	0	0.00	1	4.00
Defense Threat Reduction Agency	11	7	63.64	7	100.00	0	0.00	0	0.00

Defense Uniformed Services University	4	0	0.00	0	0.00	0	0.00	0	0.00
Department of Agriculture	2,590	274	10.58	169	61.68	9	3.28	96	3.71
Department of Commerce	635	54	8.50	37	68.52	4	7.41	13	2.05
Department of Education	79	4	5.06	0	0.00	0	0.00	4	5.06
Department of Energy	208	36	17.31	23	63.89	1	2.78	12	5.77
Department of Health and Human Services	577	32	5.55	12	37.50	0	0.00	20	3.47
Department of Homeland Security	3,379	611	18.08	560	91.65	2	0.33	49	1.45
Department of Housing and Urban Development	358	26	7.26	1	3.85	8	30.77	17	4.75
Department of Justice	1,850	206	11.14	174	84.47	6	2.91	26	1.41
Department of Labor	443	129	29.12	68	52.71	3	2.33	57	12.87
Department of State	159	11	6.92	1	9.09	0	0.00	10	6.29
Department of the Air Force	1,399	349	24.95	112	32.09	33	9.46	204	14.58
Department of the Army	2,158	256	11.86	49	19.14	18	7.03	189	8.76
Department of the Interior	785	42	5.35	13	30.95	0	0.00	29	3.69
Department of the Navy	1,692	39	2.31	10	25.64	5	12.82	24	1.42
Department of the Treasury	1,828	50	2.74	39	78.00	9	18.00	2	0.11
Department of Transportation	1,163	93	8.00	16	17.20	13	13.98	64	5.50
Department of Veterans Affairs	5,048	96	1.90	35	36.46	0	0.00	61	1.21

Environmental Protection Agency	239	73	30.54	72	98.63	0	0.00	1	0.42
EOP - National Drug Control Policy	1	0	0.00	0	0.00	0	0.00	0	0.00
EOP - Office of Administration	1	0	0.00	0	0.00	0	0.00	0	0.00
EOP - Office of Management and Budget	1	0	0.00	0	0.00	0	0.00	0	0.00
EOP - Office of the U.S. Trade Representative	1	0	0.00	0	0.00	0	0.00	0	0.00
Equal Employment Opportunity Commission	87	9	10.34	0	0.00	0	0.00	9	10.34
Export-Import Bank of the US	12	7	58.33	7	100.00	0	0.00	0	0.00
Farm Credit Administration	2	0	0.00	0	0.00	0	0.00	0	0.00
Federal Communications Commission	10	6	60.00	2	33.33	4	66.67	0	0.00
Federal Deposit Insurance Corporation	134	37	27.61	25	67.57	0	0.00	12	8.96
Federal Election Commission	1	1	100.00	0	0.00	0	0.00	1	100.00
Federal Energy Regulatory Commission	6	0	0.00	0	0.00	0	0.00	0	0.00
Federal Housing Finance Board	4	0	0.00	0	0.00	0	0.00	0	0.00
Federal Labor Relations Authority	4	2	50.00	2	100.00	0	0.00	0	0.00
Federal Maritime Commission	1	0	0.00	0	0.00	0	0.00	0	0.00
Federal Mediation and Conciliation Service	2	0	0.00	0	0.00	0	0.00	0	0.00

Federal Reserve System--Board of Governors	12	0	0.00	0	0.00	0	0.00	0	0.00
Federal Retirement Thrift Investment Board	4	0	0.00	0	0.00	0	0.00	0	0.00
Federal Trade Commission	12	6	50.00	6	100.00	0	0.00	0	0.00
General Services Administration	237	68	28.69	51	75.00	9	13.24	8	3.38
Government Printing Office	113	1	0.89	0	0.00	0	0.00	1	0.89
Holocaust Memorial Museum U.S.	4	0	0.00	0	0.00	0	0.00	0	0.00
International Boundary and Water Commission	7	3	42.86	3	100.00	0	0.00	0	0.00
International Trade Commission	0	0	0.00	0	0.00	0	0.00	0	0.00
John F. Kennedy Center for the Performing Arts	4	0	0.00	0	0.00	0	0.00	0	0.00
Merit Systems Protection Board	5	0	0.00	0	0.00	0	0.00	0	0.00
National Aeronautics and Space Administration	121	33	27.27	1	3.03	3	9.09	29	23.97
National Archives and Records Administration	44	1	2.27	0	0.00	0	0.00	1	2.27
National Credit Union Administration	17	0	0.00	0	0.00	0	0.00	0	0.00
National Endowment for the Arts	1	0	0.00	0	0.00	0	0.00	0	0.00
National Endowment for the Humanities	0	0	0.00	0	0.00	0	0.00	0	0.00

National Gallery of Art	18	11	61.11	10	90.91	0	0.00	1	5.56
National Labor Relations Board	36	3	8.33	0	0.00	0	0.00	3	8.33
National Science Foundation	11	3	27.27	2	66.67	0	0.00	1	9.09
National Transportation Safety Board	14	4	28.57	3	75.00	0	0.00	1	7.14
Nuclear Regulatory Commission	27	0	0.00	0	0.00	0	0.00	0	0.00
Office of Personnel Management	109	0	0.00	0	0.00	0	0.00	0	0.00
Office of Special Counsel	4	0	0.00	0	0.00	0	0.00	0	0.00
Overseas Private Investment Corporation	1	0	0.00	0	0.00	0	0.00	0	0.00
Peace Corps	13	0	0.00	0	0.00	0	0.00	0	0.00
Pension Benefit Guaranty Corporation	18	0	0.00	0	0.00	0	0.00	0	0.00
Railroad Retirement Board	5	0	0.00	0	0.00	0	0.00	0	0.00
Securities and Exchange Commission	41	0	0.00	0	0.00	0	0.00	0	0.00
Selective Service System	6	0	0.00	0	0.00	0	0.00	0	0.00
Small Business Administration	69	0	0.00	0	0.00	0	0.00	0	0.00
Smithsonian Institution	56	3	5.36	0	0.00	0	0.00	3	5.36
Social Security Administration	1,490	355	23.83	237	66.76	62	17.46	56	3.76
Tennessee Valley Authority	150	2	1.33	0	0.00	0	0.00	2	1.33
U.S. Postal Service	18,748	202	1.08	69	34.16	31	15.35	102	0.54

U.S. Tax Court	0	0	0.00	0	0.00	0	0.00	0	0.00
Cabinet Level Subtotal	45,221	2,894	6.40	1,515	52.35	165	5.70	1,213	2.68
Midsize Agencies Subtotal	2,496	571	22.88	386	67.60	74	12.96	111	4.45
Small Agencies Subtotal	838	107	12.77	73	68.22	11	10.28	23	2.74
Grand Total	48,555	3,572	7.36	1,974	55.26	250	7.00	1,347	2.77

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The U.S. Equal Employment Opportunity Commission

Table 17 Types of Complaint Closures

Agency Name	Total Number Complaints Closed	# of Complaints Closed by Settlements	% of Complaints Closed by Settlements	# of Complaints Closed by Withdrawals	% of Complaints Closed by Withdrawals	# of Complaints Closed by Dismissals	% of Complaints Closed by Dismissals	# of Complaints Closed with Merit Determinations	% of Complaints Closed with Merit Determinations
Agency for International Development	5	0	0.00	2	40.00	2	40.00	1	20.00
Armed Forces Retirement Home	0	0	0.00	0	0.00	0	0.00	0	0.00
Broadcasting Board of Governors	16	3	18.75	1	6.25	3	18.75	9	56.25
Central Intelligence Agency	22	7	31.82	0	0.00	9	40.91	6	27.27
Commodity Futures Trading Commission	8	0	0.00	0	0.00	0	0.00	8	100.00
Consumer Product Safety Commission	4	2	50.00	0	0.00	0	0.00	2	50.00
Corporation for National and Community Service	17	11	64.71	0	0.00	1	5.88	5	29.41
Court Services and Offender Supervision Agency for the District of Columbia	13	3	23.08	3	23.08	0	0.00	7	53.85
Defense Army and Air Force Exchange Service	175	57	32.57	9	5.14	31	17.71	78	44.57
Defense Commissary Agency	186	43	23.12	55	29.57	54	29.03	34	18.28
Defense Contract Audit Agency	39	10	25.64	5	12.82	5	12.82	19	48.72
Defense Contract Management Agency	99	21	21.21	6	6.06	7	7.07	65	65.66
Defense Dependent Education Activity	92	16	17.39	7	7.61	8	8.70	61	66.30

Defense Finance and Accounting Service	176	36	20.45	9	5.11	51	28.98	80	45.45
Defense Human Resource Activity	3	0	0.00	0	0.00	1	33.33	2	66.67
Defense Information Systems Agency	16	4	25.00	1	6.25	4	25.00	7	43.75
Defense Intelligence Agency	11	4	36.36	4	36.36	0	0.00	3	27.27
Defense Logistics Agency	199	53	26.63	22	11.06	38	19.10	86	43.22
Defense National Geospatial-Intelligence	32	19	59.38	8	25.00	3	9.38	2	6.25
Defense National Guard Bureau	42	9	19.57	9	19.57	14	33.33	10	23.80
Defense National Security Agency	21	4	21.43	4	21.43	5	23.81	8	38.10
Defense Nuclear Facilities Safety Board	0	0	0.00	0	0.00	0	0.00	0	0.00
Defense Office of the Inspector General	1	1	100.00	0	0.00	0	0.00	0	0.00
Defense, Office of the Secretary	29	6	20.69	2	6.90	8	27.59	13	44.83
Defense Security Service	14	10	71.43	1	7.14	2	14.29	1	7.14
Defense Threat Reduction Agency	5	2	40.00	1	20.00	0	0.00	2	40.00
Defense Uniformed Services University	2	0	0.00	0	0.00	0	0.00	2	100.00
Department of Agriculture	1,146	267	23.30	58	5.06	156	13.61	665	58.03
Department of Commerce	279	49	17.56	53	19.00	40	14.34	137	49.10
Department of Education	30	3	10.00	8	26.67	2	6.67	17	56.67
Department of Energy	111	41	36.94	10	9.01	16	14.41	44	39.64
Department of Health and Human Services	270	70	25.93	36	13.33	68	25.19	96	35.56
Department of Homeland Security	894	195	21.81	117	13.09	258	28.86	324	36.24

Department of Housing and Urban Development	170	40	23.53	20	11.76	30	17.65	80	47.06
Department of Justice	1,004	104	10.36	55	5.48	206	20.52	639	63.65
Department of Labor	202	39	19.31	11	5.45	62	30.69	90	44.55
Department of State	80	13	16.25	5	6.25	25	31.25	37	46.25
Department of the Air Force	703	205	29.16	91	12.94	137	19.49	270	38.41
Department of the Army	882	399	45.24	101	11.45	181	20.52	201	22.79
Department of the Interior	360	104	28.89	11	3.06	56	15.56	189	52.50
Department of the Navy	928	236	25.43	86	9.27	132	14.22	474	51.08
Department of the Treasury	814	176	21.62	108	13.27	140	17.20	390	47.91
Department of Transportation	490	74	15.10	23	4.69	136	27.76	257	52.45
Department of Veterans Affairs	2,375	507	21.35	199	8.38	513	21.60	1,156	48.67
Environmental Protection Agency	93	11	11.83	7	7.53	23	24.73	52	55.91
EOP - National Drug Control Policy	0	0	0.00	0	0.00	0	0.00	0	0.00
EOP - Office of Administration	0	0	0.00	0	0.00	0	0.00	0	0.00
EOP - Office of Management and Budget	1	1	100.00	0	0.00	0	0.00	0	0.00
EOP - Office of the U.S. Trade Representative	1	0	0.00	0	0.00	0	0.00	1	100.00
Equal Employment Opportunity Commission	51	14	27.45	10	19.61	4	7.84	23	45.10
Export-Import Bank of the US	4	3	75.00	1	25.00	0	0.00	0	0.00
Farm Credit Administration	1	1	100.00	0	0.00	0	0.00	0	0.00
Federal Communications Commission	6	0	0.00	0	0.00	0	0.00	6	100.00

Federal Deposit Insurance Corporation	55	8	14.55	7	12.73	3	5.45	37	67.27
Federal Election Commission	1	1	100.00	0	0.00	0	0.00	0	0.00
Federal Energy Regulatory Commission	1	1	100.00	0	0.00	0	0.00	0	0.00
Federal Housing Finance Board	3	0	0.00	1	33.33	2	66.67	0	0.00
Federal Labor Relations Authority	1	0	0.00	1	100.00	0	0.00	0	0.00
Federal Maritime Commission	0	0	0.00	0	0.00	0	0.00	0	0.00
Federal Mediation and Conciliation Service	0	0	0.00	0	0.00	0	0.00	0	0.00
Federal Reserve System--Board of Governors	6	0	0.00	2	33.33	1	16.67	3	50.00
Federal Retirement Thrift Investment Board	1	1	100.00	0	0.00	0	0.00	0	0.00
Federal Trade Commission	7	4	57.14	0	0.00	0	0.00	3	42.86
General Services Administration	125	34	27.20	2	1.60	28	22.40	61	48.80
Government Printing Office	49	15	30.61	2	4.08	12	24.49	20	40.82
Holocaust Memorial Museum U.S.	1	0	0.00	0	0.00	0	0.00	1	100.00
International Boundary and Water Commission	6	0	0.00	2	33.33	2	33.33	2	33.33
International Trade Commission	0	0	0.00	0	0.00	0	0.00	0	0.00
John F. Kennedy Center for the Performing Arts	1	0	0.00	0	0.00	1	100.00	0	0.00
Merit Systems Protection Board	4	4	100.00	0	0.00	0	0.00	0	0.00
National Aeronautics and Space Administration	47	16	34.04	0	0.00	8	17.02	23	48.94

National Archives and Records Administration	25	6	24.00	1	4.00	4	16.00	14	56.00
National Credit Union Administration	9	1	11.11	1	11.11	0	0.00	7	77.78
National Endowment for the Arts	1	0	0.00	0	0.00	1	100.00	0	0.00
National Endowment for the Humanities	0	0	0.00	0	0.00	0	0.00	0	0.00
National Gallery of Art	18	0	0.00	0	0.00	2	11.11	16	88.88
National Labor Relations Board	24	3	12.50	3	12.50	14	58.33	4	16.67
National Science Foundation	8	2	25.00	2	25.00	3	37.50	1	12.50
National Transportation Safety Board	3	1	33.33	0	0.00	0	0.00	2	66.67
Nuclear Regulatory Commission	16	8	50.00	4	25.00	0	0.00	4	25.00
Office of Personnel Management	24	1	4.17	3	12.50	10	41.67	10	41.67
Office of Special Counsel	3	3	100.00	0	0.00	0	0.00	0	0.00
Overseas Private Investment Corporation	0	0	0.00	0	0.00	0	0.00	0	0.00
Peace Corps	4	1	25.00	0	0.00	0	0.00	3	75.00
Pension Benefit Guaranty Corporation	4	1	25.00	0	0.00	3	75.00	0	0.00
Railroad Retirement Board	3	1	33.33	1	33.33	0	0.00	1	33.33
Securities and Exchange Commission	27	5	18.52	2	7.41	13	48.15	7	25.93
Selective Service System	5	1	20.00	1	20.00	0	0.00	3	60.00
Small Business Administration	29	2	6.90	2	6.90	10	34.48	15	51.72
Smithsonian Institution	30	7	23.33	0	0.00	7	23.33	16	53.33

Social Security Administration	453	104	22.96	53	11.70	97	21.41	199	43.93
Tennessee Valley Authority	59	18	30.51	5	8.47	8	13.56	28	47.46
U.S. Postal Service	9,978	1,347	13.50	1,071	10.73	2,784	27.90	4,776	47.87
U.S. Tax Court	0	0	0.00	0	0.00	0	0.00	0	0.00
Cabinet Level Subtotal	21,858	4,164	19.05	2,206	10.09	5,173	23.66	10,315	47.18
Midsize Agencies Subtotal	891	200	22.20	76	8.44	184	20.42	431	47.84
Small Agencies Subtotal	404	105	26.92	43	11.03	87	22.30	169	43.33
Grand Total	23,153	4,469	19.29	2,325	10.04	5,444	23.51	10,915	47.14

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The U.S. Equal Employment Opportunity Commission

Agency Name	Total # Complaint Closures with Merit Determinations	# Merit Determinations by Agency (no AJ)	# Agency (no AJ) Merit Determinations Finding Discrimination	% Agency (no AJ) Merit Determinations Finding Discrimination	# Merit Determinations by AJ	# AJ Merit Determinations Finding Discrimination	% AJ Merit Determinations Finding Discrimination	# AJ Discrimination Findings Fully Implemented	% AJ Discrimination Findings Fully Implemented
Agency for International Development	1	1	0	0.00	0	0	0.00	0	0.00
Armed Forces Retirement Home	0	0	0	0.00	0	0	0.00	0	0.00
Broadcasting Board of Governors	9	1	0	0.00	8	0	0.00	0	0.00
Central Intelligence Agency	6	2	0	0.00	4	0	0.00	0	0.00
Commodity Futures Trading Commission	8	6	0	0.00	2	0	0.00	0	0.00
Consumer Product Safety Commission	2	1	0	0.00	1	0	0.00	0	0.00
Corporation for National and Community Service	5	5	0	0.00	0	0	0.00	0	0.00
Court Services and Offender Supervision Agency for the District of Columbia	7	3	0	0.00	4	0	0.00	0	0.00
Defense Army and Air Force Exchange Service	78	41	0	0.00	37	3	8.11	2	66.67
Defense Commissary Agency	34	18	1	5.56	16	5	31.25	4	80.00
Defense Contract Audit Agency	19	5	0	0.00	14	0	0.00	0	0.00
Defense Contract Management Agency	65	29	0	0.00	36	0	0.00	0	0.00
Defense Dependent Education Activity	61	15	0	0.00	46	1	2.17	1	100.00
Defense Finance and Accounting Service	80	29	0	0.00	51	1	1.96	0	0.00
Defense Human Resource Activity	2	0	0	0.00	2	0	0.00	0	0.00
Defense Information Systems Agency	7	4	0	0.00	3	0	0.00	0	0.00

Defense Intelligence Agency	3	0	0	0.00	3	0	0.00	0	0.00
Defense Logistics Agency	86	34	0	0.00	52	1	1.92	1	100.00
Defense National Geospatial-Intelligence	2	0	0	0.00	2	0	0.00	0	0.00
Defense National Guard Bureau	10	9	0	0.00	1	0	0.00	0	0.00
Defense National Security Agency	8	6	0	0.00	2	0	0.00	0	0.00
Defense Nuclear Facilities Safety Board	0	0	0	0.00	0	0	0.00	0	0.00
Defense Office of the Inspector General	0	0	0	0.00	0	0	0.00	0	0.00
Defense, Office of the Secretary	13	4	0	0.00	9	0	0.00	0	0.00
Defense Security Service	1	1	0	0.00	0	0	0.00	0	0.00
Defense Threat Reduction Agency	2	1	0	0.00	1	0	0.00	0	0.00
Defense Uniformed Services University	2	0	0	0.00	2	0	0.00	0	0.00
Department of Agriculture	665	468	8	1.71	197	6	3.05	5	83.33
Department of Commerce	137	84	0	0.00	53	2	3.77	1	50.00
Department of Education	17	5	0	0.00	12	1	8.33	0	0.00
Department of Energy	44	24	0	0.00	20	4	20.00	3	75.00
Department of Health and Human Services	96	45	1	2.22	51	4	7.84	3	75.00
Department of Homeland Security	324	114	20	17.54	210	19	9.05	14	73.68
Department of Housing and Urban Development	80	41	0	0.00	39	5	12.82	3	60.00
Department of Justice	639	298	2	0.67	341	8	2.35	5	62.50
Department of Labor	90	31	2	6.45	59	1	1.69	1	100.00
Department of State	37	14	0	0.00	23	0	0.00	0	0.00
Department of the Air Force	270	161	3	1.86	109	7	6.42	4	57.14
Department of the Army	201	107	1	0.93	94	17	18.09	16	94.12

Department of the Interior	189	109	2	1.83	80	9	11.25	9	100.00
Department of the Navy	474	237	1	0.42	237	12	5.06	8	66.67
Department of the Treasury	390	277	0	0.00	113	3	2.65	1	33.33
Department of Transportation	257	113	2	1.77	144	6	4.17	6	100.00
Department of Veterans Affairs	1,156	667	14	2.10	489	23	4.70	14	60.87
Environmental Protection Agency	52	31	0	0.00	21	0	0.00	0	0.00
EOP - National Drug Control Policy	0	0	0	0.00	0	0	0.00	0	0.00
EOP - Office of Administration	0	0	0	0.00	0	0	0.00	0	0.00
EOP - Office of Management and Budget	0	0	0	0.00	0	0	0.00	0	0.00
EOP - Office of the U.S. Trade Representative	1	1	0	0.00	0	0	0.00	0	0.00
Equal Employment Opportunity Commission	23	12	0	0.00	11	1	9.09	1	100.00
Export-Import Bank of the US	0	0	0	0.00	0	0	0.00	0	0.00
Farm Credit Administration	0	0	0	0.00	0	0	0.00	0	0.00
Federal Communications Commission	6	0	0	0.00	6	0	0.00	0	0.00
Federal Deposit Insurance Corporation	37	19	0	0.00	18	4	22.22	4	100.00
Federal Election Commission	0	0	0	0.00	0	0	0.00	0	0.00
Federal Energy Regulatory Commission	0	0	0	0.00	0	0	0.00	0	0.00
Federal Housing Finance Board	0	0	0	0.00	0	0	0.00	0	0.00
Federal Labor Relations Authority	0	0	0	0.00	0	0	0.00	0	0.00
Federal Maritime Commission	0	0	0	0.00	0	0	0.00	0	0.00
Federal Mediation and Conciliation Service	0	0	0	0.00	0	0	0.00	0	0.00
Federal Reserve System--Board of Governors	3	3	0	0.00	0	0	0.00	0	0.00

Federal Retirement Thrift Investment Board	0	0	0	0.00	0	0	0.00	0	0.00
Federal Trade Commission	3	1	0	0.00	2	0	0.00	0	0.00
General Services Administration	61	22	0	0.00	39	0	0.00	0	0.00
Government Printing Office	20	15	0	0.00	5	0	0.00	0	0.00
Holocaust Memorial Museum U.S.	1	1	0	0.00	0	0	0.00	0	0.00
International Boundary and Water Commission	2	0	0	0.00	2	0	0.00	0	0.00
International Trade Commission	0	0	0	0.00	0	0	0.00	0	0.00
John F. Kennedy Center for the Performing Arts	0	0	0	0.00	0	0	0.00	0	0.00
Merit Systems Protection Board	0	0	0	0.00	0	0	0.00	0	0.00
National Aeronautics and Space Administration	23	14	2	14.29	9	1	11.11	1	100.00
National Archives and Records Administration	14	7	0	0.00	7	0	0.00	0	0.00
National Credit Union Administration	7	1	0	0.00	6	1	16.67	0	0.00
National Endowment for the Arts	0	0	0	0.00	0	0	0.00	0	0.00
National Endowment for the Humanities	0	0	0	0.00	0	0	0.00	0	0.00
National Gallery of Art	16	10	0	0.00	6	0	0.00	0	0.00
National Labor Relations Board	4	1	0	0.00	3	0	0.00	0	0.00
National Science Foundation	1	0	0	0.00	1	1	100.00	0	0.00
National Transportation Safety Board	2	0	0	0.00	2	0	0.00	0	0.00
Nuclear Regulatory Commission	4	1	1	100.00	3	0	0.00	0	0.00
Office of Personnel Management	10	0	0	0.00	10	0	0.00	0	0.00
Office of Special Counsel	0	0	0	0.00	0	0	0.00	0	0.00

Overseas Private Investment Corporation	0	0	0	0.00	0	0	0.00	0	0.00
Peace Corps	3	0	0	0.00	3	0	0.00	0	0.00
Pension Benefit Guaranty Corporation	0	0	0	0.00	0	0	0.00	0	0.00
Railroad Retirement Board	1	0	0	0.00	1	0	0.00	0	0.00
Securities and Exchange Commission	7	5	0	0.00	2	0	0.00	0	0.00
Selective Service System	3	1	0	0.00	2	0	0.00	0	0.00
Small Business Administration	15	4	0	0.00	11	4	36.36	4	100.00
Smithsonian Institution	16	5	0	0.00	11	0	0.00	0	0.00
Social Security Administration	199	65	13	20.00	134	8	5.97	4	50.00
Tennessee Valley Authority	28	23	1	4.35	5	1	20.00	1	100.00
U.S. Postal Service	4,776	2915	73	2.50	1,861	15	0.81	8	53.33
U.S. Tax Court	0	0	0	0.00	0	0	0.00	0	0.00
Cabinet Level Subtotal	10,315	5906	130	2.20	4,409	153	3.47	109	71.24
Midsize Agencies Subtotal	431	183	16	8.74	248	18	7.26	14	77.78
Small Agencies Subtotal	169	78	1	1.28	91	3	3.30	1	33.33
Grand Total	10,915	6167	147	2.38	4,748	174	3.66	124	71.26

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Table 19 Complaints Closed with Findings of No Discrimination

Agency Name	# Complaint Closures with Merit Determinations	# Merit Determinations by Agency (no AJ)	# Agency (no AJ) Merit Determinations Finding No Discrimination	% Agency (no AJ) Merit Determinations Finding No Discrimination	# Merit Determinations by AJ	# AJ Merit Determinations Finding No Discrimination	% AJ Merit Determinations Finding No Discrimination	# AJ No Discrimination Findings Fully Implemented	% AJ No Discrimination Findings Fully Implemented
Agency for International Development	1	1	1	100.00	0	0	0.00	0	0.00
Armed Forces Retirement Home	0	0	0	0.00	0	0	0.00	0	0.00
Broadcasting Board of Governors	9	1	1	100.00	8	8	100.00	8	100.00
Central Intelligence Agency	6	2	2	100.00	4	4	100.00	4	100.00
Commodity Futures Trading Commission	8	6	6	100.00	2	2	100.00	2	100.00
Consumer Product Safety Commission	2	1	1	100.00	1	1	100.00	1	100.00
Corporation for National and Community Service	5	5	5	100.00	0	0	0.00	0	0.00
Court Services and Offender Supervision Agency for the District of Columbia	7	3	3	100.00	4	4	100.00	4	100.00
Defense Army and Air Force Exchange Service	78	41	41	100.00	37	34	91.89	34	100.00
Defense Commissary Agency	34	18	17	94.44	16	11	68.75	11	100.00
Defense Contract Audit Agency	19	5	5	100.00	14	14	100.00	14	100.00
Defense Contract Management Agency	65	29	29	100.00	36	36	100.00	36	100.00
Defense Dependent Education Activity	61	15	15	100.00	46	45	97.83	45	100.00
Defense Finance and Accounting Service	80	29	29	100.00	51	50	98.04	50	100.00
Defense Human Resource Activity	2	0	0	0.00	2	2	100.00	2	100.00

Defense Information Systems Agency	7	4	4	100.00	3	3	100.00	3	100.00
Defense Intelligence Agency	3	0	0	0.00	3	3	100.00	3	100.00
Defense Logistics Agency	86	34	34	100.00	52	51	98.08	51	100.00
Defense National Geospatial-Intelligence	2	0	0	0.00	2	2	100.00	2	100.00
Defense National Guard Bureau	10	9	9	100.00	1	1	100.00	1	100.00
Defense National Security Agency	8	6	6	100.00	2	2	100.00	2	100.00
Defense Nuclear Facilities Safety Board	0	0	0	0.00	0	0	0.00	0	0.00
Defense Office of the Inspector General	0	0	0	0.00	0	0	0.00	0	0.00
Defense, Office of the Secretary	13	4	4	100.00	9	9	100.00	9	100.00
Defense Security Service	1	1	1	100.00	0	0	0.00	0	0.00
Defense Threat Reduction Agency	2	1	1	100.00	1	1	100.00	1	100.00
Defense Uniformed Services University	2	0	0	0.00	2	2	100.00	0	0.00
Department of Agriculture	665	468	460	98.29	197	191	96.95	191	100.00
Department of Commerce	137	84	84	100.00	53	51	96.23	51	100.00
Department of Education	17	5	5	100.00	12	11	91.67	11	100.00
Department of Energy	44	24	24	100.00	20	16	80.00	16	100.00
Department of Health and Human Services	96	45	44	97.78	51	47	92.16	47	100.00
Department of Homeland Security	324	114	94	82.46	210	191	90.95	175	91.62
Department of Housing and Urban Development	80	41	41	100.00	39	34	87.18	34	100.00
Department of Justice	639	298	296	99.33	341	333	97.65	333	100.00
Department of Labor	90	31	29	93.55	59	58	98.31	58	100.00
Department of State	37	14	14	100.00	23	23	100.00	23	100.00

Department of the Air Force	270	161	158	98.14	109	102	93.58	99	97.06
Department of the Army	201	107	106	99.07	94	77	81.91	76	98.70
Department of the Interior	189	109	107	98.17	80	71	88.75	71	100.00
Department of the Navy	474	237	236	99.58	237	225	94.94	225	100.00
Department of the Treasury	390	277	277	100.00	113	110	97.35	110	100.00
Department of Transportation	257	113	111	98.23	144	138	95.83	138	100.00
Department of Veterans Affairs	1,156	667	653	97.90	489	466	95.30	466	100.00
Environmental Protection Agency	52	31	31	100.00	21	21	100.00	21	100.00
EOP - National Drug Control Policy	0	0	0	0.00	0	0	0.00	0	0.00
EOP - Office of Administration	0	0	0	0.00	0	0	0.00	0	0.00
EOP - Office of Management and Budget	0	0	0	0.00	0	0	0.00	0	0.00
EOP - Office of the U.S. Trade Representative	1	1	1	100.00	0	0	0.00	0	0.00
Equal Employment Opportunity Commission	23	12	12	100.00	11	10	90.91	10	100.00
Export-Import Bank of the US	0	0	0	0.00	0	0	0.00	0	0.00
Farm Credit Administration	0	0	0	0.00	0	0	0.00	0	0.00
Federal Communications Commission	6	0	0	0.00	6	6	100.00	6	100.00
Federal Deposit Insurance Corporation	37	19	19	100.00	18	14	77.78	14	100.00
Federal Election Commission	0	0	0	0.00	0	0	0.00	0	0.00
Federal Energy Regulatory Commission	0	0	0	0.00	0	0	0.00	0	0.00
Federal Housing Finance Board	0	0	0	0.00	0	0	0.00	0	0.00
Federal Labor Relations Authority	0	0	0	0.00	0	0	0.00	0	0.00
Federal Maritime Commission	0	0	0	0.00	0	0	0.00	0	0.00

Federal Mediation and Conciliation Service	0	0	0	0.00	0	0	0.00	0	0.00
Federal Reserve System--Board of Governors	3	3	3	100.00	0	0	0.00	0	0.00
Federal Retirement Thrift Investment Board	0	0	0	0.00	0	0	0.00	0	0.00
Federal Trade Commission	3	1	1	100.00	2	2	100.00	2	100.00
General Services Administration	61	22	22	100.00	39	39	100.00	39	100.00
Government Printing Office	20	15	15	100.00	5	5	100.00	5	100.00
Holocaust Memorial Museum U.S.	1	1	1	100.00	0	0	0.00	0	0.00
International Boundary and Water Commission	2	0	0	0.00	2	2	100.00	2	100.00
International Trade Commission	0	0	0	0.00	0	0	0.00	0	0.00
John F. Kennedy Center for the Performing Arts	0	0	0	0.00	0	0	0.00	0	0.00
Merit Systems Protection Board	0	0	0	0.00	0	0	0.00	0	0.00
National Aeronautics and Space Administration	23	14	12	85.71	9	8	88.89	8	100.00
National Archives and Records Administration	14	7	7	100.00	7	7	100.00	7	100.00
National Credit Union Administration	7	1	1	100.00	6	5	83.33	5	100.00
National Endowment for the Arts	0	0	0	0.00	0	0	0.00	0	0.00
National Endowment for the Humanities	0	0	0	0.00	0	0	0.00	0	0.00
National Gallery of Art	16	10	10	100.00	6	6	100.00	6	100.00
National Labor Relations Board	4	1	1	100.00	3	3	100.00	3	100.00
National Science Foundation	1	0	0	0.00	1	0	0.00	0	0.00
National Transportation Safety Board	2	0	0	0.00	2	2	100.00	2	100.00
Nuclear Regulatory Commission	4	1	0	0.00	3	3	100.00	3	100.00

Office of Personnel Management	10	0	0	0.00	10	10	100.00	10	100.00
Office of Special Counsel	0	0	0	0.00	0	0	0.00	0	0.00
Overseas Private Investment Corporation	0	0	0	0.00	0	0	0.00	0	0.00
Peace Corps	3	0	0	0.00	3	3	100.00	3	100.00
Pension Benefit Guaranty Corporation	0	0	0	0.00	0	0	0.00	0	0.00
Railroad Retirement Board	1	0	0	0.00	1	1	100.00	1	100.00
Securities and Exchange Commission	7	5	5	100.00	2	2	100.00	2	100.00
Selective Service System	3	1	1	100.00	2	2	100.00	2	100.00
Small Business Administration	15	4	4	100.00	11	7	63.64	7	100.00
Smithsonian Institution	16	5	5	100.00	11	11	100.00	11	100.00
Social Security Administration	199	65	52	80.00	134	126	94.03	126	100.00
Tennessee Valley Authority	28	23	22	95.65	5	4	80.00	4	100.00
U.S. Postal Service	4,776	2,915	2,842	97.50	1,861	1,846	99.19	1,809	98.00
U.S. Tax Court	0	0	0	0.00	0	0	0.00	0	0.00
Cabinet Level Subtotal	10,315	5,906	5,776	97.80	4,409	4,256	96.53	4,197	98.61
Midsize Agencies Subtotal	431	183	167	91.26	248	230	92.74	230	100.00
Small Agencies Subtotal	169	78	77	98.72	91	88	96.70	88	100.00
Grand Total	10,915	6,167	6,020	97.62	4,748	4,574	96.34	4,515	98.71

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Table 20 Complaints Closed With Dismissals

Agency Name	# Complaint Closures by Dismissal	# Dismissal by Agency (no AJ)	% Dismissal by Agency (no AJ)	# Dismissal by AJ	% Dismissal by AJ	# AJ Dismissals Fully Implemented	% AJ Dismissals Fully Implemented	# AJ Dismissals Not Fully Implemented	% AJ Dismissals Not Fully Implemented
Agency for International Development	2	2	100.00	0	0.00	0	0.00	0	0.00
Armed Forces Retirement Home	0	0	0.00	0	0.00	0	0.00	0	0.00
Broadcasting Board of Governors	3	3	100.00	0	0.00	0	0.00	0	0.00
Central Intelligence Agency	9	9	100.00	0	0.00	0	0.00	0	0.00
Commodity Futures Trading Commission	0	0	0.00	0	0.00	0	0.00	0	0.00
Consumer Product Safety Commission	0	0	0.00	0	0.00	0	0.00	0	0.00
Corporation for National and Community Service	1	1	100.00	0	0.00	0	0.00	0	0.00
Court Services and Offender Supervision Agency for the District of Columbia	0	0	0.00	0	0.00	0	0.00	0	0.00
Defense Army and Air Force Exchange Service	31	31	100.00	0	0.00	0	0.00	0	0.00
Defense Commissary Agency	54	49	90.74	5	9.26	5	100.00	0	0.00
Defense Contract Audit Agency	5	4	80.00	1	20.00	1	100.00	0	0.00

Defense Contract Management Agency	7	7	100.00	0	0.00	0	0.00	0	0.00
Defense Dependent Education Activity	8	7	87.50	1	12.50	1	100.00	0	0.00
Defense Finance and Accounting Service	51	51	100.00	0	0.00	0	0.00	0	0.00
Defense Human Resource Activity	1	1	100.00	0	0.00	0	0.00	0	0.00
Defense Information Systems Agency	4	4	100.00	0	0.00	0	0.00	0	0.00
Defense Intelligence Agency	0	0	0.00	0	0.00	0	0.00	0	0.00
Defense Logistics Agency	38	35	92.11	3	7.89	3	100.00	0	0.00
Defense National Geospatial-Intelligence	3	3	100.00	0	0.00	0	0.00	0	0.00
Defense National Guard Bureau	14	10	71.43	4	28.57	3	75.00	1	25.00
Defense National Security Agency	5	5	100.00	0	0.00	0	0.00	0	0.00
Defense Nuclear Facilities Safety Board	0	0	0.00	0	0.00	0	0.00	0	0.00
Defense Office of the Inspector General	0	0	0.00	0	0.00	0	0.00	0	0.00
Defense, Office of the Secretary	8	8	100.00	0	0.00	0	0.00	0	0.00
Defense Security Service	2	1	50.00	1	50.00	1	100.00	0	0.00
Defense Threat Reduction Agency	0	0	0.00	0	0.00	0	0.00	0	0.00
Defense Uniformed Services University	0	0	0.00	0	0.00	0	0.00	0	0.00
Department of Agriculture	156	144	92.31	12	7.69	12	100.00	0	0.00
Department of Commerce	40	39	97.50	1	2.50	1	100.00	0	0.00

Department of Education	2	2	100.00	0	0.00	0	0.00	0	0.00
Department of Energy	16	15	93.75	1	6.25	1	100.00	0	0.00
Department of Health and Human Services	68	61	89.71	7	10.29	7	100.00	0	0.00
Department of Homeland Security	258	238	92.25	20	7.75	18	90.00	2	10.00
Department of Housing and Urban Development	30	30	100.00	0	0.00	0	0.00	0	0.00
Department of Justice	206	188	91.26	18	8.74	18	100.00	0	0.00
Department of Labor	62	59	95.16	3	4.84	3	100.00	0	0.00
Department of State	25	20	80.00	5	20.00	5	100.00	0	0.00
Department of the Air Force	137	124	90.51	13	9.49	13	100.00	0	0.00
Department of the Army	181	168	92.82	13	7.18	12	92.31	1	7.69
Department of the Interior	56	46	82.14	10	17.86	10	100.00	0	0.00
Department of the Navy	132	129	97.73	3	2.27	3	100.00	0	0.00
Department of the Treasury	140	140	100.00	0	0.00	0	0.00	0	0.00
Department of Transportation	136	136	100.00	0	0.00	0	0.00	0	0.00
Department of Veterans Affairs	513	484	94.35	29	5.65	29	100.00	0	0.00
Environmental Protection Agency	23	23	100.00	0	0.00	0	0.00	0	0.00
EOP - National Drug Control Policy	0	0	0.00	0	0.00	0	0.00	0	0.00
EOP - Office of Administration	0	0	0.00	0	0.00	0	0.00	0	0.00
EOP - Office of Management and Budget	0	0	0.00	0	0.00	0	0.00	0	0.00

EOP - Office of the U.S. Trade Representative	0	0	0.00	0	0.00	0	0.00	0	0.00
Equal Employment Opportunity Commission	4	4	100.00	0	0.00	0	0.00	0	0.00
Export-Import Bank of the US	0	0	0.00	0	0.00	0	0.00	0	0.00
Farm Credit Administration	0	0	0.00	0	0.00	0	0.00	0	0.00
Federal Communications Commission	0	0	0.00	0	0.00	0	0.00	0	0.00
Federal Deposit Insurance Corporation	3	0	0.00	3	100.00	3	100.00	0	0.00
Federal Election Commission	0	0	0.00	0	0.00	0	0.00	0	0.00
Federal Energy Regulatory Commission	0	0	0.00	0	0.00	0	0.00	0	0.00
Federal Housing Finance Board	2	0	0.00	2	100.00	2	100.00	0	0.00
Federal Labor Relations Authority	0	0	0.00	0	0.00	0	0.00	0	0.00
Federal Maritime Commission	0	0	0.00	0	0.00	0	0.00	0	0.00
Federal Mediation and Conciliation Service	0	0	0.00	0	0.00	0	0.00	0	0.00
Federal Reserve System--Board of Governors	1	1	100.00	0	0.00	0	0.00	0	0.00
Federal Retirement Thrift Investment Board	0	0	0.00	0	0.00	0	0.00	0	0.00
Federal Trade Commission	0	0	0.00	0	0.00	0	0.00	0	0.00
General Services Administration	28	25	89.29	3	10.71	3	100.00	0	0.00
Government Printing Office	12	11	91.67	1	8.33	1	100.00	0	0.00

Holocaust Memorial Museum U.S.	0	0	0.00	0	0.00	0	0.00	0	0.00
International Boundary and Water Commission	2	2	100.00	0	0.00	0	0.00	0	0.00
International Trade Commission	0	0	0.00	0	0.00	0	0.00	0	0.00
John F. Kennedy Center for the Performing Arts	1	1	100.00	0	0.00	0	0.00	0	0.00
Merit Systems Protection Board	0	0	0.00	0	0.00	0	0.00	0	0.00
National Aeronautics and Space Administration	8	7	87.50	1	12.50	1	100.00	0	0.00
National Archives and Records Administration	4	1	25.00	3	75.00	3	100.00	0	0.00
National Credit Union Administration	0	0	0.00	0	0.00	0	0.00	0	0.00
National Endowment for the Arts	1	0	0.00	1	100.00	1	100.00	0	0.00
National Endowment for the Humanities	0	0	0.00	0	0.00	0	0.00	0	0.00
National Gallery of Art	2	2	100.00	0	0.00	0	0.00	0	0.00
National Labor Relations Board	14	1	7.14	13	92.86	13	100.00	0	0.00
National Science Foundation	3	3	100.00	0	0.00	0	0.00	0	0.00
National Transportation Safety Board	0	0	0.00	0	0.00	0	0.00	0	0.00
Nuclear Regulatory Commission	0	0	0.00	0	0.00	0	0.00	0	0.00
Office of Personnel Management	10	10	100.00	0	0.00	0	0.00	0	0.00
Office of Special Counsel	0	0	0.00	0	0.00	0	0.00	0	0.00

Overseas Private Investment Corporation	0	0	0.00	0	0.00	0	0.00	0	0.00
Peace Corps	0	0	0.00	0	0.00	0	0.00	0	0.00
Pension Benefit Guaranty Corporation	3	3	100.00	0	0.00	0	0.00	0	0.00
Railroad Retirement Board	0	0	0.00	0	0.00	0	0.00	0	0.00
Securities and Exchange Commission	13	11	84.62	2	15.38	2	100.00	0	0.00
Selective Service System	0	0	0.00	0	0.00	0	0.00	0	0.00
Small Business Administration	10	10	100.00	0	0.00	0	0.00	0	0.00
Smithsonian Institution	7	7	100.00	0	0.00	0	0.00	0	0.00
Social Security Administration	97	86	88.66	11	11.34	11	100.00	0	0.00
Tennessee Valley Authority	8	8	100.00	0	0.00	0	0.00	0	0.00
U.S. Postal Service	2,784	2,779	99.82	5	0.18	4	80.00	1	20.00
U.S. Tax Court	0	0	0.00	0	0.00	0	0.00	0	0.00
Cabinet Level Subtotal	5,173	5,018	97.00	155	3.00	150	96.77	5	3.23
Midsize Agencies Subtotal	184	166	90.22	18	9.78	18	100.00	0	0.00
Small Agencies Subtotal	87	65	74.71	22	25.29	22	100.00	0	0.00
Grand Total	5,444	5,249	96.42	195	3.58	190	97.44	5	2.56

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Table 21 Complaint Closures With Benefits

Agency Name	# Complaints Closed with Benefits	Total Amount Back Pay / Front Pay	Total Amount Lump Sum Payments	Total Amount Compensatory Damages	Total Amount Attorney's Fees and Costs	Total Amount All Monetary Benefits	Average Monetary Benefit Per Cosure with Benefits	# Closed with Non-Monetary Benefits	% Closed with Non-Monetary Benefits
Agency for International Development	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0	0.0000
Armed Forces Retirement Home	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0	0.0000
Broadcasting Board of Governors	3	$6,820.00	$0.00	$0.00	$500.00	$7,320.00	$2,440.00	1	33.3333
Central Intelligence Agency	7	$0.00	$70,500.00	$0.00	$6,500.00	$77,000.00	$11,000.00	1	14.2857
Commodity Futures Trading Commission	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0	0.0000
Consumer Product Safety Commission	2	$0.00	$100,805.00	$0.00	$50,000.00	$150,805.00	$75,402.50	1	50.0000
Corporation for National and Community Service	11	$73,259.00	$141,000.00	$15,571.00	$5,500.00	$235,330.00	$21,393.64	1	9.0909
Court Services and Offender Supervision Agency for the District of Columbia	3	$0.00	$8,000.00	$0.00	$0.00	$8,000.00	$2,666.67	3	100.0000
Defense Army and Air Force Exchange Service	59	$18,578.00	$397,672.00	$2,000.00	$22,000.00	$440,250.00	$7,461.86	26	44.0678
Defense Commissary Agency	48	$15,000.00	$41,000.00	$9,532.00	$38,679.00	$104,211.00	$2,171.06	23	47.9167
Defense Contract Audit Agency	10	$12,350.00	$3,500.00	$0.00	$500.00	$16,350.00	$1,635.00	6	60.0000
Defense Contract Management Agency	21	$0.00	$130,018.00	$0.00	$59,700.00	$189,718.00	$9,034.19	9	42.8571

Defense Dependent Education Activity	17	$0.00	$100,308.00	$0.00	$100,308.00	$200,616.00	$11,800.94	9	52.9412
Defense Finance and Accounting Service	36	$24,863.00	$36,250.00	$12,700.00	$30,500.00	$104,313.00	$2,897.58	26	72.2222
Defense Human Resource Activity	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0	0.0000
Defense Information Systems Agency	4	$0.00	$3,744.00	$0.00	$1,000.00	$4,744.00	$1,186.00	1	25.0000
Defense Intelligence Agency	4	$0.00	$20,000.00	$0.00	$0.00	$20,000.00	$5,000.00	3	75.0000
Defense Logistics Agency	54	$67,537.00	$99,049.00	$81,750.00	$53,000.00	$301,336.00	$5,580.30	19	35.1852
Defense National Geospatial-Intelligence	19	$600.00	$19,000.00	$0.00	$36,159.00	$55,759.00	$2,934.68	12	63.1579
Defense National Guard Bureau	9	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	12	133.3333
Defense National Security Agency	4	$7,075.00	$35,000.00	$29,000.00	$6,000.00	$77,075.00	$19,268.75	1	25.0000
Defense Nuclear Facilities Safety Board	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0	0.0000
Defense Office of the Inspector General	1	$0.00	$11,353.00	$0.00	$8,000.00	$19,353.00	$19,353.00	0	0.0000
Defense, Office of the Secretary	6	$0.00	$14,000.00	$0.00	$1,500.00	$15,500.00	$2,583.33	2	33.3333
Defense Security Service	10	$3,500.00	$7,500.00	$0.00	$5,100.00	$16,100.00	$1,610.00	4	40.0000
Defense Threat Reduction Agency	2	$0.00	$3,000.00	$0.00	$0.00	$3,000.00	$1,500.00	1	50.0000
Defense Uniformed Services University	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0	0.0000
Department of Agriculture	280	$78,057.00	$1,305,485.00	$305,998.00	$818,085.00	$2,507,625.00	$8,955.80	89	31.7857
Department of Commerce	50	$0.00	$149,599.00	$0.00	$19,260.00	$168,859.00	$3,377.18	21	42.0000
Department of Education	3	$0.00	$15,000.00	$0.00	$0.00	$15,000.00	$5,000.00	2	66.6667
Department of Energy	44	$84,108.00	$501,550.00	$60,000.00	$73,885.00	$719,543.00	$16,353.25	26	59.0909

Department of Health and Human Services	74	$384,508.00	$437,756.00	$314,910.00	$328,312.00	$1,465,486.00	$19,803.86	22	29.7297
Department of Homeland Security	229	$94,545.00	$1,324,565.00	$143,396.00	$391,387.00	$1,953,893.00	$8,532.28	114	49.7817
Department of Housing and Urban Development	43	$10,460.00	$97,000.00	$130,600.00	$78,290.00	$316,350.00	$7,356.98	70	162.7907
Department of Justice	111	$11,995.00	$408,892.00	$398.00	$160,416.00	$581,701.00	$5,240.55	79	71.1712
Department of Labor	42	$46,387.00	$260,094.00	$0.00	$101,688.00	$408,169.00	$9,718.31	28	66.6667
Department of State	13	$41,815.00	$181,098.00	$0.00	$28,000.00	$250,913.00	$19,301.00	26	200.0000
Department of the Air Force	211	$223,331.00	$398,193.00	$132,669.00	$201,150.00	$955,343.00	$4,527.69	114	54.0284
Department of the Army	416	$179,990.00	$782,916.00	$238,239.00	$501,921.00	$1,703,066.00	$4,093.91	317	76.2019
Department of the Interior	115	$273,976.00	$659,169.00	$415,052.00	$232,347.00	$1,580,544.00	$13,743.86	44	38.2609
Department of the Navy	245	$59,600.00	$788,989.00	$676,345.00	$682,167.00	$2,207,101.00	$9,008.58	186	75.9184
Department of the Treasury	177	$189,050.00	$0.00	$205,278.00	$224,689.00	$619,017.00	$3,497.27	106	59.8870
Department of Transportation	82	$54,570.00	$96,265.00	$269,048.00	$333,147.00	$753,030.00	$9,183.29	29	35.3659
Department of Veterans Affairs	535	$0.00	$774,635.00	$365,848.00	$436,710.00	$1,577,193.00	$2,948.02	473	88.4112
Environmental Protection Agency	11	$4,876.00	$67,000.00	$117,500.00	$81,975.00	$271,351.00	$24,668.27	0	0.0000
EOP - National Drug Control Policy	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0	0.0000
EOP - Office of Administration	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0	0.0000
EOP - Office of Management and Budget	1	$0.00	$3,500.00	$0.00	$0.00	$3,500.00	$3,500.00	0	0.0000
EOP - Office of the U.S. Trade Representative	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0	0.0000
Equal Employment Opportunity Commission	15	$0.00	$28,200.00	$1,116.00	$4,500.00	$33,816.00	$2,254.40	13	86.6667

Export-Import Bank of the US	3	$0.00	$66,000.00	$0.00	$0.00	$66,000.00	$22,000.00	1	33.3333
Farm Credit Administration	1	$0.00	$6,000.00	$0.00	$0.00	$6,000.00	$6,000.00	0	0.0000
Federal Communications Commission	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0	0.0000
Federal Deposit Insurance Corporation	12	$0.00	$107,000.00	$0.00	$23,000.00	$130,000.00	$10,833.33	4	33.3333
Federal Election Commission	1	$0.00	$15,000.00	$0.00	$0.00	$15,000.00	$15,000.00	0	0.0000
Federal Energy Regulatory Commission	1	$0.00	$0.00	$0.00	$1,000.00	$1,000.00	$1,000.00	1	100.0000
Federal Housing Finance Board	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0	0.0000
Federal Labor Relations Authority	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0	0.0000
Federal Maritime Commission	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0	0.0000
Federal Mediation and Conciliation Service	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0	0.0000
Federal Reserve System--Board of Governors	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0	0.0000
Federal Retirement Thrift Investment Board	1	$0.00	$70,000.00	$0.00	$0.00	$70,000.00	$70,000.00	0	0.0000
Federal Trade Commission	4	$0.00	$0.00	$14,130.00	$5,974.00	$20,104.00	$5,026.00	3	75.0000
General Services Administration	34	$50,662.00	$60,402.00	$64,843.00	$96,631.00	$272,538.00	$8,015.82	22	64.7059
Government Printing Office	15	$26,314.00	$63,813.00	$0.00	$18,000.00	$108,127.00	$7,208.47	9	60.0000
Holocaust Memorial Museum U.S.	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0	0.0000
International Boundary and Water Commission	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0	0.0000
International Trade Commission	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0	0.0000
John F. Kennedy Center for the Performing Arts	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0	0.0000

Merit Systems Protection Board	4	$0.00	$0.00	$0.00	$20,000.00	$20,000.00	$5,000.00	0	0.0000
National Aeronautics and Space Administration	19	$0.00	$148,000.00	$3,074.00	$38,506.00	$189,580.00	$9,977.89	10	52.6316
National Archives and Records Administration	6	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	6	100.0000
National Credit Union Administration	1	$0.00	$2,500.00	$0.00	$0.00	$2,500.00	$2,500.00	0	0.0000
National Endowment for the Arts	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0	0.0000
National Endowment for the Humanities	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0	0.0000
National Gallery of Art	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0	0.0000
National Labor Relations Board	3	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	3	100.0000
National Science Foundation	2	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	2	100.0000
National Transportation Safety Board	1	$30,000.00	$30,000.00	$0.00	$0.00	$60,000.00	$60,000.00	0	0.0000
Nuclear Regulatory Commission	9	$4,353.00	$13,000.00	$0.00	$145,000.00	$162,353.00	$18,039.22	2	22.2222
Office of Personnel Management	1	$0.00	$4,000.00	$0.00	$0.00	$4,000.00	$4,000.00	1	100.0000
Office of Special Counsel	3	$0.00	$22,000.00	$0.00	$0.00	$22,000.00	$7,333.33	3	100.0000
Overseas Private Investment Corporation	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0	0.0000
Peace Corps	1	$0.00	$20,000.00	$0.00	$0.00	$20,000.00	$20,000.00	0	0.0000
Pension Benefit Guaranty Corporation	1	$0.00	$1,000.00	$0.00	$0.00	$1,000.00	$1,000.00	0	0.0000
Railroad Retirement Board	1	$17,100.00	$7,000.00	$0.00	$0.00	$24,100.00	$24,100.00	1	100.0000
Securities and Exchange Commission	5	$0.00	$40,000.00	$0.00	$7,075.00	$47,075.00	$9,415.00	5	100.0000

Selective Service System	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0	0.0000
Small Business Administration	6	$37,087.00	$17,500.00	$11,068.00	$33,591.00	$99,246.00	$16,541.00	1	16.6667
Smithsonian Institution	7	$238,758.00	$45,000.00	$266,641.00	$17,117.00	$567,516.00	$81,073.71	7	100.0000
Social Security Administration	121	$2,506.00	$71,148.00	$373,430.00	$210,232.00	$657,316.00	$5,432.36	78	64.4628
Tennessee Valley Authority	20	$80,000.00	$118,085.00	$0.00	$6,500.00	$204,585.00	$10,229.25	5	25.0000
U.S. Postal Service	1,428	$153,302.00	$1,381,776.00	$3,693,475.00	$1,559,043.00	$6,787,596.00	$4,753.22	996	69.7479
U.S. Tax Court	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	0	0.0000
Cabinet Level Subtotal	4,402	$2,035,197.00	$10,484,376.00	$7,086,238.00	$6,532,943.00	$26,138,754.00	$5,937.93	2896	65.7883
Midsize Agencies Subtotal	230	$413,889.00	$634,135.00	$836,556.00	$507,552.00	$2,392,132.00	$10,400.57	127	55.2174
Small Agencies Subtotal	107	$157,846.00	$712,318.00	$30,817.00	$264,049.00	$1,165,030.00	$10,888.13	57	53.2710
Grand Total	4,739	$2,606,932.00	$11,830,829.00	$7,953,611.00	$7,304,544.00	$29,695,916.00	$6,266.28	3080	64.9926

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Table 22 Complaint Closures By Statute

Agency or Department	Total Closures	Title VII	ADEA	Rehabilitation Act	EPA	Total by Statute
Agency for International Development	5	4	0	1	0	5
Armed Forces Retirement Home	0	0	0	0	0	0
Broadcasting Board of Governors	16	16	10	4	0	30
Central Intelligence Agency	22	22	6	0	0	28
Commodity Futures Trading Commission	8	8	0	0	0	8
Consumer Product Safety Commission	4	4	2	0	0	6
Corporation for National and Community Service	17	15	5	4	2	26
Court Services and Offender Supervision Agency for the District of Columbia	13	11	3	4	0	18
Defense Army and Air Force Exchange Service	175	130	14	31	0	175
Defense Commissary Agency	186	186	44	34	0	264
Defense Contract Audit Agency	39	35	15	12	2	64
Defense Contract Management Agency	99	87	45	18	0	150
Defense Dependent Education Activity	92	92	29	15	0	136

Defense Finance and Accounting Service	176	157	19	17	1	194
Defense Human Resource Activity	3	3	2	1	0	6
Defense Information Systems Agency	16	13	8	3	0	24
Defense Intelligence Agency	11	10	5	3	0	18
Defense Logistics Agency	199	174	74	45	1	294
Defense National Geospatial-Intelligence	32	22	5	5	0	32
Defense National Guard Bureau	46	43	2	2	0	53
Defense National Security Agency	21	19	7	2	0	28
Defense Nuclear Facilities Safety Board	0	0	0	0	0	0
Defense Office of the Inspector General	1	1	1	0	0	2
Defense, Office of the Secretary	29	26	4	5	0	35
Defense Security Service	14	11	4	6	0	21
Defense Threat Reduction Agency	5	4	3	0	0	7
Defense Uniformed Services University	2	2	0	0	0	2
Department of Agriculture	1146	1036	283	190	4	1513
Department of Commerce	279	182	82	59	0	323
Department of Education	30	30	7	9	0	46
Department of Energy	111	88	35	15	1	139

Department of Health and Human Services	270	236	84	67	0	387
Department of Homeland Security	894	712	227	138	5	1082
Department of Housing and Urban Development	170	144	62	38	14	258
Department of Justice	1004	959	155	118	1	1233
Department of Labor	202	185	105	90	0	380
Department of State	80	58	21	25	0	104
Department of the Air Force	703	617	193	160	1	971
Department of the Army	882	735	159	146	4	1044
Department of the Interior	360	329	130	68	0	527
Department of the Navy	928	748	220	152	7	1127
Department of the Treasury	814	658	156	156	1	971
Department of Transportation	490	445	142	75	3	665
Department of Veterans Affairs	2375	1581	560	584	24	2749
Environmental Protection Agency	93	86	33	21	0	140
EOP - National Drug Control Policy	0	0	0	0	0	0
EOP - Office of Administration	0	0	0	0	0	0
EOP - Office of Management and Budget	1	1	0	0	0	1
EOP - Office of the U.S. Trade Representative	1	1	0	0	0	1
Equal Employment Opportunity Commission	51	48	16	6	0	70

Export-Import Bank of the US	4	4	0	0	0	4
Farm Credit Administration	1	0	1	0	0	1
Federal Communications Commission	6	5	0	1	0	6
Federal Deposit Insurance Corporation	55	43	24	10	0	77
Federal Election Commission	1	1	0	1	0	2
Federal Energy Regulatory Commission	1	0	1	0	0	1
Federal Housing Finance Board	3	3	3	0	0	6
Federal Labor Relations Authority	1	1	0	0	1	2
Federal Maritime Commission	0	0	0	0	0	0
Federal Mediation and Conciliation Service	0	0	0	0	0	0
Federal Reserve System--Board of Governors	6	3	4	0	0	7
Federal Retirement Thrift Investment Board	1	1	1	1	1	4
Federal Trade Commission	7	6	2	0	0	8
General Services Administration	125	113	52	23	0	188
Government Printing Office	49	40	9	10	0	59
Holocaust Memorial Museum U.S.	1	1	0	0	0	1
International Boundary and Water Commission	6	3	3	0	3	9
International Trade Commission	0	0	0	0	0	0

John F. Kennedy Center for the Performing Arts	1	1	0	0	0	1
Merit Systems Protection Board	4	3	1	0	0	4
National Aeronautics and Space Administration	47	42	20	7	0	69
National Archives and Records Administration	25	20	16	7	0	43
National Credit Union Administration	9	3	3	3	0	9
National Endowment for the Arts	1	1	0	0	0	1
National Endowment for the Humanities	0	0	0	0	0	0
National Gallery of Art	8	8	0	0	0	8
National Labor Relations Board	24	24	3	1	0	28
National Science Foundation	8	8	0	1	0	9
National Transportation Safety Board	3	1	2	0	0	3
Nuclear Regulatory Commission	16	12	5	1	0	18
Office of Personnel Management	24	14	12	5	1	32
Office of Special Counsel	3	3	3	0	0	6
Overseas Private Investment Corporation	0	0	0	0	0	0
Peace Corps	4	4	0	0	0	4
Pension Benefit Guaranty Corporation	4	3	1	0	0	4

Railroad Retirement Board	3	2	2	1	0	5
Securities and Exchange Commission	27	26	15	6	0	47
Selective Service System	5	5	0	0	0	5
Small Business Administration	29	21	12	6	0	39
Smithsonian Institution	30	27	12	8	0	47
Social Security Administration	453	381	162	126	1	670
Tennessee Valley Authority	59	39	29	12	0	80
U.S. Postal Service	9978	8478	2500	3425	12	14415
U.S. Tax Court	0	0	0	0	0	0
Cabinet Level Subtotal	21862	18236	5402	5714	81	29439
Midsize Agencies Subtotal	891	752	344	213	1	1310
Small Agencies Subtotal	394	336	129	57	8	530
Grand Total	23147	19324	5875	5984	90	31279

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Table 23 Agency Staff Resources

Agency or Department	Counselors							Investigators							Counselors / Investigators						
	Total	Full Time		Part Time		Collateral Duty		Total	Full Time		Part Time		Collateral Duty		Total	Full Time		Part Time		Collateral Duty	
		#	%	#	%	#	%		#	%	#	%	#	%		#	%	#	%	#	%
Agency for International Development	8	0	0	0	0	8	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Armed Forces Retirement Home	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Broadcasting Board of Governors	8	0	0	2	25	6	75	1	0	0	1	100	0	0	0	0	0	0	0	0	0
Central Intelligence Agency	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6	6	100	0	0	0	0
Commodity Futures Trading Commission	4	0	0	0	0	4	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Consumer Product Safety Commission	6	0	0	0	0	6	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Corporation for National and Community Service	12	0	0	0	0	12	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Court Services and Offender Supervision Agency for the District of Columbia	18	0	0	2	11	16	88	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Defense Army and Air Force Exchange	273	0	0	0	0	273	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Defense Commissary Agency	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Defense Contract Audit Agency	3	0	0	0	0	3	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Defense Contract Management Agency	80	1	1	0	0	79	98	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Defense Dependent Education Activity	5	4	80	0	0	1	20	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Defense Finance and Accounting Service	17	17	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Defense Human Resource Activity	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Defense Information Systems Agency	14	2	14	0	0	12	85	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Defense Intelligence Agency	3	0	0	0	0	3	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Defense Logistics Agency	63	2	3	0	0	61	96	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Defense National Geospatial-Intelligence	4	2	50	2	50	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Defense National Guard Bureau	645	24	3	38	5	583	90	23	0	0	8	34	15	65	94	2	2	12	12	80	85
Defense National Security Agency	6	3	50	3	50	0	0	6	5	83	1	16	0	0	0	0	0	0	0	0	0
Defense Nuclear Facilities Safety Board	2	0	0	0	0	2	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Defense Office of the Inspector General	10	0	0	2	20	8	80	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Defense Office of the Secretary	0	0	0	0	0	0	0	4	4	100	0	0	0	0	0	0	0	0	0	0	0
Defense Security Service	7	0	0	0	0	7	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Defense Threat Reduction Agency	4	4	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Defense Uniformed Services University	7	1	14	0	0	6	85	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Department of Agriculture	58	44	75	6	10	8	13	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Department of Commerce	67	15	22	8	11	44	65	7	7	100	0	0	0	0	0	0	0	0	0	0	0
Department of Education	3	3	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Department of Energy	91	1	1	9	9	81	89	2	2	100	0	0	0	0	0	0	0	0	0	0	0
Department of Health and Human Services	256	7	2	19	7	230	89	1	0	0	0	0	1	100	1	0	0	0	0	1	100
Department of Homeland Security	203	12	5	32	15	159	78	8	2	25	6	75	0	0	0	0	0	0	0	0	0

Department of Housing and Urban Development	4	4	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Department of Justice	514	15	2	9	1	490	95	54	14	25	2	3	38	70	0	0	0	0	0	0	0
Department of Labor	58	0	0	0	0	58	100	0	0	0	0	0	0	0	15	2	13	13	86	0	0
Department of State	287	0	0	0	0	287	100	23	10	43	7	30	6	26	14	0	0	0	0	14	100
Department of the Air Force	318	120	37	3	0	195	61	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Department of the Army	1346	17	1	55	4	1274	94	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Department of the Interior	392	13	3	42	10	337	85	2	1	50	1	50	0	0	0	0	0	0	0	0	0
Department of the Navy	147	128	87	2	1	17	11	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Department of the Treasury	215	59	27	0	0	156	72	30	30	100	0	0	0	0	0	0	0	0	0	0	0
Department of Transportation	528	0	0	0	0	528	100	0	0	0	0	0	0	0	10	0	0	0	0	10	100
Department of Veterans Affairs	40	40	100	0	0	0	0	49	49	100	0	0	0	0	13	13	100	0	0	0	0
Environmental Protection Agency	78	10	12	1	1	67	85	0	0	0	0	0	0	0	0	0	0	0	0	0	0
EOP - National Drug Control Policy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
EOP - Office of Administration	1	0	0	0	0	1	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
EOP - Office of Management and Budget	3	0	0	0	0	3	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
EOP - Office of the U.S. Trade Representative	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Equal Employment Opportunity Commission	2	2	100	0	0	0	0	3	3	100	0	0	0	0	0	0	0	0	0	0	0
Export-Import Bank of the US	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Farm Credit Administration	8	0	0	0	0	8	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Federal Communications Commission	7	0	0	0	0	7	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Federal Deposit Insurance Corporation	4	4	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Federal Election Commission	2	0	0	0	0	2	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Federal Energy Regulatory Commission	5	0	0	0	0	5	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Federal Housing Finance Board	2	0	0	0	0	2	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Federal Labor Relations Authority	6	0	0	0	0	6	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Federal Maritime Commission	3	1	33	0	0	2	66	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Federal Mediation and Conciliation Service	4	0	0	0	0	4	100	3	0	0	0	0	3	100	0	0	0	0	0	0	0
Federal Reserve System--Board of Governors	3	2	66	0	0	1	33	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Federal Retirement Thrift Investment Board	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Federal Trade Commission	9	1	11	0	0	8	88	0	0	0	0	0	0	0	0	0	0	0	0	0	0
General Services Administration	10	2	20	0	0	8	80	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Government Printing Office	8	1	12	1	12	6	75	1	0	0	1	100	0	0	0	0	0	0	0	0	0
Holocaust Memorial Museum U.S.	9	0	0	0	0	9	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
International Boundary and Water Commission	7	0	0	0	0	7	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
International Trade Commission	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
John F. Kennedy Center for the Performing Arts	3	0	0	0	0	3	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Merit Systems Protection Board	2	0	0	0	0	2	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
National Aeronautics and Space Administration	38	4	10	3	7	31	81	0	0	0	0	0	0	0	0	0	0	0	0	0	0
National Archives and Records Administration	1	1	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

National Credit Union Administration	7	0	0	0	0	7	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
National Endowment for the Arts	2	0	0	0	0	2	100	0	0	0	0	0	0	0	1	0	0	0	0	1	100
National Endowment for the Humanities	3	0	0	0	0	3	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
National Gallery of Art	4	0	0	0	0	4	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
National Labor Relations Board	42	0	0	0	0	42	100	0	0	0	0	0	0	0	8	8	100	0	0	0	0
National Science Foundation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
National Transportation Safety Board	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Nuclear Regulatory Commission	17	0	0	0	0	17	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Office of Personnel Management	5	0	0	0	0	5	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Office of Special Counsel	8	0	0	0	0	8	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Overseas Private Investment Corporation	1	0	0	0	0	1	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Peace Corps	9	0	0	0	0	9	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pension Benefit Guaranty Corporation	5	1	20	0	0	4	80	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Railroad Retirement Board	6	0	0	0	0	6	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Securities and Exchange Commission	20	0	0	0	0	20	100	3	0	0	0	0	3	100	0	0	0	0	0	0	0
Selective Service System	6	0	0	0	0	6	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Small Business Administration	9	0	0	0	0	9	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Smithsonian Institution	2	2	100	0	0	0	0	1	1	100	0	0	0	0	0	0	0	0	0	0	0
Social Security Administration	230	9	3	9	3	212	92	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Tennessee Valley Authority	25	2	8	0	0	23	92	2	0	0	2	100	0	0	0	0	0	0	0	0	0
U.S. Postal Service	226	188	83	4	1	34	15	40	32	80	0	0	8	20	0	0	0	0	0	0	0

U.S. Tax Court	1	0	0	0	0	1	100	1	0	0	0	0	1	100	0	0	0	0	0	0	0
Cabinet Level Subtotal	5896	726	12	234	3	4936	83	249	156	62	25	10	68	27	147	17	11	25	17	105	71
Midsize Agencies Subtotal	396	33	8	13	3	350	88	3	1	33	2	66	0	0	0	0	0	0	0	0	0
Small Agencies Subtotal	277	9	3	5	1	263	94	12	3	25	2	16	7	58	15	14	93	0	0	1	6
Grand Total	6569	768	11	252	3	5549	84	264	160	60	29	10	75	28	162	31	19	25	15	106	65

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The U.S. Equal Employment Opportunity Commission

Table 24 Agency New Staff Training

Agency or Department	Total Work Force	Counselors New Staff Training				Investigators New Staff Training				Counselors/Investigators New Staff Training			
		Total	32 Hour	8 Hour	None	Total	32 Hour	8 Hour	None	Total	32 Hour	8 Hour	None
Agency for International Development	2222	0	0	0	0	0	0	0	0	0	0	0	0
Armed Forces Retirement Home	506	0	0	0	0	0	0	0	0	0	0	0	0
Broadcasting Board of Governors	1829	0	0	0	0	0	0	0	0	0	0	0	0
Central Intelligence Agency	0	0	0	0	0	0	0	0	0	1	1	0	0
Commodity Futures Trading Commission	505	2	2	0	0	0	0	0	0	0	0	0	0
Consumer Product Safety Commission	465	4	4	0	0	0	0	0	0	0	0	0	0
Corporation for National and Community Service	601	0	0	0	0	0	0	0	0	0	0	0	0
Court Services and Offender Supervision Agency for the District of Columbia	1055	0	0	0	0	0	0	0	0	0	0	0	0
Defense Army and Air Force Exchange	38274	45	45	0	0	0	0	0	0	0	0	0	0

Defense Commissary Agency	15724	0	0	0	0	0	0	0	0	0	0	0	0
Defense Contract Audit Agency	4083	0	0	0	0	0	0	0	0	0	0	0	0
Defense Contract Management Agency	11096	10	10	0	0	0	0	0	0	0	0	0	0
Defense Dependent Education Activity	17691	0	0	0	0	0	0	0	0	0	0	0	0
Defense Finance and Accounting Service	13638	4	4	0	0	0	0	0	0	0	0	0	0
Defense Human Resource Activity	776	0	0	0	0	0	0	0	0	0	0	0	0
Defense Information Systems Agency	5189	13	13	0	0	0	0	0	0	0	0	0	0
Defense Intelligence Agency	0	0	0	0	0	0	0	0	0	0	0	0	0
Defense Logistics Agency	21435	0	0	0	0	0	0	0	0	0	0	0	0
Defense National Geospatial-Intelligence	0	2	0	2	0	0	0	0	0	0	0	0	0
Defense National Guard Bureau	76444	149	141	84	38	7	7	0	0	22	16	6	5
Defense National Security Agency	17409	1	1	1	0	1	1	1	0	0	0	0	0
Defense Nuclear Facilities Safety Board	97	0	0	0	0	0	0	0	0	0	0	0	0
Defense Office of the Inspector General	1289	0	0	0	0	0	0	0	0	0	0	0	0
Defense Office of the Secretary	5720	0	0	0	0	0	0	0	0	0	0	0	0

Defense Security Service	2159	0	0	0	0	0	0	0	0	0	0	0	0
Defense Threat Reduction Agency	1043	1	1	0	0	0	0	0	0	0	0	0	0
Defense Uniformed Services University	730	7	2	5	0	0	0	0	0	0	0	0	0
Department of Agriculture	123751	2	2	0	0	0	0	0	0	0	0	0	0
Department of Commerce	38734	20	20	0	0	0	0	0	0	0	0	0	0
Department of Education	4614	0	0	0	0	0	0	0	0	0	0	0	0
Department of Energy	13819	8	7	0	1	0	0	0	0	0	0	0	0
Department of Health and Human Services	64991	31	22	4	5	0	0	0	0	0	0	0	0
Department of Homeland Security	160749	13	13	1	0	8	8	0	0	0	0	0	0
Department of Housing and Urban Development	10135	0	0	0	0	0	0	0	0	0	0	0	0
Department of Justice	103914	96	95	0	1	3	3	0	0	0	0	0	0
Department of Labor	15855	0	0	0	0	0	0	0	0	0	0	0	0
Department of State	28716	99	83	16	0	0	0	0	0	0	0	0	0
Department of the Air Force	141147	48	29	16	8	0	0	0	0	0	0	0	0
Department of the Army	226632	186	121	63	2	0	0	0	0	0	0	0	0
Department of the Interior	77519	108	95	6	7	0	0	0	0	0	0	0	0
Department of the Navy	194763	8	8	0	0	0	0	0	0	0	0	0	0

Department of the Treasury	128317	20	18	0	2	0	0	0	0	0	0	0	0
Department of Transportation	56343	224	81	97	46	0	0	0	0	1	1	0	0
Department of Veterans Affairs	235345	8	8	8	0	5	5	5	0	1	1	1	0
Environmental Protection Agency	18696	11	11	0	0	0	0	0	0	0	0	0	0
EOP - National Drug Control Policy	120	0	0	0	0	0	0	0	0	0	0	0	0
EOP - Office of Administration	214	1	1	0	0	0	0	0	0	0	0	0	0
EOP - Office of Management and Budget	498	0	0	0	0	0	0	0	0	0	0	0	0
EOP - Office of the U.S. Trade Representative	203	0	0	0	0	0	0	0	0	0	0	0	0
Equal Employment Opportunity Commission	2479	0	0	0	0	0	0	0	0	0	0	0	0
Export-Import Bank of the US	410	0	0	0	0	0	0	0	0	0	0	0	0
Farm Credit Administration	286	0	0	0	0	0	0	0	0	0	0	0	0
Federal Communications Commission	1967	0	0	0	0	0	0	0	0	0	0	0	0
Federal Deposit Insurance Corporation	5246	0	0	0	0	0	0	0	0	0	0	0	0
Federal Election Commission	379	0	0	0	0	0	0	0	0	0	0	0	0
Federal Energy Regulatory Commission	1212	2	1	1	0	0	0	0	0	0	0	0	0
Federal Housing Finance Board	116	0	0	0	0	0	0	0	0	0	0	0	0

Federal Labor Relations Authority	186	0	0	0	0	0	0	0	0	0	0	0	0
Federal Maritime Commission	129	0	0	0	0	0	0	0	0	0	0	0	0
Federal Mediation and Conciliation Service	280	1	1	0	0	0	0	0	0	0	0	0	0
Federal Reserve System--Board of Governors	1827	0	0	0	0	0	0	0	0	0	0	0	0
Federal Retirement Thrift Investment Board	94	0	0	0	0	0	0	0	0	0	0	0	0
Federal Trade Commission	1104	0	0	0	0	0	0	0	0	0	0	0	0
General Services Administration	12810	5	5	0	0	0	0	0	0	0	0	0	0
Government Printing Office	2401	5	5	0	0	0	0	0	0	0	0	0	0
Holocaust Memorial Museum U.S.	376	0	0	0	0	0	0	0	0	0	0	0	0
International Boundary and Water Commission	252	0	0	0	0	0	0	0	0	0	0	0	0
International Trade Commission	359	0	0	0	0	0	0	0	0	0	0	0	0
John F. Kennedy Center for the Performing Arts	1076	0	0	0	0	0	0	0	0	0	0	0	0
Merit Systems Protection Board	219	0	0	0	0	0	0	0	0	0	0	0	0
National Aeronautics and Space Administration	19533	4	2	1	1	0	0	0	0	0	0	0	0
National Archives and Records Administration	3067	0	0	0	0	0	0	0	0	0	0	0	0

National Credit Union Administration	915	0	0	0	0	0	0	0	0	0	0	0	0
National Endowment for the Arts	165	1	1	0	0	0	0	0	0	0	0	0	0
National Endowment for the Humanities	159	1	1	0	0	0	0	0	0	0	0	0	0
National Gallery of Art	805	4	0	0	0	0	0	0	0	0	0	0	0
National Labor Relations Board	1959	2	2	1	0	0	0	0	0	0	0	0	0
National Science Foundation	1348	0	0	0	0	0	0	0	0	0	0	0	0
National Transportation Safety Board	432	0	0	0	0	0	0	0	0	0	0	0	0
Nuclear Regulatory Commission	3179	4	0	4	0	0	0	0	0	0	0	0	0
Office of Personnel Management	3698	0	0	0	0	0	0	0	0	0	0	0	0
Office of Special Counsel	104	0	0	0	0	0	0	0	0	0	0	0	0
Overseas Private Investment Corporation	209	0	0	0	1	0	0	0	0	0	0	0	0
Peace Corps	852	6	6	0	0	0	0	0	0	0	0	0	0
Pension Benefit Guaranty Corporation	799	4	3	0	1	0	0	0	0	0	0	0	0
Railroad Retirement Board	1099	0	0	0	0	0	0	0	0	0	0	0	0
Securities and Exchange Commission	3829	3	3	0	0	1	1	0	0	0	0	0	0
Selective Service System	148	0	0	0	0	0	0	0	0	0	0	0	0

Small Business Administration	4464	3	3	0	0	0	0	0	0	0	0	0	0
Smithsonian Institution	6248	0	0	0	0	0	0	0	0	0	0	0	0
Social Security Administration	65758	79	79	44	0	0	0	0	0	0	0	0	0
Tennessee Valley Authority	12742	3	3	0	0	0	0	0	0	0	0	0	0
U.S. Postal Service	807596	9	7	1	1	0	0	0	0	0	0	0	0
U.S. Tax Court	248	0	0	0	0	0	0	0	0	0	0	0	0
Cabinet Level Subtotal	2665737	1112	826	304	111	24	24	6	0	24	18	7	5
Midsize Agencies Subtotal	145497	105	103	45	1	0	0	0	0	0	0	0	0
Small Agencies Subtotal	46385	40	30	6	2	1	1	0	0	1	1	0	0
Grand Total	2857619	1257	959	355	114	25	25	6	0	25	19	7	5

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The U.S. Equal Employment Opportunity Commission

Agency or Department	Total Work Force	Counselors Experienced Staff Training				Investigators Experienced Staff Training				Counselors/Investigators Experienced Staff Training			
		Total	8 Hour	32 Hour	None	Total	8 Hour	32 Hour	None	Total	8 Hour	32 Hour	None
Agency for International Development	2222	8	0	0	8	0	0	0	0	0	0	0	0
Armed Forces Retirement Home	506	0	0	0	0	0	0	0	0	0	0	0	0
Broadcasting Board of Governors	1829	8	8	0	0	1	1	0	0	0	0	0	0
Central Intelligence Agency	0	0	0	0	0	0	0	0	0	5	5	0	0
Commodity Futures Trading Commission	505	0	0	0	0	0	0	0	0	0	0	0	0
Consumer Product Safety Commission	465	2	2	0	0	0	0	0	0	0	0	0	0
Corporation for National and Community Service	601	12	12	0	0	0	0	0	0	0	0	0	0
Court Services and Offender Supervision Agency for the District of Columbia	1055	18	14	0	4	0	0	0	0	0	0	0	0
Defense Army and Air Force Exchange	38274	229	91	88	50	0	0	0	0	0	0	0	0
Defense Commissary Agency	15724	0	1	0	0	0	0	0	0	0	0	0	0
Defense Contract Audit Agency	4083	3	3	0	0	0	0	0	0	0	0	0	0

Defense Contract Management Agency	11096	70	61	0	11	0	0	0	0	0	0	0	0
Defense Dependent Education Activity	17691	8	4	4	0	0	0	0	0	0	0	0	0
Defense Finance and Accounting Service	13638	13	8	0	5	0	0	0	0	0	0	0	0
Defense Human Resource Activity	776	0	0	0	0	0	0	0	0	0	0	0	0
Defense Information Systems Agency	5189	1	1	0	0	0	0	0	0	0	0	0	0
Defense Intelligence Agency	0	3	0	0	3	0	0	0	0	0	0	0	0
Defense Logistics Agency	21435	63	38	12	13	0	0	0	0	0	0	0	0
Defense National Geospatial-Intelligence	0	2	2	0	0	0	0	0	0	0	0	0	0
Defense National Guard Bureau	76444	393	258	74	149	8	8	2	0	66	30	6	34
Defense National Security Agency	17409	5	5	0	0	5	5	0	0	0	0	0	0
Defense Nuclear Facilities Safety Board	97	2	2	0	0	0	0	0	0	0	0	0	0
Defense Office of the Inspector General	1289	10	8	2	0	0	0	0	0	0	0	0	0
Defense Office of the Secretary	5720	0	0	0	0	4	4	0	0	0	0	0	0
Defense Security Service	2159	7	7	0	0	0	0	0	0	0	0	0	0
Defense Threat Reduction Agency	1043	3	3	0	0	0	0	0	0	0	0	0	0

Defense Uniformed Services University	730	5	5	0	0	0	0	0	0	0	0	0	0
Department of Agriculture	123751	56	55	1	0	0	0	0	0	0	0	0	0
Department of Commerce	38734	47	47	0	0	7	7	0	0	0	0	0	0
Department of Education	4614	3	3	0	0	0	0	0	0	0	0	0	0
Department of Energy	13819	83	63	11	9	2	2	0	0	0	0	0	0
Department of Health and Human Services	64991	225	149	25	51	1	1	0	0	1	1	0	0
Department of Homeland Security	160749	190	104	32	49	0	0	0	0	0	0	0	0
Department of Housing and Urban Development	10135	4	4	0	0	0	0	0	0	0	0	0	0
Department of Justice	103914	418	90	63	265	51	5	46	0	0	0	0	0
Department of Labor	15855	58	54	4	0	0	0	0	0	15	15	0	0
Department of State	28716	188	6	3	179	5	5	0	0	4	0	4	0
Department of the Air Force	141147	270	175	6	92	0	0	0	0	0	0	0	0
Department of the Army	226632	1041	532	239	270	0	0	0	0	0	0	0	0
Department of the Interior	77519	284	148	36	100	2	2	0	0	0	0	0	0
Department of the Navy	194763	139	120	14	5	0	0	0	0	0	0	0	0
Department of the Treasury	128317	195	119	4	72	30	0	25	5	0	0	0	0
Department of Transportation	56343	304	137	98	69	0	0	0	0	0	0	0	0

Department of Veterans Affairs	235345	32	32	12	0	44	44	0	0	12	12	0	0
Environmental Protection Agency	18696	67	67	0	0	0	0	0	0	0	0	0	0
EOP - National Drug Control Policy	120	0	0	0	0	0	0	0	0	0	0	0	0
EOP - Office of Administration	214	0	0	0	0	0	0	0	0	0	0	0	0
EOP - Office of Management and Budget	498	3	0	3	0	0	0	0	0	0	0	0	0
EOP - Office of the U.S. Trade Representative	203	0	0	0	0	0	0	0	0	0	0	0	0
Equal Employment Opportunity Commission	2479	2	2	0	0	3	0	0	3	0	0	0	0
Export-Import Bank of the US	410	0	0	0	0	0	0	0	0	0	0	0	0
Farm Credit Administration	286	8	8	0	0	0	0	0	0	0	0	0	0
Federal Communications Commission	1967	7	7	0	0	0	0	0	0	3	3	0	0
Federal Deposit Insurance Corporation	5246	4	4	0	0	0	0	0	0	0	0	0	0
Federal Election Commission	379	2	0	0	2	0	0	0	0	0	0	0	0
Federal Energy Regulatory Commission	1212	3	1	2	0	0	0	0	0	0	0	0	0
Federal Housing Finance Board	116	2	2	0	0	0	0	0	0	0	0	0	0
Federal Labor Relations Authority	186	6	6	0	0	0	0	0	0	0	0	0	0

Federal Maritime Commission	129	3	3	0	0	0	0	0	0	0	0	0	0
Federal Mediation and Conciliation Service	280	3	3	0	0	3	3	0	0	0	0	0	0
Federal Reserve System--Board of Governors	1827	3	3	0	0	0	0	0	0	0	0	0	0
Federal Retirement Thrift Investment Board	94	0	0	0	0	0	0	0	0	0	0	0	0
Federal Trade Commission	1104	9	9	0	0	0	0	0	0	0	0	0	0
General Services Administration	12810	5	4	2	0	0	0	0	0	0	0	0	0
Government Printing Office	2401	3	3	0	0	1	1	0	0	0	0	0	0
Holocaust Memorial Museum U.S.	376	9	7	0	2	0	0	0	0	0	0	0	0
International Boundary and Water Commission	252	7	6	1	0	0	0	0	0	0	0	0	0
International Trade Commission	359	0	0	0	0	0	0	0	0	0	0	0	0
John F. Kennedy Center for the Performing Arts	1076	3	3	0	0	0	0	0	0	0	0	0	0
Merit Systems Protection Board	219	2	2	0	0	0	0	0	0	0	0	0	0
National Aeronautics and Space Administration	19533	34	25	4	5	0	0	0	0	0	0	0	0
National Archives and Records Administration	3067	1	0	1	0	0	0	0	0	0	0	0	0
National Credit Union Administration	915	7	7	0	0	0	0	0	0	0	0	0	0

National Endowment for the Arts	165	1	1	0	0	0	0	0	0	1	1	0	0
National Endowment for the Humanities	159	2	2	0	0	0	0	0	0	0	0	0	0
National Gallery of Art	805	0	4	0	0	0	0	0	0	0	0	0	0
National Labor Relations Board	1959	40	40	0	0	0	0	0	0	8	8	0	0
National Science Foundation	1348	0	0	0	0	0	0	0	0	0	0	0	0
National Transportation Safety Board	432	0	0	0	0	0	0	0	0	0	0	0	0
Nuclear Regulatory Commission	3179	13	0	13	0	0	0	0	0	0	0	0	0
Office of Personnel Management	3698	5	0	0	5	0	0	0	0	0	0	0	0
Office of Special Counsel	104	8	7	0	1	0	0	0	0	0	0	0	0
Overseas Private Investment Corporation	209	1	0	0	0	0	0	0	0	0	0	0	0
Peace Corps	852	3	3	0	0	0	0	0	0	0	0	0	0
Pension Benefit Guaranty Corporation	799	1	0	0	1	0	0	0	0	0	0	0	0
Railroad Retirement Board	1099	7	6	0	1	0	0	0	0	0	0	0	0
Securities and Exchange Commission	3829	17	16	0	1	2	2	0	0	0	0	0	0
Selective Service System	148	6	0	0	6	0	0	0	0	0	0	0	0
Small Business Administration	4464	0	0	0	9	0	0	0	0	0	0	0	0

Smithsonian Institution	6248	2	2	0	0	1	1	0	0	0	0	0	0
Social Security Administration	65758	151	111	40	1	0	0	0	0	0	0	0	0
Tennessee Valley Authority	12742	22	22	0	0	0	0	0	0	0	0	0	0
U.S. Postal Service	807596	217	199	2	16	48	0	0	48	0	0	0	0
U.S. Tax Court	248	1	1	0	0	1	1	0	0	0	0	0	0
Cabinet Level Subtotal	2665737	4571	2534	730	1408	207	83	73	53	98	58	10	34
Midsize Agencies Subtotal	145497	285	235	46	15	1	1	0	0	0	0	0	0
Small Agencies Subtotal	46385	236	188	20	31	11	8	0	3	17	17	0	0
Grand Total	2857619	5092	2957	796	1454	219	92	73	56	115	75	10	34

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The U.S. Equal Employment Opportunity Commission

Table 26 Contractor New Staff Training

Agency or Department	Counselors New Staff Training				Investigators New Staff Training				Counselors / Investigators New Staff Training			
	Total	32 Hour	8 Hour	None	Total	32 Hour	8 Hour	None	Total	32 Hour	8 Hour	None
Agency for International Development	0	0	0	0	0	0	0	0	0	0	0	0
Armed Forces Retirement Home	0	0	0	0	0	0	0	0	0	0	0	0
Broadcasting Board of Governors	0	0	0	0	0	0	0	0	0	0	0	0
Central Intelligence Agency	0	0	0	0	0	0	0	0	0	0	0	0
Commodity Futures Trading Commission	0	0	0	0	0	0	0	0	0	0	0	0
Consumer Product Safety Commission	0	0	0	0	0	0	0	0	0	0	0	0
Corporation for National and Community Service	0	0	0	0	0	0	0	0	0	0	0	0
Court Services and Offender Supervision Agency for the District of Columbia	0	0	0	0	0	0	0	0	0	0	0	0
Defense Army and Air Force Exchange	0	0	0	0	0	0	0	0	0	0	0	0
Defense Commissary Agency	0	0	0	0	0	0	0	0	0	0	0	0
Defense Contract Audit Agency	0	0	0	0	16	16	0	0	0	0	0	0
Defense Contract Management Agency	0	0	0	0	0	0	0	0	0	0	0	0
Defense Dependent Education Activity	0	0	0	0	0	0	0	0	0	0	0	0
Defense Finance and Accounting Service	0	0	0	0	0	0	0	0	0	0	0	0
Defense Human Resource Activity	0	0	0	0	0	0	0	0	0	0	0	0
Defense Information Systems Agency	1	1	0	0	0	0	0	0	0	0	0	0

Defense Intelligence Agency	0	0	0	0	0	0	0	0	0	0	0	0
Defense Logistics Agency	0	0	0	0	0	0	0	0	0	0	0	0
Defense National Geospatial-Intelligence	0	0	0	0	0	0	0	0	0	0	0	0
Defense National Guard Bureau	0	0	0	0	0	0	0	0	0	0	0	0
Defense National Security Agency	0	0	0	0	0	0	0	0	0	0	0	0
Defense Nuclear Facilities Safety Board	0	0	0	0	0	0	0	0	0	0	0	0
Defense Office of the Inspector General	0	0	0	0	0	0	0	0	0	0	0	0
Defense Office of the Secretary	0	0	0	0	0	0	0	0	0	0	0	0
Defense Security Service	0	0	0	0	0	0	0	0	0	0	0	0
Defense Threat Reduction Agency	0	0	0	0	0	0	0	0	0	0	0	0
Defense Uniformed Services University	0	0	0	0	0	0	0	0	0	0	0	0
Department of Agriculture	0	0	0	0	28	28	0	0	0	0	0	0
Department of Commerce	0	0	0	0	0	0	0	0	0	0	0	0
Department of Education	0	0	0	0	0	0	0	0	0	0	0	0
Department of Energy	0	0	0	0	0	0	0	0	0	0	0	0
Department of Health and Human Services	0	0	0	0	0	0	0	0	0	0	0	0
Department of Homeland Security	2	2	0	0	0	9	0	0	0	0	0	0
Department of Housing and Urban Development	0	0	0	0	0	0	0	0	0	0	0	0
Department of Justice	0	0	0	0	0	0	0	0	0	0	0	0
Department of Labor	0	0	0	0	0	0	0	0	0	0	0	0
Department of State	0	0	0	0	0	0	0	0	0	0	0	0
Department of the Air Force	0	0	0	0	0	0	0	0	0	0	0	0
Department of the Army	0	0	0	0	0	0	0	0	0	0	0	0
Department of the Interior	0	0	0	0	0	0	0	0	0	0	0	0

Department of the Navy	0	0	0	0	0	0	0	0	0	0	0	0
Department of the Treasury	0	0	0	0	0	0	0	0	0	0	0	0
Department of Transportation	0	0	0	0	0	0	0	0	0	0	0	0
Department of Veterans Affairs	0	0	0	0	0	0	0	0	0	0	0	0
Environmental Protection Agency	0	0	0	0	0	0	0	0	0	0	0	0
EOP - National Drug Control Policy	0	0	0	0	1	0	1	0	0	0	0	0
EOP - Office of Administration	0	0	0	0	0	0	0	0	0	0	0	0
EOP - Office of Management and Budget	0	0	0	0	0	0	0	0	0	0	0	0
EOP - Office of the U.S. Trade Representative	0	0	0	0	1	0	1	0	0	0	0	0
Equal Employment Opportunity Commission	0	0	0	0	0	0	0	0	0	0	0	0
Export-Import Bank of the US	0	0	0	0	0	0	0	0	0	0	0	0
Farm Credit Administration	0	0	0	0	0	0	0	0	0	0	0	0
Federal Communications Commission	0	0	0	0	0	0	0	0	0	0	0	0
Federal Deposit Insurance Corporation	1	0	1	0	1	0	28	0	0	0	0	0
Federal Election Commission	0	0	0	0	0	0	0	0	0	0	0	0
Federal Energy Regulatory Commission	0	0	0	0	0	0	0	0	0	0	0	0
Federal Housing Finance Board	0	0	0	0	0	0	0	0	0	0	0	0
Federal Labor Relations Authority	0	0	0	0	0	0	0	0	0	0	0	0
Federal Maritime Commission	0	0	0	0	0	0	0	0	0	0	0	0
Federal Mediation and Conciliation Service	0	0	0	0	0	0	0	0	0	0	0	0
Federal Reserve System--Board of Governors	0	0	0	0	0	0	0	0	0	0	0	0
Federal Retirement Thrift Investment Board	0	0	0	0	0	0	1	0	0	0	0	0
Federal Trade Commission	0	0	0	0	0	0	0	0	0	0	0	0

General Services Administration	1	1	0	0	8	8	0	0	0	0	0	0
Government Printing Office	0	0	0	0	0	0	0	0	0	0	0	0
Holocaust Memorial Museum U.S.	0	0	0	0	0	0	0	0	0	0	0	0
International Boundary and Water Commission	0	0	0	0	0	0	0	0	0	0	0	0
International Trade Commission	0	0	0	0	0	0	0	0	0	0	0	0
John F. Kennedy Center for the Performing Arts	0	0	0	0	0	0	0	0	0	0	0	0
Merit Systems Protection Board	0	0	0	0	0	0	0	0	0	0	0	0
National Aeronautics and Space Administration	0	0	0	0	0	0	0	0	0	0	0	0
National Archives and Records Administration	0	0	0	0	0	0	0	0	0	0	0	0
National Credit Union Administration	0	0	0	0	0	0	0	0	0	0	0	0
National Endowment for the Arts	0	0	0	0	0	0	0	0	0	0	0	0
National Endowment for the Humanities	0	0	0	0	0	0	0	0	0	0	0	0
National Gallery of Art	0	0	0	0	0	0	0	0	0	0	0	0
National Labor Relations Board	0	0	0	0	0	0	0	0	0	0	0	0
National Science Foundation	0	0	0	0	0	0	0	0	0	0	0	0
National Transportation Safety Board	0	0	0	0	0	0	0	0	0	0	0	0
Nuclear Regulatory Commission	0	0	0	0	0	0	0	0	0	0	0	0
Office of Personnel Management	0	0	0	0	0	0	0	0	0	0	0	0
Office of Special Counsel	0	0	0	0	0	0	0	0	0	0	0	0
Overseas Private Investment Corporation	0	0	0	0	0	0	0	0	0	0	0	0
Peace Corps	0	0	0	0	0	0	0	0	0	0	0	0
Pension Benefit Guaranty Corporation	0	0	0	0	0	0	0	0	0	0	0	0
Railroad Retirement Board	0	0	0	0	0	0	0	0	0	0	0	0

Securities and Exchange Commission	0	0	0	0	0	0	0	0	0	0	0	0
Selective Service System	0	0	0	0	0	0	0	0	0	0	0	0
Small Business Administration	0	0	0	0	0	0	0	0	0	0	0	0
Smithsonian Institution	0	0	0	0	0	0	0	0	0	0	0	0
Social Security Administration	0	0	0	0	0	0	0	0	0	0	0	0
Tennessee Valley Authority	0	0	0	0	0	0	0	0	0	0	0	0
U.S. Postal Service	0	0	0	0	186	186	0	0	0	0	0	0
U.S. Tax Court	0	0	0	0	0	0	0	0	0	0	0	0
Cabinet Level Subtotal	3	3	0	0	230	239	0	0	0	0	0	0
Midsize Agencies Subtotal	2	1	1	0	9	8	28	0	0	0	0	0
Small Agencies Subtotal	0	0	0	0	2	0	3	0	0	0	0	0
Grand Total	5	4	1	0	241	247	31	0	0	0	0	0

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The U.S. Equal Employment Opportunity Commission

Table 27 Contractor Experienced Staff Training

Agency or Department	Counselors Experienced Staff Training				Investigators Experienced Staff Training				Counselors / Investigators Experienced Staff Training			
	Total	8 Hour	32 Hour	None	Total	8 Hour	32 Hour	None	Total	8 Hour	32 Hour	None
Agency for International Development	0	0	0	0	0	0	0	0	0	0	0	0
Armed Forces Retirement Home	2	0	2	0	0	0	0	0	0	0	0	0
Broadcasting Board of Governors	0	0	0	0	6	5	1	0	0	0	0	0
Central Intelligence Agency	0	0	0	0	1	1	0	0	0	0	0	0
Commodity Futures Trading Commission	0	0	0	0	0	0	0	0	0	0	0	0
Consumer Product Safety Commission	0	0	0	0	1	0	1	0	0	0	0	0
Corporation for National and Community Service	0	0	0	0	0	0	0	0	0	3	0	0
Court Services and Offender Supervision Agency for the District of Columbia	0	0	0	0	0	5	1	0	0	0	0	0
Defense Army and Air Force Exchange	0	0	0	0	0	0	0	0	0	0	0	0
Defense Commissary Agency	0	0	0	0	0	0	0	0	0	3	0	0
Defense Contract Audit Agency	3	3	0	0	74	74	0	0	0	0	0	0
Defense Contract Management Agency	0	2	0	0	13	7	0	0	0	0	0	0
Defense Dependent Education Activity	0	0	0	0	7	7	0	0	0	0	0	0
Defense Finance and Accounting Service	0	0	0	0	23	23	0	0	0	0	0	0
Defense Human Resource Activity	4	4	0	0	2	2	0	0	0	0	0	0
Defense Information Systems Agency	0	0	0	0	4	4	0	0	0	0	0	0

Defense Intelligence Agency	0	0	0	0	0	0	0	0	0	0	0	0
Defense Logistics Agency	0	0	0	0	7	0	7	0	0	0	0	0
Defense National Geospatial-Intelligence	0	0	0	0	0	0	0	0	0	0	0	0
Defense National Guard Bureau	0	0	2	0	0	0	2	0	0	0	2	0
Defense National Security Agency	0	0	0	0	0	0	0	0	0	0	0	0
Defense Nuclear Facilities Safety Board	0	0	0	0	0	0	0	0	0	0	0	0
Defense Office of the Inspector General	0	0	0	0	0	0	0	0	0	0	0	0
Defense Office of the Secretary	5	5	0	0	0	0	0	0	0	0	0	0
Defense Security Service	0	0	0	0	9	0	0	9	0	0	0	0
Defense Threat Reduction Agency	0	0	0	0	0	0	0	0	0	0	0	0
Defense Uniformed Services University	0	0	0	0	0	0	0	0	0	0	0	0
Department of Agriculture	0	0	0	0	0	0	0	0	0	0	0	0
Department of Commerce	0	0	0	0	25	25	0	0	0	0	0	0
Department of Education	0	0	0	0	9	9	0	0	0	0	0	0
Department of Energy	0	0	0	0	15	10	5	0	0	0	0	0
Department of Health and Human Services	0	0	0	0	0	0	0	0	0	0	0	0
Department of Homeland Security	11	9	0	2	185	185	0	0	0	0	0	0
Department of Housing and Urban Development	0	0	0	0	67	67	4	0	0	0	0	0
Department of Justice	0	0	0	0	72	72	0	0	0	0	0	0
Department of Labor	0	0	0	0	0	0	0	0	0	0	0	0
Department of State	0	0	0	0	9	9	0	0	0	0	0	0
Department of the Air Force	3	2	0	0	0	0	0	0	0	0	0	0
Department of the Army	0	0	0	0	0	0	0	0	0	0	0	0
Department of the Interior	0	0	0	0	2	2	0	0	0	0	0	0

Department of the Navy	5	4	0	1	0	0	0	0	0	0	0	0
Department of the Treasury	10	10	0	0	0	0	0	0	0	0	0	0
Department of Transportation	3	3	0	0	0	0	0	0	0	0	0	0
Department of Veterans Affairs	0	0	0	0	40	40	0	0	0	0	0	0
Environmental Protection Agency	0	0	0	0	6	6	0	0	0	0	0	0
EOP - National Drug Control Policy	0	0	0	0	0	0	0	0	0	0	0	0
EOP - Office of Administration	0	0	0	0	0	0	0	0	0	0	0	0
EOP - Office of Management and Budget	0	0	0	0	0	0	0	0	0	0	0	0
EOP - Office of the U.S. Trade Representative	0	0	0	0	0	0	0	0	0	0	0	0
Equal Employment Opportunity Commission	0	0	0	0	0	0	0	0	0	0	0	0
Export-Import Bank of the US	0	0	0	0	0	0	0	0	0	0	0	0
Farm Credit Administration	0	0	0	0	1	1	0	0	0	0	0	0
Federal Communications Commission	0	0	0	0	0	0	0	0	0	0	0	0
Federal Deposit Insurance Corporation	2	2	0	0	2	2	0	0	0	0	0	0
Federal Election Commission	0	0	0	0	0	0	0	0	0	0	0	0
Federal Energy Regulatory Commission	0	0	0	0	2	2	0	0	0	0	0	0
Federal Housing Finance Board	0	0	0	0	2	2	0	0	0	0	0	0
Federal Labor Relations Authority	0	0	0	0	0	0	0	0	0	0	0	0
Federal Maritime Commission	0	0	0	0	1	1	0	0	0	0	0	0
Federal Mediation and Conciliation Service	0	0	0	0	0	0	0	0	0	0	0	0
Federal Reserve System--Board of Governors	0	0	0	0	3	3	0	0	0	0	0	0
Federal Retirement Thrift Investment Board	0	0	0	0	1	0	0	0	0	0	0	0
Federal Trade Commission	0	0	0	0	1	1	0	0	0	0	0	0

General Services Administration	37	37	0	0	81	81	0	0	0	0	0	0
Government Printing Office	0	0	0	0	17	17	0	0	0	0	0	0
Holocaust Memorial Museum U.S.	0	0	0	0	0	0	0	0	0	0	0	0
International Boundary and Water Commission	0	0	0	0	0	0	0	0	0	0	0	0
International Trade Commission	0	0	0	0	0	0	0	0	0	0	0	0
John F. Kennedy Center for the Performing Arts	0	0	0	0	1	1	0	0	0	0	0	0
Merit Systems Protection Board	0	0	0	0	0	0	0	0	0	0	0	0
National Aeronautics and Space Administration	0	0	0	0	0	0	0	0	0	0	0	0
National Archives and Records Administration	0	0	0	0	7	7	0	0	0	0	0	0
National Credit Union Administration	0	0	0	0	3	3	0	0	0	0	0	0
National Endowment for the Arts	0	0	0	0	0	0	0	0	0	0	0	0
National Endowment for the Humanities	0	0	0	0	0	0	0	0	0	0	0	0
National Gallery of Art	0	0	0	0	2	2	0	0	0	0	0	0
National Labor Relations Board	0	0	0	0	0	0	0	0	0	0	0	0
National Science Foundation	1	1	0	0	1	1	0	0	0	0	0	0
National Transportation Safety Board	0	0	0	0	0	0	0	0	0	0	0	0
Nuclear Regulatory Commission	0	0	0	0	6	6	0	0	0	0	0	0
Office of Personnel Management	0	0	0	0	10	0	0	10	0	0	0	0
Office of Special Counsel	0	0	0	0	0	0	0	0	0	0	0	0
Overseas Private Investment Corporation	0	0	0	0	1	1	0	0	0	0	0	0
Peace Corps	0	0	0	0	2	2	0	0	0	0	0	0
Pension Benefit Guaranty Corporation	0	0	0	0	0	0	0	0	0	0	0	0
Railroad Retirement Board	0	0	0	0	0	0	0	0	0	0	0	0

Securities and Exchange Commission	0	0	0	0	8	8	0	0	0	0	0	0
Selective Service System	1	1	0	0	1	1	0	0	0	0	0	0
Small Business Administration	0	0	0	0	4	4	0	0	0	0	0	0
Smithsonian Institution	0	0	0	0	4	4	0	0	0	0	0	0
Social Security Administration	0	0	0	0	0	0	0	0	0	0	0	0
Tennessee Valley Authority	0	0	0	0	2	2	0	0	0	0	0	0
U.S. Postal Service	0	0	0	0	11	0	0	11	0	0	0	0
U.S. Tax Court	0	0	0	0	0	0	0	0	0	0	0	0
Cabinet Level Subtotal	44	42	2	3	574	536	18	20	0	3	2	0
Midsize Agencies Subtotal	39	39	0	0	99	99	0	0	0	0	0	0
Small Agencies Subtotal	4	2	2	0	78	70	3	10	0	3	0	0
Grand Total	87	83	4	3	751	705	21	30	0	6	2	0

This page was last modified on April 19, 2005.

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The U.S. Equal Employment Opportunity Commission

Table 28 Summary Appellate Receipts and Closures

Agency/Department	Number of Receipts	Number of Closures
Agency for International Development	4	8
Armed Forces Retirement Home	2	5
Broadcasting Board of Governors	6	5
Central Intelligence Agency	5	9
Commodity Futures Trading Commission	2	2
Consumer Product Safety Commission	1	1
Corporation for National and Community Service	4	3
Court Services and Offender Supervision Agency for the District of Columbia	3	4
Defense Army and Air Force Exchange Service	30	27
Defense Commissary Agency	49	46
Defense Contract Audit Agency	6	6
Defense Contract Management Agency	17	26
Defense Dependent Education Activity	25	33
Defense Finance and Accounting Service	63	40
Defense Human Resource Activity	0	0
Defense Information Systems Agency	3	3
Defense Intelligence Agency	4	3
Defense Logistics Agency	59	71
Defense National Geospatial-Intelligence	0	0
Defense National Guard Bureau	12	14
Defense National Security Agency	7	8
Defense Nuclear Facilities Safety Board	0	0
Defense Office of the Inspector General	2	3
Defense, Office of the Secretary	14	15
Defense Security Service	1	2

Defense Threat Reduction Agency	2	1
Department of Agriculture	225	191
Department of Commerce	71	77
Department of Education	17	11
Department of Energy	38	35
Department of Health and Human Services	78	92
Department of Homeland Security	319	303
Department of Housing and Urban Development	45	43
Department of Justice	214	225
Department of Labor	79	85
Department of State	51	49
Department of the Air Force	241	249
Department of the Army	382	397
Department of the Interior	137	132
Department of the Navy	357	383
Department of the Treasury	233	287
Department of Transportation	170	191
Department of Veterans Affairs	664	667
Environmental Protection Agency	0	1
Executive Office of the President (Summary)	0	0
Equal Employment Opportunity Commission	10	13
Export-Import Bank of the US	1	2
Farm Credit Administration	1	4
Federal Communications Commission	2	5
Federal Deposit Insurance Corporation	10	15
Federal Election Commission	0	0
Federal Energy Regulatory Commission	2	2
Federal Housing Finance Board	3	3
Federal Labor Relations Authority	1	3
Federal Maritime Commission	0	0
Federal Mediation and Conciliation Service	2	3
Federal Reserve System--Board of Governors	0	0

Federal Retirement Thrift Investment Board	0	0
Federal Trade Commission	1	0
General Services Administration	43	58
Government Printing Office	3	3
Holocaust Memorial Museum U.S.	2	4
International Boundary and Water Commission	3	4
International Trade Commission	0	0
John F. Kennedy Center for the Performing Arts	1	1
Merit Systems Protection Board	0	0
National Aeronautics and Space Administration	14	12
National Archives and Records Administration	8	8
National Credit Union Administration	3	1
National Endowment for the Arts	0	0
National Endowment for the Humanities	0	0
National Gallery of Art	1	0
National Labor Relations Board	3	1
National Science Foundation	2	3
National Transportation Safety Board	3	2
Nuclear Regulatory Commission	4	3
Office of Personnel Management	14	13
Office of Special Counsel	0	0
Overseas Private Investment Corporation	0	0
Peace Corps	1	0
Pension Benefit Guaranty Corporation	6	6
Railroad Retirement Board	1	1
Securities and Exchange Commission	8	7
Selective Service System	2	1
Small Business Administration	13	17
Smithsonian Institution	15	16
Social Security Administration	165	174
Tennessee Valley Authority	13	20

U.S. Postal Service	3,779	3,818
U.S. Tax Court	0	0
OTHER Agencies with less than 100 Employees	15	16
Total	7,831	8,028

This page was last modified on April 19, 2005.

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The U.S. Equal Employment Opportunity Commission

Contact EEOC

EEOC's customer service representatives are available to assist you in more than 150 languages between 8:00 a.m. and 8:00 p.m. Eastern Time. An automated system with answers to frequently asked questions is available on a 24-hour basis. You can reach EEOC:

By phone:

1-800-669-4000

If you have a TTY device for hearing impaired:

TTY number is 1-800-669-6820

By Email:

Please include your zip code and/or city and state so that your email will be sent to the appropriate office.
info@ask.eeoc.gov

By mail or fax:

Please contact the appropriate field office:
EEOC Field Office List and Jurisdictional Map

EEOC Headquarters is located at:

U.S. Equal Employment Opportunity Commission
1801 L Street, N.W.
Washington, D.C. 20507
Phone: (202) 663-4900
TTY: (202) 663-4494

Quick Answers to Your Questions

Need quick answers? Search our database of frequently asked questions.

This page was last modified on December 5, 2006.

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U.S. Equal Employment Opportunity Commission

En Español

Youth @ Work Home

Welcome

What is Employment Discrimination?

Laws enforced by the EEOC

Other Resources

Your Rights

Your Responsibilities

Filing a Complaint

Real EEOC Cases

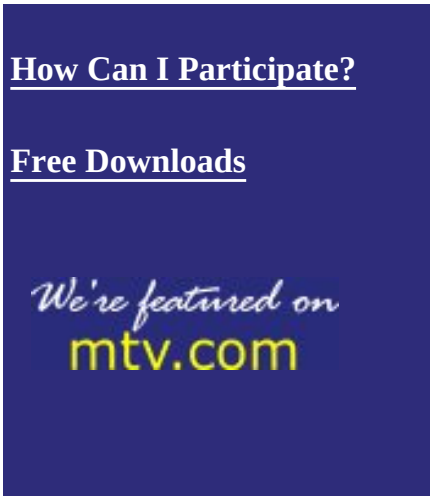
Challenge Yourself!

About the EEOC

Welcome to Youth@Work, the United States Equal Employment Opportunity Commission's (EEOC) website for youth in the workforce. The EEOC's goal is to eliminate illegal discrimination from the workplace for all workers.

How Can I Participate?

Free Downloads



This website is designed to teach you about some of your rights and responsibilities as an employee. Use the menu on the left to learn about different types of discrimination affecting young workers and what you can do to help prevent discrimination in the workplace.

Be an informed employee - Know your real world rights and responsibilities!

The Youth@Work website is part of EEOC's Youth@Work initiative - a national education and outreach campaign to promote equal employment opportunity for America's next generation of workers. In addition to this website, the Youth@Work Initiative includes (1) free outreach events and (2) partnerships with industry, education, and human resource leaders.

Búsqueda: Entre

Pasar al Menú Principal

Este sitio web se verá mucho mejor en un navegador moderno que sostenga los requisitos web pero será totalmente funcional en todos los navegadores de la web.

Algunos documentos no se han traducido debido a que la información es de naturaleza legal o de estadística. En estos casos, los enlaces están marcados como "en inglés."
Youth@Work | English Version

Acerca de la Igualdad de Oportunidades de Empleo (EEO)

- Leyes Federales de EEO
- Prácticas Discriminatorias
- Patronos y otras Entidades Cubiertas por las Leyes de EEO

Tipos de Discriminación

- Edad
- Discapacidad
- Salarios
- Origen Nacional
- Embarazo
- Raza/Color
- Religión
- Represalias
- Sexo
- Hostigamiento Sexual

Presentar una querella por Discriminación

- Cómo Presentar una Querella
- Cómo Comunicarse con Su Oficina Local de la EEOC
- Procedimientos para Procesar Querellas de la EEOC
- Mediación

Patronos y la EEOC

Noticias

Noviembre 5, 2007

- EEOC Conduce Dialogo Sobre Racismo en el Empleo Existente en Puerto Rico

Junio 29, 2005

- El EEOC Lanza el sitio web Youth@work en Español

Mas Noticias

Por el momento las noticias recientes son publicadas en ingles, en la página principal de La EEOC http://www.eeoc.gov.

Política de Privacidad
Limitación de Responsabilidad
Equipo Web

- Estudio EEO-1 *(en inglés)*
- Pequeñas Empresas
- Investigaciones de la EEOC
- Mediación

Agencias Federales y Empleados

- Coordinación Federal de EEO
- Información para Empleados y Solicitantes de Empleo Federales
- Información sobre Directivo MD-715 *(en inglés)*
- Información para Agencias
- Resolución Alterna de Disputas en el Sector Federal
- Extensión y Entrenamiento en el Sector Federal
- Decisiones Apelativas en el Sector Federal (Incluyendo el Compendio de la Ley de EEO)
- Referencia e Investigación

Acerca de la EEOC

- Cómo Comunicarse con EEOC
- La Comisión
- Reuniones de la Comisión
- Iniciativas:
  - Youth@Work *(en inglés)*
  - Nueva Libertad
  - Libertad para Competir
- Informes Anuales
- Planeamiento Estratégico
- Informes de la Fuerza de Tareas de la Comisión
- Oficina del Inspector General *(en inglés)*
- Historia de la EEOC *(en inglés)*
- Ley de Libertad de Información
- Empleos en La EEOC / SOARS
- Para Hacer Negocios con la EEOC *(en inglés)*

Leyes, reglamentos y Guías

- Leyes Ejecutadas por La EEOC
- Reglamentos de La EEOC

- Manual de Cumplimiento
- Guías de Ejecución y Documentos Relacionados
- Memoránda de Entendimiento

Estadísticas

- Estadísticas de Ejecución
- Estadísticas de Empleos
- Informes Especiales
- Datos del Censo
- Ley No Fear

Litigio

- Estadísticas *(en inglés)*
- Informes Mensuales sobre Resolución de Litigios
- Informe Anual de la Oficina del Asesor General: AF 2002 *(en inglés)*
- Un Estudio del Programa de Litigio: 1997 - 2001 *(en inglés)*
- Apelación y Dictámenes Amigos de la Comisión

Capacitacion y Extensión

- Extensión y educación Sin Costo
- Programas de Asistencia Técnica y Entrenamiento *(en inglés)*
- Entrenamiento en el Sector Federal *(en inglés)*
- Seminarios de Iniciativa Nueva Libertad

Información Impresa

- Ordenar Publicaciones de La EEOC
- Póster de la EEOC

The U.S. Equal Employment Opportunity Commission

Other Languages

In addition to our English and Spanish web sites, we have some information about EEOC and the laws we enforce available in:

Arabic	عربي
Chinese	中文
Haitian Creole	Kreyòl Ayisien
Korean	한국어
Russian	Русский
Vietnamese	Tiếng Việt

This page was last modified on March 9, 2006.

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Print Form

Submit by Email

Due Date: November 4, 2007

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

2008 EXCEL CONFERENCE

Presenter Interest Form

PERSONAL INFORMATION:

Name: _____ **Organization:** _____

Title: _____ **Sub- Organization:** _____

Phone _____ **Ext:** _____ **Address : Line 1** _____

Fax: _____ **Line 2** _____

Email: _____ **City:** _____

State: _____ **Zip:** _____

SESSION INFORMATION:

Session Title: _____

Audience	Session Length	Level of Instruction
☐ EEO Personnel	☐ 1 Hour	☐ Basic
☐ Attorney/Reps	☐ 1-1/2 Hour	☐ Intermediate
☐ Mediator	☐ 3 Hours	☐ Advanced
☐ MgrSupv		

What makes your workshop/presentation basic, intermediate or advanced?

2008 EXCEL CONFERENCE

CO-PRESENTER'S INFORMATION:

Name: _____ **Phone:** _____

Title: _____ **Fax:** _____

Organiz:ation: _____ **EMail:** _____

WORKSHOP DESCRIPTION:

Limit your description to 300 words or less. Please provide an accurate description of what will be taught during your presentation which identifies the goals and objectives of your session. If your session has been previously presented, please indicate where and to whom. Also, provide a brief "objectives statement" used to market your session to conference attendees.

REFERENCES:

List two references including the name, phone number and email address for both.

Name: _____ **Name:** _____

Phone: _____ **Phone:** _____

Email: _____ **Email:** _____

EEOC Training Institute * 1801 L. Street, NW * Washington DC 20507
Phone: 202.663. 4476 * Fax: 202.663.7014 * Email: Excel.Presenter@eeoc.gov

EEOC Training Institute
...Learn from the Experts

EEOC's Training Institute
The Equal Employment Opportunity Commission (EEOC) is the federal agency responsible for enforcing employment discrimination laws. The Training Institute provides a wide variety of training programs to help employers understand, prevent and correct discrimination in the workplace. Experience and learn from the authorities on EEO law. Call us for more information: **1.800.600.6157**

The Training Institute delivers expert training to private employers and state, local and federal agency personnel. Discrimination can be prevented if companies, federal agencies and individuals know their legal rights and responsibilities. Read more about our programs below.

CONTACT US

ABOUT EEOC AND THE TRAINING INSTITUTE

FEDERAL COURSE SCHEDULE

FEDERAL EEO INTENSIVE WORKSHOP REGISTRATION

SEMINAR SCHEDULE
Technical Assistance Program Seminars

EXCEL Conference

Our yearly EXCEL conference is the premier Federal Conference for EEO managers, supervisors and specialists, attorneys, union representatives, mediators, Alternative Dispute Resolution coordinators and human resources professionals. The 10th Annual EXCEL Conference in Denver was a great success. The 2008 EXCEL Conference will be held in Chicago on August 18-21, 2008 at the Chicago Hilton. Registration for this conference will begin in early 2008. If you are interested in presenting at the 2008 EXCEL Conference, please **click here** to submit a proposal.

Technical Assistance Programs Seminars (TAPS) We highlight the latest EEO topics and provide expert presentations on EEOC policies and procedures at these one and two day seminars, held in major cities throughout the country.

Federal Programs

We offer a variety of training programs geared specifically for federal employees. Our training is ideal for federal supervisors and employees, EEO counselors and investigators, agency representatives and attorneys, and everyone else interested in EEO issues and the practices that affect federal employees. View our **2007 Federal Courses and Programs Brochure.** We offer standardized courses for EEO investigators, EEO counselors, managers and supervisors.

New for 2007

Northeast Federal EEO Seminar This 2 ½ day EEO seminar will be held in Atlantic City on October 29-31, 2007. It will feature presentations from the Administrative Judges of EEOC's New York, Philadelphia, Cleveland and Baltimore offices and representatives of MSPB and the Department of Justice.

Federal EEO Intensive Workshop Series. This successful series will continue, featuring topics designed to meet the organizational and operational needs, challenges and concerns of federal EEO practitioners and specialists. Register now for workshops on November 14 and December 5th.

Basic Mediation Training. This five-day inter-active course, geared to federal employees, is designed to train mediators to resolve workplace disputes.

On-site Training

All of our courses can be delivered on-site at your workplace. We also provide training on EEO topics such as harassment and disability or can customize training to your specific needs. Contact us for additional information involving on-site training.

Products

Our value-priced products are must-have resources for employers, trainers, and EEO professionals.

The U.S. Equal Employment Opportunity Commission

FOR IMMEDIATE RELEASE
Monday, Dec. 3, 2007

CONTACT: Charles Robbins
Christine Nazer
(202) 663-4191
TTY: (202) 663-4494

EEOC ISSUES FACT SHEET ON EMPLOYMENT TESTS AND SELECTION PROCEDURES TO SCREEN APPLICANTS, WORKERS

Agency Highlights 'Best Practices' for Employers to Prevent Job Discrimination

WASHINGTON — The U.S. Equal Employment Opportunity Commission (EEOC) today issued an extensive fact sheet on the application of federal anti-discrimination laws to employer tests and other selection procedures to screen applicants for hire and employees for promotion. The new technical assistance document is available on the agency's web site at www.eeoc.gov/policy/docs/factemployment_procedures.html

The fact sheet describes common types of employer administered tests and selection procedures used in the 21st century workplace, including cognitive tests, personality tests, medical examinations, credit checks, and criminal background checks. The document also focuses on "best practices" for employers to follow when using employment tests and other screening devices, and cites recent EEOC enforcement actions. Discriminatory employment tests and selection procedures are prohibited by Title VII of the Civil Rights Act, the Americans with Disabilities Act, and the Age Discrimination in Employment Act -- which are all enforced by the EEOC.

"This fact sheet will help employers voluntarily comply with EEOC-enforced statutes, as companies seek lawful and efficient ways to screen large numbers of applicants," said Commission Chair Naomi C. Earp. "Tests and other selection tools can be an effective means of making employment decisions, as long as they are not used to screen out individuals in a discriminatory way."

The EEOC has observed an increase in employment testing due in part to post 9-11 security concerns and issues related to workplace violence, safety, and liability. In addition, the large-scale adoption of online job applications has motivated employers to seek efficient ways to screen big applicant pools in a non-subjective way.

Charges of job discrimination filed with the EEOC raising issues of employment testing and exclusions based on criminal background checks, credit reports, and other screening tools have trended upward from 26 in Fiscal Year 2003 to 141 in FY 2006. On May 16, 2007, the Commission held a public meeting at agency Headquarters in which expert panelists addressed legal issues related to the use of employment tests and other screening devices.

The EEOC enforces federal laws prohibiting employment discrimination. Additional information about the EEOC is available on its web site at www.eeoc.gov.

This page was last modified on December 3, 2007.

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The U.S. Equal Employment Opportunity Commission

FOR IMMEDIATE RELEASE
November 29, 2007

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EEOC Trial Attorney
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Deborah Powers
EEOC Trial Attorney
(414) 292-3983

John C. Hendrickson
EEOC Regional Attorney
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FEDERAL COURT SHARPLY LIMITS EMPLOYER'S ATTEMPT TO PROBE JOB BIAS VICTIMS' MEDICAL, ARREST AND LITIGATION HISTORIES

EEOC Race Bias Suit On Behalf of African Americans Can Proceed Without Intimidation, Judge Rules

CHICAGO – U.S. Magistrate Judge P. Michael Mahoney of the Federal District Court in Rockford, Ill., issued an order this week largely denying an employer's motion to compel discovery regarding medical and psychological records, arrest records and litigation history of claimants in a discrimination lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today.

In its lawsuit (*EEOC v. Area Erectors, Inc.*, N.D. Ill. No. 07 C 2339), the EEOC alleges that Area Erectors, Inc. discriminated against a class of African American employees by firing them and retaliated against a black employee who had sued another employer for race discrimination.

Area Erectors had sought discovery of the claimants' medical and psychological records for the past five years. According to the court's opinion, the company "insist[ed] that claimants' past five years of medical and psychological records are discoverable because Plaintiff has made a claim for compensatory damages rooted in the emotional distress of the claimants." Magistrate Mahoney rejected Area Erectors' sweeping view (*Memorandum Opinion and Order*, N.D. Illinois, Western Div. No. 07 C 023339, M.J. Mahoney, *entered* 11/27/2007).

Instead, the court held that the claimants did not open the door to Area Erectors' discovering their medical and psychological records simply by claiming emotional-distress damages as a result of the racial discrimination they experienced. Rather, the court held that the claimants' medical and psychological records only had to be produced for those claimants for whom the EEOC will present evidence that they experienced medical or psychological symptoms or conditions or sought medical or psychological treatment because of discrimination at Area Erectors. The EEOC does not have to produce medical and psychological records for claimants who experienced "garden-variety" emotional distress because of the discrimination, such as feeling angry, frustrated, or humiliated.

The EEOC's regional attorney in Chicago, John Hendickson, said, "This is one of those genuinely important court decisions which, unfortunately, sometimes disappear without ever making it onto the radar screen. That sure shouldn't happen here because Judge Mahoney has so forcefully rejected the employer's attempt to use discovery to put the lives of victims of employment discrimination under the microscope. That's an approach to litigation that EEOC is always ready to stand against. So it's good to win this one and to see civil rights litigants protected from having their lives turned upside-down and unnecessarily subjected to the proverbial 'third degree.' "

Area Erectors had also sought to discover the claimants' arrest records and all litigation they had been involved in during the past five years. The court refused to compel production of arrest records unless Area Erectors can "articulate some particularized suspicion that a claimant may have been arrested for work related misconduct . . . [W]ithout a particularized showing, the speculative benefit of such a wide sweeping inquiry is outweighed by the threat of annoyance, embarrassment and oppression."

The court also questioned how Area Erectors could claim that it would have fired a claimant if it had known of his or her arrest record at the time the claimant worked for Area Erectors when the company had no policy against hiring convicted felons. "If Defendant had no qualms about hiring a convicted felon in the first place, why would it fire an employee who was merely arrested, but never charged?" the judge said.

With respect to the claimants' litigation history, the court limited production to litigation involving civil rights violations, which EEOC has previously agreed to produce, and litigation concerning personal injuries, because the claimants' testimony about the extent of injuries in a previous lawsuit might be used to impeach their testimony in this case about their ability to work. The court held that Area Erectors has "failed to identify any impeachment value in discovery relating to other types of civil cases."

The EEOC litigation team is being led by Deborah Powers of the Milwaukee Area Office and Ann Henry of the Chicago District Office. Henry said. "The defendants in employment discrimination cases often try the 'scorched earth' discovery tactic of investigating every aspect of an employment discrimination victim's past. Such tactics can discourage discrimination victims from coming forward and asserting their rights because they put themselves under a microscope if they do so. The court's decision rejects these methods and keeps the case focused on issues that are truly relevant -- whether Area Erectors fired African American employees because of their race."

Historically, race-based charges have been the most frequent type of filing with EEOC offices nationwide. In Fiscal Year 2006, the EEOC received 27,238 charges alleging race-based discrimination, accounting for 36 percent of the agency's private sector caseload. On February 28, 2007, EEOC Chair Naomi C. Earp launched the Commission's E-RACE Initiative (Eradicating Racism And Colorism from Employment), a national outreach, education, and enforcement campaign focusing on new and emerging race and color issues in the 21st century workplace. Further information about the E-RACE Initiative is available on the EEOC's web site at http://www.eeoc.gov/initiatives/e-race/index.html.

The EEOC enforces federal laws prohibiting employment discrimination. Further information about the EEOC is available on its web site at www.eeoc.gov.

This page was last modified on November 29, 2007.

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EEOC
U. S. Equal Employment Opportunity Commission

Search

About Equal Employment Opportunity

- Federal EEO Laws
- Discriminatory Practices
- Employers And Other Entities Covered By EEO Laws

The U.S. Equal Employment Opportunity Commission

Federal Equal Employment Opportunity (EEO) Laws

The Federal laws prohibiting job discrimination are:

- Title VII of the Civil Rights Act of 1964 (Title VII), which prohibits employment discrimination based on race, color, religion, sex, or national origin;
- the Equal Pay Act of 1963 (EPA), which protects men and women who perform substantially equal work in the same establishment from sex-based wage discrimination;
- the Age Discrimination in Employment Act of 1967 (ADEA), which protects individuals who are 40 years of age or older;
- Title I and Title V of the Americans with Disabilities Act of 1990 (ADA), which prohibit employment discrimination against qualified individuals with disabilities in the private sector, and in state and local governments;
- Sections 501 and 505 of the Rehabilitation Act of 1973, which prohibit discrimination against qualified individuals with disabilities who work in the federal government; and
- the Civil Rights Act of 1991, which, among other things, provides monetary damages in cases of intentional employment discrimination.

Celebrating the Laws

Celebrating the 40th Anniversary of Title VII: 1964 - 2004

See also ...

- The Equal Pay Act Turns 40: 1963 - 2003
- The Americans with Disabilities Act (ADA): 1990 - 2002

The U.S. Equal Employment Opportunity Commission (EEOC) enforces all of these laws. EEOC also provides oversight and coordination of all federal equal employment opportunity regulations, practices, and policies.

Other federal laws, not enforced by EEOC, also prohibit discrimination and reprisal against federal employees and applicants. The Civil Service Reform Act of 1978 (CSRA) contains a number of prohibitions, known as prohibited personnel practices, which are designed to promote overall fairness in federal personnel actions. 5 U.S.C. 2302. The CSRA prohibits any employee who has authority to take certain personnel actions from discriminating for or against employees or applicants for employment on the bases of race, color, national origin, religion, sex, age or disability. It also provides that certain personnel actions can not be based on attributes or conduct that do not adversely affect employee performance, such as marital status and political affiliation. The Office of Personnel Management (OPM) has interpreted the prohibition of discrimination based on conduct to include discrimination based on sexual orientation. The CSRA also prohibits reprisal against federal employees or applicants for whistle-blowing, or for exercising an appeal, complaint, or grievance right. The CSRA is enforced by both the Office of Special Counsel (OSC) and the Merit Systems Protection Board (MSPB).

Additional information about the enforcement of the CSRA may be found on the OPM web site at http://www.opm.gov/er/address2/guide01.htm; from OSC at (202) 653-7188 or at http://www.osc.gov; and

from MSPB at (202) 653-6772 or at http://www.mspb.gov .

This page was last modified on April 20, 2004.

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The U.S. Equal Employment Opportunity Commission

Discriminatory Practices

Under Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), and the Age Discrimination in Employment Act (ADEA), it is illegal to discriminate in any aspect of employment, including:

- hiring and firing;
- compensation, assignment, or classification of employees;
- transfer, promotion, layoff, or recall;
- job advertisements;
- recruitment;
- testing;
- use of company facilities;
- training and apprenticeship programs;
- fringe benefits;
- pay, retirement plans, and disability leave; or
- other terms and conditions of employment.

Discriminatory practices under these laws also include:

- harassment on the basis of race, color, religion, sex, national origin, disability, or age;
- retaliation against an individual for filing a charge of discrimination, participating in an investigation, or opposing discriminatory practices;
- employment decisions based on stereotypes or assumptions about the abilities, traits, or performance of individuals of a certain sex, race, age, religion, or ethnic group, or individuals with disabilities; and
- denying employment opportunities to a person because of marriage to, or association with, an individual of a particular race, religion, national origin, or an individual with a disability. Title VII also prohibits discrimination because of participation in schools or places of worship associated with a particular racial, ethnic, or religious group.

Employers are required to post notices to all employees advising them of their rights under the laws EEOC enforces and their right to be free from retaliation. Such notices must be accessible, as needed, to persons with visual or other disabilities that affect reading.

Note: Many states and municipalities also have enacted protections against discrimination and harassment based on sexual orientation, status as a parent, marital status and political affiliation. For

information, please contact the EEOC District Office nearest you.

Other Discriminatory Practices Under Federal EEO Laws

Title VII

Title VII prohibits not only intentional discrimination, but also practices that have the effect of discriminating against individuals because of their race, color, national origin, religion, or sex.

National Origin Discrimination

- It is illegal to discriminate against an individual because of birthplace, ancestry, culture, or linguistic characteristics common to a specific ethnic group.
- A rule requiring that employees speak only English on the job may violate Title VII unless an employer shows that the requirement is necessary for conducting business. If the employer believes such a rule is necessary, employees must be informed when English is required and the consequences for violating the rule.

The Immigration Reform and Control Act (IRCA) of 1986 requires employers to assure that employees hired are legally authorized to work in the U.S. However, an employer who requests employment verification only for individuals of a particular national origin, or individuals who appear to be or sound foreign, may violate both Title VII and IRCA; verification must be obtained from all applicants and employees. Employers who impose citizenship requirements or give preferences to U.S. citizens in hiring or employment opportunities also may violate IRCA.

Additional information about IRCA may be obtained from the Office of Special Counsel for Immigration-Related Unfair Employment Practices at 1-800-255-7688 (voice), 1-800-237-2515 (TTY for employees/applicants) or 1-800-362-2735 (TTY for employers) or at http://www.usdoj.gov/crt/osc.

Religious Accommodation

- An employer is required to reasonably accommodate the religious belief of an employee or prospective employee, unless doing so would impose an undue hardship.

Sex Discrimination

Title VII's broad prohibitions against sex discrimination specifically cover:

- Sexual Harassment - This includes practices ranging from direct requests for sexual favors to workplace conditions that create a hostile environment for persons of either gender, including same sex harassment. (The "hostile environment" standard also applies to harassment on the bases of race, color, national origin, religion, age, and disability.)
- Pregnancy Based Discrimination - Pregnancy, childbirth, and related medical conditions must be treated in the same way as other temporary illnesses or conditions.

Additional rights are available to parents and others under the Family and Medical Leave Act (FMLA), which is enforced by the U.S. Department of Labor. For information on the FMLA, or to file an FMLA complaint, individuals should contact the nearest office of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor. The Wage and Hour Division is listed in most telephone directories under U.S. Government, Department of Labor or at http://www.dol.gov/esa/whd_org.htm.

Age Discrimination in Employment Act

The ADEA's broad ban against age discrimination also specifically prohibits:

- statements or specifications in job notices or advertisements of age preference and limitations. An age limit may only be specified in the rare circumstance where age has been proven to be a *bona fide* occupational qualification (BFOQ);
- discrimination on the basis of age by apprenticeship programs, including joint labor-management apprenticeship programs; and
- denial of benefits to older employees. An employer may reduce benefits based on age only if the cost of providing the reduced benefits to older workers is the same as the cost of providing benefits to younger workers.

Equal Pay Act

The Equal Pay Act (EPA) prohibits discrimination on the basis of sex in the payment of wages or benefits, where men and women perform work of similar skill, effort, and responsibility for the same employer under similar working conditions.

Note that:

- Employers may not reduce wages of either sex to equalize pay between men and women.
- A violation of the EPA may occur where a different wage was/is paid to a person who worked in the same job before or after an employee of the opposite sex.
- A violation may also occur where a labor union causes the employer to violate the law.

Titles I and V of the Americans with Disabilities Act

The ADA prohibits discrimination on the basis of disability in all employment practices. It is necessary to understand several important ADA definitions to know who is protected by the law and what constitutes illegal discrimination:

Individual with a Disability

An individual with a disability under the ADA is a person who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment. Major life activities are activities that an average person can perform with little or no difficulty such as walking, breathing, seeing, hearing, speaking, learning, and working.

Qualified Individual with a Disability

A qualified employee or applicant with a disability is someone who satisfies skill, experience, education, and other job-related requirements of the position held or desired, and who, with or without reasonable accommodation, can perform the essential functions of that position.

Reasonable Accommodation

Reasonable accommodation may include, but is not limited to, making existing facilities used by employees readily accessible to and usable by persons with disabilities; job restructuring; modification of work schedules; providing additional unpaid leave; reassignment to a vacant position; acquiring or modifying equipment or devices; adjusting or modifying examinations, training materials, or policies; and providing qualified readers or interpreters. Reasonable accommodation may be necessary to apply for a job, to perform job functions, or to enjoy the benefits and privileges of employment that are enjoyed by people without disabilities. An employer is not required to lower production standards to make an accommodation. An employer generally is not obligated to provide personal use items such as eyeglasses or hearing aids.

Undue Hardship

An employer is required to make a reasonable accommodation to a qualified individual with a disability unless doing so would impose an undue hardship on the operation of the employer's business. Undue hardship means an action that requires significant difficulty or expense when considered in relation to factors such as a business' size, financial resources, and the nature and structure of its operation.

Prohibited Inquiries and Examinations

Before making an offer of employment, an employer may not ask job applicants about the existence, nature, or severity of a disability. Applicants may be asked about their ability to perform job functions. A job offer may be conditioned on the results of a medical examination, but only if the examination is required for all entering employees in the same job category. Medical examinations of employees must be job-related and consistent with business necessity.

Drug and Alcohol Use

Employees and applicants currently engaging in the illegal use of drugs are not protected by the ADA when an employer acts on the basis of such use. Tests for illegal use of drugs are not considered medical examinations and, therefore, are not subject to the ADA's restrictions on medical examinations. Employers may hold individuals who are illegally using drugs and individuals with alcoholism to the same standards of performance as other employees.

The Civil Rights Act of 1991

The Civil Rights Act of 1991 made major changes in the federal laws against employment discrimination enforced by EEOC. Enacted in part to reverse several Supreme Court decisions that limited the rights of persons protected by these laws, the Act also provides additional protections. The Act authorizes compensatory and punitive damages in cases of intentional discrimination, and provides for obtaining attorneys' fees and the possibility of jury trials. It also directs the EEOC to expand its technical assistance and outreach activities.

This page was last modified on September 2, 2004.

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The U.S. Equal Employment Opportunity Commission

Harassment

Harassment is a form of employment discrimination that violates Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, (ADEA), and the Americans with Disabilities Act of 1990, (ADA).

Harassment is unwelcome conduct that is based on race, color, sex, religion, national origin, disability, and/or age. Harassment becomes unlawful where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Anti-discrimination laws also prohibit harassment against individuals in retaliation for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or lawsuit under these laws; or opposing employment practices that they reasonably believe discriminate against individuals, in violation of these laws.

Petty slights, annoyances, and isolated incidents (unless extremely serious) will not rise to the level of illegality. To be unlawful, the conduct must create a work environment that would be intimidating, hostile, or offensive to reasonable people.

Offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance. Harassment can occur in a variety of circumstances, including, but not limited to, the following:

- The harasser can be the victim's supervisor, a supervisor in another area, an agent of the employer, a co-worker, or a non-employee.
- The victim does not have to be the person harassed, but can be anyone affected by the offensive conduct.
- Unlawful harassment may occur without economic injury to, or discharge of, the victim.

Prevention is the best tool to eliminate harassment in the workplace. Employers are encouraged to take appropriate steps to prevent and correct unlawful harassment. They should clearly communicate to employees that unwelcome harassing conduct will not be tolerated. They can do this by establishing an effective complaint or grievance process, providing anti-harassment training to their managers and employees, and taking immediate and appropriate action when an employee complains. Employers should strive to create an environment in which employees feel free to raise concerns and are confident that those concerns will be addressed.

Need more information?

The law:

- Title VII of the Civil Rights Act
- The Age Discrimination in Employment Act
- The Americans with Disabilities Act

Enforcement guidances and policy documents:

- EEOC Compliance Manual Section 15, Race and Color Discrimination, Section VII(A), April 19, 2006.
- EEOC Compliance Manual Section 13, National Origin Discrimination, Section IV, December 2, 2002.
- Policy Guidance on Current Issues of Sexual Harassment
- Enforcement Guidance: Vicarious Employer Liability for

Employees are encouraged to inform the harasser directly that the conduct is unwelcome and must stop. Employees should also report harassment to management at an early stage to prevent its escalation.

Employer Liability for Harassment

The employer is automatically liable for harassment by a supervisor that results in a negative employment action such as termination, failure to promote or hire, and loss of wages. If the supervisor's harassment results in a hostile work environment, the employer can avoid liability only if it can prove that: 1) it reasonably tried to prevent and promptly correct the harassing behavior; and 2) the employee unreasonably failed to take advantage of any preventive or corrective opportunities provided by the employer.

The employer will be liable for harassment by non-supervisory employees or non-employees over whom it has control (e.g., independent contractors or customers on the premises), if it knew, or should have known about the harassment and failed to take prompt and appropriate corrective action.

When investigating allegations of harassment, the EEOC looks at the entire record: including the nature of the conduct, and the context in which the alleged incidents occurred. A determination of whether harassment is severe or pervasive enough to be illegal is made on a case-by-case basis.

If you believe that the harassment you are experiencing or witnessing is of a specifically sexual nature, you may want to see EEOC's information on sexual harassment.

Statistics

In Fiscal Year 2006, EEOC received 23,034 charges alleging harassment as an issue. EEOC resolved 22,408 charges alleging harassment in FY 2006 and recovered $59.8 million in monetary benefits for charging parties and other aggrieved individuals (not including monetary benefits obtained through litigation).

- Charge Statistics: Harassment

Unlawful Harassment by Supervisors

- Questions & Answers for Small Employers on Employer Liability for Harassment by Supervisors
- Enforcement Guidance on Harris v. Forklift Sys., Inc.
- Policy Guidance on Employer Liability under Title VII for Sexual Favoritism

You may also be interested in:

- How to File a Charge of Employment Discrimination
- Mediation at EEOC
- Training and Outreach
- Information for Small Employers

Have a Question?

Ask us! Contact us by phone (toll free) or

email, or check our FAQs.

This page was last modified on February 2, 2007.

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The U.S. Equal Employment Opportunity Commission

Sexual Harassment

Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964. Title VII applies to employers with 15 or more employees, including state and local governments. It also applies to employment agencies and to labor organizations, as well as to the federal government.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.

Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

- The victim as well as the harasser may be a woman or a man. The victim does not have to be of the opposite sex.
- The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.
- The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
- Unlawful sexual harassment may occur without economic injury to or discharge of the victim.
- The harasser's conduct must be unwelcome.

It is helpful for the victim to inform the harasser directly that the conduct is unwelcome and must stop. The victim should use any employer complaint mechanism or grievance system available.

When investigating allegations of sexual harassment, EEOC looks at the whole record: the circumstances, such as the nature of the sexual advances, and the context in which the alleged incidents occurred. A determination on the allegations is made from the facts on a case-by-case basis.

Prevention is the best tool to eliminate sexual harassment in the workplace. Employers are encouraged to take steps necessary to prevent sexual harassment from occurring. They should clearly communicate to employees that sexual harassment will not be tolerated. They can do so by providing sexual harassment training to their employees and by establishing an effective complaint or grievance process and taking immediate and appropriate action when an employee complains.

Need more information?

The law:

- Title VII of the Civil Rights Act

The regulations:

- 29 C.F.R Part 1604.11

Enforcement guidances and policy documents:

- Policy Guidance on Current Issues of Sexual Harassment
- Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors
- **See also:** Questions & Answers for Small Employers on Employer Liability for Harassment by Supervisors
- Enforcement Guidance on Harris v. Forklift Sys.,

It is also unlawful to retaliate against an individual for opposing employment practices that discriminate based on sex or for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or litigation under Title VII.

Statistics

In Fiscal Year 2006, EEOC received 12,025 charges of sexual harassment. 15.4% of those charges were filed by males. EEOC resolved 11,936 sexual harassment charges in FY 2006 and recovered $48.8 million in monetary benefits for charging parties and other aggrieved individuals (not including monetary benefits obtained through litigation).

- Charge Statistics: Sexual Harassment

Inc.

- Policy Guidance on Employer Liability under Title VII for Sexual Favoritism

You may also be interested in:

- How to File a Charge of Employment Discrimination
- Mediation at EEOC
- Training and Outreach
- Information for Small Employers

Have a Question?

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Retaliation

An employer may not fire, demote, harass or otherwise "retaliate" against an individual for filing a charge of discrimination, participating in a discrimination proceeding, or otherwise opposing discrimination. The same laws that prohibit discrimination based on race, color, sex, religion, national origin, age, and disability, as well as wage differences between men and women performing substantially equal work, also prohibit retaliation against individuals who oppose unlawful discrimination or participate in an employment discrimination proceeding.

In addition to the protections against retaliation that are included in all of the laws enforced by EEOC, the Americans with Disabilities Act (ADA) also protects individuals from coercion, intimidation, threat, harassment, or interference in their exercise of their own rights or their encouragement of someone else's exercise of rights granted by the ADA.

There are three main terms that are used to describe retaliation. Retaliation occurs when an employer, employment agency, or labor organization takes an **adverse action** against a **covered individual** because he or she engaged in a **protected activity**. These three terms are described below.

Adverse Action

An adverse action is an action taken to try to keep someone from opposing a discriminatory practice, or from participating in an employment discrimination proceeding. Examples of adverse actions include:

- employment actions such as termination, refusal to hire, and denial of promotion,
- other actions affecting employment such as threats, unjustified negative evaluations, unjustified negative references, or increased surveillance, and
- any other action such as an assault or unfounded civil or criminal charges that are likely to deter reasonable people from pursuing their rights.

Adverse actions do not include petty slights and annoyances, such as stray negative comments in an otherwise positive or neutral evaluation, "snubbing" a colleague, or negative comments that are justified by an employee's poor work performance or history.

Even if the prior protected activity alleged wrongdoing by a different

Need more information?

The law:

- Title VII of the Civil Rights Act

The regulations:

- 29 C.F.R Part 1604.11

Enforcement guidances and policy documents:

- EEOC Compliance Manual, Section 8, Retaliation (May 20, 1998)
- EEOC Compliance Manual, Section 2, Threshold Issues (May 12, 2000)

You may also be interested in:

- How to File a Charge of Employment Discrimination
- Mediation at EEOC

employer, retaliatory adverse actions are unlawful. For example, it is unlawful for a worker's current employer to retaliate against him for pursuing an EEO charge against a former employer.

Of course, employees are not excused from continuing to perform their jobs or follow their company's legitimate workplace rules just because they have filed a complaint with the EEOC or opposed discrimination.

For more information about adverse actions, see EEOC's Compliance Manual Section 8, Chapter II, Part D.

- Training and Outreach
- Information for Small Employers

Have a Question?

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Covered Individuals

Covered individuals are people who have opposed unlawful practices, participated in proceedings, or requested accommodations related to employment discrimination based on race, color, sex, religion, national origin, age, or disability. Individuals who have a close association with someone who has engaged in such protected activity also are covered individuals. For example, it is illegal to terminate an employee because his spouse participated in employment discrimination litigation.

Individuals who have brought attention to violations of law other than employment discrimination are NOT covered individuals for purposes of anti-discrimination retaliation laws. For example,"whistleblowers" who raise ethical, financial, or other concerns unrelated to employment discrimination are not protected by the EEOC enforced laws.

Protected Activity

Protected activity includes:

Opposition to a practice believed to be unlawful discrimination

Opposition is informing an employer that you believe that he/she is engaging in prohibited discrimination. Opposition is protected from retaliation as long as it is based on a reasonable, good-faith belief that the complained of practice violates anti-discrimination law; and the manner of the opposition is reasonable.

Examples of protected opposition include:

- Complaining to anyone about alleged discrimination against oneself or others;
- Threatening to file a charge of discrimination;
- Picketing in opposition to discrimination; or
- Refusing to obey an order reasonably believed to be discriminatory.

Examples of activities that are NOT protected opposition include:

- Actions that interfere with job performance so as to render the employee ineffective; or
- Unlawful activities such as acts or threats of violence.

Participation in an employment discrimination proceeding.

Participation means taking part in an employment discrimination proceeding. Participation is protected activity even if the proceeding involved claims that ultimately were found to be invalid. Examples of participation include:

- Filing a charge of employment discrimination;
- Cooperating with an internal investigation of alleged discriminatory practices; or
- Serving as a witness in an EEO investigation or litigation.

A protected activity can also include requesting a reasonable accommodation based on religion or disability.

For more information about Protected Activities, see EEOC's Compliance Manual, Section 8, Chapter II, Part B - Opposition and Part C - Participation.

Statistics

In Fiscal Year 2004, EEOC received 22,740 charges of retaliation discrimination based on all statutes enforced by EEOC. The EEOC resolved 24,751 retaliation charges in 2004, more than were filed during the course of the Fiscal Year, and recovered more than $90 million in monetary benefits for charging parties and other aggrieved individuals (not including monetary benefits obtained through litigation).

This page was last modified on May 17, 2007.

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The U.S. Equal Employment Opportunity Commission

Employers And Other Entities Covered By EEO Laws

Title VII of the Civil Rights Act of 1964 and the Americans with Disabilities Act (ADA) cover all private employers, state and local governments, and education institutions that employ 15 or more individuals. These laws also cover private and public employment agencies, labor organizations, and joint labor management committees controlling apprenticeship and training.

The Age Discrimination in Employment Act (ADEA) covers all private employers with 20 or more employees, state and local governments (including school districts), employment agencies and labor organizations.

The Equal Pay Act (EPA) covers all employers who are covered by the Federal Wage and Hour Law (the Fair Labor Standards Act). Virtually all employers are subject to the provisions of this Act.

Multinational Employers

U.S.-based companies that employ U.S. citizens outside the United States or its territories, and multinational employers that operate in the United States or its territories, are covered under EEO laws, with certain exceptions. For answers to common questions about how EEO laws apply to multinational employers, please see:

- The Equal Employment Opportunity Responsibilities of Multinational Employers
- Employee Rights When Working for Multinational Employers

Federal Government

Title VII, the ADEA, and the EPA also cover the federal government. In addition, the federal government is covered by Sections 501 and 505 of the Rehabilitation Act of 1973, as amended, which incorporate the requirements of the ADA. However, different procedures are used for processing complaints of federal discrimination. For more information on how to file a complaint of federal discrimination, contact the EEO office of the federal agency where the alleged discrimination occurred.

The Civil Service Reform Act of 1978 (not enforced by EEOC) covers most federal agency employees except employees of a government corporation, the Federal Bureau of Investigation, the Central Intelligence Agency, the Defense Intelligence Agency, the National Security Agency, and as determined by the President, any executive agency or unit thereof, the principal function of which is the conduct of foreign intelligence or counterintelligence activities, or the General Accounting Office.

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EEOC
U. S. Equal Employment Opportunity Commission

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The U.S. Equal Employment Opportunity Commission

Age Discrimination

The Age Discrimination in Employment Act of 1967 (ADEA) protects individuals who are 40 years of age or older from employment discrimination based on age. The ADEA's protections apply to both employees and job applicants. Under the ADEA, it is unlawful to discriminate against a person because of his/her age with respect to any term, condition, or privilege of employment, including hiring, firing, promotion, layoff, compensation, benefits, job assignments, and training.

It is also unlawful to retaliate against an individual for opposing employment practices that discriminate based on age or for filing an age discrimination charge, testifying, or participating in any way in an investigation, proceeding, or litigation under the ADEA.

The ADEA applies to employers with 20 or more employees, including state and local governments. It also applies to employment agencies and labor organizations, as well as to the federal government. ADEA protections include:

- **Apprenticeship Programs**
  It is generally unlawful for apprenticeship programs, including joint labor-management apprenticeship programs, to discriminate on the basis of an individual's age. Age limitations in apprenticeship programs are valid only if they fall within certain specific exceptions under the ADEA or if the EEOC grants a specific exemption.
- **Job Notices and Advertisements**
  The ADEA generally makes it unlawful to include age preferences, limitations, or specifications in job notices or advertisements. A job notice or advertisement may specify an age limit only in the rare circumstances where age is shown to be a "bona fide occupational qualification" (BFOQ) reasonably necessary to the normal operation of the business.
- **Pre-Employment Inquiries**
  The ADEA does not specifically prohibit an employer from asking an applicant's age or date of birth. However, because such inquiries may deter older workers from applying for employment or may otherwise indicate possible intent to discriminate based on age, requests for age information will be closely scrutinized to make sure that the inquiry was made for a lawful purpose, rather than for a purpose prohibited by the ADEA.
- **Benefits**
  The Older Workers Benefit Protection Act of 1990 (OWBPA) amended the ADEA to specifically prohibit employers from

Need more information?

The law:

- The Age Discrimination in Employment Act

The regulations:

- 29 C.F.R Part 1625: Age Discrimination in Employment Act
- 29 C.F.R Part 1626: Procedures--Age Discrimination in Employment Act
- 29 C.F.R Part 1627: Records to be made or kept relating to age: notices to be posted: administrative exemptions

Enforcement Guidances and Policy Documents:

- Enforcement Guidance on O'Connor v. Consolidated Coin Caterers Corp.
- Compliance Manual Section 10: Compensation Discrimination
- Compliance Manual Section 3: Employee Benefits

See also:

- Questions and

denying benefits to older employees. Congress recognized that the cost of providing certain benefits to older workers is greater than the cost of providing those same benefits to younger workers, and that those greater costs would create a disincentive to hire older workers. Therefore, in limited circumstances, an employer may be permitted to reduce benefits based on age, as long as the cost of providing the reduced benefits to older workers is the same as the cost of providing benefits to younger workers.

- **Waivers of ADEA Rights**
  An employer may ask an employee to waive his/her rights or claims under the ADEA either in the settlement of an ADEA administrative or court claim or in connection with an exit incentive program or other employment termination program. However, the ADEA, as amended by OWBPA, sets out specific minimum standards that must be met in order for a waiver to be considered knowing and voluntary and, therefore, valid. Among other requirements, a valid ADEA waiver must:

  1. be in writing and be understandable;
  2. specifically refer to ADEA rights or claims;
  3. not waive rights or claims that may arise in the future;
  4. be in exchange for valuable consideration;
  5. advise the individual in writing to consult an attorney before signing the waiver; and
  6. provide the individual at least 21 days to consider the agreement and at least seven days to revoke the agreement after signing it.

  If an employer requests an ADEA waiver in connection with an exit incentive program or other employment termination program, the minimum requirements for a valid waiver are more extensive.

Statistics

In Fiscal Year 2006, EEOC received 16,548 charges of age discrimination. EEOC resolved 14,146 age discrimination charges in FY 2006 and recovered $51.5 million in monetary benefits for charging parties and other aggrieved individuals (not including monetary benefits obtained through litigation).

- Charge Statistics: Age Discrimination

Answers: Compliance Manual Section on Employee Benefits

- Rescission of Section IV (B) of EEOC Compliance Manual Chapter on "Employee Benefits" and deletion of example

You may also be interested in:

- How to File a Charge of Employment Discrimination
- Mediation at EEOC
- Training and Outreach
- Information for Small Employers

Have a Question?

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The U.S. Equal Employment Opportunity Commission

Disability Discrimination

Title I of the Americans with Disabilities Act of 1990 prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment. The ADA covers employers with 15 or more employees, including state and local governments. It also applies to employment agencies and to labor organizations. The ADA's nondiscrimination standards also apply to federal sector employees under section 501 of the Rehabilitation Act, as amended, and its implementing rules.

An individual with a disability is a person who:

- Has a physical or mental impairment that substantially limits one or more major life activities;
- Has a record of such an impairment; or
- Is regarded as having such an impairment.

A qualified employee or applicant with a disability is an individual who, with or without reasonable accommodation, can perform the essential functions of the job in question. Reasonable accommodation may include, but is not limited to:

- Making existing facilities used by employees readily accessible to and usable by persons with disabilities.
- Job restructuring, modifying work schedules, reassignment to a vacant position;
- Acquiring or modifying equipment or devices, adjusting or modifying examinations, training materials, or policies, and providing qualified readers or interpreters.

An employer is required to make a reasonable accommodation to the known disability of a qualified applicant or employee if it would not impose an "undue hardship" on the operation of the employer's business. Undue hardship is defined as an action requiring significant difficulty or expense when considered in light of factors such as an employer's size, financial resources, and the nature and structure of its operation.

Need more information?

The law:

- Titles I and V of the ADA

The regulations:

- 29 C.F.R Part 1630:
- 29 C.F.R Part 1640:
- 29 C.F.R Part 1641:

EEOC Enforcement Guidances and Policy Documents:

- Selected list

See also:

- Reasonable Accommodations for Attorneys with Disabilities
- The Family and Medical Leave Act, the ADA, and Title VII of the Civil Rights Act of 1964
- The ADA: A Primer for Small Business
- Your Responsibilities as an Employer

An employer is not required to lower quality or production standards to make an accommodation; nor is an employer obligated to provide personal use items such as glasses or hearing aids.

Title I of the ADA also covers:

- **Medical Examinations and Inquiries**
  Employers may not ask job applicants about the existence, nature, or severity of a disability. Applicants may be asked about their ability to perform specific job functions. A job offer may be conditioned on the results of a medical examination, but only if the examination is required for all entering employees in similar jobs. Medical examinations of employees must be job related and consistent with the employer's business needs.
- **Drug and Alcohol Abuse**
  Employees and applicants currently engaging in the illegal use of drugs are not covered by the ADA when an employer acts on the basis of such use. Tests for illegal drugs are not subject to the ADA's restrictions on medical examinations. Employers may hold illegal drug users and alcoholics to the same performance standards as other employees.

It is also unlawful to retaliate against an individual for opposing employment practices that discriminate based on disability or for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or litigation under the ADA.

Statistics

In Fiscal Year 2006, EEOC received 15,575 charges of disability discrimination. EEOC resolved 15,045 disability discrimination charges in FY 2006 and recovered $48.8 million in monetary benefits for charging parties and other aggrieved individuals (not including monetary benefits obtained through litigation).

- Americans With Disabilities Act Charges

- Your Employment Rights as an Individual With a Disability
- Job Applicants and the ADA
- Small Employers and Reasonable Accommodation
- Work At Home/ Telework as a Reasonable Accommodation
- Obtaining and Using Employee Medical Information as Part of Emergency Evacuation Procedures
- How to Comply with the Americans with Disabilities Act: A Guide for Restaurants and Other Food Service Employers

The Questions and Answers Series

- Health Care Workers and the Americans with Disabilities Act
- Deafness and Hearing Impairments in the Workplace and the Americans with Disabilities

Act
- Blindness and Vision Impairments in the Workplace and the ADA
- The Americans with Disabilities Act's Association Provision
- Diabetes in the Workplace and the ADA
- Epilepsy in the Workplace and the ADA
- Persons with Intellectual Disabilities in the Workplace and the ADA
- Cancer in the Workplace and the ADA

Mediation and the ADA

- Questions and Answers for Mediation Providers: Mediation and the Americans with Disabilities Act (ADA)
- Questions and Answers for Parties to Mediation: Mediation and the Americans with Disabilities Act

(ADA)

You may also be interested in:

- How to File a Charge of Employment Discrimination
- Mediation at EEOC
- Training and Outreach
- Information for Small Employers
- DisabilityInfo.Gov: Web portal to the New Freedom Initiative

Have a Question?

Ask us! Contact us by phone (toll free) or email, or check our FAQs.

This page was last modified on October 1, 2007.

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The U.S. Equal Employment Opportunity Commission

Equal Pay and Compensation Discrimination

The right of employees to be free from discrimination in their compensation is protected under several federal laws, including the following enforced by the U. S. Equal Employment Opportunity Commission (EEOC): the Equal Pay Act of 1963, Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, and Title I of the Americans with Disabilities Act of 1990.

The Equal Pay Act requires that men and women be given equal pay for equal work in the same establishment. The jobs need not be identical, but they must be substantially equal. It is job content, not job titles, that determines whether jobs are substantially equal. Specifically, the EPA provides:

Employers may not pay unequal wages to men and women who perform jobs that require substantially equal skill, effort and responsibility, and that are performed under similar working conditions within the same establishment. Each of these factors is summarized below:

- **Skill** - Measured by factors such as the experience, ability, education, and training required to perform the job. The key issue is what skills are required for the job, not what skills the individual employees may have. For example, two bookkeeping jobs could be considered equal under the EPA even if one of the job holders has a master's degree in physics, since that degree would not be required for the job.
- **Effort** - The amount of physical or mental exertion needed to perform the job. For example, suppose that men and women work side by side on a line assembling machine parts. The person at the end of the line must also lift the assembled product as he or she completes the work and place it on a board. That job requires more effort than the other assembly line jobs if the extra effort of lifting the assembled product off the line is substantial and is a regular part of the job. As a result, it would not be a violation to pay that person more, regardless of whether the job is held by a man or a woman.
- **Responsibility** - The degree of accountability required in performing the job. For example, a salesperson who is delegated the duty of determining whether to accept customers' personal checks has more responsibility than other salespeople. On the other hand, a minor difference in responsibility, such as turning out the lights at the end of the day, would not justify a pay differential.
- **Working Conditions** - This encompasses two factors: (1) physical surroundings like temperature, fumes, and ventilation; and (2) hazards.

Need more information?

The laws:

- Equal Pay Act
- Title VII
- Age Discrimination in Employment Act
- Americans with Disabilities Act

The regulations:

- 29 C.F.R. Part 1620 The Equal Pay Act
- 29 C.F.R. Part 1621 Procedures - The Equal Pay Act
- 29 C.F.R. Part 1604 Guidelines on discrimination because of sex

Compliance Manual and Policy Documents

- Compliance Manual Section on Compensation Discrimination
- Compliance Manual Section on Employee Benefits
- EEOC -

- **Establishment** - The prohibition against compensation discrimination under the EPA applies only to jobs within an establishment. An establishment is a distinct physical place of business rather than an entire business or enterprise consisting of several places of business. However, in some circumstances, physically separate places of business should be treated as one establishment. For example, if a central administrative unit hires employees, sets their compensation, and assigns them to work locations, the separate work sites can be considered part of one establishment.

Pay differentials are permitted when they are based on seniority, merit, quantity or quality of production, or a factor other than sex. These are known as "affirmative defenses" and it is the employer's burden to prove that they apply.

In correcting a pay differential, no employee's pay may be reduced. Instead, the pay of the lower paid employee(s) must be increased.

Title VII, ADEA, and ADA

Title VII, the ADEA, and the ADA prohibit compensation discrimination on the basis of race, color, religion, sex, national origin, age, or disability. Unlike the EPA, there is no requirement under Title VII, the ADEA, or the ADA that the claimant's job be substantially equal to that of a higher paid person outside the claimant's protected class, nor do these statutes require the claimant to work in the same establishment as a comparator.

Compensation discrimination under Title VII, the ADEA, or the ADA can occur in a variety of forms. For example:

- An employer pays an employee with a disability less than similarly situated employees without disabilities and the employer's explanation (if any) does not satisfactorily account for the differential.

- A discriminatory compensation system has been discontinued but still has lingering discriminatory effects on present salaries. For example, if an employer has a compensation policy or practice that pays Hispanics lower salaries than other employees, the employer must not only adopt a new non-discriminatory compensation policy, it also must affirmatively eradicate salary disparities that began prior to the adoption of the new policy and make the victims whole.

- An employer sets the compensation for jobs predominately held by, for example, women or African-Americans below that suggested by the employer's job evaluation study, while the pay for jobs predominately held by men or whites is consistent with the level suggested by the job evaluation study.

- An employer maintains a neutral compensation policy or practice that has an adverse impact on employees in a protected class and cannot be justified as job-related and consistent with business necessity. For example, if an employer provides extra compensation to employees who

Department Of Labor Memoranda Of Understanding

You may also be interested in:

- How to File a Charge of Employment Discrimination
- Mediation at EEOC
- Training and Outreach
- Information for Small Employers

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are the "head of household," i.e., married with dependents and the primary financial contributor to the household, the practice may have an unlawful disparate impact on women.

It is also unlawful to retaliate against an individual for opposing employment practices that discriminate based on compensation or for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or litigation under Title VII, ADEA, ADA or the Equal Pay Act.

Statistics

In Fiscal Year 2006, EEOC received 861 charges of compensation discrimination discrimination. EEOC resolved 748 compensation discrimination charges in FY 2006 and recovered $3.1 million in monetary benefits for charging parties and other aggrieved individuals (not including monetary benefits obtained through litigation).

- Charge Statistics: Equal Pay Act

Other Resources

Here are some links to other sources of information about compensation discrimination. Please be aware that, consistent with the EEOC's general disclaimer statement, the EEOC does not control or guarantee the accuracy or completeness of this outside information, and references to the sites below are not intended to reflect their importance or an endorsement of any views expressed or products or services offered.

- Department of Labor's Office of Federal Contract Compliance Programs
  - Equal Pay and the Department of Labor
  - Best Compensation Practices
  - Analyzing Compensation Data: A Guide to Three Approaches
- Department of Labor's Wage and Hour Division
- Employment Litigation Section of the Civil Rights Division of the Department of Justice

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This page was last modified on October 1, 2007.

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The U.S. Equal Employment Opportunity Commission

National Origin Discrimination

Whether an employee or job applicant's ancestry is Mexican, Ukrainian, Filipino, Arab, American Indian, or any other nationality, he or she is entitled to the same employment opportunities as anyone else. EEOC enforces the federal prohibition against national origin discrimination in employment under Title VII of the Civil Rights Act of 1964, which covers employers with fifteen (15) or more employees.

About National Origin Discrimination

National origin discrimination means treating someone less favorably because he or she comes from a particular place, because of his or her ethnicity or accent, or because it is believed that he or she has a particular ethnic background. National origin discrimination also means treating someone less favorably at work because of marriage or other association with someone of a particular nationality. Examples of violations covered under Title VII include:

- Employment Decisions
  Title VII prohibits any employment decision, including recruitment, hiring, and firing or layoffs, based on national origin.
- Harassment
  Title VII prohibits offensive conduct, such as ethnic slurs, that creates a hostile work environment based on national origin. Employers are required to take appropriate steps to prevent and correct unlawful harassment. Likewise, employees are responsible for reporting harassment at an early stage to prevent its escalation.
- Language
  - Accent discrimination
    An employer may not base a decision on an employee's foreign accent unless the accent materially interferes with job performance.
  - English fluency
    A fluency requirement is only permissible if required for the effective performance of the position for which it is imposed.
  - English-only rules
    English-only rules must be adopted for nondiscriminatory reasons. An English-only rule may be used if it is needed to promote the safe or efficient operation of the employer's business.

Need more information?

The law:

- Title VII of the Civil Rights Act

The regulations:

- 29 C.F.R. Part 1606

Policy Documents:

- Compliance Manual Section on National Origin Discrimination
- Question and Answers for Small Employers

We also have information on:

- Questions and Answers About the Workplace Rights of Muslims, Arabs, South Asians, and Sikhs Under the Equal Employment Opportunity Laws
- Questions and Answers About Employer Responsibilities Concerning the Employment of

Coverage of foreign nationals

Title VII and the other antidiscrimination laws prohibit discrimination against individuals employed in the United States, regardless of citizenship. However, relief may be limited if an individual does not have work authorization.

Statistics

In Fiscal Year 2006, EEOC received 8,327 charges of national origin discrimination. Including charges from previous years, 8,181 charges were resolved, and monetary benefits for charging parties totaled $21.2 million (not including monetary benefits obtained through litigation).

- Charge statistics

Muslims, Arabs, South Asians, and Sikhs
- Other Federal Laws Prohibiting National Origin Discrimination in Employment, and
- Related Forms of Discrimination

You may also be interested in:

- How to File a Charge of Employment Discrimination
- Mediation at EEOC
- Training and Outreach
- Information for Small Employers

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The U.S. Equal Employment Opportunity Commission

Pregnancy Discrimination

The Pregnancy Discrimination Act is an amendment to Title VII of the Civil Rights Act of 1964. Discrimination on the basis of pregnancy, childbirth, or related medical conditions constitutes unlawful sex discrimination under Title VII, which covers employers with 15 or more employees, including state and local governments. Title VII also applies to employment agencies and to labor organizations, as well as to the federal government. Women who are pregnant or affected by related conditions must be treated in the same manner as other applicants or employees with similar abilities or limitations.

Title VII's pregnancy-related protections include:

- **Hiring**

  An employer cannot refuse to hire a pregnant woman because of her pregnancy, because of a pregnancy-related condition or because of the prejudices of co-workers, clients, or customers.

- **Pregnancy and Maternity Leave**

  An employer may not single out pregnancy-related conditions for special procedures to determine an employee's ability to work. However, if an employer requires its employees to submit a doctor's statement concerning their inability to work before granting leave or paying sick benefits, the employer may require employees affected by pregnancy-related conditions to submit such statements.

  If an employee is temporarily unable to perform her job due to pregnancy, the employer must treat her the same as any other temporarily disabled employee. For example, if the employer allows temporarily disabled employees to modify tasks, perform alternative assignments or take disability leave or leave without pay, the employer also must allow an employee who is temporarily disabled due to pregnancy to do the same.

  Pregnant employees must be permitted to work as long as they are able to perform their jobs. If an employee has been absent from work as a result of a pregnancy-related condition and recovers, her employer may not require her to remain on leave until the baby's birth. An employer also may not have a rule that prohibits an employee from returning to work for a predetermined length of time after childbirth.

Need more information?

The law:

- Title VII of the Civil Rights Act

The regulations:

- 29 C.F.R Part 1604

The EEOC has also issued guidance on:

- The Family and Medical Leave Act, the Americans with Disabilities Act, and Title VII of the Civil Rights Act of 1964

You may also be interested in:

- How to File a Charge of Employment Discrimination
- Mediation at EEOC
- Training and Outreach

Employers must hold open a job for a pregnancy-related absence the same length of time jobs are held open for employees on sick or disability leave.

- **Health Insurance**

Any health insurance provided by an employer must cover expenses for pregnancy-related conditions on the same basis as costs for other medical conditions. Health insurance for expenses arising from abortion is not required, except where the life of the mother is endangered.

Pregnancy-related expenses should be reimbursed exactly as those incurred for other medical conditions, whether payment is on a fixed basis or a percentage of reasonable-and-customary-charge basis.

The amounts payable by the insurance provider can be limited only to the same extent as amounts payable for other conditions. No additional, increased, or larger deductible can be imposed.

Employers must provide the same level of health benefits for spouses of male employees as they do for spouses of female employees.

- **Fringe Benefits**

Pregnancy-related benefits cannot be limited to married employees. In an all-female workforce or job classification, benefits must be provided for pregnancy-related conditions if benefits are provided for other medical conditions.

If an employer provides any benefits to workers on leave, the employer must provide the same benefits for those on leave for pregnancy-related conditions.

Employees with pregnancy-related disabilities must be treated the same as other temporarily disabled employees for accrual and crediting of seniority, vacation calculation, pay increases, and temporary disability benefits.

It is also unlawful to retaliate against an individual for opposing employment practices that discriminate based on pregnancy or for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or litigation under Title VII.

Statistics

In Fiscal Year 2006, EEOC received 4,901 charges of pregnancy-based discrimination. EEOC resolved 4,629 pregnancy discrimination charges in FY 2006 and recovered $10.4 million in monetary benefits for charging parties and other aggrieved individuals (not including monetary benefits obtained through litigation).

- Charge Statistics: Pregnancy Discrimination

- Information for Small Employers

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The U.S. Equal Employment Opportunity Commission

Race/Color Discrimination

Title VII of the Civil Rights Act of 1964 protects individuals against employment discrimination on the bases of race and color, as well as national origin, sex, and religion. Title VII applies to employers with 15 or more employees, including state and local governments. It also applies to employment agencies and to labor organizations, as well as to the federal government.

Equal employment opportunity cannot be denied any person because of his/her racial group or perceived racial group, his/her race-linked characteristics (e.g., hair texture, color, facial features), or because of his/her marriage to or association with someone of a particular race or color. Title VII also prohibits employment decisions based on stereotypes and assumptions about abilities, traits, or the performance of individuals of certain racial groups. Title VII's prohibitions apply regardless of whether the discrimination is directed at Whites, Blacks, Asians, Latinos, Arabs, Native Americans, Native Hawaiians and Pacific Islanders, multi-racial individuals, or persons of any other race, color, or ethnicity.

It is unlawful to discriminate against any individual in regard to recruiting, hiring and promotion, transfer, work assignments, performance measurements, the work environment, job training, discipline and discharge, wages and benefits, or any other term, condition, or privilege of employment. Title VII prohibits not only intentional discrimination, but also neutral job policies that disproportionately affect persons of a certain race or color and that are not related to the job and the needs of the business. Employers should adopt "best practices" to reduce the likelihood of discrimination and to address impediments to equal employment opportunity.

Title VII's protections include:

- **Recruiting, Hiring, and Advancement**
  Job requirements must be uniformly and consistently applied to persons of all races and colors. Even if a job requirement is applied consistently, if it is not important for job performance or business needs, the requirement may be found unlawful if it excludes persons of a certain racial group or color significantly more than others. Examples of potentially unlawful practices include: (1) soliciting applications only from sources in which all or most potential workers are of the same race or color; (2) requiring applicants to have a certain educational background that is not important for job performance or business needs; (3) testing applicants for knowledge, skills or abilities that are not important for job performance or business needs.

  Employers may legitimately need information about their employees or applicants race for affirmative action purposes and/or to track applicant flow. One way to obtain racial information and simultaneously guard

Need more information?

The law:

- Title VII of the Civil Rights Act

Policy documents:

- Compliance Manual Section on Race and Color Discrimination
- **See also:** Questions & Answers About Race and Color Discrimination in Employment

We also have information on:

- National Origin Discrimination
- Religious Discrimination

You may also be interested in:

- How to File a Charge of Employment Discrimination
- Mediation at

against discriminatory selection is for employers to use separate forms or otherwise keep the information about an applicant's race separate from the application. In that way, the employer can capture the information it needs but ensure that it is not used in the selection decision.

Unless the information is for such a legitimate purpose, pre-employment questions about race can suggest that race will be used as a basis for making selection decisions. If the information is used in the selection decision and members of particular racial groups are excluded from employment, the inquiries can constitute evidence of discrimination.

- **Harassment / Hostile Work Environment**
  Title VII prohibits offensive conduct, such as racial or ethnic slurs, racial "jokes," derogatory comments, or other verbal or physical conduct based on an individual's race/color. The conduct has to be unwelcome and offensive, and has to be severe or pervasive. Employers are required to take appropriate steps to prevent and correct unlawful harassment. Likewise, employees are responsible for reporting harassment at an early stage to prevent its escalation.

- **Compensation and Other Employment Terms, Conditions, and Privileges**
  Title VII prohibits discrimination in compensation and other terms, conditions, and privileges of employment. Thus, race or color discrimination may not be the basis for differences in pay or benefits, work assignments, performance evaluations, training, discipline or discharge, or any other area of employment.

- **Segregation and Classification of Employees**
  Title VII is violated where employees who belong to a protected group are segregated by physically isolating them from other employees or from customer contact. In addition, employers may not assign employees according to race or color. For example, Title VII prohibits assigning primarily African-Americans to predominantly African-American establishments or geographic areas. It is also illegal to exclude members of one group from particular positions or to group or categorize employees or jobs so that certain jobs are generally held by members of a certain protected group. Coding applications/resumes to designate an applicant's race, by either an employer or employment agency, constitutes evidence of discrimination where people of a certain race or color are excluded from employment or from certain positions.

- **Retaliation**
  Employees have a right to be free from retaliation for their opposition to discrimination or their participation in an EEOC proceeding by filing a charge, testifying, assisting, or otherwise participating in an agency proceeding.

Statistics

In fiscal year 2006, EEOC received 27,238 charges of race discrimination. EEOC resolved 25,992 race charges in FY 2006, and recovered $61.4 million in monetary benefits for charging parties and other aggrieved individuals (not including monetary benefits obtained through litigation).

- Charge Statistics: Race Discrimination

EEOC
- Training and Outreach
- Information for Small Employers

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The U.S. Equal Employment Opportunity Commission

Religious Discrimination

Title VII of the Civil Rights Act of l964 prohibits employers from discriminating against individuals because of their religion in hiring, firing, and other terms and conditions of employment. Title VII covers employers with 15 or more employees, including state and local governments. It also applies to employment agencies and to labor organizations, as well as to the federal government.

Under Title VII:

- Employers may not treat employees or applicants more or less favorably because of their religious beliefs or practices - except to the extent a religious accommodation is warranted. For example, an employer may not refuse to hire individuals of a certain religion, may not impose stricter promotion requirements for persons of a certain religion, and may not impose more or different work requirements on an employee because of that employee's religious beliefs or practices.
- Employees cannot be forced to participate -- or not participate -- in a religious activity as a condition of employment.
- Employers must reasonably accommodate employees' sincerely held religious practices unless doing so would impose an undue hardship on the employer. A reasonable religious accommodation is any adjustment to the work environment that will allow the employee to practice his religion. An employer might accommodate an employee's religious beliefs or practices by allowing: flexible scheduling, voluntary substitutions or swaps, job reassignments and lateral transfers, modification of grooming requirements and other workplace practices, policies and/or procedures.
- An employer is not required to accommodate an employee's religious beliefs and practices if doing so would impose an undue hardship on the employers' legitimate business interests. An employer can show undue hardship if accommodating an employee's religious practices requires more than ordinary administrative costs, diminishes efficiency in other jobs, infringes on other employees' job rights or benefits, impairs workplace safety, causes co-workers to carry the accommodated employee's share of potentially hazardous or burdensome work, or if the proposed accommodation conflicts with another law or regulation.
- Employers must permit employees to engage in religious expression, unless the religious expression would impose an undue hardship on the employer. Generally, an employer may not place more restrictions on religious expression than on other forms of expression that have a comparable effect on workplace efficiency.

Need more information?

The law:

- Title VII of the Civil Rights Act

The regulations:

- 29 C.F.R Part 1605

We also have information on:

- Employment Discrimination Based on Religion, Ethnicity, or Country of Origin
- Questions and Answers About the Workplace Rights of Muslims, Arabs, South Asians, and Sikhs Under the Equal Employment Opportunity Laws
- Questions and Answers About Employer Responsibilities Concerning the Employment of Muslims, Arabs, South Asians, and Sikhs

- Employers must take steps to prevent religious harassment of their employees. An employer can reduce the chance that employees will engage unlawful religious harassment by implementing an anti-harassment policy and having an effective procedure for reporting, investigating and correcting harassing conduct.

It is also unlawful to retaliate against an individual for opposing employment practices that discriminate based on religion or for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or litigation under Title VII.

Statistics

In Fiscal Year 2006, EEOC received 2,541 charges of religious discrimination. EEOC resolved 2,387 religious discrimination charges and recovered $5.7 million in monetary benefits for charging parties and other aggrieved individuals (not including monetary benefits obtained through litigation).

- Charge Statistics: Religious Discrimination

You may also be interested in:

- How to File a Charge of Employment Discrimination
- Mediation at EEOC
- Training and Outreach
- Information for Small Employers

Have a Question?

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This page was last modified on May 17, 2007.

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The U.S. Equal Employment Opportunity Commission

Sex-Based Discrimination

Title VII of the Civil Rights Act of 1964 protects individuals against employment discrimination on the basis of sex as well as race, color, national origin, and religion. Title VII applies to employers with 15 or more employees, including state and local governments. It also applies to employment agencies and to labor organizations, as well as to the federal government.

It is unlawful to discriminate against any employee or applicant for employment because of his/her sex in regard to hiring, termination, promotion, compensation, job training, or any other term, condition, or privilege of employment. Title VII also prohibits employment decisions based on stereotypes and assumptions about abilities, traits, or the performance of individuals on the basis of sex. Title VII prohibits both intentional discrimination and neutral job policies that disproportionately exclude individuals on the basis of sex and that are not job related.

Title VII's prohibitions against sex-based discrimination also cover:

- **Sexual Harassment**
  This includes practices ranging from direct requests for sexual favors to workplace conditions that create a hostile environment for persons of either gender, including same sex harassment.
- **Pregnancy Based Discrimination**
  Title VII was amended by the Pregnancy Discrimination Act, which prohibits discrimination on the basis of pregnancy, childbirth and related medical conditions.

The Equal Pay Act of 1963 requires that men and women be given equal pay for equal work in the same establishment. The jobs need not be identical, but they must be substantially equal. Title VII also prohibits compensation discrimination on the basis of sex. Unlike the Equal Pay Act, however, Title VII does not require that the claimant's job be substantially equal to that of a higher paid person of the opposite sex or require the claimant to work in the same establishment.

It is also unlawful to retaliate against an individual for opposing employment practices that discriminate based on sex or for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or litigation under Title VII.

Statistics

In Fiscal Year 2006, EEOC received 23,247 charges of sex-based

Need more information?

The law:

- Title VII of the Civil Rights Act

The regulations:

- 29 C.F.R Part 1604

Enforcement guidances and policy documents:

- Enforcement Guidance on Sex Discrimination in the Compensation of Sports Coaches in Educational Institutions
- Enforcement Guidance: Unlawful Disparate Treatment of Workers with Caregiving Responsibilities

We also have information on:

- Equal Pay and Compensation Discrimination
- Pregnancy Discrimination
- Sexual Harassment

discrimination. EEOC resolved 23,364 sex discrimination charges in FY 2006 and recovered $99.1 million in monetary benefits for charging parties and other aggrieved individuals (not including monetary benefits obtained through litigation).

- Charge Statistics: Sex-Based Discrimination

You may also be interested in:

- How to File a Charge of Employment Discrimination
- Mediation at EEOC
- Training and Outreach
- Information for Small Employers

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U. S. Equal Employment Opportunity Commission

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Filing a Charge of Employment Discrimination

- How to File a Charge
- Contact Your Local Field Office
- EEOC's Charge Processing Procedures
- Mediation

The U.S. Equal Employment Opportunity Commission

Filing a Charge of Employment Discrimination

Note: Federal employees or applicants for Federal employment should see Federal Sector Equal Employment Opportunity Complaint Processing.

Who Can File a Charge of Discrimination?

- Any individual who believes that his or her employment rights have been violated may file a charge of discrimination with EEOC.
- In addition, an individual, organization, or agency may file a charge on behalf of another person in order to protect the aggrieved person's identity.

How Is a Charge of Discrimination Filed?

- A charge may be filed by mail or in person at the nearest EEOC office. You may be asked to fill out an intake questionnaire. An intake questionnaire or other correspondence **can** constitute a charge under the statutes we enforce **if** it contains all the information required by EEOC regulations governing the contents of a charge and constitutes a clear request for the agency to act. *See:*
  - Memorandum: August 13, 2007 - Timely Notification to Respondents of Receipt of Intake Questionnaires or other Correspondence Constituting Charges
  - Memorandum: February 21, 2002 - Notifying Respondents of Receipt of Mail Charges
- Individuals who need an accommodation in order to file a charge (*e.g.*, sign language interpreter, print materials in an accessible format) should inform the EEOC field office so appropriate arrangements can be made.
- Federal employees or applicants for employment should see Federal Sector Equal Employment Opportunity Complaint Processing.

What Information Must Be Provided to File a Charge?

- The complaining party's name, address, and telephone number;
- The name, address, and telephone number of the respondent employer, employment agency, or union that is alleged to have discriminated, and number of employees (or union members), if known;
- A short description of the alleged violation (the event that caused the complaining party to believe that his or her rights were violated); and
- The date(s) of the alleged violation(s).

- Federal employees or applicants for employment should see Federal Sector Equal Employment Opportunity Complaint Processing.

What Are the Time Limits for Filing a Charge of Discrimination?

All laws enforced by EEOC, except the Equal Pay Act, require filing a charge with EEOC before a private lawsuit may be filed in court. There are strict time limits within which charges must be filed:

- A charge must be filed with EEOC within 180 days from the date of the alleged violation, in order to protect the charging party's rights.
- This 180-day filing deadline is extended to 300 days if the charge also is covered by a state or local anti-discrimination law. For ADEA charges, only state laws extend the filing limit to 300 days.
- These time limits do not apply to claims under the Equal Pay Act, because under that Act persons do not have to first file a charge with EEOC in order to have the right to go to court. However, since many EPA claims also raise Title VII sex discrimination issues, it may be advisable to file charges under both laws within the time limits indicated.
- To protect legal rights, it is always best to contact EEOC promptly when discrimination is suspected.
- Federal employees or applicants for employment should see Federal Sector Equal Employment Opportunity Complaint Processing.

What Agency Handles a Charge that is also Covered by State or Local Law?

Many states and localities have anti-discrimination laws and agencies responsible for enforcing those laws. EEOC refers to these agencies as "Fair Employment Practices Agencies (FEPAs)." Through the use of "work sharing agreements," EEOC and the FEPAs avoid duplication of effort while at the same time ensuring that a charging party's rights are protected under both federal and state law.

- If a charge is filed with a FEPA and is also covered by federal law, the FEPA "dual files" the charge with EEOC to protect federal rights. The charge usually will be retained by the FEPA for handling.
- If a charge is filed with EEOC and also is covered by state or local law, EEOC "dual files" the charge with the state or local FEPA, but ordinarily retains the charge for handling.

How Is a Charge Filed for Discrimination Outside the United States?

U.S.-based companies that employ U.S. citizens outside the United States or its territories are covered under EEO laws, with certain exceptions. An individual alleging an EEO violation outside the U.S. should file a charge with the district office closest to his or her employer's headquarters. However, if you are unsure where to file, you may file a charge with any EEOC office.

For answers to common questions about how EEO laws apply to multinational employers, please see:

- The Equal Employment Opportunity Responsibilities of Multinational Employers
- Employee Rights When Working for Multinational Employers

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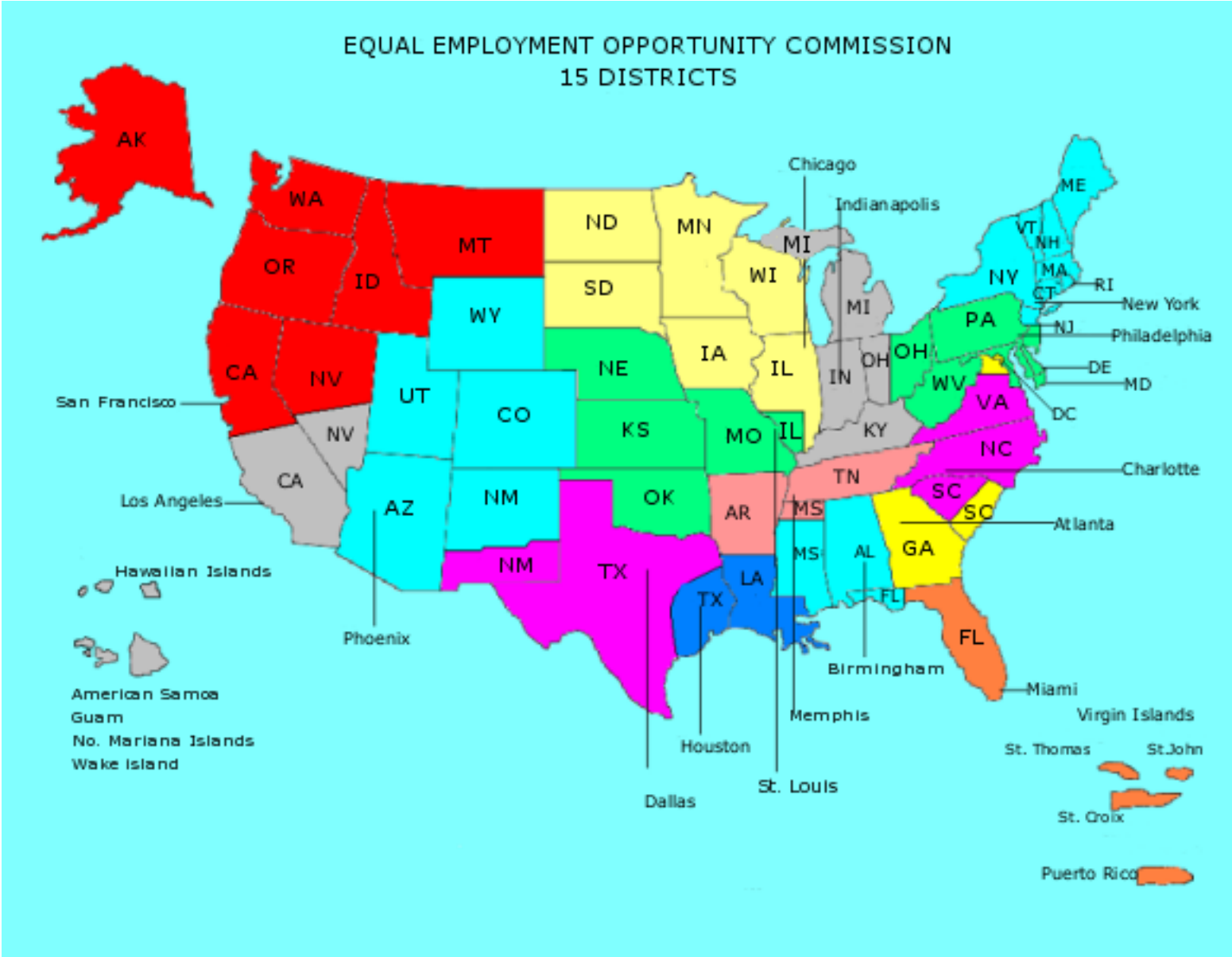
The U.S. Equal Employment Opportunity Commission

EEOC Field Offices

Select an area from the map below to reach the appropriate District Office and any Field, Local or Area Offices within that jurisdiction, or select an office directly from the list below the map.



District Offices

Atlanta District Office

Birmingham District Office

Charlotte District Office

Chicago District Office

Dallas District Office

Houston District Office

Indianapolis District Office

Los Angeles District Office

Memphis District Office

Miami District Office

New York District Office

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Jackson Area Office

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Little Rock Area Office

Louisville Area Office

Milwaukee Area Office

Minneapolis Area Office

Nashville Area Office

Newark Area Office

Oklahoma Area Office

Pittsburgh Area Office

Raleigh Area Office

Local Offices

Buffalo Local Office

Fresno Local Office

Greensboro Local Office

Greenville Local Office

Honolulu Local Office

Las Vegas Local Office

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Norfolk Local Office

Oakland Local Office

Richmond Local Office

San Diego Local Office

San Jose Local Office

San Juan Local Office

Savannah Local Office

St. Louis District Office

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EEOC's Charge Processing Procedures

What Happens after a Charge of Employment Discrimination is Filed with EEOC?

The employer is notified that the charge has been filed. From this point there are a number of ways a charge may be handled:

- A charge may be assigned for priority investigation if the initial facts appear to support a violation of law. When the evidence is less strong, the charge may be assigned for follow up investigation to determine whether it is likely that a violation has occurred.
- EEOC can seek to settle a charge at any stage of the investigation if the charging party and the employer express an interest in doing so. If settlement efforts are not successful, the investigation continues.
- In investigating a charge, EEOC may make written requests for information, interview people, review documents, and, as needed, visit the facility where the alleged discrimination occurred. When the investigation is complete, EEOC will discuss the evidence with the charging party or employer, as appropriate.
- The charge may be selected for EEOC's mediation program if both the charging party and the employer express an interest in this option. Mediation is offered as an alternative to a lengthy investigation. Participation in the mediation program is confidential, voluntary, and requires consent from both charging party and employer. If mediation is unsuccessful, the charge is returned for investigation.
- A charge may be dismissed at any point if, in the agency's best judgment, further investigation will not establish a violation of the law. A charge may be dismissed at the time it is filed, if an initial in-depth interview does not produce evidence to support the claim. When a charge is dismissed, a notice is issued in accordance with the law which gives the charging party 90 days in which to file a lawsuit on his or her own behalf.
- Federal employees or applicants for employment should see Federal Sector Equal Employment Opportunity Complaint Processing.

How Does EEOC Resolve Discrimination Charges?

- If the evidence obtained in an investigation does not establish that discrimination occurred, this will be explained to the charging party. A required notice is then issued, closing the case and giving the charging party 90 days in which to file a lawsuit on his or her own behalf.
- If the evidence establishes that discrimination has occurred, the employer and the charging party will be informed of this in a letter of determination that explains the finding. EEOC will then attempt conciliation with the employer to develop a remedy for the discrimination.
- If the case is successfully conciliated, or if a case has earlier been successfully mediated or

settled, neither EEOC nor the charging party may go to court unless the conciliation, mediation, or settlement agreement is not honored.

- If EEOC is unable to successfully conciliate the case, the agency will decide whether to bring suit in federal court. If EEOC decides not to sue, it will issue a notice closing the case and giving the charging party 90 days in which to file a lawsuit on his or her own behalf. In Title VII and ADA cases against state or local governments, the Department of Justice takes these actions.
- Federal employees or applicants for employment should see Federal Sector Equal Employment Opportunity Complaint Processing.

When Can an Individual File an Employment Discrimination Lawsuit in Court?

A charging party may file a lawsuit within 90 days after receiving a notice of a "right to sue" from EEOC, as stated above. Under Title VII and the ADA, a charging party also can request a notice of "right to sue" from EEOC 180 days after the charge was first filed with the Commission, and may then bring suit within 90 days after receiving this notice. Under the ADEA, a suit may be filed at any time 60 days after filing a charge with EEOC, but not later than 90 days after EEOC gives notice that it has completed action on the charge.

Under the EPA, a lawsuit must be filed within two years (three years for willful violations) of the discriminatory act, which in most cases is payment of a discriminatory lower wage.

Federal employees or applicants for employment should see Federal Sector Equal Employment Opportunity Complaint Processing.

What Remedies Are Available When Discrimination Is Found?

The "relief" or remedies available for employment discrimination, whether caused by intentional acts or by practices that have a discriminatory effect, may include:

- back pay,
- hiring,
- promotion,
- reinstatement,
- front pay,
- reasonable accommodation, or
- other actions that will make an individual "whole" (in the condition s/he would have been but for the discrimination).

Remedies also may include payment of:

- attorneys' fees,
- expert witness fees, and
- court costs.

Under most EEOC-enforced laws, compensatory and punitive damages also may be available where intentional discrimination is found. Damages may be available to compensate for actual monetary losses, for future monetary losses, and for mental anguish and inconvenience. Punitive damages also may be available if an employer acted with malice or reckless indifference. Punitive damages are not available against the federal, state or local governments.

In cases concerning reasonable accommodation under the ADA, compensatory or punitive damages may not be awarded to the charging party if an employer can demonstrate that "good faith" efforts were made to provide reasonable accommodation.

An employer may be required to post notices to all employees addressing the violations of a specific charge and advising them of their rights under the laws EEOC enforces and their right to be free from retaliation. Such notices must be accessible, as needed, to persons with visual or other disabilities that affect reading.

The employer also may be required to take corrective or preventive actions to cure the source of the identified discrimination and minimize the chance of its recurrence, as well as discontinue the specific discriminatory practices involved in the case.

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The U.S. Equal Employment Opportunity Commission

Mediation

Mediation is a *fair* and *efficient* process to help you resolve your employment disputes and reach an agreement. A neutral mediator assists you in reaching a voluntary, negotiated agreement. Choosing mediation to resolve employment discrimination disputes promotes a better work environment, reduces costs and works for the employer *and* the employee.

- EEOC's Ten Reasons to Mediate *(video)*
- Facts About Mediation
- Questions and Answers - Mediation
- Questions and Answers for Mediation Providers: Mediation and the Americans with Disabilities Act (ADA)
- Questions and Answers for Parties to Mediation: Mediation and the Americans with Disabilities Act (ADA)
- EEOC's ADR Policy Statement
- History of EEOC Mediation Program
- Mediation Contact List
- Studies of the Mediation Program
- Universal Agreement to Mediate

A few satisfied customers ...

"Once the employer gets past the myth of "If we didn't do anything wrong, we shouldn't go to mediation" and decides to participate, the real issues in the dispute become clear. Through mediation, we have had the opportunity to proactively resolve issues and avoid potential charges in the future. We have seen the number of charges filed with EEOC against us actually decline. We believe that our participating in mediation and listening to employees' concerns has contributed to that decline."
Donna M. Gwin
Director of Human Resources
Eastern Division
Safeway Inc.

"As an employer's attorney, I routinely recommend mediation to my clients. In mediation, you can build a sense of what the issues are, learn the problems, explore possible options for resolution, and make informed decisions whether or not resolving at that time or moving on is the best outcome for that matter. It makes both business and economic sense from the employer's perspective."
Charles C. Warner, Esq.

Porter Wright Morris & Arthur LLP

"Regardless of the issue or whether it has merit under Title VII, if it is draining resources, weighing on the mind of the employee, or having a negative impact on productivity, then getting the issue out on the table, mediating it and resolving it is often the smartest and most expeditious way to ensure workforce effectiveness."
Linda I. Workman
Vice President
Workforce Effectiveness
ConAgra Foods, Inc.

"Hopkins is striving to be an employer of choice. We think that participating in EEOC's mediation program moves us that much closer to meeting that goal. . . .We learned that settlement is not always about money. Sometimes there are non- economic ways to settle a case that may be important to the charging party and the respondent."
Laurice Royal, Esq.
Johns Hopkins Health System Corporation

For more information, see
EEOC Mediation Program and the Workplace Benefits of Mediation
EEOC Commission Meeting of December 2, 2003, Washington, D.C.

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The U.S. Equal Employment Opportunity Commission

FOR IMMEDIATE RELEASE
Nov. 8, 2007

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(202) 663-4191
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EEOC LAWYER HONORED AS EXEMPLARY FEDERAL ATTORNEY BY AMERICAN BAR ASSOCIATION

Blackwood Becomes Second EEOC Attorney to Receive ABA Honor

WASHINGTON -- Vincent Blackwood, Assistant General Counsel of the U.S. Equal Employment Opportunity Commission (EEOC), will receive the "Federal Labor and Employment Attorney of the Year" award from the American Bar Association (ABA).

Blackwood was selected for the award by the ABA's Labor and Employment Law Section. This distinguished award recognizes a federal attorney whose professional achievements exemplify excellence of legal work in the field of labor and employment law.

The ABA said the winner of the award must have demonstrated a strong commitment to government service; demonstrated outstanding contribution to the legal profession through sustained excellence in the quality of his or her work; exemplified the highest level of integrity and dedication to the law and government service, as well as leadership both within his or her federal agency and beyond; and contributed significantly to the advancement of labor or employment law.

"Mr. Blackwood's numerous achievements during his 30-year tenure with the EEOC have distinguished him as an expert in the field of employment law," said Memphis attorney Maurice Wexler of Baker, Donelson, Bearman, Caldwell & Berkowitz, PC, who chaired the selection committee for the award. "The committee is honored to present him with this award."

EEOC Chair Naomi C. Earp said, "Vince Blackwood has consistently demonstrated his dedication to equal opportunity, his concern for the proper interpretation and enforcement of the law, and his enduring commitment to public service. We congratulate him on this impressive, well-deserved accomplishment."

Blackwood is a 1969 graduate of Harvard Law School. He came to the Commission in 1976 as an attorney in the Appellate Division of the Office of General Counsel. The Appellate Division represents the EEOC in all appellate litigation where the agency is a party or participates as a "friend of the court" (someone not a party to a case who volunteers to offer information on a point of law or some other aspect of the case to assist the court in deciding a matter before it). With the exception of two years in the Trial Division, Blackwood has served in the Appellate Division since then. He became Assistant G

eneral Counsel in 1980, and has served numerous stints as acting head of the Appellate Division.

During his tenure at the EEOC, Blackwood has represented the agency in every federal court of appeals. Over the years he has worked on dozens of Supreme Court cases from *EEOC v. General Telephone* in 1980 to *FedEx v. Holowecki* in the present term.

Blackwood said, “I am honored to receive this recognition from the ABA. I feel very fortunate to have been given the opportunity to practice appellate law at the EEOC, where I can further the vital mission of the EEOC while doing something I really love.”

Blackwood will receive the award officially at the ABA section's annual conference on Nov. 7-10 in Philadelphia. The ABA’s “Federal Labor and Employment Attorney of the Year” was awarded last year to Robert Canino, Regional Attorney of the EEOC’s Dallas District Office.

The EEOC is responsible for enforcing federal laws prohibiting employment discrimination based on race, color, gender (including sexual harassment and pregnancy), religion, national origin, age, disability and retaliation. Further information about the EEOC is available on its web site at www.eeoc.gov.

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The U.S. Equal Employment Opportunity Commission

EEOC Press Releases

December, 2007

- EEOC Issues Fact Sheet on Employment Tests and Selection Procedures to Screen Applicants, Workers (December 3, 2007)

November, 2007

- Federal Court Sharply Limits Employer's Attempt to Probe Job Bias Victims' Medical, Arrest and Litigation Histories (November 29, 2007)
- EEOC Lawyer Honored as Exemplary Federal Attorney by American Bar Association (November 8, 2007)
- EEOC Asks Public to Be Patient During Transition to In-House Phone System (November 7, 2007)
- Next Commission Meeting Wednesday, Nov. 7 (November 5, 2007)

October, 2007

- Global Drilling Company To Pay $290,000 For Racial Harassment, Including Nooses (October 25, 2007)
- AT&T To Pay $756,000 For Religious Bias Against Jehovah's Witnesses (October 23, 2007)
- EEOC Alerts Public to E-mail "Phishing" Scam (October 19, 2007)
- EEOC and B & H Reach $4.3 Million Settlement In National Origin Discrimination Case (October 16, 2007)
- EEOC Forms Federal Asian American and Pacific Islander Work Group (October 11, 2007)
- $27.5 Million Consent Decree Resolves EEOC Age Bias Suit Against Sidley Austin (October 5, 2007)
- United Healthcare of Florida to Pay $1.8 Million For Same-Sex Harassment and Retaliation (October 2, 2007)

September, 2007

- Bloomberg L.P. Sued for Pregnancy Bias (September 27, 2007)
- EEOC Presents •Freedom to Compete Award' For Best Practices in Employment (September 26, 2007)
- EEOC To Present 'Freedom To Compete Award' Honoring Best Practices In Employment (September 18, 2007)
- L.A. Weight Loss to Face Trial for Sex Bias and Retaliation (September 6, 2007)

August, 2007

- Caesars Palace to Pay $850,000 for Sexual Harassment and Retaliation (August 20, 2007)
- EEOC Votes To Replace National Contact Center With In-House Phone System Using Federal Employees (August 13, 2007)
- EEOC Reports on Alternative Dispute Resolution in the Federal Sector Complaint Process (August 10, 2007)
- EEOC Chair Naomi Earp and Top Federal Officials to Speak at 10th Anniversary Excel Conference (August 2, 2007)

July, 2007

- Subway Franchise To Pay $166,500 For Disability Bias, Jury Rules In EEOC Lawsuit (July 27, 2007)
- EEOC and CenterPoint Energy Sign National Mediation Agreement to Address Job Disputes (July 20, 2007)
- EEOC and Walgreens Resolve Lawsuit (July 12, 2007)
- EEOC Amends Age Bias Regulations To Conform With Supreme Court Ruling (July 6, 2007)

June, 2007

- EEOC Issues Federal Work Force Report for 2006 (June 22, 2007)
- Michigan Steel Tubing Company to Pay $500,000 to Settle EEOC Class Race Bias Lawsuit (June 8, 2007)
- Phoenix Jury Awards $287,640 to Fired Muslim Woman in EEOC Religious Discrimination Lawsuit (June 4, 2007)

May, 2007

- Alabama and Mississippi Employers Settle Race Bias Cases for Combined $454,000 and Other

Requirements (May 31, 2007)

- EEOC Issues New Guidance on Work/family Balance and Promotes Employer Best Practices (May 23, 2007)
- EEOC to Focus on Employer Best Practices to Achieve Work/family Balance at Meeting Wednesday (May 21, 2007)
- Professional Transit Management to Pay $450,000 for Race and National Origin Harassment (May 17, 2007)
- EEOC Spotlights Employment Testing and Screening in the 21st Century Workplace (May 16, 2007)
- EEOC to Examine Employment Testing and Screening at Commission Meeting Wednesday (May 14, 2007)
- Local 580, Ornamental Ironworkers, to Pay $800,000 to Partially Settle Contempt Action by EEOC (May 8, 2007)
- EEOC Launches 2007 Fellows Program to Strengthen Partnerships with Federal Agencies, Academia (May 1, 2007)

April, 2007

- EEOC to Unveil New Fellows Program Tuesday (April 25, 2007)
- Geriatric Center to Pay $900,000 for Race Bias, National Origin Discrimination, Retaliation (April 23, 2007)
- EEOC Chair to Speak at Tarleton State University (April 19, 2007)
- EEOC Examines Work/life Family Balance and Intersection of Job Bias Laws (April 17, 2007)
- EEOC Chair Naomi Earp Urges Entertainment Industry to Proactively Address Race and Color Bias (April 12, 2007)
- EEOC To Examine Work/Family Balance And Job Bias Laws At Commission Meeting Tuesday (April 12, 2007)
- EEOC Settles Sex Bias Suit Against Auto Dealer Jeff Wyler Eastgate, Inc. for $2.3 Million (April 5, 2007)
- Next Commission Meeting Friday, April 6 (April 4, 2007)

March, 2007

- EEOC and Bnsf Railway Agree to Settle Age Discrimination Lawsuit for $800,000 (March 30, 2007)
- GLC Restaurants to Pay $550,000 for Sexual Harassment of Teen Workers by Male Boss (March 22, 2007)

- Next Commission Meeting Thursday, March 15 (March 13, 2007)
- Final Judgment In EEOC Sexual Harassment Case Against Custom Companies Tops $1.1 Million (March 8, 2007)
- Walgreens Sued for Job Bias Against Blacks (March 7, 2007)

February, 2007

- EEOC Takes New Approach to Fighting Racism And Colorism in the 21st Century Workplace (February 28, 2007)
- New EEOC Publication Addresses Employment of Health Care Workers with Disabilities (February 26, 2007)
- EEOC To Launch E-Race Initiative At Commission Meeting Wednesday (February 22, 2007)
- Judge Approves $5 Million Settlement of Job Bias Lawsuits Against Woodward Governor (February 20, 2007)
- Appeals Court Orders Trial Of EEOC Disability Suit Against Wal-Mart (February 13, 2007)
- Hill Brothers Construction To Pay $225,000 For Same-Sex Harrassment Against Men (February 12, 2007)
- Job Bias Charges Edged Up In 2006, EEOC Reports (February 1, 2007)

January, 2007

- AK Steel Corporation to Pay $600,000 to Settle EEOC Race Harassment Lawsuit (January 31, 2007)
- Target Corp. To Pay $775,000 for Racial Harassment (January 26, 2007)
- EEOC, Quietflex Manufacturing Company, L.P., and Others Announce Final Approval of Settlement with Hispanic Employees on Discrimination Claims (January 24, 2007)
- Maternity Store Giant to Pay $375,000 to Settle EEOC Pregnancy Discrimination and Retaliation Lawsuit (January 8, 2007)

December, 2006

- EEOC Resolves Slavery and Human Trafficking Suit Against Trans Bay Steel for an Estimated $1 Million (December 8, 2006)
- EEOC Receives Third Consecutive Unqualified Opinion' On Annual Financial Statements (December 7, 2006)

November, 2006

- Freedom to Compete Award Deadline Extended to Feb. 13 (November 28, 2006)
- EEOC and Chase Reach $2.2 Million Settlement In Disability Discrimination Claim (November 22, 2006)
- Appeals Court Upholds EEOC Sex Discrimination Claim Against Dial (November 20, 2006)
- Multi-Million Dollar Jury Verdict for EEOC in Sexual Harassment Case Against Custom Companies (November 17, 2006)
- Justice Clarence Thomas Swears In EEOC Chair Earp, Vice Chair Silverman, General Counsel Cooper (November 14, 2006)
- Tyson Foods Agrees to Resolve Race Harassment and Retaliation Lawsuit (November 7, 2006)

October, 2006

- Everdry Waterproofing to Pay $585,000 for Teen Harassment; Jury Returns Verdict in EEOC Sex Bias Suit (October 27, 2006)
- Allstate's Rehire Policy Adversely Affected Older Agents; EEOC Receives Favorable Ruling (October 19, 2006)
- EEOC Launches Website Section on "Lead" Initiative (October 4, 2006)
- U.S. Supreme Court Denial of Review Ends Sidley & Austin Bid to Avoid Monetary Relief Issue in Age Bias Case (October 2, 2006)
- EEOC Accepting Nominations for 2007 Freedom to Compete Award (October 2, 2006)

September, 2006

- Denny's Sued by EEOC for Disability Bias Against Class of Workers Nationwide (September 28, 2006)
- Leslie Silverman Takes Office as EEOC Vice Chair (September 20, 2006)
- EEO-1 Report For 2006 Due From Employers Sept. 30 (September 12, 2006)
- Naomi C. Earp Takes Office as EEOC Chair (September 6, 2006)
- EEOC to Hold Public Meeting on Sept. 7 (September 5, 2006)
- Justice Department and Equal Employment Opportunity Commission Settle Ohio Religious Discrimination Lawsuits (September 1, 2006)

August, 2006

- EEOC Settles Sex and Race Suit Against S & Z Tool & Die (August 25, 2006)
- Court of Appeals Rules Target must Face Trial on Race Discrimination Charges (August 24, 2006)
- Court Bars Immigration Queries in Job Discrimination Case; Judge Cites 'Chilling Effect' (August 22, 2006)
- Stillwater School District to Pay $1.12 Million For Age Bias Against Class of Retired Employees (August 21, 2006)
- New Field Hires Authorized at EEOC (August 18, 2006)
- EEOC Opens Mobile, Alabama, Office (August 15, 2006)
- Ronald Cooper Sworn In As EEOC General Counsel (August 11, 2006)
- EEOC Opens Las Vegas Office (August 9, 2006)
- EEOC Chair Dominguez to Step Down at Terms End (August 7, 2006)

July, 2006

- New EEOC Publication Addresses Employment Rights of People with Hearing Loss (July 26, 2006)
- EEOC Votes to Extend National Contact Center (July 13, 2006)
- Next Commission Meeting Thursday, July 13 (July 12, 2006)

June, 2006

- EEOC 'Excel' Conference to Offer One-stop Training On Federal Sector Discrimination Issues (June 30, 2006)
- Commission Takes Aggressive Steps to Stem Decline in Number of Federal Workers with Targeted Disabilities (June 28, 2006)
- EEOC Issues Report on Federal Work Force for 2005 (June 28, 2006)
- Commission to Meet Wednesday to Address Federal Employment of People with Disabilities (June 26, 2006)
- EEOC Offers Tips to Companies That Employ Teens (June 20, 2006)
- EEOC Presents "Freedom To Compete Award" For Best Practices In Employment (June 14, 2006)
- EEOC Race Bias Suit Against Coca-Cola Bottling to Move Toward Trial, Appeals Court Rules (June 9, 2006)
- EEOC on Wednesday to Present "Freedom to Compete Award" Honoring Best Practices in Employment (June 8, 2006)

- EEOC Investigating FedEx on Charges of Companywide Race, National Origin Discrimination (June 5, 2006)
- EEOC on Wednesday to Host Employer Roundtable on Emergency Preparedness for People with Disabilities (June 5, 2006)
- Class of Women to Receive $48.9 Million In EEOC-Verizon Pregnancy Bias Settlement (June 5, 2006)
- Wal-Mart to Pay $315,000 to Settle Two EEOC Suits for Sexual Harassment at Store in Central Florida (June 1, 2006)

May, 2006

- Les Schwab Tire Centers Exclude Women from Management, EEOC Charges in Sex Suit (May 31, 2006)
- Alamo Car Rental Guilty of Religious Bias Federal Court Rules in EEOC Lawsuit (May 30, 2006)
- Judge Orders John Pickle Co. to Pay $1.24 Million to 52 Foreign Workers in "Human Trafficking" Case (May 26, 2006)
- New EEOC Publication Addresses Reasonable Accommodation for Attorneys With Disabilities (May 23, 2006)
- National Education Association and Alaska Affiliate to Pay $750,000 for Harassment of Women (May 22, 2006)
- EEOC Announces Age Bias Settlement with State of Massachusetts Will Net Millions for Victims (May 22, 2006)
- Nine West, Jones Apparel Group to Pay $600,000 to Settle National Origin and Sex Bias Suit (May 22, 2006)

April, 2006

- EEOC Race Bias Suit Against Universal Pictures Moves Forward to Trial, Court Rules (April 28, 2006)
- Deficit In Management Diversity For Many In Finance Industry, EEOC Study Finds (April 26, 2006)
- EEOC Issues Policy Guidance Specific to Race and Color Discrimination (April 19, 2006)
- EEOC on Wednesday to Consider New Compliance Manual Section on Race and Color Discrimination (April 17, 2006)
- EEOC Settles Lawsuit on Behalf of Hispanic Employees (April 13, 2006)
- EEOC Awards Interagency Agreement for Financial Management System Support Services (April 11, 2006)

- EEOC Makes Fight Against Systemic Discrimination a Top Priority (April 4, 2006)
- Lawrys Restaurants Sued For Sex Bias In Hiring (April 4, 2006)

March, 2006

- Two Federal Courts: EEOC Can Correspond with Class Members in Lawsuits Without Interference (March 31, 2006)
- Commission to Consider Strategies Tuesday For Combating Systemic Discrimination (March 30, 2006)
- UPS Sued for Discrimination Against Rastafarian (March 29, 2006)
- EEOC Obtains $1 million for Black Man Choked With Hangmans Noose by White Co-Workers (March 21, 2006)
- Melrose Hotel, Berwind Property Group, to Pay $800,000 to Settle National Origin Bias Suit by EEOC(March 16, 2006)
- Lithia Car Dealership to Pay $562,500 for Race Bias Against Black Salesmen Targeted by Manager (March 16, 2006)
- Cracker Barrel to Pay $2 Million for Race and Sexual Harassment at Three Illinois Restaurants (March 10, 2006)
- Federal Court Bars Employers from Making Issue of Immigration Status in Discrimination Lawsuits (March 10, 2006)
- Jury Orders Associated Security to Pay $1.34 Million for Sexual Harassment and Retaliation (March 10, 2006)
- Pand Enterprises to Pay $90,000 to Young Men Who Were Sexually Harassed by Male Supervisor (March 10, 2006)
- EEOC Partners with Business to Build Best Practices for Increasing Diversity (March 8, 2006)
- EEOC Wins Disability Bias Suit Against FEDEX (March 2, 2006)

February, 2006

- All EEOC Age Bias Claims Against Sidley Austin To Go Forward, Federal Appeals Court Rules (February 17, 2006)
- EEOC to Hold Public Meeting on February 15 (February 13, 2006)
- EEOC Reports Slight Decline in Discrimination Charges in 2005 (February 9, 2006)

January, 2006

- EEOC Implements Final Revisions to EEO-1 Report (January 27, 2006)
- EEOC to Hold Public Meeting on January 18 (January 13, 2006)
- Christine Griffin Takes Oath as EEOC Commissioner (January 1, 2006)

December, 2005

- Austrian Airlines to Pay $500,000 for Age Bias (December 28, 2005)
- EEOC to Implement Plan to Enhance Agency Presence Jan. 1 (December 22, 2005)
- EEOC Earns Second Straight 'Unqualified Opinion' on Annual Financial Statements(December 21, 2005)
- Federal Court Rules Again: All EEOC Claims Against Sidley Austin for Age Bias Will Go Forward (December 21, 2005)
- EEOC to Hold Public Meeting on December 21 (December 19, 2005)
- New Gallup Poll on Employment Discrimination Shows Progress, Problems 40 Years after Founding of EEOC (December 8, 2005)

November, 2005

- EEOC Reopens New Orleans Office (November 29, 2005)
- SPS Temporaries and Two Clients to Pay up to $580,000 In Class Action Litigation Settlement with EEOC (November 17, 2005)
- National Education Association Partners with EEOC to Address Employment Issues Affecting Teens (November 17, 2005)
- EEOC Offers Details about Federal Sector Hearings (November 17, 2005)
- Commission Approves Revisions to EEO-1 Report (November 16, 2005)
- Maritime Training Facility & Union to Pay $625,000 for Age Bias in Apprenticeship Program (November 15, 2005)
- EEOC to Hold Public Meeting on November 16 (November 14, 2005)
- Retired Teachers to Receive $465,000 for Age Bias In Latest EEOC Settlements with School Districts (November 7, 2005)
- EEOC Wins National Disability Award (November 3, 2005)

October, 2005

- EEOC Report Highlights States' Efforts To Employ People With Disabilities (October 31, 2005)

- EEOC Explains Employment Rights Of Persons Who Are Blind or Visually Impaired (October 25, 2005)
- Fedex Freight To Pay $500,000 For Racial Bias (October 24, 2005)
- EEOC to Hold Public Meeting on October 25 (October 19, 2005)
- Howard University School Of Law To Host Celebration Of EEOC'S 40th Anniversary (October 18, 2005)
- Federal Law Protects Those Who Associate With The Disabled, EEOC Affirms (October 17, 2005)
- EEOC Taking Nominations for 2006 "Freedom to Compete Award" (October 12, 2005)

September, 2005

- Dial Ordered To Pay More Than $3 Million In EEOC Sex Discrimination Case (September 30, 2005)
- EEOC Attorney Wins Coveted "Service to America Medal" *(on external site)* (September 29, 2005)
- Carmike Cinemas to Pay $765,000 to Settle Rare Case Of Male-on-male Teen Harassment (September 27, 2005)
- Burger Chain to Pay $150,000 to Resolve EEOC Religious Discrimination Suit (September 16, 2005)
- EEOC Sues Mandalay Bay Resort & Casino for Sexual Harassment and Retaliation (September 13, 2005)

August, 2005

- EEOC and Halliburton Partner to Resolve Employment Disputes (August 31, 2005)
- EEOC and NLRB Renew Partnership to Recruit Diverse Pool of Talented Attorneys (August 30, 2005)
- EEOC and McDonald's USA, LLC Sign Regional Universal Mediation Agreement (August 17, 2005)
- Over $40 Million To Be Paid To Victims In Eeoc Sex Bias Suit Against Morgan Stanley (August 15, 2005)
- Tyson Foods Sued for Race Bias and Retaliation against Blacks; 'Whites Only' Restroom at Issue (August 11, 2005)
- Appeals Court Upholds EEOC Disability Suit Against Sears Roebuck For Second Time (August 11, 2005)
- Next Public Commission Meeting to Be Held August 8 (August 5, 2005)
- Federal Court Says EEOC Disability Blas Lawsuit Against Sears Roebuck to Proceed (August 2,

2005)

July, 2005

- Tuskegee Professor Kuforiji Selected as EEOC's Second Labor Economist Fellow (July 27, 2005)
- New EEOC Publication Addresses Employment Rights Of People with Cancer under Disabilities Act (July 26, 2005)
- Western Casework to Pay $600,000 for Harassment of Hispanic Employees Based on National Origin (July 22, 2005)
- EEOC Revises Guidance on Timeliness for Filing Charges of Employment Discrimination (July 21, 2005)
- Next Public Commission Meeting to Be Held July 18 (July 14, 2005)
- EEOC to Hold National Federal Sector Employment Law Conference in Las Vegas August 22-25 (July 14, 2005)
- EEOC Approves Plan to Enhance Agency Presence (July 8, 2005)
- EEOC To Hold Public Meeting On July 8 To Deliberate, Vote On Repositioning Plan (July 7, 2005)

June, 2005

- National Retail Federation Partners with EEOC To Educate Teens on Their Employment Rights (June 29, 2005)
- EEOC Launches Spanish-language Youth@work Web Site (June 29, 2005)
- Georgetowne Place to Pay $650,000 to Settle EEOC Race Discrimination Lawsuit (June 22, 2005)
- EEOC to Hold Public Forum on June 23 To Discuss Field Repositioning Plan (June 16, 2005)
- Rivera Vineyards Settles EEOC Suit Alleging Sexual Harassment, Retaliation, Job Segregation (June 15, 2005)
- EEOC Presents 'Freedom to Compete Award' For Best Practices in Employment (June 14, 2005)
- EEOC To Present 'Freedom To Compete Award' Honoring Best Practices in Employment (June 10, 2005)
- Judge Upholds Jury Verdict Against DuPont For $591,000 In Disability Bias Suit by EEOC (June 9, 2005)
- Court Rejects Sidley & Austin's Attempt to Avoid Money Damages in EEOC Age Bias Suit (June 9, 2005)
- The Plaza Hotel to Pay $525,000 for Post-9/11 Backlash Discrimination Against Employees (June 8, 2005)

- EEOC, Ford, UAW, Class Members Voice Approval of Landmark Race Discrimination Settlement (June 1, 2005)

May, 2005

- Aerospace Company to Pay $1.25 Million for Harassment of Hispanic Employees (May 20, 2005)
- EEOC to Hold Public Meeting on May 16 to Deliberate, Vote on Repositioning Plan (May 11, 2005)
- EEOC Chair Unveils Plan to Enhance Agency Presence (May 10, 2005)
- Federal Agencies Jointly Issue Publications on Making EEO Mediation Accessible to People with Disabilities (May 10, 2005)
- EEOC Wins $8 Million Jury Verdict for Blind Worker In Disability Bias Case Against EchoStar (May 6, 2005)

April, 2005

- EEOC Obtains Million Dollar Judgment Against Saipan Garment Contractor Sako Corp. (April 25, 2005)
- EEOC Chair to Visit Langston University May 2 For Event Marking Commission's 40th Anniversary (April 22, 2005)
- EEOC Issues Report on Federal Work Force for 2004 (April 22, 2005)
- Next Public Commission Meeting To Be Held on April 21 (April 13, 2005)
- Caesars Palace Subjected Class of Kitchen Workers To Sexual Harassment, EEOC Charges (April 4, 2005)

March, 2005

- EEOC Seeks To Appeal Court Order on Retiree Health Benefits Rule (March 30, 2005)
- EEOC to Hold Public Meeting on March 24 (March 24, 2005)
- EEOC Launches National Contact Center Pilot To Enhance Customer Service, Improve Efficiency (March 21, 2005)
- EEOC to Launch National Contact Center Pilot March 21 in Lawrence, Kansas (March 16, 2005)
- EEOC Wins Jury Verdict of Nearly $400,000 For Older Worker Fired by Casket Company (March 4, 2005)

February, 2005

- EEOC Sues McDonald's Franchises in Arizona and New Mexico For Sexual Harassment of Young Workers (February 24, 2005)
- EEOC to Hold Press Conference to Announce Lawsuits Against Employers in Arizona and New Mexico (February 18, 2005)
- EEOC to Hold Public Meeting on February 22 (February 18, 2005)
- EEOC Releases Fiscal 2004 Year-End Data (February 15, 2005)
- Statement by EEOC Chair Cari Dominguez on Retiree Health Benefits Rule (February 10, 2005)
- Pre-Employment Test by Dial Corp. Discriminates Against Women, Court Rules in EEOC Case (February 8, 2005)
- EEOC Issues New Training Guide For Small Businesses and Supervisors (February 7, 2005)

January, 2005

- EEOC Announces 'Freedom to Compete Award' Honoring Best Practices in the Workplace (January 31, 2005)
- Jury Orders Harris Farms to Pay $994,000 in Sexual Harassment Suit by EEOC (January 21, 2005)
- EEOC Charges Sidley & Austin With Age Discrimination (January 13, 2005)
- Consolidated Freightways to Pay $2.75 Million For Racial Harassment of African Americans (January 12, 2005)
- EEOC Launches Spanish-Language Web Site To Enhance Customer Service (January 11, 2005)

December, 2004

- EEOC and Northwest Airlines, Inc., Announce Settlement of Disability Discrimination Suit (December 30, 2004)
- EEOC and Johnson International Settle Pregnancy Discrimination Suit for $450,000 (December 28, 2004)
- Jury Orders Federal Express to Pay $1.57 Million In Employment Bias Suit by EEOC (December 22, 2004)
- EEOC Reaches Out to High Schoolers to Combat Workplace Harassment of Teens (December 15, 2004)
- Burger King Franchise Pays $400,000 for Alleged Sexual Harassment of Teens (December 6, 2004)
- EEOC Chair Cari Dominguez to Visit Puerto Rico To Conduct Outreach on Employment Laws (December 6, 2004)

November, 2004

- EEOC and National Restaurant Association Partner to Address Employment Issues Affecting Teens (November 30, 2004)
- Kansas and EEOC Partner to Promote Hiring and Advancement of People with Disabilities in State Jobs (November 29, 2004)
- EEOC Gets 'Unqualified Opinion' on FY 2004 Financial Statements from Independent Auditors (November 23, 2004)
- EEOC Agrees to Landmark Resolution of Discrimination Case Against Abercrombie & Fitch (November 18, 2004)
- EEOC to Hold Exclusive Press Conference for High School Newspapers on Youth@work Initiative (November 16, 2004)
- Tuskegee University Professor Selected by EEOC as First Labor Economist Fellow (November 10, 2004)
- EEOC Receives Top Rating for Small Business Outreach In SBA National Ombudsman's Report (November 10, 2004)
- Utah and EEOC Partner to Promote Hiring and Advancement of People with Disabilities in State Jobs (November 8, 2004)

October, 2004

- EEOC Report Highlights States' Efforts to Employ People with Disabilities (October 29, 2004)
- EEOC and Southern Company Partner to Resolve Employment Disputes Through Mediation (October 29, 2004)
- EEOC Provides Restauranteurs and Other Food Service Employers Information on Disabilities Act Compliance (October 28, 2004)
- EEOC Obtains $1.29 Million Jury Verdict Against Dupont for Disability Discrimination (October 25, 2004)
- EEOC and FDA to Roll-Out Guide for Restauranteurs Addressing Overlap of Disabilities Act and Food Code Rules (October 22, 2004)
- New EEOC Fact Sheet Addresses Employment Rights of People with Intellectual Disabilities (October 20, 2004)
- EEOC Makes Gains in Processing Bias Complaints Filed Against Federal Agencies (October 13, 2004)
- Location of Retail Distribution Centers Impacts Workforce Diversity, New Study Finds (October 7, 2004)
- EEOC Holds 'Youth@work' Events in Virginia and Arizona as Initiative Moves Forward Nationwide

(October 7, 2004)

- Honeywell International to Pay $2.15 Million for Age Discrimination, in EEOC Settlement (October 4, 2004)
- EEOC and Intel Enter Mediation Partnership To Resolve Workplace Disputes (October 4, 2004)
- EEOC To Receive 'Friend in Government' Award From American-Arab Anti-Discrimination Committee (October 1, 2004)

September, 2004

- EEOC Commissioner Ishimaru Meets with Local High School Students As Part Of 'Youth@Work' Initiative (September 29, 2004)
- EEOC Launches 'Youth@work' Initiative to Educate Teen Employees about Their Rights and Responsibilities (September 21, 2004)
- EEOC Awards National Contact Center Contract To Pearson Government Solutions (September 21, 2004)
- Equal Employment Opportunity Commission Approves Obligation of Funds for National Contact Center (September 17, 2004)
- EEOC Partners with the City of Tacoma On Mediation Program (September 16, 2004)
- Equal Employment Opportunity Commission to Vote on Authorization of Funds for Pilot National Contact Center (September 15, 2004)
- Tyson Foods, Inc. Signs Mediation Pact with EEOC To Resolve Workplace Disputes (September 15, 2004)
- EEOC and Education America/Remington College Enter into National Mediation Agreement (September 14, 2004)
- EEOC Settles Discrimination Suit Against Carl Buddig for $2.5 Million (September 7, 2004)

August, 2004

- Home Depot to Pay $5.5 Million to Resolve Class Discrimination Lawsuit in Colorado (August 25, 2004)
- Jillian's To Pay $360,000 for Sex Discrimination Against Men (August 13, 2004)
- Lucor, Inc., D/b/a Jiffy Lube, and EEOC Enter Regional Mediation Partnership (August 12, 2004)
- EEOC Sues Cracker Barrel for Sex Bias and Racial Harassment (August 11, 2004)
- EEOC Chair Dominguez to Focus on Diversity In the News Media, at Unity 2004 Convention (August 6, 2004)
- EEOC's Washington Field Office Relocates (August 2, 2004)

July, 2004

- New Fact Sheet Addresses Workplace Rights of People with Epilepsy under Disabilities Act (July 28, 2004)
- Commissioner Paul Miller Bids Farewell to EEOC (July 27, 2004)
- EEOC To Hold National Federal Sector Law Conference In Las Vegas (July 26, 2004)
- EEOC and Ryan's Restaurant Group, Inc. Sign National Mediation Agreement (July 21, 2004)
- EEOC and Morgan Stanley Announce Settlement of Sex Discrimination Lawsuit (July 12, 2004)

June, 2004

- Trendwest Resorts Inc. to Pay $475,000 for Sex Discrimination in Promotion of Women (June 25, 2004)
- Airguide Corporation and Pioneer Metals, Inc. to Pay $1 Million for Sexual Harassment, Retaliation (June 17, 2004)
- Huddle House, Inc. and EEOC Enter Mediation Partnership to Resolve Workplace Disputes (June 17, 2004)
- Legal History Panels to Commemorate 40th Anniversary of Civil Rights Workplace Protections (June 8, 2004)

May, 2004

- Monitors Report Consent Decree in Sexual Harassment Case Is Working at Dial (May 26, 2004)
- EEOC Settles Racial Hiring Case Against Milgard Windows for $3.37 Million (May 20, 2004)
- EEOC Releases 2003 Federal Work Force Report (May 20, 2004)
- EEOC Commissioner Testifies on Retiree Health Benefits Before Senate Special Committee on Aging (May 17, 2004)
- Labor Ready Signs on to EEOC'S Mediation Program (May 12, 2004)

April, 2004

- EEOC Approves Proposal to Exempt Retiree Health Plans from Age Discrimination in Employment Act (April 22, 2004)
- Cirque Du Soleil To Pay $600,000 for Disability Discrimination Against Performer with HIV (April 22, 2004)

- Raytheon Enters EEOC's National ADR 'Referral Back' Program (April 21, 2004)
- Relief for Afghan, Muslim Workers Harassed at Solano County Car Dealer Chain (April 6, 2004)
- Court Rules Allstate's Threats of Retaliation Are Illegal (April 2, 2004)
- Ford Motor Company and EEOC Enter Mediation Partnership to Resolve Workplace Disputes (April 2, 2004)

March, 2004

- EEOC and Ford Motor Company to Sign National Mediation Agreement on April 2 (March 31, 2004)
- Sega, Spherion Settle Suit Alleging Bias Against Filipinos, Retaliation (March 25, 2004)
- Lowe's Companies, Inc. Sued for Race Discrimination (March 24, 2004)
- EEOC Issues Fiscal Year 2003 Enforcement Data (March 8, 2004)
- Women Continue to Advance into Management Ranks, EEOC Study Finds (March 4, 2004)
- Recordkeeping Guidance Clarifies Definition of "Job Applicant" for Internet and Related Technologies (March 3, 2004)

February, 2004

- Golden Corral Corp. And EEOC Enter Mediation Partnership to Resolve Employment Disputes (February 26, 2004)
- Federal Express to Pay over $3.2 Million to Female Truck Driver for Sex Discrimination, Retaliation (February 25, 2004)

January, 2004

- Two Florida Restaurants To Pay $525,000 For Sexual Harassment of Teenagers (January 8, 2004)
- Governor Douglas Continues Commitment to Hiring and Advancement of People With Disabilities in State Jobs (January 8, 2004)

December, 2003

- EEOC and the Palm Resolve Inquiry into Recruiting and Hiring Practices (December 17, 2003)
- Maryland and EEOC Partner to Promote Hiring and Advancement of People with Disabilities in State Jobs (December 16, 2003)

- Employers Recount Workplace Benefits of EEOC Mediation, Call for Increased Participation

November, 2003

- EEOC to Examine Benefits of Workplace Mediation At next Public Commission Meeting (November 25, 2003)
- Two More Large Employers Sign National Mediation Agreements with EEOC (November 25, 2003)
- Ishimaru Takes Oath as EEOC Commissioner (November 17, 2003)
- EEOC To Examine American Indian and Alaska Native Perspective On Workplace/Market Place Realities and Trends (November 6, 2003)

October, 2003

- EEOC Fact Sheet on Diabetes and the Workplace Addresses Frequently Asked Questions (October 29, 2003)
- Law Firms Embrace Diversity, but Hurdles Remain (October 22, 2003)
- EEOC Commissioner Miller Travels to Amman, Jordan to Consult International Officials on Disability Issues
- EEOC Launches National Forum Series on 'Realities And Opportunities in the 21st Century Workplace' (October 9, 2003)
- EEOC Resolves Sex Discrimination Lawsuit Against NBA's Phoenix Suns and Sports Magic for $104,500 (October 9, 2003)
- Job Applicants with Disabilities to Benefit from Fact Sheet on Rights Throughout Hiring Process (October 7, 2003)
- EEOC Partners with Albertsons, Inc. (October 2, 2003)

September, 2003

- EEOC Sues Plaza Hotel & Fairmont Hotels & Resorts For Post-9/11 Backlash Discrimination (September 30, 2003)
- EEOC Sues Universal Studios for Race Discrimination (September 30, 2003)
- EEOC Sues Applied Graphics Technologies, Inc. and Newsweek, Inc. for Post-9/11 Backlash Discrimination (September 30, 2003)
- EEOC Sues L'Oreal for Age Discrimination And Retaliation (September 30, 2003)
- EEOC And Electrolux Reach Voluntary Resolution In Class Religious Accommodation Case (September 24, 2003)

- EEOC Wins Over $4 Million Retaliation Claim In Jury Verdict Against Hospital (September 3, 2003)
- EEOC To Hold Public Commission Meeting On "Repositioning For New Workplace Realities" (September 3, 2003)

August, 2003

- EEOC To Hold National Federal Sector Law Conference Aug. 26-29 In Atlantic City, N.J. (August 20, 2003)
- EEOC and Kimble Glass, Inc. Enter Into National Agreement to Mediate Employment Disputes (August 14, 2003)
- EEOC Files Two Suits Against Caterpillar for Harassment at Illinois Facilities (August 13, 2003)
- Supercuts to Pay $3.5 Million for Race Bias and Train Hundreds of Managers, In EEOC Settlement (August 13, 2003)
- Eric Dreiband Takes Oath As EEOC General Counsel (August 11, 2003)
- EEOC and Cheap Tickets Reach $1.1 Million Settlement in Sexual Harassment Suit (August 7, 2003)
- EEOC Settles Color Bias Suit; Dark Skinned African American Harassed and Fired By Applebee's (August 7, 2003)
- Expecting Mother Forced to Choose Between Parenthood and Livelihood, EEOC Lawsuit Says (August 6, 2003)
- EEOC and Workplace Partners Launch New Initiative to Protect Employment Rights of Asian Americans (August 1, 2003)

July, 2003

- Women of Color Make Gains in Employment and Job Status
- EEOC Obtains a $4.5 Million Settlement With Local 580 Ornamental Iron Workers
- EEOC Chair Cari Dominguez to Address Hundreds of Federal Officials at National EXCEL Conference August 26 - 29 in Atlantic City, NJ (July 22, 2003)
- Central Station Casino To Pay $1.5 Million In EEOC Settlement For National Origin Bias (July 18, 2003)
  En Español...
- Muslim Pilot Fired Due to Religion and Appearance, EEOC Says In Post- 9/11 Backlash Discrimination Suit (July 17, 2003)
- Egyptian Manager Fired Because of National Origin, EEOC Says In Post-9/11 Backlash Discrimination Lawsuit(July 10, 2003)

- EEOC Launches New Internal Mediation Program (July 8, 2003)
- EEOC and Arab, Sikh, South Asian Groups Co-sponsor Community Forum On Employment Discrimination (July 7, 2003)
- EEOC Sues Rockford 'Machine Shed' for Sexual Harassment (July 1, 2003)

June, 2003

- Appeals Court Reverses Dismissal of EEOC Suit Against Reeves Law Firm in California (June 25, 2003)
- EEOC Wins $1.55 Million Dollar Jury Verdict in Sexual Harassment Suit Against Florida Restaurant (June 23, 2003)
- Pizza Hut to Pay $360,000 for Settlement of Sexual Harassment Complaint (June 19, 2003)
- Chicago-Area Small Businesses Encouraged to Register for Free, Local Disabilities Act Workshop
- EEOC To be Honored by American Diabetes Association at Annual Meeting in New Orleans
- EEOC Observes 40th Anniversary of the Equal Pay Act (June 10, 2003)
- EEOC To Offer New Source of Assistance for Immigrant Community in Dallas (June 6, 2003)
- EEOC Chair Cari Dominguez to Address Dallas Area Employers on June 12 (June 6, 2003)

May, 2003

- EEOC Commissioner Paul Steven Miller Receives Honorary Doctor of Law Degree from CUNY (May 23, 2003)
- EEOC Reaches Largest Ever Voluntary Settlement for Disability Bias in Agricultural Industry (May 20, 2003)

April, 2003

- EEOC Enhances Customer Service for Persons with Limited English Proficiency (April 30, 2003)
- Judge Grants EEOC's and Dial's Request to Enter Joint Consent Decree in Harassment Case (April 29, 2003)
- Naomi C. Earp Takes Oath as EEOC Vice Chair (April 28, 2003)
- New Fact Sheets Outline Protections Against Discrimination by Multinational Employers (April 24, 2003)
- Judge in Dial Sexual Harassment Case Denies Soap Maker's 'Eve of Trial' Bid on Punitive Damages Issue (April 24, 2003)

- EEOC Expands Mediation with New FEPA Pilot Program (April 24, 2003)
- Hospital in New York to Pay Over $5 Million to Settle Sexual Harassment by Doctor (April 9, 2003)
- South Florida Auto Dealer to Pay $700,000 for Job Bias Based on Race, Religion and National Origin (April 8, 2003)
- EEOC and TIC the Industrial Company Settle Discrimination Lawsuit (April 8, 2003)
- Muslim Worker Targeted for Religious Discrimination Before and After 9/11, EEOC Lawsuit Says (April 7, 2003)

March, 2003

- African-American Reporter to Receive $150,000 for Racial Harassment and Firing in EEOC Settlement with Media Corporations (March 26, 2003)
- EEOC Launches New Mediation Pilot Program (March 24, 2003)
- Pakistani-American Workers to Share $1.11 Million in Harassment Settlement with Stockton Steel (March 19, 2003)
- EEOC Settles Psychiatric Disability Bias Suit for Worker with Bipolar Disorder
- Three Florida Employers to Pay Total of $570,000 for Unlawful Retaliation, in EEOC Settlements (March 18, 2003)
- EEOC Sues McDonald's Restaurant for Disability Bias Against Employee with Facial Disfigurement (March 7, 2003)
- Waste Management Company to Pay Nearly $200,000 for Disability Discrimination (March 5, 2003)

February, 2003

- EEOC Settles Sexual Harassment Suit for $2.3 million Against SH&E and Reed Telepublishing (February 26, 2003)
- EEOC and the Beverly Hilton Hotel Settle Allegations of Age Discrimination (February 26, 2003)
- EEOC and Pinnacle Nissan Settle National Origin and Religious Harassment Lawsuit (February 19, 2003)
- Deaf Job Applicant to Receive $75,000 for Disability Bias in EEOC Settlement with Holiday Inn - Northglenn (February 18, 2003)
- Griffin Pipe Products to Pay $100,000, and Implement Revamped Promotion Procedures (February 13, 2003)
- Judge Decides Major Punitive Damages Issue in Favor of EEOC in Dial Sexual Harassment Suit (February 13, 2003)

- EEOC Reports Discrimination Charge Filings Up (February 6, 2003)
- EEOC Marks Second Anniversary of President's Disability Initiative with Fact Sheet on Telework as a Reasonable Accommodation (February 3, 2002)

January, 2003

- Disabled Public Safety Officers to Receive Benefits in Historic EEOC Settlement for Age Discrimination (January 30, 2003)
- "Babies R Us" to Pay $205,000, Implement Training Due to Same-Sex Harassment of Male Employee (January 15, 2003)
- Target Corp. to Pay $95,000, Implement Training for Failure to Accommodate Disabled Worker (January 15, 2003)
- EEOC And Sears, Roebuck and Co. Settle Disability Discrimination Suit (January 9, 2003)
- EEOC Resolves Racial Harassment Lawsuit Against Ford of Greensburg for $534,000 (January 8, 2003)
- EEOC Sues Pickle Manufacturing Company for Discrimination Against Workers from India (January 2, 2003)
- Brink's to Pay $30,000 To Peoria Area Woman for Failure to Accommodate Religious Beliefs (January 2, 2003)

December, 2002

- EEOC, SoBe, And PepsiCo Settle Sexual Harassment Suit For $1.79 Million(December 23, 2002)
- Wal-Mart to Pay $220,000 for Rejecting Pregnant Applicant, in EEOC Settlement (December 23, 2002)
- EEOC Attorneys Chosen for Private Bar Fellowship (December 19, 2002)
- Donnelley to Pay $150,000 to Paraplegic Graphics Technician for Job Bias (December 16, 2002)
- Gulfstream Aerospace to pay $2.1 Million for Age Bias in EEOC Settlement (December 11, 2002)
- EEOC Releases National Origin Discrimination Guidance (December 2, 2002)

November, 2002

- EEOC Settles Race Discrimination Suit with the Mirage for $1.14 Million (November 27, 2002)
- EEOC Settles Disability Discrimination Suit Against Aerospace Giant Honeywell For $100,000 (November 21, 2002)

- EEOC Settles Major Age Bias Suit; Foot Locker to Pay $3.5 Million to Former Woolworth Employees (November 15, 2002)
- EEOC to Reopen its New York Headquarters (November 14, 2002)
- EEOC And North Carolina Medical Practice Reach $35,000 Settlement in Post-9/11 Backlash Discrimination Claim (November 13, 2002)

October, 2002

- Memphis Jury Returns Verdict Against Northwest Airlines in EEOC Disability Case on Behalf of Diabetic Applicant (October 31, 2002)
- EEOC Settles Sexual Harassment Lawsuit Against Denny's (October 30, 2002)
- EEOC Racial Harassment Suit Against Texas Drilling Company Settles for $859,000 (October 29, 2002)
- Texas Car Dealership to Pay $140,000 to Settle Same-Sex Harassment Suit by EEOC (October 28, 2002)
- EEOC Sues Kraft Foods North America, Inc. for Same-Sex Harrassment of Men (October 25, 2002)
- EEOC Chair Dominguez Urges Employers to Hire and Mentor Young People with Disabilities (October 16, 2002)
- New Web Page Emphasizes EEOC Role in Coordinating Government-Wide Nondiscrimination Efforts (October 11, 2002)
- Thousands of Women to Receive Benefits in EEOC-Verizon Pregnancy Bias Settlement (October 10, 2002)
- Race Motivated Firings and Epithets Cost Colorado Car Dealership $450,000 (October 9, 2002)
- Court Gives Final Approval to $47 Million Settlement in Sex Discrimination Suits Against Rent-A-Center by EEOC and Private Plaintiffs (October 4, 2002)

September, 2002

- EEOC Sues Alamo Car Rental for Religious Bias (September 30, 2002)
- EEOC Files Post-9/11 National Origin Discrimination Suit Against Chromalloy Castings Tampa Corporation (September 30, 2002)
- EEOC Sues Renaissance Roofing for Disability Discrimination (September 30, 2002)
- EEOC Sues Arizona Diner For National Origin Bias Against Navajos and Other Native Americans (September 30, 2002)
- EEOC and DeCoster Farms Settle Complaint For $1,525,000 (September 30, 2002)

- EEOC Files Post-9/11 Religion and National Origin Termination Lawsuit Against Worcester Art Museum (September 30, 2002)
- EEOC Expands Immigrant Rights Partnership to Include OSHA, DOJ and Latin American Consulates (September 27, 2002)
- EEOC Moves to Intervene in Quietflex Lawsuit (September 26, 2002)

August, 2002

- EEOC Issues Handbook to Help Small Businesses Comply with Disabilities Act (August 15, 2002)
- EEOC and Technicolor Videocassette Settle Sex Bias and Retaliation Lawsuit for $875,000 (August 14, 2002)
- EEOC Issues Comprehensive Litigation Report (August 13, 2002)

July, 2002

- EEOC Makes Resource Information Available on CD-ROM (July 31, 2002)
- EEOC Celebrates Decade of Enforcing Title I of the Americans with Disabilities Act (July 24, 2002)
- EEOC to Hold Federal Sector Law Conference (July 1, 2002)

June, 2002

- EEOC Reaffirms Commitment to Protecting Undocumented Workers from Discrimination (June 28, 2002)
- EEOC Reafirma Su Compromiso a Proteger a Trabajadores Indocumentados de la Discriminacion (June 28, 2002)
- EEOC Chair Reaffirms Partnership with Native Americans in Speech to Council for Tribal Employment Rights (June 18, 2002)

May, 2002

- EEOC Chair Dominguez Reaches Out To Business Leaders (May 31, 2002)
- EEOC Chair Cari Dominguez to Lead International Panel on Women in the Workplace (May 29, 2002)
- EEOC Web Site Offers Schedule and Information on Disability Workshops for Small Businesses (May 23, 2002)
- EEOC Issues Final Rule on Application of ADA Standards to the Federal Workforce (May 21, 2002)

- EEOC Chair Inspires Executive Search Consultants to Act as "Agents of Change" (May 16, 2002)
- EEOC Provides Answers About Workplace Rights Of Muslims, Arabs, South Asians and Sikhs (May 15, 2002)
- EEOC And BNSF Settle Genetic Testing Case Under Americans With Disabilities Act (May 8, 2002)

April, 2002

- EEOC Chair to Address Canadian Parliament (April 24, 2002)
- EEOC Posts Federal Sector ADR Web Page (April 18, 2002)
- EEOC Initiates Talks with Small Businesses on Employment of Individuals with Disabilities (April 1, 2002)

March, 2002

- Federal Agencies Launch Joint Mediation Initiative (March 28, 2002)
- EEOC Settles Racial Harassment Suit for $1.8 Million Against Apollo Colors of Illinois (March 27, 2002)
- EEOC Announces $47 Million Agreement in Principle to Settle Claims of Class-Wide Sex Bias Against Rent-A-Center (March 8, 2002)
- Leslie Silverman Takes Oath as EEOC Commissioner (March 7, 2002)
- Court Approves $1.2 Million Settlement Between EEOC and McKesson for Race Discrimination (March 6, 2002)

February, 2002

- EEOC and Verizon Settle Pregnancy Bias Suit; Thousands of Women to Receive Benefits (February 26, 2002)
- EEOC Issues Fiscal 2001 Enforcement Data (February 22, 2002)
- EEOC Settles Race and Sex Bias Suit For $1 Million Against Optical Cable Corp. (February 21, 2002)

January, 2002

- EEOC Comments on Supreme Court Ruling In Waffle House Case (January 15, 2002)

December, 2001

- Comprehensive EEOC, Wal-Mart Settlement Resolves Disability Lawsuit (December 17, 2001)
- EEOC Opposes Settlement of Rent-A-Center Lawsuit (December 13, 2001)
- EEOC Confers with Minority Groups on Combating September 11 Backlash Discrimination (December 12, 2001)
- EEOC To Hold Public Meeting on Workplace Bias in the Aftermath of September 11 (December 6, 2001)

November, 2001

- EEOC And Departments of Justice and Labor Issue Joint Statement Against Workplace Bias in Wake of September 11 Attacks (November 19, 2001)
- EEOC Chair Names Ann Colgrove as Top Aide for Communications and Legislative Affairs (November 16, 2001)

October, 2001

- EEOC Provides Technical Assistance to Employers on Requesting Medical Information as Part of Emergency Evacuation Procedures (October 31, 2001)
- Wal-Mart TV Ad Tells the Story of Two Deaf Men's Employment Discrimination Claim Against the Retail Giant (October 23, 2001)
- EEOC Expands New York Operations at Temporary Manhattan Location (October 17, 2001)
- EEOC and Eagle Global Logistics Settle Employment Discrimination Lawsuit with $9 Million Consent Decree (October 1, 2001)

September, 2001

- EEOC New York District Office to Resume Partial Operations Next Week (September 27, 2001)
- EEOC Resolves Lawsuits For $1.25 Million Against General Motors Corporation (September 26, 2001)
- Wal-Mart Agrees to Air TV Ad and Pay $427,500 After Court Finds Retailer in Contempt of Court (September 20, 2001)
- Jury Finds Outback Steakhouse Guilty of Sex Discrimination and Illegal Retaliation; Awards Victim $2.2 Million (September 19, 2001)
- EEOC Chair Urges Workplace Tolerance in Wake of Terrorist Attacks (September 14, 2001)
- EEOC N.Y. Office Destroyed In Terrorist Attack on World Trade Center (September 12, 2001)
- EEOC Files Sex Discrimination Lawsuit Against Morgan Stanley (September 10, 2001)

August, 2001

- EEOC Settles Disability Bias Suit for $650,000 Against United Blood (August 21, 2001)
- EEOC Rescinds Guidance; Will Review Policy On Retiree Health Plans (August 20, 2001)
- Federal Judge Rules EEOC Suit Against Dial Soap Can Proceed As Class "Pattern or Practice" Case (August 16, 2001)
- Ida L. Castro Resigns From Commission (August 13, 2001)
- EEOC Settles Suit Against Arizona Company for $3.5 Million on Behalf of Low-Wage Workers (August 8, 2001)
- Cari M. Dominguez Takes Oath as EEOC Chair (August 8, 2001)

July, 2001

- EEOC To Open Area Office in Puerto Rico (July 18, 2001)
- EEOC Settles Suit Against Salomon Smith Barney for Race and National Origin Bias (July 16, 2001)
- $1.8 Million Consent Decree Ends EEOC Federal Employment Discrimination Suit in Rockford Against Ingersoll (July 13, 2001)
- EEOC Files Lawsuit Against Emery Worldwide Airlines for Discrimination Against African-American Employees (July 3, 2001)
- EEOC Settles Racial Harassment Suit With St. Louis Nursing Home For $1.2 Million (July 2, 2001)

June 2001

- Wal-Mart Violates Disabilities Act Again; EEOC Files 16th ADA Suit Against Retail Giant (June 21, 2001)
- Judge Slaps Wal-Mart With Major Sanctions For Violating Court Order In EEOC Disability Bias Case (June 14, 2001)
- EEOC Scores Victory In Age Bias Suit Against Major Information Technology Company (June 12, 2001)
- EEOC Sues Major Construction Firm for Widespread Race Discrimination (June 11, 2001)

May 2001

- EEOC Settles Bias Suit For $2.6 Million Against TWA (May 24, 2001)

- EEOC Responds To Final Report Of Mitsubishi Consent Decree Monitors (May 23, 2001)
- EEOC Sues Two Indiana Employers For Race Harassment (May 22, 2001)
- EEOC Wins Age Discrimination Suit Against University of Wisconsin Press (May 10, 2001)
- EEOC Files Contempt Motion Against Wal-Mart for Violating Consent Decree In Disability Bias Case (May 10, 2001)

April 2001

- EEOC Files Class Suit Against Northwest Airlines for Disability Discrimination (April 25, 2001)
- EEOC Settles English-Only Suit For $2.44 Million Against University Of Incarnat Word (April 20, 2001)
- EEOC Settles ADA Suit Against BNSF For Genetic Bias (April 18, 2001)
- EEOC and Private Plaintiffs Settle Harassment Suit for $485,000 Against Chicken Processing Plant (April 10, 2001)
- EEOC to Utilize Computer-Based Training to Improve Federal Sector EEO Process (April 4, 2001)
- New Federal Guide Issued for People with Disabilities Seeking to Move from Benefits Rolls to Work (April 4, 2001)
- EEOC Settles Racial Harassment Suit Against Georgia-Pacific Corporation (April 3, 2001)

March 2001

- Joe's Stone Crab Liable for Intentional Discrimination Court Rules in Sex Bias Suit Brought by EEOC (March 28, 2001)
- EEOC Seeks to Join Nationwide Sex Discrimination Suit Against Rent-A-Center (March 12, 2001)

February 2001

- EEOC Petitions Court To Ban Genetic Testing Of Railroad Workers In First EEOC Case Challenging Genetic Testing Under Americans With Disabilities Act (February 9, 2001)
- EEOC Attorneys Chosen For Private Bar Fellowship (February 9, 2001)
- EEOC Adopts New Internal Procedures on Reasonable Accommodation for Individuals with Disabilities (February 9, 2001)

January 2001

- EEOC Settles Racial Harassment Suit Against Car Dealership (January 31, 2001)
- EEOC Offers Annual Technical Assistance Programs Nationwide (January 29, 2001)
- EEOC Increases Availability Of Online Information For The Federal Sector (January 25, 2001)
- EEOC Fiscal Year 2000 Accomplishments Report Shows Important Progress On Multiple Fronts (January 18, 2001)
- EEOC, Private Plaintiffs And American Cast Iron Pipe Company Settle Lawsuit (January 4, 2001)

December 2000

- EEOC Issues Guidance On The Application Of The ADA To Contingent Workers (December 27, 2000)
- Commission To Offer Federal Sector EEO Training (December 18, 2000)
- EEOC Issues Decision On Two Charges Challenging The Denial Of Health Insurance Coverage For Prescription Contraceptives (December 13, 2000)
- EEOC Issues Final Rule On ADEA 'Tender Back' Issue (December 11, 2000)
- EEOC Issues New Compliance Manual Section on Discrimination In Compensation (December 7, 2000)
- EEOC Settles Pay Discrimination Suit For $450,000 Against Nationwide Trucking Company (December 7, 2000)
- EEOC Settles "Glass Ceiling" Suit For $782,000 Against Landis Plastics, Inc. (December 6, 2000)
- La Cruz Azul (Blue Cross) of Puerto Rico To Pay $200,000 In Disability Discrimination Lawsuit (December 6, 2000)
- EEOC Seeks To Join Class Race Harassment Suit Against Defense Giant Lockheed Martin (December 5, 2000)

November 2000

- EEOC And COM-ED Settle National Origin Bias Complaint For Up To $2.5 Million (November 3, 2000)

October 2000

- EEOC Settles Racial Harassment Suit For $249,000 Against Florida Citrus Grower Sun Ag, Inc. (October 30, 2000)
- EEOC And CBS Settle Sex Bias Suit For $8 Million (October 25, 2000)
- EEOC Issues Disability Guidance To Federal Agencies On 'Reasonable Accommodation' (October

20, 2000)

- EEOC Chairwoman Lauds Reginald E. Jones, As He Bids Fairwell To Commission (October 11, 2000)
- EEOC Issues New Guidance on Discrimination in Employee Benefits (October 3, 2000)

September 2000

- EEOC Unveils New Web Site Section Commemmorating Agency's 35th Anniversary (September 28, 2000)
- EEOC Mediation Program Scores High Marks in Major Survey of Participants (September 26, 2000)
- EEOC To Commemorate 35TH Anniversary at Landmark Commission Meeting (September 22, 2000)
- EEOC Chairwoman Castro to Recieive Public Service Award from National Puerto Rican Coalition (September 22, 2000)
- Court Speaks: English Only Rule Unlawful; Awards Eeoc $700,000 For Hispanic Workers (September 19, 2000)
- Monitors Say Mitsubishi In Compliance With EEOC Consent Decree; Sexual Harassment Firmly Under Control At US Plant (September 6, 2000)
- EEOC Reaches Landmark "English-Only" Settlement; Chicago Manufacturer To Pay Over $190,000 To Hispanic Workers (September 1, 2000)

August 2000

- EEOC Settles ADA Lawsuit For $220,000 Against Major Arkansas Auto Dealership (August 31, 2000)
- EEOC And Josephthal & Co., Inc. Settle Harassment Suit (August 29, 2000)
- EEOC Reaches Settlement With AT&T Corp. and Communications Workers Of America, Local Union No. 4998 (August 28, 2000)
- EEOC Chairwoman To Commemorate Agency's 35th Anniversary At National Federal Sector Program In Boston (August 25, 2000)
- EEOC Partners With Blacks In Government; Will Play Active Role In National Training Conference (August 18, 2000)
- EEOC Settles Egregious Racial Harassment Lawsuit Against Louisiana Car Dealership (August 16, 2000)
- EEOC Settles Age Discrimination In Retirement Suit With Commonwealth Of Massachusetts (August 11, 2000)

- EEOC And Mondrian Hotel Settle Title VII Lawsuit (August 9, 2000)
- EEOC Chairwoman To Highlight Agency's 35th Anniversary And Meet With Key Stakeholders In Alabama (August 7, 2000)
- EEOC Settles Same-Sex Harassment Suit For A Half Million Dollars Against Major Colorado Auto Dealership (August 4, 2000)

July 2000

- EEOC Chairwoman to Participate in ADA Torch Relay and Meet with Key Stakeholders in Detroit (July 28, 2000)
- EEOC Commemorates Tenth Anniversary of Disabilities Act (July 27, 2000)
- EEOC and George Junior Republic Settle Sex-Based Wage Discrimination Lawsuit (July 26, 2000)
- EEOC To Focus On Americans With Disabilities Act At Next Commission Meeting (July 25, 2000)
- EEOC Chairwoman Responds To Surge Of Workplace Noose Incidents At NAACP Annual Convention (July 13, 2000)
- EEOC Issues Status Report On Enforcement Of Disabilities Act (July 13, 2000)
- EEOC Commissioner To Participate In ADA Torch Relay During Trip To Mississippi (July 12, 2000)

June 2000

- EEOC Announces Winners Of 35th Anniversary Art Contest (June 21, 2000)
- EEOC Sues Arizona Area Business For Discriminating Against Female And Hispanic Low-Wage Workers (June 21, 2000)
- EEOC Files Two Racial Bias Suits Against Florida Employers (June 15, 2000)
- EEOC And Cincinnati Bell Settle Class Pregnancy Bias Suit (June 15, 2000)
- EEOC Settles Lawsuit Against London International Group For Race Discrimination and Sexual Harassment (June 12, 2000)
- EEOC Issues Final Rule On Mitigating Measures Under The ADA (June 8, 2000)
- EEOC Obtains $1 Million For Low-Wage Workers Who Were Sexually Harassed At Food Processing Plant (June 1, 2000)

May 2000

- EEOC Issues New Chapter To Management Directive 110 To Speed Up Settlement Of Federal Sector Bias Complaints (May 17, 2000)

- EEOC Issues New Compliance Manual Section on "Threshold" Issues for Addressing Bias Complaints (May 12, 2000)
- EEOC Steps Up Enforcement And Education On Wage Bias Laws (May 11, 2000)
- EEOC Reaches $700,000 Settlement With Direct Marketing Services (May 5, 2000)
- EEOC And Toyota Logistics Services Settle Lawsuit Alleging Sex And Race Bias At New Jersey Port (May 4, 2000)

April 2000

- EEOC Settles Suit Against Public Access TV Corp. For Pay Discrimination And Retaliation (April 28, 2000)
- EEOC Settles Equal Pay Lawsuit Against Eastern Michigan University (April 27, 2000)
- EEOC Files Race Discrimination Suit Against Augusta Fiberglass (April 25, 2000)
- EEOC Files Discrimination Suit Against Sara Lee Knit Products, Inc. (April 25, 2000)
- EEOC Chairwoman To Meet With Community And Business Leaders In Carolina (April 24, 2000)
- EEOC Reschedules Federal Sector Town Hall Meetings, And Adds Fourth Public Forum To Meet Attendance Demand (April 4, 2000)

March 2000

- EEOC Wins Preliminary Injunction Against Advantage Staffing, Inc. (March 30, 2000)
- EEOC To Host Series Of Town Hall Meetings On Federal Government EEO Process (March 22, 2000)
- EEOC Chairwoman To Meet With Community And Business Leaders In Arizona (March 21, 2000)
- Chuck E. Cheese's Must Pay Maximum Damages Under The ADA To Mentally Retarded Employee Following Multi-Million Dollar Jury Award (March 15, 2000)
- EEOC Attorneys Selected For New Private Bar Fellowship (March 14, 2000)
- EEOC And NLRB Join Forces To Recruit Diverse Pool Of Talented Attorneys In Civil Rights And Labor Law (March 3, 2000)
- EEOC Issues Proposed Rule On Application Of The ADA To The Federal Sector Workforce (March 1, 2000)

January 2000

- Wal-Mart Settles Employment Discrimination Claim Of Two Applicants Who Are Deaf (January 7, 2000)

- $1.3 Million Settlement in EEOC Racial and Sexual Harassment Suit Against Foster Wheeler Constructors (January 7, 2000)

December 1999

- EEOC Fiscal Year 1999 Accomplishments Report Shows Groundbreaking Progress On All Fronts (December 27, 1999)

November 1999

- Paul Steven Miller Sworn-In For Five-Year Term As EEOC Commissioner (November 24, 1999)

October 1999

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For further information regarding EEOC press releases, please contact:

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Employment Tests and Selection Procedures

Employers often use tests and other selection procedures to screen applicants for hire and employees for promotion. There are many different types of tests and selection procedures, including cognitive tests, personality tests, medical examinations, credit checks, and criminal background checks.

The use of tests and other selection procedures can be a very effective means of determining which applicants or employees are most qualified for a particular job. However, use of these tools can violate the federal anti-discrimination laws if an employer intentionally uses them to discriminate based on race, color, sex, national origin, religion, disability, or age (40 or older). Use of tests and other selection procedures can also violate the federal anti-discrimination laws if they disproportionately exclude people in a particular group by race, sex, or another covered basis, unless the employer can justify the test or procedure under the law.

On May 16, 2007, the EEOC held a public meeting on Employment Testing and Screening. Witnesses addressed legal issues related to the use of employment tests and other selection procedures. (To see the testimony of these witnesses, please see the EEOC's website at http://www.eeoc.gov/abouteeoc/meetings/5-16-07/index.html.)

This fact sheet provides technical assistance on some common issues relating to the federal anti-discrimination laws and the use of tests and other selection procedures in the employment process.

Background

- Title VII of the Civil Rights Act of 1964 (Title VII), the Americans with Disabilities Act of 1990 (ADA), and the Age Discrimination in Employment Act of 1967 (ADEA) prohibit the use of discriminatory employment tests and selection procedures.
- There has been an increase in employment testing due in part to post 9-11 security concerns as well as concerns about workplace violence, safety, and liability. In addition, the large-scale adoption of online job applications has motivated employers to seek efficient ways to screen large numbers of online applicants in a non-subjective way.
- The number of discrimination charges raising issues of employment testing, and exclusions based on criminal background checks, credit reports, and other selection procedures, has been increasing since FY 2003, although the absolute number of such charges is still small. In FY 2003 there were 26 such charges, and in FY 2006 the number had risen to 141.

Types of Employment Tests and Selection Procedures

Many employers use employment tests and other selection procedures in making employment decisions. Examples of these tools, many of which can be administered online, include the following:

- Cognitive tests assess reasoning, memory, perceptual speed and accuracy, and skills in

arithmetic and reading comprehension, as well as knowledge of a particular function or job;

- Physical ability tests measure the physical ability to perform a particular task or the strength of specific muscle groups, as well as strength and stamina in general;
- Sample job tasks (e.g., performance tests, simulations, work samples, and realistic job previews) assess performance and aptitude on particular tasks;
- Medical inquiries and physical examinations, including psychological tests, assess physical or mental health;
- Personality tests and integrity tests assess the degree to which a person has certain traits or dispositions (e.g., dependability, cooperativeness, safety) or aim to predict the likelihood that a person will engage in certain conduct (e.g., theft, absenteeism);
- Criminal background checks provide information on arrest and conviction history;
- Credit checks provide information on credit and financial history;
- Performance appraisals reflect a supervisor's assessment of an individual's performance; and
- English proficiency tests determine English fluency.

Governing EEO Laws

- Title VII of the Civil Rights Act of 1964
  - Title VII prohibits employment discrimination based on race, color, religion, sex, or national origin.
  - With respect to tests in particular, Title VII permits employment tests as long as they are not "designed, intended or used to discriminate because of race, color, religion, sex or national origin." 42 U.S.C. § 703(h). Title VII also imposes restrictions on how to score tests. Employers are not permitted to (1) adjust the scores of, (2) use different cutoff scores for, or (3) otherwise alter the results of employment-related tests on the basis of race, color, religion, sex, or national origin. *Id*. at § 703(l).
  - Title VII prohibits both "disparate treatment" and "disparate impact" discrimination.
    - Title VII prohibits **intentional** discrimination based on race, color, religion, sex, or national origin. For example, Title VII forbids a covered employer from testing the reading ability of African American applicants or employees but not testing the reading ability of their white counterparts. This is called **"disparate treatment"** discrimination. Disparate treatment cases typically involve the following issues:
      - Were people of a different race, color, religion, sex, or national origin treated differently?
      - Is there any evidence of bias, such as discriminatory statements?
      - What is the employer's reason for the difference in treatment?
      - Does the evidence show that the employer's reason for the difference in treatment is untrue, and that the real reason for the different treatment is race, color, religion, sex, or national origin?
    - Title VII also prohibits employers from using neutral tests or selection procedures

that have the **effect** of disproportionately excluding persons based on race, color, religion, sex, or national origin, where the tests or selection procedures are not "job-related and consistent with business necessity." This is called **"disparate impact"** discrimination.

Disparate impact cases typically involve the following issues:

- Does the employer use a particular employment practice that has a **disparate impact** on the basis of race, color, religion, sex, or national origin? For example, if an employer requires that all applicants pass a physical agility test, does the test disproportionately screen out women? Determining whether a test or other selection procedure has a disparate impact on a particular group ordinarily requires a statistical analysis.
- If the selection procedure has a disparate impact based on race, color, religion, sex, or national origin, can the employer show that the selection **procedure is job-related and consistent with business necessity**? An employer can meet this standard by showing that it is necessary to the safe and efficient performance of the job. The challenged policy or practice should therefore be associated with the skills needed to perform the job successfully. In contrast to a general measurement of applicants' or employees' skills, the challenged policy or practice must evaluate an individual's skills as related to the particular job in question.
- If the employer shows that the selection procedure is job-related and consistent with business necessity, can the person challenging the selection procedure demonstrate that there is a **less discriminatory alternative** available? For example, is another test available that would be equally effective in predicting job performance but would not disproportionately exclude the protected group?

  See 42 U.S.C. § 703 (k). This method of analysis is consistent with the seminal Supreme Court decision about disparate impact discrimination, *Griggs v. Duke Power Co.*, 401 U.S. 424 (1971).

- In 1978, the EEOC adopted the Uniform Guidelines on Employee Selection Procedures or "UGESP" under Title VII. *See* 29 C.F.R. Part 1607.[1] UGESP provided uniform guidance for employers about how to determine if their tests and selection procedures were lawful for purposes of Title VII disparate impact theory.
  - UGESP outlines three different ways employers can show that their employment tests and other selection criteria are job-related and consistent with business necessity. These methods of demonstrating job-relatedness are called "test validation." UGESP provides detailed guidance about each method of test validation.

- Title I of the Americans with Disabilities Act (ADA)
  - Title I of the ADA prohibits private employers and state and local governments from discriminating against qualified individuals with disabilities on the basis of their disabilities.
  - The ADA specifies when an employer may require an applicant or employee to undergo a medical examination, *i.e.*, a procedure or test that seeks information about an individual's physical or mental impairments or health. The ADA also specifies when an employer may make "disability-related inquiries," *i.e.*, inquiries that are likely to elicit

information about a disability.

    - When hiring, an employer may not ask questions about disability or require medical examinations until **after** it makes a conditional job offer to the applicant. 42 U.S.C. §12112 (d)(2);
    - After making a job offer (but before the person starts working), an employer may ask disability-related questions and conduct medical examinations as long as it does so for **all individuals entering the same job category**. *Id.* at § 12112(d)(3); and
    - With respect to **employees**, an employer may ask questions about disability or require medical examinations only if doing so is **job-related and consistent with business necessity**. Thus, for example, an employer could request medical information when it has a **reasonable belief**, based on **objective evidence**, that a particular employee will be unable to perform essential job functions or will pose a direct threat because of a medical condition, or when an employer receives a request for a **reasonable accommodation** and the person's disability and/or need for accommodation is not obvious. *Id*. at § 12112(d)(4).
  - The ADA also makes it unlawful to:
    - Use employment tests that screen out or tend to screen out an individual with a disability or a class of individuals with disabilities unless the test, as used by the employer, is shown to be job-related and consistent with business necessity. 42 U.S.C. § 12112(b)(6);
    - Fail to select and administer employment tests in the most effective manner to ensure that test results accurately reflect the skills, aptitude or whatever other factor that such test purports to measure, rather than reflecting an applicant's or employee's impairment. *Id*. at § 12112(b)(7); and
    - Fail to make reasonable accommodations, including in the administration of tests, to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless such accommodation would impose an undue hardship. *Id*. at § 12112(b)(5).

- The Age Discrimination in Employment Act (ADEA)
  - The ADEA prohibits discrimination based on age (40 and over) with respect to any term, condition, or privilege of employment. Under the ADEA, covered employers may not select individuals for hiring, promotion, or reductions in force in a way that unlawfully discriminates on the basis of age.
  - The ADEA prohibits **disparate treatment** discrimination, i.e., intentional discrimination based on age. For example, the ADEA forbids an employer from giving a physical agility test only to applicants over age 50, based on a belief that they are less physically able to perform a particular job, but not testing younger applicants.
  - The ADEA also prohibits employers from using neutral tests or selection procedures that have a **discriminatory impact** on persons based on age (40 or older), unless the challenged employment action is based on a **reasonable factor other than age**. *Smith v. City of Jackson*, 544 U.S. 228 (2005). Thus, if a test or other selection procedure has a disparate impact based on age, the employer must show that the test or device chosen was a reasonable one.

Recent EEOC Litigation and Settlements

A number of recent EEOC enforcement actions illustrating basic EEO principles focus on testing.

- **Title VII and Cognitive Tests**: Less Discriminatory Alternative for Cognitive Test with Disparate Impact. *EEOC v. Ford Motor Co. and United Automobile Workers of America*, involved a court-approved settlement agreement on behalf of a nationwide class of African Americans who were rejected for an apprenticeship program after taking a cognitive test known as the Apprenticeship Training Selection System (ATSS). The ATSS was a written cognitive test that measured verbal, numerical, and spatial reasoning in order to evaluate mechanical aptitude. Although it had been validated in 1991, the ATSS continued to have a statistically significant disparate impact by excluding African American applicants. Less discriminatory selection procedures were subsequently developed that would have served Ford's needs, but Ford did not modify its procedures. In the settlement agreement, Ford agreed to replace the ATSS with a selection procedure, to be designed by a jointly-selected industrial psychologist, that would predict job success and reduce adverse impact. Additionally, Ford paid $8.55 million in monetary relief.

- **Title VII and Physical Strength Tests**: Strength Test Must Be Job-Related and Consistent with Business Necessity If It Disproportionately Excludes Women. In *EEOC v. Dial Corp.*, women were disproportionately rejected for entry-level production jobs because of a strength test. The test had a significant adverse impact on women – prior to the use of the test, 46% of hires were women; after use of the test, only 15% of hires were women. Dial defended the test by noting that it looked like the job and use of the test had resulted in fewer injuries to hired workers. The EEOC established through expert testimony, however, that the test was considerably more difficult than the job and that the reduction in injuries occurred two years before the test was implemented, most likely due to improved training and better job rotation procedures. On appeal, the Eighth Circuit upheld the trial court's finding that Dial's use of the test violated Title VII under the disparate impact theory of discrimination. *See* http://www.eeoc.gov/press/11-20-06.html

- **ADA and Test Accommodation**: Employer Must Provide Reasonable Accommodation on Pre-employment Test for Hourly, Unskilled Manufacturing Jobs. The EEOC settled *EEOC v. Daimler Chrysler Corp.*, a case brought on behalf of applicants with learning disabilities who needed reading accommodations during a pre-employment test given for hourly unskilled manufacturing jobs. The resulting settlement agreement provided monetary relief for 12 identified individuals and the opportunity to take the hiring test with the assistance of a reader. The settlement agreement also required that the employer provide a reasonable accommodation on this particular test to each applicant who requested a reader and provided documentation establishing an ADA disability. The accommodation consisted of either a reader for all instructions and all written parts of the test, or an audiotape providing the same information.

Employer Best Practices for Testing and Selection

- Employers should administer tests and other selection procedures without regard to race, color, national origin, sex, religion, age (40 or older), or disability.

- Employers should ensure that employment tests and other selection procedures are properly validated for the positions and purposes for which they are used. The test or selection procedure must be job-related and its results appropriate for the employer's purpose. While a test vendor's documentation supporting the validity of a test may be helpful, the employer is still responsible

for ensuring that its tests are valid under UGESP.

- If a selection procedure screens out a protected group, the employer should determine whether there is an equally effective alternative selection procedure that has less adverse impact and, if so, adopt the alternative procedure. For example, if the selection procedure is a test, the employer should determine whether another test would predict job performance but not disproportionately exclude the protected group.
- To ensure that a test or selection procedure remains predictive of success in a job, employers should keep abreast of changes in job requirements and should update the test specifications or selection procedures accordingly.
- Employers should ensure that tests and selection procedures are not adopted casually by managers who know little about these processes. A test or selection procedure can be an effective management tool, but no test or selection procedure should be implemented without an understanding of its effectiveness and limitations for the organization, its appropriateness for a specific job, and whether it can be appropriately administered and scored.
- For further background on experiences and challenges encountered by employers, employees, and job seekers in testing, see the testimony from the Commission's meeting on testing, located on the EEOC's public web site at: http://www.eeoc.gov/abouteeoc/meetings/5-16-07/index.html.
- For general information on discrimination Title VII, the ADA and the ADEA see EEOC's web site at:
    - http://www.eeoc.gov/abouteeo/overview_practices.html and
    - http://www.eeoc.gov/abouteeo/overview_laws.html

Footnote

[1]The Departments of Labor and Justice and the Office of Personnel Management (then called the Civil Service Commission) issued UGESP along with the EEOC.

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The U.S. Equal Employment Opportunity Commission

Fiscal Year 2007 Performance and Accountability Report

Our Vision

A strong and prosperous nation secured through a fair and inclusive workplace.

Our Mission

We promote equality of opportunity in the workplace and enforce Federal laws prohibiting employment discrimination.

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ACKNOWLEDGMENTS

WE WELCOME YOUR COMMENTS

An electronic copy of this report is available on the EEOC website at
www.eeoc.gov/abouteeoc/plan/par/2007/index.html

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The U.S. Equal Employment Opportunity Commission

Annual Report on the Federal Work Force Fiscal Year 2006

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PREFACE

The U.S. Equal Employment Opportunity Commission (EEOC or Commission) was established by the*Civil Rights Act of 1964, Title VII*, with the mission of eradicating discrimination in the workplace. In the federal sector, EEOC enforces *Title VII*, which prohibits employment discrimination on the basis of race, color, religion, sex, and national origin; the *Age Discrimination in Employment Act of 1967 (ADEA)*, which prohibits employment discrimination against individuals 40 years of age and older; the *Equal Pay Act of 1963 (EPA)*, which prohibits discrimination on the basis of gender in compensation for substantially similar work under similar conditions; and the *Rehabilitation Act of 1973 (Rehabilitation Act)*, which prohibits employment discrimination against federal employees and applicants with disabilities, and requires that reasonable accommodations be provided.

EEOC is charged with monitoring federal agency compliance with equal employment opportunity (EEO) laws and procedures, and reviewing and assessing the effect of agencies' compliance with requirements to maintain continuing affirmative employment programs to promote equal employment opportunity and to identify and eliminate barriers to equality of employment opportunity.

Equal Employment Opportunity Management Directive 715 (MD-715), issued October 1, 2003, established standards for ensuring that agencies develop and maintain model EEO programs. These standards will be used to measure and report on the status of the federal government's efforts to become a model employer. As detailed in *MD-715,* the six elements of a model EEO program are:

- Demonstrated commitment from agency leadership,
- Integration of EEO into the agency's strategic mission,
- Management and program accountability,
- Proactive prevention of unlawful discrimination,
- Efficiency, and
- Responsiveness and legal compliance.

This report covers the period from October 1, 2005, through September 30, 2006 and contains selected measures of agencies' progress toward model EEO programs.[1] While working within our mission as an oversight agency, EEOC strives to create a partnership with agencies. In FY 2006, EEOC expanded its Relationship Management program from 11 Cabinet/Mid-Size agencies to 12 and launched a small agency program with 14 initial participants.

The FY 2006 *Annual Report on the Federal Work Force*, submitted to the President and Congress, presents a summary of selected EEO program activities in the federal

government, including work force profiles of 59 federal agencies. The report provides valuable information to all agencies as they strive to become model employers.

To prepare this report, the Commission relied on the following data: 1) work force data, as of September 30, 2006, obtained from the U.S. Office of Personnel Management's Central Personnel Data File (CPDF)[2] supplemented with data provided by the Foreign Service, Army & Air Force Exchange Service, Federal Energy Regulatory Commission, Tennessee Valley Authority and the United States Postal Service; 2) data from the 1990 and 2000 EEO Special Files; 3) EEO complaint processing data submitted and certified as accurate by 110 federal agencies in their Annual Federal Equal Employment Opportunity Statistical Report of Discrimination Complaints (EEO 462 reports); 4) hearings and appeals data obtained from EEOC's internal databases; and 5) EEO program data submitted and certified as accurate by 158 of 198 federal agencies and subcomponents in their fiscal year (FY) 2005 Federal Agency Annual Equal Employment Opportunity Program Status Reports (MD-715 reports).[3]

Effective January 1, 2006, the U. S. Office of Personnel Management required federal agencies to report ethnicity and race information for accessions on the revised Standard Form 181. Accordingly, the CPDF now contains data on persons who are Native Hawaiian/Other Pacific Islanders or who are of Two or More Races. Thus, for the first time, separate data on these groups is contained in this Report. Readers should bear in mind that in prior years, data on Asians included Native Hawaiian/Other Pacific Islanders and no data was reported on persons of Two or More Races. As a result, care should be exercised when comparing current data to data from prior years.

Finally, the Commission would like to extend its thanks to the Office of Personnel Management for providing the work force data from the CPDF, AAFES, FERC, TVA, USPS and the Foreign Service and to those agencies that timely submitted accurate and verifiable EEO complaint processing data.

This year the Commission again provided agencies an opportunity to comment on the draft of this report. The Commission thanks those agencies that submitted comments and suggestions for assisting in the publishing of a more accurate report. Agencies are encouraged to submit all Reports to the Commission in a timely and accurate manner to ensure that the state of EEO in the federal work force is reflected correctly.

EXECUTIVE SUMMARY

STATE OF EEO IN THE FEDERAL GOVERNMENT

- In FY 2006, there were 2.6 million women and men employed by the Federal government across the country and around the world.
  - 56.9% were men and 43.1% were women; the participation rate for women has slowly but steadily increased over the last ten years.
  - 7.7% were Hispanic or Latino, 66.2% were White, 18.4% were Black or African American, 5.9% were Asian, 0.2% were Native Hawaiian/Other Pacific Islanders, 1.7% were American Indian/Alaska Native, and 0.1% were persons of Two Or More Races.
- Between FY 2005 and FY 2006, Hispanic or Latinos, Whites, Native Hawaiian/Other Pacific Islanders, women and persons of Two or More Races remained below their overall availability in the national civilian labor force, as reported in the 2000 census. Black or African Americans, Asians, American Indian/Alaska Natives and men remained above their overall availability in the national civilian labor force, as reported in the 2000 census.
- The number of employees with targeted disabilities in the federal work force has been steadily declining in the past ten years, from 28,671 in FY 1997 to 24,442 in FY 2006. In FY 2006, Individuals with Targeted Disabilities represented less than one percent (0.94%) of the total work force.
- Of the total work force, 0.77% held senior pay level positions, which is an increase from 0.62% in FY 1997. Women have made the most gains in securing senior level positions in the federal government, occupying 26.2% of those positions in FY 2006, up from 21.2% in FY 1997. Within that ten year period Hispanic or Latino and Asian women have made the most gains.
- Of the total work force, 54.3% of employees occupied General Schedule and Related pay system positions.
- The average grade for permanent and temporary General Schedule employees was 10. Hispanic or Latino (9.4), Black or African American (9), Native Hawaiian/ Other Pacific Islander (8.3), American Indian/Alaska Native (8.4) employees and employees of Two or More Races (8.6) all had average grades lower than the government-wide average.
- The average General Schedule grade for women was 9.3, nearly one and a half grades below the average grade level for men of 10.7.

- The average General Schedule grade for Individuals with Targeted Disabilities was 8.5, one and a half grades below the government-wide average (for permanent and temporary employees) of 10.
- Of the total work force, 7.50% of employees occupy positions in the Federal Wage System. In comparison to the General Schedule and Related positions, the Federal Wage System had a higher percentage of men (88.98%), Hispanic or Latinos (7.87%), Black or African Americans (18.21%), Native Hawaiian/Other Pacific Islanders (0.57%) and American Indian/Alaska Natives (2.53%), and a lower percentage of Asians (4.19%), Whites (66.51%) and women (11.01%).
- Of the total work force, 37.51% of employees occupied positions in Other Pay Systems (*i.e.* other than Senior Pay, General Schedule and Federal Wage Systems). In comparison to the General Schedule, the other pay systems had a higher percentage Hispanic or Latinos (7.98%), Black or African Americans (19.87%), and Asians (7.73%); and a lower percentage of Whites (63.12%) American Indian/Alaska Natives (1.11%) and Native Hawaiian/Other Pacific Islanders (0.13%).
- Of the 158 agencies and subcomponents that submitted a FY 2005 MD-715 report, 50% reported that they had issued an EEO policy on an annual basis, down from 54% of the 170 agencies and subcomponents that submitted an MD-715 report in FY 2004.
- Of the 91 agencies with 100 or more employees that were required to submit a FY 2006 EEOC Form 462 report, only 56 (61%) reported that the EEO Director reports directly to the agency head.
- A state of the agency briefing to the agency head, required by MD-715, was conducted by 59% of the 158 agencies and subcomponents that submitted a FY 2005 MD-715 report, up from 38% of the agencies and subcomponents in FY 2004.

Congratulations to the U. S. Department of Defense Computer/Electronic Accommodations Program for receiving the EEOC Freedom to Compete Award in FY 2006. The Freedom to Compete Award recognizes excellence in the implementation of specific equal employment opportunity practices that the Commission believes can be emulated by other employers, agencies or organizations. Further information about this Award is available at www.eeoc.gov.

- A reasonable accommodation procedure was submitted to EEOC for review by 98% of the 91 agencies with 100 or more employees that were required to submit a FY 2006 EEOC Form 462 report.
- Pre-complaint EEO counseling and alternative dispute resolution (ADR) programs addressed many employee concerns before they resulted in a formal EEO complaint. Of the 38,824 instances of counseling in FY 2006, 55.2% did not result in the filing of a formal complaint due either to settlement by the parties or withdrawal from the EEO process.
- In FY 2006, 15,359 individuals filed 16,723 complaints alleging employment discrimination against the federal government.
- The number of complaints filed declined by 7.2% from the number filed the previous year and there was a 6.9% decrease in the number of individuals who filed complaints over the same period. In FY 2006, 8.2% of the complaints filed were by individuals who had previously filed at least one other complaint during the year, down from 8.4% in FY 2005.
- Although considerable improvement occurred in FY 2006, federal agencies, as a whole, continued to exceed the regulatory processing time of 180 days or less, unless extended, due to settlement efforts, amendment, or consolidation for investigating EEO complaints. A total of 10,817 investigations were completed government-wide in an average of 186 days. Significantly, 7,506, or 69.4%, of the investigations were timely completed, up from 54.9% timely completed in FY 2005.
- Agencies issued 4,857 merit decisions without a decision by an EEOC Administrative Judge, and 3,026 (62.3%) of these decisions were timely issued, up from 59.1% timely issued in FY 2005.
- EEOC's hearing receipts decreased by 24.0%, from 10,266 in FY 2005 to 7,802 in FY 2006. The average processing time for a hearing was 274 days, a 10.0% increase from FY 2005's average of 249 days.

- EEOC's appeal receipts decreased by 9.9%, declining from 7,490 in FY 2005 to 6,743 in FY 2006. The average processing time for appeals in FY 2006 was 220 days, a 13.4% increase from the FY 2005 average of 194 days.
- In FY 2006, as a result of final agency decisions, settlement agreements, and final agency actions in which agencies agreed to fully implement EEOC Administrative Judges' decisions, agencies paid monetary benefits to EEO complainants totaling $32.6 million, down from the $51.7 million paid in FY 2005. An additional $11.7 million was paid out in response to appellate decisions, a decrease from the $15 million paid out in FY 2005.
- In FY 2006, EEOC's training and outreach program reached 6,158 federal employees through 198 sessions.
- In FY 2006, EEOC Form 462 reports were timely filed by 86 or 94% of the 91 agencies (with 100 or more employees) that were required to submit an EEOC Form 462 report.
- In FY 2005, MD-715 reports were timely filed by 107, or 68% of the 158 reporting agencies and subcomponents.

Part I

Summary of EEO Statistics in the Federal Government

Section A - Demonstrated Commitment From Agency Leadership

Now, more than ever before, with the increasing expectations of government institutions, federal agencies must position themselves to attract, develop and retain a top-quality work force in order to ensure our nation's continued growth, security and prosperity. To develop this competitive, highly qualified work force, federal agencies must fully utilize the talents of all employees, regardless of race, color, religion, national origin, sex or disability. In order to assist agencies in attaining these goals, on October 1, 2003, MD-715 became effective and set forth "policy guidance and standards for establishing and maintaining effective affirmative programs of equal employment opportunity under *Section 717 of Title VII* and effective affirmative action programs under *Section 501 of the Rehabilitation Act*."

MD-715 requires agency heads and other senior management officials to demonstrate a firm commitment to equality of opportunity for all employees and applicants for employment. Agencies must promote and safeguard equal employment opportunity into everyday practice and make those principles a fundamental part of agency culture.

1. 50% of Agencies Issued EEO Policy Statements on an Annual Basis

Section II(A) of MD-715 provides that "commitment to equal employment opportunity must be embraced by agency leadership and communicated through the ranks from the top down. It is the responsibility of each agency head to take such measures as may be necessary to incorporate the principles of EEO into the agency's organizational structure." In addition, this section establishes that "agency heads must issue a written policy statement expressing their commitment to EEO and a workplace free of discriminatory harassment. This statement should be issued at the beginning of their tenure and thereafter on an annual basis and disseminated to all employees."

Of the 158 agencies and subcomponents that submitted an MD-715 report for FY 2005, 79 (50%) reported that they had issued an EEO policy statement and would continue to do so on an annual basis, down from the 54% reported in FY 2004.

EEO Program Tip

The Equal Employment Opportunity Commission Fellowship Program (EEOCFP) was developed in March 2007. The brain child of Naomi Earp, Chair of the Equal Employment Opportunity Commission, the EEOCFP is a competitive program designed to create a pool of candidates for detail assignments to the EEOC. The EEOCFP provides an opportunity for Federal employees, Professors and graduate students interested in equal opportunity, public

administration, economics, employment law, statistics, and other relevant fields, to participate in research and projects related to the eradication of discrimination and fair and inclusive workplaces in the federal government. The EEOCFP consists of three levels: The Distinguished Fellows Program; the Meritorious Fellows Program; and the Exchange Fellows Program. The Distinguished Fellows Program is open to GS-14's and above or equivalents in the academic community interested in assignments of six months or more; the Meritorious Fellows Program is open to GS-13's and below and equivalents in the academic community interested in assignments of less than six months; and the Exchange Program is open to EEOC employees and other Federal employees interested in exchanging jobs based on mutual agreement. The first Fellows assignments will begin October 1, 2007. Further information, is available on the EEOC website at www.eeoc.gov.

Section B - Integration of EEO Into Agencies' Strategic Mission

In order to achieve its strategic mission, an agency must integrate equality of opportunity into attracting, hiring, developing, and retaining the most qualified work force. The success of an agency's EEO program ultimately depends upon decisions made by individual agency managers. Therefore, agency managers constitute an integral part of the agency's EEO program. The EEO office serves as a resource to these managers by providing direction, guidance, and monitoring of key activities to achieve a diverse workplace free of barriers to equal opportunity.

As part of integrating EEO into the strategic mission, Section II(B) of MD-715 instructs agencies to ensure that: (1) the EEO Director has access to the agency head; (2) the EEO office coordinates with Human Resources; (3) sufficient resources are allocated to the EEO program; (4) the EEO office retains a competent staff; (5) all managers receive management training; (6) all managers and employees are involved in implementing the EEO program; and (7) all employees are informed of the EEO program. Three aspects of this Section are highlighted below.

1. 61% of Agency EEO Directors Report to Agency Head

EEOC's regulations governing agency programs to promote equal employment opportunity require each agency to "maintain a continuing affirmative program to promote equal opportunity and to identify and eliminate discriminatory practices and polices." 29 C.F.R. § 1614.102(a). To implement its program, each agency shall designate a Director of Equal Employment Opportunity who shall be under the immediate supervision of the agency head. 29 C.F.R. §1614.102(b)(4).

Of the 91 agencies (with 100 or more employees) that were required to submit an EEOC Form 462 report in FY 2006, 56 agencies (61.5%) reported that their EEO Director reports to the agency head.

2. 59% of EEO Directors Presented the State of the EEO Program to the Agency Head

In addition to improving the status and independence of EEO, Section II(B) of MD-715 requires that agencies ". . . provide the EEO Director with regular access to the agency head and other senior management officials for reporting on the effectiveness, efficiency, and legal compliance . . ." of the agency's EEO program. Following the submission of the MD-715 report to EEOC, EEO Directors should present the state of the EEO program to the agency head on an annual basis. See Section I of EEOC's Instructions for MD-715.

Of the 158 agencies and subcomponents that submitted an MD-715 report for FY 2005, 93 (59%) indicated that the EEO Director had conducted the briefing, up from the 75 (44%) of the 170 in FY 2004.

3. 91% of Agencies Provided Their EEO Staff with Required Training

Section II(B) of MD-715 requires that agencies attract, develop and retain EEO staff with the strategic competencies necessary to accomplish the agency's EEO mission. In order to ensure staff competency within its EEO complaint program, agencies must comply with the mandatory training requirements for EEO counselors and investigators as set forth in MD-110. Agencies using contract staff to perform these functions must also ensure that these requirements are met.

Chapter 2, Section II of MD-110 requires that new EEO counselors receive thirty-two hours of EEO counselor training and thereafter eight hours of training each year. Likewise, new EEO investigators are required to have thirty-two hours of EEO investigator training and thereafter eight hours of training each year as set forth in Chapter 6, Section II of MD-110.

Of the 91 agencies with 100 or more employees that filed an EEOC Form 462 report in FY 2006, 91% ensured their EEO staff received the required regulatory training. Agencies trained 1,652 new EEO counselors and 157 new EEO investigators. Agencies also provided the required eight hour annual refresher training to 3,265 EEO counselors and 1,563 EEO investigators. Additionally, agencies reported providing thirty-two hour training to 32 EEO counselor/investigators and eight hour training to 121 EEO counselor/investigators. Through the EEOC Training Institute, 10 agencies provided additional MD-715 training for their EEO staff.

Section C - Management and Program Accountability

A model EEO program will hold managers, supervisors, EEO officials, and personnel officers accountable for the effective implementation and management of the agency's program. As part of management and program accountability, MD-715 provides that agencies should ensure that: (1) regular internal audits are conducted of the EEO program; (2) EEO procedures are established; (3) managers and supervisors are evaluated on EEO; (4) personnel policies are clear and consistently implemented; (5) a comprehensive anti-harassment policy has been issued; (6) an effective reasonable accommodation policy has been issued; and (7) findings of discrimination are reviewed. Two aspects of this Section are highlighted below.

1. 98% of Agencies Submitted Reasonable Accommodation Procedures

Section II(C) of MD-715 provides that a model EEO program must "implement effective reasonable accommodation procedures that comply with applicable executive orders, EEOC guidance, the Architectural and Transportation Barriers Compliance Board's Uniform Federal Accessibility Standards and Electronic and Information Technology Accessibility Standards, and ensure that EEOC has reviewed those procedures when initially developed and if procedures are later significantly modified."

Executive Order (E.O.) 13164 was issued July 26, 2000, which required all executive branch federal agencies to institute procedures for processing reasonable accommodation requests under Section 501 of the Rehabilitation Act of 1973 and submit them to EEOC. To date, EEOC has received 123 reasonable accommodation procedures from agencies and subcomponents and provided feedback to each of those agencies and subcomponents. Of the 91 agencies with 100 or more employees that were required to submit an EEOC Form 462 report in FY 2006, 98% provided reasonable accommodation procedures to EEOC.

The E.O. also requires each agency to submit to EEOC any modifications to its reasonable accommodation procedures. As of the end of FY 2006, EEOC received only 7 resubmissions, as opposed to 84 received during FY 2005. EEOC continues to provide technical assistance to agencies on drafting their reasonable accommodation procedures and on implementation concerns.

Section 1(b)(3) of the E.O. mandates that the time frame for the reasonable accommodation decisions be as short as reasonably possible. In providing feedback to agencies concerning time frames, the Commission has emphasized that: (1) all stages of the process, including receipt of the request, delivery of the request to the deciding official, the decision to grant the request and the delivery of the requested accommodation, be clearly identified and subject to a specific time limit; (2) to the extent possible, first-line supervisors be granted the authority to approve accommodation requests, in order to eliminate unnecessary levels of review; (3) an expedited process be provided in those situations where the requested accommodation is simple and straightforward and would not result in an undue hardship; and (4) circumstances under which delays in processing reasonable accommodation requests could arise be clearly addressed. See "Policy Guidance on Executive Order 13164: Establishing Procedures To Facilitate the Provision of Reasonable Accommodation" (October 20, 2000); and "Practical Advice for Drafting and Implementing Reasonable Accommodation Procedures Under Executive Order 13164" (July 19, 2005).

EEO Program Tips

The following language concerning time frames for processing reasonable accommodation requests comes from EEOC's: "Practical Advice for

Drafting and Implementing Reasonable Accommodation Procedures Under Executive Order 13164" (July 19, 2005):

- Designate a mandatory time limit during which all requests for reasonable accommodation must be processed, absent extenuating circumstances.
- Require that requests be handled as promptly as possible regardless of the time limit, and clearly state that failure to do so, absent extenuating circumstances, might result in an undue delay in violation of the Rehabilitation Act.
- Provide a reasonably quick time period for processing requests and clearly state that the time limit will be suspended while the parties wait for requested medical information or documentation.
- State clearly when the time frame corresponding to each stage in the process begins to run and make sure that there are no gaps. It might be helpful to identify an individual, such as a disability program manager, as being responsible for overseeing adherence to time frames.
- Specify what constitutes "extenuating circumstances," making it clear that the concept only applies to those situations involving factors that are outside the agency's control.
- Require expedited processing where it is needed, as in the case of time-sensitive accommodation requests.
- Provide time limits that cover the time allotted to deliver or implement the accommodation once it has been granted, as well as to process the accommodation request.
- Provide that in the event of a delay, the agency official responsible for processing the accommodation request should confer with the individual requesting the accommodation in order to consider providing temporary measures. Whenever it is possible to do so, process requests in less time than that authorized by the time limit, especially in those situations where an accommodation can be provided in much less time than the procedures allow. The complete document can be found at http://www.eeoc.gov/federal/implementing_accommodation.html.

2. 64% of Agencies Report They Have An Anti-Harassment Policy

Sections II(A) and (C) of EEOC's MD-715 provide that model EEO programs should "issue a written policy statement expressing their commitment to . . . a workplace free of discriminatory harassment" and "establish procedures to prevent . . . harassment." For more information, please review EEOC's Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, Notice 915.002 (June 18, 1999) (Enforcement Guidance on Harassment). In order to ensure that the agency's anti-harassment policy is enforced, Section II(C) requires agencies to establish procedures to prevent harassment and to take immediate corrective action once harassment is found. These procedures are separate from the federal sector administrative EEO complaint process.

EEOC's Enforcement Guidance on Harassment makes clear that agencies can be held liable for harassment based on race, color, sex, religion, national origin, protected activity, age (40 and over), or disability, and not merely for harassment that is of a sexual nature. Accordingly, the policy guidance emphasizes that agencies should establish anti-harassment policies and complaint procedures covering unlawful harassment on all bases.

Of the 158 agencies and subcomponents that submitted an MD-715 report for FY 2005, 101 (64%) reported that they had an anti-harassment policy.

EEO Program Tips

A common problem the Commission encounters is that some anti-harassment procedures, while comprehensive in nature, include separate definitions of sexual harassment. This suggests that, from a legal standpoint, sexual harassment is somehow different in kind from harassment on other bases. It also conveys the impression that sexual harassment claims might be subject to a different standard of liability than other forms of harassment. A more effective approach would be to include sexually oriented verbal or physical conduct within a comprehensive definition of discriminatory harassment.

For example, an agency could define discriminatory harassment as follows:

> Any verbal or physical conduct, based on race, color, religion, national origin, age, disability, sex (with or without sexual conduct), or protected activities, that either results in a tangible employment action or is so severe and pervasive as to constitute an intimidating, hostile or offensive work environment, including, but not limited to: (1) verbal conduct that could include racial or sexual epithets, foul language, unwanted sexual flirtations, ethnic jokes, derogatory statements or slurs; (2) physical conduct that could include improper touching or assault; or (3) visual harassment that could include racially or sexually explicit or derogatory posters, cartoons or drawings, or obscene gestures.

Section D - Proactive Prevention of Unlawful Discrimination

Part 1614 of EEOC's regulations provides that each agency shall "establish a system for periodically evaluating the effectiveness of the agency's overall equal employment opportunity effort." 29 C.F.R. § 1614.102(a)(11). In particular, "each agency shall maintain a continuing affirmative program to promote equal opportunity and to identify and eliminate discriminatory practices and policies." 29 C.F.R. § 1614.102(a).

1. Barrier Analysis

Pursuant to Section II(D) of MD-715, a model EEO program "must conduct a self-assessment on at least an annual basis to monitor progress and identify areas where barriers may operate to exclude certain groups." Part A(II) of MD-715 provides that "where an agency's self-assessment indicates that a racial, national origin, or gender group may have been denied equal access to employment opportunities, the agency must take steps to identify and eliminate the potential barrier." Barriers are defined as policies, procedures, practices, or conditions that limit employment opportunities for members of a particular race, ethnic or religious background, gender, or for individuals with disabilities. While some barriers are readily discernable, most are embedded in the agency's day-to-day employment policies, practices and programs, including: recruitment; hiring; career development; competitive and noncompetitive promotions; training; awards and incentive programs; disciplinary actions; and separations.

Of the 158 agencies and subcomponents that submitted a FY 2005 MD-715 report, 120 (80%) of them reported addressing potential barrier(s).

EEO Program Tips

In December 1997, the EEOC issued a Task Force Report on ""Best" Equal Employment Opportunity Policies, Programs, and Practices in the Private Sector." The Report compiled a number of "best practices" that promote equal employment opportunity and address barriers that may affect equal employment opportunity. Use of this Report as an idea bank broadly drawn upon may assist agencies in their efforts to attain a model EEO program.

In addition to potential general barriers to equal employment opportunity, which tend to be societal or culturally based, agencies should focus on potential barriers specific to particular types of employment actions. Specific barriers tend to be imbedded in the agency's operations, in other words, barriers to recruitment and hiring, or advancement and promotion, etc. Examples of policies, programs and practices that help identify and eliminate barriers include:

- Partnering with organizations that have missions to serve targeted groups;
- Using internships, work/study programs to attract and develop interested and qualified candidates;
- Developing methods to identify high-potential employees;

- Ensuring that tools for continuous learning and optimum job performance are available;
- Providing job transfer/rotation programs for career enhancing development experiences; and
- Ensuring that all persons involved in recruitment/hiring or promotions/advancement are well trained in their equal employment opportunity responsibilities.

The above is a small sampling of the data available in the Report, which is available on-line at www.eeoc.gov/abouteeoc/task_reports/best_practices.html

2. Composition of the Federal Work Force

With the increasing number of new grade and pay systems being adopted throughout the federal government, this year's report provides statistics on the composition of the Total Work Force as well as statistics on employees in four pay structures:

Senior Pay Level pay structures were created by the Civil Service Reform Act of 1978, which established the Senior Executive Service (SES) as a separate personnel system covering a majority of the top managerial, supervisory, and policy-making positions in the Executive Branch of government.

The General Schedule pay system was created by the Classification Act of 1949, which created a centralized job evaluation for all White-Collar positions and merged several separate schedules into one.

The Federal Wage System was established by Public Law 92-392 in 1972 to standardize pay rates for Blue-Collar federal employees.

Today, alternative pay plans are being used and proposed across the federal government. In this report they are identified as "Other Pay Systems." These systems include pay-banding systems, the Market-Based Pay system of the Army and Air Force Exchange Service, and include such agencies as the United States Postal Service and the Tennessee Valley Authority. Table 1 below shows the representation rates for each of these pay structures.

Table 1 - FY 2006 Federal Work Force Pay Structure Participation Levels

	# Work Force	% of Total Work Force
Total Work Force	2,611,493	
Senior Pay Level	20,070	0.77
General Schedule and Related	1,416,901	54.26
Federal Wage System	194,858	7.46
Other Pay Systems	979,664	37.51

a. Total Work Force: Hispanic or Latino employees and White Women Remain Below Availability

In FY 2006, the federal government had a Total Work Force of 2,611,493 employees, compared to 2,475,761 in FY 1997.[4] Table 2 shows the participation rate of the identified groups below, as compared to the civilian labor force (CLF). Table A-1 in Appendix III, located at www.eeoc.gov, provides ten-year trend data.

Table 2 - Composition of Federal Work Force –
Ten-Year Trend: Some Progress, Little Overall Change
FY 1997 - FY 2006[5]

	Work Force	Participation Rate		2000 CLF
	FY 2006	FY 1997 %	FY 2006 %	
Men	1,487,030	58.35	56.94	53.20
Women	1,124,463	41.65	43.06	46.80
Hispanic or Latino Men	119,756	3.97	4.59	6.20
Hispanic or Latino Women	80.849	2.42	3.10	4.50
White Men	1,049,959	42.87	40.21	39.00
White Women	677,861	26.29	25.96	33.70
Black or African American Men	206,219	8.04	7.90	4.80
Black or African American Women	273,284	10.31	10.46	5.80
Asian Men	87,680	2.77*	3.36	2.00
Asian Women	66,055	1.93*	2.53	1.80
Native Hawaiian/Other Pacific Islander Men	2,569	*	0.10	0.10
Native Hawaiian/Other Pacific Islander Women	1,932	*	0.07	0.10
American Indian/Alaska Native Men	20,089	0.69	0.77	0.50
American Indian/Alaska Native Women	23,718	0.71	0.91	0.50
Two or More Race Men	758	**	0.03	0.50
Two or More Race Women	764	**	0.03	0.40
Individuals with Targeted Disabilities	24,442	1.16	0.94	CLF NOT AVAILABLE

*Asians, Native Hawaiian and Other Pacific Islanders data included in Asian data **Data not available.

A comparison of the data on the participation rates of persons in particular agency components or specific major occupations can serve as a diagnostic tool to help identify possible areas where barriers to equal opportunity may exist within an agency. This information is located in Tables A-1a and A-6b of Appendix III, located at www.eeoc.gov.[6]

b. Senior Pay Levels: Women Show Some Progress

With a total of 20,070 employees, the Senior Pay Level (SPL) positions comprise 0.77% of the total work force. SPL positions include the SES, Executive Schedule, Senior Foreign Service, and other employees earning salaries above grade 15 in the General Schedule. Table 3 below reflects the SPL representation. Table A-2 of Appendix III at www.eeoc.gov contains additional data.

Table 3 - Senior Pay Level Representation FY 1997 / FY 2006

	Senior Pay Level Positions			
	FY 1997		FY 2006	
	Number	% of SPL	Number	% of SPL
Total SPL Work Force	15,381		20,070	
Men	12,124	78.83	14,814	73.81
Women	3,257	21.17	5,256	26.19
Hispanic or Latino	412	2.68	733	3.65
White	13,563	88.18	17,105	85.23
Black or African American	1,005	6.53	1,307	6.51
Asian	304*	1.98*	746	3.72
Native Hawaiian/Other Pacific Islander	**	**	3	0.01
American Indian/Alaska Native	97	0.63	167	0.83
Individuals with Targeted Disabilities	67	0.44	93	0.46

*Includes both Asian and Pacific Islanders **Data not available

- The participation rate for women increased from 21.17% in FY 1997 to 26.19% in FY 2006.
- From FY 1997 to FY 2006, the Total SPL Work Force increased by 4,689 employees, a net change of 30.48%. Likewise, the number of federal employees with targeted disabilities increased from 67 in FY 1997 to 93 in FY 2006, a net change of 38.81%.
- Among agencies with 500 or more employees, Defense Security Service had the greatest percentage of women in SPL positions. See Table 4 below. SPL data for all agencies is located in Table A-2a of Appendix III, which can be found at www.eeoc.gov.

Table 4 - Ranking of Agencies with the Highest Percentage of Women in Senior Pay Level Positions in FY 2006 (Agencies With 500 Or More Employees)

Agency	Total Work Force #	SPL #	Women in Senior Pay Level Positions	
			#	%
Defense Security Service	**544**	**4**	**3**	**75.00**
Defense Human Resource Activity	**880**	**12**	**8**	**66.67**
Corp. for National and Community Service	**558**	**19**	**10**	**52.63**
Equal Employment Opportunity Commission	**2,195**	**32**	**15**	**46.88**
Court Services and Offender Supervision Agency	**1,140**	**12**	**5**	**41.67**

- Between FY 1997 and FY 2006, the participation rate for Black or African American employees (6.51%) in SPL positions has decreased slightly. The participation rate was (0.46%) for Individuals with Targeted Disabilities, (3.65%) for Hispanic or Latino employees, (3.72%) for Asian employees and (0.83%) for American Indian/Alaska Native employees.
- In FY 2006, the "feeder grades" to SPL positions[7] (GS grades 14 and 15) showed the following participation rates: men (67.28%), women (32.72%), Hispanic or Latino employees (4.10%), White employees (79.29%), Black or African American employees (9.67%), Asian employees (5.92%), Native Hawaiian/Other Pacific Islander employees (0.03%), American Indian/Alaska Native employees (0.93%), and Individuals with Targeted Disabilities comprised (0.50%).
- Part II of this report also contains information on the major occupations in selected government agencies. Data on participation rates of persons holding positions in an agency's major occupations can serve as a diagnostic tool to help determine possible areas where barriers to equal opportunity may exist and prevent upward mobility to SPL positions.

c. General Schedule and Related Positions: Hispanic or Latinos and Women Improve

- With a total of 1,416,901 employees, the General Schedule and Related (GSR) positions comprised 54.26% of the total work force in FY 2006. GSR positions are mostly comprised of positions whose primary duty requires knowledge or experience of an administrative, clerical, scientific, artistic, or technical nature. GSR figures include employees in other pay systems that are easily converted to GS by OPM.
- In FY 2006, the GSR participation rate for Hispanic or Latino employees was 7.50%; for White employees was 67.94%; for Black or African American employees was 17.50%; for Asian employees was 4.88%, for Native Hawaiian/Other Pacific Islander employees was 0.15%; for American Indian/Alaska Native employees was 1.96%, and for Individuals With Targeted Disabilities was 1.01%. See Table A-3 in Appendix III at www.eeoc.gov, for the entire ten-year trend in the GSR pay systems.

Table 5 - General Schedule &Related (GSR) Representation FY 1997 / FY2006

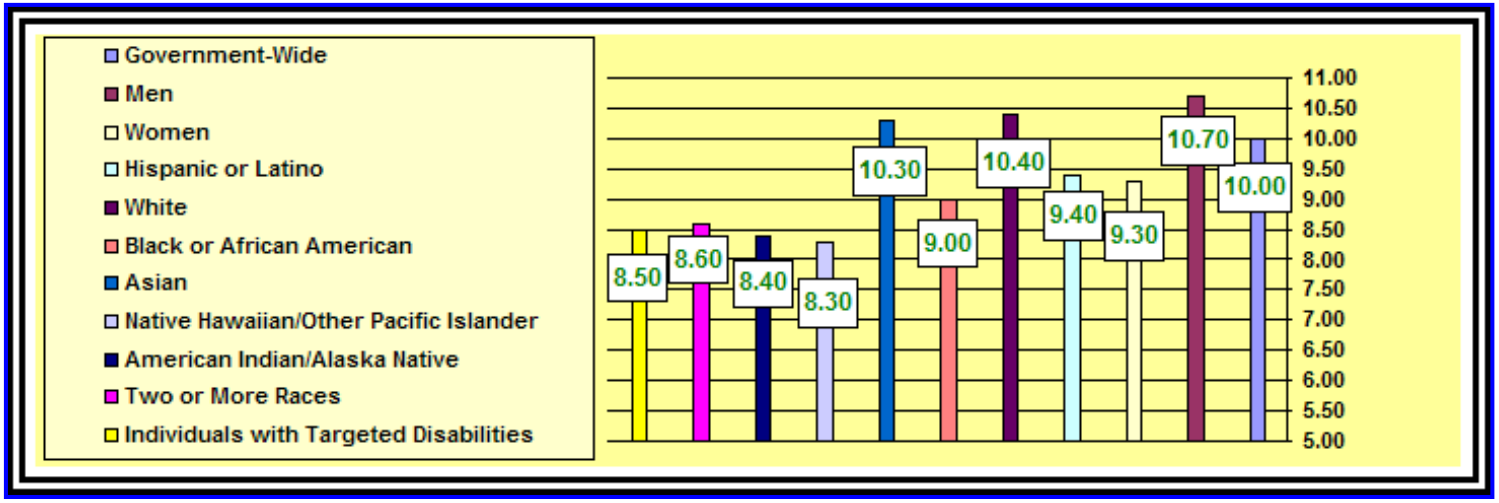
	GSR Positions			
	FY 1997		FY 2006	
	Number	% of GSR	Number	% of GSR
Total GSR Work Force	1,269,435		1,416,901	
Men	663,407	52.26	727,981	51.38
Women	606,828	47.74	688,920	48.62
Hispanic or Latino	79,594	6.27	106,330	7.50
White	884,035	69.64	962,634	67.94
Black or African American	229,895	18.11	248,025	17.50
Asian	50,397*	3.97*	69,092	4.88
Native Hawaiian/Other Pacific Islander	**	**	2,139	0.15
American Indian/Alaska Native	25,389	2.00	27,791	1.96
Individuals with Targeted Disabilities	16,249	1.28	14,373	1.01

*Includes both Asian and Pacific Islanders **Data not available

- Women held 48.62% of all GSR positions in FY 2006, up from 47.74% in FY 1997. Over the ten year period, Hispanic or Latino employees and Asian employees gradually increased their representation rates in the GSR work force.

- Over the ten year period, the participation rate for Individuals with Targeted Disabilities declined from 1.28% to 1.01% of the GSR work force.
- The average grade level for the total GSR permanent and temporary work force was grade 10 in FY 2006. Of GSR employees, 18.15% were in grades 1-6, 38.92% were in grades 7-11, 31.09% were in grades 12-13, and 11.78% were in grades 14-15.

Figure 1 - Average Grade in the General Schedule and Related Positions FY 2006



- The average GSR grade level for Hispanic or Latino employees (9.4), Black or African American employees (9), Native Hawaiian/Other Pacific Islander employees (8.3), American Indian/Alaska Native employees (8.4) and persons of Two or More Races (8.6) was lower than the government-wide average grade level (10).
- Approximately 42.23% of women employed in the GSR work force were in grades 7-11. The average GSR grade for women was 9.3 almost one full grade below the government-wide average of 10 and one and a half grades below men (10.7).
- The average GSR grade level for Individuals with Targeted Disabilities was 8.5, one and a half grades below the government-wide average. See Table A-3 in Appendix III at www.eeoc.gov.

d. Federal Wage System Positions: Women, Whites and American Indian/Alaska Natives Slightly Increase

- With a total of 194,858 employees, Federal Wage System (FWS) positions comprised 7.46% of the total work force in FY 2006. FWS (Blue-Collar) positions are mostly comprised of trade, craft and labor occupations.

Table 6 - Federal Wage System (FWS) Representation FY 1997 / FY 2006

	Federal Wage System (FWS) Positions	
	FY 1997	FY 2006

	Number	% of FWS	Number	% of FWS
Total FWS Work Force	243,343		194,858	
Men	217,573	89.41	173,389	88.98
Women	25,770	10.59	21,469	11.02
Hispanic or Latino	20,027	8.23	15,334	7.87
White	160,290	65.87	129,714	66.57
Black or African American	45,286	18.61	35,490	18.21
Asian	11,315*	4.65*	8,163	4.19
Native Hawaiian/Other Pacific Islander	*	*	1,112	0.57
American Indian/Alaska Native	6,400	2.63	4,937	2.53
Individuals with Targeted Disabilities	3,650	1.50	2,227	1.14

* Includes data for Native Hawaiian/Other Pacific Islander until separate data in FY 2006 data.

- FY 2006 FWS positions declined 19.92% from FY 1997.
- Since FY 1997, the participation rates for Hispanic or Latino employees (7.87%), Black or African American employees (18.21%), Asian employees (4.19%) and American Indian/Alaska Native employees (2.53%) have declined, while women (11.01%) and White employees (66.51%) have increased slightly. See Table A-4 in Appendix III at www.eeoc.gov for the complete ten-year trend.
- In FY 2006, the participation rate of men in the FWS pay system was 37.6 percentage points higher than the participation rate of men in the GSR pay system. Comparatively, FWS participation rates for Hispanic or Latino employees, Black or African American employees, American Indian/Alaska Native employees and Individuals with Targeted Disabilities were higher than the GSR participation rates, while the FWS work force participation rates for women, White employees, and Asian employees were lower.

e. Other Pay Systems: Women Increase But Still Trail Men

- With a total of 979,664 employees, other pay systems (OPS) comprised 37.51% of the total work force in FY 2006. Other Pay Systems include pay banding and other pay-for-performance systems that cannot be equated to GS grades.

Table 7 - Other Pay Systems (OPS) Representation FY 1997 –FY 2006

	Other Pay Systems (OPS) Positions			
	FY 1997		FY 2006	
	Number	% of OPS	Number	% of OPS
Total OPS Work Force	948,911		979,664	
Men	574,471	60.54	570,846	58.27
Women	374,440	39.46	408,818	41.73
Hispanic or Latino	63,008	6.64	78,208	7.98
White	628,274	66.21	618,367	63.12

Black or African American	189,403	19.96	194,681	19.87
Asian	59,876*	6.31*	75,734	7.73
Native Hawaiian/Other Pacific Islander	**	**	1,247	0.13
American Indian/Alaska Native	8,350	0.88	10,912	1.11
Individuals with Targeted Disabilities	9,106	0.96	7,802	0.80

***Includes both Asian and Pacific Islander employees ** Included with Asian employees**

- The participation rate for women (41.73%) in OPS was significantly lower than those (48.62%) in the GSR pay system.
- In FY 2006, the OPS participation rates for Hispanic or Latino employees (7.98%), and Asian employees (7.73%) and American Indian/Alaska Native employees (1.11%) slowly rose, while White employees (63.12%), Black or African American employees (19.87%) and Individuals with Targeted Disabilities (0.80%) fell from FY 1997 levels.
- In FY 2006, the OPS participation rates for Hispanic or Latino employees, Black or African American employees, and Asian employees were higher than in the GSR and FWS pay systems. OPS Participation rates for White employees and American Indian/Alaska Native employees and Individuals with Targeted Disabilities were lower than those in the GSR and FWS pay systems. See Table A-5 in Appendix IV at www.eeoc.gov for the complete ten-year trend.

3. Participation Rate of Individuals with Targeted Disabilities Continues to Fall

- From FY 1997 to FY 2006, the Total Work Force increased by 135,732 employees, a net change of 5.48%. However, the number of federal employees with targeted disabilities decreased from 28,671 in FY 1997 to 24,442 in FY 2006, a net change of –14.75%.
- Of the 2,611,493 federal employees in FY 2006, 24,442 were Individuals with Targeted Disabilities, resulting in a 0.94% participation rate for employees with targeted disabilities. Over the past 20 years, the federal government's efforts to improve the participation rate of employees with targeted disabilities have failed to result in any significant progress. In order to properly track trends in the employment of Individuals with Targeted Disabilities, it is necessary for each agency to regularly resurvey its work force and update disability identification information.
- The Equal Employment Opportunity Commission (EEOC) had the highest percentage of Individuals with Targeted Disabilities among those agencies with 500 or more employees at 2.37%. See Table 8 below.

Table 8 - Ranking of Agencies With the Highest Percent of Individuals With Targeted Disabilities (Agencies With 500 Or More Employees)

Agency	Total Work Force	Individuals with Targeted Disabilities	
		#	%
Equal Employment Opportunity Commission	2,195	52	2.37
Social Security Administration	63,647	1,318	2.07
Defense Finance and Accounting Service	13,083	261	1.99
Defense Logistics Agency	21,459	413	1.92
Government Printing Office	2,235	39	1.74

Table A-6b in Appendix III contains this information for all agencies and is located at www.eeoc.gov.

EEO Program Tip

LEAD (Leadership for the Employment of Americans with Disabilities) is the EEOC's Initiative to address the declining number of employees with targeted disabilities in the federal workforce. The over-arching goal for this initiative is to significantly increase the population of individuals with disabilities employed by the federal government. In support of the LEAD Initiative, the Office of Federal Operations maintains a strategic workgroup formulating strategies and plans designed to assist federal agencies in reversing the negative trends facing the severely disabled who seek federal employment opportunities.

http://www.eeoc.gov/initiatives/lead/index.html

EEO Program Tips

For improving the participation rate of Individuals with Targeted Disabilities:

- Seek out advice from agencies that are doing well.
- There should be at least one person within your agency who is well-versed on the various hiring authorities, internships, and employment programs designed specifically to benefit people with disabilities (including veterans with disabilities).
- Encourage staff to attend disability related conferences, such as Deaf and Hard of Hearing in Government's (DHHIG) National Training Conference or The Perspectives on Employment of Persons with Disabilities Conference.
- Every person in HR who is involved with selections must have a clear understanding of the Schedule A appointing authority.
- Quarterly reports to senior leaders on how managers are performing in this area will help.
- Hold managers accountable.

Section E - Efficiency in the Federal EEO Process

EEOC's regulations provide that each agency shall assure that individual complaints are fairly and thoroughly investigated and that final action is taken in a timely manner. 29 C.F.R. § 1614.102(c)(5). Section II(E) of MD-715 establishes that a model EEO program must have an efficient and fair dispute resolution process and effective systems for evaluating the impact and effectiveness of their EEO programs. In this regard, Section II(E) recommends that agencies "benchmark against EEOC regulations at 29 C.F.R. Part 1614 and other federal agencies of similar size which are highly ranked in EEOC's Annual Report on the federal sector complaints process."

1. Federal Agency EEO Programs: Complaints Decrease But Processing Times Continue to Exceed Regulatory Deadlines

Agencies process federal employees' EEO complaints under regulations promulgated by EEOC at 29 C.F.R. Part 1614. Employees unable to resolve their concerns through counseling can file a complaint with their agency.[8] The agency will either dismiss[9] or accept the complaint. If the complaint is accepted, the agency must conduct an investigation, and, in most instances, issue the investigative report within 180 days from the date the complaint was filed.[10]

After the employee receives the investigative report, s/he may: (1) request a hearing before an EEOC Administrative Judge, who issues a decision that the employee or the agency may appeal to EEOC's Office of Federal Operations; or (2) forgo a hearing and request a final agency decision. An employee who is dissatisfied with a final agency decision or the agency's decision to dismiss the complaint may appeal to EEOC. The complainant or agency may also request EEOC to reconsider its decision on the appeal. In addition, during various points in the process, the complainant has the right to file a civil action in a federal court.

As the EEO complaint process has become increasingly more costly, adversarial, and lengthy, EEOC has encouraged agencies to promote and expand the use of alternative dispute resolution (ADR) as a means of avoiding formal adjudication processes. Used properly, ADR can provide fast and cost-effective results while at the same time improve workplace communication and morale.[11]

a. Pre-Complaint Counselings and Complaints Decline

Completed counselings decreased by 5.5% from FY 2005 to FY 2006 and decreased 31.0% from FY 2002. Formal complaints declined by 7.2% in FY 2006 and 23.8% from FY 2002. Of the 38,824 completed counselings, 15,359 individuals filed 16,723 formal complaints in FY 2006.[12] The number of formal complaints filed represents 43.1% of all pre-complaint counseling activities in FY 2006. As Figure 2 shows, over the past five fiscal years, the number of pre-complaint counseling activities has decreased from 56,275 in FY 2002 to 38,824 in FY 2006, and likewise, the number of complaints filed by individuals has steadily decreased. During the same five-year period, the number of formal complaints filed continued to represent less than 50% of all pre-complaint counseling activities. See Figure 2. Significantly, while the United States Postal Service constituted 28.5% of the work force, it accounted for 43.7% of all EEO counselings, 36.9% of all complaints filed, 41.2% of all completed investigations and 40.7% of all complaints closed in FY 2006. See Tables B-1, B-9 and B-10 in Appendix III.

Figure 2 – Completed Counseling to Formal Complaints Filed/Complainants FY 2002 - FY 2006

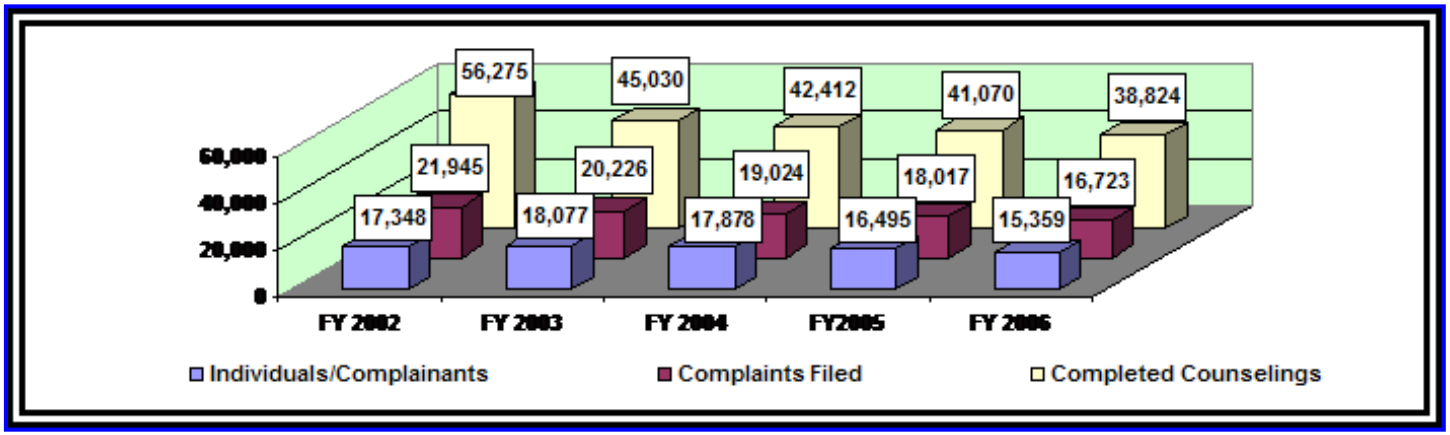


Table 9 below shows that in FY 2006, the National Endowment for the Arts reported the highest percentage (24.7%) of its work force that completed counseling, while the government-wide average was 1.4%. Agencies that had fewer than 25 completed/ended counselings were not included in the ranking. Table B-1 in Appendix III lists this information for all agencies and is located at www.eeoc.gov.

Table 9 - Agencies with the Highest Counseling Rate In FY 2006

Agency	Total Work Force	Percentage of Individuals Who Completed Counseling
National Endowment for the Arts	162	24.7%
Commodity Futures Trading Commission	466	15.5%
Broadcasting Board of Governors	1,741	4.4%
Federal Trade Commission	1,073	2.9%
Pension Benefit Guaranty Corporation	848	2.6%

As shown in Table 10 below, in FY 2006, the Broadcasting Board of Governors reported the highest complainant rate (1.6%), while the government-wide average was 0.6%. Agencies that had fewer than 25 complaints filed were not included in the ranking. Table B-1 in Appendix III contains this information for all agencies and is located at www.eeoc.gov.

Table 10 - Agencies with the Highest Complainant Rate in FY 2006

Agency	Total Work Force	Percentage of Complainants
Broadcasting Board of Governors	1,741	1.6%
Government Printing Office	2,238	1.6%
Department of Education	4,353	1.5%
Department of Housing and Urban Development	9,364	1.0%
Department of Transportation	53,864	0.8%

b. Pre-Complaint ADR Usage – New Measurement for Rates

Historically, ADR offer and participation rates measured ADR activity in both completed and pending counselings at the end of the fiscal year. Including ADR activity in pending counselings occasionally created percentage rates greater than 100%. In FY 2006, the goal was to ensure greater uniformity, consistency, and quality in the reporting and utilization of ADR data by the collection of ADR data only for completed/ended counselings.

Therefore, comparison of FY 2006 data with prior year's data is not possible. In FY 2006, the government–wide ADR offer rate was 75.6% based upon 29,352 ADR offers made in 38,824 completed/ended counselings. Of these offers, 17,309 were accepted into agencies' ADR programs, resulting in a 44.6% participation rate.

Ten agencies with 25 or more completed/ended counselings had 100% offer rates. These agencies are the Department of Labor, Department of Housing and Urban Development, Department of Education, Broadcasting Board of Governors, Defense National Security Agency, Office of Personnel Management, Equal Employment Opportunity Commission, Smithsonian Institution, Federal Reserve System-Board of Governors, and Defense Information Systems Agency.

The U.S. Postal Service Again Had the Highest ADR Participation Rate

In FY 2006, the U.S. Postal Service reported the highest ADR participation rate in the pre-complaint process (73.5%), while the government-wide average was 44.6%. No other agency with 25 or more completed/ended counselings had a participation rate greater than fifty percent. See Table 11. Agencies that had fewer than 25 completed/ended counseling were not included in the ranking. See Tables B-1 and B-4 in Appendix III for information on all agencies, which is located at www.eeoc.gov.

Table 11 - Highest ADR Participation Rate in the Pre-Complaint Process FY 2006

Agency	Total Work Force	Completed/Ended Counselings	Participation in ADR	Participation Rate
U.S. Postal Service	795,850	16,954	12,455	73.5%
Department of Housing and Urban Development	9,364	156	72	46.2%
Department of Homeland Security	168,865	2,223	955	43.0%
National Archives and Records Administration	2,983	38	15	39.5%
Defense Finance and Accounting Service	13,176	147	53	36.1%

EEO Program Tips

To improve ADR programs:

Create a user friendly web-based program to provide employees basic EEO ADR orientation that includes high level administrators discussing the use and benefits of ADR. When developing the program, consider including information on other available employee dispute resolution programs as well as stakeholder testimonials showing the value of ADR.

Provide "neutral" training to the EEO intake staff/counselors so that they have additional tools to resolve traditional counselings. This will assist them in the intake phase so that they can fully explain the ADR processes to the parties.

Provide monthly tips on the benefits of ADR via email broadcasts to all employees.

Designate resolving/settlement officials who were not involved in the dispute as the agency representative with settlement authority who attends the ADR sessions. A resolving/settlement official may be more objective and could have broader authority to resolve disputes.

Even if ADR was not successful at the pre-complaint stage, attempt ADR after the report of investigation is completed - since both parties have had the opportunity to assess the strengths and weaknesses of their case, ADR may motivate the parties to resolve the dispute.

c. Agencies Meet Counseling Deadlines in 89% of Cases

On average, in FY 2006 agencies met timeliness requirements for EEO counseling in 89.0% of all completed/ended counselings, which is up from 80.7% in FY 2005 and 87.5% in FY 2002. Agencies are required to complete counseling in 30 days except when there is a 60-day extension due to an ADR election or the complainant agrees in writing to an extension.

d. Agencies Increase Pre-Complaint Resolution Rate in FY 2006

During counseling and ADR in the pre-complaint stage, EEO disputes can be resolved by either a settlement or a decision not to file a formal complaint. In FY 2006, the government-wide resolution rate average was 55.2%, up from 53.7% in FY 2005.

National Endowment for the Arts Had the Highest Pre-Complaint Resolution Rate

Best Practices - Improving Counseling Times

See the Commission's "Attaining a Model Agency Program:

In FY 2006, the National Endowment for the Arts reported the highest pre-complaint resolution rate (100%). See Table 12. Agencies that had fewer than 25 completed/ended counselings were not included in the ranking. Table B-3 in Appendix III contains this information for all agencies and is located at www.eeoc.gov.

Efficiency" report located on the web at www.eeoc.gov/federal/efficiency.html

Table 12 –Highest Pre-Complaint Resolution Rates FY 2006

Agency	Total Work Force	Completed Counselings	Total Resolved	Resolution Rate
National Endowment for the Arts	162	45	45	100%
Commodity Futures Trading Commission	466	73	70	95.9%
Federal Trade Commission	1,073	35	32	91.4%
Federal Reserve System - Board of Governors	1,862	27	21	77.8%
Defense National Guard Bureau	56,137	166	127	76.5%

National Aeronautics and Space Administration Had the Highest ADR Resolution Rate in FY 2006

In FY 2006, the National Aeronautics and Space Administration reported the highest ADR resolution rate in the pre-complaint process (73.1%), whereas the government-wide average was 50.1%. See Table 13. When the U.S. Postal Service resolution rate (50.9%) is excluded from the government-wide average, the government-wide ADR resolution rate decreased to 48.0% in FY 2006. Agencies that had fewer than 25 ADR closures were not included in the ranking. Table B-5 in Appendix III contains this information for all agencies and is located at www.eeoc.gov.

Table 13 –Highest Pre-Complaint ADR Resolution Rates FY 2006

Agency	Total Work Force	ADR Closures	ADR Resolutions	ADR Resolution Rate
National Aeronautics and Space Administration	18,697	26	19	73.1%
Department of Veterans' Affairs	238,228	762	527	69.2%
Defense Logistics Agency	20,478	77	52	67.5%
Department of the Air Force	164,773	477	321	67.3%
Department of State	19,667	34	21	61.8%

e. Monetary Benefits in Pre-Complaint Phase Drop

Monetary benefits awarded in settlements during the pre-complaint phase, shown in Table 14, have dropped significantly since FY 2002. The data showed a decrease in the average amount of monetary benefits from $2,912 in FY 2005 to $2,680 in FY 2006.

Table 14 –Monetary Benefits Awarded In Settlements During the Pre-Complaint Stage of the EEO Process FY 2002 –FY 2006

FY	Completed Counselings	Total Resolutions		Total Settlements		Total Settlements with Monetary Benefits		Settlement Monetary Benefits	Average Award per Resolution with Monetary Benefits
		#	%	#	%	#	%		
2002	56,275	34,330	61.0	9,050	16.1	568	6.3	$2,527,538	$4,450
2003	45,030	28,011	62.2	8,199	18.2	621	7.6	$3,160,565	$5,089
2004	42,412	21,520	50.7	7,856	18.5	603	7.7	$3,137,911	$5,203
2005	41,070	22,038	53.7	7,652	18.7	585	7.7	$1,703,626	$2,912
2006	38,824	21,430	55.2	7,424	19.1	622	8.4	$1,666,651	$2,680

f. The Basis and Issue Most Frequently Alleged Remains Unchanged

Of the 16,723 complaints filed in FY 2006, the basis most frequently alleged was reprisal (6,535) and the issue most frequently alleged was non-sexual harassment (4,544). As shown in Tables 15 and 16, this trend has remained unchanged for the past five fiscal years.

Table 15 –Top 3 Bases in Complaint Allegations Filed for FY 2002 –FY 2006

Basis	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Reprisal	8,095	8,111	7,782	7,105	6,535
Age	5,344	5,774	5,449	5,088	4,769
Race - Black	5,647	5,279	5,021	4,478	4,125

Allegations of race discrimination were made in 37.1% of all complaints filed in FY 2006. In FY 2006, there was a 23.7% decrease in the number of complaints filed since FY 2002, and the percentage of complaints alleging discrimination based on race decreased by 27.5%. During that same period, the percentage of complaints filed alleging discrimination based on color soared 151.7%, from 644 in FY 2002 to 1,621 in FY 2006.[13]

In April 2006, EEOC issued Section 15 of the new Compliance Manual on “Race and Color Discrimination.” It includes numerous examples and guidance in proactive prevention and “best practices.” This Manual Section is located at www.eeoc.gov/policy/docs/race_color.html.

EEO Program Tip

The E-RACE Initiative enhances EEOC's efforts to ensure workplaces are free of race and color discrimination. Specifically, the EEOC will identify issues, criteria and barriers that contribute to race and color discrimination, explore strategies to improve the administrative processing and litigation of race and color discrimination claims, and enhance public awareness of race and color discrimination in employment.

Additionally, the Commission will combine the objectives of E-RACE with existing EEOC initiatives such as the Systemic Initiative by addressing race and color issues with class and systemic implications. E-Race also incorporates the principles of the Youth@Work Initiative by combating disparate treatment of youth based on race and color. The Commission also will complement the outreach and enforcement efforts of the LEAD Initiative by challenging exclusionary employment policies that adversely impact people of color who also have disabilities (in both the private and public sectors).

Finally, the Commission will strengthen partnerships with employee advocates and state and local human rights commissions and increase its outreach to human resource professionals and employer groups to address race and color discrimination in the workplace.

http://www.eeoc.gov/initiatives/e-race/index.html

Table 16 –Top 3 Issues in Complaint Allegations Filed for FY 2002 –FY 2006

ISSUE	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Harassment - Non-Sexual	5,431	5,689	5,175	4,550	4,544
Promotion/Non-Selection	3,664	4,435	3,892	2,937	2,793
Terms/Conditions	3,172	2,541	2,474	2,300	2,390

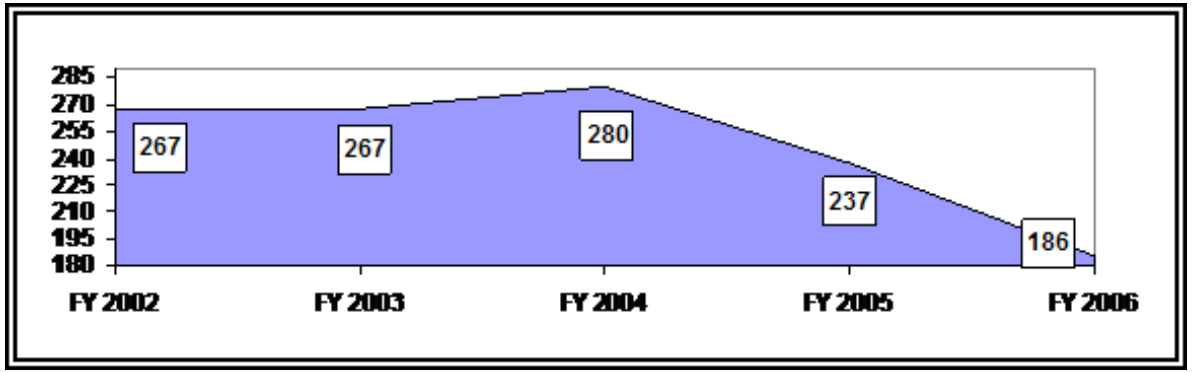
g. Agency Investigation Times Lowest in Five Years, Yet, Continue to Exceed Time Limits for Investigating Complaints and Issuing Final Agency Decisions

Investigations

Investigations into allegations of discrimination are a key component of the formal EEO complaint process. Delays may impede the primary goal of gathering sufficient evidence to permit a determination as to whether discrimination occurred. EEOC regulation 29 C.F.R. § 1614.106(e)(2) requires agencies to conduct an investigation and issue a report to the complainant within 180 days of the filing of a complaint unless: 1) the parties agreed to no more than a 90-day extension (may not exceed 270 days); or 2) the complaint was amended or consolidated, which can add another 180 days to the period but may not exceed 360 days.

In FY 2006, agencies were timely in completing investigations 69.4% of the time, up from 54.9% in FY 2005 (including written agreements to extend the investigation and consolidated or amended complaints). When the U.S. Postal Service is not included, the percentage of timely completed investigations decreased to 48.6% government-wide. Agencies reported the best investigation time in five years by averaging 186 days to complete an investigation in FY 2006. In comparison, agency investigations averaged 237 days in FY 2005 and 267 days in FY 2002. See Figure 3 below.

Figure 3 – Average Processing Days For Investigations for FY 2002 – FY 2006



Of those investigations required to be completed within the 180-day time limit, agency in-house investigators averaged 244 days to complete the investigation, while contract investigators averaged 158 days. Similarly, of those investigations required to be completed within the 181 to 360-day time limit (complaints amended, consolidated or extended by the parties), agency in-house investigators averaged 465 days to complete the investigation while contract investigators averaged 408 days.

After reviewing the investigatory practices of selected agencies, EEOC has identified several reasons for untimely investigations: poorly staffed EEO offices, unnecessary and time-consuming procedures,[14] delays in obtaining affidavits, and inadequate tracking and monitoring systems. For more information, see EEOC's *Federal Sector Investigations – Time and Cost*, issued June 2004 and *Attaining a Model Agency Program: Efficiency* at www.eeoc.gov/federal/efficiency.html.

Office of Personnel Management Completed the Highest Percentage of Timely Investigations

As shown in Table 17, the Office of Personnel Management timely completed 100% of its investigations.[15] Significantly the US Postal Service timely completed 99.1% of their 4,452 investigations in FY 2006. Agencies that had completed fewer than 25 investigations were not included in the ranking. Table B-9 in Appendix III contains this information for all agencies and is located at www.eeoc.gov.

Table 17 –Highest Percentage of Timely Completed Investigations for FY 2006

Agencies	Total Work Force	# Completed Investigations	# Timely Completed	% Timely
Office of Personnel Management	5,335	25	25	100.0%
United States Postal Service	795,850	4,452	4,410	99.1%
General Services Administration	12,290	57	54	94.7%
Tennessee Valley Authority	12,600	35	33	94.3%
Broadcasting Board of Governors	1,741	31	29	93.6

In FY 2006, the government-wide average cost for contracting out complaint investigations was $2,113.26 – approximately 68% less than the $5,111.93 average cost of agency (in-house) investigations.

Final Agency Actions

EEOC regulations require an agency to take a final action on each formal complaint filed. Table 18 below provides a breakdown with processing time for all final agency actions. Agencies may issue a decision dismissing a complaint on procedural grounds such as untimely EEO counselor contact or failure to state a claim. Government-wide, agencies took an average of 118 days to issue a decision dismissing a complaint on procedural grounds. EEOC maintains that, in general, acceptance letters/dismissal decisions should be issued well in advance of the 180-day time limit to complete an investigation. A suggested practical method of procedure is to issue these actions within 60 days of the filing of the formal complaint.

An agency may also issue a decision after an investigation, either finding discrimination or finding no discrimination. In FY 2006, agencies timely issued 62.3% of their final agency merit decisions, an increase from the 59.1% timely completed in FY 2005. Commission regulations require agencies to issue final decisions within 60 days of a complainant's request for such a decision or within 90 days after completion of an investigation if the complainant has not requested either a final decision or an EEOC hearing.

Finally, when an EEOC Administrative Judge has issued a decision, the agency must issue a final order either implementing the Administrative Judge's decision or not implementing and simultaneously appealing to EEOC. In FY 2006, agencies issued 4,418 final orders implementing and 87 orders not implementing the Administrative Judge's decision. Commission regulations require agencies to issue an order within 40 calendar days of receiving the Administrative Judge's decision or the decision becomes the agency's final decision. In FY 2006, agencies issued orders in an average of 135 days after receiving the Administrative Judge's decision, which is down from 191 days in FY 2005.

Table 18 –EEO Complaint Closures by Type with Government-Wide Average Processing Times in Days (APD) in FY 2002 –FY 2006

FY	Complaint Closures		Merit Final Agency Actions With AJ Decisions		Merit Final Agency Decisions Without AJ Decisions				Procedural Dismissals		Settlements		Withdrawals	
	Total	APD	Total	APD from Comp. Filed	Total	APD	APD from Date Required	% Timely	Total	APD	Total	APD	Total	APD
2002	22,889	418	3,841	833	5,467	474	--	--	5,770	N/A	5,606	482	2,205	309
2003	19,772	541	3,893	796	5,287	598	--	--	2,723	207	5,573	507	2,296	380
2004	23,153	469	4, 478	743	6,167	601	200	43.6%	5,444	150	4,469	473	2,325	308
2005	22,974	411	4,832	669	6,381	479	191	59.1%	5,510	127	4,264	436	1,997	294
2006	19,119	367	4,283	624	4,857	426	135	62.3%	4,895	118	3,490	378	1,594	236

-- EEOC did not collect data showing the timely merit Final Agency Decisions until FY 2004.

U. S. Postal Service Issued the Highest Percentage of Timely Merit Decisions Without an Administrative Judge Decision

In FY 2006, the U. S. Postal Service reported the highest percentage (95.9%) of timely issued merit decisions without an Administrative Judge decision. See Table 19 below.[16] Agencies that issued fewer than 25 merit decisions without a hearing were not included in the ranking. See Table B-14 in Appendix III for this information on all agencies located at www.eeoc.gov.

Best Practices - Final Action Times

See the Commission's "Attaining a Model

Agency Program: Efficiency" report, located on the web at www.eeoc.gov/federal/efficiency.html

Table 19 –Agencies With the Highest Percentage of Timely Issued Merit Decisions (Without an Administrative Judge Decision) in FY 2006

Agencies	Total Work Force	Merit Decisions without an AJ Decision		
		#	Timely	%
U.S. Postal Service	795,850	1,987	1,905	95.9%
Department of the Navy	192,412	138	114	82.6%
Department of the Treasury	121,452	175	141	80.6%
Army and Air Force Exchange Service	36,378	30	23	76.7%
Department of Housing and Urban Development	9,364	35	26	74.3%

h. Findings of Discrimination and Monetary Benefits on the Decline

For the first time in five years findings of discrimination have declined in the federal government. Table 20 below shows that both the total number of merit decisions and the number of findings of discrimination have decreased this year. In FY 2006, 2.5% of merit decisions resulted in a finding of discrimination.

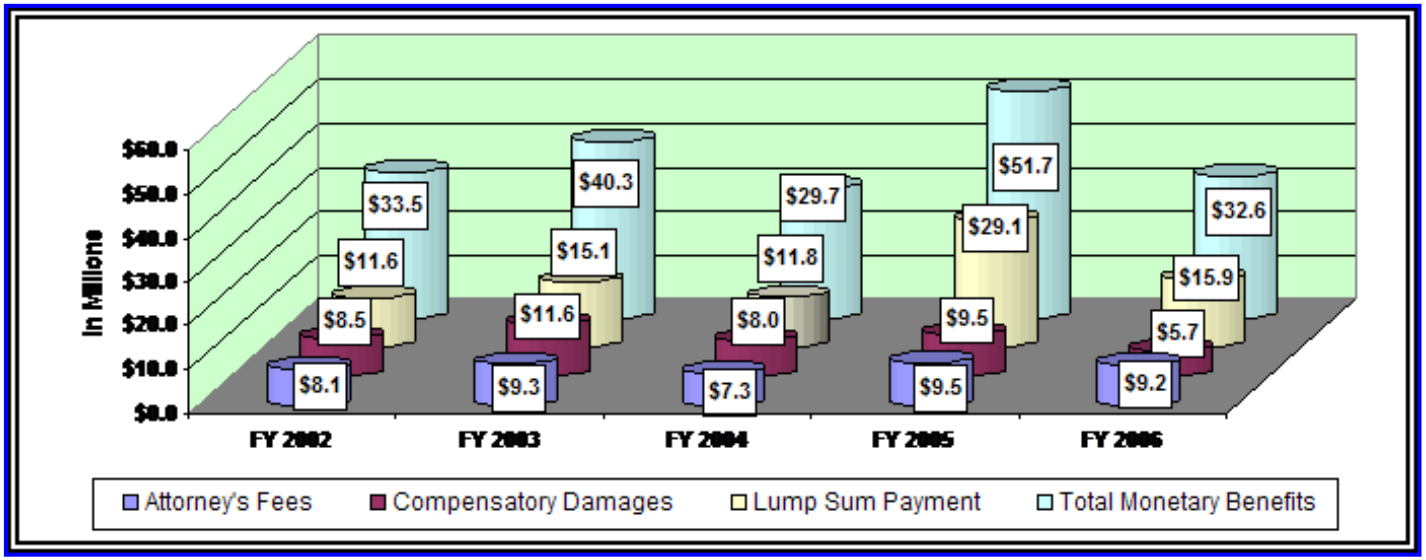
Table 20 –Amounts Awarded in Resolution of Formal EEO Complaints Before Appeals FY 2002 –FY 2006

Total Complaint Closures			Findings of Discrimination		Settlements		Monetary Benefits			
FY	#	Total Merit Decisions	#	% of Merits Decisions	#	% of Total Closures	# Total Complaint Closures with Benefits	% of Total Complaint Closures with Benefits	Total (in millions)	Per Capita
2002	22,889	9,308	248	2.7%	5,606	24.5%	5,854	25.6%	$33.5	$5,727
2003	19,772	9,180	264	2.9%	5,573	28.2%	5,823	29.5%	$40.3	$6,926
2004	23,153	10,915	321	2.9%	4,469	19.3%	4,739	20.5%	$29.7	$6,266

2005	22,974	11,213	345	3.1%	4,264	18.6%	4,525	19.7%	$51.7	$11,417
2006	19,119	9140	224	2.5%	3,490	18.3%	3,634	19.0%	$32.6	$8,978

Average monetary benefits awarded in resolution of formal EEO complaints decreased by 21.4% between FY 2005 and FY 2006 but still represented an increase of 56.8% from FY 2002. Table 20 above shows the total monetary benefits awarded during the formal complaint process for the past five fiscal years, while Figure 4 indicates what portion of these benefits were for compensatory damages, attorney's fees and lump sum payments.

Figure 4 – Monetary Benefits Awarded in the Formal Complaint Stage
FY 2002 – FY 2006



i. Affirmation Rate of Final Agency Decisions on Appeal Falls

As demonstrated by the Table 21 below, 60% of final agency decisions (FADs), excluding those in which an AJ issued a decision, were affirmed on appeal in FY 2006. This represents an 18%decrease from FY 2005 and a 17.6% decrease from FY 2002.

Table 21 –Affirmation Rate of Final Agency Decisions on Appeal
FY 2002 –FY 2006

Fiscal Year	FADs Decided on Appeal	FADs Affirmed on Appeal	Percentage of FADs Affirmed on Appeal
FY 2002	4,617	3,566	77.2%
FY 2003	3,599	2,888	80.2%
FY 2004	3,563	2,876	80.7%

FY 2005	3,316	2,595	78.3%
FY 2006	3,785	2,257	59.6%

2. EEOC Hearings and Appeals: Quicker Processing Times

By federal regulation, EEOC becomes involved in the handling of an EEO complaint from a federal employee after the case initially has been processed by the employing agency and a hearing has been requested before an EEOC Administrative Judge or an appeal from a final agency action has been filed.

If a complainant requests a hearing, an EEOC Administrative Judge may oversee discovery between the parties and hold a hearing or issue a decision on the record. If a hearing is held, the Administrative Judge will hear the testimony of witnesses, review relevant evidence, and make findings of fact and conclusions of law in a decision issued to the parties. In appropriate cases, an Administrative Judge may, in lieu of holding a hearing, procedurally dismiss a case or issue a decision by summary judgment.

EEOC is also responsible for deciding appeals from final actions issued by federal agencies on complaints of employment discrimination. These final actions may involve an agency's decision to procedurally dismiss a complaint, a final decision on the merits of a complaint when the complainant has not requested a hearing, or a decision on whether or not to fully implement the decision of an EEOC Administrative Judge. Once appellate decisions are issued, EEOC monitors agency compliance with all orders and takes appropriate action to enforce them. EEOC's adjudicatory responsibilities also include resolving allegations of a breach of a settlement agreement involving a federal sector EEO complaint, as well as deciding petitions for review of decisions involving claims of discrimination by the Merit Systems Protection Board and petitions for review of final grievance decisions when claims of discrimination are permitted to be raised in the grievance procedure.

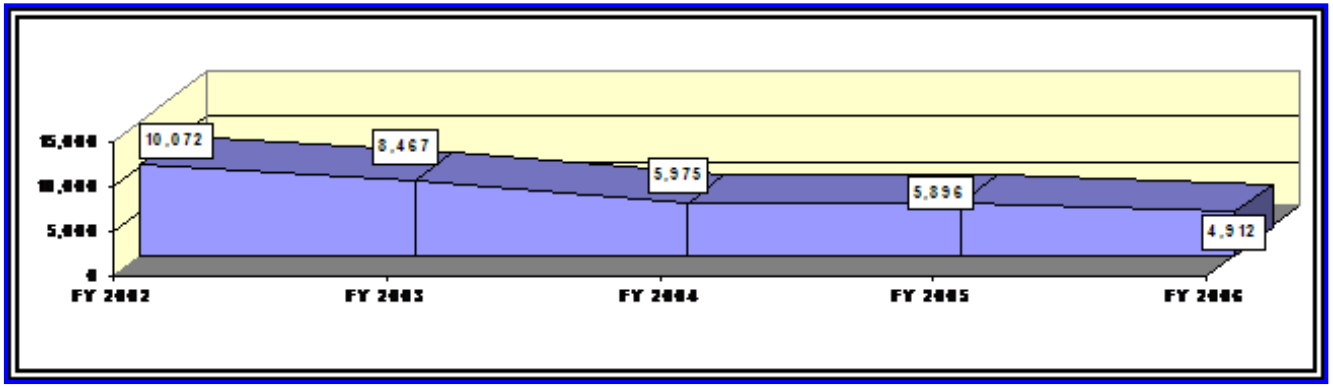
In addition to its equally important adjudicatory role, EEOC is vigorously engaged in assisting federal agencies in the proactive prevention of discrimination. EEOC's Office of Federal Operations (OFO) provides outreach, technical assistance and oversight to federal agencies, including conducting program reviews throughout the federal government to evaluate agencies' efforts to develop and maintain model EEO programs. OFO monitors and evaluates agencies' activities to identify and correct barriers to equal opportunity, reasonable accommodation procedures for individuals with disabilities, and ADR programs. OFO also gathers and analyzes data provided by federal agencies on employment trends and EEO complaint processing; issues periodic reports which are publicly available; and works with individual agencies to identify both positive and negative trends in their EEO programs. In addition, through EEOC's Revolving Fund, OFO develops and delivers training to federal agencies and other interested parties on a wide variety of federal-sector EEO topics.

a. Hearings

i. Hearings Inventory Continues to Decline

The hearings inventory decreased from 5,896 in FY 2005 to 4,912 in FY 2006, which represents a decline of 16.7%. Since FY 2002, the hearings inventory has fallen by 51.2% from a high of 10,072 cases.

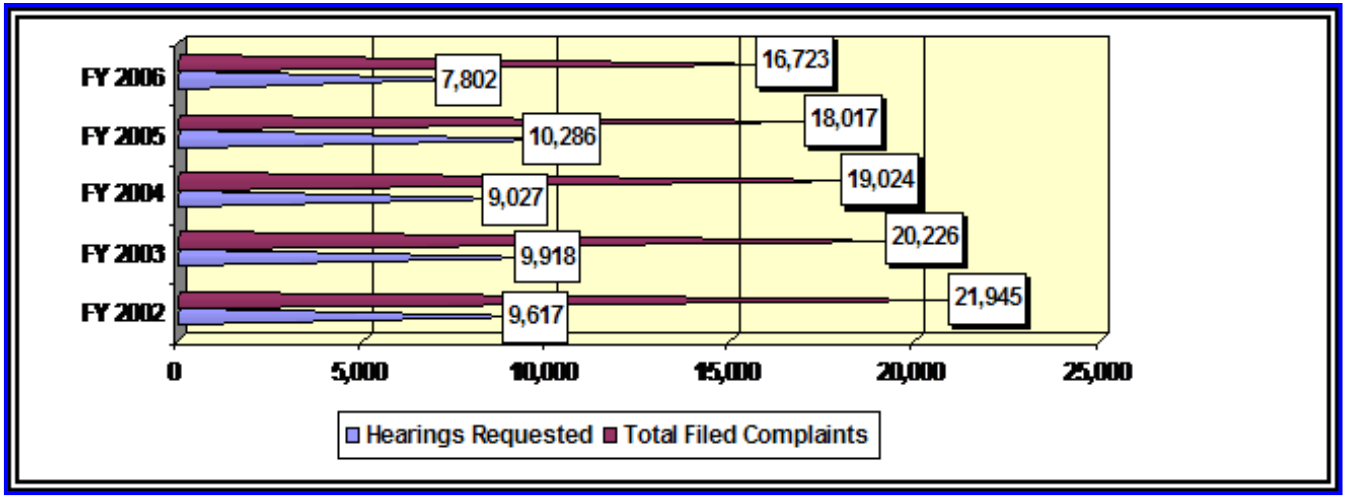
Figure 5 – Hearings Inventory
FY 2002 – FY 2006



ii. Hearing Requests Down

Hearing requests decreased by 24.0% from 10,266 hearing requests in FY 2005 to 7,802 in FY 2006, and have decreased by 18.9% from FY 2002. For comparison purposes, the 7,802 hearings requested comprised 46.7% of the total complaints filed in FY 2006.

Figure 6 – Comparison of Requests for EEOC Hearings to Complaints Filed FY 2002 – FY 2006



iii. Hearing Closures

During FY 2006, EEOC's Hearings Program resolved 8,685 cases, including 66 class actions, which represents a 15.0% decrease from the 10,221 cases closed in FY 2005 and a 25.6% decrease from the 11,666 cases closed in FY 2002. Excluding the class actions, the 8,619 individual cases in FY 2006 were closed in the following manner: 12.8% were by decision following a hearing; 33.4% were by decisions on the record; 24.0% were closed by settlements; 13.7% were by procedural dismissal; and 16.0% were withdrawals. See Table 22 for a comparison of FY 2002 – FY 2006.

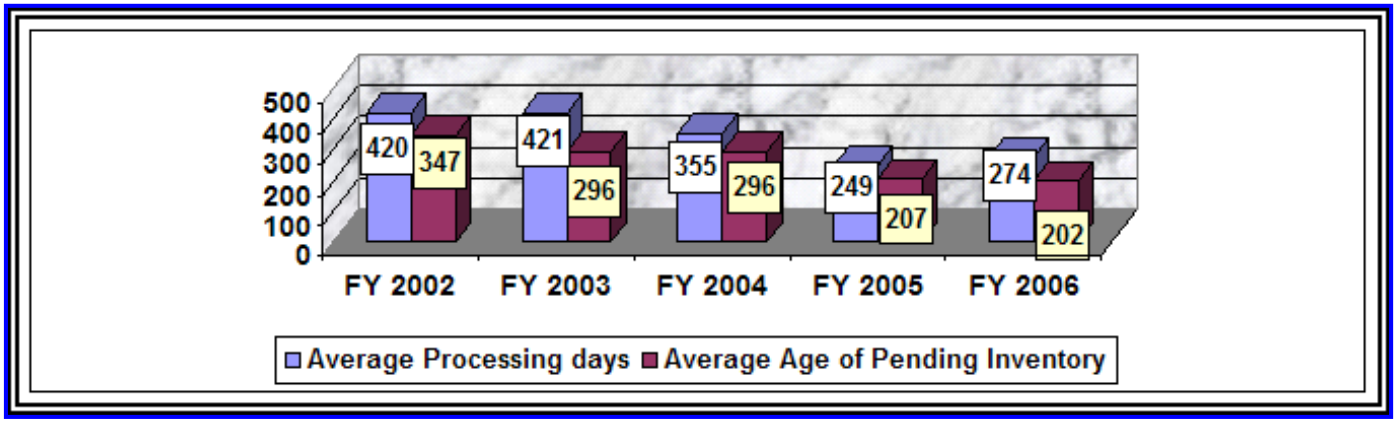
Table 22 –Hearings Program Individual Case Closures: FY 2002 –FY 2006

Closure Type	FY 2002		FY 2003		FY 2004		FY 2005		FY 2006	
	#	%	#	%	#	%	#	%	#	%
Decisions Following a Hearing	2,004	17.3	1,974	16.3	1,655	14.2	1,268	12.5	1,102	12.8
Decisions On the Record	2,274	19.7	2,804	23.1	3,481	30.0	3,272	32.3	2,883	33.4
Settlements	3,841	33.2	3,951	32.6	3,180	27.4	2,546	25.1	2,071	24.0
Procedural Dismissals	1,556	13.5	1,551	12.8	1,550	13.3	1,336	13.2	1,183	13.7
Withdrawals	1,893	16.4	1,844	15.2	1,760	15.1	1,721	17.0	1,380	16.0
Total Individual Case Closures	11,568		12,124		11,626		10,143		8,619	

iv. Average Processing Time for Hearings

The average processing time for hearing closures rose from 249 days in FY 2005 to 274 days in FY 2006, which still represents a significant decrease from the 420 days in FY 2002. The average age of the pending inventory decreased to 202 days in FY 2006 from 207 days in FY 2005, and is significantly lower than the 347 days in FY 2002.

Figure 7 - Average Processing Days for Hearings
FY 2002 - FY 2006



v. Agencies Challenge Findings of Discrimination

In FY 2006, EEOC Administrative Judges issued 203 decisions finding discrimination, which was 4.7% of all decisions on the merits of complaints. In comparison to the 232 decisions finding discrimination that Administrative Judges issued in FY 2005, the 203 decisions in FY 2006 represent a 12.5% decrease. Agencies may either fully implement or appeal the Administrative Judge's decision to the OFO. In FY 2006, agencies appealed only 2.0% of all Administrative Judge decisions; however, they appealed 42.5% of the cases where an Administrative Judge found discrimination.

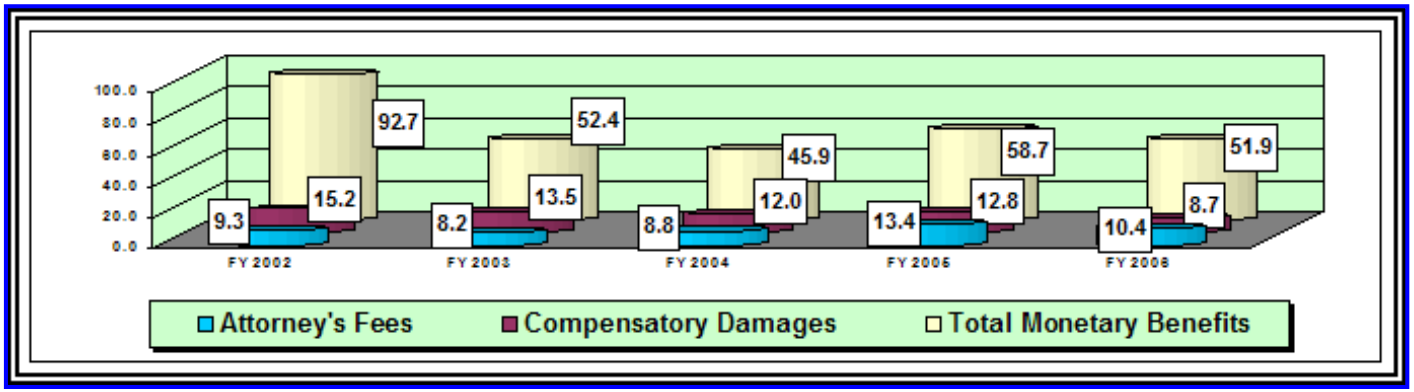
Table 23 - Agency Actions on Administrative Judge Decisions
FY 2002 - FY 2006

FY	Finding Discrimination[17]				Finding No Discrimination				Totals			
	Implemented		Appealed		Implemented		Appealed		Implemented		Appealed	
	#	%	#	%	#	%	#	%	#	%	#	%
2002	197	65.0%	106	35.0%	3,644	100.0%	0	0%	3,841	97.3%	106	2.7%
2003	159	63.3%	92	36.7%	3,639	99.9%	3	0.1%	3,798	97.6%	95	2.4%
2004	124	71.3%	50	28.7%	4,515	98.7%	59	0.3%	4,639	97.8%	109	2.2%
2005	182	69.7%	79	30.3%	4,567	99.9%	4	0.1%	4,749	98.3%	83	1.7%
2006	108	57.5%	80	42.5%	4,089	99.9%	6	0.1%	4,197	98.0%	86	2.0%

vi. Monetary Benefits Decrease at Hearings

In FY 2006, Administrative Judge decisions and settlements at the hearings stage awarded $51.9 million in benefits, as compared to the $58.7 million in FY 2005 and the $92.7 million awarded in FY 2002. Note that benefits at the hearings stage are preliminary, pending a decision on implementation by the agency or on appeal.

Figure 8 - Monetary Benefits Awarded from Hearings (In Millions of Dollars)
FY 2002 - FY 2006



vii. High Affirmation Rate of AJ Decisions on Appeal

As demonstrated by the table below, over 94% of Administrative Judge's decisions were affirmed on appeal in FY 2006.[18] Although the percentage has declined for the last three years, the five-year trend has shown nearly a 5.2% increase of affirmed Administrative Judge's decisions since FY 2002.

Table 24 –Affirmation Rate of AJ Decisions on Appeal
FY 2002 - FY 2006

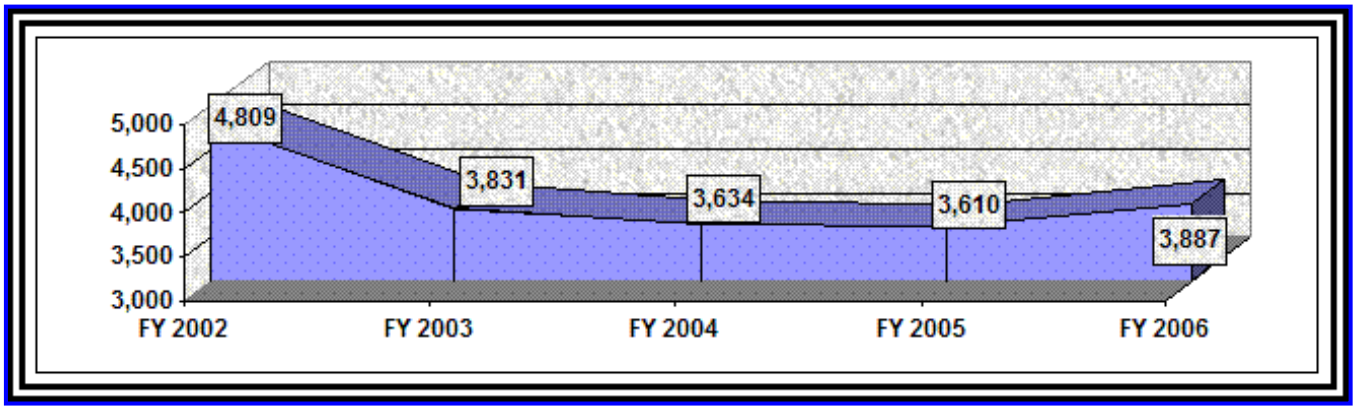
Fiscal Year	AJ Decisions Appealed			AJ Decisions Affirmed on Appeal			% of AJ Decisions Affirmed on Appeal		
	Total	Appeal By Agency[19]	Appeal By Appellant	Total	Appeal By Agency	Appeal By Appellant	Total	Appeal By Agency	Appeal By Appellant
2002	2,033	57	1,976	1,811	37	1,774	89.1%	64.9%	89.8%
2003	1,772	123	1,649	1,703	87	1,616	96.1%	70.7%	98.0%
2004	1,828	152	1,676	1,741	107	1,634	95.2%	70.4%	97.5%
2005	1,712	93	1,619	1,616	71	1,545	94.4%	76.3%	95.4%
2006	1,443	58	1,384	1,361	47	1,313	94.3%	81.0%	95.0%

b. Appeals

i. Appeals Inventory Turns Upward

OFO's appellate inventory rose in FY 2006 to 3,887, which represents a 7.7% increase from the 3,610 case inventory at the close of FY 2005 but a reduction of 19.2% from the 4,809 cases in inventory at the close of FY 2002.

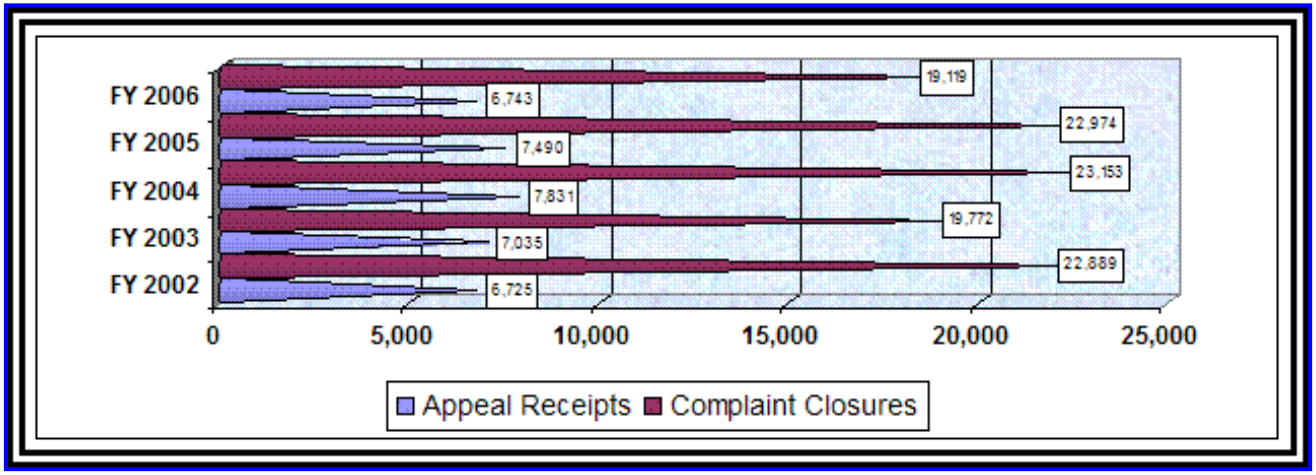
Figure 9 - Appellate Inventory FY 2002 - FY 2006



ii. Appeal Receipts Create Two-Year Downward Trend

OFO received 6,743 appeals in FY 2006, representing a 10% decrease from the 7,490 appeals filed in FY 2005. FY 2006 appeal receipts, however, still represent an increase of 0.3% from the 6,725 appeals received in FY 2002.

Figure 10 – Comparison of Appeals Receipts to Complaint Closures
FY 2002 - FY 2006



iii. Appeal Closures Remain Steady

OFO closed a total of 6,466 appellate cases in FY 2006, of which 5,118 (79.2%) alleged violations of Title VII; 1,703 (26.3%) involved the Rehabilitation Act; 1,721 (26.6%) violations of the ADEA; and 2 (0.03%) involved the Equal Pay Act of 1963. In FY 2005, OFO closed a total of 7,514 appellate cases, of which 5,831 were Title VII cases (77.6%); 2,040 involved the Rehabilitation Act (27.1%); 1,941 alleged violations of the ADEA (25.8%); and one involved the Equal Pay Act of 1963 (0.01%).[20] See Figure 11 for the appeal closures from FY 2002 to FY 2006.

Figure 11 - Appeal Closures FY 2002 - FY 2006

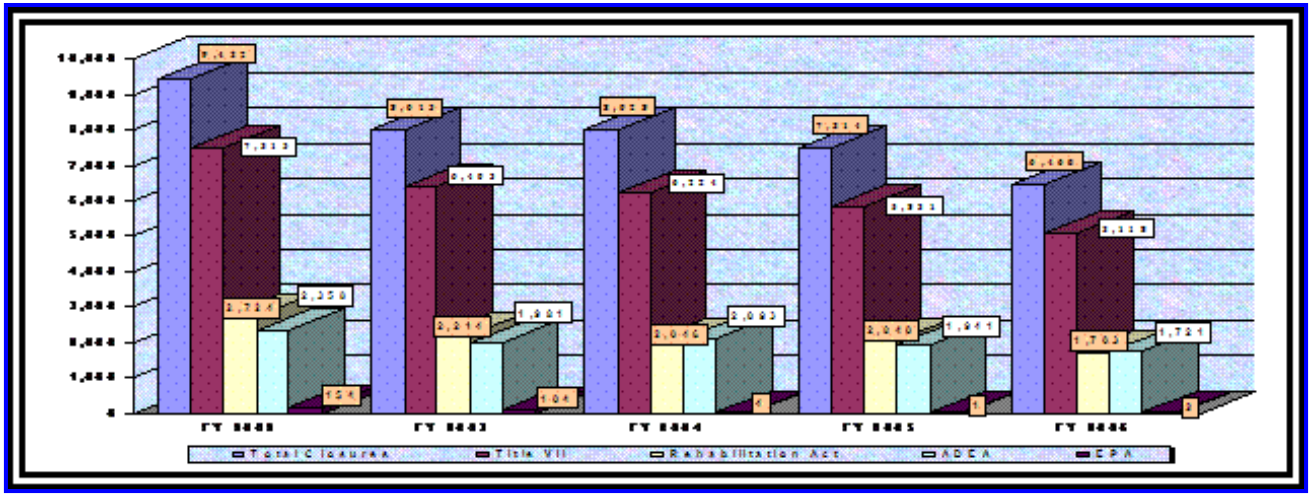


Table 25 below provides a breakdown by appeal type of all FY 2006 receipts and closures.

Table 25 - Types of Receipts and Appeals FY 2006

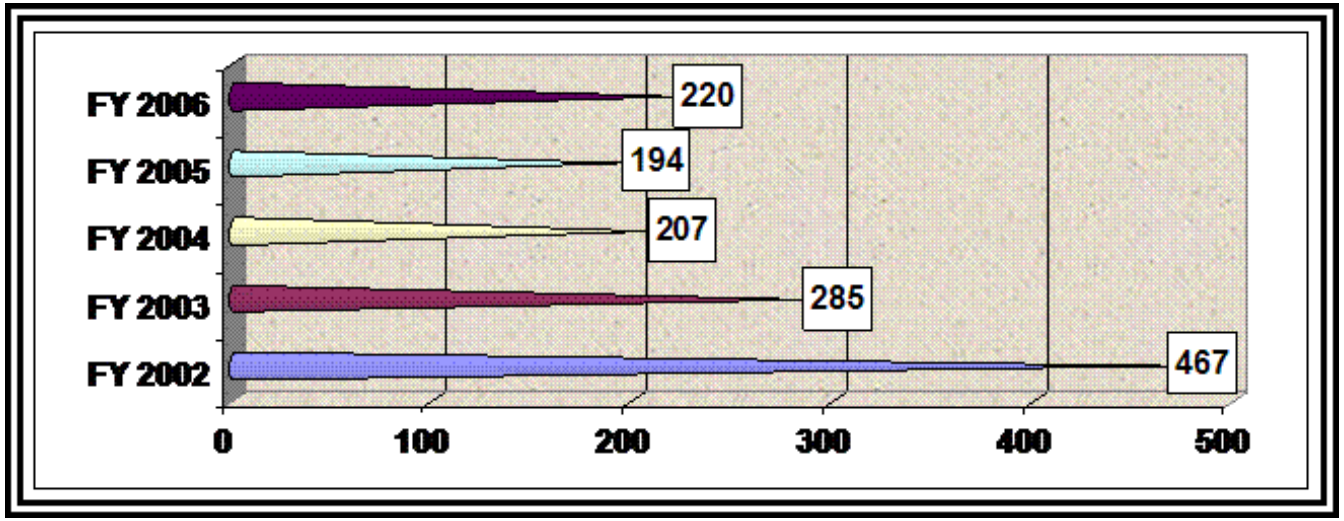
Types of Appeals	Receipts		Closures	
	#	% of Total	#	% of Total
Total	6,743		6,466	
Initial Appeals from Complainants	5,356	79.4	5,112	79.1
Initial Appeals from Agencies	94	1.4	67	1.0
Petitions to Review MSPB Decisions	133	2.0	125	1.9
Appeals from a Grievance / Arbitration of FLRA Decisions	15	0.2	15	0.2
Petitions for Enforcement	45	0.7	32	0.5
Requests for Reconsiderations	1,100	16.3	1,115	17.2

In FY 2006, OFO closed 2,637 appeals addressing the merits of the underlying discrimination claims, and made a total of 134 findings of discrimination, which represents 5.1% of the total. In FY 2005, OFO closed 3,000 appeals addressing the merits of the underlying discrimination claims, and made a total of 145 findings of discrimination, which represented 4.8% of the total. In FY 2006, OFO reversed 19.7% of the 3,266 appeals which addressed procedural closures.

iv. Average Processing Time of Appeal Closures

The average processing time for appeal closures rose to 220 days in FY 2006, representing a 13.4% increase from 194 days in FY 2005 and a 52.9% decrease from 467 days in FY 2002. OFO resolved 3,863 (59.7%) of the 6,466 appeals closed in FY 2006 within 180 days. The average age of the pending inventory at the end of FY 2006 was 205 days, a 3.5% increase from the 198-day average age at the end of FY 2005 and a 19.9% reduction from the 256-day average age of the open inventory at the end of FY 2002.

Figure 12 - Average Processing Days on Appeal
FY 2002 - FY 2006



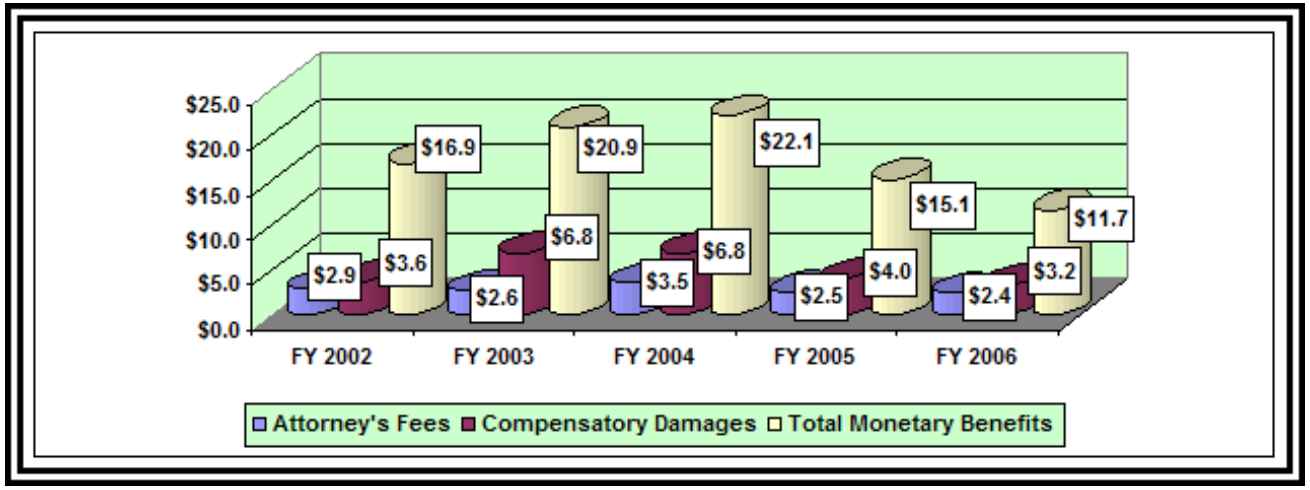
v. Three Most Prevalent Bases and Issues on Appeal Remain Unchanged

In FY 2006, reprisal, age and disability were the most prevalent bases of discrimination in closed appeals. In FY 2004 and FY 2005, reprisal, race (Black) and disability were the three most prevalent bases of discrimination in appeals. For all three years, harassment (non-sexual), promotion and removal were the most prevalent issues of discrimination in closed appeals.

vi. $11.7 Million Awarded on Appeal

In FY 2006, the $11.7 million in monetary benefits awarded in compliance with appellate decisions (including settlement agreements resolving appeals) is a decrease of 22.5% from the $15.1 million awarded in FY 2005 and a 30.8% decrease from the $16.9 million awarded in FY 2002.

Figure 13 - Monetary Benefits Awarded from Appeals[21]
FY 2002 - FY 2006 (In Millions of Dollars)



vii. Training and Outreach Conducted By EEOC

In FY 2006, EEOC staff members informed a large number of federal employees of their rights and responsibilities under the EEO process, affirmative employment programs and laws that the Commission enforces. EEOC's proactive prevention activities targeted multiple agencies, which provided to their managers and supervisors a better understanding of how to prevent employment discrimination within their workplace. These training sessions were provided by staff members from the OFO and various EEOC offices throughout the country.

Specifically, staff members conducted 161 training sessions reaching 3,875 federal employees, including 221 new EEO counselors, 141 new EEO investigators and 456 EEO professionals in affirmative employment programs. Additionally, staff members participated in 37 outreach sessions which reached another 2,283 individuals.

EEOC staff members also responded to more than 8,240 calls regarding the EEO complaint/appeals process, thereby providing the federal sector EEO community and employees with timely information. Additionally, in FY 2006 EEOC staff members provided 138 agencies and subcomponents with a written assessment of their FY 2005 MD-715 reports. Staff also provided technical assistance for affirmative employment programs through 80 in-person visits and 16,353 telephonic and email responses.

The Commission's training and outreach information can be found at http://www.eeoc.gov/outreach.

Section F - Responsiveness and Legal Compliance

The sixth MD-715 element, "Responsiveness and Legal Compliance," encompasses timely filing of required reports with EEOC and timely compliance with EEOC's issued orders.

1. 94% of Submitted EEOC 462 Reports Were Timely

EEOC regulation 29 C.F.R. § 1614.602(a) requires agencies to report to EEOC information concerning pre-complaint counseling, ADR, and the status, processing, and disposition of complaints under this part at such times and in such manner as the Commission prescribes.

The requirement to file an EEOC Form 462 Report applies to all federal agencies and departments covered by 29 C.F.R. Part 1614, as defined in 29 C.F.R. § 1614.103(b). This includes Executive agencies as defined in 5 U.S.C. 105, military departments as defined in 5 U.S.C. 102, the Government Printing Office, the Postal Rate Commission, the Smithsonian Institution, the Tennessee Valley Authority, the United States Postal Service, and those units of the judicial branch of the federal government having positions in the competitive service. All covered agencies must file Form 462 Reports with the Commission. EEOC Form 462 Reports are due on or before October 31st of each year.

Of 91 agencies (with 100 or more employees) that were required to submit an EEOC Form 462 report in FY 2006, 86 or 94.5% submitted them timely.

2. 68% of Submitted FY 2005 MD-715 Reports Were Timely

EEOC regulation 29 C.F.R. § 1614.601(g) requires agencies to report to EEOC "on employment by race, national origin, sex, and handicap in the form and at such times as the Commission may require." In addition, EEOC regulation 29 C.F.R. § 1614.602(c) requires agencies to "submit annually for the review and approval of the Commission written national and regional EEO plans of action."

MD-715 reports provide information on an agency's progress in achieving the model EEO program elements, elimination of barriers, and ability to conduct a wide array of examinations of the agency's Title VII and Section 501 work force profiles. MD-715 applies to all Executive agencies and military departments (except uniformed members) as defined in Sections 102 and 105 of Title 5. U.S.C. (including those with employees and applicants for employment who are paid from non-appropriated funds), the United States Postal Service, the Postal Rate Commission, the Tennessee Valley Authority, the Smithsonian Institution, and those units of the judicial branch of the federal government having positions in the competitive service. These agencies and their Second Level Reporting Components are required to file an EEOC FORM 715-01 on or before January 31st of each year.

Sixty-eight percent or 107 of the 158 agencies and subcomponents submitted timely MD-715 reports in FY 2005.

Program Tip
No FEAR Act&

EEOC's Role	OPM's Role
Prescribe the time, form and manner in which a federal agency shall post on its public Web site summary statistical data pertaining to EEO complaints filed with the agency.	Issue rules regarding an agency's obligation to: 1) reimburse the Judgment Fund; 2) notify and train employees, former employees, and applicants, of their rights under antidiscrimination and whistleblower protection laws; and 3) report annually on certain topics regarding antidiscrimination and whistleblower protection laws, including disciplinary actions taken for conduct that is inconsistent with these laws.
Post on its public Web site summary statistical data relating to (1) hearings requested before an EEOC administrative judge and (2) appeals filed with EEOC from final agency actions which it gathers from its own sources.	Conduct a study to identify best practices within the executive branch for taking appropriate disciplinary actions against Federal employees for conduct inconsistent with antidiscrimination and whistleblower protection laws. Issue advisory guidelines based on these best practices which an agency may then follow when taking disciplinary action.
Post its own summary statistical data pertaining to complaints of employment discrimination filed against it.	Post its own summary statistical data pertaining to complaints of employment discrimination filed against it.
Like all agencies, submit its own annual report to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, certain Congressional Committees and others.	Like all agencies, submit its own annual report to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, certain Congressional Committees and others.

Final Rule: Posting Requirements in Federal Sector Equal Employment Opportunity -Title III of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174.	**5 CFR Part 724 -- RIN 3206-AK55 -- Implementation of Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002--Reporting & Best Practices** http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2006_register&docid=E6-22242

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[1] All measures under EEOC's regulations and management directives are equally important, and the inclusion of certain measures in this Report does not indicate a higher degree of importance for those measures.

[2] The September 30, 2006 snapshot includes only employees in pay status; thus, some permanent employees, like seasonal employees or those on active military tours of duty, are not included.

[3] Certain agencies do not provide total work force numbers for national security reasons. The 2000 EEO Special File controls for citizenship.

[4] Source: Office of Personnel Management's *The Fact Book-Federal Civilian Workforce Statistics*, 1998 edition.

[5] Because separate data is unavailable, the Asian American/Other Pacific Islander data prior to 2006 throughout this report includes the data for Asian with "Native Hawaiians and Other Pacific Islanders." Additionally, the remainder of the tables will not include data on persons of Two or More Races unless their participation rate was at least 0.02%.

[6] These tables report break outs of the employment data for specific components of certain large federal agencies, including the Departments of Agriculture, Commerce, Health and Human Services, Homeland Security, Interior, Justice, Labor, Transportation, Treasury and Veterans Affairs, as well as certain defense agencies, the National Aeronautics and Space Administration and the United States Postal Service.

[7] Where an EEO group has a low participation rate in the feeder grade/applicant pool, there is a strong likelihood that the group will be absent or have a low participation rate in the next higher grade level. *See* General Accountability Office Report No.GAO-03-34, *Senior Executive Service: Agency Efforts Needed to Improve Diversity as the Senior Corps Turns Over* (January 2003).

[8] Concerns involving both claims of discrimination and agency actions appealable to the Merit Systems Protection Board follow one of the processes set forth at 29 C.F.R. § 1614.302.

[9] There are several reasons an agency may dismiss a complaint, including the complainant's failure to state a claim, timely contact an EEO counselor, or failure to provide necessary information to the agency. *See* 29 C.F.R. §1614.107(a).

[10] The 180-day period may be extended by 90 days if both parties agree. *See* 29 C.F.R. § 1614.108(e). The regulations also extend the 180-day time limit for consolidated and amended complaints to the earlier of 180 days from the date of the most recent consolidated or amended complaint, or 360 days from the date of the earliest pending complaint. *See* 29 C.F.R. § 1614.108(f).

[11] *See* Jeffery M. Senger, *Federal Dispute Resolution*: *Using ADR with the United States Government*, 1-7 (Jossey-Bass/John Wiley & Sons, 2003).

[12] Counseling may be provided via EEO Counselor or ADR Intake Officer.

[13] Complaints may contain multiple bases and issues.

[14] For example, time-consuming procedures may appear in lengthy approval of investigative plans, or cumbersome procurement processes.

[15] Twenty one agencies with fewer than 25 total investigations timely completed 100% of their investigations.

[16] We note that fourteen agencies issued 100.0% of their merit decisions in a timely fashion but issued fewer than 25 total merit decisions.

[17] These numbers do not parallel Administrative Judge findings of discrimination because agencies may not take final action in the same fiscal year as the decision was issued, or they may settle a complaint where the Administrative Judge has found discrimination.

[18] Administrative Judge decisions reported here do not include Petitions for Enforcement.

[19] Appeal By Agency occurs when the agency did not fully implement the AJ decision.

[20] The number and percentage of resolutions by statute will be greater than the number of cases closed, because one or more statutory bases may be alleged in each appeal.

[21] Note: Hearings Benefits should not be added to Appeals Benefits for a grand total, as Hearings Benefits are only preliminary.

This page was last modified on June 21, 2007.

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The U.S. Equal Employment Opportunity Commission

Office of Inspector General Semiannual Report to the Congress

October 1, 2006 - March 31, 2007

April 24, 2007

The Honorable Naomi C. Earp
Chair
Equal Employment Opportunity Commission
Washington, D.C. 20507

Dear Madam Chair:

The Office of Inspector General's (OIG) Semiannual Report to Congress, summarizing our activities for the six-month period of October 1, 2006 through March 31, 2007, is provided for your review. The *Inspector General Act of 1978, as amended, Public Law 95-451, Section 5(B)*, requires that you submit this report to the Congress within 30 days of receipt.

During this reporting period, the OIG issued six audit and evaluation reports, completed five investigations, and received 271 investigative inquiries. Highlights include results of an OIG Frequent Telework Program assessment, performance reporting advisory, EEOC financial statement audit, and an internal controls review. Important ongoing work includes an update of the President's Management Agenda initiative relating to the strategic management of human capital; and investigations into allegations of prohibited practices, conflict of interest and misuse of Government credit cards. Information on the challenges confronting management to improve the efficiency and effectiveness of Agency operations is also included in the report.

The Office of Inspector General is dedicated to promoting economy, efficiency, effectiveness and integrity throughout the Agency. The OIG staff thanks EEOC employees for their continued cooperation and support of our mission to prevent and detect fraud, waste and abuse within the Agency.

Sincerely,

Aletha L. Brown
Inspector General

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EXECUTIVE SUMMARY

This semiannual report is issued by the Equal Employment Opportunity Commission's (EEOC) Office of Inspector General (OIG) pursuant to the Inspector General Act of 1978, as amended. It summarizes OIG's activities and accomplishments for the period October 1, 2006 through March 31, 2007. During this period, the OIG issued 5 audit and evaluation reports; completed 5 investigations, received 271 investigative inquires of which 137 were charge processing issues.

OIG's completed and ongoing audit, evaluation and investigative projects included:

- A case study on the OIG frequent telework pilot program which demonstrated the program's strong potential for substantial cost savings while maintaining and/or improving mission related performance;
- A review of the Agency's performance measures focusing on the reliability of FY 2004 performance measures relating to timeliness of case closures, litigation success, and confidence

in mediation to establish baseline information for future studies;

- A management advisory on the results of the Agency's October 31, 2006 Shelter in Place Drill. The report included suggested courses of action for improved performance in future SIP drills.
- An audit of the Agency's FY2006 and FY2005 financial statements by the independent certified public accounting firm of Cotton and Company, LLP. There were no material weaknesses reported and the firm rendered an unqualified opinion on the financial statements. Cotton & Co. also reported that the financial management systems complied with Federal Financial Management Integrity Act of 1996 (FFMFIA) requirements.
- An advisory report which concluded that the Agency's FY 2006 management control review was conducted in accordance with Office of Management and Budget (OMB) standards and that EEOC was in compliance with the Federal Managers Financial Integrity Act (FMFIA). However, an independent Federal Information Security Management Act (FISMA) evaluation of the Agency's information security program found a significant deficiency which was reported as a material weakness;
- Investigations into the unauthorized outside practice of law, defamation, improper destruction of records, retaliation and conflict of interest were completed;
- Ongoing investigations in several field offices involving sexual harassment, prohibited personnel practices, ethics violations, conflicts of interest, retaliation, falsification of government records, misuse of Government issued credentials, false statements, misuse of Government property, misuse of the Agency seal and the Government credit cards.

INTRODUCTION

The Equal Employment Opportunity Commission

OUR VISION

A Strong and Prosperous Nation Secured
Through a Fair and Inclusive Workplace.

OUR MISSION

We Promote Equality of Opportunity
in the Workplace and Enforce
Federal Laws Prohibiting Employment
Discrimination.

The EEOC is the federal agency responsible for enforcement of: *Title VII of the Civil Rights Act of 1964, as amended;* the *Equal Pay Act of 1963*; the *Age Discrimination in Employment Act of 1967 (ADEA);* in the *Federal sector only, Section 501 of the Rehabilitation Act of 1973; Title I of the Americans with Disabilities Act of 1990 (ADA);* and the *Civil Rights Act of 1991*. These statutes prohibit employment discrimination based on race, sex, color, religion, national origin, age, or disability. The EEOC is also responsible for carrying out *Executive Order 12067*, which promotes coordination and minimizes conflict and duplication among Federal agencies that administer statutes or regulations involving employment discrimination.

The EEOC is a bipartisan Commission comprised of five presidentially appointed members, including a Chair, a Vice Chair, and three Commissioners. The Chair is responsible for the administration and implementation of policy for the Commission and for the financial management and organizational development of the Commission. The Vice Chair and the Commissioners equally participate in the development and approval of the policies of the Commission, issue charges of discrimination where appropriate, and authorize the filing of lawsuits. Additionally, the President appoints a General Counsel, who provides legal advice and leadership, including coordination and supervision to EEOC's litigation program.

On October 1, 2006, EEOC issued a new Strategic Plan for Fiscal Years 2007 through 2012, providing a roadmap for the agency to position itself for the future. The Strategic Plan builds upon what the agency has accomplished to improve its operations. It seeks to maintain the agency's reach by continuing proactive measures to prevent discrimination; resolving claims of discrimination more proficiently; continuing alternative dispute resolution; developing a more strategic focus in enforcement, litigation and federal programs; renewing a strategy to eradicate race and color discrimination; and maintaining the agency's internal operations. Other key on-going initiatives include the President's New Freedom Initiative, the EEOC's Freedom to Compete Initiative, the Youth@ Work Initiative, and the agency's Systemic Initiative.

The Office of Inspector General

The United States Congress established an Office of Inspector General (OIG) at the EEOC through the 1988 amendment of the *Inspector General Act of 1978*, which expanded authority to independent agencies and federal entities to create Offices of Inspector General. OIG's primary responsibility is to assist the EEOC by ensuring integrity, efficiency, and accountability in the Agency's programs to enforce laws against discrimination in the workplace. Specifically, OIG supports the Agency by carrying out its mandate to independently and objectively conduct and supervise audits, evaluations and investigations; prevent and detect fraud, waste, and abuse; and promote economy and efficiency in programs and operations. The Inspector General (IG) keeps EEOC's Chair and the Congress fully and currently informed about problems, recommends corrective action(s), and monitors the EEOC's progress in implementing such action.

The OIG is under the supervision of the IG, who provides overall direction, coordination, and leadership to staff. The OIG includes a Deputy Inspector General, an audit and evaluation staff, an investigative staff, an independent counsel, and an administrative staff. The Deputy Inspector General is responsible for providing program guidance, direction and supervision to audit, evaluation and investigative staffs. The audit staff conducts performance and financial audits, as well as special reviews and evaluations. These audits focus on management controls, administrative and program operations, transaction processing and financial and other information systems. Special reviews and evaluations assess program performance and information security and consider the implications of EEOC programs, operations and policies.

The mission of the investigative program is to perform investigations related to the integrity of the EEOC's programs. Most of OIG's investigations focus on violations of law or misconduct by Agency employees, as well as allegations of irregularities or abuses in operations and programs. When required, OIG's investigators work in concert with other Federal, state and local law enforcement entities. Over half of the investigative inquiries OIG receives result from employees and the public e-mailing, or calling the 24-hour telephone (hotline) to report wrongdoing. A significant amount of these calls concern EEOC's discrimination complaint process and are referred to the appropriate program or field office.

Summary of Significant Management Challenges

The following is a summary of issues the Inspector General considers the most serious management challenges facing the Agency. These matters require the commitment of significant Agency resources, sound decision-making by the leadership, and continued oversight by the OIG.

Reorganization of EEOC Headquarters Operation

The EEOC repositioning plan began in 2005 with the pilot National Contact Center. The second phase was repositioning EEOC's field structure, which was implemented in January 2006. The repositioned structure allows for expanded presence, flattening of overall management structure, and more logical alignment of field offices. The third phase is the restructuring of EEOC headquarters to better support field operations. Repositioning Workgroup members were selected in March 2007 to conduct an extensive review of headquarter functions with the goal of streamlining responsibilities, reducing layers of management, and redeploying more staff to front-line services. It is expected that greater efficiencies will result and costs will be saved over the long term. Additionally, the lease for headquarters and the Washington Field Office location at 1801 L Street, N.W., Washington D.C. expires in July 2008 and a new location will be decided in May 2007. This effort represents a very significant investment decision which will impact EEOC's budget for the next decade.

Both realigning and streamlining headquarter functions, and planning and implementing the physical move of staff will undoubtedly impact the productivity, effectiveness, and morale of all headquarters employees. The challenge of mitigating negative impact on the agency's mission is critical. Management should initiate proactive strategies to better manage employee expectations. These include more timely communication of events related to realigning and relocation efforts, town hall meetings, flexible work schedules and other arrangements like telework, and training to address skills gaps.

OMB's Program Assessment Rating Tool (PART) Results

The PART evaluates program performance in four (4) distinct areas: program purpose and design, strategic planning, program management, and program results and accountability. In February 2007, the Office of Management and Budget (OMB) released its PART assessment of the EEOC. The EEOC was rated as Not Performing- Results Not Demonstrated. OMB noted that the Agency lacks baselines and ambitious targets for some of its performance measures; the Agency does not measure the performance of its partners in achieving goals using EEOC's performance measures or alternative measures; and the Agency needs to develop an optimal organizational structure for operations. To improve a plan was developed to focus on three broad areas: 1) identify and implement challenging annual targets and final outcome goals for all agency performance measures; 2) develop in collaboration with EEOC partners methods for measuring performance that support EEOC goals; and 3)

continue to implement structural changes and other recommendations to improve efficiency and effectiveness of the program. It is imperative that management collaborate with its OMB liaison to ensure that progress is made in the recommended areas since the PART results may be used in future funding decisions for the Agency.

National Contact Center (NCC)

In January 2007, the National Association of Public Administration (NAPA) issued results of its study that echoed many of the concerns that OIG reported in the previous two Semiannual Reports. For example, NAPA cited Agency shortcomings in communication with stakeholders, pursuit of remedial actions in problem areas, and lack of baseline metrics. The NAPA report found that EEOC was making good progress in some areas, including planning for increasing NCC call volume and planning to integrate and streamline processes and technology. Phase II of the NAPA study, requested by the House Appropriations Committee in July 2006, was not funded.

The NCC pilot evaluation was extended in fiscal year 2007. An anticipated decision on the permanence of the NCC is expected by fiscal year 2008. OIG will continue to monitor NCC activities.

THE AUDIT AND EVALUATION PROGRAM

The Audit and Evaluation Program supports OIG's strategic goal to improve the economy, efficiency, and effectiveness of EEOC programs, operations, and activities.

Completed Projects

Audit of the Equal Employment Opportunity Commission's Fiscal Year 2006 and 2005 Financial Statements (OIG Report No. 2006-03-FIN)

The Office of Inspector General (OIG) contracted with the independent certified public accounting firm of Cotton and Company LLP, to audit the financial statements of the U.S. Equal Employment Opportunity Commission (EEOC) for fiscal years 2006 and 2005. Cotton and Company LLP issued an unqualified opinion on EEOC's FY 2006 and 2005 financial statements. Further, no matters involving the internal control and its operation was considered to be a reportable condition. Cotton and Company LLP also reported that EEOC's financial management systems substantially complied with the requirements of the Federal Financial Management Improvement Act of 1996 (FFMIA), and found no reportable noncompliance with laws and regulations it tested.

Management Letter Report for FY 2006 Financial Statement Audit (OIG Report No. 2006-04-FIN)

On February 9, 2007, OIG issued the management letter in connection with the FY 2006 financial statement audit. This year's management letter identified internal control weaknesses relating to: Review of Outstanding Accounts Payables and Undelivered Order balances; Quality Assurance Procedures over the Financial Statements and the Performance and Accountability Report (PAR); Time and Attendance Reporting; Physical Inventory of Accountable Property; and Information Technology. Recommendations to the Chief Financial Officer (CFO) included refining the year- end review process of accounts payables and undelivered orders, and improving the quality control procedures for reviewing final versions of the financial statements and related footnotes to ensure that information to be reported in the PAR is complete, accurate, consistent and timely. Recommendations to the Office of

Information Technology (OIT) included: (1) establish documented performance goals for the network that specify expectations for network availability; (2) increase disk usage and processing; (3) consistently enforce remote access request procedures and ensure telework authorization forms are approved; (4) revise policy for password minimum lengths, expiration/change intervals and account lockout procedures; and (5) ensure that necessary software patches and security hot fixes are installed on the network in a timely manner.

Agency Compliance with the Federal Manager's Financial Integrity Act (FMFIA) (OIG Report No. 2006-09-AIC)

OIG issued its annual report to the Chair validating the Agency's compliance with the FMFIA. Agency regulation, *EEOC Order 195.001 Management Accountability and Controls* requires OIG to annually provide a written advisory to the Chair on whether the management control evaluation process complied with OMB guidelines. To make this determination OIG reviewed: (1) assurance statements submitted by Headquarters' and district directors attesting that their systems of management accountability and control were effective and that resources under their control were used consistent with the Agency's mission and in compliance with the laws and regulations set out in the *FMFIA of 1982*; (2) all functional area summary tables, and functional area reports submitted by Headquarters' and field offices; and (3) the Office of Research, Information and Planning's (ORIP) FY 2006 *FMFIA* Assurance Statement and Assurance Statement Letter, with supporting documents. OIG concluded that the Agency's management control evaluation was conducted in accordance with OMB's standards and concurred with ORIP's assertion that a material weakness was found in the Agency's Information Security Program. This weakness was identified in an independent evaluation of the Agency's implementation of *Federal Information Security Management Act of 2002 (FISMA)* for FY 2006 which disclosed a significant deficiency in the Information Security Program. Based on recent revisions to the Office of Management and Budget Circular A-123, Management's Responsibility for Internal Control guidance, the Agency is required to report any FISMA significant deficiency as a material weakness.

Review of the October 31, 2006 Shelter-In-Place (SIP) Drill (OIG Report No. 2007-03-AMR)

EEOC holds periodic Shelter-In-Place (SIP) emergency drills at Headquarters, as required by *Federal Property Management Regulations 41 CFR Part 101-20 and Executive Order 12656*. The most recent SIP drill was held in October 2006. After OIG obtained and analyzed written documents and interviewed Agency staff to determine to what degree objectives were met and to identify areas of improvement. Our observations and areas of concern were reported in a Management Advisory issued on March 29, 2007. Significant weaknesses in SIP planning and execution included:

- EEOC had no clear objectives for the drill, making it difficult for the Agency or OIG to assess the results of the drill.
- Ground floor security staff was not adequately prepared for the drill (e.g., they did not properly execute procedures for managing access into and out of the building).
- Procedures for managing access into and out of the Headquarters Building during a SIP event need clarification.
- Agency Order 180.001, Occupant Emergency Plan, does not include SIP procedures. *The Federal Management Regulations* state that OEP's must include procedures for shelter in place.
- Low attendance at emergency training classes by floor captains and area monitors may leave those EEOC staff less than thoroughly prepared for an actual SIP event.

The management advisory offered changes that EEOC should implement to SIP planning and drills to

improve overall performance during responses to emergency situations and ensure maximum protection from an external threat.

Management Advisory on EEOC's Performance Reporting (OIG Report No. 2005-02-AMR)

The OIG completed Phase I of a review of key Agency performance measures, thereby establishing baseline information for future planned work in this area. Phase I focused on the reliability of FY 2004 data for three key Agency performance measures: 1) percentage of private sector cases resolved within 180 days; 2) satisfaction with private sector mediation services; and 3) success rate of litigation. Phase II will assess FY 2007 data in the same areas, to determine what progress the Agency has made. OIG plans to gather much of the data in the 4th quarter of FY 2007, with the remainder in FY 2008.

Preliminary findings indicate that case files have adequate documentation to support the accuracy of time taken to close cases; overall litigation success data is accurate but data entry errors need to be reduced; and mediation data is accurately reported but may not be reliable.

Case Study - Office of Inspector General Frequent Telework Pilot Program (OIG Report No. 2006-07-AMR)

On March 28, 2007, OIG issued a report that found the use of frequent telework by OIG to reduce infrastructure costs was successful. OIG can reduce the space it occupies in EEOC's Headquarters building without reducing productivity. The report found the OIG's cost savings from real estate will outweigh the costs of frequent telework with an estimated five-year net savings of $66,475.

The report recommends OIG's allocation of office and associated shared space be reduced by 325 square feet upon EEOC's tenancy under a new lease, in August 2008. The precise amount of the reduction depends on:

- the configuration/shape of the space
- the furnishings and storage units of the space

While the Pilot did not directly address how frequent telework may function in other EEOC offices, the findings from the Pilot combined with the results from previously issued telework reports demonstrate the strong potential for substantial cost savings in the other EEOC offices, while maintaining and/or improving operational related performance.

Ongoing Audit and Evaluation Projects

2007 Office of Human Resources (OHR) Reviews

In the next reporting period, OIG will provide the Chair an updated status on the Agency's progress in implementing the strategic management of human capital initiative of the President's Management Agenda. We will also evaluate the Agency's progress in implementing the recommendations contained in the March 2006 Office of Personnel Management's (OPM) audit report on EEOC's Human Resources Operations.

Review of Best Practices Related to the Federal Managers' Financial Integrity Act (FMFIA) Process

The OIG is in the process of identifying best practices used by other federal agencies regarding the FMFIA process, to include implementation, execution and communication. The objective is to identify various internal control assessment tools used by other agencies and to provide this information to Agency management to assist in improving their FMFIA evaluation and reporting activities.

Other Audit and Evaluation Activities

Review of Single Audit Act Reports

During the reporting period, the OIG reviewed nine audit reports issued by public accounting firms concerning Fair Employment Practices Agencies (FEPAs) that have work-sharing agreements with EEOC. There were no audit findings for the FEPAs which involved EEOC funds (See Appendix III). *The Single Audit Act of 1984* requires recipients of federal funds to arrange for audits of their activities. Federal agencies that award these funds must receive annual audit reports to determine whether prompt and appropriate corrective action has been taken in response to audit findings.

Audit Follow-Up

Section 5(a)(1) of the Inspector General Act of 1978, as amended, requires that semiannual reports include a summary description of significant problems, abuses, and deficiencies relating to the Agency's administration of programs and operations disclosed by the OIG during the reporting period. The following table shows reports issued during the current 6 month period (October 1, 2006 – March 31, 2007) that contained findings:

Fiscal Year	Report Number	Report Title	Date Issued	Findings
FY 2007	2006-03-FIN	Audit of FY 2006 & 2005 Financial Statements	November 15, 2006	Yes
FY 2007	2006-04-FIN	Management Letter Report for FY 2006 Financial Statement Audit	February 9, 2007	Yes
FY 2007	2007-03-AMR	Review of October 31, 2006 Shelter-In-Place (SIP) Drill	March 29, 2007	Yes
FY 2007	2005-02-AMR	Management Advisory of EEOC's Performance Reporting	March 29, 2007	Yes

As required by *Section 5(a)(3) of the Inspector General Act of 1978*, as amended, semiannual reports shall provide an identification of each significant recommendation described in previous semiannual reports on which corrective action has not been completed. The following table shows those activities in previous semiannual reports on which corrective actions have not been completed:

Fiscal Year	Report Number	Report Title	Date Issued	Findings
FY 2004	01-14-AMR	Evaluation of Performance and Results Reporting	January 30, 2004	Yes
FY 2006	2006-05-AEP	Federal Information Security Management Act Review of Fiscal Year 2006	September 22, 2006	Yes

As required by Section *5(a)(10) of the Inspector General Act of 1978*, as amended, semiannual reports shall include a summary of each audit report issued before the commencement of the reporting period for which no management decision has been made by the end of the reporting period. The OIG has no audit or evaluation reports that were issued before commencement of the reporting period for which no management decision has been made.

THE INVESTIGATIVE PROGRAM

The Investigative Program supports OIG's strategic goal to focus limited investigative resources on issues that represent the greatest risk and offer the maximum opportunity to detect and prevent fraud, waste and abuse in EEOC programs and operations. The OIG received 271 inquiries in the reporting period.

Investigative Inquiries

Investigative Inquiries Received October 1, 2006 – March 31, 2007	
Allegations	**Total**
Charge Processing	137
Other Statutes	10
Title VII	108
Mismanagement	2
Ethics	4
Backgrounds	7
Theft	0
Other Criminal Violations	2
Fraud	1
TOTALS	**271**

COMPLETED INVESTIGATIONS

Unauthorized Outside Practice of Law

The OIG conducted an investigation of an employee who allegedly was involved in the unauthorized outside practice of law. After a thorough investigation, OIG found that the employee was engaged in the unauthorized practice, and did not seek proper authorization from Agency officials before doing so. In addition, the OIG found that the employee represented an individual during an EEOC mediation while employed with the EEOC. Accordingly, OIG found that the evidence adduced supported a finding that the employee violated multiple sections of the *Standards of Ethical Conduct for Employees of the Executive Branch*. A report of OIG's findings was issued to appropriate Agency management officials.

Defamation

The OIG conducted a preliminary inquiry into allegations that an attorney with the EEOC had defamed a respondent in statements made to a local television news station. The complainant also alleged that the attorney was summonsing individuals to be a part of the class action lawsuit against the respondent when the potential class members never stated that they wanted to be a part of the suit. After a preliminary investigation in this matter, it was determined that this matter is outside of the purview of the OIG.

Improper Destruction of Records

The OIG completed the investigation of the alleged intentional destruction of records to avoid discovery in connection with a legal proceeding with the Agency. After reviewing all documentary evidence and conducting numerous witness interviews, the OIG determined the record destruction was not done with any criminal intent to avoid turning over the information during the hearing process. The records destroyed did not appear to adversely affect the outcome of the case. OIG reported its findings to Agency management officials.

Retaliation

This allegation involved a complainant who reported a perceived criminal violation to the OIG, and was allegedly subsequently retaliated against after reporting the allegation. As a result of our review of all related documentation involving the adverse action to demote the individual, and interviews of witnesses, subjects and the complainant, OIG determined there was no nexus to the complainant's filing and the action taken, thus no violation was found.

Conflict of Interest

OIG conducted an investigation into allegations that an employee committed a conflict of interest violation by becoming personally and substantially involved in charges of discrimination filed against the employer of an immediate family member. OIG found that the subject employee's involvement was minimal and did not constitute personal and substantial involvement required to establish a prohibited conflict of interest.

ONGOING INVESTIGATIVE ACTIVITY

OIG has ongoing investigations in several field offices involving sexual harassment, prohibited personnel practices, ethics violations, conflicts of interest, retaliation, falsification of Government records, misuse of Government issued credentials, false statements, and misuse of Government property, the Agency seal, and the Government credit card.

OTHER OIG ACTIVITIES

Career Development and Internship Program for Historically Black Colleges and Universities (HBCUs)

The OIG has developed policies and procedures for implementing an Office of Inspector General Career Development and Internship Program. The Programs goals and objectives include the following:

- Expose individuals to the type of work associated with the Inspector General community
- Inform HBCU students of the skills and qualifications needed to obtain a position within the Federal Government, with emphasis on the Inspector General community
- Inform students of government wide career opportunities in the Federal Government and within the IG community

The program will be implemented on or before June 30, 2007.

Professional Development Activities

OIG participated in the President's Council on Integrity and Efficiency and Executive Council on Integrity and Efficiency activities and completed formal courses that included:

- Communication Skills for Leadership
- Project Management for Leaders
- Project Management for Office Professionals
- Communicating for Results
- Positive Approaches to Difficult People
- Project Quality Planning and Assurance
- Approaches to Risk Management
- Project Cost Estimating and Budgeting
- PCIE/ECIE Inspections and Evaluation Roundtable
- Federal Audit Executive Council (FAEC) IT Roundtable
- National Institute of Science and Technology Forum
- Association of Certified Fraud Examiners- Inside the Criminal Mind
- Association of Certified Fraud Examiners- Interviewing Terrorist Suspects
- Association of Certified Fraud Examiners- Analyzing Written Statements
- Maryland Association of CPAs Ethics Training course
- Association of Government Accountants Baltimore Chapter- Yellow Book Update

APPENDICES

APPENDIX I – FINAL OIG AUDIT AND EVALUATION REPORTS

Report Title	OIG Report Number	Date Issued	Questioned Costs	Funds Put To Better Use	*Unsupported Costs*
Frequent Telework Pilot Program	2006-07-AMR	03/28/07	$0	$0	$0
Management Advisory Performance Reporting	2005-02-AMR	03/29/07	0	0	0
Shelter in Place Drill	2007-03-AMR	03/29/07	0	0	0
Management Letter FY 2006 Financial Statement Audit	2006-04-FIN	02/09/07	0	0	0
Agency Compliance with FMFIA	2006-09-AIC	11/15/06	0	0	0
Audit of FY 2006 and 2005 Financial Statements	2006-03-FIN	11/15/06	0	0	0
Totals			**$0**	**$0**	**$0**

APPENDIX – II – FINAL OIG AUDIT AND EVALUATION REPORTS

IG ACT CITE	REPORTING REQUIREMENTS	PAGE
Section 4 (a)(2)	Review of Legislation and Regulations	N/A
Section 5 (a)(1)	Significant Problems, Abuses and Deficiencies	5-7/11
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Section 5 (a)(3)	Significant Recommendations Included in Previous Reports on Which Corrective Action Has Not Been Completed	9
Section 5 (a)(4)	Matters Referred to Prosecutive Authorities	N/A
Section 5 (a)(5)	Summary of Instances Where Information Was Refused	N/A
Section 5 (a)(6)	List of Audit Reports	15
Section 5 (a)(7)	Summary of Significant Reports	5-7
Section 5 (a)(8)	Questioned and Unsupported Costs	N/A
Section 5 (a)(9)	Recommendations That Funds Be Put to Better Use	N/A
Section 5 (a)(10)	Summary of Audit Reports Issued Before the Commencement of the Reporting Period for Which No Management Decision Has Been Made	N/A

Section 5 (a)(11)	Significant Management Decisions That Were Revised During the Reporting Period	N/A
Section 5 (a)(12)	Significant Management Decisions With Which the OIG Disagreed	N/A

APPENDIX III – SINGLE AUDIT ACT REPORTS

The State of Alaska, FY 2005	**The Government of the District of Columbia, FY 2005**
The State of Ohio, FY 2005	**The State of Connecticut, FY 2005**
The State of Wyoming, FY 2005	**The State Louisiana, FY 2005**
The State of Illinois, FY 2005	**The Tribal Council Cherokee Nation, FY 2005**
The State of Oklahoma, FY 2005	

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This page was last modified on June 12, 2007.

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EEOC	NOTICE	Number 915.002
		Date 5/23/07

SUBJECT: Enforcement Guidance: Unlawful Disparate Treatment of Workers with Caregiving Responsibilities

PURPOSE: This document provides guidance regarding unlawful disparate treatment under the federal EEO laws of workers with caregiving responsibilities .

EFFECTIVE DATE: Upon receipt.

EXPIRATION DATE: As an exception to EEOC Order 205.001, Appendix B, Attachment, § a(5), this Notice will remain in effect until rescinded or superseded.

ORIGINATOR: Title VII/EPA/ADEA Division, Office of Legal Counsel

SUBJECT MATTER: File after Section 615 of Volume II of the Compliance Manual.

Naomi C. Earp
Chair

See Also: Questions and Answers about EEOC's Enforcement Guidance on Unlawful Disparate Treatment of Workers with Caregiving Responsibilities

ENFORCEMENT GUIDANCE: UNLAWFUL DISPARATE TREATMENT OF WORKERS WITH CAREGIVING RESPONSIBILITIES

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III. Retaliation

Although the federal EEO laws do not prohibit discrimination against caregivers per se, there are circumstances in which discrimination against caregivers might constitute unlawful disparate treatment. The purpose of this document is to assist investigators, employees, and employers in assessing whether a particular employment decision affecting a caregiver might unlawfully discriminate on the basis of prohibited characteristics under Title VII of the Civil Rights Act of 1964 or the Americans with Disabilities Act of 1990. This document is not intended to create a new protected category but rather to illustrate circumstances in which stereotyping or other forms of disparate treatment may violate Title VII or the prohibition under the ADA against discrimination based on a worker's association with an individual with a disability. An employer may also have specific obligations towards caregivers under other federal statutes, such as the Family and Medical Leave Act, or under state or local laws.[1]

I. *BACKGROUND AND INTRODUCTION*

A. *Caregiving Responsibilities of Workers*

The prohibition against sex discrimination under Title VII has made it easier for women to enter the labor force. Since Congress enacted Title VII, the proportion of women who work outside the home has significantly increased,[2] and women now comprise nearly half of the U.S. labor force.[3] The rise has been most dramatic for mothers of young children, who are almost twice as likely to be employed today as were their counterparts 30 years ago.[4] The total amount of time that couples with children spend working also has increased.[5] Income from women's employment is important to the economic security of many families, particularly among lower-paid workers, and accounts for over one-third of the income in families where both parents work.[6] Despite these changes, women continue to be most families' primary caregivers.[7]

Of course, workers' caregiving responsibilities are not limited to childcare, and include many other forms of caregiving. An increasing proportion of caregiving goes to the elderly, and this trend will likely continue as the Baby Boomer population ages.[8] As with childcare, women are primarily responsible for caring for society's elderly, including care of parents, in-laws, and spouses.[9] Unlike childcare, however, eldercare responsibilities generally increase over time as the person cared for ages, and eldercare can be much less predictable than childcare because of health crises that typically arise.[10] As eldercare becomes more common, workers in the "sandwich generation," those between the ages of 30 and 60, are more likely to face work responsibilities alongside both childcare and eldercare responsibilities.[11]

Caring for individuals with disabilities – including care of adult children, spouses, or parents – is also a common responsibility of workers.[12] According to the most recent U.S. census, nearly a third of families have at least one family member with a disability, and about one in ten families with children under 18 years of age includes a child with a disability.[13] Most men and women who provide care to relatives or other individuals with a disability are employed.[14]

While caregiving responsibilities disproportionately affect working women generally, their effects may be even more pronounced among some women of color, particularly African American women,[15] who have a long history of working outside the home.[16] African American mothers with young children are more likely to be employed than other women raising young children,[17] and both African American and Hispanic women are more likely to be raising children in a single-parent household than are White or Asian American women.[18] Women of color also may devote more time to caring for extended family members, including both grandchildren[19] and elderly relatives,[20] than do their White counterparts.

Although women are still responsible for a disproportionate share of family caregiving, men's role has increased. Between 1965 and 2003, the amount of time that men spent on childcare nearly tripled, and men spent more than twice as long performing household chores in 2003 as they did in 1965.[21] Working mothers are also increasingly relying on fathers as primary childcare providers.[22]

B. *Work-Family Conflicts*

As more mothers have entered the labor force, families have increasingly faced conflicts between work and family responsibilities, sometimes resulting in a "maternal wall" that limits the employment opportunities of workers with caregiving responsibilities.[23] These conflicts are perhaps felt most profoundly by lower-paid workers,[24] who are disproportionately people of color.[25] Unable to afford to hire a childcare provider, many couples "tag team" by working opposite shifts and taking turns caring for their children. In comparison to professionals, lower-paid workers tend to have much less control over their schedules and are more likely to face inflexible employer policies, such as mandatory overtime.[26] Family crises can sometimes lead to discipline or even discharge when a worker violates an employer policy in order to address caregiving responsibilities.[27]

The impact of work-family conflicts also extends to professional workers, contributing to the maternal wall or "glass ceiling" that prevents many women from advancing in their careers. As a recent EEOC report reflects, even though women constitute about half of the labor force, they are a much smaller proportion of managers and officials.[28] The disparity is greatest at the highest levels in the business world, with women accounting for only 1.4% of Fortune 500 CEOs.[29] Thus, one of the recommendations made by the federal Glass Ceiling Commission in 1995 was for organizations to adopt policies that allow workers to balance work and family responsibilities throughout their careers.[30]

Individuals with caregiving responsibilities also may encounter the maternal wall through employer stereotyping. Writing for the Supreme Court in 2003, Chief Justice Rehnquist noted that "the faultline between work and family [is] precisely where sex-based overgeneralization has been and remains strongest."[31] Sex-based stereotyping about caregiving responsibilities is not limited to childcare and includes other forms of caregiving, such as care of a sick parent or spouse.[32] Thus, women with caregiving responsibilities may be perceived as more committed to caregiving than to their jobs and as less competent than other workers, regardless of how their caregiving responsibilities actually impact their work.[33] Male caregivers may face the mirror image stereotype: that men are poorly suited to caregiving. As a result, men may be denied parental leave or other benefits routinely afforded their female counterparts.[34] Racial and ethnic stereotypes may further limit employment opportunities for people of color.[35]

Employment decisions based on such stereotypes violate the federal antidiscrimination statutes,[36]even when an employer acts upon such stereotypes unconsciously or reflexively.[37] As the Supreme Court has explained, "[W]e are beyond the day when an employer could evaluate employees by assuming or insisting that they match the stereotype associated with their group."[38] Thus, for example, employment decisions based on stereotypes about working mothers are unlawful because "the antidiscrimination laws entitle individuals to be evaluated as individuals rather than as members of groups having certain average characteristics."[39]

Although some employment decisions that adversely affect caregivers may not constitute unlawful discrimination based on sex or another protected characteristic, the Commission strongly encourages employers to adopt best practices to make it easier for all workers, whether male or female, to balance work and personal responsibilities. There is substantial evidence that workplace flexibility enhances employee satisfaction and job performance.[40] Thus, employers can benefit by adopting such flexible workplace polices[41] by, for example, saving millions of dollars in retention costs.[42]

• *UNLAWFUL DISPARATE TREATMENT OF CAREGIVERS*

This section illustrates various circumstances under which discrimination against a worker with caregiving responsibilities constitutes unlawful disparate treatment under Title VII or the ADA. Part A discusses sex-based disparate treatment of female caregivers, focusing on sex-based stereotypes. Part B discusses stereotyping and other disparate treatment of pregnant workers. Part C discusses sex-based disparate treatment of male caregivers, such as the denial of childcare leave that is available to female workers. Part D discusses disparate treatment of women of color who have caregiving responsibilities. Part E discusses disparate treatment of a worker with caregiving responsibilities for an individual with a disability, such as a child or a parent. Finally, part F discusses harassment resulting in a hostile work environment for a worker with caregiving responsibilities.

A. *Sex-based Disparate Treatment of Female Caregivers*

1. *Analysis of Evidence*

Intentional sex discrimination against workers with caregiving responsibilities can be proven using any of the types of evidence used in other sex discrimination cases. As with any other charge, investigators faced with a charge alleging sex-based disparate treatment of female caregivers should examine the totality of the evidence to determine whether the particular challenged action was unlawfully discriminatory. All evidence should be examined in context. The presence or absence of any particular kind of evidence is not dispositive. For example, while comparative evidence is often useful, it is not necessary to establish a violation.[43] There may be evidence of comments by

officials about the reliability of working mothers or evidence that, despite the absence of a decline in work performance, women were subjected to less favorable treatment after they had a baby. It is essential that there be evidence that the adverse action taken against the caregiver was based on sex.

Relevant evidence in charges alleging disparate treatment of female caregivers may include, but is not limited to, any of the following:

- Whether the respondent asked female applicants, but not male applicants, whether they were married or had young children, or about their childcare and other caregiving responsibilities;
- Whether decisionmakers or other officials made stereotypical or derogatory comments about pregnant workers or about working mothers or other female caregivers;[44]
- Whether the respondent began subjecting the charging party or other women to less favorable treatment soon after it became aware that they were pregnant;[45]
- Whether, despite the absence of a decline in work performance, the respondent began subjecting the charging party or other women to less favorable treatment after they assumed caregiving responsibilities;
- Whether female workers without children or other caregiving responsibilities received more favorable treatment than female caregivers based upon stereotypes of mothers or other female caregivers;
- Whether the respondent steered or assigned women with caregiving responsibilities to less prestigious or lower-paid positions;
- Whether male workers with caregiving responsibilities received more favorable treatment than female workers;[46]
- Whether statistical evidence shows disparate treatment against pregnant workers or female caregivers;[47]
- Whether respondent deviated from workplace policy when it took the challenged action;
- Whether the respondent's asserted reason for the challenged action is credible.[48]

2. ***Unlawful Disparate Treatment of Female Caregivers as Compared with Male Caregivers***

Employment decisions that discriminate against workers with caregiving responsibilities are prohibited by Title VII if they are based on sex or another protected characteristic, regardless of whether the employer discriminates more broadly against all members of the protected class. For example, sex discrimination against working mothers is prohibited by Title VII even if the employer does not discriminate against childless women.[49]

EXAMPLE 1
UNLAWFUL DISCRIMINATION AGAINST WOMEN WITH YOUNG CHILDREN

Charmaine, a mother of two preschool-age children, files an EEOC charge alleging sex discrimination after she is rejected for an opening in her employer's executive training program. The employer asserts that it rejected Charmaine because candidates who were selected had better performance appraisals or more managerial experience and because she is not "executive material." The employer also contends that the fact that half of the selectees were women shows that her rejection could not have been because of sex. However, the investigation reveals that Charmaine had more managerial experience or better performance appraisals than several selectees and was better qualified than some selectees, including both men and women, as weighted pursuant to the employer's written selection policy. In addition, while the employer selected both men and women for the program, the only selectees with preschool age children were men. Under the circumstances, the investigator determines that Charmaine was subjected to discrimination based on her sex.

Title VII does not prohibit discrimination based solely on parental or other caregiver status, so an employer does not generally violate Title VII's disparate treatment proscription if, for example, it treats working mothers and working fathers in a similar unfavorable (or favorable) manner as compared to childless workers.

B. ***Unlawful Gender Role Stereotyping of Working Women***

Although women actually do assume the bulk of caretaking responsibilities in most families and many women do curtail their work responsibilities when they become caregivers, Title VII does not permit employers to treat female workers less favorably merely on the gender-based assumption that a particular female worker will assume caretaking responsibilities or that a female worker's caretaking responsibilities will interfere with her work performance.[50] Because stereotypes that female caregivers should not, will not, or cannot be committed to their jobs are sex-based, employment decisions based on

such stereotypes violate Title VII.[51]

Gender-based Assumptions About Future Caregiving Responsibilities

Relying on stereotypes of traditional gender roles and the division of domestic and workplace responsibilities, some employers may assume that childcare responsibilities will make female employees less dependable than male employees, even if a female worker is not pregnant and has not suggested that she will become pregnant.[52] Fear of such stereotyping may even prompt married female job applicants to remove their wedding rings before going into an interview.[53]

EXAMPLE 2
UNLAWFUL STEREOTYPING DURING HIRING PROCESS

Patricia, a recent business school graduate, was interviewed for a position as a marketing assistant for a public relations firm. At the interview, Bob, the manager of the department with the vacancy being filled, noticed Patricia's wedding ring and asked, "How many kids do you have?" Patricia told Bob that she had no children yet but that she planned to once she and her husband had gotten their careers underway. Bob explained that the duties of a marketing assistant are very demanding, and rather than discuss Patricia's qualifications, he asked how she would balance work and childcare responsibilities when the need arose. Patricia explained that she would share childcare responsibilities with her husband, but Bob responded that men are not reliable caregivers. Bob later told his secretary that he was concerned about hiring a young married woman – he thought she might have kids, and he didn't believe that being a mother was "compatible with a fast-paced business environment." A week after the interview, Patricia was notified that she was not hired.

Believing that she was well qualified and that the interviewer's questions reflected gender bias, Patricia filed a sex discrimination charge with the EEOC. The investigator discovered that the employer reposted the position after rejecting Patricia. The employer said that it reposted the position because it was not satisfied with the experience level of the applicants in the first round. However, the investigation showed that Patricia easily met the requirements for the position and had as much experience as some other individuals recently hired as marketing assistants. Under the circumstances, the investigator determines that the respondent rejected Patricia from the first round of hiring because of sex-based stereotypes in violation of Title VII.

Mixed-motives Cases

An employer violates Title VII if the charging party's sex was a motivating factor in the challenged employment decision, regardless of whether the employer was also motivated by legitimate business reasons.[54] However, when an employer shows that it would have taken the same action even absent the discriminatory motive, the complaining employee will not be entitled to reinstatement, back pay, or damages.[55]

EXAMPLE 3
DECISION MOTIVATED BY BOTH UNLAWFUL STEREOTYPING AND LEGITIMATE BUSINESS REASON

Same facts as above except that the employer did not repost the position but rather hired Tom from the same round of candidates that Patricia was in. In addition, the record showed that other than Tom's greater experience, Tom and Patricia had similar qualifications but that the employer consistently used relevant experience as a tiebreaking factor in filling marketing positions. The investigator determines that the employer has violated Title VII because sex was a motivating factor in the employer's decision not to hire Patricia as evidenced by Bob's focus on caregiving responsibilities, rather than qualifications, when he interviewed Patricia and other female candidates. However, the employer would have selected Tom, even absent the discriminatory motive, based on his greater experience. Thus, Patricia may be entitled to attorney's fees and/or injunctive relief, but is not entitled to instatement, back pay, or compensatory or punitive damages.

Assumptions About the Work Performance of Female Caregivers

The effects of stereotypes may be compounded after female employees become pregnant or actually begin assuming caregiving responsibilities. For example, employers may make the stereotypical assumptions that women with young children will (or should) not work long hours and that new mothers are less committed to their jobs than they were before they had children.[56] Relying on such stereotypes, some employers may deny female caregivers opportunities based on assumptions about how they might balance work and family

responsibilities. Employers may further stereotype female caregivers who adopt part-time or flexible work schedules as "homemakers" who are less committed to the workplace than their full-time colleagues.[57] Adverse employment decisions based on such sex-based assumptions or speculation, rather than on the specific work performance of a particular employee, violate Title VII.

EXAMPLE 4
UNLAWFUL SEX-BASED ASSUMPTIONS ABOUT WORK PERFORMANCE

Anjuli, a police detective, had received glowing performance reviews during her first four years with the City's police department and was assumed to be on a fast track for promotion. However, after she returned from leave to adopt a child during her fifth year with the department, her supervisor frequently asked how Anjuli was going to manage to stay on top of her case load while caring for an infant. Although Anjuli continued to work the same hours and close as many cases as she had before the adoption, her supervisor pointed out that none of her superiors were mothers, and he removed her from her high-profile cases, assigning her smaller, more routine cases normally handled by inexperienced detectives. The City has violated Title VII by treating Anjuli less favorably because of gender-based stereotypes about working mothers.

EXAMPLE 5
UNLAWFUL STEREOTYPING BASED ON PARTICIPATION IN FLEXIBLE WORK ARRANGEMENT

Emily, an assistant professor of mathematics at the University for the past seven years, files a charge alleging that she was denied tenure based on her sex. Emily applied for tenure after she returned from six months of leave to care for her father. The University's flexible work program allowed employees to take leave for a year without penalty. Before taking leave, Emily had always received excellent performance reviews and had published three highly regarded books in her field. After returning from leave, however, Emily believed she was held to a higher standard of review than her colleagues who were not caregivers or had not taken advantage of the leave policies, as reflected in the lower performance evaluations that she received from the Dean of her department after returning from leave. Emily applied for tenure, but the promotion was denied by the Dean, who had a history of criticizing female faculty members who took time off from their careers and was heard commenting that "she's just like the other women who think they can come and go as they please to take care of their families."

While the University acknowledges that Emily was eligible for tenure, it asserts that it denied Emily tenure because of a decline in her performance. The investigation reveals, however, that Emily's post-leave work output and classroom evaluations were comparable to her work performance before taking leave. In addition, The University does not identify any specific deficiencies in Emily's performance that warranted the decline in its evaluation of her work. Under the circumstances, the investigator determines that Emily was denied tenure because of her sex.

Employment decisions that are based on an employee's actual work performance, rather than assumptions or stereotypes, do not generally violate Title VII, even if an employee's unsatisfactory work performance is attributable to caregiving responsibilities.

EXAMPLE 6
EMPLOYMENT DECISION LAWFULLY BASED ON ACTUAL WORK PERFORMANCE

After Carla, an associate in a law firm, returned from maternity leave, she began missing work frequently because of her difficulty in obtaining childcare and was unable to meet several important deadlines. As a result, the firm lost a big client, and Carla was given a written warning about her performance. Carla's continued childcare difficulties resulted in her missing further deadlines for several important projects. Two months after Carla was given the written warning, the firm transferred her to another department, where she would be excluded from most high-profile cases but would perform work that has fewer time constraints. Carla filed a charge alleging sex discrimination. The investigation revealed that Carla was treated comparably to other employees, both male and female, who had missed deadlines on high-profile projects or otherwise performed unsatisfactorily and had failed to improve within a reasonable period of time. Therefore, the employer did not violate Title VII by transferring Carla.

"Benevolent" Stereotyping

Adverse employment decisions based on gender stereotypes are sometimes well-intentioned and perceived by the employer

as being in the employee's best interest.[58] For example, an employer might assume that a working mother would not want to relocate to another city, even if it would mean a promotion.[59] Of course, adverse actions that are based on sex stereotyping violate Title VII, even if the employer is not acting out of hostility.[60]

EXAMPLE 7
STEREOTYPING UNLAWFUL EVEN IF FOR BENEVOLENT REASONS

Rhonda, a CPA at a mid-size accounting firm, mentioned to her boss that she had become the guardian of her niece and nephew and they were coming to live with her, so she would need a few days off to help them settle in. Rhonda's boss expressed concern that Rhonda would be unable to balance her new family responsibilities with her demanding career, and was worried that Rhonda would suffer from stress and exhaustion. Two weeks later, he moved her from her lead position on three of the firm's biggest accounts and assigned her to supporting roles handling several smaller accounts. In doing so, the boss told Rhonda that he was transferring her so that she "would have more time to spend with her new family," despite the fact that Rhonda had asked for no additional leave and had been completing her work in a timely and satisfactory manner. At the end of the year, Rhonda, for the first time in her 7-year stint at the firm, is denied a pay raise, even though many other workers did receive raises. When she asks for an explanation, she is told that she needs to be available to work on bigger accounts if she wants to receive raises. Here, the employer has engaged in unlawful sex discrimination by taking an adverse action against a female employee based on stereotypical assumptions about women with caregiving responsibilities, even if the employer believed that it was acting in the employee's best interest.

In some circumstances, an employer will take an action that unlawfully imposes on a female worker the employer's own stereotypical views of how the worker *should* act even though the employer is aware that the worker objects. Thus, if a supervisor believes that mothers should not work full time, he or she might refuse to consider a working mother for a promotion that would involve a substantial increase in hours, even if that worker has made it clear that she would accept the promotion if offered.

EXAMPLE 8
DENIAL OF PROMOTION BASED ON STEREOTYPE OF HOW MOTHERS SHOULD ACT

Sun, a mid-level manager in a data services company, applied for a promotion to a newly created upper-level management position. At the interview for the promotion, the selecting official, Charlie, who had never met Sun before, asked her about her childcare responsibilities. Sun explained that she had two teenage children and that she commuted every week between her home in New York and the employer's main office in Northern Virginia. Charlie asked Sun how her husband handled the fact that she was "away from home so much, not caring for the family except on weekends." Sun explained that her husband and their children "helped each other" to function as "a successful family," but Charlie responded that he had "a very difficult time understanding why any man would allow his wife to live away from home during the work week." After Sun is denied the promotion, she files an EEOC charge alleging sex discrimination. According to the employer, it considered Sun and one other candidate for the promotion, and, although they were both well qualified, it did not select Sun because it felt that it was unfair to Sun's children for their mother to work so far from home. Under the circumstances, the investigator determines that the employer denied Sun the promotion because of unlawful sex discrimination, basing its decision in particular on stereotypes that women with children should not live away from home during the week.[61]

- ***Effects of Stereotyping on Subjective Assessments of Work Performance***

In addition to leading to assumptions about how female employees might balance work and caregiving responsibilities, gender stereotypes of caregivers may more broadly affect perceptions of a worker's general competence.[62] Once female workers have children, they may be perceived by employers as being less capable and skilled than their childless female counterparts or their male counterparts, regardless of whether the male employees have children.[63] These gender-based stereotypes may even place some working mothers in a "double bind," in which they are simultaneously viewed by their employers as "bad mothers" for investing time and resources into their careers and "bad workers" for devoting time and attention to their families.[64] The double bind may be particularly acute for mothers or other female caregivers who work part time. Colleagues may view part-time working mothers as uncommitted to work while viewing full-time working mothers as inattentive mothers.[65] Men who work part time may encounter different, though equally harmful, stereotypes.[66]

Investigators should be aware that it may be more difficult to recognize sex stereotyping when it affects an employer's evaluation of a worker's general competence than when it leads to assumptions about how a worker will balance work and caregiving responsibilities. Such stereotyping can be based on unconscious bias, particularly where officials engage in subjective

decisionmaking. As with other forms of gender stereotyping, comparative evidence showing more favorable treatment of male caregivers than female caregivers is helpful but not necessary to establish a violation.[67] Investigators should be particularly attentive, for example, to evidence of the following:

- Changes in an employer's assessment of a worker's performance that are not linked to changes in the worker's actual performance and that arise after the worker becomes pregnant or assumes caregiving responsibilities;
- Subjective assessments that are not supported by specific objective criteria; and
- Changes in assignments or duties that are not readily explained by nondiscriminatory reasons.

EXAMPLE 9
EFFECTS OF STEREOTYPING ON EMPLOYER'S PERCEPTION OF EMPLOYEE

Barbara, a highly successful marketing executive at a large public relations firm, recently became the primary caregiver for her two young grandchildren. Twice a month, Barbara and her marketing colleagues are expected to attend a 9 a.m. corporate sales meeting. Last month, Barbara arrived a few minutes late to the meeting. Barbara did not think her tardiness was noteworthy since one of her colleagues, Jim, regularly arrived late to the meetings. However, after her late arrival, Barbara's boss, Susan, severely criticized her for the incident and informed her that she needed to start keeping a daily log of her activities.

The next month, Susan announced that one of the firm's marketing executives would be promoted to the position of Vice President. After Susan selected Jim, Barbara filed a charge alleging that she was denied the promotion because of her sex. According to Susan, she selected Jim because she believed that he was more "dependable, reliable, and committed to his work" than other candidates. Susan explained to the investigator that she thought as highly of Barbara's work as she did of Jim's, but she decided not to promote a worker who arrived late to sales meetings, even if it was because of childcare responsibilities. Other employees stated that they could only remember Barbara's being late on one occasion, but that Jim had been late on numerous occasions. When asked about this, Susan admitted that she might have forgotten about the times when Jim was late, but still considered Jim to be much more dependable. The investigator asks Susan for more specifics, but Susan merely responds that her opinion was based on many years of experience working with both Barbara and Jim. Under the circumstances, the investigator concludes that Susan denied Barbara the promotion because of her sex.

EXAMPLE 10
SUBJECTIVE DECISIONMAKING BASED ON NONDISCRIMINATORY FACTORS

Simone, the mother of two elementary-school-age children, files an EEOC charge alleging sex discrimination after she is terminated from her position as a reporter with a medium-size newspaper. The employer asserts that it laid Simone off as part of a reduction in force in response to decreased revenue. The employer states that Simone's supervisor, Alex, compared Simone with two other reporters in the same department to determine whom to lay off. According to Alex, he considered Jocelyn (an older woman with two grown children) to be a superior worker to Simone because Jocelyn's work needed less editing and supervision and she had the most experience of anyone in the department. Alex said he also favored Louis (a young male worker with no children) over Simone because Louis had shown exceptional initiative and creativity by writing several stories that had received national publicity and by creating a new feature to increase youth readership and advertising revenue. Alex said that he considered Simone's work satisfactory, but that she lacked the unique talents that Jocelyn and Louis brought to the department. Because the investigation does not reveal that the reasons provided by Alex are a pretext for sex discrimination, the investigator does not find that Simone was subjected to sex discrimination.

- ***Pregnancy Discrimination***

Employers can also violate Title VII by making assumptions about pregnancy, such as assumptions about the commitment of pregnant workers or their ability to perform certain physical tasks.[68] As the Supreme Court has noted, "[W]omen as capable of doing their jobs as their male counterparts may not be forced to choose between having a child and having a job."[69] Title VII's prohibition against sex discrimination includes a prohibition against employment decisions based on pregnancy, even where an employer does not discriminate against women generally.[70] As with other sex-based stereotypes, Title VII prohibits an employer from basing an adverse employment decision on stereotypical assumptions about the effect of pregnancy on an employee's job performance, regardless of whether the employer is acting out of hostility or a belief that it is acting in the employee's best interest.

Because Title VII prohibits discrimination based on pregnancy, employers should not make pregnancy-related inquiries. The EEOC will generally regard a pregnancy-related inquiry as evidence of pregnancy discrimination where the employer subsequently makes an unfavorable job decision affecting a pregnant worker.[71] Employers should be aware that pregnancy testing also implicates the

ADA, which restricts employers' use of medical examinations. [72] Given the potential Title VII and ADA implications, the Commission strongly discourages employers from making pregnancy-related inquiries or conducting pregnancy tests.

An employer also may not treat a pregnant worker who is temporarily unable to perform some of her job duties because of pregnancy less favorably than workers whose job performance is similarly restricted because of conditions other than pregnancy. For example, if an employer provides up to eight weeks of paid leave for temporary medical conditions, then the employer must provide up to eight weeks of paid leave for pregnancy or related medical conditions.[73]

For more information on pregnancy discrimination under Title VII, see "Questions and Answers on the Pregnancy Discrimination Act," 29 C.F.R. Part 1604 Appendix (1978).

EXAMPLE 11
UNLAWFUL STEREOTYPING BASED ON PREGNANCY

Anna, a records administrator for a health maintenance organization, was five months pregnant when she missed two days of work due to a pregnancy-related illness. Upon her return to work, Anna's supervisor, Tom, called her into his office and told her that "her body was trying to tell her something" and that "her attendance was becoming a serious problem." Anna reminded him that she had only missed two days and that her doctor had found no continuing complications related to her brief illness. However, Tom responded, "Well, now that you're pregnant, you will probably miss a lot of work, and we need someone who will be dependable." Tom placed Anna on an unpaid leave of absence, telling her that she would be able to return to work after she had delivered her baby and had time to recuperate and that "not working [was] the best thing for [her] right now." In response to Anna's EEOC charge alleging pregnancy discrimination, the employer states that it placed Anna on leave because of poor attendance. The investigation reveals, however, that Anna had an excellent attendance record before she was placed on leave. In the prior year, she had missed only three days of work because of illness, including two days for her pregnancy-related illness and one day when she was ill before she became pregnant. The investigator concludes that the employer subjected Anna to impermissible sex discrimination under Title VII by basing its action on a stereotypical assumption that pregnant women are poor attendees and that Anna would be unable to meet the requirements of the job.[74]

EXAMPLE 12
UNLAWFUL REFUSAL TO MODIFY DUTIES

Ingrid, a pregnant machine operator at a bottling company, is told by her doctor to temporarily refrain from lifting more than 20 pounds. As part of her job as a machine operator, Ingrid is required to carry certain materials weighing more than 20 pounds to and from her machine several times each day. She asks her supervisor if she can be temporarily relieved of this function. The supervisor refuses, stating that he can't reassign her job duties but can transfer her temporarily to another lower-paying position for the duration of the lifting restriction. Ingrid reluctantly accepts the transfer but also files an EEOC charge alleging sex discrimination. The investigation reveals that in the previous six months, the employer had reassigned the lifting duties of three other machine operators, including a man who injured his arm in an automobile accident and a woman who had undergone surgery to treat a hernia. Under the circumstances, the investigator determines that the employer subjected Ingrid to discrimination based on sex (i.e., pregnancy).

- ***Discrimination Against Male Caregivers***[75]

The Supreme Court has observed that gender-based stereotypes also influence how male workers are perceived: "Stereotypes about women's domestic roles are reinforced by parallel stereotypes presuming a lack of domestic responsibilities for men. These mutually reinforcing stereotypes created a self-fulfilling cycle of discrimination."[76] Stereotypes of men as "bread winners" can further lead to the perception that a man who works part time is not a good father, even if he does so to care for his children.[77] Thus, while working women have generally borne the brunt of gender-based stereotyping, unlawful assumptions about working fathers and other male caregivers have sometimes led employers to deny male employees opportunities that have been provided to working women or to subject men who are primary caregivers to harassment or other disparate treatment.[78] For example, some employers have denied male employees' requests for leave for childcare purposes even while granting female employees' requests. For more information on how to determine whether an employee has been subjected to unlawful disparate treatment, see the discussion at § II.A.1, above, "Sex-based Disparate Treatment of Female Caregivers – Analysis of Evidence."

Significantly, while employers are permitted by Title VII to provide women with leave specifically for the period that they are incapacitated because of pregnancy, childbirth, and related medical conditions, employers may not treat either sex more favorably with respect to other kinds of leave, such as leave for childcare purposes.[79] To avoid a potential Title VII violation, employers should carefully distinguish between pregnancy-related leave and other forms of leave, ensuring that any leave specifically provided to women alone is limited to the period that women are incapacitated by pregnancy and childbirth.[80]

EXAMPLE 13
EMPLOYER UNLAWFULLY DENIED BENEFIT TO MALE WORKER BECAUSE OF GENDER-BASED STEREOTYPE

Eric, an elementary school teacher, requests unpaid leave for the upcoming school year for the purpose of caring for his newborn son. Although the school has a collective bargaining agreement that allows for up to one year of unpaid leave for various personal reasons, including to care for a newborn, the Personnel Director denies the request. When Eric points out that women have been granted childcare leave, the Director says, “That’s different. We have to give childcare leave to women.” He suggests that Eric instead request unpaid emergency leave, though that is limited to 90 days. This is a violation of Title VII because the employer is denying male employees a type of leave, unrelated to pregnancy, that it is granting to female employees.

EXAMPLE 14
EMPLOYER UNLAWFULLY DENIED PART-TIME POSITION TO MALE WORKER BECAUSE OF SEX

Tyler, a service technician for a communications company, requests reassignment to a part-time position so that he can help care for his two-year-old daughter when his wife returns to work. Tyler’s supervisor, however, rejects the request, saying that the department has only one open slot for a part-time technician, and he has reserved it in case it is needed by a female technician. Tyler’s supervisor says that Tyler can have a part-time position should another one open up. After two months, no additional slots have opened up, and Tyler files an EEOC charge alleging sex discrimination. Under the circumstances the employer has discriminated against Tyler based on sex by denying him a part-time position.

- ***Discrimination Against Women of Color***

In addition to sex discrimination, race or national origin discrimination may be a further employment barrier faced by women of color who are caregivers. For example, a Latina working mother might be subjected to discrimination by her supervisor based on his stereotypical notions about working mothers or pregnant workers, as well as his hostility toward Latinos generally. Women of color also may be subjected to intersectional discrimination that is specifically directed toward women of a particular race or ethnicity, rather than toward all women, resulting, for example, in less favorable treatment of an African American working mother than her White counterpart.[81]

EXAMPLE 15
UNLAWFUL DENIAL OF COMPENSATORY TIME BASED ON RACE

Margaret, an African American employee in the City’s Parks and Recreation Department, files an EEOC charge alleging that she was denied the opportunity to use compensatory time because of her race. She asked her supervisor, Sarah, for the opportunity to use compensatory time so she could occasionally be absent during regular work hours to address personal responsibilities, such as caring for her children when she does not have a sitter. Sarah rejected the request, explaining that Margaret’s position has set hours and that any absences must be under the official leave policy. The investigation reveals that while the City does not have an official compensatory time policy, several White employees in Margaret’s position have been allowed to use compensatory time for childcare purposes. When asked about this discrepancy, Sarah merely responds that those employees’ situations were “different.” In addition, the investigation reveals that while White employees have been allowed to use compensatory time, no African Americans have been allowed to do so. Under the circumstances, the investigator determines that Margaret was unlawfully denied the opportunity to use compensatory time based on her race.

EXAMPLE 16
UNLAWFUL HARASSMENT AND REASSIGNMENT BASED ON SEX AND NATIONAL ORIGIN

Christina, a Mexican-American, filed an EEOC charge alleging that she was subjected to discrimination based on national origin and pregnancy. Christina had worked as a server waiting tables at a large chain restaurant until she was reassigned to a kitchen position when she was four months pregnant. One of Christina’s supervisors has regularly made comments in the workplace about how Mexicans are entering the country illegally and taking jobs from other people. After Christina becomes pregnant, he began directing the comments at Christina, telling her that Mexican families are too large and that it is not fair for Mexicans to come to the United States and “take over” and use up tax dollars. When he reassigned Christina, he explained to her that he thought customers’ appetites would be spoiled if they had their food brought to them by someone who was pregnant. Under these circumstances, the

evidence shows that Christina was subjected to discrimination based on both sex (pregnancy) and national origin.

- ***Unlawful Caregiver Stereotyping Under the Americans with Disabilities Act***

In addition to prohibiting discrimination against a qualified worker because of his or her own disability, the Americans with Disabilities Act (ADA) prohibits discrimination because of the disability of an individual with whom the worker has a relationship or association, such as a child, spouse, or parent.[82] Under this provision, an employer may not treat a worker less favorably based on stereotypical assumptions about the worker's ability to perform job duties satisfactorily while also providing care to a relative or other individual with a disability. For example, an employer may not refuse to hire a job applicant whose wife has a disability because the employer assumes that the applicant would have to use frequent leave and arrive late due to his responsibility to care for his wife.[83] For more information, see EEOC's *Questions and Answers About the Association Provision of the ADA* at http://www.eeoc.gov/facts/association_ada.html.

EXAMPLE 17
UNLAWFUL STEREOTYPING BASED ON ASSOCIATION WITH AN INDIVIDUAL WITH A DISABILITY

An employer is interviewing applicants for a computer programmer position. The employer determines that one of the applicants, Arnold, is the best qualified, but is reluctant to hire him because he disclosed during the interview that he is a divorced father and has sole custody of his son, who has a disability. Because the employer concludes that Arnold's caregiving responsibilities for a person with a disability may have a negative effect on his attendance and work performance, it decides to offer the position to the second best qualified candidate, Fred, and encourages Arnold to apply for any future openings if his caregiving responsibilities change. Under the circumstances, the employer has violated the ADA by refusing to hire Arnold because of his association with an individual with a disability.

- ***Hostile Work Environment***

Employers may be liable if workers with caregiving responsibilities are subjected to offensive comments or other harassment because of race, sex (including pregnancy), association with an individual with a disability,[84] or another protected characteristic and the conduct is sufficiently severe or pervasive to create a hostile work environment. [85] The same legal standards that apply to other forms of harassment prohibited by the EEO statutes also apply to unlawful harassment directed at caregivers or pregnant workers.

Employers should take steps to prevent harassment directed at caregivers or pregnant workers from occurring in the workplace and to promptly correct any such conduct that does occur. In turn, employees who are subjected to such harassment should follow the employer's harassment complaint process or otherwise notify the employer about the conduct, so that the employer can investigate the matter and take appropriate action. For more information on harassment claims generally, see *EEOC Policy Guidance on Current Issues of Sexual Harassment* (Mar. 19, 1990) at http://www.eeoc.gov/policy/docs/currentissues.html, and Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors (June 19, 1999) at http://www.eeoc.gov/policy/docs/harassment.html.

EXAMPLE 18
HOSTILE WORK ENVIRONMENT BASED ON STEREOTYPES OF MOTHERS

After Yael, a supervisor at a construction site, returned to work from maternity leave, she asked her supervisor, Rochelle, for permission to use her lunch break to breastfeed her child at the child's day care center. Rochelle agreed, but added, "Now that you're a mother, you won't have the same dedication to the job. That's why I never had any kids! Maybe you should rethink being a supervisor." She also began monitoring Yael's time, tracking when Yael left and returned from her lunch break and admonishing her if she was late, even only a few minutes. Other employees who left the site during lunch were not similarly monitored. Rochelle warned Yael that if she had another child, she could "kiss her career goodbye," and that it was impossible for any woman to be a good mother and a good supervisor at the same time. Yael is very upset by her supervisor's conduct and reports it to a higher-level manager. However, the employer refuses to take any action, stating that Yael is merely complaining about a "personality conflict" and that he does not get involved in such personal matters. After the conduct continues for several more months, Yael files an EEOC charge alleging that she was subjected to sex-based harassment. Under the circumstances, the investigator determines that Yael was subjected to a hostile work environment based on sex and that the employer is liable.

EXAMPLE 19

HOSTILE WORK ENVIRONMENT BASED ON PREGNANCY

Ramona, an account representative, had been working at a computer software company for five years when she became pregnant. Until then, she had been considered a "top performer," and had received multiple promotions and favorable evaluations. During Ramona's pregnancy, her supervisor, Henry, frequently made pregnancy-related comments, such as, "You look like a balloon; why don't you waddle on over here?" and, "Pregnant workers hurt the company's bottom line." Henry also began treating Ramona differently from other account representatives by, for example, asking for advance notification and documentation of medical appointments – a request that was not made of other employees who took leave for medical appointments nor of Ramona before her pregnancy.

After Ramona returned from maternity leave, Henry continued to treat her differently from other account representatives. For example, shortly after Ramona returned from maternity leave, Henry gave Ramona's coworkers an afternoon off so that they could attend a local fair as a "reward" for having covered Ramona's workload while she was on leave, but required Ramona to stay in the office and answer the phones. On another occasion, Ramona requested a schedule change so that she could leave earlier to pick up her son from daycare, but Henry denied the request without explanation, even though other employees' requests for schedule changes were granted freely, regardless of the reason for the request. Henry also continued to make pregnancy-related comments to Ramona on a regular basis. For example, after Ramona returned from maternity leave, she and Henry were discussing a coworker's pregnancy, and Henry sarcastically commented to Ramona, "I suppose you'll be pregnant again soon, and we'll be picking up the slack for you just like the last time."

Ramona complained about Henry's conduct to the Human Resources Manager, but he told her he did not want to take sides and that matters like schedule changes were within managerial discretion. After the conduct had continued for several months, Ramona filed an EEOC charge alleging that she had been subjected to a hostile work environment because of her pregnancy and use of maternity leave. Noting that Ramona experienced ongoing abusive conduct after she became pregnant, the investigator determines that Ramona has been subjected to a hostile work environment based on pregnancy and that the employer is liable.[86]

EXAMPLE 20
HOSTILE WORK ENVIRONMENT BASED ON ASSOCIATION WITH AN INDIVIDUAL WITH A DISABILITY

Martin, a first-line supervisor in a department store, had an excellent working relationship with his supervisor, Adam, for many years. However, shortly after Adam learned that Martin's wife has a severe form of multiple sclerosis, his relationship with Martin deteriorated. Although Martin had always been a good performer, Adam repeatedly expressed his concern that Martin's responsibilities caring for his wife would prevent him from being able to meet the demands of his job. Adam removed Martin from team projects, stating that Martin's coworkers did not think that Martin could be expected to complete his share of the work "considering all of his wife's medical problems." Adam set unrealistic time frames for projects assigned to Martin and yelled at him in front of coworkers about the need to meet approaching deadlines. Adam also began requiring Martin to follow company policies that other employees were not required to follow, such as requesting leave at least a week in advance except in the case of an emergency. Though Martin complained several times to upper management about Adam's behavior, the employer did nothing. Martin files an EEOC charge, and the investigator determines that the employer is liable for harassment on the basis of Martin's association with an individual with a disability.

- ***RETALIATION***

Employers are prohibited from retaliating against workers for opposing unlawful discrimination, such as by complaining to their employers about gender stereotyping of working mothers, or for participating in the EEOC charge process, such as by filing a charge or testifying on behalf of another worker who has filed a charge. Because discrimination against caregivers may violate the EEO statutes, retaliation against workers who complain about such discrimination also may violate the EEO statutes.[87]

The retaliation provisions under the EEO statutes protect individuals against any form of retaliation that would be reasonably likely to deter someone from engaging in protected activity.[88] Caregivers may be particularly vulnerable to unlawful retaliation because of the challenges they face in balancing work and family responsibilities. An action that would be likely to deter a working mother from filing a future EEOC complaint might be less likely to deter someone who does not have substantial caregiving responsibilities. As the Supreme Court noted in a 2006 decision, "A schedule change in an employee's work schedule may make little difference to many workers, but may matter enormously to a young mother with school age children."[89] Thus, the EEO statutes would prohibit such a retaliatory schedule change or any other act that would be reasonably likely to deter a working mother or other caregiver from engaging in protected activity.

Footnotes

[1] For more information on the FMLA, see Compliance Assistance – Family and Medical Leave Act, http://www.dol.gov/esa/whd/fmla/ (U.S. Department of Labor web page); *see also*
EEOC Fact Sheet, *The Family and Medical Leave Act, the Americans with Disabilities Act, and Title VII of the Civil Rights Act of 1964* (1995), http://www.eeoc.gov/policy/docs/fmlaada.html (discussing questions that arise under Title VII and the ADA when the FMLA also applies).

While federal law does not prohibit discrimination based on parental status, some state and local laws do prohibit discrimination based on parental or similar status. *E.g.*, ALASKA STAT. § 18.80.200 (prohibiting employment discrimination based on "parenthood"); D.C. Human Rights Act, D.C. CODE § 2-1402.11 (prohibiting employment discrimination based on "family responsibilities").

[2] In 1970, 43% of women were in the labor force while 59% of women were in the labor force in 2005. BUREAU OF LABOR STATISTICS, DEP'T OF LABOR, WOMEN IN THE LABOR FORCE: A DATABOOK 1 (2006) [hereinafter DATABOOK], http://www.bls.gov/cps/wlf-databook-2006.pdf.

[3] AFL-CIO, PROFESSIONAL WOMEN: VITAL STATISTICS (2006), http://www.pay-equity.org/PDFs/ProfWomen.pdf (in 2005, women accounted for 46.4% of the labor force).

[4] DATABOOK, *supra* note 2, Table 7 (59% of mothers with children under 3 were in the civilian labor force in 2005, compared with 34% in 1975).

[5] BUREAU OF LABOR STATISTICS, DEP'T OF LABOR, WORKING IN THE 21ST CENTURY, http://www.bls.gov/opub/working/home.htm (combined work hours per week for married couples with children under 18 increased from 55 hours in 1969 to 66 hours in 2000).

[6] Testimony of Heather Boushey, Senior Economist, Center for Economic and Policy Research, to the EEOC, Apr. 17, 2007, http://www.eeoc.gov/abouteeoc/meetings/4-17-07/boushey.html ("For many families, having a working wife can make the difference between being middle class and not. . . . The shift in women's work participation is not simply about women wanting to work, but it is also about their families needing them to work.").

[7] *See generally* Laura T. Kessler, *The Attachment Gap: Employment Discrimination Law, Women's Cultural Caregiving, and the Limits of Economic and Liberal Legal Theory*, 34 U. MICH. J.L. REFORM 371, 378-80 (2001) (discussing women's continued role as primary caregivers in our society and citing studies).

BUREAU OF LABOR STATISTICS, DEP'T OF LABOR, AMERICAN TIME-USE SURVEY (2006), Table 8, http://www.bls.gov/news.release/pdf/atus.pdf (in 2005, in households with children under 6, working women spent an average of 2.17 hours per day providing care for household members compared with 1.31 hours for working men; in households with children 6 to 17, working women spent an average of .99 hours per day providing care for household members compared with .50 for working men).

[8] *See generally* Peggie R. Smith, *Elder Care, Gender, and Work: The Work-Family Issue of the 21st Century*, 25 BERKELEY J. EMP. & LAB. L. 351, 355-60 (2004).

[9] *Id*. at 360 (noting that women provide about 70% of unpaid elder care); see *also Nevada Dep't of Human Res. v. Hibbs*, 538 U.S. 721, 738 (2003) (noting that working women provide two-thirds of the nonprofessional care for older, chronically ill, and disabled individuals); Cathy D. Martin, *More Than the Work: Race and Gender Differences in Caregiving Burden*, 21 JOURNAL OF FAMILY ISSUES 986, 989-90 (2000) (discussing greater role women play in providing eldercare).

[10] Smith, *supra* note 8, at 365-70.

[11] *See* BOSTON COLL. CTR. FOR WORK & FAMILY, EXECUTIVE BRIEFING SERIES, EXPLORING THE COMPLEXITIES OF EXCEPTIONAL CAREGIVING (2006) (contact the Center to order copies of the Executive Briefing Series, 617-552-2865 or cwf@bc.edu).

[12] *See generally* DEP'T OF HEALTH & HUMAN SERVS., INFORMAL CAREGIVING:
COMPASSION IN ACTION (1998) (hereinafter INFORMAL CAREGIVING), http://aspe.hhs.gov/daltcp/reports/carebro2.pdf.

[13] U.S. CENSUS BUREAU, DISABILITY AND AMERICAN FAMILIES: 2000, at 3, 16 (2005), http://www.census.gov/prod/2005pubs/censr- 23.pdf#search=%22disability%20american%20families%202000%22.

[14] INFORMAL CAREGIVING, *supra* note 12, at 11.

[15] *See, e.g.*, Lynette Clemetson, *Work vs. Family, Complicated by Race*, N.Y. TIMES, Feb. 9, 2006, at G1 (discussing unique work-family conflicts faced by African American women).

[16] For example, by 1900, 26% of married African American women were wage earners, compared with 3.2% of their White counterparts. JENNIFER TUCKER & LESLIE R. WOLFE, CTR. FOR WOMEN POLICY STUDIES, DEFINING WORK AND FAMILY ISSUES: LISTENING TO THE VOICES OF WOMEN OF COLOR 4 (1994) (citing other sources). More recently, in 1970, more than 70% of married African American middle-class women and nearly 45% of married African American working-class women were in the labor force compared with 48% and 32%, respectively, of their White counterparts. LONNAE O'NEAL PARKER, I'M EVERY WOMAN: REMIXED STORIES OF MARRIAGE, MOTHERHOOD AND WORK 29 (2005).

[17] DATABOOK, *supra* note 2, Table 5 (in 2005, 68% of African American women with children under the age of 3 were in the workforce compared with 58% of White women, 53% of Asian American women, and 45% of Hispanic women).

[18] POPULATION REFERENCE BUREAU, *Diversity, Poverty Characterize Female Headed Households*, http://www.prb.org/Articles/2003/DiversityPovertyCharacterizeFemaleHeadedHouseholds.aspx (about 5% of White or Asian American households are female-headed households with children compared with 22% of African American households and 14% of Hispanic households).

Native American women may have greater childcare responsibilities and are less likely to be employed than their White or African American counterparts. Native American women may have special family and community obligations based on tribal culture and often have more children than do White or African American women. Job opportunities may be further limited since Native American women often live in remote areas where the few available jobs tend to be in traditionally male-dominated industries. THE NATIVE NORTH AMERICAN ALMANAC 1088 (2d ed. 2001).

[19] U.S. CENSUS BUREAU, GRANDPARENTS LIVING WITH GRANDCHILDREN: 2000, Table 1 (2003),http://www.census.gov/prod/2003pubs/c2kbr-31.pdf (showing a higher proportion of African American and Native American grandmothers responsible for raising grandchildren than White, Asian, or Hispanic grandmothers).

[20] *See* NAT'L ASS'N OF STATE UNITS ON AGING, IN THE MIDDLE: A REPORT ON MULTICULTURAL BOOMERS COPING WITH FAMILY AND AGING ISSUES (2001), http://www.nasua.org/familycaregiver/rbv1/rbv1b11.pdf (in survey of Baby Boomers in the "sandwich generation," one in five White respondents reported providing eldercare or financial assistance to their parents, compared with two in five Asian Americans or one in three Hispanics or African Americans); see also Karen Bullock et al., *Employment and Caregiving*: *Exploration of African American Caregivers*, SOCIAL WORK 150 (Apr. 2003) (discussing impact of eldercare responsibilities on employment status of African Americans).

[21] Donna St. George, *Fathers Are No Longer Glued to Their Recliners*, WASH. POST, Mar. 20, 2007, at A11 (men's childcare work increased from 2.5 hours to 7 hours per week between 1965 and 2003). The total workload of married mothers and fathers combining paid work, childcare, and housework is about equal at 65 hours per week for mothers and 64 hours per week for fathers. *Id.*; see also SUZANNE BIANCHI ET AL., CHANGING RHYTHMS OF AMERICAN FAMILY LIFE (2006).

[22] *See, e.g.*, KAREN L. BREWSTER & BRYAN GIBLIN, EXPLAINING TRENDS IN COUPLES' USE OF FATHERS AS CHILDCARE PROVIDERS, 1985.2002, at 2.3 (2005), http://www.fsu.edu/~popctr/papers/floridastate/05-151paper.pdf (percentage of employed married women who relied on their husbands as the primary childcare provider increased from 16.6% in 1985 to 23.2% in 2002).

[23] *See generally* Joan C. Williams & Nancy Segal, *Beyond the Maternal Wall: Relief for Family Caregivers Who Are Discriminated Against on the Job*, 26 HARV. WOMEN'S L.J. 77 (2003) (discussing "maternal wall" discrimination, which limits the employment opportunities of workers with caregiving responsibilities). See also MARY STILL, UNIV. OF CAL., HASTINGS COLL. OF LAW, LITIGATING THE MATERNAL WALL: U.S. LAWSUITS CHARGING DISCRIMINATION AGAINST WORKERS WITH FAMILY RESPONSIBILITIES (2005), http://www.uchastings.edu/site_files/WLL/FRDreport.pdf (documenting rise in lawsuits alleging discrimination against caregivers).

[24] *See generally* JOAN WILLIAMS, UNIV. OF CAL., HASTINGS COLL. OF LAW, ONE SICK CHILD AWAY FROM BEING FIRED: WHEN "OPTING OUT" IS NOT AN OPTION (2006), http://www.uchastings.edu/site_files/WLL/onesickchild.pdf.

[25] The median weekly earnings of full-time wage and salary workers in 2005 were $596 for White women compared with $499 for African American women and $429 for Hispanic women. DATABOOK, *supra* note 2, Table 16. While the weekly median earnings for Asian American women, $665, exceed the earnings of White women, id., the earnings of Asian American women vary widely depending on national origin. *See Socioeconomic Statistics and Demographics*, Asian Nation, http://www.asian-nation.org/demographics.shtml (discussing the wide disparity in socioeconomic attainment rates among Asian Americans).

[26] ONE SICK CHILD AWAY FROM BEING FIRED, *supra* note 24, at 8.

[27] *E.g.*, ONE SICK CHILD AWAY FROM BEING FIRED, *supra* note 24, at 23 (discussing case presented to arbitrator where employee with nine years of service was discharged for absenteeism when she left work after receiving a phone call that her four-year-old daughter had fallen and was being taken to the emergency room).

[28] EQUAL EMPLOYMENT OPPORTUNITY COMM'N, GLASS CEILING: THE STATUS OF WOMEN AS OFFICIALS AND MANAGERS IN THE PRIVATE SECTOR (2004), http://www.eeoc.gov/stats/reports/glassceiling/index.html.

[29] Diane Stafford, *Wanted: Women in the Workplace*, MONTEREY COUNTY HERALD, Apr. 5, 2006, available at 2006 WLNR 5689048.

[30] GOOD FOR BUSINESS: MAKING FULL USE OF THE NATION'S HUMAN CAPITAL, Washington, D.C.: U.S. Gov't Printing Office, at 3. The Glass Ceiling Commission was established under the Civil Rights Act of 1991 to complete a study of the barriers to advancement faced by women and minorities. A copy of the Commission's 1995 fact-finding report is available at http://digitalcommons.ilr.cornell.edu/key_workplace/116.

[31] *Nevada Dep't of Human Res. v. Hibbs*, 538 U.S. 721, 738 (2003) (holding that the family-leave provision of the Family and Medical Leave Act is a valid exercise of congressional power to combat sex discrimination by the states); *see also Phillips v. Martin Marietta Corp.*, 400 U.S. 542, 545 (1971) (Marshall, J., concurring) (Title VII does not permit "ancient canards about the proper role of women to be a basis for discrimination").

[32] *Hibbs*, 538 U.S. at 731 (in an FMLA claim brought by a male worker who was denied leave to care for his ailing wife, the Court noted that states' administration of leave benefits has fostered the "pervasive sex-role stereotype that caring for family members is women's work").

[33] *See* SHELLEY CORRELL & STEPHEN BENARD, GETTING A JOB: IS THERE A MOTHERHOOD PENALTY? (2005) (women with children were recommended for hire and promotion at a much lower rate than women without children).

[34] *See Knussman v. Maryland*, 272 F.3d 625, 629-30 (4th Cir. 2001) (male employee was not eligible for "nurturing leave" as primary caregiver of newborn unless his wife were "in a coma or dead").

[35] See § II.D, *infra* (discussing disparate treatment of women of color who are caregivers).

[36] This document addresses only disparate treatment, or intentional discrimination, against caregivers. It does not address disparate impact discrimination.

[37] *See Thomas v. Eastman Kodak Co.*, 183 F.3d 38, 61 (1st Cir. 1999) ("concept of 'stereotyping' includes not only simple beliefs such as 'women are not aggressive' but also a host of more subtle cognitive phenomena which can skew perceptions and judgments").

[38] *Price Waterhouse v. Hopkins*, 490 U.S. 228, 251 (1989) (plurality opinion).

[39] *Lust v. Sealy, Inc.*, 383 F.3d 580, 583 (7th Cir. 2004).

[40] For example, results of internal employee surveys as reported by Eli Lilly revealed that employees with the most flexibility and control over their hours reported more job satisfaction, greater sense of control, and less intention to leave than those on other schedules. CORPORATE VOICES FOR WORKING FAMILIES, BUSINESS IMPACTS OF FLEXIBILITY: AN IMPERATIVE FOR EXPANSION (2005) 13, http://www.cvworkingfamilies.org/flex_report/flex_report.shtml.

[41] In a 2005 study, almost half of the employers that offer flexible work schedules or other programs to help employees balance work and family responsibilities stated that the main reason they did so was to recruit and retain employees, and one-quarter said they did so mainly to enhance productivity and commitment. FAMILIES AND WORK INST., NATIONAL STUDY OF

EMPLOYERS 26 (2005), http://familiesandwork.org/eproducts/2005nse.pdf; *see also* Work Life, Fortune Special Section, http://www.timeinc.net/fortune/services/sections/fortune/corp/2004_09worklife.html (2004) (noting that "smart companies are retaining talent by offering employees programs to help them manage their work and personal life priorities").

[42] For example, based on the proportion of workers who said they would have left in the absence of flexible workplace policies, the accounting firm Deloitte and Touche calculated that it saved $41.5 million in turnover-related costs in 2003 alone. CORPORATE VOICES, *supra note* 40, at 10.

[43] *See Back v. Hastings on Hudson Union Free Sch. Dist.*, 365 F.3d 107, 121 (2d Cir. 2004) (female school psychologist with a young child could show that she was denied tenure because of her sex by relying on evidence of gender-based comments about working mothers and other evidence of sex stereotyping and was not required to show that similarly situated male workers were treated more favorably); *Plaetzer v. Borton Auto., Inc.*, No. Civ. 02-3089 JRT/JSM, 2004 WL 2066770, at *6 n.3 (D. Minn. Aug. 13, 2004) (evidence of more favorable treatment of working fathers is not needed to show sex discrimination against working mothers where an "employer's objection to an employee's parental duties is actually a veiled assertion that mothers, because they are women, are insufficiently devoted to work, or that work and motherhood are incompatible"); *cf. Lust*, 383 F.3d at 583 (reasonable jury could have concluded that the plaintiff's supervisor did not recommend her for a promotion because he assumed that, as a working mother, the plaintiff would not accept a promotion that would require her to move because of its disruptive effect on her children). *But see Philipsen v. University of Mich. Bd. of Regents*, No. 06-CV-11977-DT, 2007 WL 907822 (E.D. Mich. Mar. 22, 2007) (holding that a plaintiff cannot establish a prima facie case of sex discrimination against women with young children in the absence of comparative evidence that men with young children are treated more favorably). While the Commission agrees that the plaintiff raised no inference of sex discrimination, it believes that cases should be resolved on the totality of the evidence and concurs with *Back* and *Plaetzer* that comments evincing sex-based stereotypical views of women with children may support an inference of discrimination even absent comparative evidence about the treatment of men with children.

[44] *E.g., Santiago-Ramos v. Centennial P.R. Wireless Corp.*, 217 F.3d 46, 55 (1st Cir. 2000) (comments by decisionmakers reflecting concern that the plaintiff might not be able to balance work and family responsibilities after she had a second child could lead a jury to conclude that the plaintiff was fired because of sex).

[45] *Sigmon v. Parker Chapin Flattau & Klimpl*, 901 F. Supp. 667, 678 (S.D.N.Y. 1995) (the plaintiff's only "deeply critical" performance evaluation was received shortly after she announced her pregnancy and therefore could be discounted).

[46] *Phillips v. Martin Marietta Corp.*, 400 U.S. 542, 544 (1971) (evidence showed that the employer had a policy of not hiring women with preschool age children, but did not have a policy of not hiring men with preschool age children).

[47] *Sigmon*, 901 F. Supp. at 678 (reasonable factfinder could conclude that the decreasing number of women in the corporate department was caused by sex discrimination where tension between female associates and the employer regarding the maternity leave policy contributed to the high separation rate of pregnant women and mothers).

[48] For more information on the kinds of evidence that may be relevant in a disparate treatment case, see EEOC Compliance Manual: *Race Discrimination*, Volume II, § 15-V, A.2, "Conducting a Thorough Investigation" (2006), http://www.eeoc.gov/policy/docs/race-color.html#VA2.

[49] *Martin Marietta Corp.*, 400 U.S. at 545 (Title VII prohibits employer from hiring men with preschool age children while refusing to hire women with preschool age children). Some courts and commentators have used the term "sex plus" to describe cases in which the employer discriminates against a subclass of women or men, i.e., sex plus another characteristic, such as caregiving or marriage. *See, e.g., Philipsen v. University of Mich. Bd. of Regents*, No. 06-CV-11977-DT, 2007 WL 907822, at *4 (E.D. Mich. Mar. 22, 2007) ("sex plus" discrimination is discrimination based on sex in conjunction with another characteristic); *Gee-Thomas v. Cingular Wireless*, 324 F. Supp. 2d 875 (M.D. Tenn. 2004) ("Title VII also prohibits so-called 'gender plus' or 'sex plus' discrimination, by which an employer discriminates, not against the class of men or women as a whole, but against a subclass of men or women so designated by their sex plus another characteristic."); Regina E. Gray, Comment, *The Rise and Fall of the "Sex Plus" Discrimination Theory: An Analysis of* Fisher v. Vassar College, 42 How. L. J. 71 (1998). In Back, the Second Circuit explained that the term "sex plus" is merely a concept used to illustrate that a Title VII plaintiff can sometimes survive summary judgment even when not all members of the protected class are subjected to discrimination. The Commission agrees with the *Back* court that, in practice, the term "sex plus" is "often more than a little muddy" and that the "[t]he relevant issue is not whether a claim is characterized as 'sex plus' or 'gender plus,' but rather, whether the plaintiff provides evidence of purposefully sex-discriminatory acts." 365 F.3d at 118-19 & n.8.

[50] *Lust v. Sealy, Inc.*, 383 F.3d 580, 583 (7th Cir. 2004) ("Realism requires acknowledgment that the average mother is more sensitive than the average father to the possibly disruptive effect on children of moving to another city, but the antidiscrimination laws entitle individuals to be evaluated as individuals rather than as members of groups having certain average characteristics."); *see also Manhart v . City of Los Angeles, Dep't of Water & Power*, 435 U.S. 702, 708 (1978) ("[Title VII's] focus on the individual is unambiguous. It precludes treatment of individuals as simply components of a racial, religious, sexual, or national class. . . . Even a true generalization about the class is an insufficient reason for disqualifying an individual to whom the generalization does not apply.").

[51] *Back*, 365 F.3d at 121 (in a sex discrimination claim under 42 U.S.C. § 1983, the court stated that "where stereotypes are considered, the notions that mothers are insufficiently devoted to work, and that work and motherhood are incompatible, are properly considered to be, themselves, gender-based").

[52] Marion Crain, "*Where Have All the Cowboys Gone?" Marriage and Breadwinning in Postindustrial Society*, 60 OHIO ST. L.J. 1877, 1893 (1999) ("[T]he cultural assignment to women of the primary responsibility for nurturing children and making a home undermines their performance in the market . . . . Women who are not caregivers may be adversely affected as well, because employers will assume that their attachment to the waged labor market is secondary.").

[53] Felice N. Schwartz, BREAKING WITH TRADITION: WOMEN AND WORK, THE NEW FACTS OF LIFE 9-26 (1992) (commenting that "even today, women sometimes are advised to remove their wedding rings when they interview for employment, presumably to avoid the inference that they will have children and not be serious about their careers"), *cited in* Williams & Segal, *supra* note 23, at 97; Edward J. McCaffery, *Slouching Towards Equality: Gender Discrimination, Market Efficiency, and Social Change*, 103 YALE L. J. 595, 631 n.124 (1993) (stating that "getting married itself is an act that sends out the wrong signal on this score [of commitment to the labor market] – that is, it does for women – and thus the evidence that married women hide their wedding rings prior to job interviews is not surprising").

[54] 42 U.S.C. § 2000e-3(m).

[55] *Id*. § 2000e-5(g)(2).

[56] *Back*, 365 F.3d at 120 ("it takes no special training to discern stereotyping in the view that a woman cannot 'be a good mother' and have a job that requires long hours, or in the statement that a mother who received tenure 'would not show the same level of commitment [she] had shown because [she] had little ones at home'").

[57] *See* Alice H. Eagly & Valerie J. Steffen, *Gender Stereotypes, Occupational Roles, and Beliefs About Part-Time Employees*, 10 PSYCH. WOMEN. Q. 252, 260-61 (1986) (finding that "[f]or women, part-time employment is generally associated with substantial domestic obligations, and female part-time employees are consequently perceived as similar to homemakers"). In contrast, part-time employment in men is associated with difficulty in finding full-time paid employment.

Courts are divided as to whether the practice of paying part-time workers at a lower hourly rate than full-time workers implicates the Equal Pay Act. *Compare Lovell v. BBNT Solutions, LLC*, 295 F. Supp. 2d 611, 620-21 (E.D. Va. 2003) (part-time female worker could compare herself with full-time male worker for purposes of establishing a prima facie case under the EPA), with *EEOC v. Altmeyer's Home Stores, Inc.*, 672 F. Supp. 201, 214 (W.D. Pa. 1987) (EEOC could not establish sex-based pay discrimination by comparing part-time worker with full-time worker). See also Section 10: *Compensation Discrimination*, § 10-IV F.2.h, EEOC Compliance Manual, Volume II (BNA) (2000).

[58] Employers may think that they are behaving considerately when they act on stereotypes that they believe correspond to characteristics that women should have, such as the belief that working mothers with young children should avoid extensive travel. *See KATHLEEN FUEGEN ET AL., Mothers and Fathers in the Workplace: How Gender and Parental Status Influence Judgments of Job-Related Competence*, 60 J. SOC. ISSUES 737, 751 (2004); Williams & Segal, supra note 23, at 95.

[59] *Lust*, 383 F.3d 580 (upholding jury's finding that employee was denied promotion based on sex where supervisor did not consider plaintiff for a promotion that would have required relocation to Chicago because she had children and he assumed that she would not want to move, even though she had never told him that and, in fact, had told him repeatedly that she was interested in a promotion despite the fact that there was no indication that a position would be available soon at her own office in Madison).

[60] *Cf. International Union, United Auto., Aerospace & Agric. Implement Workers of Am. v. Johnson Controls*, 499 U.S. 187, 199-200 (1991) (in rejecting employer policy that excluded fertile women from positions that would expose them to fetal hazards, the Court stated that the "beneficence of an employer's purpose does not undermine the conclusion that an explicit gender-based policy is sex discrimination").

[61] *See Lettieri v. Equant Inc.*, 478 F.3d 640 (4th Cir. 2007) (evidence was sufficient for finder of fact to conclude that the plaintiff was denied a promotion because of discriminatory belief that women with children should not live away from home during the work week).

[62] *See Thomas v. Eastman Kodak Co.*, 183 F.3d 38, 42, 59-61 (1st Cir. 1999) ("concept of 'stereotyping' includes not only simple beliefs such as 'women are not aggressive' but also a host of more subtle cognitive phenomena which can skew perceptions and judgments").

[63] See Amy J.C. Cuddy et al., *When Professionals Become Mothers, Warmth Doesn't Cut the Ice*, 60 J. SOC. ISSUES 701, 711 (2004) ("Not only are [working mothers] viewed as less competent and less worthy of training than their childless female counterparts, they are also viewed as less competent than they were before they had children. Merely adding a child caused people to view the woman as lower on traits such as capable and skillful, and decreased people's interest in training, hiring, and promoting her.").

[64] *See Back*, 365 F.3d at 115 (employer told employee that it was "not possible for [her] to be a good mother and have this job"); *Trezza v. Hartford, Inc.*, No. 98 CIV. 2205 (MBM), 1998 WL 912101, at *2 (S.D.N.Y. Dec. 30, 1998) (employer remarked to employee that, in attempting to balance career and motherhood, "I don't see how you can do either job well"); see also Cecilia L. Ridgeway & Shelley J. Correll, *Motherhood as a Status Characteristic*, 60 J. SOC. ISSUES 683, 690 (2004) (noting that while mothers are expected always to be "on call for their children," a worker is expected to be "unencumbered by competing demands and be always there for his or her employer").

[65] *See, e.g.*, Nicole Buonocore Porter, *Re-defining Superwoman: An Essay on Overcoming the "Maternal Wall" in the Legal Workplace*, 13 DUKE J. GENDER L. & POL'Y 55, 61-62 (Spring 2006).

[66] *See infra* § II.C.

[67] *See supra* § II.A.1.

[68] For information on protections under the Family and Medical Leave Act, see Compliance Assistance – Family and Medical Leave Act, http://www.dol.gov/esa/whd/fmla/.

[69] *International Union, United Auto., Aerospace & Agric. Implement Workers of Am. v. Johnson Controls*, 499 U.S. 187, 204 (1991).

[70] Title VII defines the terms "because of sex" or "on the basis of sex" as including "because of or on the basis of pregnancy, childbirth, or related medical conditions" and provides that "women affected by pregnancy, childbirth, or related medical conditions shall be treated the same for all employment-related purposes . . . as other persons not so affected but similar in their ability or inability to work." 42 U.S.C. § 2000e(k).

[71] Some employers' improper pregnancy-related "inquiries" have even included pregnancy testing. *See, e.g., Justice Department Settles Pregnancy Discrimination Charges Against D.C. Fire Department*, U.S. FED. NEWS, Sept. 8, 2005, 2005 WLNR 14256220 (reporting on settlement between DOJ and District of Columbia regarding complaint that employment offers as emergency medical technicians were contingent on negative pregnancy test result and that technicians who became pregnant during first year of employment were threatened with termination).

[72] *See* EEOC Enforcement Guidance: *Disability-Related Inquiries and Medical Examinations of Employees Under the Americans with Disabilities Act*, Question 2 (2000), http://www.eeoc.gov/policy/docs/guidance-inquiries.html ("A 'medical examination' is a procedure or test that seeks information about an individual's physical or mental impairments or health.") (emphasis added). For information on the ADA's specific restrictions on the use of medical examinations, see 29 C.F.R. §§ 1630.13, .14 & Appendix to Part 1630.

[73] 29 C.F.R. Part 1604 Appendix, Question 5 (1978).

[74] *Cf. Troy v. Bay State Computer Group, Inc.*, 141 F.3d 378 (1st Cir. 1998).

[75] This document supersedes EEOC's *Policy Guidance on Parental Leave* (Aug. 27, 1990).

[76] *Hibbs*, 538 U.S. at 736.

[77] See Williams & Segal, *supra* note 23, at 101-02 (discussing stereotypes of men who take active role in childcare).

[78] For information on protections under the Family and Medical Leave Act, see Compliance Assistance – Family and Medical Leave Act, http://www.dol.gov/esa/whd/fmla/.

[79] *See California Fed. Sav. & Loan Ass'n v. Guerra*, 472 U.S. 272, 290 (1987) (upholding state pregnancy disability-leave statute requiring employers to provide leave for the period of time that a woman is physically disabled by pregnancy, childbirth, and related medical conditions).

[80] This period includes the postpartum period that a woman remains incapacitated as a result of having given birth. *See generally*

Pat McGovern et al., *Postpartum Health of Employed Mothers 5 Weeks After Childbirth*, ANNALS OF FAMILY MEDICINE, Mar. 2006, at 159, *available at* http://www.pubmedcentral.nih.gov/articlerender.fcgi?artid=1467019.

[81] *See* EEOC Compliance Manual: Race Discrimination, Volume II, § 15-IV, C, "Intersectional Discrimination" (2006), http://www.eeoc.gov/policy/docs/race-color.html#IVC.

[82] 42 U.S.C. § 12112(b)(4). Section 501 of the Rehabilitation Act provides the same protection to federal workers. 29 U.S.C. § 791 (g) (incorporating ADA standards).

[83] *Abdel-Khalke v. Ernst & Young*, LLP, No. 97 CIV 4514 JGK, 1999 WL 190790 (S.D.N.Y. Apr. 7, 1999) (issues of fact regarding whether employer refused to hire applicant because of concern that she would take time off to care for her child with a disability).

[84] 29 U.S.C. § 1630.8 (ADA makes it unlawful for employer to "deny equal jobs or benefits to, or *otherwise discriminate against*," a worker based on his or her association with an individual with a disability) (emphasis added).

[85] 29 C.F.R. § 1604.11 (Sexual Harassment Guidelines); *EEOC Policy Guidance on Current Issues of Sexual Harassment* (Mar. 19, 1990) (sex-based harassment – harassment not involving sexual activity or language – may give rise to Title VII liability if it is "sufficiently patterned or pervasive"), http://www.eeoc.gov/policy/docs/currentissues.html.

[86] This example is based on *Walsh v. National Computer Systems, Inc.*, 332 F.3d 1150 (8th Cir. 2003) (upholding jury verdict that the plaintiff was subjected to a hostile work environment in violation of Title VII when she was harassed because she had been pregnant, taken pregnancy-related leave, and might become pregnant again).

[87] *E.g., Gallina v. Mintz, Levin, Cohn, Ferris, Glosky & Popeo, P.C.*, Nos. 03-1883, 03-1947, 2005 WL 240390 (4th Cir. Feb. 2, 2005) (unpublished) (plaintiff presented sufficient evidence for reasonable jury to conclude that she was denied a pay raise and terminated for complaining about harassment and other adverse conduct that began after the acting manager learned that the plaintiff had a small child).

[88] *See Burlington N. & Santa Fe Ry. Co. v. White*, 126 S. Ct. 2405, 2415 (2006) ("plaintiff must show that a reasonable employee would have found the challenged action materially adverse, 'which in this context means it well might have "dissuaded a reasonable worker from making or supporting a charge of discrimination"'") (citations omitted).

[89] *Id.*

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The U.S. Equal Employment Opportunity Commission

Questions and Answers about EEOC's Enforcement Guidance on *Unlawful Disparate Treatment of Workers with Caregiving Responsibilities*

The U.S. Equal Employment Opportunity Commission (EEOC) has issued a new Enforcement Guidance on Unlawful Disparate Treatment of Workers with Caregiving Responsibilities. This document illustrates circumstances under which discrimination against a working parent or other caregiver constitutes unlawful disparate treatment under the federal EEO statutes.

Q: Why is the EEOC issuing this document?

A: Changing workplace demographics, including women's increased participation in the labor force, have created the potential for greater discrimination against working parents and others with caregiving responsibilities. The new guidance is intended to assist employers, employees, and Commission staff in determining whether discrimination against persons with caregiving responsibilities constitutes unlawful disparate treatment under federal EEO law.

Q: Are caregivers a protected group under the federal EEO statutes?

A: No. The federal EEO statutes do not prohibit discrimination based solely on parental or other caregiver status. Under the federal EEO laws, discrimination must be based on a protected characteristic such as sex or race. However, some state or local laws may provide broader protections for caregivers. A particular caregiver also may have certain rights under other federal laws, including the Family and Medical Leave Act.

Q: When does discrimination against a worker with caregiving responsibilities constitute unlawful disparate treatment?

A: Unlawful disparate treatment arises where a worker with caregiving responsibilities is subjected to discrimination based on a protected characteristic under federal EEO law. Generally, this means that, under Title VII of the Civil Rights Act of 1964, unlawful disparate treatment arises where a caregiver is subjected to discrimination based on sex and/or race.

Unlawful disparate treatment of a caregiver also can arise under the Americans with Disabilities Act of 1990 where an employer discriminates against a worker based on his or her association with an individual with a disability.

Q: What are some common circumstances under which discrimination against a worker with

caregiving responsibilities might constitute unlawful disparate treatment under federal EEO law?

A: The new enforcement guidance illustrates various circumstances under which discrimination against a caregiver might violate federal EEO law. Examples include:

- Treating male caregivers more favorably than female caregivers: Denying women with young children an employment opportunity that is available to men with young children.
- Sex-based stereotyping of working women:
  - Reassigning a woman to less desirable projects based on the assumption that, as a new mother, she will be less committed to her job.
  - Reducing a female employee's workload after she assumes full-time care of her niece and nephew based on the assumption that, as a female caregiver, she will not want to work overtime.
- Subjective decisionmaking: Lowering subjective evaluations of a female employee's work performance after she becomes the primary caregiver of her grandchildren, despite the absence of an actual decline in work performance.
- Assumptions about pregnant workers: Limiting a pregnant worker's job duties based on pregnancy-related stereotypes.
- Discrimination against working fathers: Denying a male caregiver leave to care for an infant under circumstances where such leave would be granted to a female caregiver.
- Discrimination against women of color: Reassigning a Latina worker to a lower-paying position after she becomes pregnant.
- Stereotyping based on association with an individual with a disability: Refusing to hire a worker who is a single parent of a child with a disability based on the assumption that caregiving responsibilities will make the worker unreliable.
- Hostile work environment affecting caregivers:
  - Subjecting a female worker to severe or pervasive harassment because she is a mother with young children.
  - Subjecting a female worker to severe or pervasive harassment because she is pregnant or has taken maternity leave.
  - Subjecting a worker to severe or pervasive harassment because his wife has a disability.

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The U.S. Equal Employment Opportunity Commission

Final Revisions of the Employer Information Report (EEO-1)

On November 16, 2005, the Commission met and approved a revised EEO-1 report. Following a 30-day period for public comment, the Office of Management and Budget (OMB) approved the revised EEO-1. Employers must begin to use the revised survey for the reporting period beginning September 30, 2007.

- Questions and Answers: Revisions to the EEO-1 Report
- Questions and Answers: Implementation of Revised Race and Ethnic Categories
  - Federal Register Notice, November 28, 2005:
    HTML Version | PDF Version
  - Final EEO-1 Form, beginning 2007, Section D (All revisions to the EEO-1 survey form are in 'Section D- Employment Data' only. Sections A, B, C, E, F, and G remain unchanged.): PDF (Preferred) | HTML
  - Instruction Booklet for the EEO-1 Survey Report beginning in 2007: PDF (Preferred) | HTML
  - Job Classification Guide for the EEO-1 Survey Report beginning in 2007: PDF | HTML

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Information for Small Businesses

While the information on this page applies to all employers, it has been specifically designed for small businesses which may not have a human resources department or a specialized EEO staff. We realize that the information provided here may not answer all of the questions you may have. This section of the website is not intended to answer all of the sophisticated legal issues that can arise in employment discrimination cases. What we do hope is that this page will help you answer some of the most common questions that employers encounter. Most importantly, we hope to make it easier for you to comply with the anti-discrimination laws and help you in your dealings with the EEOC.

- An Overview of EEOC and Small Businesses
- A Charge Has Not Been Filed Against My Company. Do I Need To Keep Records or File Reports With the EEOC?
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The U.S. Equal Employment Opportunity Commission

EEOC Investigations - What An Employer Should Know

What is EEOC?

1. The Equal Employment Opportunity Commission is an independent federal agency created by Congress in 1964 to eradicate discrimination in employment. The various statutes enforced by the Commission prohibit employment discrimination on the basis of race, color, sex, national origin, religion, retaliation, age and disability.
2. EEOC has authority to receive, initiate and investigate charges of discrimination filed against employers who have a statutory minimum number of employees.
3. EEOC's role in an investigation is to fairly and accurately evaluate the charge allegations in light of all the evidence obtained.

What happens when a charge has been filed against me?

1. You will always be notified that a charge of discrimination has been filed and you will be provided with the name and contact information for the investigator assigned to your case. A charge does not constitute a finding that your company engaged in discrimination. The EEOC has a responsibility to investigate and determine whether there is a reasonable cause to believe discrimination occurred.
2. In many cases, you may opt to resolve a charge early in the process through mediation or settlement. At the start of an investigation, EEOC will advise you if your charge is eligible for mediation, but feel free to ask the investigator about the settlement option. **Mediation and settlement are voluntary resolutions.**
3. During the investigation, you and the Charging Party will be asked to provide information. Your investigator will evaluate the information submitted to determine whether unlawful discrimination has taken place. You may be asked to:
    - submit a **statement of position**. This is your opportunity to tell your side of the story and you should take advantage of it.
    - respond to a **Request for Information** (RFI). The RFI may ask you to submit copies of personnel policies, Charging Party's personnel files, the personnel files of other individuals and other relevant information.
    - permit an **on-site visit**. While you may view such a visit as being disruptive to your operations, our experience has been that such visits greatly expedite the fact- finding process and may help achieve quicker resolutions. In some cases, an on- site visit may be an alternative to a RFI if requested documents are made available for viewing or photocopying.
    - provide contact information for or have employees available for **witness interviews**.

You may be present during interviews with management personnel, but an investigator is allowed to conduct interviews of non-management level employees without your presence or permission.

4. If the charge was not dismissed by the EEOC when it was received, that means there was some basis for proceeding with further investigation. There are many cases where it is unclear whether discrimination may have occurred and an investigation is necessary. You are encouraged to present any facts that you believe show the allegations are incorrect or do not amount to a violation of the law. An employer's input and cooperation will assist EEOC in promptly and thoroughly investigating a charge.
    - Work with the investigator to identify the most efficient and least burdensome way to gather relevant evidence.
    - You should submit a prompt response to the EEOC and provide the information requested, even if you believe the charge is frivolous.
        - *If there are extenuating circumstances preventing a timely response from you, contact your investigator to work out a new due date for the information.*
    - Provide complete and accurate information in response to requests from your investigator.
    - The average time it takes to process an EEOC investigation is about 182 days.
        - *Our experience shows that undue delay in responding to requests for information extends the time it takes to complete an investigation.*
    - If you have concerns regarding the scope of the information being sought, advise the investigator. Although EEOC is entitled to all information relevant to the allegations contained in the charge, and has the authority to subpoena such information, in some instances, the information request may be modified.
    - Keep relevant documents. If you are unsure whether a document is needed, ask your investigator. By law, you are required to keep certain documents for a set period of time.
5. Your investigator will:
    - be available to answer most questions you have about the process.
    - keep you informed about the charge process, including the rights and responsibilities of the parties at the conclusion of the investigation.
    - conduct an appropriate, thorough and timely investigation.
    - allow you to respond to the allegations.
    - inform you of the outcome of the investigation.
6. Once the investigator has completed the investigation, EEOC will make a determination on the merits of the charge.
    - If EEOC determines that there is no reasonable cause to believe that discrimination occurred, the charging party will be issued a letter called a **Dismissal and Notice of Rights** that tells the charging party s/he has the right to file a lawsuit in federal court within 90 days from the date of receipt of the letter. The employer will also receive a copy of this document.
    - If EEOC determines there is reasonable cause to believe discrimination has occurred,

both parties will be issued a **Letter of Determination** stating that there is reason to believe that discrimination occurred and inviting the parties to join the agency in seeking to resolve the charge, through an informal process known as **conciliation**.

- Where conciliation fails, EEOC has the authority to enforce violations of its statutes by filing a lawsuit in federal court. If the EEOC decides not to litigate, the charging party will receive a **Notice of Right to Sue** and may file a lawsuit in federal court within 90 days.

How does a charge get resolved?

EEOC offers employers many opportunities to resolve charges of discrimination. Successfully resolving the case through one of these voluntary processes may save you time, effort and money. Methods of resolution include:

- mediation
- settlement
- conciliation

Mediation

EEOC has greatly expanded it's mediation program. The program is free, quick, voluntary and confidential. If mediation is successful, there is no investigation.

If the charge filed against your company is eligible for mediation, you will be invited to take part in the mediation process. If mediation is unsuccessful, the charge is referred for investigation.

Advantages of Mediation

1. EEOC's mediation program is **free**.
2. Mediation is **efficient**. The process is initiated before an investigation begins and most mediations are completed in one session, which usually lasts for one to five hours.
3. The average processing time for mediation is **84 days**.
4. The mediation program is completely **voluntary**.
5. Successful mediation results in the **closure of the charge** filed with EEOC. If mediation is unsuccessful, the charge is referred for investigation.
6. Mediators are **neutral** third parties who have no interest in the outcome of the mediation.
7. Mediation is a **confidential** process. The sessions are not tape-recorded or transcribed. Mediator notes taken during the mediation are discarded. Information learned during the mediation can not be used during an EEOC investigation if the mediation is unsuccessful.
8. Mediation is an **informal** process. The goal of mediation is not fact finding. The purpose is to discuss the charge and reach an agreement that is satisfactory to all parties.
9. Settlement agreements secured during mediation **are not admissions by the employer** of

any violation of laws enforced by the EEOC.

10. Mediation **avoids lengthy and unnecessary litigation**.
11. Settlement agreements secured during mediation are **enforceable**.
12. The overwhelming majority of employers and charging parties participating in EEOC mediation program are **satisfied with the process and would use it again**.
13. Mediation can help the parties understand **why the employment relationship broke down**.
14. Mediation can help the parties identify ways to **repair an ongoing relationship**.

To learn more about EEOC's mediation program, and how to participate in it, visit the mediation section of the website.

Settlement

Charges of discrimination may be settled at any time during the investigation. EEOC investigators are experienced in working with the parties to reach satisfactory settlements. You should contact the investigator if you are interested in resolving your charge through settlement.

Advantages of Settlement

1. **Voluntary** settlement efforts can be pursued at any time during the investigation, but settling a charge early may save you the time and effort associated with investigations.
2. Settlement is an **informal** process. The goal of settlement is to reach an agreement that is satisfactory to all parties.
3. There is no **admission of liability**.
4. If the parties, including EEOC, reach a voluntary agreement, the charge will be **dismissed**.
5. Settlement agreements are **enforceable**.
6. Settlement **avoids lengthy and unnecessary litigation**.

Conciliation

EEOC is statutorily required to attempt to resolve findings of discrimination through "informal methods of conference, conciliation, and persuasion." See 42 U.S.C. 2000e-5. After the parties have been informed by letter that the evidence gathered during the investigation establishes that there is "reasonable cause" to believe that discrimination has occurred, the parties will be invited to participate in conciliation discussions. During conciliation, your investigator will work with you and the Charging Party to develop an appropriate remedy for the discrimination. We encourage you to take advantage of this final opportunity to resolve the charge prior to EEOC considering the matter for litigation.

Advantages of Conciliation

1. Conciliation is a **voluntary** process.

2. Conciliation discussions are negotiations and **counter-offers may be presented**.
3. Conciliation offers the parties a final **opportunity to resolve the charge informally** - - after an investigation has been conducted, but before a litigation decision has been reached.
4. Conciliation agreements **remove the uncertainty, cost and animosity surrounding litigation**.

How else can EEOC assist me?

EEOC's outreach, education, and technical assistance efforts are vital components of our mission to eradicate employment discrimination. Our outreach program is designed to encourage voluntary compliance with the anti-discrimination laws and to assist employers, employees and stakeholder groups to understand and prevent discrimination. Take advantage of our expertise in the area of employment discrimination.

- Many of our technical assistance materials are available free of charge. Copies of the laws enforced by EEOC as well as EEOC regulations are available on our website. The website also offers many of our enforcement and policy guidances and other materials that you may find helpful. Pamphlets and brochures about EEOC and the laws it enforces can also be obtained by completing the publications request form on the website or by calling 1-800-669-3362 (voice), 1-800-800-3302 (TTY) or 1-513-489-8692 (Fax).
- We offer no-cost outreach and educational programs which make EEOC staff available for presentations and participation in meetings with employees, employers, community organizations and other members of the general public.
- We also offer fee-based training and technical assistance programs throughout the country.

For more information on how we can assist you, visit the Outreach and Training section of the website.

Statutory Minimums

Title VII of the Civil Rights Act of 1964 applies to employers with fifteen (15) or more employees.

The Age Discrimination in Employment Act of 1967 (ADEA) applies to employers with twenty (20) or more employees.

Title I of the Americans with Disabilities Act of 1990 (ADA) applies to employers with fifteen (15) or more employees.

The Equal Pay Act of 1963 (EPA) applies to most employers with one or more employees.

This page was last modified on March 3, 2003.

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EEO Surveys

The EEOC collects workforce data from employers with more than 100 employees (lower thresholds apply to federal contractors). Employers meeting the reporting thresholds have a legal obligation to provide the data; it is not voluntary. The data is collected using the reports below and is used for a variety of purposes including enforcement, self-assessment by employers, and research. Each of the reports collects data about gender and race/ethnicity by some type of job grouping. This information is shared with other authorized federal agencies in order to avoid duplicate collection of data and reduce the burden placed on employers. Although the data is confidential, aggregated data is available to the public.

In 2007, the EEO-1 report was modified. The major changes involved dividing the job category of "Officials and Managers" into two levels. Revised race/ethnic categories were also implemented. The EEOC plans to update the other reports to use the same race and ethnic categories as the new EEO-1 but, before doing so, will give respondents a full reporting cycle to change their recordkeeping.

EEO-1 Report

The 2007 filing deadline is September 30, 2007.

The EEO-1 Report, otherwise known as **The Employer Information Report**, is submitted to the EEOC and the Department of Labor's Office of Federal Contract Compliance Programs. The filing deadline for the 2007 EEO-1 Survey is **September 30, 2007**.

- Revised survey information for the reporting period beginning September 30, 2007

EEO-3 Report

The 2008 Survey will begin mailing October 15, 2008 and will be due December 31, 2008.

The EEO-3 Report, formally known as the **Local Union Report**, is a biennial survey conducted every other year in the even calendar years. ***The filing deadline will be December 31, 2008***.

EEO-4 Report

The 2007 filing deadline is September 30, 2007.

The EEO-4 Report, formally known as the State and Local Government Report, is collected in odd-numbered years from State and Local governments. If you have questions about this survey, or to be placed on a mailing list you may email eeo4.survey@eeoc.gov or send a fax to (202) 663-7130.

- State and Local Government Information (EEO-4) Instruction Booklet

EEO-5 Report

The 2008 survey will begin with the mailout in July 2008 and will be due September 30, 2008.

The EEO-5 Report, formally known as the **Elementary-Secondary Staff Information Report**, is a joint requirement of the EEOC, and the Office for Civil Rights (OCR) and the National Center for Education Statistics (NCES) of the Department of Education. It is conducted biennially, in the even numbered years, and covers all public elementary and secondary school districts with 100 or more employees in the United States.

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EEOC visits CAPTEC

EEOC Chair/staff visit the DOD's Computer / Electronic Accommodations Program (CAP). EEOC was recognized with a CAP Achievement Award.

Highlights and Happenings

ADR Report: ADR in the Federal Sector EEO Process for FY 2006

Annual Report on the Federal Work Force: Fiscal Year 2006

Model EEO Programs Must Have An Effective Anti-Harassment Program

Practical Advice For Drafting And Implementing Reasonable Accommodation Procedures Under Executive Order 13164 (July, 2005)

Instructions to Federal Agencies for EEO Management Directive 715

Interim Final Rule on Posting Requirements in Federal Sector Equal Employment Opportunity (No FEAR)

The Digest of Equal Employment Opportunity Law

Federal Sector and Employees

- How EEOC Coordinates Equal Employment Opportunity in the Federal Workplace
- Information for Federal Employees and Applicants
- Information for Federal Agencies
- Management Directive 715

- EEOC Form 462 Data Collection Resources
- Federal Sector Alternative Dispute Resolution
- Federal Sector Training
- Federal Sector Appellate Decisions (Including *The Digest of EEO Law*)
- Reference and Research
- Related Web Sites

The U.S. Equal Employment Opportunity Commission

EEOC Coordination of Federal Government Equal Employment Opportunity in the Workplace

Federal laws concerning workplace discrimination are enforced by different Federal agencies. Unless the government speaks with one voice on matters of employment nondiscrimination, workers may be confused as to what rights they have and how to protect them and employers may be uncertain of their obligations and how to voluntarily comply with their legal duties.

The EEOC is responsible for coordinating the Federal government's employment non-discrimination effort. The EEOC is required to review regulations and other EEO policy-related documents before they are issued to ensure consistency in the Federal government's effort to combat workplace discrimination.

EEOC Chair, Cari M. Dominguez, on the importance of coordination:

> *"Coordinating efforts across federal agencies is key to reaching the shared goal of ensuring a bias-free workplace. It is essential that the Federal government present a clear and uniform message that will prevent employment discrimination and promote greater compliance with federal EEO mandates."*

Under Executive Order 12067, EEOC has responsibility for enforcing all Federal EEO laws and the duty to coordinate and lead the Federal government's effort to eradicate workplace discrimination.

How EEOC Leads and Coordinates
Implementing Executive Order 12067 and other EEOC actions

Memoranda of Understanding
Coordinating EEO Enforcement where EEOC and other Federal Agencies have overlapping EEO responsibilities

How Other Agencies Address Civil Rights Issues

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The U.S. Equal Employment Opportunity Commission

Information for Federal Employees

How Does the Federal Sector EEO Process Work?

- Facts about Federal Sector Equal Employment Opportunity Complaint Processing
- Frequently Asked Questions About The Federal Sector Hearing Process
- Facts About Federal Sector Alternative Dispute Resolution

Have I Been Discriminated Against?

- Federal Equal Employment Opportunity Laws
- Discriminatory Practices

Where Can I Find Federal Sector Appellate Decisions and Other Legal Resources?

- Federal Sector Appellate Decisions (Including the *Digest of EEO Law*)
- Reference and Research

This page was last modified on August 23, 2005.

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The U.S. Equal Employment Opportunity Commission

MANAGEMENT DIRECTIVE 715

MD 715, which reflects recent and significant changes in the law, including recent Supreme Court decisions, supersedes earlier EEOC Management Directives and related interpretative memoranda on this subject and provides new guidance on the elements of legally compliant Title VII and Rehabilitation Act programs. This Directive requires agencies to take appropriate steps to ensure that all employment decisions are free from discrimination. It also sets forth the standards by which EEOC will review the sufficiency of agency Title VII and Rehabilitation Act programs, which include periodic agency self-assessments and the removal of barriers to free and open workplace competition.

The EEOC will also supplement this Directive on an as-needed basis through the issuance of additional guidance and technical assistance. Questions concerning this Directive should be directed to EEOC's Office of Federal Operations.

- Management Directive 715
- Frequently Asked Questions about Management Directive 715
- Instructions to Federal Agencies for EEO Management Directive 715
  - EEOC Federal Sector Occupation Cross-Classification Table by OPM Occupation Code (HTML)
  - EEOC Federal Sector Occupation Cross-Classification Table by OPM Occupation Code (PDF)
- Department or Agency List with Second Level Reporting Components

Agencies may use the Census 2000 EEO Data Tool to compare their major occupations to the availability data provided by Census's Data Tool.

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The U.S. Equal Employment Opportunity Commission

462 Data Collection Resources

The Office of Federal Operations (OFO) produces an Annual Report on the Federal Workforce that includes, among other data, information on federal equal employment opportunity complaints and ADR activities. This data is collected from each agency in the Annual Federal Equal Employment Opportunity Statistical Report of Discrimination Complaints (EEOC Form 462). Federal agency administrators input data into the form provided on the EEOC Form 462 website which is not accessible to the general public but only to authorized federal agency administrators. OFO also produces an Instruction Manual which provides detailed information pertaining to the form which aids in understanding the data that must be submitted (rather than entered). Questions concerning the EEOC Form 462 report or Instruction Manual may be sent to the email address form462.form462@eeoc.gov.

- EEOC Form 462 Instruction Manual (PDF)
- EEOC Form 462 Instruction Manual (HTML)
- EEOC Form 462 - Sample (PDF)
- EEOC Form 462 - Sample (HTML)

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The U.S. Equal Employment Opportunity Commission

Information for Federal Agencies

Agency Responsibilities Under Federal EEO Law

- Model EEO Programs Must Have An Effective Anti-Harassment Program
- Q&A: Policy Guidance on Executive Order 13145 Prohibiting Discrimination in Federal Employment Based on Genetic Information
- Q&A: Policy Guidance on Executive Order 13164: Establishing Procedures to Facilitate the Provision of Reasonable Accommodation

Legal Resources

- Reference & Research

Federal Sector EEO Data

- Annual Report on the Federal Work Force Fiscal Year 2006
- Annual Report on the Federal Work Force Fiscal Year 2005
- Annual Report on the Federal Work Force Fiscal Year 2004
- Annual Report on the Federal Work Force Fiscal Year 2003

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Featured Items

- ADR Report: ADR in the Federal Sector EEO Process for FY 2006
- ADR Report: ADR in the Federal Sector EEO Process for FY 2005
- ADR Report: Part II - Best Practices in Alternative Dispute Resolution FY 2003-FY 2004
- ADR Report: Part I - ADR in the Federal Sector EEO Process FY 2003-FY 2004
- Federal Agency ADR Data Tables & Agency ADR Profiles
- MD 715 - Section that encourages participation by managers
- **RESOLVE**
  EEOC's *Internal* Mediation Program

Federal ADR Information

Facts about ADR

Q&A

ADR Program Development Guidance

- Types of ADR
- ADR Program Development
- Sample Forms
- Accessibility Issues/Reasonable Accommodation

Resources

- Statutes and Regulations
- EEOC Reports
- ADR Case Law
- Sources for Neutrals
- Ethics and Confidentiality
- Training
- ADR Links

Pilot Programs

- Federal Sector Mediation Services (FSMS) Pilot Program
- Federal Appellate Settlement Team (FAST) Pilot Program

Contact Us

Federal Sector
Alternative Dispute Resolution

ADR is a process in which a third party neutral assists the disputants in reaching an amicable resolution through the use of various techniques. ADR describes a variety of approaches to resolve conflict which avoid the cost, delay, and unpredictability of the traditional adjudicatory processes while at the same time improving workplace communication and morale.

In 1990, the Administrative Dispute Resolution Act (ADRA) required each federal agency to adopt a policy on ADR use. In 1996, ADRA was reenacted as the Administrative Dispute Resolution Act of 1996 (ADR Act). In 2000, the Equal Employment Opportunity Commission (EEOC) required all federal agencies to establish or make available an ADR program during the pre-complaint and formal complaint stages of the EEO process. Additionally, EEOCs regulation, 29 C.F.R. § 1614.603, requires agencies to make reasonable efforts to voluntarily settle EEO discrimination complaints as early as possible in, and throughout, the administrative process.

This information is designed to help federal employees and applicants better understand ADR as it is used to resolve discrimination complaints. In addition to basic information on ADR, links are provided to many other federal government programs and private organizations using a variety of ADR techniques to resolve workplace disputes.

Please note: Information about private sector mediation is also available on this site.

EEOC Training Institute
...Learn from the Experts

Federal Programs
The EEOC Training Institute offers a variety of training programs geared specifically for federal employees. Our training is ideal for federal supervisors and employees, EEO counselors and investigators, agency representatives and attorneys, and anyone else interested in EEO issues and practices affecting the federal workplace.

CONTACT US

ABOUT EEOC AND THE TRAINING INSTITUTE

FEDERAL COURSE SCHEDULE

FEDERAL EEO INTENSIVE WORKSHOP REGISTRATION

SEMINAR SCHEDULE
Technical Assistance Program Seminars

Federal Courses
Our standardized courses were developed for EEO professionals such as counselors and investigators, as well as managers and supervisors. Review the course descriptions and agendas to determine if one of them could satisfy your needs. Fax in your **Course Registration Form**, register online, or let us deliver these courses to you on-site.

On-Site Training for Federal Agencies
All of our standardized courses can be delivered on-site or we can design a course to meet your needs.

EXCEL Conference
Examining Conflicts in Employment Law (EXCEL) is the premier training conference for Federal managers, supervisors and EEO practitioners. This conference, features top-level officials from the U.S. Equal Employment Opportunity Commission (EEOC), other federal agencies and nationally known EEO professionals. The 2008 EXCEL Conference will be held in Chicago on August 18-21, 2007.

Federal EEO Intensive Workshop Series
This successful series will continue, featuring topics designed to meet the organizational and operational needs, challenges and concerns of federal EEO practitioners and specialists. Register now for workshops on November 14 and December 5th.

Northeast Federal EEO Seminar
New for 2007. This 2 1/2 day regional federal seminar will be held in Atlantic City, New Jersey on October 29-31, 2007. It will feature presentations from the Administrative Judges of the New York, Philadelphia, Cleveland, and Baltimore EEOC offices and representatives of the MSPB and the Deapartment of Justice.

Technical Assistance Program Seminars
Federal employees can benefit from attendance at these one and two day seminars which feature presentations on substantive EEO law updates and issues.

The U.S. Equal Employment Opportunity Commission

Federal Sector Appellate Decisions

- *The Digest of Equal Employment Opportunity Law*
- Federal Sector Appellate Decisions

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Reference & Research

Federal Sector-Specific Guidance

- Facts about Federal Sector Equal Employment Opportunity Complaint Processing
- Regulations concerning Federal Sector Equal Employment Opportunity: 29 CFR Part 1614
- Management Directive 715 EEO Reporting Requirements for Federal Agencies
    - Frequently Asked Questions about Management Directive 715
    - Instructions to Federal Agencies for EEO Management Directive 715
- Management Directive 110, Federal Sector Complaint Processing Manual
    - Management Bulletin 100-1
- Model EEO Programs Must Have An Effective Anti-Harassment Program
- Administrative Judges' Handbook
- Q&A: EEOC Policy Guidance on Executive Order 13145 Prohibiting Discrimination in Federal Employment Based on Genetic Information
- Practical Advice For Drafting And Implementing Reasonable Accommodation Procedures Under Executive Order 13164
- Q&A: Policy Guidance on Executive Order 13164: Establishing Procedures to Facilitate the Provision of Reasonable Accommodation
- Federal Sector Appellate Decisions (Including *The Digest of EEO Law*)

Other Laws, Regulations, and Policy Guidance

Federal Sector Reports

- Annual Report on the Federal Work Force Fiscal Year 2006
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  Federal Sector EEO Data
- Annual Report on the Federal Work Force Fiscal Year 2005
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  Federal Sector EEO Data

- ADR Report: ADR in the Federal Sector EEO Process for FY 2006
- ADR Report: ADR in the Federal Sector EEO Process for FY 2005
- ADR Report: Part II - Best Practices in Alternative Dispute Resolution FY 2003-FY 2004
- ADR Report: Part I - ADR in the Federal Sector EEO Process FY 2003-FY 2004
- Annual Report on the Federal Work Force Fiscal Year 2004
  Federal Sector EEO Data
- Annual Report on the Federal Work Force Fiscal Year 2003
  Federal Sector EEO Data
- Federal Sector Investigations - Time and Cost (06/04)
  Analysis of costs and timeframes associated with investigations
- Attaining a Model Agency Program: Efficiency
  Efficiency in pre-complaint and complaint processing programs

OPM produces two reports that also review and analyze EEO data

- Federal Equal Opportunity Recruitment Program Reports
- Hispanic Employment Program Statistical Reports

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  - E-RACE
  - Freedom to Compete
  - LEAD
  - New Freedom
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The U.S. Equal Employment Opportunity Commission

The Commission

The Commissioners and the General Counsel

EEOC has five commissioners and a General Counsel appointed by the President and confirmed by the Senate. Commissioners are appointed for five-year, staggered terms. The term of the General Counsel is four years. The President designates a Chair and a Vice Chair. The Chair is the chief executive officer of the Commission. The five-member Commission makes equal employment opportunity policy and approves most litigation. The General Counsel is responsible for conducting EEOC enforcement litigation under Title VII of the Civil Rights Act of 1964 (Title VII), the Equal Pay Act (EPA), the Age Discrimination in Employment Act (ADEA), and the Americans with Disabilities Act (ADA).

The Commissioners

- Naomi C. Earp, Chair
- Leslie E. Silverman, Vice Chair
- Stuart J. Ishimaru, Commissioner
- Christine M. Griffin, Commissioner

The General Counsel

- Ronald Cooper

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Commission Meetings

In accordance with the Government in the Sunshine Act, meetings of the Commission are open to the public. However, all or part of a meeting may be closed for consideration of matters exempted under the Sunshine Act, such as recommendations for litigation, litigation strategy, administrative adjudication and other specified matters. Public observation does not include participation or disruptive conduct by observers. The Commission usually meets on the third Wednesday of the month, although meetings are sometimes scheduled for other times. Commission meeting agendas are normally announced in the Federal Register at least one week in advance of a meeting. You can also call 202-663-7100 to hear a recorded message with the latest information on Commission meetings. This information will also be available on this web site.

- Next Commission Meeting
- Meeting of May 23, 2007 on Achieving Work/Family Balance: Employer Best Practices for Workers with Caregiving Responsibilities
- Meeting of May 16, 2007 on Employment Testing and Screening
- Meeting of April 17, 2007, Perspectives on Work/Family Balance and the Federal Equal Employment Opportunity Laws
- Meeting of April 6, 2007 to consider 2007 Budget Allocations for the State and Local Program
- Meeting of February 28, 2007, to Launch E-Race Initiative
- Meeting of September 7, 2006, Washington D.C. on Federal Sector EEO Investigations
- Meeting of July 13, 2006 on Obligation of Funds for the EEOC National Contact Center - Option Years
- Meeting of June 28, 2006 on Federal Employment of People with Disabilities
- Meeting of April 19, 2006 on Race and Color Compliance Manual Chapter
- Meeting of April 4, 2006 to Consider Recommendations of EEOC's Systemic Task Force Report
- Meeting of February 15, 2006 to Consider FEPA Budget and Regulatory Agenda
- Meeting of January 18, 2006 to Modify the EEOC Order 120 - Boundaries of the Baltimore Field Office
- Meeting of November 16, 2005 to Address Operations in Wake of Hurricane Katrina, Revisions to EEO-1 Report
- Meeting of October 25, 2005 on Emergency Preparedness and Individuals with Disabilities: Is the Workplace Ready?
- Meeting of August 8, 2005 to Vote on Authorization of Funding for Contracts

- Meeting of July 18, 2005 to Vote on Authorization of Funding for Contracts
- Meeting of July 8, 2005 to Deliberate and Vote on Repositioning Plan
- Meeting of April 21, 2005 to Consider Obligation of Funds for Contracts
- Meeting of March 24, 2005 to Vote on Spring 2005 Regulatory Agenda
- Meeting of February 22, 2005 to Vote on Authorization of Funds
- Meeting of September 17, 2004 to Vote on Authorization of Funds for Pilot National Contact Center
- Meeting of April 22, 2004 on Proposed Final Rule - Retiree Health Benefits
- Meeting of December 2, 2003 on EEOC Mediation Program and the Workplace Benefits of Mediation
- Meeting of September 8, 2003 on Repositioning for New Realities: Securing EEOC's Continued Effectiveness
- Meeting of November 12, 2002 on Federal Sector EEO and Possible Reform
- Meeting of December 11, 2001 on Employment Discrimination in the Aftermath of September 11

Public Hearings

- Public Hearing of October 29, 2003 on Proposed Revised Employer Information Report (EEO-1)

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The U.S. Equal Employment Opportunity Commission

The E-RACE Initiative

(Eradicating Racism And Colorism from Employment)

The Equal Employment Opportunity Commission has championed equal opportunity in employment since its inception, shortly after the signing of Title VII of the Civil Rights Act of 1964. Although the Commission has been successful in its enforcement efforts, race and color discrimination continues to exist in the workplace. In an effort to identify and implement new strategies that will strengthen its enforcement of Title VII and advance the statutory right to a workplace free of race and color discrimination, EEOC is instituting the E-RACE Initiative.

E-RACE Objectives

The E-RACE Initiative is designed to improve EEOC's efforts to ensure workplaces are free of race and color discrimination. Specifically, the EEOC will identify issues, criteria and barriers that contribute to race and color discrimination, explore strategies to improve the administrative processing and the litigation of race and color discrimination claims, and enhance public awareness of race and color discrimination in employment.

Additionally, the Commission will combine the objectives of E-RACE with existing EEOC initiatives. For example, the Commission will integrate the goals of the Systemic Initiative by addressing race and color issues with class and systemic implications. It will incorporate the principles of the Youth@Work Initiative by combating disparate treatment of youth based on race and color. And, the Commission will complement the outreach and enforcement efforts of the LEAD Initiative by challenging exclusionary employment policies that adversely impact people of color who also have disabilities (in both the private and public sectors).

Finally, the Commission will strengthen partnerships with employee advocates and state and local human rights commissions and increase its outreach to human resource professionals and employer groups to address race and color discrimination in the workplace.

About E-RACE

E-RACE Home

Why do we need E-RACE?

Significant Race/Color Cases

Race/Color Resources

- Race/Color Discrimination
- Compliance Manual Section on Race and Color Discrimination

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The U.S. Equal Employment Opportunity Commission

Facts About the Freedom to Compete Initiative

See also: *The Freedom to Compete Award*

Ensuring America's workers the freedom to compete on a level playing field is the essence of the EEOC's mission. Shifting demographics and changing business environments have reshaped today's workplace, requiring the Commission to adopt strategies that are more responsive to current trends and complexities. The Freedom to Compete Initiative, launched by EEOC 2002, advances the EEOC's mission to prevent and eradicate employment discrimination. Freedom to Compete is designed to build a web of partnerships, liaisons, and alliances that will serve to educate America's workforce, deter potential discrimination and promote compliance and sound employment practices. It is an outreach, education, and coalition-building strategy designed to complement the agency's enforcement and litigation programs.

Since launching the initiative, the EEOC has:

- Engaged a cross-section of stakeholders in a dialogue about broadening the Commission's presence to proactively address 21st-century workplace needs.
- Established strategic alliances with new organizational partners, such as trade and professional groups.
- Created a series of TV Public Service Announcements in 2002 to coincide with the winter Olympics of that year. The PSAs featured key Olympic figures speaking on the EEOC's Freedom to Compete ideals and furnishing information on how to contact the Commission if viewers experience employment discrimination.
- Presented a series of Commissioner-moderated panel discussions called "Realities and Opportunities in the 21st Century Workplace" to explore, educate, and inform employers, employees, the general public and other interested parties about workplace/marketplace trends and challenges affecting specific segments of the nation's changing population. These forums, held between October, 2003 and May, 2004, featured a wide range of speakers and addressed topics related to:

    1. Hispanic American Perspectives *October 15, 2003*
    2. American Indian and Alaska Native Perspectives *November 12, 2003*
    3. African American Perspectives *February 19, 2004*
    4. Individuals with Disabilities Perspectives *March 3, 2004*
    5. Asian American and Pacific Islander Perspectives *May 26, 2004*

    Future forums may be held to discuss gender bias (issues pertaining to women, e.g., glass ceiling, EPA-related issues, etc.) and age (in the context of ADEA-related issues).

In addition, EEOC has expanded outreach activities with:

- A series of roundtable meetings with CEOs and other company representatives in cities across the country, promoting inclusion and Freedom to Compete principles at the highest levels.
- A series of columns in magazines, including *Diversity and The Bar* magazine.
- A regularly scheduled "cyberchat" with the Society for Human Resource Management (SHRM)

EEOC has also addressed some of the common themes and ideas that emerged from stakeholder discussions including:

- Developing strategic partnerships and alliances with stakeholders that can influence positive change in the workplace
- Issuing a series of Special Reports and demographic analyses of various industries, based on data from the EEO-1 survey, charge data, and/or other sources. Topics include:
    - Glass Ceilings: The Status of Women as Officials and Managers in the Private Sector
    - Diversity in Law Firms
    - Investment Banking
    - Diversity in the Media
    - Women of Color: Their Employment in the Private Sector
    - Retail Distribution Centers: How New Business Processes Impact Minority Labor Markets
    - High End Department Stores, Their Access to and Use of Diverse Labor Markets
    - Broadcasting
- Creating the Freedom to Compete Award in February 2005 to showcase, recognize, and reward specific practices and concrete activities that produce results and reflect an abiding commitment to access and inclusion in the workplace. Public and private sector employers, corporations, associations, federal and state and local agencies, organizations, and other entities were encouraged to apply during the appropriate application period.

The Freedom to Compete Initiative continues to be one of the many ways that EEOC is proactively forging strategic alliances and partnerships to create positive changes toward the prevention of discrimination in the workplace.

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The U.S. Equal Employment Opportunity Commission

The LEAD Initiative

LEAD (Leadership for the Employment of Americans with Disabilities) is the EEOC's initiative to address the declining number of employees with targeted disabilities in the federal workforce. The goal for this initiative is to significantly increase the population of individuals with severe disabilities employed by the federal government. Please check the LEAD Update link for information on past and future events.

This national outreach and education campaign seeks to:

- reverse the trend of decreasing participation in federal employment
- increase the awareness of hiring officials about the declining numbers of people with disabilities in federal employment
- educate federal hiring officials about how to use special hiring authorities to bring people with disabilities on board, particularly those with severe disabilities
- educate applicants with severe disabilities about how to apply using the special hiring authorities available; and
- supply information and resources on recruitment, hiring, and providing reasonable accommodations.

Please note that the LEAD initiative is not an employment program. Rather, LEAD staff is working to encourage federal agencies to hire and advance more individuals with severe disabilities. Thus, LEAD is not directly involved with individual hiring decisions. For information on current vacancies in the federal government, please visit www.usajobs.opm.gov, and/or the website of individual federal agencies. Additionally, job seekers may find useful information on the OPM Disability Resource page - http://www.opm.gov/disability/.

About LEAD

LEAD Home

Why do we need the LEAD Initiative?

Federal Disability Laws enforced by the EEOC

LEAD Update

LEAD Program Tips

LEAD Resources

Have a Question?

Contact us by email at Lead.Initiative@eeoc.gov.

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The U.S. Equal Employment Opportunity Commission

New Freedom Initiative

On February 1, 2001, President George W. Bush announced his New Freedom Initiative to promote the full integration of people with disabilities into all aspects of American life. The goals of this comprehensive plan include expanding educational and employment opportunities; increasing access to assistive technologies and public accommodations; and providing accessible transportation and housing options for individuals with disabilities.

The New Freedom Initiative builds upon the progress made by the Americans with Disabilities Act of 1990 (ADA) in protecting the civil rights of approximately 54 million Americans with disabilities. The Equal Employment Opportunity Commission has taken a lead role in implementing the employment goals of the Initiative.

EEOC has implemented a number of activities as part of President Bush's New Freedom Initiative, including the following:

- **Free workshops**
  EEOC may be able to provide free ADA workshops in our area for small businesses and individuals with disabilities. These workshops, which include information on tax incentives, community resources, and the rights and responsibilities of employers and employees, are aimed at encouraging businesses with 15 to 100 employees to hire individuals with disabilities and assisting individuals who are entering the workforce to understand the ADA.
- **Outreach speakers**
  In addition to ongoing ADA outreach activities, EEOC also offers free outreach speakers for various types of events for individuals with disablilites and employers. If you are conducting a conference or activity for individuals with disabilities, EEOC will work with you to provide a speaker at your event.
- **Corporate Leadership Conferences**
  We will work with you to hold a corporate leadership conference to advance the hiring of people with disabilities in your region.
- **States' Best Practices Project**
  EEOC initiated a partnership with several states to promote the hiring of people with disabilities in state government jobs. In addition to reviewing each state's practices with respect to hiring, retention, advancement, and reasonable accommodation, the Commission has and will provide consultation, outreach and technical assistance to the participating states. EEOC issued a final report highlighting best practices and outlining barriers uncovered. The four states covered in the interim report—Florida, Maryland, Vermont, Washington—were joined by Kansas, Missouri, New Hampshire, New Mexico, and Utah in the October 2005 final report.
  - Final Report on Best Practices For the Employment of People with Disabilities In State Government (October, 2005)
  - Interim Report - States' Best Practices Project (October, 2004)

In addition, we have developed the following:

- Reasonable Accommodation for Attorneys With Disabilities
- The Americans with Disabilities Act: A Primer for Small Business
- Telework fact sheet which uses a step-by-step approach to explain how employers might consider allowing an individual to work from home as a reasonable accommodation.
- Job Applicants and the Americans with Disabilities Act
- How to Comply with the Americans with Disabilities Act: A Guide for Restaurants and Other Food Service Employers

and **Questions and Answers About:**

- Health Care Workers and the Americans with Disabilities Act
- Deafness and Hearing Impairments in the Workplace and the Americans with Disabilities Act
- Blindness and Vision Impairments in the Workplace and the ADA
- The Association Provision of the Americans with Disabilities Act
- Diabetes in the Workplace and the ADA
- Epilepsy in the Workplace and the ADA
- Persons with Intellectual Disabilities in the Workplace and the ADA
- Cancer in the Workplace and the ADA

EEOC's New Freedom Initiative Outreach:

- EEOC Chair Cari M. Dominguez receives the Charles M. Best Medal
- EEOC Chair's remarks at the American Diabetes Association meeting *June 13, 2003*
- EEOC Chair's remarks at the National Federation of the Blind Annual Convention *July 3, 2003*

To learn more about the New Freedom Initiative, see:

- President Bush's New Freedom Initiative
- DisabilityInfo.Gov: Web portal to the New Freedom Initiative

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This page was last modified on November 9, 2007.

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The U.S. Equal Employment Opportunity Commission

Youth@Work

On September 21, 2004, the Equal Employment Opportunity Commission announced its Youth@Work Initiative to promote equal employment opportunity for our nation's next generation of workers. This innovative national outreach and education campaign is designed to educate young workers about their workplace rights and responsibilities.

EEOC's Youth@Work Initiative has three main components:

- **Youth@Work web site**

  http://youth.eeoc.gov is dedicated to educating young workers about their equal employment opportunity rights and responsibilities. The web site explains the different types of job discrimination that young workers may encounter and suggests strategies they can use to prevent, and, if necessary, respond to such discrimination. The site includes an interactive tool called "Challenge Yourself!" that provides an opportunity for young workers to test their knowledge by analyzing sample job discrimination scenarios. The site, created with the assistance of EEOC student interns, also includes examples of recent EEOC cases involving workplace harassment of young workers.

- **Free outreach events**

  EEOC Commissioners and field office staff will host free outreach events for high school students, youth organizations, and small businesses who employ young workers. These events, which include information about the laws enforced by EEOC, and the rights and responsibilities of employers and employees, are aimed at assisting young workers as they enter and navigate the professional world and encouraging employers to proactively address discrimination issues confronting young workers.

  If you are interested in having EEOC speak to your high school or organization, please email us at Youth.AtWork@eeoc.gov or contact the outreach coordinator for the EEOC office in your area.

- **Partnerships with business leaders, human resource groups, and industry trade associations**

  EEOC plans on hosting a series of forums and roundtable discussions with business leaders, human resource groups, industry trade associations, and others to further explore the workplace trends and challenges affecting young workers.

  Our Youth@Work partners will play a vital role in increasing public awareness about the federal anti-discrimination laws. Whether it is putting a Youth@Work link on their website, publishing articles on Youth@Work in their newsletters, discussing the Youth@Work Initiative with their members or employees, or participating in Youth@Work events throughout the country, our partners will help promote a fair and inclusive workplace for America's young workers.

If your business or organization would like to partner with the EEOC on this initiative, please email your organization's name, address, telephone number, and email address to Youth.AtWork@eeoc.gov. An EEOC representative will contact you with more information about how you can work with the EEOC to expand the potential for equal opportunities to our nation's youth.

To learn more about Youth@Work, visit our web site at http://youth.eeoc.gov.

This page was last modified on October 6, 2005.

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The U.S. Equal Employment Opportunity Commission

July 26, 2006

Questions and Answers about Deafness and Hearing Impairments in the Workplace and the Americans with Disabilities Act

INTRODUCTION

The Americans with Disabilities Act (ADA) is a federal law that prohibits discrimination against individuals with disabilities. Title I of the ADA covers employment by private employers with 15 or more employees and state and local government employers of the same size. Section 501 of the Rehabilitation Act provides the same protections for federal employees and applicants for federal employment. Most states also have their own laws prohibiting employment discrimination on the basis of disability. Some of these state laws may apply to smaller employers and provide protections in addition to those available under the ADA.

The U.S. Equal Employment Opportunity Commission (EEOC) enforces the employment provisions of the ADA. This document is part of a question-and-answer series addressing particular disabilities in the workplace. It explains how the ADA might apply to job applicants and employees with hearing impairments, including:

- when a hearing impairment is a disability under the ADA;
- when an employer may ask an applicant or employee about a hearing impairment;
- how employers can ensure the confidentiality of applicants' and employees' medical information;
- what types of reasonable accommodations an individual with a hearing disability may need;
- to what extent an employer must provide a reasonable accommodation to an individual with a hearing disability;
- how an employer should handle safety concerns and harassment issues; and,
- how an individual with a hearing impairment can file a claim against an employer under the ADA or the Rehabilitation Act.

GENERAL INFORMATION ABOUT HEARING IMPAIRMENTS

Between 2000 and 2004, estimates of the number of people in the United States with a self-described "hearing difficulty" ranged from 28.6 million [1] to 31.5 million.[2] The number of individuals with hearing difficulty is expected to rise rapidly by the year 2010 when the baby-boomer generation reaches age 65. As compared to other age groups, the percentage of individuals with hearing difficulty is greatest among those individuals age 65 and above.[3] A "hearing difficulty" can refer to the effects of many

different hearing impairments of varying degrees.

The Centers for Disease Control and Prevention (CDC) refer to hearing impairments as conditions that affect the frequency and/or intensity of one's hearing.[4] Although the term "deaf" is often mistakenly used to refer to all individuals with hearing difficulties, it actually describes a more limited group. According to the CDC, "deaf" individuals do not hear well enough to rely on their hearing to process speech and language. Individuals with mild to moderate hearing impairments may be "hard of hearing," but are not "deaf." These individuals differ from deaf individuals in that they use their hearing to assist in communication with others.[5] As discussed below, people who are deaf and those who are hard of hearing can be individuals with disabilities within the meaning of the ADA.

A hearing impairment can be caused by many physical conditions (e.g., childhood illnesses, pregnancy-related illnesses, injury, heredity, age, excessive or prolonged exposure to noise), and result in varying degrees of hearing loss.[6] Generally, hearing impairments are categorized as mild, moderate, severe, or profound.[7] An individual with a moderate hearing impairment may be able to hear sound, but have difficulty distinguishing specific speech patterns in a conversation. Individuals with a profound hearing impairment may not be able to hear sounds at all. Hearing impairments that occur in both ears are described as "bilateral," and those that occur in one ear are referred to as "unilateral."[8]

The many different circumstances under which individuals develop hearing impairments can affect the way they experience sound, communicate with others, and view their hearing impairment.[9] For example, some individuals who develop hearing losses later in life find it difficult both to adjust to a world with limited sound, and to adopt new behaviors that compensate for their hearing loss. As a result, they may not use American Sign Language (ASL) or other communication methods at all, or as proficiently as individuals who experienced hearing loss at birth or at a very young age.

Individuals with hearing impairments can perform successfully on the job and should not be denied opportunities because of stereotypical assumptions about hearing loss. Some employers assume incorrectly that workers with hearing impairments will cause safety hazards, increase employment costs, or have difficulty communicating in fast-paced environments. In reality, with or without reasonable accommodation, individuals with hearing impairments can be effective and safe workers. (For information on Reasonable Accommodation, see Questions 9 – 15, below.)

1. When is a hearing impairment a disability under the ADA?

A hearing impairment is a disability under the ADA if: (1) it substantially limits a major life activity; (2) it substantially limited a major life activity in the past; or (3) the employer regarded (or treated) the individual as if his or her hearing impairment was substantially limiting.

The determination of whether a hearing impairment is substantially limiting must be made on an individualized, case-by-case basis.

> **Example 1:** A job applicant has a bilateral, moderate hearing impairment that affects the transmission of lower frequencies of sound to her brain. As a result, she has difficulty hearing in conversations because vowel sounds tend to occur at lower frequencies that she cannot distinguish. She often must ask others to speak slower or louder, or to repeat statements she did not initially hear or understand. This applicant is substantially limited in hearing.

If an individual uses mitigating measures, such as hearing aids, cochlear implants, or other devices that actually improve hearing, these measures must be considered in determining whether the

individual has a disability under the ADA. Even someone who uses a mitigating measure may have a disability if the measure does not correct the condition completely and substantial limitations remain, or if the mitigating measure itself imposes substantial limitations.

> **Example 2:** An individual with a hearing impairment uses a hearing aid to amplify sounds. With the hearing aid, he can detect sounds such as traffic, sirens, and loud conversations at a very low level. For this reason, he must be in close proximity to the origin of sound in order to hear in a meaningful way. This individual is substantially limited in hearing even with the mitigating measure (i.e., the hearing aid).

Measures that merely compensate for the fact that someone has a substantially limiting hearing loss but that do not actually improve hearing, such as sign language interpreters or lip-reading, are not mitigating measures. Furthermore, if an individual does not use mitigating measures, then the hearing impairment must be considered as it exists, without speculation about how a mitigating measure might lessen the hearing loss.

Even if an individual's hearing impairment does not currently substantially limit a major life activity, the condition may still be a disability if it was substantially limiting in the past.

> **Example 3:** Malcolm is a floor manager with a clothing manufacturer. He applies for a promotion to assistant factory manager. In his application package, Malcolm chooses to inform the promotion committee that five years ago his hearing was permanently impaired in a workplace accident. Following the accident, Malcolm could barely hear and distinguish between floor-level conversations, public announcements, and warning alerts from moving machinery. Malcolm primarily communicated through writing and limited lip reading. Two years ago, Malcolm began using hearing aids in both ears. The hearing aids amplify sounds and help Malcolm to distinguish among them. As a result, Malcolm can now hear conversations sufficiently well to respond verbally. Malcolm's ability to hear was substantially limited prior to acquiring his hearing aids. Therefore, Malcolm is an individual with a disability under the ADA because he has a "record of" a substantially limiting impairment.

Finally, an individual's hearing impairment may be a disability when it does not significantly restrict major life activities, but the employer treats the individual as if it does.

> **Example 4:** An individual who uses a hearing aid to correct a mild hearing impairment in one ear applies for a position as a security guard at a state courthouse. The employer refuses to hire the applicant, pursuant to a policy of disqualifying anyone who uses a hearing aid from working as a court security guard. The employer believes that this applicant and anyone who wears a hearing aid will be unable to locate the source of sounds that may indicate the presence of a threat or hear someone who calls for assistance in an emergency. The employer's reason for excluding this particular applicant and other applicants who wear hearing aids would apply not only to this court security guard position, but to many federal, state, and local law enforcement jobs in which the ability to hear and respond to emergencies is critical. This employer has regarded the applicant as substantially limited in the ability to work in the class of law enforcement jobs.

OBTAINING, USING, AND DISCLOSING MEDICAL INFORMATION

Before an Offer of Employment Is Made[10]

The ADA limits the medical information an employer can obtain from an applicant. An employer may not ask questions about an applicant's medical condition or require the applicant to take a medical examination before it makes a conditional job offer. Accordingly, an employer cannot ask an applicant questions such as:

- whether he has ever taken a test that revealed a hearing loss;
- whether she uses any assistive devices for a hearing impairment (such as a hearing aid) or has done so in the past; or
- whether she has any hearing loss due to an on-the-job accident or injury.

However, an employer may ask all applicants whether they will need a reasonable accommodation for the application process. For example, an employer may have a statement on its job announcement or its website directing applicants who need reasonable accommodations (e.g., a sign language interpreter, additional test-taking time) for the application process to contact a designated person in the company's Human Resources Department.

2. May an employer request medical information about an applicant's hearing impairment that is obvious or that the applicant has disclosed?

No, the employer may not ask for an applicant's medical history, records, or other information about a hearing impairment that is obvious or that has been disclosed. However, if an employer reasonably believes that an applicant with a known hearing impairment will need a reasonable accommodation to do the job, it may ask if an accommodation is needed and, if so, what type. In addition, the employer may ask the applicant to describe or demonstrate how s/he could perform the job with or without an accommodation.

> **Example 5:** Julie has a severe hearing impairment in her right ear and is applying to the telephone sales department of a large clothing company. Julie tells the employer of her hearing impairment during the interview. The employer's sales associates currently wear headsets with earpieces for the right ear. The employer may ask Julie during her interview if she would need a left-sided headset as an accommodation.

3. Does an applicant have to disclose his hearing impairment if it is not obvious?

No, the ADA does not require an applicant to disclose his hearing impairment to a potential employer. Nevertheless, if an applicant knows he needs a reasonable accommodation to complete the hiring process, he must disclose his hearing impairment. Under the ADA, an employer must keep confidential any medical information the applicant discloses. (See Question 8 below, on confidentiality of medical information.)

After An Offer Of Employment Is Made

After an offer of employment is made, but before an applicant begins work, an employer may ask questions about an applicant's health (including whether the applicant has a hearing impairment) and may require an applicant to take a medical examination, as long as the employer asks the same questions and requires the same examinations of all potential hires for the same type of position.

4. What can an employer do if it learns about an applicant's hearing impairment after offering a job, but before the individual begins working and it believes that the applicant's hearing impairment may affect job performance?

If an employer becomes aware of an applicant's hearing impairment after offering the applicant a job and reasonably believes that the impairment may affect her ability to perform the job's essential functions (i.e., fundamental job duties) or to perform them safely, the employer may ask the applicant for information to determine whether she can perform the essential functions of the position with or without a reasonable accommodation and whether she would pose a "direct threat" (i.e. a significant risk of harm to herself or others that cannot be reduced through reasonable accommodation). (For more information about "direct threat," see Question 16, below.)

An employer may only withdraw a job offer made to an individual with a disability if it can demonstrate that the applicant is unable to perform the essential functions of the position with or without a reasonable accommodation or would pose a direct threat.

> **Example 6:** Lydia applies for a position as an aircraft mechanic. After receiving a job offer, she is given a physical examination which includes a hearing test. The hearing test reveals that she has a hearing loss in her left ear. The employer is concerned that in a noisy environment, Lydia will be unable to hear sounds that might alert her to dangers in the work area such as the presence of moving aircraft or other moving vehicles. The employer may not withdraw the job offer simply because it believes Lydia's hearing impairment makes it impossible for her to work in a high-noise environment. It should determine whether Lydia's hearing impairment would result in a direct threat, and it may obtain information that is medically related to Lydia's hearing impairment to make this determination.

Employees[11]

5. When may an employer ask if a hearing impairment or other medical condition is causing performance problems?

The ADA severely restricts the circumstances under which an employer may obtain information about an employee's medical condition or require an employee to undergo a medical examination. If an employer has a reasonable belief, based on objective evidence, that an employee's medical condition is the cause of performance problems or may pose a direct threat to the employee or others, it may ask questions about the impairment or require a medical examination.

> **Example 7:** Rupa wears a hearing aid to improve her bilateral, moderate hearing impairment. She was recently promoted from an administrative position to sales associate for a cable company. The new position requires significantly more time on the phone interacting with customers. Although Rupa has received excellent reviews in the past, her latest review was unsatisfactory citing many mistakes in the customer orders she records over the phone. The employer may lawfully ask Rupa if she has any difficulty hearing customers and, if so, whether she would benefit from an accommodation. A possible accommodation could be a captioned telephone that would allow Rupa to communicate verbally while receiving an almost real-time text relay of the conversation.

An employer that does not have a reasonable belief that an employee's performance problems are related to a hearing impairment may not ask questions about the impairment, but instead should handle the situation in accordance with its policies generally applicable to poor performance.

Example 8: An employee with a profound hearing impairment has received below average evaluations for six months. The employee's poor performance began when she was not selected for a vacant supervisory position. Moreover, the kinds of performance problems the employee is having – a significant increase in the number of late arrivals and typographical errors in written reports the employee routinely produces – cannot reasonably be attributed to a problem with the employee's hearing. The employer may not ask for medical information about the employee's hearing impairment, but instead should counsel the employee about the performance problems or proceed as appropriate in accordance with its policies applicable to employee performance.

6. May an employer require a doctor's note from an employee who asks for sick leave for reasons related to a hearing impairment?

Yes, if the employer requires all employees to provide a doctor's note to support the use of sick leave or to verify that sick leave has been used appropriately. However, the employer may not ask for more information than is needed to verify that the leave was taken for appropriate reasons.

Example 9: An employer maintains a leave policy requiring all employees who use sick leave for a medical appointment to submit a doctor's note upon returning to work. Mark, an employee, uses sick leave to attend an audiologist appointment to adjust his hearing aids. In accordance with its policy, the employer can require Mark to submit a doctor's note for his absence; however, it may not require the note to include any information beyond that which is needed to verify that Mark used his sick leave properly (such as, the degree of Mark's hearing loss, the strength of his hearing aids, the results of the adjustment).

7. Are there other instances when an employer may ask an employee about his hearing impairment?

Yes. When an employee requests a reasonable accommodation for a hearing disability and the disability and/or need for accommodation is not obvious, an employer may ask for reasonable documentation showing that the condition is a disability and/or that accommodation is needed.

Disability-related questions and medical examinations are also permitted as part of an employer's voluntary wellness program. (For more information on the type of documentation an employer may obtain in support of a request for reasonable accommodation, see Question 11, below.)

Confidentiality of Medical Information

With limited exceptions, an employer must keep confidential any medical information it learns about an applicant or employee. The information must be kept in files separate from general personnel files and must be treated as a confidential medical record. Information about an applicant's or employee's hearing impairment or other medical information may be disclosed only:

- to supervisors or managers in order to meet an employee's need for reasonable accommodation (s) or in connection with an employee's work restrictions;
- to first aid or safety personnel where a condition might require emergency treatment or an employee would require assistance in the event of an emergency;

- to government officials investigating compliance with the ADA or similar state and local laws;
- as needed for workers' compensation purposes (for example, to process a claim); and
- for certain insurance purposes.

8. May an employer explain to co-workers that an employee is receiving a reasonable accommodation because of a hearing disability?

No. Telling co-workers that an employee is receiving a reasonable accommodation amounts to a disclosure of confidential medical information. An employer, however, may respond to co-workers' questions by explaining that it will not discuss the situation of any employee with co-workers. Additionally, an employer may be less likely to receive questions from co-workers if its employees are educated on the requirements of EEO laws, including the ADA.

ACCOMMODATING INDIVIDUALS WITH HEARING DISABILITIES

Employers are required to provide adjustments or modifications that enable qualified people with disabilities to enjoy equal employment opportunities unless doing so would result in undue hardship (i. e., significant difficulty or expense). Employers should not assume that all persons with hearing impairments will require an accommodation or even the same accommodation.

9. What type of accommodations may an individual with a hearing disability need?[12]

Applicants or employees with hearing disabilities may need one or more of the following accommodations:

- a sign language interpreter

  Example 10: Simon has a hearing disability and works as a project manager for a regional telephone company. Simon is usually able to use his lip reading ability to communicate individually with his co-workers. However, Simon occasionally requests a sign language interpreter for large-group conferences and meetings, because it is not possible for him to use lip-reading when people who are not in his line of sight are speaking. Absent undue hardship, Simon's employer would have to provide the sign language interpreter as a reasonable accommodation. (For more information about "undue hardship," see Question 13, below.)

- a TTY, text telephone, voice carry-over telephone, or captioned telephone[13]
- a telephone headset
- appropriate emergency notification systems (e.g., strobe lighting on fire alarms or vibrating pagers)
- written memos and notes (especially used for brief, simple, or routine communications)
- work area adjustments (e.g., a desk away from a noisy area or near an emergency alarm with strobe lighting)

  Example 11: Ann works as an accountant in a large firm located in a high-rise building in the city. Ann has a large window in her office that faces the street-side of the building. She wears a

hearing aid to mitigate her severe hearing impairment. Throughout the workday many exterior noises (e.g. police sirens, car horns, and street musicians) are amplified by Ann's hearing aid and interfere with her ability to hear people speaking in her office. Ann requests, and her employer agrees, that moving her to a vacant interior office is a reasonable accommodation.

- assistive computer software (e.g., net meetings, voice recognition software)

  Example 12: Allen, who has a hearing disability, works as an information technology (IT) specialist with a small, Internet-advertising firm. The IT specialist position requires frequent one-on-one meetings with the firm's president. The firm accommodates Allen by acquiring voice recognition software for him to use in his meetings with the president. The software is programmed to translate the president's spoken word into written electronic text.

- assistive listening devices (ALDs)

  Example 13: An employer has an annual all-employee meeting for more than 200 employees. Thelma, who has a severe hearing impairment, requests the use of an ALD in the form of a personal FM system. Speakers would wear small microphones that would transmit amplified sounds directly to a receiver in Thelma's ear. The ALD is a reasonable accommodation that will allow Thelma to participate in the meeting.

- augmentative communication devices that allow users to communicate orally by typing words that are then translated to sign language or a simulated voice
- communication access real-time translation (CART), which translates voice into text at real-time speeds

  Example 14: Kendall works as an associate for an international consulting firm. Kendall has a hearing disability for which he uses a hearing aid and lip reading. His company sometimes conducts video-conferencing meetings with clients in other countries. During these meetings, Kendall finds it difficult to participate because some of the clients speak with foreign accents and the video feedback is not continuous. Kendall requests the use of remote CART services to accommodate his hearing disability during international client meetings. The requested accommodation would translate the client's spoken word on Kendall's notebook computer monitor at an almost real-time speed. This accommodation would allow Kendall to participate fully in the meetings.

- time off in the form of accrued paid leave or unpaid leave if paid leave has been exhausted or is unavailable.[14]

  Example 15: Beth is deaf and requests leave as a reasonable accommodation to train a new hearing dog. Hearing dogs assist deaf and hard of hearing individuals by alerting them to a variety of household and workplace sounds such as a telephone ring, door knock or doorbell, alarm clock, buzzer, name call, speaker announcement, and smoke or fire alarm. A hearing dog is trained to make physical contact and direct a person to the source of the sound. Under her employer's leave policy, Beth does not have enough annual or sick leave to cover her requested absence. The employer must provide additional unpaid leave as a reasonable accommodation, absent undue hardship.

- altering an employee's marginal (i.e., non-essential) job functions

Example 16: Maria, a librarian, is primarily responsible for cataloguing books, writing book summaries, and scheduling book tours. Recently, Maria has had to fill in as a desk librarian since the regular librarian is on vacation. Maria has a severe hearing disability and uses a hearing aid. She finds it difficult to hear patrons if there is any background noise. She asks to switch her front desk duties with another librarian who processes book orders transmitted over the phone or Internet. Since working at the front desk is a minor function of Maria's job, the employer should accommodate the change in job duties.

- reassignment to a vacant position

Example 17: Sonny, a stocking clerk on the floor of a large grocery store, develops Ménière's disease, which produces a loud roaring noise in his ears for long periods of time. It is difficult for him to hear customers and co-workers on the floor because of music and frequent announcements played over the store's public address system and background noise in the store, particularly during busy periods. The store manager tried several unsuccessful accommodations. Upon request, the employer should reassign the employee to a vacant position as a stocking clerk in the warehouse at the same location. The employee is qualified for the reassignment position and the warehouse is a quieter environment with fewer background sounds.

- other modifications or adjustments that allow a qualified applicant or employee with a hearing disability to enjoy equal employment opportunities.

Example 18: Manny is hired as a chemist for a pharmaceutical company. He has a hearing disability and communicates primarily through sign language and lip reading. Shortly after he is hired, he is required to attend a two-hour orientation meeting. The meeting includes a brief lecture session followed by a series of video vignettes to illustrate key concepts. To accommodate his hearing disability, Manny requests a seat near the trainer, closed captioning during the video segments, and adequate lighting to allow him to read lips throughout the meeting. The employer grants these reasonable accommodations to allow Manny to participate fully during the orientation session.

10. How should someone with a hearing disability request a reasonable accommodation?

No "magic words" (such as "ADA" or "reasonable accommodation") are required. An applicant or employee simply has to inform his employer (verbally or in writing) that he needs an adjustment or change in the workplace or in the way things are usually done because of a hearing impairment.

Example 19: Lionel has a hearing disability and is employed as an electrician. As a team leader, Lionel is responsible for receiving his team's list of daily work sites and any accompanying special instructions, traveling to the sites with his team, and directing the day's work at each site. Lionel receives the list of assignments and accompanying special instructions from the company owner during daily morning meetings attended by all of the team leaders. The special instructions are given verbally. One morning, at the conclusion of a team leader meeting, Lionel passes a note to the owner requesting that all special instructions for his team's assignments be written down, because he is having difficulty hearing the verbal instructions. Lionel has requested a reasonable accommodation.

A family member, friend, health professional, or other representative may request a reasonable accommodation on behalf of the individual with a hearing impairment. For example, an individual with

a hearing disability may submit a note from her doctor requesting a change in the location of her work area due to excessive noise that interferes with her hearing aid.

An individual with a hearing disability is not required to request an accommodation needed for the job at a particular time (e.g., during the application process), and an employer may not refuse to consider a request for accommodation because it believes the request should have been made earlier. However, it is a good idea for an individual with a hearing disability to request reasonable accommodation before performance or conduct problems occur. (See Question 14, below.)

11. May an employer request documentation when an individual with a hearing impairment requests a reasonable accommodation?

Sometimes. When a person's hearing impairment is not obvious, the employer may ask the person to provide reasonable documentation showing the existence of a disability and why a reasonable accommodation is needed. The request for documentation must be reasonable. An employer may not ask for information about conditions unrelated to the one for which the accommodation is requested or require more information than is necessary for the employer to determine whether an accommodation is needed.

> **Example 20:** Luíz, who has a hearing disability and communicates primarily through lip reading and speech, works as a programmer for an Internet security firm. The firm acquires a new client and promotes Luíz to be the senior programmer responsible for all consultations regarding the Internet security system design for the new client. Luíz's new assignment requires frequent phone conversations and teleconference meetings that do not allow for the use of Luíz's lip reading skills to aid in his verbal comprehension. As a result, Luíz's audiologist recommends, and Luiz requests, the use of a voice carry-over phone, which would provide an almost real-time text relay of the client's speech and also allow the client to hear Luíz. Because Luiz's hearing impairment is not an obvious disability, his employer may lawfully request medical documentation to verify his disability.

12. Does an employer have to provide the reasonable accommodation that an individual with a disability wants?

No. An employer has a duty to provide a reasonable accommodation that is effective to remove the workplace barrier. An accommodation is effective if it will provide an individual with a disability with an equal employment opportunity to participate in the application process, attain the same level of performance as co-workers in the same position, and enjoy the benefits and privileges of employment available to all employees. Where two or more suggested accommodations are effective, primary consideration should be given to the individual's preference, but the employer may choose the easier or less expensive one to provide.

> **Example 21:** An employee with a bilateral hearing disability requests use of communication access real-time translation (CART) for an upcoming training. In place of the CART device, the employer suggests an assistive listening device (ALD) because it is less expensive than CART. Twelve managers and supervisors are scheduled to take the training in a conference room at the employer's offices. Much of the information will be presented in a lecture format, accompanied by slides with printed information. The size of the room, the number of participants in the training, and the format of the training make it possible for the employee to use a portable assistive listening system effectively. The employer may, therefore, provide an ALD instead of CART under these circumstances.

Example 22: A deaf employee requests a sign language interpreter for regular staff meetings. The employer suggests that a co-worker could take notes and share them with the deaf employee or that a summary of the meeting could be prepared. These alternatives are not effective, because they would not allow the deaf employee to ask questions and participate in discussions during the meetings as other employees do. Absent undue hardship, the employer must provide a sign language interpreter for the meetings.

13. Does an employer have to provide accommodations that would be too difficult or expensive?

An employer is not required to provide accommodations that would result in an undue hardship (i.e., significant difficulty or expense). If an employer determines that the cost of a reasonable accommodation would cause an undue hardship, it should consider whether some or all of the accommodation's cost can be offset. For example, in some instances, state vocational rehabilitation agencies or disability organizations may be able to provide accommodations at little or no cost to the employer. There are also federal tax credits and deductions to help offset the cost of accommodations,[15] and some states may offer similar incentives. However, an employer may not claim undue hardship solely because it is unable to obtain an accommodation at little or no cost or because it is ineligible for a tax credit or deduction.

Even if a particular accommodation would result in undue hardship, however, an employer should not assume that no accommodation is available. It must consider whether there is another accommodation that could be provided without undue hardship.

14. Are there actions an employer is not required to take as reasonable accommodations?

Yes. An employer does not have to remove an essential job function (i.e., a fundamental job duty), lower production standards, or excuse violations of conduct rules that are job-related and consistent with business necessity, even where an employee claims that the disability caused the misconduct. Additionally, employers are not required to provide employees with personal use items, such as hearing aids or similar devices that are needed both on and off the job.

15. Is it a reasonable accommodation for an employer to make sure that an employee wears a hearing aid or uses another mitigating measure?

No. The ADA does not require employers to monitor an employee to ensure that he uses an assistive hearing device. Nor may an employer deny an individual with a hearing disability a reasonable accommodation because the employer believes that the individual has failed to take some measure that would improve his hearing.

16. What kinds of reasonable accommodations are related to the "benefits and privileges" of employment?

Reasonable accommodations related to the "benefits and privileges" of employment include those accommodations that are necessary to provide an employee with a hearing disability equal access to information communicated in the workplace, the opportunity to participate in employer-sponsored events (e.g., training, meetings, social events, award ceremonies), and the opportunity for professional advancement.

Example 23: Karrin, who is deaf, works as an associate in a large investment firm. Every

December, the partner in charge of the team for which Karrin works holds a party at his residence for all of the team's members and a number of the firm's clients. Upon Karrin's request, her employer provides her a sign language interpreter to allow Karrin to fully participate in the social event

.

An employer will not be excused from providing an employee with a hearing disability with a necessary accommodation because the employer has contracted with another entity to conduct the event.

Example 24: An employer offers its employees a training course on organization and time management provided by a local company with which the employer has contracted. An employee who is deaf wants to take the course and asks for CART services or a sign language interpreter. The employer claims that the company conducting the training is responsible for providing what the deaf employee needs, but the company responds that the responsibility is the employer's. Even if the company conducting the training has an obligation, under Title III of the ADA,[16] to provide "auxiliary aids and services," which would include CART services and sign language interpreters, this fact does not alter the employer's obligation to provide the employee with a reasonable accommodation for the training. [17]

CONCERNS ABOUT SAFETY

17. When may an employer prohibit an employee with a hearing disability from doing a job because of safety concerns?

If an employee would pose a "direct threat" (i.e. a significant risk of substantial harm to herself or others) when working in a particular position, even with a reasonable accommodation, then an employer can prohibit her from performing that job. Any potential harm must be substantial and likely to occur.

An employer must consider the following to assess if an employee or applicant poses a direct threat:

- the duration of the risk involved;
- the nature and severity of the potential harm;
- the likelihood the potential harm will occur;
- the imminence of the potential harm; and
- the availability of any reasonable accommodation that might reduce or eliminate the risk.

Example 25: An employee with a hearing disability requests training to operate a forklift machine at a large hardware store. For safety reasons, the employer requires that forklift operators be able to communicate with a spotter employee while operating the machine. The employee suggests that he wear a vibrating bracelet to allow him to communicate with the spotter. The employer has attempted to use vibrating bracelets in the past without success because users cannot distinguish the vibrations between the forklift and the bracelet. The employee tries to use the vibrating bracelet, but experiences the same problem. Assuming no other accommodations are available, the employer may deny the employee training on a

forklift.[18]

Example 26: A school district denies an applicant with a hearing disability a job as a school bus driver for elementary school students, believing that she will not be able to drive safely and will not be able to monitor students, especially in the event of a medical or other emergency. The applicant has a clean driving record and has previously performed jobs transporting elderly patients by van to doctor's appointments and social events. Based on past experiences with accommodations, the applicant could monitor students effectively – and without compromising her driving – if an additional mirror highlighting the rear of the bus were installed. The mirror, placed above the driver, would allow her to better monitor students whose conversations she may not be able to hear or understand as well as those students located in the front of the bus. This school district also typically assigns aides to ride with drivers on the busiest routes. Under these circumstances, the school district cannot demonstrate that this applicant would pose a direct threat to the safety of others, and its refusal to hire her would violate the ADA.[19]

18. What should an employer do when federal law prohibits it from hiring anyone with a certain level of hearing loss?

An employer has a defense to a failure-to-hire claim under the ADA if another federal law actually prohibits it from hiring someone with a hearing impairment for a particular position. However, the employer should ensure that the federal law requires, rather than permits, exclusion of the individual with a disability and that there are no applicable exceptions.

Example 27: Terry has a severe hearing impairment that is slightly improved by her cochlear implant. She applies for a position driving large trucks. These positions are subject to hearing requirements and other standards enforced by the Department of Transportation (DOT). The employer may rely on DOT's hearing requirement in denying Terry employment. However, the employer may not rely on the DOT hearing requirement to exclude Terry from a position driving smaller trucks which are not subject to DOT's standards. Instead, the employer would have to establish that Terry would pose a direct threat, within the meaning of the ADA, if it denied her a position driving smaller trucks because of her hearing disability.

HARASSMENT

Employers are prohibited from harassing or allowing employees with disabilities to be harassed in the workplace. When harassment is brought to an employer's attention, management and/or the supervisor must take steps to stop it.

19. What constitutes illegal harassment under the ADA?

The ADA prohibits unwelcome conduct based on disability that is sufficiently severe or pervasive to create a hostile or abusive work environment. Acts of harassment may include verbal abuse, such as name-calling, and behavior, such as offensive graphic and written statements or physically threatening, harmful or humiliating actions. The law does not protect workers with disabilities (or any workers) from merely rude or uncivil conduct. To be actionable, conduct related to an employee's hearing disability must be perceived by the affected individual as abusive and must be sufficiently severe or pervasive that a reasonable person would perceive it as hostile and abusive.

Example 28: Leonard works as a stocker at a local electronics store. Leonard lost his hearing

two years ago as the result of a rare and debilitating illness. Since Leonard's recovery and return to work, his co-workers have constantly taunted him about his hearing impairment and recklessly driven the forklift near him while yelling for him to move. The employees know that Leonard cannot hear their warnings and often laugh at Leonard's startled reaction when he sees the forklift approaching him. Leonard complains to his supervisor in accordance with his employer's anti-harassment policy. The employer must promptly investigate and address the harassing behavior.

20. What should employers do to prevent and correct harassment?

Employers should make clear that they will not tolerate harassment based on a disability or on any other basis (i.e., race, color, sex, religion, national origin, or age). This can be done in a number of ways, including a written policy, employee handbooks, staff meetings, and periodic training. The employer should emphasize that harassment is prohibited and that employees should promptly report harassment to a manager or other designated official. Finally, employers should immediately conduct a thorough investigation of any report of harassment and take swift and appropriate corrective action. For more information on the standards governing harassment under federal EEO laws, see the EEOC's Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, available at http://www.eeoc.gov/policy/docs/harassment.html.

RETALIATION

The ADA prohibits retaliation by an employer against someone who opposes discriminatory employment practices, files a charge of employment discrimination, or testifies or participates in any way in an employment discrimination investigation, proceeding, or litigation. Persons who believe that they have been retaliated against may file a charge of retaliation with the EEOC as described below.

LEGAL ENFORCEMENT

21. What should someone do who believes that his or her rights under the ADA may have been violated?

Private Sector/State and Local Governments

An applicant or employee who believes that his employment rights have been violated on the basis of a hearing disability and wants to make a claim against an employer must file a "charge of discrimination" with the EEOC. The charge must be filed by mail or in person with a local EEOC office within 180 days from the date of the alleged violation. The 180-day filing deadline is extended to 300 days if a state or local anti-discrimination law also covers the charge.[20]

The EEOC will notify the employer of the charge and may ask for a response and supporting information. Before a formal investigation, the EEOC may select the charge for its mediation program. Participation in mediation is free, voluntary, and confidential. Mediation may provide the parties with a quicker resolution of the case.

If mediation is not pursued or is unsuccessful, the EEOC investigates the charge to determine if there is "reasonable cause" to believe discrimination occurred. If reasonable cause is found, the EEOC will then try to resolve the charge. In some cases, where the charge cannot be resolved, the EEOC will file a

court action. If the EEOC finds no discrimination, or if an attempt to resolve the charge fails and the EEOC decides not to file suit, it will issue a notice of a "right to sue," which gives the charging party 90 days to file a lawsuit. A charging party also can request a notice of a "right to sue" from the EEOC 180 days after the charge first was filed with the EEOC.

For a detailed description of the process, please refer to the EEOC website at http://www.eeoc.gov/charge/overview_charge_filing.html.

Federal Government

An applicant or employee who believes that her employment rights have been violated on the basis of a hearing disability and wants to make a claim against a federal agency must file a complaint with that agency. The first step is to contact an EEO Counselor at the agency within 45 days of the alleged discriminatory action. The individual may choose to participate in either counseling or in Alternative Dispute Resolution (ADR) if the agency offers this alternative. Ordinarily, counseling must be completed within 30 days and ADR within 90 days.

At the end of counseling, or if ADR is unsuccessful, the individual may file a complaint with the agency. The agency must conduct an investigation unless the complaint is dismissed. If a complaint contains one or more issues that must be appealed to the Merit Systems Protection Board (MSPB), the complaint is processed under the MSPB's procedures. For all other EEO complaints, once the agency finishes its investigation the complainant may request a hearing before an EEOC administrative judge or an immediate final decision from the agency.

In cases where a hearing is requested, the administrative judge issues a decision within 180 days and sends the decision to both parties. If the agency does not issue a final order within 40 days after receiving the administrative judge's decision, the decision becomes the final action of the agency.

A complainant may appeal to EEOC an agency's final action within 30 days of receipt. The agency may appeal a decision by an EEOC administrative judge within 40 days of receiving the administrative judge's decision.

For more information concerning enforcement procedures for federal applicants and employees, visit the EEOC website at http://www.eeoc.gov/facts/fs-fed.html.

Endnotes

[1] Sergei Kochkin, Ph.D., Better Hearing Institute, The Prevalence of Hearing Loss, http://www.betterhearing.org/hearing_loss/prevalence.cfm .

[2] Sergei Kochkin, Ph.D., MarkeTrak VII: Hearing Loss Population Tops 31 Million People, The Hearing Review, 2005, Vol. 12, No. 7, at 16.

[3] Chart is based on data derived from A Nation Online, Economic and Statistics Administration/National Telecommunications and Information Administration, U.S. Department of Commerce, February 2002,

based on Current Population Survey (CPS) of September 2001.

[4] Centers for Disease Control and Prevention, Developmental Disabilities, http://www.cdc.gov/ncbddd/dd/ddhi.htm .

[5] Id.

[6] National Association of the Deaf, The Difference between Deaf and Hard of Hearing, http://www.nad.org/site .

[7] Centers for Disease Control and Prevention, Developmental Disabilities, http://www.cdc.gov/ncbddd/dd/ddhi.htm .

[8] In addition, there are four types of hearing loss that generally describe the origin of the hearing loss within the ear. Sensorineural hearing losses are the most common and primarily involve damage to the nerve fibers in the inner ear. These nerve fibers transmit the signals that the brain interprets as patterns of sound. Some types of sensorineural hearing loss can be improved through hearing aids or cochlear implants. Conductive hearing loss is often a treatable disorder involving a blockage in the outer or middle ear that impedes the transmission of sound energy to the brain. Mixed hearing loss is any combination of sensorineural or conductive hearing loss caused by related or isolated conditions. Finally, some sources recognize a fourth type of hearing loss. Central hearing loss primarily involves a permanent condition where the pathway from the inner ear to the brain is damaged. See Id.

[9] National Association of the Deaf, The Difference between Deaf and Hard of Hearing, http://www.nad.org/site.

[10] For more information about what constitutes a disability-related inquiry and medical examination and the circumstances under which an employer may ask questions about disability or require medical examinations before someone begins work, see Enforcement Guidance: Preemployment Disability-Related questions and Medical Examinations (October 10, 1995), http://www.eeoc.gov/policy/docs/preemp.html.

[11] For more information about when an employer may ask disability-related questions or conduct medical examinations of employees, see Enforcement Guidance: Disability-Related Inquiries and Medical Examinations of Employees Under the Americans with Disabilities Act (ADA) (July 27, 2000), http://www.eeoc.gov/policy/docs/guidance-inquiries.html.

[12] See also, Job Accommodation Network's Searchable Online Accommodation Resource (SOAR), http://www.jan.wvu.edu/soar/hear.html .

[13] A text telephone or teletypewriter (TTY) allows a telephone user to send typed messages to another caller and to receive typewritten messages from the caller either directly (if the caller is also using a TTY) or through a telephone relay service (TRS) operator. A voice carry-over telephone allows someone with a hearing impairment to communicate orally over the telephone and to receive text communications from the other caller that are transcribed by a TRS operator. A captioned telephone allows users with hearing impairments to receive communications over the telephone orally while receiving an almost simultaneous text translation.

[14] For more information regarding an employer's responsibility to provide leave for covered individuals, see the Family and Medical Leave Act, the Americans with Disabilities Act, and Title VII of the Civil Rights Act of 1964 (November 1995), http://www.eeoc.gov/policy/docs/fmlaada.html and Reasonable Accommodation and Undue Hardship Under the Americans with Disabilities Act at Questions 22 and 23 (October 17, 2002), http://www.eeoc.gov/policy/docs/accommodation.html.

[15] See Know the Rules Regarding Tax Incentives for Improving Accessibility for the Disabled (2003), http://www.irs.gov/businesses/small/article/0,,id=113382,00.html. For additional information on tax benefits, contact the U.S. Internal Revenue Service at 800-829-3676 (voice) or 800-829-4059 (TDD).

[16] In an effort to eliminate discrimination against individuals with disabilities, Title III of the Americans with Disability Act requires businesses and non-profit organizations that are public accommodations to comply with basic nondiscrimination and building accessibility requirements, provide reasonable modifications to policies and practices, and supply auxiliary aids (e.g., assistive listening devices, note takers, written materials, taped texts, and qualified readers) to ensure effective communication with persons with disabilities. For more information on the requirements of Title III of the ADA, visit the website for the U.S. Department of Justice, Civil Rights Division, Disability Rights Section available at http://www.usdoj.gov/crt/drs/drshome.htm .

[17] An employer should include, as part of any contract with an entity that conducts training, provisions that allocate responsibility for providing reasonable accommodations. This can help to avoid conflicts or confusion that could arise and result in an employee being denied a training opportunity. An employer should also remember, however, that it remains responsible for providing a reasonable accommodation that an employee needs to take advantage of a training opportunity, regardless of how that responsibility has been allocated in the contract.

[18] See Nix v. Home Depot USA, Inc., No. 1:02-CV2292MHS, 2003 WL 22477865 (N.D. Ga. Oct. 16, 2003).

[19] See Rizzo v. Children's World Learning Center, 213 F.3d 209 (5th Cir. 2000).

[20] Many states and localities have disability anti-discrimination laws and agencies responsible for enforcing those laws. The EEOC refers to these agencies as "Fair Employment Practices Agencies (FEPAs)." Individuals may file a charge with either the EEOC or a FEPA. If a charge filed with a FEPA is also covered under the ADA, the FEPA will "dual file" the charge with the EEOC but usually will retain the charge for investigation. If an ADA charge filed with the EEOC is also covered by a state or local disability discrimination law, the EEOC will "dual file" the charge with the FEPA but usually will retain the charge for investigation.

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Recent Items

This list is not intended to reflect all changes or new information on the EEOC web site. We will list recently released publications, reports, or other information of widespread interest to visitors to this site.

May, 2007

- Enforcement Guidance: Unlawful Disparate Treatment of Workers with Caregiving Responsibilities
- Questions and Answers: Unlawful Disparate Treatment of Workers with Caregiving Responsibilities

February, 2007

- Questions and Answers about Health Care Workers and the Americans with Disabilities Act

November, 2006

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- Reasonable Accommodation for Attorneys With Disabilities
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- Diversity in the Finance Industry
- Compliance Manual Section on Race & Color Discrimination
- Systemic Task Force Report
- Office of General Counsel Annual Report: FY 2005

February, 2006

- FY 2007 Performance Budget
- EEOC FY 2007 Performance Budget - Highlights

December, 2005

- Performance and Accountability Report - FY 2005

November, 2005

- Final Report on Best Practices for the Employment of People with Disabilities in State Government

October, 2005

- Questions and Answers About Blindness and Vision Impairments in the Workplace and the Americans with Disabilities Act
- Office of General Counsel Annual Report: FY 2004
- ADR Report: Part I - ADR in the Federal Sector EEO Process FY 2003-FY 2004
- Questions and Answers about the Association Provision of the Americans with Disabilities Act
- 2006 Freedom to Compete Award Nominations

September, 2005

- Model EEO Programs Must Have An Effective Anti-Harassment Program

August, 2005

- 2005 FAIR Act Inventory

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- Cancer in the Workplace and the ADA
- Practical Advice For Drafting And Implementing Reasonable Accommodation Procedures Under Executive Order 13164
- Revision to Compliance Manual Section 2: Threshold Issues
  - Compliance Manual Section 2: Threshold Issues
  - Questions and Answers: Revision to Threshold Issues

June, 2005

- 2005 Freedom to Compete Award Recipients
- Job Patterns for Minorities and Women in Private Industry (EEO-1) - 2003
- Youth@Work in Spanish

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- Questions and Answers for Mediation Providers: Mediation and the Americans with Disabilities Act
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- Regional Attorneys' Manual

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- **Interim Report:** Best Practices For the Employment of People with Disabilities In State Government
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- **Q&A:** Persons with Intellectual Disabilities in the Workplace and the ADA

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- Youth at Work: EEOC's new web site for youth in the workforce
- Materials related to the Commission meeting of September 17, 2004

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- **Report:** Diversity in the Media
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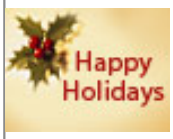

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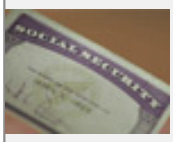

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The U.S. Equal Employment Opportunity Commission

Office of Inspector General

Aletha L. Brown, Inspector General

The United States Congress established an Office of Inspector General at the EEOC through the 1988 amendment of the Inspector General Act of 1978, which expanded authority to independent agencies and federal entities. OIG's primary responsibility is to assist the EEOC by ensuring integrity, efficiency, and accountability in the agency's programs to enforce laws against discrimination in the workplace. Specifically, OIG supports the Agency by carrying out its mandate to independently and objectively conduct and supervise audits, evaluations and investigations; prevent and detect fraud, waste, and abuse; and promote economy and efficiency in programs and operations. The OIG keeps EEOC's Chair and members of the Congress fully and currently informed about problems, recommends corrective action(s), and monitors the EEOC's progress in implementing such action.

The OIG is under the supervision of the IG, who provides overall direction, coordination, and leadership to staff. The OIG includes a deputy inspector general, an audit and evaluation staff, an investigative staff, an independent counsel, and an administrative staff. The Deputy Inspector General serves as alter ego of the Inspector General and has the responsibility for providing overall program guidance, direction and supervision to audit, evaluation and investigative staffs. The audit program provides assurance to the Chair and Congress that EEOC programs are working efficiently and effectively. The audit staff conducts performance and financial audits, as well as special reviews and evaluations. These audits focus on management controls, administrative and program operations, transaction processing and financial and other information systems. Special reviews and evaluations assess program performance and information security and consider the implications of EEOC programs, operations and policies.

The mission of the investigative program is to perform investigative activities related to the integrity of the EEOC's programs. Most of OIG's investigations focus on violations of law or misconduct by Agency employees, as well as, allegations of irregularities or abuses in operations and programs. When needed, OIG's investigators work in concert with other law enforcement entities. Over half of the investigative inquiries result from employees and the general public calling OIG's 24-hour telephone (hotline) to report wrongdoing. A significant amount of these calls concern EEOC's discrimination complaint process and are referred to the appropriate program office.

OIG Semi-Annual Reports to the Congress

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Review of October 31, 2006 Shelter-In-Place Drill (OIG Report No. 2007-03-AMR) (*March 2007*)

Transmittal of Office of Inspector General Frequent Telework Pilot Program Final Report (*March 2007*)

Management Advisory on EEOC's Performance Reporting (OIG Evaluation No. 2005-02-AMR) (*March 2007*)

Assessment for State & Local Programs and the Human Resources and Payroll Activities (*September 2006*)

Audit of Controls Over IT Equipment OIG Report No. 2005-03-PROP (*August 2006*)

Independent Evaluation of the National Contact Center OIG Report No. 2005-11-AMR (*June 2006*)

Independent Auditor Report (*November 2005*)

OMB Scorecard and EEOC Update OIG Report No. 2005-08-MGT (*October 2005*)

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- EEOC 35th Anniversary: 1965 - 2000

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U.S. Equal Employment Opportunity Commission

Freedom of Information Act

The Freedom of Information Act (FOIA), 5 U.S.C. Section 552, is a statute that provides a process by which every person may request access to federal agency records or information. Federal agencies, such as the Equal Employment Opportunity Commission, are required to disclose records upon receiving a written request for them unless those records are protected from disclosure by any of the nine exemptions and three exclusions of the FOIA. The FOIA applies only to federal agencies and the records in their custody. The FOIA does not create an access to records held by Congress, the courts or by state and local governments. Any requests for state or local government records should be directed to the appropriate state or local government agency.

EEOC FOIA Contacts:

FOIA Requester Service Center

(202) 663-4640 (phone)
(202) 663-7026 (TTY)
(202) 663-4639 (fax)
FOIA@EEOC.gov

EEOC FOIA Officers

FOIA Public Liaison

Stephanie D. Garner
Assistant Legal Counsel
Equal Employment Opportunity Commission
1801 L St., N.W.
6th Floor
Washington, DC 20507
(202) 663-4634 (phone)
(202) 663-7026 (TTY)
(202) 663-4639 (fax)

Chief FOIA Officer

Peggy R. Mastroianni
Associate Legal Counsel
(202) 663-4640 (phone)

Agency FOIA Officers

Additional FOIA Information

- Text of the Freedom of Information Act
- EEOC's FOIA Reference Guide You may find the Reference guide to be of particular interest because it provides such basic information as:
  - where and how to make a FOIA request
  - the time for response
  - fees and fee waivers
  - responses to initial requests and
  - how and where to file an appeal of a determination made on a FOIA request.
- Questions and Answers: FOIA Requests
- Questions and Answers: FOIA Requests for Charge Files
- Report and Plan of the U.S. Equal Employment Opportunity Commission as Required by Executive order 13392: Improving Agency Disclosure of Information *June 7, 2006*
- EEOC's FOIA Regulations codified at 29 C.F.R. Part 1610
  - Freedom of Information Act Fee Schedule (revises §1610.15) *October 3, 2005*
- EEOC Order Number 150.001: Disclosure of Information Under the Freedom of Information Act
- EEOC's Reading Room
- Backlog Reduction Goals for Fiscal Years 2008, 2009, and 2010
- Annual Report
  - 2006 FOIA Annual Report
  - 2005 FOIA Annual Report
  - 2004 FOIA Annual Report
  - 2003 FOIA Annual Report
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  - 2001 FOIA Annual Report
  - 2000 FOIA Annual Report
  - 1999 FOIA Annual Report
  - 1998 FOIA Annual Report
  - 1997 FOIA Annual Report

Privacy Act Information

The Privacy Act, 5 U.S.C. Section 552a, passed by Congress in 1974, establishes certain controls over what personal information is collected by the federal government and how it is used. The act guarantees three primary rights: (1) the right to see records about oneself, subject to the Privacy Act's exemptions; (2) the right to amend that record if it is inaccurate, irrelevant, untimely or incomplete; and (3) the right to sue the government for violations of the statute, including permitting others to see your records, unless specifically permitted by the act.

- Text of the Privacy Act
- EEOC's Privacy Act Regulations (29 C.F.R. Part 1611)
- EEOC's Privacy Act Systems of Records Notices, including EEOC/GOVT-1:
  - Publication of Notices of Systems of Records and Proposed New Systems of Records, July 30, 2002: HTML | PDF
  - Publication of Notice of Proposed New Systems of Records and Amendment of Systems To Add New System Managers, April 26, 2006: HTML | PDF
- Privacy Impact Assessments
  - EEO-1 Survey System
  - Integrated Mission System (IMS)
  - EEOC Assessment System (EAS)
  - EEOC Document Management System (DMS)
  - EEOC Training and Outreach Online Registration System
- Your Right to Federal Records
  This pamphlet is a joint publication of DOJ and the General Services Administration concerning both the FOIA and the Privacy Act.

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The U.S. Equal Employment Opportunity Commission

Jobs at EEOC

Employment Opportunities at EEOC include:

- ***Investigators*** who perform work involving the handling of inquiries and complaints of employment discrimination under the federal statutes enforced by the EEOC.
- ***Trial Attorney, Administrative Judge* and *Law Clerk*** positions handling civil rights cases and appeals.
- ***Mediators*** who process charges through the Alternative Dispute Resolution process to settlement.
- ***Administrative and Clerical support*** positions handling incoming phone calls, correspondence and document management.
- ***Senior Executive Service*** (SES) positions including most managerial, supervisory, and policy positions classified above General Schedule (GS) grade 15 or equivalent positions.
- In addition, EEOC hires Information Technology Specialists, Program Analysts, Management Analysts and more...

Bilingual skills in any of these occupations are often desired.

- EEOC's Attorney Honor Program focuses on recruiting and hiring third-year law students, full-time graduate law students, and judicial law clerks for permanent agency positions. The deadline for the submission of applications is November 30, 2007. Questions regarding the program may be sent via e-mail to Amelia Demopulos at amelia.demopulos@eeoc.gov or you can call (202) 663-7175 for information and updates on the program.

Applying for a Job

EEOC's job vacancies are listed at USAJOBS, the official job site of the US Federal Government, along with information on how to apply.

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EEOC Fellows Program

Program Overview

The EEOC Fellows Program (EEOCFP) provides an opportunity for Federal employees, Professors and graduate students interested in equal opportunity, public administration, economics, employment law, statistics, and other relevant fields, to participate in research and projects related to discrimination and fair and inclusive workplaces in the federal government.

The EEOCFP is a competitive program designed to create a pool of candidates for assignments to EEOC related projects. During the program Federal and academic leaders share their knowledge as well as gain a broader understanding of and contribute to EEOC's vision and mission while strengthening partnerships in the Federal and educational community. ***The EEOCFP assignments are non-reimbursable and no stipends are provided***.

The EEOCFP consists of three levels: The Distinguished Fellows Program; the Meritorious Fellows Program; and the Exchange Fellows Program. The Distinguished Fellows Program is open to GS-14's and above or equivalents in the academic community interested in assignments of six months or more; the Meritorious Fellows Program is open to GS-13's and below and equivalents in the academic community interested in assignments of less than six months; and the Exchange Program is open to EEOC employees and other Federal employees interested in exchanging jobs based on mutual agreement.

FY 2008 EEOC Fellows

We are pleased to announce the selection of Christopher B. Harig and Dr. Clinton M. Covert for the 2008 EEOC Fellows Program.

Mr. Harig, an MBA-educated Senior Equal Opportunity Specialist at the Department of Labor's Employment Standards Administration, brings ten years of Federal government experience, including experience conducting civil rights investigations in the federal contractor workplace. Furthering the E-RACE initiative by examining federal agencies' MD-715 workforce data, Mr. Harig will examine the types of data collected from agencies in the Workforce Data Tables required by MD-715, as well as anecdotal information contained in MD-715 reports, and identify areas where data collection could be improved to better support the E-RACE initiative.

Dr. Covert serves as the U.S. Army Garrison Grafenwoehr's Equal Employment Opportunity Officer, and has extensive academic and professional experience in promoting equal employment opportunity and identifying barriers to equality of employment opportunities. Dr. Covert will examine the structure of existing alternative (i.e. non-General Schedule) pay systems, as well as such systems that have been designed and are anticipated to be implemented in the near future. He will also design and conduct

Fellows Program Resources

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Memorandum for Heads of Agencies

Application Form

Questions and Answers

Download Fellows Program brochure

Contact Us

analyses that will permit agencies and the EEOC to track the progress of EEO groups within a pay system with an eye toward identifying any barriers to an EEO group's advancement.

Application Process

EEOC is not currently accepting applications; however, we hope have more information on the 2009 program later this year.

Fellows must be nominated by the federal agency head or the academic department head of an educational institution. Nominations along with an Optional Form 612 (http://www.opm.gov/forms/word/of612.doc) or current resume, a personal statement of interest and two letters of recommendation must be sent to:

EEOC Fellows Program
Attention: OFO - EEOCFP
1801 L Street NW
Washington, DC 20507

eeocfp@eeoc.gov
Telephone: (202) 663-4599
Fax (202) 663-7004

Nominees are evaluated based on application and interview focused on: communication skills; ability to adapt; experience researching, analyzing or presenting; and the ability to work independently.

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Doing Business with EEOC

The Small Business Act requires that all federal agencies negotiate with the Small Business Administration to develop small business prime and sub-contracting goals. The Federal Acquisition Regulation (FAR) and the Small Business Act require prime contractors receiving contracts which exceed the simplified acquisition threshold, to give small businesses an opportunity to participate.

EEOC publishes all Requests for Proposals through FedBizOpps, which is the single government point-of-entry for Federal government procurement opportunities over $25,000.

- For access to EEOC business opportunities, see EEOC Business Opportunities with FedBizOpps.
- To learn more about FedBizOpps, see Federal Business Opportunities

The FAR also requires that all Government vendors be registered in the Central Contractor Registration (CCR) database prior to award of contract. The CCR is the primary vendor database for the U.S. Federal Government. The CCR collects, validates, stores and disseminates data in support of agency acquisition missions. Vendors are required to complete a one-time registration to provide basic information relevant to procurement and financial transactions. Vendors must update or renew their registration annually to maintain an active status. Both current and potential government vendors are required to register in CCR in order to do be awarded contracts by the government.

- To register, see Central Contractor Registration (CCR)

The Contractor Performance System is a multi-agency shared file through which Federal Contracting Personnel can collect, maintain and disseminate performance evaluations on current contractors. The CPS has become the de facto system for collecting contractor performance evaluations throughout the Federal Civilian agency environment. A separate URL is assigned to each agency which provides agency control over its data and authority tables. Completed evaluations are available to all users across all subscribing agencies for the contract award source selection process.

- To enter the system, see Contractor Performance System

EEOC Procurement Contacts and EEOC Governmentwide Purchase Cardholders List

FY 2007 EEOC Procurement Forecast

This page was last modified on February 2, 2007.

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The U.S. Equal Employment Opportunity Commission

BREACH NOTIFICATION POLICY

Safeguarding personally identifiable information (PII)[1] in the possession of the government and preventing its breach are essential to ensure the government retains the trust of the American public. Following the guidance outlined in the Office of Management and Budget (OMB) Memorandum M-07-16, the U.S. Equal Employment Opportunity Commission (EEOC) has developed this *Breach Notification Policy* to minimize risk and ensure prompt and appropriate action is taken should such a breach occur. For purposes of this Policy, the term "breach" includes the loss of control, compromise, unauthorized disclosure, or unauthorized access or potential access to personally identifiable information, whether in physical (paper) or electronic form.

I. BACKGROUND - SAFEGUARDING AGAINST THE BREACH OF PII

It is the responsibility of all EEOC systems users to help ensure the security and integrity of the information contained in the Commission's automated and manual records systems. The Office of Management and Budget (OMB) Circular A-130, the Privacy Act of 1974, and the Federal Information Security Management Act of 2002 all define such information, as well as the technology used to maintain it, as a vital Government asset. Those who control or use this information are responsible for its care, custody and protection. All EEOC system users, whether EEOC employees, contractors, contingent workers, and other users of EEOC information and information systems, are expected to be aware of certain legal rules and policies which must be followed for the purpose of safeguarding such information. EEOC Order 240.005, Attachment A, *Information Security Responsibilities for EEOC System Users*, outlines these critical responsibilities.

In response to OMB Memorandum M-06-16, EEOC developed *Policy for Personally Identifiable Data Extracts Removed from EEOC Premises*. This policy outlines protective measures that must be followed if extracts containing PII are removed from the EEOC premises.

In addition, EEOC has implemented strong technical controls to ensure the security and confidentiality of records and to protect against threats to their security and integrity. This includes system categorization against Federal Information Processing Standard (FIPS) 199, *Standards for Security Categorization of Federal Information and Information Systems*; implementation of security controls as referenced in FIPS 200, *Minimum Security Requirements for Federal Information and Information Systems*, and National Institute of Standards and Technology (NIST) Special Publication 800-53, *Recommended Security Controls for Federal Information Systems*; certification and accreditation of information systems; user acknowledgement of system Rules of Behavior; and conduct of annual security awareness training which includes an overview of privacy and security responsibilities.

To further reduce risk, EEOC has been very proactive in eliminating the use and storage of social security numbers in our automated information systems. To better protect the privacy of individuals seeking services from the EEOC, in October 2006, the agency removed the social security numbers (SSN) of individuals who file charges of employment discrimination from our automated information systems. This removal included SSN data maintained within our Integrated Mission System, EEOC Assessment System, and legacy Charge Data System. EEOC has inventoried all automated information

systems containing PII, and the only SSN data that continues to be maintained relates to EEOC personnel. Efforts to decrease storage and output of non-essential employee PII are underway.

II. REVIEW OF COMPLIANCE

Annually, the EEOC Office of Information Technology and the Office of Legal Counsel will review the current holdings of all personally identifiable information and ensure, to the maximum extent practicable, such holdings are accurate, relevant, timely and complete and reduce them to the minimum necessary for the proper performance of the agency function. This review will occur no later than July 31 of each year, for incorporation into the annual report under the Federal Information Security Management Act.

III. BREACH INCIDENT HANDLING AND REPORTING REQUIREMENTS

When faced with a security incident, EEOC must be able to respond in a manner protecting both its own information and helping to protect the information of others who might be affected by the incident. EEOC's *Incident Response Plan* outlines roles and responsibilities, threats, prevention and responses, procedures, recovery, and reporting requirements. This *Breach Notification Policy* augments EEOC's *Incident Response Plan* with respect to breach or suspected loss of PII.

A. INCIDENT NOTIFICATION

Per OMB M-06-19, EEOC must report all incidents involving PII (in either electronic or physical form) to the United States Computer Readiness Team (US-CERT). This reporting must be done within one hour of discovering the incident.

- EEOC staff/contractors should immediately notify management of any incident regarding the loss or suspected breach of PII. Management should immediately notify the EEOC Chief Information Officer (CIO) and the Senior Agency Official for Privacy (SAOP) (EEOC Legal Counsel) regarding the PII breach, including as much detailed information as possible. A full incident report should promptly follow the notification.
- The EEOC CIO or SAOP will confirm the details of the incident and report the incident to US-CERT within one hour.

B. PII INCIDENT RESPONSE CORE MANAGEMENT GROUP

The CIO or SAOP will immediately notify the EEOC PII Incident Response Core Management Group of the incident. The Core Mgmt Group is comprised of the Chief Operating Officer, CIO, SAOP, Inspector General (IG), Deputy General Counsel, Chief Financial Officer, Director of the Office of Communications and Legislative Affairs, and the senior Program Manager of the program experiencing the breach. Other management officials may be included in the notification, as deemed necessary.

- The Core Management Group will engage in a risk analysis to determine whether the incident poses problems related to identity theft or areas of potential harm. The September 20, 2006 OMB Memorandum entitled, *Identity Theft Related Data Security Breach Notification Guidance*[2]

and OMB M-07-16 will be used to assist in this determination.

If it is determined that the incident could pose issues related to identify theft or other possible areas of harm, the Core Management Group will review possible actions and implement a response action plan, to include coverage, implementation and notification.

- If the breach involves government-authorized credit cards, steps will immediately be taken to notify the issuing bank. If the breach involves individual's bank account numbers to be used for direct deposit of credit card reimbursements, government employee salary, or any benefit payment, EEOC will notify the bank and other entity that handles that particular transaction immediately.
- If the breach includes social security numbers or other highly sensitive information, the Core Management Group will determine whether credit-monitoring services will be offered to the affected parties at government expense. If credit-monitoring services are required, they will be immediately acquired off the GSA Blanket Purchase Agreement for credit monitoring services.
- The Core Management Group will consult with technical and program managers, as appropriate, to determine if immediate follow-up actions are necessary to reduce any residual or follow-up risk related to the incident.
- If the breach may be related to other breaches or other criminal activity, the EEOC IG will coordinate with appropriate federal law enforcement agencies to enable the government to look for potential links and to effectively investigate and punish criminal activity that may result from, or be connected to, the breach.

C. NOTICE TO THOSE AFFECTED

After identifying the level of risk and bearing in mind the steps taken to limit that risk, the Core Management Group will make a determination regarding notice to parties put at risk by the breach. This determination of notice will be made following OMB's *Identity Theft Related Data Security Breach Notification Guidance* and OMB M-07-16, Attachment 3, *External Breach Notification*[3].

- If the decision was made to offer credit-monitoring services, the Core Management Group will identify the appropriate agency official who should make contact with the affected parties. When appropriate, contact will be made both verbally (telephone call) and in writing (follow-up letter). The Core Management Group will forward boilerplate Identity Theft Notification letter(s) to the appropriate agency official for completion and processing. The boilerplate letter will describe the incident that occurred, a description of the types of personal information that were involved in the breach, a brief description of the steps the agency is taking to investigate the breach and limit the risk, steps that the individual can take to protect themselves and reduce risk of identity theft, and information on how to obtain the government provided credit-monitoring services.
- If the decision is made to notify affected parties but not offer credit monitoring services, the Core Management Group will identify the appropriate agency official who should make contact with the affected parties and forward boilerplate Identity Theft Notification letter(s) to this individual for completion and processing. The boilerplate letter will conform to the format identified above, without the offer of credit-monitoring services.
- Determinations and follow-up actions regarding notification will be made in a timely manner, so that those affected may take protective steps as quickly as possible, but without compounding harm from the initial incident through premature announcement based on incomplete facts.

- If it is determined that public notification of the breach is warranted, the Core Management Group will post information about the breach and notification in a clearly identifiable location on the home page of EEOC's external website. The posting will include a link to Frequently Asked Questions and other talking points to assist the public's understanding of the breach and notification process.
- As necessary, the Core Management Group will identify resources to handle any follow-up inquiries. If the breach involves a very large number of affected individuals, the Core Management Group may consider acquiring services through GSA "USA Services" to quickly put in place a 1-800-FedInfo call center staffed by trained personnel. EEOC may delay any required public announcement of the incident to allow time for implementation of appropriate follow-up resources.

D. ADDITIONAL ACTIONS

The EEOC Core Management Group will develop an incident/breach risk matrix to be used by the Agency for its analysis. This matrix will provide a qualitative method of determining incident/breach levels, and appropriate notification standards. Once developed and approved, this matrix will be included as an attachment to this Breach Notification Policy.

Footnotes

[1] Per OMB M-07-16, the term "personally identifiable information" refers to information which can be used to distinguish or trace and individual's identity, such as their name, social security numbers, biometric records, etc. alone, or when combined with other personal or identifying information which is linked or linkable to a specific individual, such as date and place of birth, mother's maiden name, etc.

[2] http://www.whitehouse.gov/omb/memoranda/fy2006/task_force_theft_memo.pdf

[3] http://www.whitehouse.gov/omb/memoranda/fy2007/m07-16.pdf

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- Title VII of the Civil Rights Act
- Equal Pay Act of 1963
- Age Discrimination in Employment Act of 1967 (ADEA)
- Rehabilitation Act of 1973, Sections 501 and 505
- Titles I and V of the Americans with Disabilities Act of 1990 (ADA)
- Civil Rights Act of 1991

Celebrating the Laws

Celebrating the 40th Anniversary of Title VII: 1964 - 2004

See also ...

- The Equal Pay Act Turns 40: 1963 - 2003
- The Americans with Disabilities Act (ADA): 1990 - 2002

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EEOC Regulations

You can search, view, and comment on proposed Federal regulations from approximately 160 Federal Departments and Agencies through Regulations.Gov.

New and Proposed Regulations

- Proposed Rule on Coordination of Retiree Health Benefits with Eligibility for Medicare or State Health Benefits (not yet published in the *Federal Register*)
  This exemption was approved by the Commission on April 22, 2004, for circulation to other federal agencies and the Office of Management and Budget (OMB). It will not become final until it is approved by OMB and is published in the Federal Register.

The EEOC has published its semiannual regulatory agenda pursuant to Executive Order 12866, 58 FR 51735, and the Regulatory Flexibility Act, 5 U.S. C. chapter 6. The agenda lists all regulations that are scheduled for review or development during the next 12 months or that have been finalized since the publication of the last agenda.

- Semiannual Regulatory Agenda *Federal Register Notice, December 11, 2006* [PDF]

- Statement of Regulatory and Deregulatory Priorities - Sequence #142 - Coordinating Retiree Health Benefits

The following regulations have been published in the Federal Register within the past two years.

- Final Rule: Coverage Under the Age Discrimination in Employment Act*Federal Register Notice, July 7, 2007* [PDF]

- Final rule: Procedures for Previously Exempt State and Local Government Employee Complaints of Employment Discrimination Under Section 304 of the Government Employee Rights Act of 1991 *Federal Register Notice, February 7, 2007* [PDF]

- Final rule: Updating Addresses of Commission's Offices in Las Vegas, Nevada and Mobile, AL *Federal Register Notice, February 7,*

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- EEOC list of guidance documents pursuant to Executive Order 12866, as amended by Executive Order 13422, and as interpreted by the Office of Management and Budget
- Other Agency Good Guidance

2007 [PDF]

Practice Information

- Final Rule: Posting Requirements in Federal Sector Equal Employment Opportunity -Title III of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174. *Federal Register Notice, August 2, 2006* [PDF]
- Final rule: Repositioning of Commission Field Offices *Federal Register Notice, May 9, 2006*
- Privacy Act Fee Schedule *Federal Register Notice, March 7, 2006*
- Freedom of Information Act Fee Schedule *(revises EEOC's FOIA Regulations codified at 29 C.F.R. Part 1610, §1610.15) Federal Register Notice, October 3, 2005*

Existing Regulations

EEOC's regulations are published annually in Title 29 of the Code of Federal Regulations (CFR). The CFR is available on-line through the U.S. Government Printing Office. The links below will connect you with EEOC's regulations, which are included in parts 1600 through 1699.

1600	Employee responsibilities and conduct
1601	Procedural regulations
1602	Recordkeeping and reporting requirements under title VII and the ADA
1603	Procedures for previously exempt State and local government employee complaints of employment discrimination under section 321 of the Government Employee Rights Act of 1991
1604	Guidelines on discrimination because of sex
1605	Guidelines on discrimination because of religion
1606	Guidelines on discrimination because of national origin
1607	Uniform guidelines on employee selection procedures (1978)
1608	Affirmative action appropriate under title VII of the Civil Rights Act of 1964, as amended
1610	Availability of records
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1620	The Equal Pay Act
1621	Procedures--the Equal Pay Act
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1626	Procedures--Age Discrimination in Employment Act
1627	Records to be made or kept relating to age: notices to be posted: administrative exemptions

1630 Regulations to implement the equal employment provisions of the Americans with Disabilities Act

- 1630.16 and Appendix to Part 1630: Interpretive Guidance on Title I of the Americans with Disabilities Act

1640 Procedures for coordinating the investigation of complaints or charges of employment discrimination based on disability subject to the Americans with Disabilities Act and section 504 of the Rehabilitation Act of 1973

1641 Procedures for complaints/charges of employment discrimination based on disability filed against employers holding government contracts or subcontracts

1650 Debt collection

1690 Procedures on interagency coordination of equal employment opportunity issuances

1691 Procedures for complaints of employment discrimination filed against recipients of Federal financial assistance

1692-1699 [Reserved]

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Compliance Manual

Most of the Compliance Manual is not available in electronic format.

About document formats.

Original Manual

- Section 902: Definition of the Term "Disability"
- Executive Summary: Compliance Manual Section 902, Definition of the Term "Disability"

New Manual

The Commission has begun a new Manual in a different format. Sections will be added as they are issued.

- Section 2: Threshold Issues *Date issued 5/12/00*

  In July, 2005, EEOC issued a revision of the subsection of the "Threshold Issues" Compliance Manual section concerning time limitations for filing charges, which was originally issued in 2000. The revision conforms the Manual's discussion of the continuing violation doctrine to the Supreme Court's decision in National Railroad Passenger Corp. v. Morgan, 536 U.S. 101 (2002). This revision replaces § 2-IV.C, "When Did the Alleged Violation Take Place?" The new section § 2-IV.C is captioned: "When Can a Discriminatory Act Be Challenged?"

  - See also: Questions and Answers: Revision to Threshold Issues (July, 2005)
  - See also: Questions and Answers: Threshold Issues (May, 2000)

- Section 3: Employee Benefits *Date issued 10/3/00*
  - See also: Questions and Answers: Compliance Manual Section on Employee Benefits
  - See also: Rescission of Section IV (B) of EEOC Compliance Manual Chapter on "Employee Benefits" and deletion of example

- Section 8: Retaliation *Date issued 5/20/98* (also available in Printable

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- Other Agency Good Guidance

version (PDF)

Practice Information

- Section 10: Compensation Discrimination *Date issued 12/5/00*
  - See also: Questions and Answers: Compliance Manual Section on Compensation Discrimination
- Section 13: National Origin Discrimination *Date issued 12/2/02*
  - See also: Questions and Answers: Compliance Manual Section on National Origin Discrimination
- Section 15: Race and Color Discrimination *Date issued 4/19/06* (also available in Printable version (PDF)
  - See also: Questions and Answers About Race and Color Discrimination in Employment

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Enforcement Guidances and Related Documents

These documents are listed in chronological order.

Employment Tests and Selection Procedures *December, 2007*

Enforcement Guidance: Unlawful Disparate Treatment of Workers with Caregiving Responsibilities *May, 2007* (Also available in PDF format)

- See also: Questions and Answers about EEOC's Enforcement Guidance on Unlawful Disparate Treatment of Workers with Caregiving Responsibilities

Questions and Answers: Definition of "Job Applicant" for Internet and Related Electronic Technologies

- See: Federal Register Notice dated March 4, 2004

Revised Enforcement Guidance: Reasonable Accommodation and Undue Hardship Under the Americans With Disabilities Act *Updated October, 2002*

The Commission has re-issued the Guidance on Reasonable Accommodation and Undue Hardship to reflect a recent Supreme Court decision, US Airways, Inc. v. Barnett. The cover page of the Guidance notes where the major changes in the document are to be found. This revised version replaces the 3/1/99 Guidance.

- See also: ADA Technical Assistance Manual: Addendum *October, 2002*
- See also: Small Employers and Reasonable Accommodation *March, 1999*

Rescission of Enforcement Guidance on Remedies Available to Undocumented Workers Under Federal Employment Discrimination Laws *June, 2002*

Enforcement Guidance: Application Of The ADA To Contingent Workers Placed By Temporary Agencies And Other Staffing Firms *December, 2000*

- See also: Questions and Answers: Enforcement Guidance: Application of the ADA to Contingent Workers Placed by Temporary Agencies and Other Staffing Firms

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Commission Decision on Coverage of Contraception *December, 2000* Practice Information

- See also: Questions and Answers: Commission Decision on Coverage of Contraception

Policy Guidance On Executive Order 13164: Establishing Procedures To Facilitate The Provision Of Reasonable Accommodation *October, 2000*

- See also: Questions and Answers: Policy Guidance On Executive Order 13164: Establishing Procedures To Facilitate The Provision Of Reasonable Accommodation

Policy Guidance on Executive Order 13145: To Prohibit Discrimination in Federal Employment Based on Genetic Information *July, 2000*

- See also: Questions and Answers: Policy Guidance on Executive Order 13145: To Prohibit Discrimination in Federal Employment Based on Genetic Information *July, 2000*

Enforcement Guidance on Disability-Related Inquiries and Medical Examinations of Employees Under the Americans with Disabilities Act (ADA) *July, 2000*

- See also: Questions and Answers: Enforcement Guidance on Disability-Related Inquiries and Medical Examinations of Employees Under the Americans with Disabilities Act (ADA)

Instructions for Field Offices Analyzing ADA Charges After Supreme Court Decisions Addressing "Disability" and "Qualified" *December, 1999*

RESCINDED Enforcement Guidance on Remedies Available to Undocumented Workers Under Federal Employment Discrimination Laws *October, 1999*

- See also: Rescission of Enforcement Guidance on Remedies Available to Undocumented Workers Under Federal Employment Discrimination Laws *June, 2002*
- See also: Questions and Answers: Enforcement Guidance on Remedies Available to Undocumented Workers Under Federal Employment Discrimination Laws *October, 1999*

Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors *June, 1999*

- See also: Questions & Answers for Small Employers on Employer Liability for Harassment by Supervisors

Enforcement Guidance: Application of EEO Laws to Contingent Workers Placed by Temporary Employment Agencies and Other Staffing Firms *December, 1997*

Enforcement Guidance on Sex Discrimination in the Compensation of Sports Coaches in Educational

Institutions *October, 1997*

Policy Statement on Mandatory Binding Arbitration of Employment Discrimination Disputes as a Condition of Employment *July, 1997*

RESCINDED Enforcement Guidance on Equal Employment Opportunity Commission & Walters v. Metropolitan Educational Enterprises, Inc., 117 S.Ct. 660 (1997) *May, 1997*

EEOC Enforcement Guidance on Enforcement Guidance on Non-Waivable Employee Rights under Equal Employment Opportunity Commission (EEOC) Enforced Statutes *April, 1997*

EEOC Enforcement Guidance on the Americans with Disabilites Act and Psychiatric Disabilities *March, 1997*

EEOC Enforcement Guidance on the Effect of Representations Made in Applications for Benefits on the Determination of Whether a Person Is a "Qualified Individual with a Disability" Under the Americans with Disabilities Act of 1990 (ADA) *February, 1997*

Enforcement Guidance on O'Connor v. Consolidated Coin Caterers Corp. *September, 1996*

EEOC Enforcement Guidance: Workers' Compensation and the ADA *September, 1996*

Enforcement Guidance: Whether "Testers" Can File Charges and Litigate Claims of Employment Discrimination *May, 1996*

Enforcement Guidance on After-acquired Evidence and McKennon v. Nashville Banner Publishing Co., 115 S.Ct. 879, 65 EPD Par. 43,368 (1995) *December, 1995*

ADA Enforcement Guidance: Preemployment Disability-Related Questions and Medical Examinations *October, 1995* (Also available in PDF format)

Facts About the Family and Medical Leave Act, the Americans with Disabilities Act, and Title VII of the Civil Rights Act of 1964 *November, 1995*

Section 902: Definition of the Term "Disability" *March, 1995*

- See also: Executive Summary: Compliance Manual Section 902, Definition of the Term "Disability" *February, 2000*

Interim Enforcement Guidance on the Application of the Americans with Disabilities Act of 1990 to Disability-based Distinctions in Employer Provided Health Insurance *June, 1993* (Also available in PDF format)

Enforcement Guidance: Compensatory and Punitive Damages Available under § 102 of the Civil Rights

Act of 1991 *July, 1992*

Enforcement Guidance on Recent Developments in Disparate Treatment Theory *July, 1992*

Enforcement Guidance on Harris v. Forklift Sys., Inc. *November, 1993*

Policy Guidance on Current Issues of Sexual Harassment *March, 1990*

Policy Guidance on Employer Liability under Title VII for Sexual Favoritism *January, 1990*

Enforcement Guidance on Application of Title VII and the Americans with Disabilities Act to Conduct Overseas and to Foreign Employers Discriminating in the United States *October, 1993*

Policy Guidance on the Consideration of Arrest Records in Employment Decisions under Title VII of the Civil Rights Act of 1964 *September, 1990*

Policy Guidance on Veterans' Preference Under Title VII *August, 1990*

Policy Guidance: Religious Organizations That Pay Women Less Than Men in Accordance with Religious Beliefs *February, 1990*

Policy Guidance: Analysis of the sec. 4(f)(1) 'foreign laws' defense of the Age Discrimination in Employment Act of 1967 *December, 1989*

Policy Guidance on the use of the national security exception contained in § 703(g) of Title VII of the Civil Rights Act of 1964 *May, 1989*

Policy Guidance: Application of the Age Discrimination in Employment Act of 1967 (ADEA) and the Equal Pay Act of 1963 (EPA) to American Firms Overseas, Their Overseas Subsidiaries, and Foreign Firms *March, 1989*

Policy Statement: Whether an Employer with which an Employment Agency or Union Deals Must Have Fifteen or More Employees in Order for the Agency or Union to be Covered by Title VII *July, 1988*

Policy Statement on Ansonia Board of Education v. Philbrook and Religious Accommodation *May, 1988*

Policy Statement on Indian Preference Under Title VII *May, 1988*

Policy Statement: Religious Organization Exemption under Title VII of the Civil Rights Act of 1964, as Amended *September, 1987*

Policy Statement: Employer Standing to Bring a Charge of Discrimination Against a Labor Organization *September, 1987*

Policy Statement on the Use of Statistics in Charges Involving the Exclusion of Individuals with Conviction Records from Employment *July, 1987*

Policy Statement on Control by Third Parties Over the Employment Relationship Between an Individual and His/Her Direct Employer *May, 1987*

Policy Statement on the Issue of Conviction Records under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e et seq. (1982). *February, 1987*

Policy Statement: Application of Title VII, the ADEA, and EPA to International Organizations *December 1986*

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The U.S. Equal Employment Opportunity Commission

Memoranda of Understanding

About document formats.

Questions And Answers Regarding EEOC-Department Of Labor Memoranda Of Understanding *(April 7, 1999)*

EEOC-ESA Memorandum of Understanding Providing for Cross-Training, Referrals and Information Sharing on Compensation Discrimination Cases *(April 7, 1999)*

EEOC - OFCCP Memorandum Of Understanding Governing the Processing of Charges under Title VII and Executive Order 11246 *(April 7, 1999)*

Proposed Notice of Changes to the 1981 Memorandum of Understanding (MOU) Between EEOC and the Department of Labor (DOL) *Date of Federal Register publication 12/14/98* (also available in PDF format)

Memorandum of Understanding Between The Equal Employment Opportunity Commission and The Office of Special Counsel for Immigration Related Unfair Employment Practices *Date issued 2/3/98*

Memorandum of Understanding Between the National Association of Attorneys General and the Equal Employment Opportunity Commission *Date issued 11/12/97*

Memorandum of Understanding Between the General Counsel of the National Labor Relations Board and the Equal Employment Opportunity Commission *Date issued 11/16/93*

Memorandum of Understanding Between the FCC and EEOC *Issued 1986*

Laws, Regulations and Guidance

- Laws Enforced by EEOC
- Regulations
- Compliance Manual
- Enforcement Guidances and Related Documents
- Memoranda of Understanding

"Good Guidance" Practices

- EEOC list of guidance documents pursuant to Executive Order 12866, as amended by Executive Order 13422, and as interpreted by the Office of Management and Budget
- Other Agency Good Guidance

Practice Information

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The U.S. Equal Employment Opportunity Commission

Celebrating the 40th Anniversary of Title VII

President Lyndon B. Johnson signs the Civil Rights Act of 1964, July 2, 1964

The U.S. Equal Employment Opportunity Commission, in cooperation with the American Bar Association/ Equal Employment Opportunity Committee, the District of Columbia Bar/Labor & Employment Law Section, the Georgetown University Law Center, and the Lawyers' Committee for Civil Rights Under Law, hosted a series of panel discussions that examined the enactment and enforcement of Title VII of the Civil Rights Act of 1964, which prohibits discrimination in employment on the bases of race, color, national origin, religion, and sex.

These discussions brought together many of the leading judges, lawyers, and activists involved in the passage of Title VII and its amendments and the litigation of the landmark cases interpreting Title VII and establishing the guidelines for proving workplace discrimination. The three panels addressed (1) the initial impact of Title VII and the development of the principles used to establish discrimination; (2) efforts to enlarge the scope of Title VII and extend its protections to women and other minority groups; and (3) how Title VII was made more effective through amendments that added damages and the right to jury trials.

Each of these panels was attended by roughly 200 people. Transcripts from all three panels are now available (see below).

Press Release: Legal History Panels to Commemorate 40th Anniversary of Civil Rights Workplace Protections

Panel I - Tuesday, June 22, 2004

- *First Principles - Enacting the Civil Rights Act and Using the Courts to Challenge and Remedy Workplace Discrimination*
- Panelists
- Transcript

Panel II - Wednesday, June 23, 2004

- *Expanding the Reach - Making Title VII Work for Women and National Origin Minorities: Pregnancy, Harassment, and Language Discrimination*
- Panelists
- Transcript

Panel III - Wednesday, June 30, 2004

- *Closing the Gaps - Making Title VII More Effective for All: Damages, Jury Trials, and the Civil Rights Act of 1991*
- Panelists
- Transcript

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- Employment Statistics
- Equal Employment Opportunity Data Posted Pursuant to the No Fear Act
- Special Reports
- Census 2000 Special EEO File
- Census 2000 Data by Race and Ethnicity from the PL 94-171 Summary File

The U.S. Equal Employment Opportunity Commission

Enforcement Statistics and Litigation

The statistics presented on the following tables reflect charges of employment discrimination and resolutions under each of the statutes enforced by the Commission, and by the various types of discrimination (see Definitions of Terms at the end of each chart for an explanation of the types of resolutions).

- Charge Statistics
- All Statutes
- Americans with Disabilities Act of 1990 (ADA) Charges
- Age Discrimination in Employment Act (ADEA) Charges
- Equal Pay Act Charges
- Harassment Charges
- National Origin-Based Charges
- Pregnancy Discrimination Charges
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The U.S. Equal Employment Opportunity Commission

Employment Statistics

Job Patterns For Minorities And Women In Private Industry (EEO-1)

Job Patterns for Minorities and Women in State and Local Government (EEO-4)

Annual Report on the Federal Work Force

See also: Special Reports

This page was last modified on October 22, 2007.

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U.S. Equal Employment Opportunity Commission

Special Reports

EEOC will periodically issue special reports on various topics of interest, based on data from the EEO-1 survey, charge data, and/or other sources.

- Diversity in the Finance Industry
  [HTML] [PDF 241k]
- Retail Distribution Centers:
  How New Business Processes Impact Minority Labor Markets
  [HTML] [PDF 4.3MB]
- Diversity in the Media
  [HTML] [PDF 5.6MB]
- High End Department Stores, Their Access to and Use of Diverse Labor Markets
  - Summary Report [HTML] [PDF]
  - Technical Report [HTML] [PDF]
- Women of Color: Their Employment in the Private Sector
  [HTML] [PDF]
- Investment Banking Report
- Broadcasting Report
- Characteristics of Private Sector Employment Report
  [HTML][PDF 1.22 MB]
- Diversity in Law Firms
  [HTML] [PDF 8.95 MB]
- Glass Ceilings: The Status of Women as Officials and Managers in the Private Sector
  [HTML] [PDF]

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U.S. Equal Employment Opportunity Commission

Information on the Census 2000 Special EEO File

A Consortium of Federal agencies consisting of the Equal Employment Opportunity Commission (EEOC), Department of Justice (DOJ), Department of Labor (DOL) and Office of Personnel Management (OPM) entered into a reimbursable agreement with the U.S. Census Bureau (the Bureau) to construct the Census 2000 Special EEO File. The basic File was released in December 2003 and contains data similar to that in comparable files from the 1970, 1980 and 1990 censuses. The Special EEO File will serve as the primary external benchmark for comparing the racial, ethnic and gender composition of an internal workforce, within a specified geography and job category, and the analogous external labor market.

Availability of the Census 2000 Special EEO File Datasets and Related Information

Specifications for the Census 2000 Special EEO File

The following sections provide an introduction to the detailed specifications for the EEO File.

- *Introduction to Variables and Values for the Census 2000 Special EEO File*
- *Introduction to Race and Ethnic (Hispanic Origin) Data for the Census 2000 Special EEO File*
- *Occupational Data and Occupational Groups for the Census 2000 Special EEO File*
- *Census 2000 Special EEO File Crosswalk from Census Codes and 2000 SOC Codes to the EEO Occupational Groups and the EEO-1 Job Categories*
- *Census 2000 Special EEO File Crosswalk from Census Codes and 2000 SOC Codes to the State and Local Job Categories*
- *Census 2000 Industry Categories for the Special EEO File*
- *Overview of Geographic Areas*
- *Guidelines for Creating and Naming Aggregated County Areas for Counties Containing fewer than 50,000 Persons for Residence Datasets for the Census 2000 Special EEO File*
- *County Set Areas for Residence Datasets for the Census 2000 Special EEO File* (also available as Excel and Quattro Pro spreadsheets)
- *Introduction to Tables for the Census 2000 Special EEO File*
- *Census 2000 Special EEO File Table Specifications and Corresponding Datasets*
- *Census 2000 Special EEO File Questions and Answers*

Notification of Updates to the Census 2000 Special EEO File

If there are any updates for the EEO File, they will be incorporated into this document as soon as

possible. In addition, a history of changes will be available in a separate section of this document by the date of change. The modifications, deletions and additions will be in chronological order and will contain both the previous and current versions for comparative purposes.

- *History of Changes to Specifications for the Census 2000 Special EEO File*

This page was last modified on December 30, 2003.

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The U.S. Equal Employment Opportunity Commission

Equal Employment Opportunity Data Posted Pursuant to the No Fear Act

Section 301 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (the No Fear Act), requires each federal agency to post summary statistical data pertaining to complaints of employment discrimination filed against it by employees, former employees and applicants for employment under 29 C.F.R. Part 1614. The specific data to be posted is described in section 301(b) of the Act and 29 CFR 1614.704. The required summary statistical data for EEO complaints filed against the EEOC is available below.

In addition, section 302 of the No Fear Act requires EEOC to post government-wide, summary statistical data pertaining to hearings requested under 29 C.F.R. Part 1614 and appeals filed with EEOC. The specific data to be posted is described in section 302(a) of the Act and 29 CFR 1614.706. That data is also available below. The posting of EEO data on agency public web sites is intended to assist Congress, Federal agencies and the public to assess whether and the extent to which agencies are living up to their equal employment opportunity responsibilities.

Current Data

- EEOC Internal Complaint Activity | PDF Version
- Government-Wide Hearings
- Government-Wide Appeals
- Federal Agency Data

Posting Requirements

- Final Rule: Posting Requirements in Federal Sector Equal Employment Opportunity -Title III of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174. *Federal Register Notice, August 2, 2006* [PDF]
- Uniform Posting Format: Excel file | Uniform Posting Format: HTML file

No FEAR Act Questions and Answers

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- Office of General Counsel Annual Report: Fiscal Year 2003
- Office of General Counsel Annual Report: Fiscal Year 2002
- Commission Appellate and Amicus Briefs

The U.S. Equal Employment Opportunity Commission

EEOC Litigation Statistics, FY 1997 through FY 2006

The table below reflects EEOC enforcement suits filed and resolved in the federal district courts over the past ten years. The table divides the suits by the various statutes enforced by the EEOC and provides aggregate data on monetary relief obtained. Note that many EEOC suits are brought on behalf of multiple aggrieved individuals. The lawsuits are filed under the various statutes enforced by the Commission:

- Title VII of the Civil Rights Act of 1964 (Title VII)
- The Americans with Disabilities Act of 1990 (ADA)
- The Age Discrimination in Employment Act of 1967 (ADEA)
- The Equal Pay Act of 1963 (EPA)

Litigation Statistics, FY97 through FY06

	FY 1997	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Suits										
All Suits Filed	332	414	465	329	428	370	400	421	416	403
Merits Suits	300	374	438	292	388	342	366	378	381	371
Suits with Title VII Claims	182	254	341	236	289	268	298	297	295	294
Suits with ADA Claims	83	87	55	29	66	44	49	46	49	42
Suits with ADEA Claims	42	44	47	33	42	39	27	46	44	50
Suits with EPA Claims	4	10	9	9	14	12	12	5	13	10
Suits filed under multiple statutes[1]	11	19	13	14	19	19	19	14	17	22
Subpoena and Preliminary Relief Actions	32	40	27	37	40	28	34	43	35	32
Resolutions										
All Resolutions	243	331	350	440	362	381	381	380	378	418
Merits Suits	214	295	320	407	321	351	351	346	338	383
Suits with Title VII Claims	132	189	211	315	232	266	275	277	259	295

Suits with ADA Claims	49	73	74	53	48	65	50	43	41	50
Suits with ADEA Claims	38	38	51	41	39	26	35	34	45	50
Suits with EPA Claims	7	4	7	6	15	9	13	9	12	8
Suits filed under multiple statutes	12	9	22	8	12	15	21	14	18	17
Subpoena and Preliminary Relief Actions	29	36	30	33	41	30	30	34	40	35
Monetary Benefits ($ in millions)[2]	114.7	95.6	98.7	52.2	49.8	56.2	146.6	168.6	104.8	44.3
Title VII	95.0	62.0	49.2	35.0	33.6	29.2	85.1	158.5	98.0	34.3
ADA	1.1	2.8	2.9	2.9	2.3	15.1	2.3	2.5	3.4	2.8
ADEA	18.0	29.8	42.8	13.8	3.1	1.4	57.8	5.4	2.4	5.1
EPA	0.0	0.0	0.0	0.2	0.2	0.2	0.0	0.0	0.0	0.0
Suits filed under multiple statutes[3]	0.5	1.0	3.8	0.4	10.7	10.3	1.5	2.3	1.0	2.1

1 Suits filed under multiple statutes are also included in the tally of suits filed under the particular statutes.
2 The sum of the statute benefits in some years will be less than total benefits for the year due to rounding.
3 Monetary benefits recovered in suits filed under multiple statutes are counted separately and are not included in the tally of suits filed under any particular statute.

Note that to improve the clarity and completeness of the data on our litigation activities, we have changed the format for presenting the count of cases filed and resolved by statute. Previously, cases were included in a statute's count only if that statute was the only statute involved. Suits filed under multiple statutes were listed in a separate "concurrent" category. The new format includes suits under each statute alleged, resulting in some suits being counted in more than one statute. There is no longer a concurrent category.

In addition, recent data validation efforts have caused changes in some of the counts, and in the annual amounts of monetary benefits.

Historical data

Definitions

Merits suits include direct suits and interventions alleging violations of the substantive provisions of the statutes enforced by the Commission and suits to enforce administrative settlements.

Intervention is where the EEOC joins a lawsuit that has been filed by a private plaintiff.

Subpoena enforcement actions are filed during the course of the investigation of a charge of discrimination where the Respondent refuses to provide information relevant to the charge.

Suits to enforce administrative settlements involve a Respondent's breach of an agreement with the EEOC to settle a charge during the administrative process.

This page was last modified on January 31, 2007.

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The U.S. Equal Employment Opportunity Commission

EEOC Litigation Settlements Monthly Reports

PLEASE NOTE: These reports have been discontinued.

The following are brief descriptions of the some of the significant settlements reached by EEOC District Office Legal Units.

- June, 2006
- May, 2006
- April, 2006
- March, 2006
- January, 2006
- December, 2005
- November, 2005
- October, 2005
- September, 2005
- August, 2005
- July, 2005
- June, 2005
- May, 2005
- April, 2005
- March, 2005
- February, 2005
- January, 2005
- December,2004
- November, 2004
- October, 2004
- September, 2004
- August, 2004

- July, 2004
- June, 2004
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- February, 2004
- January, 2004
- December, 2003
- November, 2003
- October, 2003
- September, 2003
- August, 2003
- July, 2003
- June, 2003
- May, 2003
- April, 2003
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- February, 2003
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Regional Attorneys' Manual

Office of General Counsel

April 2005

Statement of the General Counsel

I am pleased to issue the *Regional Attorneys' Manual*, developed by the Equal Employment Opportunity Commission's Office of General Counsel. As indicated in the Introduction, this *Manual* supercedes the *Regional Attorneys' Deskbook*, which is hereby revoked.

Eric S. Dreiband, April 29, 2005

Introduction

This Equal Employment Opportunity Commission (EEOC or Commission) *Regional Attorneys' Manual* supercedes the *Regional Attorneys' Deskbook* issued in 1990 and revised in 1992. The *Manual* is in four parts. Part 1, *Administrative and Support Information*, contains information on the structure and functions of the EEOC's Office of General Counsel (OGC), OGC policies and procedures, and Commission policies. Part 2, *Initiating Litigation*, discusses prelitigation procedures, delegation of litigation authority, and obtaining approval for cases requiring General Counsel or Commission authorization. Part 3, *Conducting Litigation*, covers various trial practice matters, settlement standards and procedures, appeal procedures, and the professional responsibilities of OGC attorneys. Finally, Part 4, *Resources and Technical Assistance*, contains information on obtaining internal and external expert services, obtaining nonexpert litigation support services, and monitoring contracts. Since the *Manual* is available electronically on the Commission's Web site, it contains references and hyperlinks to resources available on the Commission's Web site as well as elsewhere on the Internet.

The *Regional Attorneys' Manual* has been developed and distributed by the EEOC's Office of General Counsel exclusively to provide internal guidance and practical support to Regional Attorneys in connection with their management of EEOC legal units. The *Manual* shall not be construed as creating any right or benefit, substantive or procedural, enforceable at law or in equity against the EEOC or its employees. The *Manual* shall not be construed to create any right to judicial review involving the compliance or noncompliance of the EEOC or its employees with any matter dealt with in the *Manual*.

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The U.S. Equal Employment Opportunity Commission

Commission Appellate and Amicus Briefs

Last updated October 24, 2007

The EEOC, under the direction of the General Counsel, represents itself in United States District Courts and in the Circuit Courts of Appeals. While Commission attorneys work on Supreme Court matters, in that Court however, the Commission is represented by the Solicitor General of the United States.

In court enforcement actions, the EEOC's formal legal views are set forth in a document called a "brief" or legal memorandum. Generally, such legal memoranda discuss the application of previously announced Commission policy guidance or explain Agency practices in the context of specific fact situations.

The briefs which have been selected for inclusion on this web site, are those which have generally been filed in the United States Courts of Appeal, and which discuss significant legal issues which could affect the manner in which employment laws are interpreted. Briefs in the Supreme Court, either where the Commission is a party or appears as amicus curiae, or "friend of the court", are not reproduced on this web site because such memoranda are submitted by the Solicitor General of the United States at the Department of Justice, and are available at http://www.usdoj.gov/osg/.

Search: Search Help

Search Tips

Enter search terms in the box above. If you would like to find a particular brief, and you know either the case name or the docket number, you may enter the name or number as a search term. If you are looking for briefs on a particular topic, you may enter words or phrases related to that topic as search terms.

Phrases must be in quotation marks (" "). If you wish to combine words or phrases in your search, you may use four different connecting words: ADJ (adjacent), AND, OR, and NOT. Please note that these connecting words must be in capital letters. For example, to locate briefs concerning hostile work environment due to sexual harassment, you might combine two phrases with the connector AND as follows: "hostile work environment" AND "sexual harassment".

A portion of a word followed by an asterisk will locate all words containing that portion of a word. For example: harass* will retrieve both harassment and harassing.

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The U.S. Equal Employment Opportunity Commission

No-Cost Outreach Programs

EEOC's outreach programs provide general information about the EEOC, its mission, the employment discrimination laws enforced by EEOC and the charge/complaint process. EEOC representatives are available on a limited basis at no cost to make presentations and participate in meetings, conferences and seminars with employee and employer groups, professional associations, students, non-profit entities, community organizations and other members of the general public.

Many EEOC offices have bilingual staff available to make presentations. EEOC information materials and other publications are available at no cost, including many in languages other than English.

Does your group need a speaker for an upcoming conference or seminar? An EEOC representative may be available to provide a general overview of the laws enforced by EEOC and EEOC charge processing procedures, including mediation.

Are you holding a business EXPO, job fair or community event? EEOC representatives may be available to participate and disseminate information.

Are you a small business? EEOC's web site includes a special section with small business information. For your convenience, EEOC field offices have designated small business liaisons to answer questions and provide assistance to small businesses.

EEOC conducts free workshops on the Americans with Disabilities Act (ADA) for small businesses and individuals with disabilities. These workshops, which include information on tax incentives, community resources, and the rights and responsibilities of employers and employees, are aimed at encouraging businesses with 15 to 100 employees to hire individuals with disabilities and assisting individuals who are entering the workforce to understand the ADA.

EEOC Outreach Program Coordinators want to hear from you!

Fee-Based Training

EEOC also offers more "in-depth" training tailored to an employer for a fee. This training is available to private employers and state, local and federal government personnel through the EEOC Training Institute. The EEOC Training Institute provides a wide variety of training to assist employers in educating their managers and employees on the laws enforced by EEOC and how to prevent and correct discrimination in the workplace. Visit the EEOC Training Institute to learn more about the courses, seminars and products developed by the experts.

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The U.S. Equal Employment Opportunity Commission

Publications Request Form

Many of the publications listed below are available on the EEOC web site and may be downloaded or printed directly from the site. Select linked publications if you wish to go to the document on the web site. Alternate formats (Braille, large print, etc.) may be ordered from EEOC's Office of Communications and Legislative Affairs, at 202-663-4191 or TTY 202-663-4494.

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The U.S. Equal Employment Opportunity Commission

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The law requires an employer to post notices describing the Federal laws prohibiting job discrimination based on race, color, sex, national origin, religion, age, equal pay and disability. EEOC's poster is available in English, Arabic, Chinese and Spanish. You may order up to 10 copies from this website.

If you need more than ten copies of the poster, please contact:

U.S. Equal Employment Opportunity Commission Clearinghouse
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Annapolis Junction, MD 20701

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