

Department of Veterans Affairs
Equal Employment Opportunity data Posted Pursuant to the No FEAR Act:
Internal Complaint Activity
Veterans Health Administration

29 CFR §1614.704(a) - (c)	29 CFR §1614.705 Comparative Data					
Complaint Activity	Previous Fiscal Year Data					2008 Q4
	2003	2004	2005	2006	2007	
Number of Complaints Filed in FY 1614.704(a)	2033	2011	1903	1837	1705	1847
Number of Complainants 1614.704(b)	1839	1831	1749	1681	1566	1715
Repeat Filers 1614.704(c)	161	180	154	134	118	118

29 CFR §1614.704(d)	29 CFR §1614.705 Comparative Data					
Complaints by Basis	Previous Fiscal Year Data					2008 Q4
	2003	2004	2005	2006	2006	
Race	1146	643	676	1172	1105	1288
Color	101	71	39	67	104	87
Religion	31	99	51	53	88	157
Reprisal	1123	688	635	1264	1167	1441
Sex	813	506	428	852	793	942
National Origin	208	96	124	326	235	94
Equal Pay Act						21
Age	487	471	373	812	609	751
Disability	797	420	467	859	735	875
Other	0	0	0	0	86	0
Non-EEO						

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29 CFR §1614.704(e)	29 CFR §1614.705 Comparative Data					
Complaints by Issue	Previous Fiscal Year Data					2008 Q4
	2003	2004	2005	2006	2007	
Appointment/Hire	97	100	60	193	98	91
Assignment of Duties	230	154	143	267	133	162
Awards	30	23	21	45	42	30
Conversion to Full-time	1	4	6	7	3	1
Disciplinary Action	506	500	318	483	376	293
Demotion	14	10	7	2	14	10
Reprimand	63	48	45	79	64	54
Suspension	77	86	80	192	116	97
Removal	238	181	85	0	71	55
Other	114	175	101	210	111	77
Duty Hours	66	60	51	129	46	54
Evaluation Appraisal	74	64	55	155	113	107
Examination/Test	5	6	5	4	1	1
Harassment	1584	1039	701	1732	1446	1289
Non-Sexual	1497	994	648	1652	1325	1232
Sexual	87	45	53	80	121	57
Medical Examination	4	1	6	14	15	9
Pay (Including Overtime)	30	51	83	127	122	115
Promotion/Non-Selection	287	619	382	750	587	555
Reassignment	106	0	84	171	101	69
Denied						
Directed						
Reasonable Accommodation	126	82	110	147	77	98
Reinstatement	13	5	2	1	1	2
Retirement	17	12	31	46	33	17
Termination	44	5	138	236	162	159
Terms/Conditions of Employment	169	171	62	99	56	41
Time and Attendance	261	41	168	297	199	175
Training	79	66	54	86	58	45
Other	0	0	0	0	335	347

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29 CFR §1614.704(f)													
Processing Time "...post the average length of time it takes to complete each step of the process for every complaint that is pending during any time of the then fiscal year..."		Previous Fiscal Year Data										Num.	Ave. Days
		Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days	2008	
		2003		2004		2005		2006		2007			
		All complaints pending in Investigative Stage	1614.704	944	129.7	687	73	1154	132	823	177	401	119
All complaints pending in Final Agency Action Stage	(f) (1)	236	212	584	399	641	78	94	605	178	440	155	434
All complaints pending in which Hearing was not requested	1614.704 (f) (2)	NA	NA	554	313	641	238						
Time in Investigation Stage		NA	NA	554	226	641	160	395	296	388	285	501	262
Time to issue Final Agency Action		NA	NA	554	77	641	78	395	73	388	66	501	69*
All complaints pending in which a Hearing was requested	1614.704 (f) (3)	NA	NA	492	238	513	168						
Time in Investigation Stage		NA	NA	492	221	513	160	338	224	295	235	265	201
Time to issue Final Agency Action		485	19	492	17	513	8	338	11	295	13	265	8

** This figure includes the average delay in getting the file to the Department's adjudication office (OEDCA) in VA's Central Office of 14 days; said delay computed from start of Final Action Stage [see Sec. 1614.702(g)] to receipt of investigative file in OEDCA. Actual processing time in OEDCA wa. 55 days.*

29 CFR §1614.704(g)	29 CFR §1614.705 Comparative Data					
Complaints Dismissed by Agency Pursuant to 1614.107(a)	Previous Fiscal Year Data					2008 Q4
	2003	2004	2005	2006	2007	
Total Complaints Dismissed by Agency	409	433	465	377	373	345
Average days pending prior to dismissal	86.7	72.8	59	52.9	54.5	55.7

29 CFR §1614.704(h)	29 CFR §1614.705 Comparative Data					2008 Q4
Complaints Withdrawn by Complainants	Previous Fiscal Year Data					
	2003	2004	2005	2006	2007	
Total Complaints Withdrawn by Complainants	268	207	185	165	200	175

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29 CFR §1614.704(k)	29 CFR §1614.705 Comparative Data											
Findings of Discrimination Rendered by Issue	Previous Fiscal Year Data										2008	
	2003		2004		2005		2006		2007			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(k)(1)	40		34		29		17		32		22	100%
Appointment/Hire	1	3%	2	6%	1	3%	4	24%	1	3%		
Assignment of Duties			1	3%	1	3%			2	6%	1	4%
Awards					1	3%			2	6%		
Conversion to Full-time												
Disciplinary Action	4	10%	5	15%	3	10%			1	3%	2	9%
Demotion	2	5%										
Reprimand	2	5%	1	3%					1	3%		
Suspension			1	3%	2	7%					2	9%
Removal			1	3%								
Other			2	6%	1	3%						
Duty Hours									1	3%		
Evaluation Appraisal	3	8%							1	3%		
Examination/Test					1	3%					1	4%
Harassment	14	35%	10	29%	6	21%	2	12%	3	9%	6	27%
Non-Sexual	11	28%	9	26%	4	14%	1	6%	3	9%	3	14%
Sexual	3	8%	1	3%	2	7%	1	6%			3	14%
Medical Examination					2	7%			1	3%	1	4%
Pay (Including Overtime)	7	18%					1	6%	2	6%		
Promotion/Non-Selection	10	25%	6	18%	5	17%	3	18%	9	28%	3	14%
Reassignment	1	3%			1	3%			2	6%	4	18%
Denied	1	3%										
Directed					1	3%			2	6%	4	18%
Reasonable Accommodation	9	23%	7	21%	6	21%	4	24%	6	19%	3	14%
Reinstatement												
Retirement												
Termination	3	8%	4	12%	8	28%	3	18%	6	19%	4	18%
Terms/Conditions of Employment	4	10%	3	9%								
Time and Attendance			2	6%	4	14%			1	3%	1	4%
Training			1	3%			1	6%				
Other			6	18%	1	3%			5	16%	6	27%

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29 CFR §1614.704(k) Findings of Discrimination Rendered by Issue	29 CFR §1614.705 Comparative Data											
	Previous Fiscal Year Data										2008	
	2003		2004		2005		2006		2007			
	#	%	#	%	#	%	#	%	#	%	#	%
Findings After Hearing 704(k)(3)	30		21		18		12		27		11	50%
Appointment/Hire	1	100%	1	50%			4	100%	1	100%		
Assignment of Duties					1	100%			2	100%		
Awards					1	100%			2	100%		
Conversion to Full-time												
Disciplinary Action	3	75%	2	40%	2	67%			1	100%	1	50%
Demotion	1	50%										
Reprimand	1	50%	1	100%					1	100%		
Suspension	1	3%	1	100%	1	50%					1	50%
Removal												
Other					1	3%						
Duty Hours									1	100%		
Evaluation Appraisal	2	67%							1	100%		
Examination/Test												
Harassment	9	64%	7	70%	5	83%	2	100%	2	67%		
Non-Sexual	7	64%	7	78%	4	100%	1	100%	2	67%		
Sexual	2	67%			1	50%	1	100%				
Medical Examination					1	50%			1	100%		
Pay (Including Overtime)	7	100%							2	100%		
Promotion/Non-Selection	9	90%	5	83%	4	80%	2	67%	8	89%	3	100%
Reassignment					1	100%			2	100%	2	50%
Denied											0	
Directed					1	100%			2	100%	2	50%
Reasonable Accommodation	5	56%	5	71%	2	33%	2	50%	5	83%	1	33%
Reinstatement												
Retirement												
Termination	1	33%	2	50%	5	63%	3	100%	4	67%	2	50%
Terms/Conditions of Employment	1	25%	2	67%								
Time and Attendance			2	100%	4	100%			1	100%	1	100%
Training			1	100%			1	100%				
Other			5	83%					5	100%	3	50%

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Findings of Discrimination Rendered by Issue	Previous Fiscal Year Data										2008	
	2003		2004		2005		2006		2007		#	%
	#	%	#	%	#	%	#	%	#	%		
Total Number Findings 704(k)(1)	40		34		29		17		32		11	50%
Findings Without Hearing 704(k)(2)	10		13		11		5		27	84%	11	50%
Appointment/Hire			1	50%	1	100%						
Assignment of Duties			1	100%								
Awards												
Conversion to Full-time												
Disciplinary Action	2	50%	3	60%	1	33%					1	50%
Demotion	1	50%										
Reprimand	1	50%										
Suspension					1	50%					1	50%
Removal			1	100%								
Other			2	100%								
Duty Hours												
Evaluation Appraisal	1	33%										
Examination/Test											1	100%
Harassment	5	38%	3	30%	1	17%			1	33%	6	100%
Non-Sexual	4	57%	2	22%					1	33%	3	100%
Sexual	1	33%	1	100%	1	50%					3	100%
Medical Examination					1	50%						
Pay (Including Overtime)							1	100%				
Promotion/Non-Selection	1	10%			1	20%	1	33%	1	11%		
Reassignment	1	100%									2	50%
Denied	1	100%									0	
Directed											2	50%
Reasonable Accommodation	4	44%	2	33%	4	67%	2	50%	1	17%	2	67%
Reinstatement												
Retirement												
Termination	2	67%	2	50%	3	38%			2	33%	2	50%
Terms/Conditions of Employment	3	75%	1	33%								
Time and Attendance												
Training												
Other			1	17%	1	100%					3	50%

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29 CFR §1614.704(l)	29 CFR §1614.705 Comparative Data					
Complaints Pending From Previous Fiscal Years by Status	Previous Fiscal Year Data					2008 Q4
	2003	2004	2005	2006	2007	
Total complaints from previous Fiscal Years 704(l)(1)	2809	899	641	446	638	518
Total Complainants 704(l)(2)	NA*	792	550	407	570	468
Number complaints pending: 704(l)(3)						
Investigation	944	7	6	17	2	0
ROI issued, pending Complainant's action	NA*	55	5	12	3	5
Hearing	1414	696	528	373	531	453
Final Agency Action	212	141	102	43	80	46
Appeal with EEOC Office of Federal Operations	NA*	NA*	NA*	NA*	NA	14

29 CFR §1614.704(m)	29 CFR §1614.705 Comparative Data					
Complaint Investigations	Previous Fiscal Year Data					2008 Q4
	2003	2004	2005	2006	2007	
Number Pending Completion of Investigation	944	687	558	258	401	485
Pending Investigations Over Required Time Frames	NA*	15	39	66	38	30