

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

29 CFR §1614.704(a) - (c)	29 CFR §1614.705 Comparative Data					2013
Complaint Activity	Previous Fiscal Year Data					
	2008	2009	2010	2011	2012	
Number of Complaints Filed in FY 1614.704(a)	145	143	146	181	155	137
Number of Complainants 1614.704(b)	132	136	138	167	148	130
Repeat Filers 1614.704(c)	16	8	10	16	10	7

29 CFR §1614.704(d)	29 CFR §1614.705 Comparative Data					2013
Complaints by Basis	Previous Fiscal Year Data					
	2008	2009	2010	2011	2012	
Race	82	215	117	71	57	43
Color	12	15	15	7	2	5
Religion	4	7	12	5	2	3
Reprisal	91	126	109	53	60	47
Sex	68	139	73	57	36	34
National Origin	4	4	1	9	5	9
Equal Pay Act	0	0	0	0	0	0
Age	54	136	106	61	43	29
Disability	71	137	137	75	71	72
Other	0	0	0	0	0	0
Non-EEO						

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29 CFR §1614.704(e)  Complaints by Issue	29 CFR §1614.705 Comparative Data					2013
	Previous Fiscal Year Data					
	2008	2009	2010	2011	2012	
Appointment/Hire	6	7	2	6	2	7
Assignment of Duties	8	6	6	10	4	9
Awards	4	2	2	5	1	2
Conversion to Full-time	0	0	0	0	0	0
<b>Disciplinary Action</b>	<b>23</b>	<b>31</b>	<b>21</b>	<b>30</b>	<b>20</b>	<b>26</b>
Demotion	0	2	2	3	2	2
Reprimand	2	3	4	8	2	5
Suspension	6	5	4	5	1	10
Removal	5	7	2	5	5	3
Other	10	14	9	9	10	6
Duty Hours	2	2	1	0	4	1
Evaluation Appraisal	4	8	5	8	8	6
Examination/Test	0	0	1	0	0	0
<b>Harassment</b>	<b>45</b>	<b>157</b>	<b>100</b>	<b>83</b>	<b>73</b>	<b>62</b>
Non-Sexual	39	144	98	78	66	59
Sexual	6	13	2	5	7	3
Medical Examination	0	0	1	0	0	0
Pay (Including Overtime)	1	0	4	2	7	7
Promotion/Non-Selection	65	41	31	45	39	22
<b>Reassignment</b>	<b>3</b>	<b>6</b>	<b>3</b>	<b>2</b>	<b>3</b>	<b>3</b>
Denied						
Directed						
Reasonable Accommodation	15	12	12	29	24	37
Reinstatement	0	0	0	0	0	0
Retirement	1	2	4	2	2	0
Termination	14	21	29	21	12	9
Terms/Conditions of Employment	1	0	3	1	3	4
Time and Attendance	9	15	6	11	9	11
Training	4	5	8	6	8	3
Other	33	31	37	29	19	22

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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..."		29 CFR §1614.704(f)										Num.	Ave. Days
		Previous Fiscal Year Data											
		Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days		
		2008		2009		2010		2011		2012			
All complaints pending in Investigative Stage	1614.704	36	127	27	103	45	107.2	42	111.1	44	127.0	54	171.9
All complaints pending in Final Agency Action Stage	(f) (1)	12	294	16	444	14	631.2	26	555.4	28	521.9	16	599.6
All complaints pending in which Hearing was not requested	1614.704												
	(f) (2)	31	231	16	444	13	539.5	23	496.2	26	508.0	13	466.4
Time in Investigation Stage		31	172	16	171	13	180.3	23	182.0	26	168.7	13	199.3
Time to issue Final Agency Action		31	59	30	82	27	114*	26	*122	35	*187	37	145
All complaints pending in which a Hearing was requested	1614.704												
	(f) (3)	14	193	93	553	92	599.0	103	560.8	111	596.6	96	731.2
Time in Investigation Stage		14	183	93	185	92	177.1	103	183.7	111	179.0	96	197.3
Time to issue Final Agency Action		14	10	17	13	15	18	27	11	15	19	20	15

\* This figure includes the average delay getting the file to Department's adjudication office (OEDCA) in VA's Central Office of 31 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 was 114 days.

29 CFR §1614.704(g)	29 CFR §1614.705 Comparative Data					2013
Complaints Dismissed by Agency Pursuant to 1614.107(a)	Previous Fiscal Year Data					
	2008	2009	2010	2011	2012	
Total Complaints Dismissed by Agency	19	33	21	37	24	26
Average days pending prior to dismissal	40.68	50.6	46.4	51.1	60.8	49.9

29 CFR §1614.704(h)	29 CFR §1614.705 Comparative Data					2013
Complaints Withdrawn by Complainants (h)	Previous Fiscal Year Data					
	2008	2009	2010	2011	2012	
Total Complaints Withdrawn by Complainants	12	15	10	18	15	1

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29 CFR §1614.704(i)  Total Final Agency Actions Finding Discrimination	29 CFR §1614.705 Comparative Data										2013	
	Previous Fiscal Year Data											
	2008		2009		2010		2011		2012			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(i)(1)	2		3	100%	2	100%	1	100%	5	100%	2	100%
Without Hearing 704(i)(2)	1	50%	1	33%	0	0%	0	0%	2	40%	1	50%
With Hearing 704(i)(3)	1	50%	2	67%	2	100%	1	100%	3	60%	1	50%

29 CFR §1614.704(j)  Findings of Discrimination Rendered by Basis	29 CFR §1614.705 Comparative Data										2013	
	Previous Fiscal Year Data											
	2008		2009		2010		2011		2012			
	#	%	#	%	#	%	#	%	#	%	#	%
<b>Total Number Findings 704(j)(1)</b>	2	100%	3	100%	2	100%	1	100%	5	100%	2	100%
Race			1	33%	0	0%			1	20%		
Color					0	0%						
Religion					0	0%						
Reprisal	1	50%			1	50%					1	50%
Sex					0	0%	1	100%	2	40%		
National Origin					0	0%					1	50%
Equal Pay Act					0	0%						
Age			2	67%	1	50%						
Disability	1	50%	1	33%	0	0%			3	60%		
Non EEO					0	0%						



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29 CFR §1614.704(k)  Findings of Discrimination Rendered by Issue	29 CFR §1614.705 Comparative Data										2013	
	Previous Fiscal Year Data											
	2008		2009		2010		2011		2012			
	#	%	#	%	#	%	#	%	#	%	#	%
<b>Total Number Findings 704(k)(1)</b>	2		3	100%	2	100%	1	100%	5	100%	2	100%
Appointment/Hire												
Assignment of Duties												
Awards												
Conversion to Full-time												
Disciplinary Action												
Demotion												
Reprimand												
Suspension												
Removal												
Other												
Duty Hours												
Evaluation Appraisal	1	50%										
Examination/Test												
Harassment												
Non-Sexual									1	20%		
Sexual												
Medical Examination												
Pay (Including Overtime)												
Promotion/Non-Selection			2	67%	1	50%	1	100%	1	20%		
Reassignment												
Denied												
Directed												
Reasonable Accommodation	1	50%	1	33%					3	60%		
Reinstatement												
Retirement												
Termination	1	50%									1	50%
Terms/Conditions of Employment												
Time and Attendance												
Training												
Other					1	50%			1	20%	1	50%

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	Previous Fiscal Year Data											
	2008		2009		2010		2011		2012			
	#	%	#	%	#	%	#	%	#	%	#	%
<b>Total Number Findings Without Hearing - 704(k)(2)</b>	1	50%	1	33%	0	0%	0	0%			1	50%
Appointment/Hire												
Assignment of Duties												
Awards												
Conversion to Full-time												
Disciplinary Action												
Demotion												
Reprimand												
Suspension												
Removal												
Other												
Duty Hours												
Evaluation Appraisal												
Examination/Test												
Harassment												
Non-Sexual												
Sexual												
Medical Examination												
Pay (Including Overtime)												
Promotion/Non-Selection												
Reassignment												
Denied												
Directed												
Reasonable Accommodation	1	100%	1	100%					2	67%		
Reinstatement												
Retirement												
Termination												
Terms/Conditions of Employment												
Time and Attendance												
Training												
Other									1	100%	1	100%

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29 CFR §1614.704(k)  Findings of Discrimination Rendered by Issue	29 CFR §1614.705 Comparative Data										2013	
	Previous Fiscal Year Data											
	2008		2009		2010		2011		2012		#	%
#	%	#	%	#	%	#	%	#	%	#	%	
<b>Total Number Findings 704(k)(1)</b>	2	100%	3		2	100%	1	100%			2	100%
<b>Findings After Hearing 704(k)(3)</b>	1	50%	2	67%	2	100%	1	100%			1	50%
Appointment/Hire												
Assignment of Duties												
Awards												
Conversion to Full-time												
Disciplinary Action												
Demotion												
Reprimand												
Suspension												
Removal												
Other												
Duty Hours												
Evaluation Appraisal	1	100%										
Examination/Test												
Harassment												
Non-Sexual									1	100%		
Sexual												
Medical Examination												
Pay (Including Overtime)												
Promotion/Non-Selection			2	100%	1	100%	1	100%	1	100%		
Reassignment												
Denied												
Directed												
Reasonable Accommodation									1	33%		
Reinstatement												
Retirement												
Termination	1	100%									1	100%
Terms/Conditions of Employment												
Time and Attendance												
Training												
Other					1	100%						

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29 CFR §1614.704(l)	29 CFR §1614.705 Comparative Data					2013
Complaints Pending From Previous Fiscal Years by Status	Previous Fiscal Year Data					
	2008	2009	2010	2011	2012	
Total complaints from previous Fiscal Years 704(l)(1)	39	68	74	88	103	96
Total Complainants 704(l)(2)	35	58	70	79	95	90
<b>Number complaints pending: 704(l)(3)</b>						
Investigation	0	0	0	0	0	1
ROI issued, pending Complainant's action	0	2	0	1	0	0
Hearing	36	57	62	67	81	79
Final Agency Action	6	8	9	14	16	10
Appeal with EEOC Office of Federal Operations	NA	1	3	6	6	6
*Do not track						

29 CFR §1614.704(m)	29 CFR §1614.705 Comparative Data					2013
Complaint Investigations	Previous Fiscal Year Data					
	2008	2009	2010	2011	2012	
Number Pending Completion of Investigation	36	27	45	42	44	54
Pending Investigations Over Required Time Frames	5	4	1	0	1	14