

COMPONENT: U.S. Department of Justice

| EEO COMPLAINT DATA | 1st Quarter FY 2004 | 2nd Quarter FY 004 | 3rd Quarter FY 2004 | 4th Quarter FY 2004 | Year to Date Total |
|--|---|---|---|--------------------------------|-------------------------------|
| I. Number of Complaints | | | | | |
| A. Pending at the beginning of the quarter | 1,211 | 1,194 | 1,142 | 1,110 | 1,110 |
| B. Filed during the quarter | 162 | 127 | 152 | 143 | 584 |
| C. Pending, at any time, during the quarter | 1,373 | 1,321 | 1,299 | 1,253 | 1,253 |
| II. Number of Filers | 1st Quarter FY 2004 | 2nd Quarter FY 2004 | 3rd Quarter FY 2004 | 4th Quarter FY 2004 | Year to Date Total |
| A. Who had a complaint pending at the start of the quarter | 1,148 | 1,133 | 1,093 | 1,066 | 1,066 |
| B. Who filed a complaint during this quarter | 162 | 142 | 152 | 137 | 593 |
| C. Who had a complaint pending at any time during this quarter | 1,309 | 1,195 | 1,241 | 1,198 | 1,198 |
| D. Who filed two or more complaints during this quarter | 0 | 0 | 2 | 4 | 4 |
| III. Breakdown of all Complaints filed during this quarter by basis and issue | 1st Quarter FY 2004 | 2nd Quarter FY 2004 | 3rd Quarter FY 2004 | 4th Quarter FY 2004 | Year to Date Total |
| A. Complaints filed during the quarter broken down by basis: | | | | | |
| 1. Race: | 129 | 77 | 89 | 76 | 371 |
| a. American Indian/Alaskan Native: | 0 | 1 | 1 | 0 | 2 |
| b. American Asian/Pacific Islander: | 3 | 3 | 9 | 2 | 11 |
| c. Black: | 107 | 48 | 55 | 47 | 257 |
| d. White: | 19 | 24 | 24 | 27 | 94 |
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|--|-----|-----|-----|----|-----|
| 2. Color: | 5 | 2 | 0 | 0 | 7 |
| 3. Sex: | 117 | 110 | 143 | 63 | 433 |
| a. Male: | 23 | 37 | 66 | 16 | 142 |
| b. Female: | 94 | 73 | 77 | 47 | 291 |
| 4. Age: | 46 | 46 | 65 | 49 | 206 |
| 5. Religion: | 23 | 12 | 9 | 7 | 51 |
| 6. Reprisal: | 123 | 131 | 144 | 59 | 457 |
| 7. National Origin: | 21 | 41 | 31 | 31 | 124 |
| a. Hispanic: | 14 | 28 | 24 | 29 | 95 |
| b. Other: | 7 | 13 | 7 | 2 | 29 |
| 8. Equal Pay Act | 1 | 0 | 0 | 0 | 1 |
| a. Male: | 0 | 0 | 0 | 0 | 0 |
| b. Female | 1 | 0 | 0 | 0 | 1 |
| 9. Disability: | 62 | 37 | 48 | 35 | 182 |
| 10. Non-EEO Basis | 3 | 5 | 1 | 2 | 11 |
| B. Complaints filed during the quarter broken down by issue: | | | | | |
| 1. Appointment/Hire: | 4 | 3 | 5 | 2 | 14 |
| 2. Assignment of Duties | 32 | 14 | 27 | 19 | 92 |
| 3. Awards: | 10 | 6 | 3 | 1 | 20 |
| 4. Conversion to Full Time: | 0 | 0 | 0 | 0 | 0 |
| 5. Disciplinary Action | 20 | 22 | 51 | 19 | 112 |
| a. Demotion | 2 | 0 | 3 | 0 | 5 |
| b. Reprimand | 4 | 3 | 2 | 4 | 10 |
| c. Suspension | 8 | 3 | 10 | 5 | 23 |
| d. Removal | 3 | 7 | 30 | 5 | 45 |
| e. Other: | 3 | 9 | 6 | 5 | 23 |

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| 6. Duty Hours | 6 | 5 | 9 | 6 | 26 |
| 7. Evaluation/Appraisal | 27 | 20 | 16 | 15 | 78 |
| 8. Examination/Test: | 0 | 2 | 1 | 4 | 7 |
| 9. Harassment: | 54 | 53 | 61 | 37 | 205 |
| a. Non-sexual: | 38 | 43 | 50 | 22 | 153 |
| b: Sexual | 16 | 10 | 11 | 15 | 52 |
| 10. Medical Examination: | 0 | 0 | 0 | 0 | 1 |
| 11. Pay Including Overtime: | 6 | 4 | 4 | 1 | 15 |
| 12. Promotion/Non-Selection | 56 | 39 | 32 | 26 | 153 |
| 13. Reassignment: | 10 | 16 | 14 | 14 | 54 |
| a. Denied: | 5 | 7 | 5 | 3 | 20 |
| b. Directed: | 5 | 9 | 9 | 11 | 34 |
| 14. Reasonable Accommodation: | 8 | 9 | 5 | 6 | 28 |
| 15. Reinstatement: | 1 | 0 | 1 | 1 | 3 |
| 16. Retirement: | 0 | 1 | 0 | 0 | 1 |
| 17. Termination: | 10 | 5 | 7 | 7 | 29 |
| 18: Terms & Conditions of Employment: | 36 | 25 | 39 | 22 | 122 |
| 19. Time & Attendance: | 12 | 14 | 10 | 20 | 56 |
| 20. Training: | 4 | 8 | 7 | 8 | 27 |
| 21. Other: | 8 | 7 | 21 | 6 | 42 |
| IV. Time measurements All complaints pending at any time during the quarter | 1st Quarter FY 2004 | 2nd Quarter FY 2004 | 3rd Quarter FY 2004 | 4th Quarter FY 2004 | Year to Date Total |
| A. Average number of days for Investigation: | 232.1 | 228.2 | 230.1 | 203.8 | 223.5 |
| B. Average number of days for Final Agency Decision: | 410.4 | 454.2 | 550.4 | 587.3 | 500.5 |
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| C. Average number of days for Final Agency Action | 320.4 | 327.7 | 401.3 | 405.2 | 363.6 |
| D. Number of complaints dismissed pursuant to 29 CFR § 1614.107(a) | 34 | 30 | 49 | 72 | 185 |
| E. Average number of days complaints were pending at the time of dismissal | 285.2 | 129.5 | 201.9 | 201.0 | 204.4 |
| V. Final agency actions involving discrimination during the quarter broken down by hearing/no hearing and basis/issue. | 1st Quarter FY 2004 # / % | 2nd Quarter FY 2004 # / % | 3rd Quarter FY 2004 # / % | 4th Quarter FY 2004 # / % | Year to Date Total |
| A. Total number of final agency actions (decisions) involving discrimination during the quarter | 3 | 0 | 4 | 2 | 9 |
| B. Decisions finding discrimination without a hearing: | 1 (33.3%) | 0 | 3 (75.0%) | 1 | 5 |
| C. Decisions finding discrimination without a hearing broken down by basis: | | | | | |
| 1. Race: | 1 | 0 | 0 | 0 | 1 |
| a. American Indian/Alaskan Native: | 0 | 0 | 0 | 0 | 0 |
| b. American Asian/Pacific Islander: | 0 | 0 | 0 | 0 | 0 |
| c. Black: | 1 | 0 | 0 | 0 | 1 |
| d. White: | 0 | 0 | 0 | 0 | 0 |
| 2. Color: | 0 | 0 | 0 | 0 | 0 |
| 3. Sex: | 1 | 0 | 1 | 0 | 2 |
| a. Male: | 0 | 0 | 0 | 0 | 0 |
| b. Female: | 1 | 0 | 1 | 0 | 2 |
| 4. Age: | 0 | 0 | 0 | 0 | 0 |
| 5. Religion: | 0 | 0 | 0 | 0 | 0 |

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| 6. Reprisal: | 1 | 0 | 1 | 1 | 3 |
| 7. National Origin: | 0 | 0 | 0 | 0 | 0 |
| a. Hispanic: | 0 | 0 | 0 | 0 | 0 |
| b. Other: | 0 | 0 | 0 | 0 | 0 |
| 8. Equal Pay Act: | 0 | 0 | 0 | 0 | 0 |
| a. Male: | 0 | 0 | 0 | 0 | 0 |
| b. Female: | 0 | 0 | 0 | 0 | 0 |
| 9. Disability: | 1 | 0 | 0 | 1 | 2 |
| 10. Non-EEO Basis | 0 | 0 | 0 | 0 | 0 |
| D. Decisions finding discrimination without a hearing broken down by issue: | | | | 0 | |
| 1. Appointment/Hire: | 0 | 0 | 0 | 0 | 0 |
| 2. Assignment of Duties: | 0 | 0 | 0 | 0 | 0 |
| 3. Awards: | 0 | 0 | 1 | 0 | 1 |
| 4. Conversion to Full Time: | 0 | 0 | 0 | 0 | 0 |
| 5. Disciplinary Action: | 0 | 0 | 0 | 0 | 0 |
| a. Demotion: | 0 | 0 | 0 | 0 | 0 |
| b. Reprimand: | 0 | 0 | 0 | 0 | 0 |
| c. Suspension: | 0 | 0 | 0 | 0 | 0 |
| d. Removal: | 0 | 0 | 0 | 0 | 0 |
| e. Other: | 0 | 0 | 0 | 0 | 0 |
| 6. Duty Hours: | 0 | 0 | 0 | 1 | 1 |
| 7. Evaluation/Appraisal: | 0 | 0 | 0 | 0 | 0 |
| 8. Examination/Test: | 0 | 0 | 0 | 0 | 0 |
| 9. Harassment: | 0 | 0 | 2 | 0 | 2 |
| a. Non-sexual: | 0 | 0 | 2 | 0 | 2 |
| b. Sexual: | 0 | 0 | 0 | 0 | 0 |

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| 10. Medical Examination: | 0 | 0 | 0 | 0 | 0 |
| 11. Pay Including Overtime: | 0 | 0 | 0 | 0 | 0 |
| 12. Promotion/Non-Selection: | 0 | 0 | 0 | 0 | 0 |
| 13. Reassignment: | 0 | 0 | 0 | 0 | 0 |
| a. Denied: | 0 | 0 | 0 | 0 | 0 |
| b. Directed: | 0 | 0 | 0 | 0 | 0 |
| 14. Reasonable Accommodation: | 1 | 0 | 0 | 0 | 1 |
| 15. Reinstatement: | 0 | 0 | 0 | 0 | 0 |
| 16. Retirement: | 0 | 0 | 0 | 0 | 0 |
| 17. Termination: | 1 | 0 | 1 | 0 | 2 |
| 18. Terms/Conditions of Employment: | 0 | 0 | 0 | 0 | 0 |
| 19. Time and Attendance: | 0 | 0 | 0 | 0 | 0 |
| 20. Training: | 0 | 0 | 0 | 0 | 0 |
| 21. Other: | 0 | 0 | 0 | 0 | 0 |
| E. Decisions involving discrimination after a hearing: | 2 (66.6%) | 0 | 1 (25.0%) | 1 | 4 |
| F. Decisions involving discrimination after a hearing broken down by basis: | | | | | |
| 1. Race: | 1 | 0 | 1 | 0 | 2 |
| a. American Indian/Alaskan Native: | 0 | 0 | 0 | 0 | 0 |
| b. American Asian/Pacific Islander: | 0 | 0 | 0 | 0 | 0 |
| c. Black: | 1 | 0 | 0 | 0 | 1 |
| d. White: | 0 | 0 | 1 | 0 | 1 |

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|---|---|---|---|---|---|
| 2. Color: | 0 | 0 | 0 | 0 | 0 |
| 3. Sex: | 0 | 0 | 1 | 1 | 2 |
| a. Male: | 0 | 0 | 0 | 0 | 1 |
| b. Female: | 0 | 0 | 1 | 1 | 2 |
| 4. Age: | 0 | 0 | 0 | 0 | 0 |
| 5. Religion: | 0 | 0 | 0 | 0 | 0 |
| 6. Reprisal: | 1 | 0 | 0 | 0 | 1 |
| 7. National Origin: | 0 | 0 | 0 | 0 | 0 |
| a. Hispanic: | 0 | 0 | 0 | 0 | 0 |
| b. Other: | 0 | 0 | 0 | 0 | 0 |
| 8. Equal Pay Act: | 0 | 0 | 0 | 0 | 0 |
| a. Male: | 0 | 0 | 0 | 0 | 0 |
| b. Female: | 0 | 0 | 0 | 0 | 0 |
| 9. Disability: | 0 | 0 | 0 | 0 | 0 |
| 10. Non-EEO Basis | 0 | 0 | 0 | 0 | 0 |
| G. Decisions involving discrimination after a hearing broken down by issue: | | | | | |
| 1. Appointment/Hire: | 0 | 0 | 0 | 0 | 0 |
| 2. Assignment of Duties: | 0 | 0 | 1 | 0 | 1 |
| 3. Awards: | 0 | 0 | 0 | 0 | 0 |
| 4. Conversion to Full Time: | 0 | 0 | 0 | 0 | 0 |
| 5. Disciplinary Action: | 0 | 0 | 0 | 0 | 0 |
| a. Demotion: | 0 | 0 | 0 | 0 | 0 |
| b. Reprimand: | 0 | 0 | 0 | 0 | 0 |
| c. Suspension: | 0 | 0 | 0 | 0 | 0 |
| d. Removal: | 0 | 0 | 0 | 0 | 0 |
| e. Other: | 0 | 0 | 0 | 0 | 0 |

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|--|---|--------------------------------|---|---|-------------------------------|
| 6. Duty Hours: | 0 | 0 | 0 | 0 | 0 |
| 7. Evaluation/Appraisal: | 0 | 0 | 0 | 0 | 0 |
| 8. Examination/Test: | 0 | 0 | 0 | 0 | 0 |
| 9. Harassment: | 1 | 0 | 0 | 0 | 1 |
| a. Non-sexual: | 1 | 0 | 0 | 0 | 1 |
| b. Sexual: | 0 | 0 | 0 | 0 | 0 |
| 10. Medical Examination: | 0 | 0 | 0 | 0 | 0 |
| 11. Pay Including Overtime: | 0 | 0 | 0 | 0 | 0 |
| 12. Promotion/Non-Selection: | 1 | 0 | 0 | 1 | 2 |
| 13. Reassignment: | 0 | 0 | 0 | 0 | 0 |
| a. Denied: | 0 | 0 | 0 | 0 | 0 |
| b. Directed: | 0 | 0 | 0 | 0 | 0 |
| 14. Reasonable Accommodation: | 0 | 0 | 0 | 0 | 0 |
| 15. Reinstatement: | 0 | 0 | 0 | 0 | 0 |
| 16. Retirement: | 0 | 0 | 0 | 0 | 0 |
| 17. Termination: | 0 | 0 | 0 | 0 | 0 |
| 18. Terms/Conditions of Employment: | 0 | 0 | 0 | 0 | 0 |
| 19. Time and Attendance: | 0 | 0 | 0 | 0 | 0 |
| 20. Training: | 0 | 0 | 0 | 0 | 0 |
| 21. Other: | 0 | 0 | 0 | 0 | 0 |
| VI. Status of all pending complaints | 1st Quarter FY 2004 | 2nd Quarter FY 2004 | 3rd Quarter FY 2004 | 4th Quarter FY 2004 | Year to Date Total |
| A. Number of complaints pending investigation: | 280 | 285 | 274 | 205 | 205 |
| B. Number of complaints pending hearing: | 539 | 497 | 441 | 436 | 436 |
| C. Number of complaints pending | | | | | |

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| final agency action: | 291 | 238 | 227 | 176 | 176 |
| D. Number of complaints pending decision on appeal: | 166 | 204 | 183 | 183 | 183 |
| VII. Complaints not timely investigated | 1st Quarter FY 2004 | 2nd Quarter FY 2004 | 3rd Quarter FY 2004 | 4th Quarter FY 2004 | Year to Date Total |
| A. Number of complaints not investigated within the time required by 29 CFR 1614.106(e)(2): | 141 | 143 | 130 | 100 | 100 |