

# Equal Employment Opportunity Data Posted Pursuant to the No FEAR Act:

APHIS (Includes Sub-Level Offices)

For 1st Quarter 2020 for period ending December 31, 2019

## Notes:

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

Starting in FY2022, issues marked with:

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

\*\* are reported under Other Disciplinary Actions.

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

| Part 1 Complaint Activity  |         |         |         |         |         |                      |
|----------------------------|---------|---------|---------|---------|---------|----------------------|
|                            | FY 2015 | FY 2016 | FY 2017 | FY 2018 | FY 2019 | FY 2020 (thru 12-31) |
| Number of Complaints Filed | 65      | 41      | 60      | 40      | 34      | 14                   |
| Number of Complainants     | 61      | 40      | 53      | 39      | 34      | 14                   |
| Repeat Filers              | 4       | 1       | 5       | 1       | 0       | 0                    |

| Part 2 Complaints by Basis |         |         |         |         |         |                      |
|----------------------------|---------|---------|---------|---------|---------|----------------------|
|                            | FY 2015 | FY 2016 | FY 2017 | FY 2018 | FY 2019 | FY 2020 (thru 12-31) |
| Race                       | 24      | 21      | 17      | 14      | 13      | 3                    |
| Color                      | 9       | 5       | 6       | 4       | 2       | 3                    |
| Religion                   | 3       | 2       | 2       | 4       | 0       | 0                    |
| Reprisal                   | 38      | 19      | 31      | 24      | 20      | 8                    |
| Sex                        | 27      | 22      | 18      | 19      | 11      | 7                    |
| PDA                        | 1       | 0       | 1       | 0       | 0       | 0                    |
| National Origin            | 11      | 5       | 9       | 3       | 4       | 1                    |
| Equal Pay Act              | 0       | 0       | 0       | 1       | 0       | 0                    |
| Age                        | 25      | 15      | 21      | 12      | 11      | 5                    |
| Disability                 | 18      | 9       | 18      | 20      | 17      | 7                    |
| Genetics                   | 0       | 0       | 0       | 0       | 1       | 0                    |
| Non-EEO                    | 9       | 1       | 4       | 2       | 2       | 4                    |

# Part 3 Complaints By Issue

|                                                      | FY<br>2015 | FY<br>2016 | FY<br>2017 | FY<br>2018 | FY<br>2019 | FY 2020<br>(thru<br>12-31) |
|------------------------------------------------------|------------|------------|------------|------------|------------|----------------------------|
| Appointment/Hire                                     | 3          | 0          | 1          | 0          | 2          | 1                          |
| Assignment of Duties*                                | 16         | 4          | 7          | 6          | 3          | 0                          |
| Awards                                               | 1          | 0          | 0          | 0          | 1          | 0                          |
| Conversion to Full Time/Perm Status*                 | 0          | 0          | 0          | 0          | 0          | 0                          |
| Disciplinary Action: Demotion                        | 0          | 0          | 2          | 1          | 0          | 0                          |
| Disciplinary Action: Reprimand**                     | 3          | 0          | 6          | 2          | 4          | 0                          |
| Disciplinary Action: Suspension                      | 2          | 0          | 0          | 0          | 1          | 2                          |
| Disciplinary Action: Removal                         | 0          | 0          | 0          | 0          | 3          | 0                          |
| Disciplinary Action: Other Disciplinary<br>Actions** | 0          | 0          | 0          | 0          | 0          | 1                          |
| Disciplinary Action: Other 2**                       | 0          | 0          | 0          | 0          | 0          | 0                          |
| Duty Hours*                                          | 2          | 3          | 2          | 1          | 0          | 0                          |
| Perf. Eval./ Appraisal                               | 8          | 6          | 11         | 11         | 7          | 1                          |
| Examination/Test                                     | 0          | 0          | 0          | 0          | 0          | 0                          |
| Harassment: Non-Sexual                               | 38         | 17         | 41         | 27         | 20         | 7                          |
| Harassment: Sexual                                   | 0          | 2          | 1          | 1          | 0          | 2                          |
| Medical Examination                                  | 1          | 0          | 0          | 0          | 0          | 0                          |
| Pay including overtime                               | 6          | 2          | 2          | 1          | 0          | 0                          |
| Promotion/Non-Selection                              | 26         | 14         | 10         | 8          | 6          | 4                          |
| Reassignment: Denied/Directed                        | 1          | 1          | 0          | 0          | 2          | 0                          |
| Reassignment: Directed                               | 3          | 0          | 1          | 1          | 3          | 2                          |
| Reasonable Accommodation Disability                  | 11         | 6          | 10         | 9          | 7          | 3                          |
| Reinstatement*                                       | 0          | 0          | 0          | 0          | 0          | 0                          |
| Religious Accommodation                              | 0          | 0          | 0          | 0          | 0          | 0                          |
| Retirement*                                          | 0          | 0          | 0          | 1          | 0          | 0                          |
| Sex-Stereotyping                                     | 0          | 0          | 1          | 1          | 0          | 0                          |
| Telework                                             | 0          | 1          | 0          | 2          | 2          | 3                          |
| Termination                                          | 8          | 3          | 4          | 1          | 3          | 2                          |
| Terms/Conditions of Employment*                      | 28         | 14         | 29         | 12         | 16         | 0                          |
| Time and Attendance                                  | 7          | 2          | 6          | 7          | 4          | 2                          |
| Training                                             | 8          | 2          | 3          | 2          | 0          | 1                          |
| Other Terms/Conditions of Employment*                | 0          | 0          | 0          | 0          | 0          | 6                          |

|                                                               | FY<br>2015 | FY<br>2016 | FY<br>2017 | FY<br>2018 | FY<br>2019 | FY 2020<br>(thru<br>12-31) |
|---------------------------------------------------------------|------------|------------|------------|------------|------------|----------------------------|
| Average days in Investigation for all cases pending during FY | 0.0        | 216.23     | 165.26     | 169.9      | 184.5      | 165.43                     |
| Average days in Final Action for all cases pending during FY  | 0.0        | 67.71      | 45.19      | 50.13      | 49.95      | 22.50                      |
| Average days in Investigation with Hearing                    | 210.27     | 222.17     | 172.9      | 168.62     | 178.18     | 128.67                     |
| Average days in Final Action with Hearing                     | 70.67      | 49.33      | 17.64      | 27.64      | 10.14      | 22.50                      |
| Average Days in Investigation without Hearing                 | 171.06     | 209.1      | 149.47     | 170.83     | 194.27     | 193.00                     |
| Average Days in Final Action without Hearing                  | 127.4      | 86.08      | 64.13      | 62.5       | 71.38      | 0.00                       |

|                                               | FY<br>2015 | FY<br>2016 | FY<br>2017 | FY<br>2018 | FY<br>2019 | FY 2020<br>(thru<br>12-31) |
|-----------------------------------------------|------------|------------|------------|------------|------------|----------------------------|
| Total Complaints Dismissed by Agency          | 8          | 10         | 8          | 9          | 7          | 0                          |
| Average Days Pending Prior to Dismissal       | 84         | 102        | 51         | 19         | 24         | 0.00                       |
| Total Complaints Withdrawn by<br>Complainants | 4          | 0          | 3          | 2          | 4          | 0                          |

[illegible]

## Part 7 Finding of Discrimination by Basis

|                       | FY<br>2015<br>Count | FY<br>2015<br>% | FY<br>2016<br>Count | FY<br>2016<br>% | FY<br>2017<br>Count | FY<br>2017<br>% | FY<br>2018<br>Count | FY<br>2018<br>% | FY<br>2019<br>Count | FY<br>2019<br>% | FY 2020<br>Count<br>(thru 12-<br>31) | FY 2020<br>%<br>(thru 12-<br>31) |
|-----------------------|---------------------|-----------------|---------------------|-----------------|---------------------|-----------------|---------------------|-----------------|---------------------|-----------------|--------------------------------------|----------------------------------|
| Total Number Findings | 0                   |                 | 0                   |                 | 0                   |                 | 0                   |                 | 0                   |                 | 0                                    |                                  |
| Race                  | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Color                 | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Religion              | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Reprisal              | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Sex                   | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| PDA                   | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| National Origin       | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Equal Pay Act         | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Age                   | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Disability            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Genetics              | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Non-EEO               | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |

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

|                        | FY<br>2015<br>Count | FY<br>2015<br>% | FY<br>2016<br>Count | FY<br>2016<br>% | FY<br>2017<br>Count | FY<br>2017<br>% | FY<br>2018<br>Count | FY<br>2018<br>% | FY<br>2019<br>Count | FY<br>2019<br>% | FY 2020<br>Count<br>(thru 12-<br>31) | FY 2020<br>%<br>(thru 12-<br>31) |
|------------------------|---------------------|-----------------|---------------------|-----------------|---------------------|-----------------|---------------------|-----------------|---------------------|-----------------|--------------------------------------|----------------------------------|
| Findings After Hearing | 0                   |                 | 0                   |                 | 0                   |                 | 0                   |                 | 0                   |                 | 0                                    |                                  |
| Race                   | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Color                  | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Religion               | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Reprisal               | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Sex                    | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| PDA                    | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| National Origin        | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Equal Pay Act          | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Age                    | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Disability             | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Genetics               | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Non-EEO                | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |

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

|                         | FY<br>2015<br>Count | FY<br>2015<br>% | FY<br>2016<br>Count | FY<br>2016<br>% | FY<br>2017<br>Count | FY<br>2017<br>% | FY<br>2018<br>Count | FY<br>2018<br>% | FY<br>2019<br>Count | FY<br>2019<br>% | FY 2020<br>Count<br>(thru 12-<br>31) | FY 2020<br>%<br>(thru 12-<br>31) |
|-------------------------|---------------------|-----------------|---------------------|-----------------|---------------------|-----------------|---------------------|-----------------|---------------------|-----------------|--------------------------------------|----------------------------------|
| Finding Without Hearing | 0                   |                 | 0                   |                 | 0                   |                 | 0                   |                 | 0                   |                 | 0                                    |                                  |
| Race                    | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Color                   | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Religion                | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Reprisal                | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Sex                     | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| PDA                     | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| National Origin         | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Equal Pay Act           | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Age                     | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Disability              | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Genetics                | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |
| Non-EEO                 | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                   | 0.00            | 0                                    | 0.00                             |

## Part 8 Finding of Discrimination by Issue

[illegible]

## Part 8 Finding of Discrimination by Issue (with Hearing)

[illegible]

### Part 8 Finding of Discrimination by Issue (without Hearing)

[illegible]

| Part 9 Complaints Pending from Previous FY By Status                |         |         |         |         |         |                            |
|---------------------------------------------------------------------|---------|---------|---------|---------|---------|----------------------------|
|                                                                     | FY 2015 | FY 2016 | FY 2017 | FY 2018 | FY 2019 | FY 2020<br>(thru<br>12-31) |
| Total complaints from previous Fiscal Years                         | 30      | 43      | 39      | 41      | 38      | 49                         |
| Total Complainants                                                  | 30      | 39      | 34      | 30      | 27      | 34                         |
| Complaints Pending Investigation                                    | 0       | 1       | 1       | 3       | 3       | 3                          |
| ROI issued, pending Complainant's action                            | 0       | 0       | 0       | 0       | 0       | 3                          |
| Complaints Pending in Hearing                                       | 25      | 37      | 38      | 38      | 34      | 37                         |
| Complaints Pending Final Agency Action                              | 2       | 5       | 1       | 1       | 2       | 3                          |
| Complaints Pending Appeal with EEOC Office of<br>Federal Operations | 4       | 7       | 11      | 13      | 17      | 9                          |

| Part 10 Complaint Investigations                                       |         |         |         |         |         |                            |
|------------------------------------------------------------------------|---------|---------|---------|---------|---------|----------------------------|
|                                                                        | FY 2015 | FY 2016 | FY 2017 | FY 2018 | FY 2019 | FY 2020<br>(thru<br>12-31) |
| Pending Complaints Where Investigations Exceed<br>Required Time Frames | 1       | 2       | 3       | 3       | 3       | 0                          |