

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

USDA (Includes Sub-Level Offices)

For 4th Quarter 2021 for period ending September 30, 2021

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 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (thru 09-30)
Number of Complaints Filed	530	561	522	436	394	342
Number of Complainants	507	531	497	414	381	323
Repeat Filers	19	24	21	18	11	17

Part 2 Complaints by Basis						
	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (thru 09-30)
Race	222	243	216	195	170	142
Color	63	75	85	93	59	52
Religion	35	35	28	35	18	16
Reprisal	270	312	315	256	224	162
Sex	206	216	229	171	168	111
PDA	0	2	2	2	3	3
National Origin	47	67	68	58	46	41
Equal Pay Act	1	8	13	7	6	6
Age	182	208	155	157	144	96
Disability	157	185	195	170	140	103
Genetics	1	1	0	3	3	2
Non-EEO	39	55	40	37	38	29

Part 3 Complaints By Issue

	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (thru 09-30)
Appointment/Hire	27	40	24	17	31	26
Assignment of Duties*	92	87	83	72	58	34
Awards	9	18	14	8	7	7
Conversion to Full Time/Perm Status*	0	3	1	0	0	0
Disciplinary Action: Demotion	4	4	3	1	4	0
Disciplinary Action: Reprimand**	28	45	43	39	0	14
Disciplinary Action: Suspension	26	36	37	33	0	19
Disciplinary Action: Removal	6	17	21	32	29	7
Disciplinary Action: Other Disciplinary Actions**	0	0	0	0	0	0
Disciplinary Action: Other 2**	0	0	0	0	0	0
Duty Hours*	20	18	8	15	0	5
Perf. Eval./ Appraisal	91	94	98	89	0	44
Examination/Test	1	2	1	1	0	2
Harassment: Non-Sexual	282	343	351	239	0	146
Harassment: Sexual	18	13	24	6	0	5
Medical Examination	1	4	0	3	0	0
Pay including overtime	21	30	11	13	0	4
Promotion/Non-Selection	149	124	71	100	0	68
Reassignment: Denied/Directed	14	17	21	17	0	11
Reassignment: Directed	18	20	26	39	0	19
Reasonable Accommodation Disability	69	84	94	74	0	35
Reinstatement*	2	0	0	3	0	1
Religious Accommodation	3	4	1	1	0	1
Retirement*	4	5	4	11	0	3
Sex-Stereotyping	1	1	1	0	0	0
Telework	29	25	31	20	0	2
Termination	27	36	35	25	0	28
Terms/Conditions of Employment*	102	146	135	136	0	56
Time and Attendance	59	67	77	68	0	27
Training	51	40	45	30	0	19
Other Terms/Conditions of Employment*	0	0	0	0	0	0

Part 4 Processing Time (Complaints Pending During FY)						
	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (thru 09-30)
Average days in Investigation for all cases pending during FY	208.93	159.35	173.22	199.95	208.25	157.95
Average days in Final Action for all cases pending during FY	97.94	165.64	36.78	41.0	32.69	35.83
Average days in Investigation with Hearing	212.88	163.69	172.58	208.32	218.27	166.19
Average days in Final Action with Hearing	69.94	108.76	20.9	29.65	26.09	18.22
Average Days in Investigation without Hearing	202.01	152.87	173.78	189.03	191.37	149.99
Average Days in Final Action without Hearing	124.03	205.66	50.9	55.94	41.27	53.54

Part 5 Complaints Dismissed or Withdrawn						
	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (thru 09-30)
Total Complaints Dismissed by Agency	57	82	84	51	46	22
Average Days Pending Prior to Dismissal	97	66	20	66	40	532
Total Complaints Withdrawn by Complainants	28	37	28	32	46	18

Part 6 Total Final Agency Actions Finding Discrimination												
	FY 2016 Count	FY 2016 %	FY 2017 Count	FY 2017 %	FY 2018 Count	FY 2018 %	FY 2019 Count	FY 2019 %	FY 2020 Count	FY 2020 %	FY 2021 Count (thru 09-30)	FY 2021 % (thru 09-30)
Total Number Findings	7		5		1		3		10		1	
Findings Without Hearing	6	86	3	60	0	0	1	33	3	30	0	0
Findings With Hearing	1	14	2	40	1	100	2	67	7	70	1	100

Part 7 Finding of Discrimination by Basis

	FY 2016 Count	FY 2016 %	FY 2017 Count	FY 2017 %	FY 2018 Count	FY 2018 %	FY 2019 Count	FY 2019 %	FY 2020 Count	FY 2020 %	FY 2021 Count (thru 09- 30)	FY 2021 % (thru 09- 30)
Total Number Findings	7		4		1		3		10		1	
Race	3	42.86	3	75.00	0	0.00	1	33.33	0	0.00	0	0.00
Color	1	14.29	0	0.00	0	0.00	1	33.33	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	4	57.14	1	25.00	1	100.00	2	66.67	0	0.00	1	100.00
Sex	3	42.86	0	0.00	1	100.00	1	33.33	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	1	25.00	0	0.00	0	0.00	0	0.00	0	0.00
Disability	2	28.57	0	0.00	0	0.00	2	66.67	0	0.00	1	100.00
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 2016 Count	FY 2016 %	FY 2017 Count	FY 2017 %	FY 2018 Count	FY 2018 %	FY 2019 Count	FY 2019 %	FY 2020 Count	FY 2020 %	FY 2021 Count (thru 09- 30)	FY 2021 % (thru 09- 30)
Findings After Hearing	1		2		1		2		0		1	
Race	1	100.00	2	100.00	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	1	100.00	0	0.00	1	100.00	1	50.00	0	0.00	1	100.00
Sex	1	100.00	0	0.00	1	100.00	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	1	50.00	0	0.00	0	0.00	0	0.00	0	0.00
Disability	0	0.00	0	0.00	0	0.00	1	50.00	0	0.00	1	100.00
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 2016 Count	FY 2016 %	FY 2017 Count	FY 2017 %	FY 2018 Count	FY 2018 %	FY 2019 Count	FY 2019 %	FY 2020 Count	FY 2020 %	FY 2021 Count (thru 09- 30)	FY 2021 % (thru 09- 30)
Finding Without Hearing	6		2		0		1		3		0	
Race	2	33.33	1	50.00	0	0.00	1	100.00	0	0.00	0	0.00
Color	1	16.67	0	0.00	0	0.00	1	100.00	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	3	50.00	1	50.00	0	0.00	1	100.00	0	0.00	0	0.00
Sex	2	33.33	0	0.00	0	0.00	1	100.00	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	2	33.33	0	0.00	0	0.00	1	100.00	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)
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[illegible]

Part 8 Finding of Discrimination by Issue (without Hearing)

[illegible]

Part 9 Complaints Pending from Previous FY By Status						
	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (thru 09-30)
Total complaints from previous Fiscal Years	472	464	453	461	375	324
Total Complainants	446	421	410	406	328	285
Complaints Pending Investigation	18	16	17	18	18	18
ROI issued, pending Complainant's action	2	0	0	1	0	1
Complaints Pending in Hearing	401	427	426	419	330	303
Complaints Pending Final Agency Action	47	25	24	33	30	16
Complaints Pending Appeal with EEOC Office of Federal Operations	116	192	231	274	351	298

Part 10 Complaint Investigations						
	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (thru 09-30)
Pending Complaints Where Investigations Exceed Required Time Frames	10	8	21	17	17	14