

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					2013
	2008	2009	2010	2011	2012	
Number of Complaints Filed in FY 1614.704(a)	1847	1947	1900	2036	2041	1768
Number of Complainants 1614.704(b)	1715	1795	1794	1893	1881	1672
Repeat Filers 1614.704(c)	118	123	102	123	138	87

29 CFR §1614.704(d)	29 CFR §1614.705 Comparative Data					
Complaints by Basis	Previous Fiscal Year Data					2013
	2008	2009	2010	2011	2012	
Race	1288	1387	1365	740	743	626
Color	87	87	104	55	63	44
Religion	157	135	105	51	77	68
Reprisal	1441	1551	1577	756	799	763
Sex	942	956	1014	501	534	455
National Origin	94	91	97	169	192	148
Equal Pay Act	21	6	11	6	9	9
Age	751	941	887	494	493	431
Disability	875	857	1009	539	547	471
Other	0	0	0	0	0	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					2013
	2008	2009	2010	2011	2012	
Appointment/Hire	91	134	75	97	98	53
Assignment of Duties	162	123	136	113	117	85
Awards	30	19	25	12	17	13
Conversion to Full-time	1	2	1	1	1	0
Disciplinary Action	293	322	295	292	363	258
Demotion	10	14	8	12	20	11
Reprimand	54	47	49	47	54	48
Suspension	97	88	79	87	112	85
Removal	55	56	47	57	55	36
Other	77	117	112	89	122	78
Duty Hours	54	54	64	29	48	45
Evaluation Appraisal	107	80	126	151	158	139
Examination/Test	1	3	1	0	1	0
Harassment	1289	1566	1557	945	1035	930
Non-Sexual	1232	1475	1491	873	980	862
Sexual	57	91	66	72	55	68
Medical Examination	9	7	13	6	9	6
Pay (Including Overtime)	115	64	82	89	66	86
Promotion/Non-Selection	555	392	387	321	359	293
Reassignment	69	67	83	74	74	70
Denied						
Directed						
Reasonable Accommodation	98	95	109	130	134	140
Reinstatement	2	4	3	1	0	0
Retirement	17	21	24	24	21	22
Termination	159	242	215	178	149	111
Terms/Conditions of Employment	41	67	43	41	45	26
Time and Attendance	175	153	153	136	149	130
Training	45	49	51	58	62	43
Other	347	424	349	267	280	202

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29 CFR §1614.704(f)		Previous Fiscal Year Data										Num.	Ave. Days		
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..."		Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days	2013			
		2008		2009		2010		2011		2012					
		All complaints pending in Investigative Stage	1614.704	485	115.8	485	116	488	117.3	489	115.4	664	124.9	715	156.4
All complaints pending in Final Agency Action Stage	(f) (1)	155	434	155	434	235	498.9	270	503.4	243	513.5	182	532.1		
All complaints pending in which Hearing was not requested	1614.704	501	262	501	262	230	489.4	259	473.6	234	494.1	172	511.3		
Time in Investigation Stage	(f) (2)	501	192.8	501	193	230	182.1	259	180.6	234	169.4	172	208.2		
Time to issue Final Agency Action		501	69	501	69	453	120	409	*124	464	*179	455	126		
All complaints pending in which a Hearing was requested	1614.704	265	201	265	201	1177	556.7	1234	595.8	1311	625.8	1482	716.9		
Time in Investigation Stage	(f) (3)	265	193.6	265	194	1177	183.2	1234	183.9	1311	184.3	1482	202.2		
Time to issue Final Agency Action		265	8	265	8	323	14	393	15	362	12	286	14		

** This figure includes the average delay in getting the file to the Department's adjudication office (OEDCA) in VA's Central Office of 18 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 108 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					2013
	2008	2009	2010	2011	2012	
Total Complaints Dismissed by Agency	345	432	367	489	368	296
Average days pending prior to dismissal	55.7	52.8	48.4	48.2	57.2	59.8

29 CFR §1614.704(h)	29 CFR §1614.705 Comparative Data					
Complaints Withdrawn by Complainants	Previous Fiscal Year Data					2013
	2008	2009	2010	2011	2012	
Total Complaints Withdrawn by Complainants	175	157	162	180	193	58

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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										2013	
		2008		2009		2010		2011		2012			
		#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(k)(1)	22	100%	19	100%	28	100%	31	100%	33	100%	32	100%	
Appointment/Hire			1	5%	1	4%			2	6%	1	3%	
Assignment of Duties	1	4%	1	5%	3	11%	2	6%	1	3%			
Awards					1	4%	1	3%	1	3%			
Conversion to Full-time							1	3%					
Disciplinary Action	2	9%									2	6%	
Demotion							1	3%					
Reprimand									2	6%	1	3%	
Suspension	5	9%			1	4%	5	16%					
Removal									1	3%	1	3%	
Other							1	3%	1	3%			
Duty Hours									2	6%	1	3%	
Evaluation Appraisal					1	4%	2	6%			1	3%	
Examination/Test	1	4%											
Harassment	6	27%									12	38%	
Non-Sexual	3	14%	1	5%	5	18%	3	10%	5	15%	6	19%	
Sexual	3	14%	2	11%	4	14%	3	10%	4	12%	6	19%	
Medical Examination	1	4%	1	5%			2	6%	1	3%			
Pay (Including Overtime)					1	4%	1	3%			2	6%	
Promotion/Non-Selection	3	14%	4	21%	8	29%	5	16%	6	18%	3	9%	
Reassignment	4	18%									1	3%	
Denied					1	4%							
Directed	4	18%			1	4%			2	6%	1	3%	
Reasonable Accommodation	3	14%	1	5%	3	11%	8	26%	6	18%	9	28%	
Reinstatement					1	4%							
Retirement													
Termination	4	18%	1	5%	7	25%	3	10%	2	6%	2	6%	
Terms/Conditions of Employment					1	4%							
Time and Attendance	1	4%	1	5%	1	4%	2	6%	2	6%			
Training			1	5%									
Other	6	27%	5	26%	4	14%	4	13%	5	15%	3	9%	

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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										2013	
	2008		2009		2010		2011		2012			
	#	%	#	%	#	%	#	%	#	%	#	%
Findings After Hearing 704(k)(3)	11	50%	14		19		21	68%	22	67%	13	41%
Appointment/Hire											1	100%
Assignment of Duties			1	100%	3	100%	1	50%	1	100%		
Awards					1	100%	1	100%	1	100%		
Conversion to Full-time							1	100%				
Disciplinary Action	1	50%									2	100%
Demotion							1	100%				100%
Reprimand												
Suspension	1	50%					4	80%			1	100%
Removal									1	100%	1	100%
Other												
Duty Hours											1	100%
Evaluation Appraisal					1	100%	2	100%	2	100%		
Examination/Test												
Harassment											5	42%
Non-Sexual			1	100%	2	40%	2	67%	4	80%	2	33%
Sexual			1	50%	0	0%	2	67%	2	50%	3	50%
Medical Examination							1	50%	1	100%		
Pay (Including Overtime)											2	100%
Promotion/Non-Selection	3	100%	4	100%	8	100%	5	100%	5	83%	3	100%
Reassignment	2	50%										
Denied	0											
Directed	2	50%							1	50%		
Reasonable Accommodation	1	33%			1	33%	3	38%	3	50%	1	11%
Reinstatement					1	100%						
Retirement												
Termination	2	50%	1	100%	4	57%	2	67%	1	50%	1	50%
Terms/Conditions of Employment					1	100%						
Time and Attendance	1	100%	1	100%	1	100%	2	100%				
Training			1	100%								
Other	3	50%	4	80%	4	57%	2	50%	3	60%	1	33%

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	Previous Fiscal Year Data										2013	
	2008		2009		2010		2011		2012			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(k)(1)	22	100%	19	100%			31	100%	33	100%	32	100%
Findings Without Hearing 704(k)(2)	11	50%	5	26%			10	32%	11	33%	19	59%
Appointment/Hire			1	100%					2	100%		
Assignment of Duties							1	50%			1	100%
Awards												
Conversion to Full-time												
Disciplinary Action	1	50%										
Demotion												
Reprimand												
Suspension	1	50%			1	100%	1	20%				
Removal												
Other									1	100%		
Duty Hours												
Evaluation Appraisal											1	100%
Examination/Test	1	100%										
Harassment	6	100%									7	58%
Non-Sexual	3	100%			3	60%	1	33%	1	20%	4	67%
Sexual	3	100%	1	50%	4	100%	1	33%	2	50%	3	50%
Medical Examination			1	100%			1	50%				
Pay (Including Overtime)							1	100%				
Promotion/Non-Selection									1	17%		
Reassignment	2	50%									1	100%
Denied	0											
Directed	2	50%			1				1	50%	1	100%
Reasonable Accommodation	2	67%	1	100%	2	67%	5	63%	3	50%	8	89%
Reinstatement												
Retirement												
Termination	2	50%			3	43%	1	33%	1	50%	1	50%
Terms/Conditions of Employment												
Time and Attendance												
Training												
Other	3	50%	1	20%	3	43%	2	50%	2	40%	2	67%

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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					2013
	2008	2009	2010	2011	2012	
Total complaints from previous Fiscal Years 704(l)(1)	518	754	937	1033	1139	1395
Total Complainants 704(l)(2)	468	690	837	925	1017	1228
Number complaints pending: 704(l)(3)						
Investigation	0	4	1	2	7	2
ROI issued, pending Complainant's action	5	7	6	5	9	6
Hearing	453	615	770	812	904	1189
Final Agency Action	46	106	117	134	111	94
Appeal with EEOC Office of Federal Operations	14	22	43	80	108	103

29 CFR §1614.704(m)	29 CFR §1614.705 Comparative Data					
Complaint Investigations	Previous Fiscal Year Data					2013
	2008	2009	2010	2011	2012	
Number Pending Completion of Investigation	485	445	488	490	665	714
Pending Investigations Over Required Time Frames	30	9	21	15	42	151