U.S. GENERAL SERVICES ADMINISTRATION

Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002
Annual Report for Fiscal Year 2019

March 25, 2020

Office of Civil Rights

Table of Contents

I. Purpose of Report 1
II. Background 2
A. GSA Mission and Structure 2
B. GSA Office of Civil Rights 2
III. Results and Data 2
A. Cases in Federal District Court 2
B. Reimbursements to the Judgment Fund 3
C. Disciplinary Policy and Actions 3
D. FY 2019 EEO Complaint Data 3
IV. Analysis of Trends and Causality 4
A. EEO Complaint Activity 4
B. Bases of Discrimination in EEO Complaints 5
C. Issues in EEO Complaints 6
D. Findings of Discrimination 8
VI. Practical Knowledge Gained Through Experience and Improvements to the Civil Rights Program 9
Appendix A – Legislative and Regulatory Requirements A-1
Appendix B – GSA No FEAR Act Data FY 2014-2019 ..... B-1

I. Purpose of Report

The purpose of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174, is to reduce the incidence of workplace discrimination within the Federal government by holding Federal agencies accountable for violations of Federal antidiscrimination and whistleblower protection laws.[1] The No FEAR Act requires a Federal agency to—

- notify employees and applicants for employment about their rights under the Federal antidiscrimination and whistleblower laws;
- provide training to its employees, including managers, on the rights and remedies available under antidiscrimination and whistleblower laws; and
- post quarterly on its public website summary statistical data about equal employment opportunity (EEO) complaints filed with the agency.

In addition, Section 203 of the No FEAR Act requires each agency to submit to Congress, the U.S. Equal Employment Opportunity Commission (EEOC), the U.S. Department of Justice, and the U.S. Office of Personnel Management, an annual report that includes the following:[2]

- The number, status, and disposition of discrimination and whistleblower cases (including Federal court cases) filed against the agency;
- Judgment fund reimbursements and any agency budget adjustments to meet reimbursement requirements;
- The number and type of disciplinary actions related to discrimination, retaliation, harassment, or other prohibited personnel practices and the agency disciplinary policy;
- Year-end summary EEO complaint data; and
- An analysis of trends, causation, and practical knowledge gained through experience, and any actions planned or taken to improve agency complaint or civil rights programs.

The U.S. General Services Administration (GSA) submits this No FEAR Act Report for fiscal year 2019 (October 1, 2018, through September 30, 2019).

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[1] *See* Pub. L. No. 107-174, 116 Stat. 566 (2002).

[2] *See* Pub. L. No. 107-174, §203(a)(1); *see also* 5 CFR §724.302(a). Appendix A to this report sets forth the No FEAR Act statutory and regulatory reporting requirements in full.

GSA's No FEAR Act data for the fourth quarter of fiscal year 2019 and for prior fiscal years can be accessed at https://www.gsa.gov/reference/the-no-fear-act-library.

II. Background

A. GSA Mission and Structure

GSA's mission is to deliver value and savings in real estate, acquisition, technology, and other mission-support services across government. GSA provides centralized procurement for the Federal Government, offering products, services, and facilities worth billions of dollars that Federal agencies need to serve the American public. GSA's acquisition solutions supply Federal purchasers with cost-effective high-quality products and services from commercial vendors. GSA also helps Federal agencies build and acquire office space, products and other workspace services, and oversees the preservation of historic Federal properties. Its policies covering travel and property management practices promote efficient Government operations. Composed of the Federal Acquisition Service, the Public Buildings Service, the Office of Government-wide Policy, 11 staff offices, and 3 independent offices, GSA services and supports more than 60 Federal departments and agencies.

B. GSA Office of Civil Rights

The Office of Civil Rights (OCR) provides technical and policy advice to GSA leadership on civil rights and civil liberties issues. OCR's vision is to be a premier civil rights program that inspires a culture of equal opportunity within GSA. Its mission is to ensure an inclusive workplace free from unlawful discrimination through active engagement, training, and compliance with civil rights laws, regulations, and other guiding sources.[3]

III. Results and Data

A. Cases in Federal District Court

In fiscal year 2019, GSA had 11 cases in Federal district court that arose under Federal antidiscrimination and whistleblower protection laws. Of the 11 cases, 4 are closed and 7 are still pending an outcome. Of the 7 cases pending, 4 were filed in fiscal year 2019, and 3 were filed in fiscal year 2018.

[3] *See generally* 29 CFR Part 1614.

B. Reimbursements to the Judgment Fund

The Judgment Fund pays court judgments, awards, and compromise settlements of lawsuits against the Federal Government.[4] The No FEAR Act requires Federal agencies to reimburse the Judgment Fund for payments made on their behalf to employees, former employees, or applicants for employment due to claims alleging violations of Federal antidiscrimination laws, Federal whistleblower protection laws, and/or reprisal for legally protected activity related to those laws.[5]

During fiscal year 2019, one of the four closed civil action cases against GSA required reimbursement to the Judgment Fund in the amount of $55,000. No budget adjustments were needed to cover the reimbursement. GSA has reimbursed the Judgment Fund only twice between fiscal years 2015 and 2019 (Table 1.).

Table 1. Reimbursements to the Judgment Fund between FY 2015 and 2019

Judgment Fund Reimbursements	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Reimbursement Amount	$0	$0	$850	$0	$55,000

C. Disciplinary Policy and Actions

A review of fiscal year 2019 disciplinary records shows no GSA employees were disciplined for improper or illegal discrimination, retaliation, harassment, or other infraction prohibited by the No FEAR Act. The GSA policy directing disciplinary action against Federal employees for conduct identified as prohibited personnel practices and consistent with the Federal antidiscrimination and whistleblower protection laws is available at the following hyperlink: HRM 9751.1 – Maintaining Discipline. Included in the policy is the GSA Penalty Guide, which provides guidance on the appropriate penalty for various types of delinquency or misconduct, including discrimination and retaliation against any person for properly exercising their right to file a discrimination complaint or grievance, or for reporting discrimination.

D. Fiscal Year 2019 EEO Complaint Data

See Appendix B to this report for GSA's 2019 year-end data along with comparative data for fiscal years 2015 through 2019.[6]

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[4] *See* 31 U.S.C. §1304.

[5] *See* 31 U.S.C. §201.

[6] Appendix B report also includes fiscal year 2014 data, consistent with the posting format required by the EEOC.

IV. Analysis of Trends and Causality

A. EEO Complaint Activity

Using data from GSA's information management system for EEO complaint processing, this section highlights trends in EEO cases filed with GSA.[7] As Table 2 shows, 65 formal complaints were filed in fiscal year 2019, a 21-percent drop from fiscal year 2018's total of 84. Over a longer horizon, the decrease is slightly greater: complaints filed in 2019 were 23 percent below the five-year average of 82.

Between fiscal years 2018 and 2019, GSA's workforce population increased by 2.5 percent, from 11,051 to 11,326 employees. The size of the workforce fluctuated at a similar pace—2.5 percent on average—between fiscal years 2015 and 2019. Even as GSA's workforce reached its third-highest number in the five-year period, the percentage of employees who filed formal complaints in fiscal year 2019 (0.57 percent) was the smallest of any year.

Table 2. Formal complaints filed and GSA workforce between FY 2015 and 2019[8]

	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Formal Complaints Filed	76	96	89	84	65
Number of Complainants	68	84	79	79	58
Repeat Filers	5	9	8	5	7
GSA Total Workforce[9]	11,170	11,552	11,488	11,051	11,326
Complaints Filed per 100 Employees	0.68	0.83	0.77	0.76	0.57

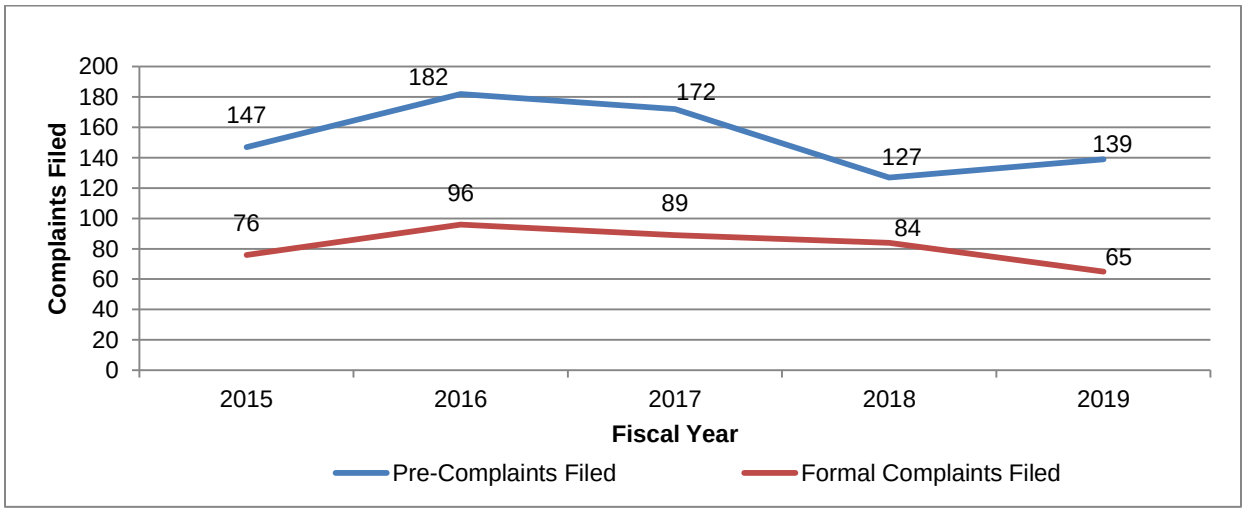
Informal EEO complaints are not reported in No FEAR Act quarterly postings but are included here to show an overall downward trend in EEO complaint activity at GSA (Figure 1.). In fiscal year 2019, 139 informal complaints were filed, a 7.3-percent decline from the five-year average of 150.

[7] The data is current as of January 2020 and encompasses complaints filed between Oct. 1, 2015, and Sept. 30, 2019.

[8] GSA's No FEAR Act Annual Report for fiscal year 2019 shows EEO data for other fiscal years that is slightly different from that in prior No FEAR Act reports. Variations are due to ongoing reconciliation of data in GSA's EEO complaints database.

[9] Workforce numbers for fiscal year 2019 as reported by GSA in its fiscal year 2019 Annual Federal Equal Employment Opportunity Statistical Report of Discrimination, Form 462.

Figure1. Informal and formal complaints filed between FY 2015 and 2019



One reason the number of formal complaints declined in fiscal year 2019 is the informal resolution rate increased, resulting in fewer complaints proceeding to the formal complaint stage.[10] In fiscal year 2019, the resolution rate was 53 percent as compared to 39 percent in fiscal year 2018.

Table 3. Informal complaints closed and complaints resolved in FY 2018 and in FY 2019

	FY 2018	FY 2019
Informal Complaints Closed	132	134
Complaints Resolved	52	70
Informal Resolution Rate	39%	53%

B. Bases of Discrimination in EEO Complaints

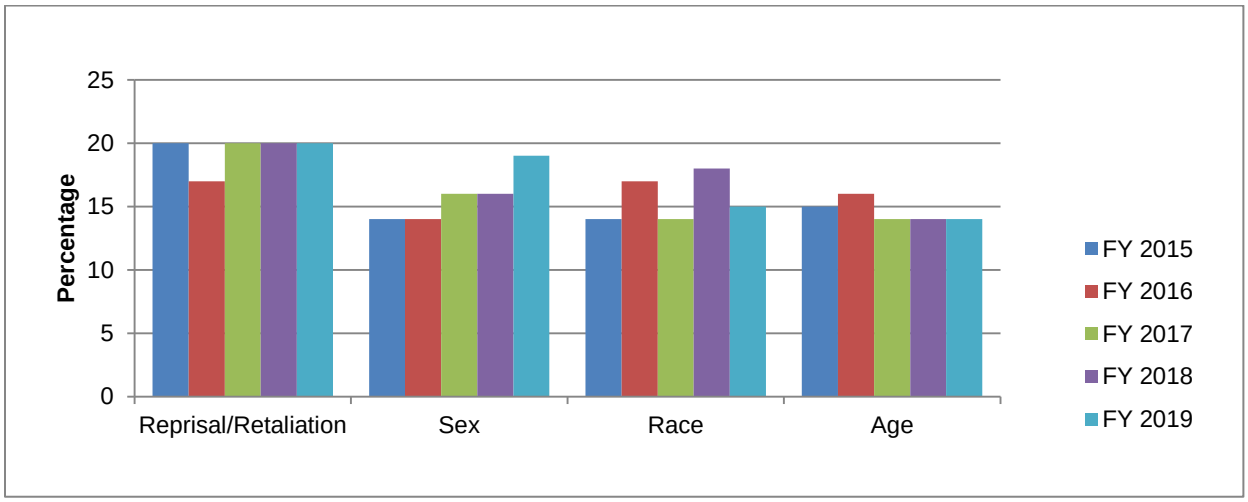
In fiscal year 2019, the most commonly alleged bases of discrimination were reprisal/retaliation (29), race (27), age (22) and sex (21).[11] For reasons unknown, allegations of reprisal/retaliation, the top basis, dropped—from 52 to 29—between fiscal years 2015 and 2019.

[10] These are cases resolved by settlement agreement, being withdrawn or not being pursued as formal complaints.
[11] One case can include allegations of various bases of discrimination.

Table 4. Top bases alleged in formal complaints filed between FY 2015 and 2019

Basis	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Reprisal/Retaliation	52	51	45	50	29
Age	38	41	35	40	22
Sex	38	50	32	44	21
Race	41	49	32	35	27

Figure 2. Top bases alleged in formal complaints filed between FY 2015 and 2019 by percentage



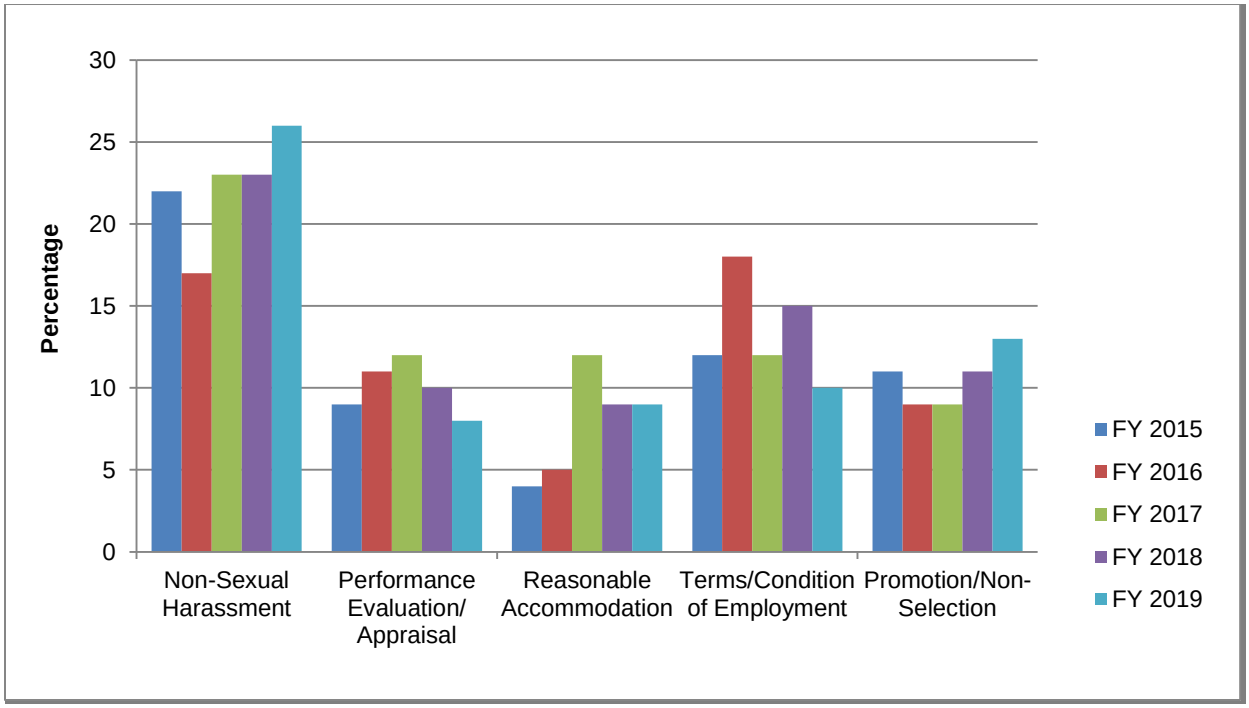
C. Issues in EEO Complaints

In fiscal year 2019, non-sexual harassment (21) was the most commonly alleged issue, followed by promotion/non-selection (11), terms/conditions of employment (8), and termination (8). By comparison, fiscal year 2018's most common issue was non-sexual harassment (24), followed by promotion/non-selection (16), terms/conditions of employment (12), and performance evaluation/appraisal (11).

Table 5. Top issues alleged in formal complaints filed between FY 2015 and 2019

Issue	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Harassment - Non-Sexual	32	26	33	24	21
Performance Evaluation/Appraisal	13	17	17	11	7
Reasonable Accommodation/ Disability	6	8	17	10	7
Promotion/Non-Selection	18	27	17	16	11
Terms/Conditions of Employment	17	13	13	12	8

Figure 3. Top issues alleged in formal complaints filed between FY 2015 and 2019 by percentage



The top bases and issues in GSA's formal complaint filings in fiscal year 2019 were consistent with Government-wide statistics as reported by the EEOC.[12] According to the EEOC, Government-wide in fiscal year 2018, reprisal was the most frequently alleged basis followed by sex, race, and age. The EEOC also reported that in fiscal year 2018 the most frequently alleged issue was non-sexual harassment, followed by

[12] *See* EEOC FY 2018 Annual Report on the Federal Workforce, Table B-8, at https://www.eeoc.gov/federal/reports/tables.cfm.

disciplinary action, terms and conditions of employment, promotion/non-selection, and reasonable accommodation.

D. Findings of Discrimination

GSA's EEO complaints where there were findings of discrimination in fiscal years 2015 through 2019 are summarized in Table 6. GSA had zero findings of discrimination in fiscal year 2019. Besides the overall decline in formal complaints filed, the reason for the decline in findings between 2019 and 2018 is unknown.

Table 6. GSA findings of discrimination between FY 2015 and 2019

	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Findings	2	1	0	4	0
Bases	Disability	Disability		Disability	
	Reprisal	Age		Race	
	Reprisal	Age		Sex	
	Sex	Sex		Reprisal	
	Harassment				
Issues	Reasonable Accommodation	Promotion/Non-selection		Appointment/Hire	
	Performance Evaluation/Appraisal	Time & Attendance		Disciplinary Action/Removal	
		Trainings		Harassment	
				Terms/Conditions	
				Assignment of Duties	

VI. Practical Knowledge Gained Through Experience and Improvements to the Civil Rights Program

In analyzing EEO complaint trends and related information, OCR concluded the following:

1. The number of informal and formal complaints filed annually with GSA continues to trend downward, suggesting OCR should continue to promote Alternative Dispute Resolution (ADR) and training targeted toward prevention of discrimination.

2. Of the 65 formal complaints filed in fiscal year 2019, 21 (26 percent) included allegations of non-sexual harassment, the most common form of discrimination since fiscal year 2015. In addition to promoting the agency's anti-harassment policy, GSA has an opportunity to increase training and communications in this area.

3. The decrease in allegations of harassment (sexual and non-sexual) between fiscal years 2018 and 2019 bears closer examination. Declines in the other top types of discrimination also warrant a closer look to determine possible causes.

The following section highlights actions taken by GSA in fiscal year 2019 to improve the complaint and civil rights program.

- OCR reorganized in October 2019 after a yearlong planning process that emanated from a program review in fiscal year 2018. Designed to reduce costs and streamline operations, the reorganization reduced the staff-to-supervisor ratio by 33 percent. It also repositioned OCR's staff from being dual-hatted, under an inefficient matrix model, to fully dedicated to key mission areas. New goals for performance management were achieved through new position descriptions and performance plans for OCR staff. Further, as part of staffing changes, OCR secured an in-house attorney to serve exclusively as firewall counsel for OCR and devoted resources to employee training and development.

- OCR piloted civility in the workplace training offered by the EEOC. Seventy-five GSA employees, including managers, supervisors, and senior executives, learned valuable information on how to prevent or mitigate harassment and cultivate a respectful workplace. OCR also conducted an extensive training and outreach campaign, training over 200 employees in unconscious bias and other EEO-related topics.

- Fulfilling a commitment from its fiscal year 2018 Management Directive 715 annual report, GSA implemented a policy requiring all supervisors' performance plans to include a performance measure that evaluates their commitment to EEO principles and to leading a diverse workforce.

- OCR offers ADR to all aggrieved persons and complainants. In fiscal year 2019, OCR actively promoted ADR during all phases of the complaint process and in EEO-related training for GSA employees. ADR was elected in 86 out of 134 informal cases (64 percent).

During fiscal years 2020 and 2021, OCR will focus on the following to improve the civil rights program:

- Hiring staff for positions critical to OCR operations and the complaint program.
- Developing a five-year strategic plan aimed at enhancing OCR's efficiency and effectiveness under the new structure.
- Further integrating EEO policies and diversity considerations into GSA's operations and workforce planning.
- Expanding its capability to offer training in EEO and civility in the workplace agency-wide.
- Leveraging internal communication channels to more widely disseminate information about OCR's services and employees' protections under Federal antidiscrimination laws.

In accordance with 5 CFR § 724.203, all GSA employees, including managers and supervisors, are required to complete No FEAR Act training biennially, with the last cycle completed in September 2018. New employees are required to complete No FEAR Act training within 90 calendar days of the new employees' appointment. Ninety-percent of eligible, onboard GSA employees completed No FEAR Act training in the 2018 cycle. GSA launched the fiscal year 2020 cycle of No FEAR Act training in February 2020. This training is provided through GSA Online University, an online training portal open to all GSA employees.

Appendix A – Legislative and Regulatory Requirements

Section 203 (a) of the No FEAR Act (Pub. Law 107-174) provides, in pertinent part:

(a) Annual Report. — Subject to subsection (b), not later than 180 days after the end of each fiscal year, each Federal agency shall submit to the Speaker of the House of Representatives, the President pro tempore of the Senate, the Committee on Governmental Affairs of the Senate, the Committee on Government Reform of the House of Representatives, each committee of Congress with jurisdiction relating to the agency, the Chair, Equal Employment Opportunity Commission, and the Attorney General an annual report which shall include, with respect to the fiscal year.

(1) the number of cases arising under each of the respective provisions of law covered by paragraphs (1) and (2) of section 201(a) in which discrimination on the part of such agency was alleged;

(2) the status or disposition of cases described in paragraph (1);

(3) the amount of money required to be reimbursed by such agency under section 201 in connection with each of such cases, separately identifying the aggregate amount of such reimbursements attributable to the payment of attorneys' fees, if any;

(4) the number of employees disciplined for discrimination, retaliation, harassment, or any other infraction of any provision of law referred to in paragraph (1);

(5) the final year-end data posted under section 301(c)(1)(B) for such fiscal year (without regard to section 301(c)(2));

(6) a detailed description of —

(A) the policy implemented by that agency relating to appropriate disciplinary actions against a Federal employee who — (i) discriminated against any individual in violation of any of the laws cited under section 201(a)(1) or (2); or (ii) committed another prohibited personnel practice that was revealed in the investigation of a complaint alleging a violation of any of the laws cited under section 201(a)(1) or (2); and

(B) with respect to each of such laws, the number of employees who are disciplined in accordance with such policy and the specific nature of the disciplinary action taken;

(7) an analysis of the information described under paragraphs (1) through (6) (in conjunction with data provided to the Equal Employment Opportunity Commission in compliance with Part 1614 of Title 29 of the Code of Federal Regulations) including —

(A) an examination of trends;

(B) causal analysis;

(C) practical knowledge gained through experience;

(D) any actions planned or taken to improve complaint or civil rights programs of the agency; and

(8) any adjustment (to the extent the adjustment can be ascertained in the budget of the agency) to comply with the requirements under section 201.

Subpart C of 5 CFR Part 724 (5 CFR §724.302):

(a) Except as provided in paragraph (b) of this section, each agency must report no later than 180 calendar days after the end of each fiscal year the following items:

(1) The number of cases in Federal court pending or resolved in each fiscal year and arising under each of the respective provisions of the Federal Antidiscrimination Laws and Whistleblower Protection Laws applicable to them as defined in §724.102 of subpart A of this part in which an employee, former Federal employee, or applicant alleged a violation(s) of these laws, separating data by the provision(s) of law involved;

(2) In the aggregate, for the cases identified in paragraph (a)(1) of this section and separated by provision(s) of law involved:

(i) The status or disposition (including settlement);

(ii) The amount of money required to be reimbursed to the Judgment Fund by the agency for payments as defined in §724.102 of subpart A of this part;

(iii) The amount of reimbursement to the Fund for attorney's fees where such fees have been separately designated;

(3) In connection with cases identified in paragraph (a)(1) of this section, the total number of employees in each fiscal year disciplined as defined in §724.102 of subpart A of this part and the specific nature, e.g., reprimand, etc., of the disciplinary actions taken,

separated by the provision(s) of law involved;

(4) The final year-end data about discrimination complaints for each fiscal year that was posted in accordance with Equal Employment Opportunity Regulations at subpart G of title 29 of the Code of Federal Regulations (implementing section 301(c)(1)(B) of the No FEAR Act);

(5) Whether or not in connection with cases in Federal court, the number of employees in each fiscal year disciplined as defined in §724.102 of subpart A of this part in accordance with any agency policy described in paragraph (a)(6) of this section. The specific nature, e.g., reprimand, etc., of the disciplinary actions taken must be identified.

(6) A detailed description of the agency's policy for taking disciplinary action against Federal employees for conduct that is inconsistent with Federal Antidiscrimination Laws and Whistleblower Protection Laws or for conduct that constitutes another prohibited personnel practice revealed in connection with agency investigations of alleged violations of these laws;

(7) An analysis of the information provided in paragraphs (a)(1) through (6) of this section in conjunction with data provided to the Equal Employment Opportunity Commission in compliance with 29 CFR part 1614 subpart F of the Code of Federal Regulations. Such analysis must include:

(i) An examination of trends;

(ii) Causal analysis;

(iii) Practical knowledge gained through experience; and

(iv) Any actions planned or taken to improve complaint or civil rights programs of the agency with the goal of eliminating discrimination and retaliation in the workplace;

(8) For each fiscal year, any adjustment needed or made to the budget of the agency to comply with its Judgment Fund reimbursement obligation(s) incurred under §724.103 of subpart A of this part; and

(9) The agency's written plan developed under §724.203(a) of subpart B of this part to train its employees.

(b) The first report also must provide information for the data elements in paragraph (a) of this section for each of the five fiscal years preceding the fiscal year on which the first report is based to the extent that such data is available. Under the provisions of the No FEAR Act, the

first report was due March 30, 2005 without regard to the status of the regulations. Thereafter, under the provisions of the No FEAR Act, agency reports are due annually on March 30th. Agencies that havesubmitted their reports before these regulations became final must ensure that they contain data elements 1 through 8 of paragraph (a) of this section and provide any necessary supplemental reports by April 25, 2007. Future reports must include data elements 1 through 9 of paragraph (a) of this section.

(c) Agencies must provide copies of each report to the following:

(1) Speaker of the U.S. House of Representatives;

(2) President Pro Tempore of the U.S. Senate;

(3) Committee on Governmental Affairs, U.S. Senate;

(4) Committee on Government Reform, U.S. House of Representatives;

(5) Each Committee of Congress with jurisdiction relating to the agency;

(6) Chair, Equal Employment Opportunity Commission;

(7) Attorney General; and

(8) Director, U.S. Office of Personnel Management.

Appendix B – GSA No FEAR Act Data FY 2014-2019

EEO Data Posted Pursuant to the No FEAR Act
For 4th Quarter 2019 for Period Ending September 30, 2019

Complaint Activity	Comparative Data					
	Previous Fiscal Year Data					2019
	2014	2015	2016	2017	2018	
Number of Complaints Filed	79	76	96	89	84	65
Number of Complainants	61	68	84	79	79	58
Repeat Filers	8	5	9	8	5	7

Complaints by Basis	Comparative Data					
	Previous Fiscal Year Data					2019
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.	2014	2015	2016	2017	2018	
Race	35	41	49	32	35	27
Color	19	23	34	17	17	8
Religion	9	8	12	4	8	2
Reprisal	40	52	51	45	50	29
Sex	35	38	50	32	44	21
Pregnancy Discrimination Act (PDA)	0	0	0	0	0	0
National Origin	17	23	25	10	13	3
Equal Pay Act	4	5	0	0	1	1
Age	38	38	41	35	40	22
Disability	21	31	35	41	33	32
Genetics	0	1	0	0	0	0
Non-EEO	5	6	4	4	3	1

Complaints by Issue	Comparative Data					
	Previous Fiscal Year Data					2019
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.	2014	2015	2016	2017	2018	
Appointment/Hire	3	4	6	3	0	1
Assignment of Duties	8	10	12	9	6	3
Awards	0	0	0	0	0	0
Conversion to Full Time/Perm Status	1	1	0	0	0	0
Disciplinary Action						
Demotion	3	0	3	2	0	0
Reprimand	4	11	3	4	4	0
Suspension	3	3	1	3	3	2

Complaints by Issue, Continued	Comparative Data					
	Previous Fiscal Year Data					2019
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.	2014	2015	2016	2017	2018	
Removal	1	2	3	4	1	4
Other	5	1	0	0	0	3
Duty Hours	1	1	2	2	0	1
Perf. Eval./ Appraisal	15	13	17	17	11	7
Examination/Test	0	1	1	1	0	0
Harassment						
Non-Sexual	29	32	26	33	24	21
Sexual	1	1	5	1	4	0
Medical Examination	0	0	0	0	0	2
Pay including overtime	2	4	1	2	4	1
Promotion/Non-Selection	12	18	27	17	16	11
Reassignment						
Denied	2	3	3	3	1	0
Directed	3	3	1	1	2	0
Reasonable Accommodation Disability	6	6	8	17	10	7
Reinstatement	1	0	0	0	0	0
Religious Accommodation	0	0	0	0	0	0
Retirement	1	2	1	0	3	0
Sex-Stereotyping	0	0	0	0	0	0
Telework	0	0	2	4	0	1
Termination	1	2	5	1	4	8
Terms/Conditions of Employment	3	17	13	13	12	8
Time and Attendance	3	7	6	4	2	4
Training	2	5	2	2	0	1
Other						
User Defined - Right of First Refusal - RIF	0	0	0	0	0	0
User Defined - Suspension #2	0	0	0	0	0	0
User-Defined - 3	1	0	0	0	0	0
User Defined - Other 4	0	0	0	0	0	0

Processing Time	Comparative Data					
	Previous Fiscal Year Data					2019
	2014	2015	2016	2017	2018	
Complaints pending during fiscal year						
Average number of days in investigation	218.85	198.83	196.22	205.22	215.48	221.8
Average number of days in final action	50.85	34.67	35.37	48.02	38.83	49.64
Complaint pending during fiscal year where hearing was requested						
Average number of days in investigation	230.95	205.46	200.77	209.68	221.74	240.31
Average number of days in final action	44.6	28.8	23.1	46.47	26.32	43.94
Complaint pending during fiscal year where hearing was not requested						
Average number of days in investigation	204.64	187.31	197.23	213.92	230.78	233.06
Average number of days in final action	61.64	48.38	54.38	51.7	54.11	60.74

Complaints Dismissed by Agency	Comparative Data					
	Previous Fiscal Year Data					2019
	2014	2015	2016	2017	2018	
Total Complaints Dismissed by Agency	17	15	13	4	8	4
Average days pending prior to dismissal	31	22	21	21	31	54
Complaints Withdrawn by Complainants						
Total Complaints Withdrawn by Complainants	5	7	11	10	13	4

Total Final Agency Actions Finding Discrimination	Comparative Data											
	Previous Fiscal Year Data										2019	
	2014		2015		2016		2017		2018			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	2		4		1		0		4		0	
Without Hearing	1	50	3	75	0	0	0	0	1	25	0	0
With Hearing	1	50	1	25	1	100	0	0	3	75	0	0

Findings of Discrimination Rendered by Basis	Comparative Data											
	Previous Fiscal Year Data										2019	
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.	2014		2015		2016		2017		2018			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	2		2		1		0		4		0	
Race	1	50	1	50	1	100	0	0	2	50	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	1	50	0	0	0	0	0	0	1	25	0	0
Sex	0	0	1	50	1	100	0	0	3	75	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	1	100	0	0	1	25	0	0
Disability	1	50	1	50	1	100	0	0	0	0	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0
Findings After Hearing	1		1		1		0		3		0	
Race	0	0	1	100	1	100	0	0	2	67	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	1	100	0	0	0	0	0	0	1	33	0	0
Sex	0	0	1	100	1	100	0	0	3	100	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	1	100	0	0	1	33	0	0
Disability	0	0	0	0	1	100	0	0	0	0	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing	1		1		0		0		1		0	
Race	1	100	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Basis	Comparative Data											
	Previous Fiscal Year Data										2019	
Findings Without	2014		2015		2016		2017		2018			
Hearing, Continued	#	%	#	%	#	%	#	%	#	%	#	%
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0	0	0
Disability	1	100	1	100	0	0	0	0	1	100	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										2019	
	2014		2015		2016		2017		2018			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	2		2		1		0		4		0	
Appointment/Hire	0	0	0	0	0	0	0	0	1	25	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	1	25	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full Time/Perm Status	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action												
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	1	25	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
Perf. Eval./ Appraisal	0	0	1	50	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment												
Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	1	25	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay including overtime	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	1	100	0	0	0	0	0	0
Reassignment												
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	1	50	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	**Comparative Data**											
	Previous Fiscal Year Data										**2019**	
Total Findings, Continued	**2014**		**2015**		**2016**		**2017**		**2018**			
	#	**%**	**#**	**%**	**#**	**%**	**#**	**%**	**#**	**%**	**#**	**%**
Reasonable Accommodation Disability	1	50	1	50	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Religious Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Sex-Stereotyping	0	0	0	0	0	0	0	0	0	0	0	0
Telework	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	1	50	0	0	0	0	0	0	1	25	0	0
Time and Attendance	0	0	0	0	1	100	0	0	0	0	0	0
Training	0	0	0	0	1	100	0	0	0	0	0	0
Other - User Define												
User Defined - Right of First Refusal - RIF	0	0	0	0	0	0	0	0	0	0	0	0
User Defined - Suspension #2	0	0	0	0	0	0	0	0	0	0	0	0
User-Defined - 3	0	0	0	0	0	0	0	0	0	0	0	0
User Defined - Other 4	0	0	0	0	0	0	0	0	0	0	0	0
Findings After Hearing	1		1		1		0		3		0	
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	1	33	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full Time/Perm Status	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action												
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	1	33	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
Perf. Eval./ Appraisal	0	0	1	100	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	**Comparative Data**											
	Previous Fiscal Year Data										**2019**	
Findings After Hearing, Continued	**2014**		**2015**		**2016**		**2017**		**2018**			
	#	**%**	**#**	**%**	**#**	**%**	**#**	**%**	**#**	**%**	**#**	**%**
Harassment												
Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	1	33	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay including overtime	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	1	100	0	0	0	0	0	0
Reassignment												
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	1	100	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation Disability	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Religious Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Sex-Stereotyping	0	0	0	0	0	0	0	0	0	0	0	0
Telework	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	1	33	0	0
Time and Attendance	0	0	0	0	1	100	0	0	0	0	0	0
Training	0	0	0	0	1	100	0	0	0	0	0	0
Other - User Define												
User Defined - Right of First Refusal - RIF	0	0	0	0	0	0	0	0	0	0	0	0
User Defined - Suspension #2	0	0	0	0	0	0	0	0	0	0	0	0
User-Defined - 3	0	0	0	0	0	0	0	0	0	0	0	0
User Defined - Other 4	0	0	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										2019	
	2014		2015		2016		2017		2018			
	#	%	#	%	#	%	#	%	#	%	#	%
Findings Without Hearing	1		1		0		0		1		0	
Appointment/Hire	0	0	0	0	0	0	0	0	1	100	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full Time/Perm Status	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action												
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
Perf. Eval./ Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment												
Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay including overtime	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment												
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation Disability	1	100	1	100	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Religious Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Sex-Stereotyping	0	0	0	0	0	0	0	0	0	0	0	0
Telework	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										2019	
Findings Without Hearing, Continued	2014		2015		2016		2017		2018			
	#	%	#	%	#	%	#	%	#	%	#	%
Terms/Conditions of Employment	1	100	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other - User Define												
User Defined - Right of First Refusal - RIF	0	0	0	0	0	0	0	0	0	0	0	0
User Defined - Suspension #2	0	0	0	0	0	0	0	0	0	0	0	0
User-Defined - 3	0	0	0	0	0	0	0	0	0	0	0	0
User Defined - Other 4	0	0	0	0	0	0	0	0	0	0	0	0

Pending Complaints Filed in Previous Fiscal Years by Status	Comparative Data					
	Previous Fiscal Year Data					2019
	2014	2015	2016	2017	2018	
Total complaints from previous Fiscal Years	78	85	62	56	66	65
Total Complainants	67	70	51	49	60	56
Number complaints pending						
Investigation	0	0	0	1	1	1
ROI issued, pending Complainant's action	0	0	1	0	0	1
Hearing	76	81	60	53	62	53
Final Agency Action	3	4	2	2	2	2
Appeal with EEOC Office of Federal Operations	25	34	47	58	57	22

Complaint Investigations	Comparative Data					
	Previous Fiscal Year Data					2019
	2014	2015	2016	2017	2018	
Pending Complaints Where Investigations Exceed Required Time Frames	0	2	1	0	0	0