

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

USDA

For 3rd Quarter 2023 for period ending June 30, 2023

| Part 1 Complaint Activity  | Comparative Data          |      |      |      |      |                 |
|----------------------------|---------------------------|------|------|------|------|-----------------|
|                            | Previous Fiscal Year Data |      |      |      |      | 2023 Thru 06-30 |
|                            | 2018                      | 2019 | 2020 | 2021 | 2022 |                 |
| Number of Complaints Filed | 522                       | 436  | 394  | 342  | 264  | 228             |
| Number of Complainants     | 497                       | 414  | 381  | 323  | 256  | 222             |
| Repeat Filers              | 21                        | 18   | 11   | 17   | 8    | 6               |

| Part 2 Complaints by Basis   | Comparative Data          |      |      |      |      |                 |
|--|---------------------------|------|------|------|------|-----------------|
|  | Previous Fiscal Year Data |      |      |      |      | 2023 Thru 06-30 |
|  | 2018                      | 2019 | 2020 | 2021 | 2022 |                 |
| <small>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</small> |                           |      |      |      |      |                 |
| Race   | 216                       | 195  | 170  | 142  | 86   | 87              |
| Color  | 85                        | 93   | 59   | 52   | 35   | 30              |
| Religion   | 28                        | 35   | 18   | 16   | 35   | 28              |
| Reprisal   | 315                       | 256  | 224  | 162  | 122  | 115             |
| Sex  | 229                       | 171  | 168  | 111  | 79   | 77              |
| PDA  | 2                         | 2    | 3    | 3    | 1    | 0               |
| National Origin  | 68                        | 58   | 46   | 41   | 20   | 40              |
| Equal Pay Act  | 13                        | 7    | 6    | 6    | 4    | 6               |
| Age  | 155                       | 157  | 144  | 96   | 69   | 61              |
| Disability   | 195                       | 170  | 140  | 103  | 122  | 94              |
| Genetics   | 0                         | 3    | 3    | 2    | 5    | 4               |
| Non-EEO  | 40                        | 37   | 38   | 29   | 21   | 27              |

| Part 3 Complaints By Issue   | Comparative Data          |      |      |      |      |                 |
|--|---------------------------|------|------|------|------|-----------------|
|  | Previous Fiscal Year Data |      |      |      |      | 2023 Thru 06-30 |
|  | 2018                      | 2019 | 2020 | 2021 | 2022 |                 |
| Note: Complaints can be filed alleging multiple bases.<br>The sum of the bases may not equal total complaints filed.<br>Starting in FY2022, issues marked with:<br>* are reported under Other Terms / Conditions of Employment.<br>** are reported under Other Disciplinary Actions. |                           |      |      |      |      |                 |
| Appointment/Hire   | 24                        | 17   | 31   | 26   | 11   | 11              |
| Assignment of Duties*  | 83                        | 72   | 58   | 34   | 11   | 0               |
| Awards   | 14                        | 8    | 7    | 7    | 4    | 3               |
| Conversion to Full Time/Perm Status*   | 1                         | 0    | 0    | 0    | 0    | 0               |
| Disciplinary Action  |                           |      |      |      |      |                 |
| Demotion   | 3                         | 1    | 4    | 0    | 1    | 1               |
| Reprimand**  | 43                        | 39   | 0    | 14   | 0    | 0               |
| Suspension   | 37                        | 33   | 0    | 19   | 15   | 11              |
| Removal  | 21                        | 32   | 29   | 7    | 9    | 11              |
| Other Disciplinary Actions**   | 0                         | 0    | 0    | 0    | 0    | 35              |
| Other 2**  | 0                         | 0    | 0    | 0    | 0    | 0               |
| Duty Hours*  | 8                         | 15   | 0    | 5    | 0    | 0               |
| Perf. Eval./ Appraisal   | 98                        | 89   | 0    | 44   | 26   | 17              |
| Examination/Test   | 1                         | 1    | 0    | 2    | 0    | 0               |
| Harrassment  |                           |      |      |      |      |                 |
| Non-Sexual   | 351                       | 239  | 0    | 146  | 122  | 122             |
| Sexual   | 24                        | 6    | 0    | 5    | 11   | 8               |
| Medical Examination  | 0                         | 3    | 0    | 0    | 1    | 0               |
| Pay including overtime   | 11                        | 13   | 0    | 4    | 4    | 15              |
| Promotion/Non-Selection  | 71                        | 100  | 0    | 68   | 48   | 37              |
| Reassignment   |                           |      |      |      |      |                 |
| Denied   | 21                        | 17   | 0    | 11   | 4    | 1               |
| Directed   | 26                        | 39   | 0    | 19   | 3    | 9               |
| Reasonable Accommodation Disability  | 94                        | 74   | 0    | 35   | 32   | 36              |
| Reinstatement*   | 0                         | 3    | 0    | 1    | 0    | 0               |
| Religious Accommodation  | 1                         | 1    | 0    | 1    | 52   | 3               |
| Retirement*  | 4                         | 11   | 0    | 3    | 0    | 0               |
| Sex-Stereotyping   | 1                         | 0    | 0    | 0    | 0    | 0               |
| Telework   | 31                        | 20   | 0    | 2    | 4    | 3               |
| Termination  | 35                        | 25   | 0    | 28   | 24   | 23              |
| Terms/Conditions of Employment*  | 135                       | 136  | 0    | 56   | 0    | 0               |
| Time and Attendance  | 77                        | 68   | 0    | 27   | 13   | 27              |
| Training   | 45                        | 30   | 0    | 19   | 9    | 10              |
| Other Terms/Conditions of Employment*  | 0                         | 0    | 0    | 0    | 0    | 61              |
| User Defined - Other 1*  | 0                         | 1    | 0    | 4    | 0    | 0               |
| User Defined - Other 2*  | 0                         | 0    | 0    | 1    | 0    | 0               |
| User Defined - Other 3*  | 0                         | 0    | 0    | 0    | 0    | 0               |
| User Defined - Other 4*  | 0                         | 0    | 0    | 0    | 0    | 0               |

| Part 4 Processing Time  | Comparative Data          |        |        |        |        |                 |
|---|---------------------------|--------|--------|--------|--------|-----------------|
|   | Previous Fiscal Year Data |        |        |        |        | 2023 Thru 06-30 |
|   | 2018                      | 2019   | 2020   | 2021   | 2022   |                 |
| Complaints pending during fiscal year                                 |                           |        |        |        |        |                 |
| Average number of days in investigation                               | 171.42                    | 198.09 | 206.16 | 154.43 | 149.16 | 164.86          |
| Average number of days in final action                                | 35.16                     | 39.87  | 31.69  | 34.44  | 34.07  | 71.64           |
| Complaints pending during fiscal year where hearing was requested     |                           |        |        |        |        |                 |
| Average number of days in investigation                               | 167.38                    | 206.03 | 217.28 | 162.93 | 161.68 | 181.23          |
| Average number of days in final action                                | 20.38                     | 29.15  | 23.45  | 16.27  | 19.74  | 38.49           |
| Complaints pending during fiscal year where hearing was not requested |                           |        |        |        |        |                 |
| Average number of days in investigation                               | 175.9                     | 189.19 | 189.25 | 146.09 | 138.95 | 179.36          |
| Average number of days in final action                                | 405.77                    | 54.73  | 41.84  | 54.43  | 58.05  | 97.38           |

| Part 5 Complaints Dismissed by Agency      | Comparative Data          |      |      |      |      |                 |
|--|---------------------------|------|------|------|------|-----------------|
|  | Previous Fiscal Year Data |      |      |      |      | 2023 Thru 06-30 |
|  | 2018                      | 2019 | 2020 | 2021 | 2022 |                 |
| Part 5 Complaints Dismissed by Agency      | 84                        | 51   | 46   | 22   | 37   | 25              |
| Average days pending prior to dismissal    | 20                        | 66   | 40   | 532  | 68   | 71.33           |
| Complaints Withdrawn by Complainants       |                           |      |      |      |      |                 |
| Total Complaints Withdrawn by Complainants | 28                        | 32   | 46   | 18   | 19   | 14              |

| Part 6 Total Final Agency Actions Finding Discrimination | Comparative Data          |     |      |    |      |    |      |     |      |    |                 |    |
|--|---------------------------|-----|------|----|------|----|------|-----|------|----|-----------------|----|
|  | Previous Fiscal Year Data |     |      |    |      |    |      |     |      |    | 2023 Thru 06-30 |    |
|  | 2018                      |     | 2019 |    | 2020 |    | 2021 |     | 2022 |    |                 |    |
|  | #                         | %   | #    | %  | #    | %  | #    | %   | #    | %  | #               | %  |
| Total Number Findings                                    | 1                         |     | 3    |    | 10   |    | 1    |     | 10   |    | 13              |    |
| Without Hearing  | 0                         | 0   | 1    | 33 | 3    | 30 | 0    | 0   | 2    | 20 | 12              | 92 |
| With Hearing   | 1                         | 100 | 2    | 67 | 7    | 70 | 1    | 100 | 8    | 80 | 1               | 8  |

| Part 7 Finding of Discrimination Rendered by Basis   | Comparative Data          |       |      |       |      |      |      |       |      |       |                 |        |
|--|---------------------------|-------|------|-------|------|------|------|-------|------|-------|-----------------|--------|
|  | Previous Fiscal Year Data |       |      |       |      |      |      |       |      |       | 2023 Thru 06-30 |        |
|  | 2018                      |       | 2019 |       | 2020 |      | 2021 |       | 2022 |       |                 |        |
| Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings. | #                         | %     | #    | %     | #    | %    | #    | %     | #    | %     | #               | %      |
| Total Number Findings  | 2                         |       | 7    |       | 0    |      | 2    |       | 22   |       | 13              |        |
| Race   | 0                         | 0.00  | 1    | 14.29 | 0    | 0.00 | 0    | 0.00  | 2    | 9.09  | 4               | 18.18  |
| Color  | 0                         | 0.00  | 1    | 14.29 | 0    | 0.00 | 0    | 0.00  | 2    | 9.09  | 0               | 0.00   |
| Religion   | 0                         | 0.00  | 0    | 0.00  | 0    | 0.00 | 0    | 0.00  | 0    | 0.00  | 1               | 4.55   |
| Reprisal   | 1                         | 50.00 | 2    | 28.57 | 0    | 0.00 | 1    | 50.00 | 8    | 36.36 | 3               | 13.64  |
| Sex  | 1                         | 50.00 | 1    | 14.29 | 0    | 0.00 | 0    | 0.00  | 4    | 18.18 | 3               | 13.64  |
| 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  | 1               | 4.55   |
| Age  | 0                         | 0.00  | 0    | 0.00  | 0    | 0.00 | 0    | 0.00  | 2    | 9.09  | 2               | 9.09   |
| Disability   | 0                         | 0.00  | 2    | 28.57 | 0    | 0.00 | 1    | 50.00 | 4    | 18.18 | 7               | 31.82  |
| 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  | 1               | 4.55   |
| Findings After Hearing   |                           |       |      |       |      |      |      |       |      |       |                 |        |
| Findings After Hearing   | 2                         |       | 2    |       | 0    |      | 2    |       | 16   |       | 1               |        |
| Race   | 0                         | 0.00  | 0    | 0.00  | 0    | 0.00 | 0    | 0.00  | 2    | 12.50 | 1               | 100.00 |
| Color  | 0                         | 0.00  | 0    | 0.00  | 0    | 0.00 | 0    | 0.00  | 1    | 6.25  | 0               | 0.00   |
| Religion   | 0                         | 0.00  | 0    | 0.00  | 0    | 0.00 | 0    | 0.00  | 0    | 0.00  | 0               | 0.00   |
| Reprisal   | 1                         | 50.00 | 1    | 50.00 | 0    | 0.00 | 1    | 50.00 | 6    | 37.50 | 0               | 0.00   |
| Sex  | 1                         | 50.00 | 0    | 0.00  | 0    | 0.00 | 0    | 0.00  | 2    | 12.50 | 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  | 2    | 12.50 | 0               | 0.00   |
| Disability   | 0                         | 0.00  | 1    | 50.00 | 0    | 0.00 | 1    | 50.00 | 3    | 18.75 | 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   |
| Finding Without Hearing  |                           |       |      |       |      |      |      |       |      |       |                 |        |
| Finding Without Hearing  | 0                         |       | 5    |       | 0    |      | 0    |       | 6    |       | 12              |        |

|                 |   |      |   |       |   |      |   |      |   |       |   |       |
|-----------------|---|------|---|-------|---|------|---|------|---|-------|---|-------|
| Race            | 0 | 0.00 | 1 | 20.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0.00  | 3 | 14.29 |
| Color           | 0 | 0.00 | 1 | 20.00 | 0 | 0.00 | 0 | 0.00 | 1 | 16.67 | 0 | 0.00  |
| Religion        | 0 | 0.00 | 0 | 0.00  | 0 | 0.00 | 0 | 0.00 | 0 | 0.00  | 1 | 4.76  |
| Reprisal        | 0 | 0.00 | 1 | 20.00 | 0 | 0.00 | 0 | 0.00 | 2 | 33.33 | 3 | 14.29 |
| Sex             | 0 | 0.00 | 1 | 20.00 | 0 | 0.00 | 0 | 0.00 | 2 | 33.33 | 3 | 14.29 |
| 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  | 1 | 4.76  |
| Age             | 0 | 0.00 | 0 | 0.00  | 0 | 0.00 | 0 | 0.00 | 0 | 0.00  | 2 | 9.52  |
| Disability      | 0 | 0.00 | 1 | 20.00 | 0 | 0.00 | 0 | 0.00 | 1 | 16.67 | 7 | 33.33 |
| 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  | 1 | 4.76  |





|                                       |   |   |   |     |   |   |   |   |   |     |    |    |
|---------------------------------------|---|---|---|-----|---|---|---|---|---|-----|----|----|
| Findings Without Hearing              | 0 |   | 1 |     | 0 |   | 0 |   | 2 |     | 13 |    |
| Appointment/Hire                      | 0 | 0 | 0 | 0   | 0 | 0 | 0 | 0 | 0 | 0   | 1  | 8  |
| 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   | 1  | 8  |
| Removal                               | 0 | 0 | 1 | 100 | 0 | 0 | 0 | 0 | 0 | 0   | 1  | 8  |
| Other Disciplinary Actions**          | 0 | 0 | 0 | 0   | 0 | 0 | 0 | 0 | 0 | 0   | 0  | 0  |
| Other 2**                             | 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                            |   |   |   |     |   |   |   |   |   |     |    |    |
| Sexual                                | 0 | 0 | 0 | 0   | 0 | 0 | 0 | 0 | 0 | 0   | 1  | 8  |
| Non-Sexual                            | 0 | 0 | 1 | 100 | 0 | 0 | 0 | 0 | 2 | 100 | 3  | 23 |
| 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 | 1 | 50  | 4  | 31 |
| Reassignment                          |   |   |   |     |   |   |   |   |   |     |    |    |
| Denied                                | 0 | 0 | 0 | 0   | 0 | 0 | 0 | 0 | 0 | 0   | 0  | 0  |
| Directed                              | 0 | 0 | 0 | 0   | 0 | 0 | 0 | 0 | 1 | 50  | 0  | 0  |
| Reasonable Accommodation Disability   | 0 | 0 | 1 | 100 | 0 | 0 | 0 | 0 | 0 | 0   | 2  | 15 |
| 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 | 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 Terms/Conditions of Employment* | 0 | 0 | 0 | 0   | 0 | 0 | 0 | 0 | 0 | 0   | 6  | 46 |
| User Defined - Other 1*               | 0 | 0 | 0 | 0   | 0 | 0 | 0 | 0 | 0 | 0   | 0  | 0  |
| User Defined - Other 2*               | 0 | 0 | 0 | 0   | 0 | 0 | 0 | 0 | 0 | 0   | 0  | 0  |
| User Defined - Other 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  |

| Part 9 Complaints Pending from Previous Fiscal Years By Status | Comparative Data          |      |      |      |      |                    |
|--|---------------------------|------|------|------|------|--------------------|
|  | Previous Fiscal Year Data |      |      |      |      | 2023 Thru<br>06-30 |
|  | 2018                      | 2019 | 2020 | 2021 | 2022 |                    |
| Total complaints from previous Fiscal Years                    | 453                       | 461  | 375  | 324  | 212  | 213                |
| Total Complainants   | 410                       | 406  | 328  | 285  | 181  | 180                |
| Number complaints pending                                      |                           |      |      |      |      |                    |
| Investigation  | 17                        | 18   | 18   | 18   | 15   | 20                 |
| ROI issued, pending Complainant's action                       | 0                         | 1    | 0    | 1    | 0    | 2                  |
| Hearing  | 426                       | 419  | 330  | 303  | 179  | 157                |
| Final Agency Action  | 24                        | 33   | 30   | 16   | 29   | 16                 |
| Appeal with EEOC Office of Federal Operations                  | 231                       | 274  | 351  | 298  | 380  | 335                |

| Part 10 Complaint Investigations                                    | Comparative Data          |      |      |      |      |                    |
|---|---------------------------|------|------|------|------|--------------------|
|   | Previous Fiscal Year Data |      |      |      |      | 2023 Thru<br>06-30 |
|   | 2018                      | 2019 | 2020 | 2021 | 2022 |                    |
| Pending Complaints Where Investigations Exceed Required Time Frames | 21                        | 17   | 17   | 14   | 15   | 14                 |