



**EEOC Form 462 Report:  
I Did the Report Now What?**

July 13, 2009 (3:30 p.m.-5 p.m.)  
EEOC EXCEL  
Jamie Price, EEOC, OFO

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**Overview of Presentation**

- Presentation and Training Materials
- Methodology

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**EEOC Form 462 EEO Statistical Report**

- A report submitted to EEOC annually to evaluate an agency's complaint processing program
- Provides a tool to compile agency complaint processing program data that can be compared against government-wide complaint processing program data and used as a benchmark
- Serves as an inset of a roadmap for trigger/barrier investigations

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## Elements of a Model EEO Program

- Demonstrated **C**ommitment from Agency Leadership
- **I**ntegration of EEO into the Agency's Strategic Mission
- Management & Program **A**ccountability
- Proactive **P**revention of Unlawful Discrimination
- **E**fficiency, and
- **R**esponsiveness and Legal Compliance

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## Demonstrated **C**ommitment from Agency Leadership

- Allocation of sufficient resources – staffing, funding
  - EEO staff has the knowledge, skills and ability to ensure that agency EEO programs and procedures are effectively implemented
- Ensure all employees are informed of their rights and the operation of complaint process
- Provide training to all employees as to the above matters

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## **I**ntegration of EEO into Agency's Strategic Mission

- Agency's EEO program should be structured in such a manner as to maintain a work place free of discrimination
  - Agency's EEO Director shall be under the immediate supervision of the agency head
- Allocation of sufficient resources

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### Management and Program Accountability

- Review findings of discrimination and other evidence to determine the appropriateness of taking disciplinary action
- Ensure there are procedures for effective coordination between EEO office and related programs like ADR, FEORP, and Human Resource programs

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### Proactive Prevention of Unlawful Discrimination

- Agencies must work to proactively prevent potential discrimination before it occurs and establish systems to monitor compliance with employment civil rights laws
  - A part of that obligation to prevent discrimination is to conduct a self-assessment on an annual basis

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### MD 715 Agency Self-Analysis

The self assessment must encompass the full spectrum of employment within the agency and must include, but not be limited to, an evaluation of the following with respect to the agency's status at the end of each fiscal year:

- Information and trend data reflecting the nature, status and disposition of complaints in the administrative process (EEOC, MSPB and FLRA) and in court alleging violations of the Rehabilitation Act.

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## Efficiency

- Provide a tracking and monitoring system that permits the agency to identify the location, status, and length of time elapsed at each stage of the EEO complaint process, the issues and bases of the complaints, the aggrieved individuals, the involved management officials and other necessary information needed to analyze complaint activity to identify trends.

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## Responsiveness and Legal Compliance

- Agencies should report their EEO program efforts and accomplishments to EEOC
- Agencies should respond and comply with all directives and orders including final orders in administrative decisions, in accordance with instructions, time frames and deadlines.

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## EEOC Form 462 Trend Analysis Tables

TREND ANALYSIS - GOVERNMENT-WIDE					
TABLE I: GOVT-WIDE AGENCY TIMELINESS					
	2005	2006	2007	2008	2009
<b>A. All Counselings (minus remands)</b>					
Total #	41,046	38,777	37,797	38,860	38,996
# Timely	33,126	34,520	34,011	35,439	35,165
% Timely	80.70%	89.02%	89.98%	91.20%	90.18%
<b>B. All Investigations</b>					
Total #	13,707	10,817	11,184	11,157	10,199
# Timely	7,523	7,506	8,271	8,229	7,432
% Timely	54.88%	69.39%	73.95%	73.76%	72.87%
Average Processing Days - Investigations	237	186	176	180	185
<b>C. Merit Decisions (No AJ)</b>					
Total #	6,381	4,857	4,445	4,576	4,150
# Timely	3,770	3,026	2,816	2,906	2,276
% Timely	59.08%	62.30%	63.35	63.51%	54.84%
Average Processing Days - Merit FADs (No AJ) from Date Complaint Filed/Remanded	479	426	403	420	451
<b>D. Dismissals (No AJ)</b>					
Total #	5,238	4,673	3,135	4,133	4,222
Average Processing Days - Dismissal FADs (No AJ)	94	95	105	72	64

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## EEOC Form 462 Trend Analysis Tables (Cont'd)

Year	# Complaints Filed	% Chg Complaints from Prior Year	# Complainants	Total Workforce	% Complainants of Total Workforce
2009	16,947	+1.16%	15,825	2,932,594	0.54%
2008	16,752	+2.38%	15,539	2,877,483	0.54%
2007	16,363	-2.15%	15,294	2,817,647	0.54%
2006	16,723	-7.18%	15,359	2,790,007	0.55%
2005	18,017	-5.29%	16,495	2,773,516	0.59%

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## EEOC Annual Report Trend Analysis

### Government-Wide (The Government)<sup>a</sup>

#### Outcome of Counselings Completed in FY 2009<sup>a</sup>

Pre-Complaint Counseling Outcomes <sup>a</sup>	Completed by EEO-Counselor <sup>a</sup>		Completed Using ADR <sup>a</sup>		All Completed Counselings <sup>a</sup>	
	#	%	#	%	#	%
Pre-Complaint Counselings <sup>a</sup>	19,777	6.5%	19,261	28.3%	39,038	17.3%
Settlements <sup>a</sup>	1,294	6.5%	5,441	28.3%	6,735	17.3%
Withdrawals or No-Complaints Filed <sup>a</sup>	7,487	37.9%	7,444	38.7%	14,931	38.3%
Complaints Filed <sup>a</sup>					16,312	41.8%
Decision to File Complaint Pending at End of Fiscal Year <sup>a</sup>					1,060	2.7%

<sup>a</sup> Includes only complaints filed in FY 2009 where counseling was also completed during FY 2009.

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## EEOC Annual Report Trend Analysis (Cont'd)

### Agency Use of ADR for EEO Dispute Resolution in FY 2009

	Counseling	Complaint
Completed/Ended Counselings/Complaint Closures	39,038	16,134
Total Number Offered ADR	30,475	2,676
ADR Offer Rate <sup>a</sup>	78.1%	16.6%
ADR Participation Rate <sup>a</sup>	49.3%	6.8%
Total ADR Settlements	5,441	550
Total ADR Settlements Amount	\$2,098,403.66	\$2,944,328.37

<sup>a</sup> EEOC revised the formula for calculating the ADR offer and participation rates in FY 2006.

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## DHS EEO Balanced Scorecard (Cont'd)

ADR Activity Scorecard	FY08	FY09	FY10	From FY08 - FY10	+/- %
ADR Offered at Pre-complaint Phase				↑/↓	+/- %
-Accepted into ADR				↑/↓	+/- %
-% Accepted into ADR				↑/↓	+/- %
-ADR Settlements				↑/↓	+/- %
-No Formal Complaint Filed				↑/↓	+/- %
ADR Offered at Formal Phase				↑/↓	+/- %
-Accepted into ADR				↑/↓	+/- %
-ADR Settlements				↑/↓	+/- %
-Withdrawal				↑/↓	+/- %
Staff Resources Available for ADR				↑/↓	+/- %

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## DHS EEO Balanced Scorecard (Cont'd)

Formal Complaints Activity Scorecard	FY08	FY09	FY10	FROM FY08-FY10	+/- %
Complaints Filed				↑/↓	+/- %
Top Issues					
-Promotion/Non-selection				↑/↓	+/- %
-Harassment				↑/↓	+/- %
-Termination				↑/↓	+/- %
-Disciplinary Action				↑/↓	+/- %
Top Bases					
-Reprisal/Retaliation				↑/↓	+/- %
-Age				↑/↓	+/- %
-Color				↑/↓	+/- %
-Sex (Female)				↑/↓	+/- %
-Race (Black)				↑/↓	+/- %

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## DHS EEO Balanced Scorecard (Cont'd)

Formal Complaints Activity Scorecard Cont'd	FY08	FY09	FY10	FROM FY08-FY10	+/- %
Investigations Completed				↑/↓	+/- %
-Untimely Investigations				↑/↓	+/- %
-% Untimely Investigations				↑/↓	+/- %
-Average Days for Investigation				↑/↓	+/- %
Total Complaints Pending				↑/↓	+/- %
-Investigation				↑/↓	+/- %
-Hearing				↑/↓	+/- %
-Final Agency Decision/Action				↑/↓	+/- %

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## USN Timely Processing Metrics\* (As reported to Congress by EEOC)

	FY 07	FY 08	FY 09
<b>% ADR Offered in Pre-Complaint Matters</b>	62.1	95.5	100
<b>% Participation in ADR in pre-complaint phase</b>	19.3	27.6	42.8
<b>% Timely Held Counselings</b> (within 30 days or 90 days w/extension or ADR)	63.3	76.6	78.9
<b>% Timely Investigations</b> (within 180 days or documented extension up to 270 days)	55.5	43.8	42.5
<b>% Timely Processed FAD</b> (within 60 days)	96.2	97.9	93.7

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## USN FY 2009 Complaints Processing Review Scorecard

Criteria	Comments	Points
<b>Pre-Complaint Processing</b> (50 points)	22 Pre-Complaints were processed in FY 2009. 73% (16) were timely and 27% (6) were untimely.	<b>37</b>
<b>Formal Complaint Processing</b>	<ul style="list-style-type: none"> <li>•DON policy requires that the Acceptance/Dismissal Notice and Request for Investigation be simultaneously issued within 30 days from the filing date of the formal complaint.</li> <li>•DON policy requires the submission of a Counselor Report within 7 days of receipt of the formal complaint.</li> <li>•29 CFR §1614 requires investigations to be completed and the report of investigation issued within 180 days, or 270 days, with an extension, from the filing date of the formal complaint.</li> </ul>	
<b>Timely Counselor Report</b> (25 points)	12 Counselor Reports were issued in FY 2009. Only 25% (3) were timely completed (average of 5 days). The remaining nine (9) reports were untimely (average of 24 days).	<b>6</b>
<b>Timely Issuance of Accept/Dismiss and Request for Investigation</b> (25 points)	10 Accept/Dismiss notices were issued in FY 2009. 40% (4) were timely issued (average of 26 days). Six (6) notices were untimely (average of 51 days).	<b>10</b>
<b>Timely Investigation</b> (25 points)	7 investigations were completed in FY 2009. Only 1 (14%) was timely. The untimely investigations were processed in an average of 266 days.	<b>4</b>
<b>FY 2009 Maximum Processing Points</b> (125 points)	Pre-Complaints processing is on track. However, the processing of formal complaints is noncompliant. Please note that the timeliness of your complaints program directly impacts your ability to maintain a model EEO program. You must evaluate your resources and internal procedures to ensure the entire complaints process fully meets EEOC and DON regulatory requirements. Individuals responsible for complaints processing should be held accountable for timely processing of complaints.	<b>57</b>



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## USN FY 2009 Complaints Processing Review Scorecard

Criteria	Comments	Points
<b>Pre-Complaint Processing</b> (50 points)	2 Pre-Complaints were processed in FY 2009, all were processed within the required timeframe.	<b>50</b>
<b>Formal Complaint Processing</b>	<ul style="list-style-type: none"> <li>•DON policy requires that the Acceptance/Dismissal Notice and Request for Investigation be simultaneously issued within 30 days from the filing date of the formal complaint.</li> <li>•DON policy requires the submission of a Counselor Report within 7 days of receipt of the formal complaint.</li> <li>•29 CFR §1614 requires investigations to be completed and the report of investigation issued within 180 days, or 270 days, with an extension, from the filing date of the formal complaint.</li> </ul>	
<b>Timely Counselor Report</b> (25 points)	2 Counselor Reports were issued in FY 2009. Submittal of both reports were timely.	<b>25</b>
<b>Timely Issuance of Accept/Dismiss and Request for Investigation</b> (25 points)	2 Accept/Dismiss notices were issued in FY 2009. Both notices were issued within the requisite timeframe.	<b>25</b>
<b>Timely Investigation</b> (25 points)	2 investigations were completed in FY 2009, 1 was untimely.	<b>13</b>
<b>FY 2009 Maximum Processing Points</b> (125 points)	Your complaints program has shown significant progress. Except for investigations, all areas are on track.	<b>113</b>



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**Data No Longer Collected**

- Part XII Section A

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**Questions/Contact Information**

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ANNUAL FEDERAL EQUAL OPPORTUNITY  
STATISTICAL REPORT OF DISCRIMINATION COMPLAINTS  
(REPORTING PERIOD BEGINS OCTOBER 1ST AND ENDS SEPTEMBER 30TH)

AGENCY OR DEPARTMENT:

REPORTING PERIOD: FY

**PART I - PRE-COMPLAINT COUNSELING**

EEO COUNSELOR	COUNSELINGS		INDIVIDUALS	
<b>A. TOTAL COMPLETED/ENDED COUNSELINGS</b>				
1. COUNSELED WITHIN 30 DAYS				
2. COUNSELED WITHIN 31 TO 90 DAYS				
a. COUNSELED WITHIN WRITTEN EXTENSION PERIOD NO LONGER THAN 60 DAYS				
b. COUNSELED WITHIN 90 DAYS WHERE INDIVIDUAL PARTICIPATED IN ADR				
c. COUNSELED WITHIN 31-90 DAYS THAT WERE UNTIMELY				
3. COUNSELED BEYOND 90 DAYS				
4. COUNSELED DUE TO REMANDS				
<b>ADR INTAKE OFFICER</b>				
<b>B. TOTAL COMPLETED/ENDED COUNSELINGS</b>				
1. COUNSELED WITHIN 30 DAYS				
2. COUNSELED WITHIN 31 TO 90 DAYS				
a. COUNSELED WITHIN WRITTEN EXTENSION PERIOD NO LONGER THAN 60 DAYS				
b. COUNSELED WITHIN 90 DAYS WHERE INDIVIDUAL PARTICIPATED IN ADR				
c. COUNSELED WITHIN 31-90 DAYS THAT WERE UNTIMELY				
3. COUNSELED BEYOND 90 DAYS				
4. COUNSELED DUE TO REMANDS				
<b>COMBINED TOTAL</b>				
<b>C. TOTAL COMPLETED/ENDED COUNSELINGS</b>				
1. COUNSELED WITHIN 30 DAYS				
2. COUNSELED WITHIN 31 TO 90 DAYS				
a. COUNSELED WITHIN WRITTEN EXTENSION PERIOD NO LONGER THAN 60 DAYS				
b. COUNSELED WITHIN 90 DAYS WHERE INDIVIDUAL PARTICIPATED IN ADR				
c. COUNSELED WITHIN 31-90 DAYS THAT WERE UNTIMELY				
3. COUNSELED BEYOND 90 DAYS				
4. COUNSELED DUE TO REMANDS				
<b>D. COUNSELING ACTIVITIES</b>				
1. ON HAND AT THE BEGINNING OF THE REPORTING PERIOD				
2. INITIATED DURING THE REPORTING PERIOD				
3. COMPLETED/ENDED COUNSELINGS				
a. SETTLEMENTS (MONETARY AND NON-MONETARY)				
b. WITHDRAWALS/NO COMPLAINT FILED				
c. COUNSELINGS COMPLETED/ENDED IN REPORTING PERIOD THAT RESULTED IN COMPLAINT FILINGS IN REPORTING PERIOD				
d. DECISION TO FILE COMPLAINT PENDING AT THE END OF THE REPORTING PERIOD				
4. COUNSELINGS PENDING AT THE END OF THE REPORTING PERIOD				

E. NON-ADR SETTLEMENTS WITH MONETARY BENEFITS			
	COUNSELINGS	INDIVIDUALS	AMOUNT
TOTAL			\$
1. COMPENSATORY DAMAGES			\$
2. BACKPAY/FRONTPAY			\$
3. LUMP SUM PAYMENT			\$
4. ATTORNEY FEES AND COSTS			\$
5.			\$
6.			\$
7.			\$

F. NON-ADR SETTLEMENTS WITH NON-MONETARY BENEFITS			
	COUNSELINGS	INDIVIDUALS	
TOTAL			
1. HIRES			
a. RETROACTIVE			
b. NON-RETROACTIVE			
2. PROMOTIONS			
a. RETROACTIVE			
b. NON-RETROACTIVE			
3. EXPUNGEMENTS			
4. REASSIGNMENTS			
5. REMOVALS RESCINDED			
a. REINSTATEMENT			
b. VOLUNTARY RESIGNATION			
6. ACCOMMODATIONS			
7. TRAINING			
8. APOLOGY			
9. DISCIPLINARY ACTIONS			
a. RESCINDED			
b. MODIFIED			
10. PERFORMANCE EVALUATION MODIFIED			
11. LEAVE RESTORED			
12.			
13.			

G. ADR SETTLEMENTS WITH MONETARY BENEFITS			
	COUNSELINGS	INDIVIDUALS	AMOUNT
TOTAL			\$
1. COMPENSATORY DAMAGES			\$
2. BACKPAY/FRONTPAY			\$
3. LUMP SUM PAYMENT			\$
4. ATTORNEY FEES AND COSTS			\$
5.			\$
6.			\$
7.			\$

H. ADR SETTLEMENTS WITH NON-MONETARY BENEFITS			
	COUNSELINGS	INDIVIDUALS	
TOTAL			
1. HIRES			
a. RETROACTIVE			
b. NON-RETROACTIVE			
2. PROMOTIONS			
a. RETROACTIVE			
b. NON-RETROACTIVE			
3. EXPUNGEMENTS			
4. REASSIGNMENTS			
5. REMOVALS RESCINDED			
a. REINSTATEMENT			
b. VOLUNTARY RESIGNATION			
6. ACCOMMODATIONS			
7. TRAINING			
8. APOLOGY			
9. DISCIPLINARY ACTIONS			
a. RESCINDED			
b. MODIFIED			
10. PERFORMANCE EVALUATION MODIFIED			
11. LEAVE RESTORED			
12.			
13.			

I. NON-ADR SETTLEMENTS			
	COUNSELINGS	INDIVIDUALS	
TOTAL			

# ANNUAL FEDERAL EQUAL EMPLOYMENT OPPORTUNITY STATISTICAL REPORT OF DISCRIMINATION COMPLAINTS

(REPORTING PERIOD BEGINS OCTOBER 1ST AND ENDS SEPTEMBER 30TH)

**AGENCY OR DEPARTMENT:** \_\_\_\_\_ **REPORTING PERIOD: FY** \_\_\_\_\_

**PART II - FORMAL COMPLAINT ACTIVITIES**

A. COMPLAINTS ON HAND AT THE BEGINNING OF THE REPORTING PERIOD

B. COMPLAINTS FILED

C. REMANDS (sum of lines C1+C2+C3)

C.1. REMANDS (NOT INCLUDED IN A OR B)

C.2. REMANDS (INCLUDED IN A OR B)

C.3. NUMBER OF ADDITIONAL REMANDS IN THIS REPORTING PERIOD THAT ARE NOT CAPTURED IN C.1 OR C.2 ABOVE

C.4. ADDITIONAL CLOSURES IN THIS REPORTING PERIOD NOT REFLECTED IN F OR H THAT RESULTED FROM REMANDS

D. TOTAL COMPLAINTS (sum of lines A+B+C1)

E. COMPLAINTS IN LINE D THAT WERE NOT CONSOLIDATED

F. COMPLAINTS IN LINE E CLOSED DURING REPORT PERIOD

G. COMPLAINTS IN LINE D THAT WERE CONSOLIDATED

H. COMPLAINTS IN LINE G CLOSED DURING REPORT PERIOD

I. COMPLAINTS ON HAND AT THE END OF THE REPORTING PERIOD (Line D - (F+H)) + [(C2 + C3) - C4]

J. INDIVIDUALS FILING COMPLAINTS

K. NUMBER OF JOINT PROCESSING UNITS FROM CONSOLIDATION OF COMPLAINTS

**PART III - AGENCY RESOURCES, TRAINING, REPORTING LINE**

**A. AGENCY & CONTRACT RESOURCES**

	AGENCY		CONTRACT	
	NUMBER	PERCENT	NUMBER	PERCENT
<b>1. WORK FORCE</b>				
a. TOTAL WORK FORCE				
b. PERMANENT EMPLOYEES				
<b>2. COUNSELOR</b>				
a. FULL-TIME				
b. PART-TIME				
c. COLLATERAL DUTY				
<b>3. INVESTIGATOR</b>				
a. FULL-TIME				
b. PART-TIME				
c. COLLATERAL DUTY				
<b>4. COUNSELOR/INVESTIGATOR</b>				
a. FULL-TIME				
b. PART-TIME				
c. COLLATERAL DUTY				

**B. AGENCY & CONTRACT STAFF TRAINING**

	COUNSELORS		INVESTIGATORS		COUNS/INVESTIG	
	AGENCY	CONTRACT	AGENCY	CONTRACT	AGENCY	CONTRACT
<b>1. NEW STAFF - TOTAL</b>						
a. STAFF RECEIVING REQUIRED 32 OR MORE HOURS						
b. STAFF RECEIVING 8 OR MORE HOURS, USUALLY GIVEN TO EXPERIENCED STAFF						
c. STAFF RECEIVING NO TRAINING AT ALL						
<b>2. EXPERIENCED STAFF - TOTAL</b>						
a. STAFF RECEIVING REQUIRED 8 OR MORE HOURS						
b. STAFF RECEIVING 32 OR MORE HOURS, GENERALLY GIVEN TO NEW STAFF						
c. STAFF RECEIVING NO TRAINING AT ALL						

**C. REPORTING LINE**

1 EEO DIRECTOR'S NAME: \_\_\_\_\_

1a. DOES THE EEO DIRECTOR REPORT TO THE AGENCY HEAD? YES NO

2. IF NO, WHO DOES THE EEO DIRECTOR REPORT TO?  
PERSON: \_\_\_\_\_  
TITLE: \_\_\_\_\_

3. WHO IS RESPONSIBLE FOR THE DAY-TO-DAY OPERATION OF THE EEO PROGRAM IN YOUR DEPARTMENT/AGENCY/ORGANIZATION?  
PERSON: \_\_\_\_\_  
TITLE: \_\_\_\_\_

4. WHO DOES THAT PERSON REPORT TO?  
PERSON: \_\_\_\_\_  
TITLE: \_\_\_\_\_



**ANNUAL FEDERAL EQUAL EMPLOYMENT OPPORTUNITY  
STATISTICAL REPORT OF DISCRIMINATION COMPLAINTS  
(REPORTING PERIOD BEGINS OCTOBER 1ST AND ENDS SEPTEMBER 30TH)**

**AGENCY OR DEPARTMENT:**

**REPORTING PERIOD: FY**

**PART IVA - BASES OF DISCRIMINATION IN FINDINGS AND ALLEGED IN SETTLEMENTS**

FINDINGS/ALLEGATIONS IN:	BASES OF DISCRIMINATION IN FINDINGS AND ALLEGED BASES IN SETTLEMENTS																		
	RACE						COLOR	RELIGION	REPRISAL	SEX		NATIONAL ORIGIN		EQUAL PAY ACT		AGE	DISABILITY		GINA
	AMER INDIAN ALASKA NATIVE	ASIAN	NATIVE HAWAIIAN OTHER PACIFIC ISLANDER	BLACK/ AFRICAN AMERICAN	WHITE	TWO OR MORE RACES				MALE	FEMALE	HISPANIC/ LATINO	OTHER	MALE	FEMALE		MENTAL	PHYSICAL	
1. Counseling Settlement Allegations																			
1a. Number of Counselings Settled																			
1b. Number of Counselees Settled With																			
2. Complaint Settlement Allegations																			
2a. Number of Complaints Settled																			
2b. Number of Complainants Settled With																			
3. Final Agency Decision Findings																			
3a. Number FADs with Findings																			
3b. Number Complainants Issued FAD Findings																			
4. AJ Decision Findings																			
4a. Number AJ Decisions With Findings																			
5. Final Agency Order Findings																			
5a. Number of Final Orders With Findings																			
5b. # of Complainants issued FOs with Findings																			
<b>TOTAL SETTLEMENT ALLEGATIONS</b>																			
<b>TOTAL FINAL ACTION FINDINGS</b>																			

**PART IVB - ISSUES OF DISCRIMINATION IN FINDINGS AND ALLEGED IN SETTLEMENTS**

FINDINGS/ALLEGATIONS IN:	ISSUES OF DISCRIMINATION IN FINDINGS AND ALLEGED ISSUES IN SETTLEMENTS																										
	APPOINTMENT/ HIRE	ASSIGNMENT OF DUTIES	AWARDS	CONVERSION TO FULL TIME	DISCIPLINARY ACTION				DUTY HOURS	EVAL/ APPRAISAL	EXAM/ TEST	HARASSMENT		MEDICAL EXAM	PAY/ OVERTIME	PROMOTION/ NON- SELECTION	REASSIGNMENT		REASONABLE ACCOM	REIN- STATEMENT	RETIREMENT	TERMINATION	TERMS & CONDITIONS EMPLOYMENT	TIME AND ATTENDANCE	TRAINING	OTHER	
					DEMOTION	REPRIMAND	SUSPENSION	REMOVAL				NON-SEXUAL	SEXUAL				DENIED	DIRECTED									
1. Counseling Settlement Allegations																											
1a. Number of Counselings Settled																											
1b. Number of Counselees Settled With																											
2. Complaint Settlement Allegations																											
2a. Number of Complaints Settled																											
2b. Number of Complainants Settled With																											
3. Final Agency Decision Findings																											
3a. Number FADs with Findings																											
3b. Number Complainants Issued FAD Findings																											
4. AJ Decision Findings																											
4a. Number AJ Decisions With Findings																											
5. Final Agency Order Findings																											
5a. Number of Final Orders With Findings																											
5b. # of Complainants issued FOs with Findings																											
<b>TOTAL SETTLEMENT ALLEGATIONS</b>																											
<b>TOTAL FINAL ACTION FINDINGS</b>																											

# ANNUAL FEDERAL EQUAL EMPLOYMENT OPPORTUNITY STATISTICAL REPORT OF DISCRIMINATION COMPLAINTS

(REPORTING PERIOD BEGINS OCTOBER 1ST AND ENDS SEPTEMBER 30TH)

**AGENCY OR DEPARTMENT:**

**REPORTING PERIOD: FY**

## PART V - SUMMARY OF CLOSURES BY STATUTE

**A. STATUTE (IF A SINGLE COMPLAINT HAS MULTIPLE STATUTES RECORD EACH ON THE APPROPRIATE LINE.)**

1. TITLE VII
2. AGE DISRIMINATION IN EMPLOYMENT ACT (ADEA)
3. REHABILITATION ACT
4. EQUAL PAY ACT (EPA)

**B. TOTAL BY STATUTES**

THIS NUMBER MAY BE LARGER THAN THE TOTAL NUMBER OF COMPLAINTS CLOSED.

(A1+A2+A3+A4)

## PART VI - SUMMARY OF CLOSURES BY CATEGORY

	TOTAL NUMBER	TOTAL DAYS	AVERAGE DAYS
A. TOTAL NUMBER OF CLOSURES (1+2+3)			
1. WITHDRAWALS			
a. NON-ADR WITHDRAWALS			
b. ADR WITHDRAWALS			
2. SETTLEMENTS			
a. NON-ADR SETTLEMENTS			
b. ADR SETTLEMENTS			
3. FINAL AGENCY ACTIONS ( B+C )			
B. FINAL AGENCY DECISIONS WITHOUT AN ADMINISTRATIVE JUDGE DECISION (1+2+3)			
1. FINDING DISCRIMINATION			
2. FINDING NO DISCRIMINATION			
3. DISMISSAL OF COMPLAINTS			
C. FINAL AGENCY ORDERS WITH AN ADMINISTRATIVE JUDGE (AJ) DECISION (1+2)			
1. AJ DECISION FULLY IMPLEMENTED (a+b+c)			
(a) FINDING DISCRIMINATION			
(b) FINDING NO DISCRIMINATION			
(c) DISMISSAL OF COMPLAINTS			
2. AJ DECISION NOT FULLY IMPLEMENTED (a+b+c)			
(a) FINDING DISCRIMINATION (i+ii+iii)			
i. AGENCY APPEALED FINDING BUT NOT REMEDY			
ii. AGENCY APPEALED REMEDY BUT NOT FINDING			
iii. AGENCY APPEALED BOTH FINDING AND REMEDY			
(b) FINDING NO DISCRIMINATION			
(c) DISMISSAL OF COMPLAINTS			

**ANNUAL FEDERAL EQUAL EMPLOYMENT OPPORTUNITY  
 STATISTICAL REPORT OF DISCRIMINATION COMPLAINTS  
 (REPORTING PERIOD BEGINS OCTOBER 1ST AND ENDS SEPTEMBER 30TH)**

**AGENCY OR DEPARTMENT:**

**REPORTING PERIOD: FY**

**PART VI - SUMMARY OF CLOSURES BY CATEGORY (Continued)**

	TOTAL NUMBER	TOTAL DAYS	AVERAGE DAYS
<b>D. FINAL AGENCY MERIT DECISIONS (FAD) ISSUED</b> (1+2+3+4)			
1. COMPLAINANT REQUESTED IMMEDIATE FAD (1a+1b)			
a. AGENCY ISSUED FAD WITHIN 60 DAYS OF RECEIPT OF FAD REQUEST			
b. AGENCY ISSUED FAD MORE THAN 60 DAYS BEYOND RECEIPT OF FAD REQUEST			
2. COMPLAINANT DID NOT ELECT HEARING OR FAD (2a+2b)			
a. AGENCY ISSUED FAD WITHIN 60 DAYS OF END OF 30-DAY ELECTION PERIOD			
b. AGENCY ISSUED FAD MORE THAN 60 DAYS BEYOND END OF 30-DAY ELECTION PERIOD			
3. HEARING REQUESTED; AJ RETURNED CASE TO AGENCY FOR FAD WITHOUT AJ DECISION (3a+3b)			
a. AGENCY ISSUED FAD WITHIN 60 DAYS OF RECEIPT OF AJ RETURNED CASE FOR FAD ISSUANCE			
b. AGENCY ISSUED FAD MORE THAN 60 DAYS AFTER RECEIPT OF AJ RETURNED CASE FOR FAD ISSUANCE			
4. FINAL AGENCY DECISION ISSUED ON A MIXED CASE (4a+4b)			
a. AGENCY ISSUED FAD WITHIN 45 DAYS AFTER INVESTIGATION			
b. AGENCY ISSUED FAD MORE THAN 45 DAYS AFTER INVESTIGATION			

**PART VII - SUMMARY OF FORMAL COMPLAINTS CLOSED BY TYPES OF BENEFITS**

	NUMBER	AMOUNT
<b>A. TOTAL COMPLAINTS CLOSED WITH BENEFITS</b>		
<b>B. CLOSURES WITH MONETARY BENEFITS TO COMPLAINANT</b>		\$
1. BACK PAY/FRONT PAY		\$
2. LUMP SUM PAYMENT		\$
3. COMPENSATORY DAMAGES		\$
4. ATTORNEY FEES AND COSTS		\$
INTENTIONALLY LEFT BLANK		
<b>E. CLOSURES WITH NON-MONETARY BENEFITS</b>		
<b>F. TYPES OF BENEFITS</b>	NUMBER OF CLOSURES WITH MONETARY BENEFITS	NUMBER OF CLOSURES WITH NONMONETARY BENEFITS
1. HIRES		
a. RETROACTIVE		
b. NON-RETROACTIVE		
2. PROMOTIONS		
a. RETROACTIVE		
b. NON-RETROACTIVE		
3. EXPUNGEMENTS		
4. REASSIGNMENTS		
5. REMOVALS RESCINDED		
a. REINSTATEMENT		
b. VOLUNTARY RESIGNATION		
6. ACCOMMODATIONS		
7. TRAINING		
8. APOLOGY		
9. DISCIPLINARY ACTIONS		
a. RESCINDED		
b. MODIFIED		
10. PERFORMANCE EVALUATION MODIFIED		
11. LEAVE RESTORED		
12.		
13.		
14.		

# ANNUAL FEDERAL EQUAL EMPLOYMENT OPPORTUNITY STATISTICAL REPORT OF DISCRIMINATION COMPLAINTS

(REPORTING PERIOD BEGINS OCTOBER 1ST AND ENDS SEPTEMBER 30TH)

**AGENCY OR DEPARTMENT:**

**REPORTING PERIOD: FY**

## PART VIII - SUMMARY OF PENDING COMPLAINTS BY CATEGORY

A. TOTAL COMPLAINTS PENDING (SAME AS PART II Line I) (1+2+3+4)	NUMBER PENDING	NUMBER OF DAYS	AVERAGE DAYS	NUMBER OF DAYS PENDING FOR OLDEST CASE
1. COMPLAINTS PENDING WRITTEN NOTIFICATION (Acknowledgement Letter)				
2. COMPLAINTS PENDING IN INVESTIGATION				
3. COMPLAINTS PENDING IN HEARINGS				
4. COMPLAINTS PENDING A FINAL AGENCY ACTION				

## PART IX - SUMMARY OF INVESTIGATIONS COMPLETED

	TOTAL	TOTAL DAYS	AVERAGE DAYS
A. INVESTIGATIONS COMPLETED DURING REPORTING PERIOD (1+3)			
1. INVESTIGATIONS COMPLETED BY AGENCY PERSONNEL (a+b+c)			
a. INVESTIGATIONS COMPLETED IN 180 DAYS OR LESS			
b. INVESTIGATIONS COMPLETED IN 181 - 360 DAYS			
1. TIMELY COMPLETED INVESTIGATIONS			
2. UNTIMELY COMPLETED INVESTIGATIONS			
c. INVESTIGATIONS COMPLETED IN 361 OR MORE DAYS			
2. AGENCY INVESTIGATION COSTS	\$		\$
3. INVESTIGATIONS COMPLETED BY CONTRACTORS (a+b+c)			
a. INVESTIGATIONS COMPLETED IN 180 DAYS OR LESS			
b. INVESTIGATIONS COMPLETED IN 181 - 360 DAYS			
1. TIMELY COMPLETED INVESTIGATIONS			
2. UNTIMELY COMPLETED INVESTIGATIONS			
c. INVESTIGATIONS COMPLETED IN 361 OR MORE DAYS			
4. CONTRACTOR INVESTIGATION COSTS	\$		\$

**ANNUAL FEDERAL EQUAL EMPLOYMENT OPPORTUNITY  
STATISTICAL REPORT OF DISCRIMINATION COMPLAINTS**

(REPORTING PERIOD BEGINS OCTOBER 1ST AND ENDS SEPTEMBER 30TH)

**AGENCY OR DEPARTMENT:**

**REPORTING PERIOD: FY**

**PART X - SUMMARY OF ADR PROGRAM ACTIVITIES**

**INFORMAL PHASE (PRE-COMPLAINT)**

A. INTENTIONALLY LEFT BLANK				
B. ADR ACTIONS IN COMPLETED/ENDED COUNSELINGS				
	COUNSELINGS	INDIVIDUALS		
1. ADR OFFERED BY AGENCY				
2. REJECTED BY COUNSELEE				
3. INTENTIONALLY LEFT BLANK				
4. TOTAL ACCEPTED INTO ADR PROGRAM				
C. ADR RESOURCES USED IN COMPLETED/ENDED COUNSELINGS (TOTALS)				
1. INHOUSE				
2. ANOTHER FEDERAL AGENCY				
3. PRIVATE ORGANIZATIONS, (e.g., CONTRACTORS, BAR ASSOCIATIONS, INDIVIDUAL VOLUNTEERS OR COLLEGE/UNIVERSITY PERSONNEL)				
4. MULTIPLE RESOURCES USED (Please specify in a comment box)				
5. FEDERAL EXECUTIVE BOARD				
6.				
7.				
	COUNSELINGS	INDIVIDUALS	DAYS	AVERAGE DAYS
D. ADR TECHNIQUES USED IN COMPLETED/ENDED COUNSELINGS (TOTALS)				
1. MEDIATION				
2. SETTLEMENT CONFERENCES				
3. EARLY NEUTRAL EVALUATIONS				
4. FACTFINDING				
5. FACILITATION				
6. OMBUDSMAN				
7. PEER REVIEW				
8. MULTIPLE TECHNIQUES USED (Please specify in a comment box)				
9.				
10.				
11.				
E. STATUS OF ADR CASES IN COMPLETED/ENDED COUNSELINGS				
	COUNSELINGS	INDIVIDUALS	DAYS	AVERAGE DAYS
1. TOTAL CLOSED				
a. SETTLEMENTS WITH BENEFITS (Monetary and Non-monetary)				
b. NO FORMAL COMPLAINT FILED				
c. COMPLAINT FILED				
i. NO RESOLUTION				
ii. NO ADR ATTEMPT (aka Part X.E.1.d)				
e. DECISION TO FILE COMPLAINT PENDING AT THE END OF THE REPORTING PERIOD				
2. INTENTIONALLY LEFT BLANK				

**ANNUAL FEDERAL EQUAL EMPLOYMENT OPPORTUNITY  
STATISTICAL REPORT OF DISCRIMINATION COMPLAINTS**

(REPORTING PERIOD BEGINS OCTOBER 1ST AND ENDS SEPTEMBER 30TH)

**AGENCY OR DEPARTMENT:**

**REPORTING PERIOD: FY**

PART XI - SUMMARY OF ADR PROGRAM ACTIVITIES

**FORMAL PHASE**

A. INTENTIONALLY LEFT BLANK				
B. ADR ACTIONS IN COMPLAINT CLOSURES				
	COMPLAINTS	COMPLAINANTS		
1. ADR OFFERED BY AGENCY				
2. REJECTED BY COMPLAINANT				
3. INTENTIONALLY LEFT BLANK				
4. TOTAL ACCEPTED INTO ADR PROGRAM				
C. ADR RESOURCES USED IN COMPLAINT CLOSURES (TOTALS)				
1. INHOUSE				
2. ANOTHER FEDERAL AGENCY				
3. PRIVATE ORGANIZATIONS, (e.g., CONTRACTORS, BAR ASSOCIATIONS, INDIVIDUAL VOLUNTEERS OR COLLEGE/UNIVERSITY PERSONNEL)				
4. MULTIPLE RESOURCES USED (Please specify in a comment box)				
5. FEDERAL EXECUTIVE BOARD				
6.				
7.				
	COMPLAINTS	COMPLAINANTS	DAYS	AVERAGE DAYS
D. ADR TECHNIQUES USED IN COMPLAINT CLOSURES (TOTALS)				
1. MEDIATION				
2. SETTLEMENT CONFERENCES				
3. EARLY NEUTRAL EVALUATIONS				
4. FACTFINDING				
5. FACILITATION				
6. OMBUDSMAN				
7. MINI-TRIALS				
8. PEER REVIEW				
9. MULTIPLE TECHNIQUES USED (Please specify in a comment box)				
10.				
11.				
12.				
E. STATUS OF CASES IN COMPLAINT CLOSURES				
1. TOTAL CLOSED				
a. SETTLEMENTS WITH BENEFITS (Monetary and Non-monetary)				
b. WITHDRAWAL FROM EEO PROCESS				
c. NO RESOLUTION				
d. NO ADR ATTEMPT				
2. INTENTIONALLY LEFT BLANK				
F. BENEFITS RECEIVED				
	COMPLAINTS	COMPLAINANTS		AMOUNT
1. MONETARY (INSERT TOTALS)				\$
a. COMPENSATORY DAMAGES				\$
b. BACKPAY/FRONTPAY				\$
c. LUMP SUM				\$
d. ATTORNEY FEES AND COSTS				\$
e.				\$
f.				\$
g.				\$
2. NON-MONETARY (INSERT TOTALS)				
a. HIRES				
i. RETROACTIVE				
ii. NON-RETROACTIVE				
b. PROMOTIONS				
i. RETROACTIVE				
ii. NON-RETROACTIVE				
c. EXPUNGEMENTS				
d. REASSIGNMENTS				
e. REMOVALS RESCINDED				
i. REINSTATEMENT				
ii. VOLUNTARY RESIGNATION				
f. ACCOMMODATIONS				
g. TRAINING				
h. APOLOGY				
i. DISCIPLINARY ACTIONS				
i. RESCINDED				
ii. MODIFIED				
j. PERFORMANCE EVALUATION MODIFIED				
k. LEAVE RESTORED				
l.				
m.				

**ANNUAL FEDERAL EQUAL EMPLOYMENT OPPORTUNITY  
STATISTICAL REPORT OF DISCRIMINATION COMPLAINTS**

(REPORTING PERIOD BEGINS OCTOBER 1ST AND ENDS SEPTEMBER 30TH)

**AGENCY OR DEPARTMENT:**

**REPORTING PERIOD: FY**

**PART XII - SUMMARY OF EEO ADR PROGRAM ACTIVITIES**

**EEO ADR RESOURCES**

<b>A. NO LONGER COLLECTED</b>			
<b>B. EMPLOYEES THAT CAN PARTICIPATE IN EEO ADR</b>			
<b>C. RESOURCES THAT MANAGE ADR PROGRAM (DOES NOT INCLUDE NEUTRALS AS REPORTED IN PARTS X. &amp; XI.)</b>			
1. IN-HOUSE FULL TIME (40 HOURS EEO ADR ONLY)			
2. IN-HOUSE PART TIME (32 HOURS EEO ADR ONLY)			
3. IN-HOUSE COLLATERAL DUTY (OTHERS/NON-CONTRACT)			
4. CONTRACT (ANOTHER FEDERAL AGENCY/PRIVATE ORGANIZATIONS)			
<b>D. ADR FUNDING SPENT</b>	<b>AMOUNT</b>		
	\$		

**E. ADR CONTACT INFORMATION**

1. NAME OF ADR PROGRAM DIRECTOR / MANAGER \_\_\_\_\_

2. TITLE \_\_\_\_\_

3. TELEPHONE NUMBER \_\_\_\_\_ 4. EMAIL \_\_\_\_\_

**F. ADR PROGRAM INFORMATION**

	YES	NO
1. Does the agency require the alleged responsible management official to participate in ADR?		
1a. If yes, is there a written policy requiring the participation?		
2. Does the alleged responsible management official have a role in deciding if the case is appropriate for ADR?		

**CERTIFICATION AND CONTACT INFORMATION**

I certify that the EEO complaint data contained in this report, EEOC Form 462, Annual Federal Equal Employment Opportunity Statistical Report of Discrimination Complaints, for the reporting period October 1, through September 30, 2010 are accurate and complete.

NAME AND TITLE OF CERTIFYING OFFICIAL:

SIGNATURE OF CERTIFYING OFFICIAL: (Enter PIN here to serve as your electronic signature)

DATE: \_\_\_\_\_ TELEPHONE NUMBER: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

NAME AND TITLE OF PREPARER:

DATE: \_\_\_\_\_ TELEPHONE NUMBER: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

**This report (with the PIN entered) is due on or before October 31st.**