

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

## For 1st Quarter 2013 for period ending December 31, 2012

\*\*Mixed Cases are Included in this report.\*\*

Complaint Activity	Comparative Data					
	Previous Fiscal Year Data					2013Thru12-31
	2008	2009	2010	2011	2012	
Number of Complaints Filed	1147	1450	1200	1296	1211	300
Number of Complainants	266	254	293	294	245	299
Repeat Filers	19	20	18	28	14	2

Complaints by Basis	Comparative Data					
	Previous Fiscal Year Data					2013Thru12-31
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	2008	2009	2010	2011	2012	
Race	320	324	401	454	402	102
Color	128	92	130	134	144	31
Religion	37	44	55	63	52	12
Reprisal	405	714	537	597	552	130
Sex	349	319	397	469	446	95
PDA	0	0	0	2	7	2

National Origin	152	473	208	220	220	48
Equal Pay Act	0	1	0	4	1	2
Age	294	285	355	421	396	82
Disability	222	212	278	320	281	60
Genetics	0	0	3	4	2	3
Non-EEO	5	22	43	85	72	20
<b>Complaints by Issue</b>	<b>Comparative Data</b>					
	<b>Previous Fiscal Year Data</b>					<b>2013 Thru 12-31</b>
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	
Appointment/Hire	64	46	56	79	64	14
Assignment of Duties	84	365	107	102	103	24
Awards	16	14	21	25	20	2
Conversion to Full-time	1	1	0	2	1	0
<b>Disciplinary Action</b>						
Demotion	10	6	9	12	17	1
Reprimand	54	49	58	88	71	8
Suspension	34	27	63	74	65	14
Removal	19	14	17	30	33	8
Other	13	15	30	47	21	4
Duty Hours	13	15	23	34	17	3
Evaluation Appraisal	59	60	93	98	92	14
Examination/Test	4	6	7	6	4	4
<b>Harassment</b>						
Non-Sexual	297	587	408	473	464	96

Sexual	42	46	52	40	36	14
Medical Examination	14	4	10	8	12	2
Pay (Including Overtime)	18	16	16	39	26	10
Promotion/Non-Selection	250	222	231	246	263	60
<b>Reassignment</b>						
Denied	23	24	24	30	24	8
Directed	26	41	36	55	37	8
Reasonable Accommodation	38	38	52	63	63	10
Reinstatement	4	7	6	7	11	0
Retirement	2	4	8	8	8	1
Termination	122	137	186	163	83	17
Terms/Conditions of Employment	100	348	164	220	117	25
Time and Attendance	42	30	47	52	54	4
Training	25	23	35	32	35	6
Other	97	79	89	64	29	5
<b>Processing Time</b>	<b>Comparative Data</b>					
	<b>Previous Fiscal Year Data</b>					<b>2013Thru12-31</b>
	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	
Complaints pending during fiscal year						
Average number of days in investigation	227.60	235.47	214.33	239.27	232.23	210.36
Average number of days in final action	621.55	415.23	514.21	183.17	107.34	94.70
Complaint pending during fiscal year where hearing was requested						
Average number of days in	223.00	221.84	209.58	235.22	229.37	204.12

investigation												
Average number of days in final action	36.74	21.19	57.78	25.48	28.40	25.87						
Complaint pending during fiscal year where hearing was not requested												
Average number of days in investigation	238.35	251.57	223.07	250.10	237.58	215.68						
Average number of days in final action	1,349.27	850.89	666.14	283.47	181.81	152.32						
<b>Complaints Dismissed by Agency</b>	<b>Comparative Data</b>											
	<b>Previous Fiscal Year Data</b>										<b>2013Thru12-31</b>	
	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>							
Total Complaints Dismissed by Agency	254	191	222	155	171	20						
Average days pending prior to dismissal	312	346	384	201	172	194						
<b>Complaints Withdrawn by Complainants</b>												
Total Complaints Withdrawn by Complainants	94	69	109	102	122	26						
<b>Total Final Agency Actions Finding Discrimination</b>	<b>Comparative Data</b>											
	<b>Previous Fiscal Year Data</b>										<b>2013Thru12-31</b>	
	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>							
	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>
Total Number Findings	9		13		11		12		13		6	
Without Hearing	0	0	0	0	3	27	3	25	1	8	3	50
With Hearing	9	100	13	100	8	73	9	75	12	92	3	50
<b>Findings of</b>	<b>Comparative Data</b>											

Discrimination Rendered by Basis	Previous Fiscal Year Data										2013Thru12-31	
	2008		2009		2010		2011		2012			
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>	#	%	#	%	#	%	#	%	#	%	#	%
<b>Total Number Findings</b>	14		21		18		12		13		6	
Race	2	14	8	38	4	22	4	33	1	8	2	33
Color	1	7	0	0	1	6	2	17	3	23	0	0
Religion	5	36	2	10	2	11	2	17	0	0	0	0
Reprisal	3	21	6	29	7	39	6	50	7	54	6	100
Sex	4	29	6	29	5	28	1	8	4	31	2	33
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	7	50	1	5	2	11	1	8	2	15	1	17
Equal Pay Act	1	7	0	0	0	0	0	0	0	0	0	0
Age	3	21	4	19	3	17	1	8	4	31	1	17
Disability	2	14	4	19	3	17	3	25	2	15	1	17
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	1	8	0	0
<b>Findings After Hearing</b>	14		20		15		9		12		3	
Race	2	14	8	40	4	27	4	44	1	8	1	33
Color	1	7	0	0	1	7	2	22	2	17	0	0
Religion	5	36	2	10	1	7	2	22	0	0	0	0
Reprisal	3	21	6	30	7	47	4	44	7	58	3	100

Sex	4	29	6	30	3	20	1	11	4	33	1	33
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	7	50	1	5	2	13	1	11	1	8	1	33
Equal Pay Act	1	7	0	0	0	0	0	0	0	0	0	0
Age	3	21	4	20	2	13	1	11	4	33	1	33
Disability	2	14	3	15	3	20	2	22	2	17	1	33
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	1	8	0	0
<b>Findings Without Hearing</b>	0		1		3		3		1		3	
Race	0	0	0	0	0	0	0	0	0	0	1	33
Color	0	0	0	0	0	0	0	0	1	100	0	0
Religion	0	0	0	0	1	33	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	2	67	0	0	3	100
Sex	0	0	0	0	2	67	0	0	0	0	1	33
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	1	100	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	1	33	0	0	0	0	0	0
Disability	0	0	1	100	0	0	1	33	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
<b>Findings of Discrimination Rendered by Issue</b>	<b>Comparative Data</b>											
	<b>Previous Fiscal Year Data</b>										<b>2013Thru12-31</b>	
	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>							

	#	%	#	%	#	%	#	%	#	%	#	%
<b>Total Number Findings</b>	14		20		18		11		13		6	
Appointment/Hire	1	7	1	5	1	6	1	9	0	0	0	0
Assignment of Duties	1	7	1	5	1	6	0	0	2	15	1	17
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0	0	0
<b>Disciplinary Action</b>												
Demotion	0	0	2	10	1	6	0	0	0	0	0	0
Reprimand	0	0	0	0	1	6	1	9	1	8	1	17
Suspension	0	0	0	0	1	6	0	0	1	8	1	17
Removal	0	0	2	10	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	1	9	0	0	0	0
Evaluation Appraisal	1	7	0	0	0	0	0	0	2	15	1	17
Examination/Test	0	0	0	0	1	6	0	0	0	0	0	0
<b>Harassment</b>												
Non-Sexual	4	29	5	25	5	28	3	27	3	23	3	50
Sexual	0	0	1	5	1	6	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	1	6	0	0	1	8	0	0
Promotion/Non-Selection	9	64	7	35	6	33	0	0	3	23	0	0
<b>Reassignment</b>												



Duty Hours	0	0	0	0	0	0	1	13	0	0	0	0
Evaluation Appraisal	1	7	0	0	0	0	0	0	2	17	0	0
Examination/Test	0	0	0	0	1	7	0	0	0	0	0	0
Harassment												
Non-Sexual	4	29	5	26	5	33	3	38	2	17	1	33
Sexual	0	0	1	5	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	1	7	0	0	1	8	0	0
Promotion/Non-Selection	9	64	6	32	6	40	0	0	3	25	0	0
Reassignment												
Denied	1	7	0	0	1	7	0	0	0	0	0	0
Directed	0	0	0	0	2	13	0	0	0	0	1	33
Reasonable Accommodation	0	0	2	11	0	0	3	38	1	8	1	33
Reinstatement	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
Termination	2	14	1	5	1	7	1	13	2	17	0	0
Terms/Conditions of Employment	0	0	1	5	1	7	2	25	0	0	1	33
Time and Attendance	0	0	0	0	1	7	0	0	0	0	0	0
Training	0	0	0	0	2	13	0	0	1	8	0	0
Other - User Defined	0	0	0	0	2	13	0	0	1	8	0	0
<b>Findings Without</b>	0		1		3		3		1		3	



Reasonable Accommodation	0	0	0	0	1	33	0	0	0	0	0	0
Reinstatement	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
Termination	0	0	0	0	1	33	1	33	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 - User Defined	0	0	0	0	0	0	0	0	0	0	1	33

<b>Pending Complaints Filed in Previous Fiscal Years by Status</b>	<b>Comparative Data</b>					
	<b>Previous Fiscal Year Data</b>					<b>2013Thru12-31</b>
	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	
Total complaints from previous Fiscal Years	2094	1971	2285	1755	1824	1960
Total Complainants	1962	1822	2122	1623	1671	1792
<b>Number complaints pending</b>						
Investigation	111	89	52	42	74	411
ROI issued, pending Complainant's action	7	9	12	6	6	43
Hearing	394	500	427	571	715	925
Final Agency Action	256	235	216	89	132	153
Appeal with EEOC Office of Federal Operations	109	136	207	327	356	400
<b>Complaint Investigations</b>	<b>Comparative Data</b>					
	<b>Previous Fiscal Year Data</b>					<b>2013Thru12-31</b>
	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	

Pending Complaints Where Investigations Exceed Required Time Frames	267	198	156	206	221	268
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