

# **U.S. GENERAL SERVICES ADMINISTRATION**



## **Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 Annual Report for Fiscal Year 2018**

**March 29, 2019**

***Office of Civil Rights***

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## 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 making agencies and departments more accountable for violations of Federal antidiscrimination and whistleblower protection laws<sup>1</sup>. Section 203 of the No FEAR Act requires that each Federal agency, no later than 180 days after the end of each fiscal year (FY), submit a report to the Speaker of the United States (U.S.) House of Representatives; the President pro tempore of the U.S. Senate; the Committee on Governmental Affairs of the Senate; the Committee on Government Reform of the House of Representatives; each committee of the U.S. Congress with jurisdiction relating to the agency; the Chair, U.S. Equal Employment Opportunity Commission (EEOC); and the Attorney General of the United States. Regulations of the U.S. Office of Personnel Management (OPM) implementing the No FEAR Act, 5 CFR Part 724, Subpart C, also require submission of this annual report to the Director of OPM.<sup>2</sup>

The annual report must include the following:

- Complaint activity (including Federal district court cases);
- Disciplinary actions that result from complaints;
- Judgment Fund reimbursements;
- Adjustments to agency budgets to meet Judgment Fund reimbursement requirements;
- Analysis of trends, causation, and practical knowledge gained through experience;
- Actions planned or taken to improve the agency's complaints or civil rights programs; and
- The agency's plan for No FEAR Act-related training.<sup>3</sup>

The U.S. General Services Administration (GSA) submits this report providing GSA equal employment opportunity (EEO) data and analysis for the No FEAR Act for FY 2018 (October 1, 2017, through September 30, 2018).

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<sup>1</sup> See Pub. L. No. 107-174, 116 Stat. 566 (2002).

<sup>2</sup> 5 CFR §724.302(c)(8).

<sup>3</sup> 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 FY 2018 as well as No FEAR Act data and reports 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 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, property and 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. Headquartered in Washington, DC, GSA delivers goods and services to its Federal customers through 11 regional offices.

### **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 employment opportunity (EEO) 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.<sup>4</sup>

OCR primarily fulfills its mission through five programs related to Federal civil rights laws and regulations: the EEO Program, the Nondiscrimination in Federally Assisted Programs and Activities Financial Assistance Program, the Nondiscrimination in Federally Conducted Programs and Activities Program, the Affirmative Employment Program and the Environmental Justice Program. OCR consists of two divisions: the EEO Programs Division and the Civil Rights Programs Division. The EEO Programs

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<sup>4</sup> See generally 29 CFR Part 1614.

Division maintains oversight and implements Title VII of the Civil Rights Act of 1964, as amended; the Rehabilitation Act of 1973, as amended; the Age Discrimination in Employment Act of 1967, as amended; the Genetic Information Nondiscrimination Act of 2008; and various Executive Orders, rules, and regulations for GSA. The division also adjudicates complaints alleging unlawful discrimination or retaliation. The Civil Rights Programs Division maintains the other major programmatic requirements for OCR, including providing oversight and direction regarding external civil rights as well as the Affirmative Employment Program for GSA. The Civil Rights Programs Division also develops and administers policy, outreach, and reporting activities relating to civil rights.<sup>5</sup>

### III. Results and Data

#### A. Cases in Federal District Court

In FY 2018, GSA had zero cases in Federal district court that arose under Federal antidiscrimination and whistleblower protection laws.

#### B. Reimbursements to the Judgment Fund

In FY 2018, GSA did not have any reimbursement requirements to the Judgment Fund, which includes both lump sum payments and/or attorney’s fees. Consequently, no budget adjustments were needed to cover judgments, awards, and compromise settlements related to current and former Federal employee claims. As shown in Table 1, GSA’s reimbursements to the Judgment Fund decreased between FY 2014 and FY 2018.

Table 1: Reimbursements to the Judgment Fund FY 2014 – FY 2018

| Judgment Fund Reimbursements | FY 2014   | FY 2015 | FY 2016 | FY 2017 | FY 2018 |
|------------------------------|-----------|---------|---------|---------|---------|
| Reimbursement Amount         | \$135,000 | \$0     | \$0     | \$850   | \$0     |

#### C. Disciplinary Actions

A review of FY 2018 disciplinary records shows no GSA employees were disciplined for improper or illegal discrimination, retaliation, harassment, or other infraction of any provision of law as stipulated by the No FEAR Act. The GSA policy directing disciplinary action against Federal employees for conduct identified as prohibited personnel practices and inconsistent with the Federal antidiscrimination and whistleblower protection laws is available at the following hyperlink: [HRM 9751.1 –](#)

<sup>5</sup> See generally 29 CFR §1614.102(a) and 29 CFR §1614.102(b)(4).

**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. EEO Complaint Data**

See Appendix B to this report for GSA's fiscal year-end data for FY 2018 along with comparative data for fiscal years prior to FY 2018.

### **IV. Analysis of Trends and Causality**

#### **A. EEO Complaint Activity**

In FY 2018, 84 formal complaints were filed by 79 complainants. The number of complaints represents a six percent decrease from FY 2017, when 89 formal complaints were filed and a six percent increase from FY 2014, when 79 complaints were filed. The 79 complainants in FY 2018 represent a 30 percent increase from FY 2014, which had 61 complainants.<sup>6</sup>

GSA's workforce population between FY 2014 and FY 2018 has generally remained constant, fluctuating by less than four percent between any two fiscal years. Overall, GSA's workforce decreased by almost four percent (450 people), from 11,501 employees in FY 2014 to 11,051 at the end of FY 2018. As shown by Table 2, there is no apparent correlation between the changes in the workforce population and complaint filings from year to year.

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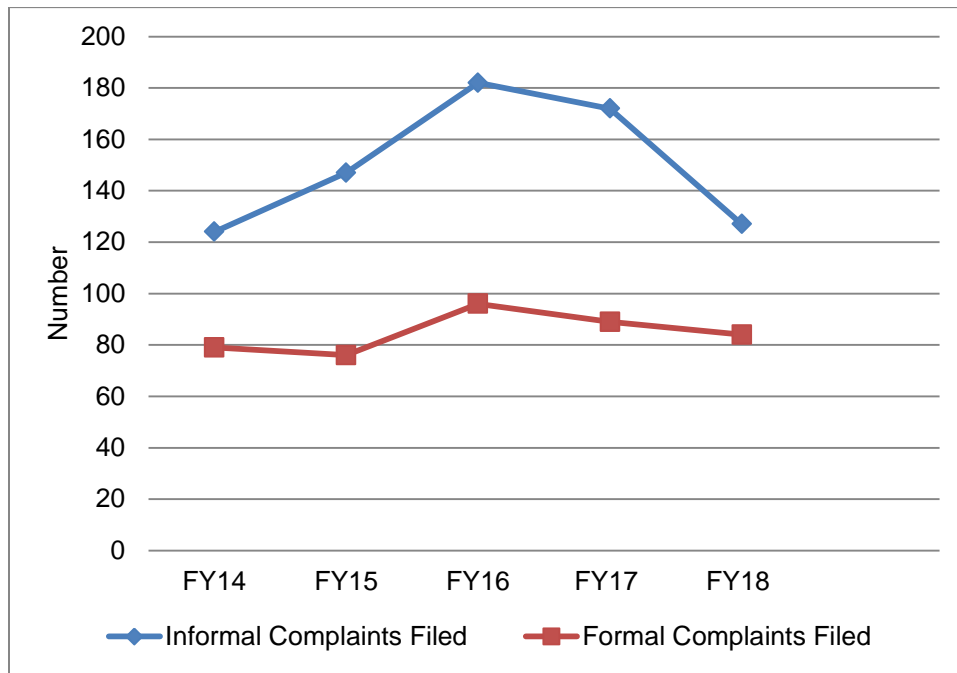
<sup>6</sup> GSA's No FEAR Act Annual Report for FY 2018 shows EEO data for other fiscal years that is slightly different from that in prior No FEAR Act reports. Variations are due to ongoing reconciliation of data in GSA's EEO complaints database.

Table 2: Complaints Filed Per Year and Per Capita Rates FY 2014 - FY 2018

|   | FY 2014 | FY 2015 | FY 2016 | FY 2017 | FY 2018 |
|---|---------|---------|---------|---------|---------|
| Informal Complaints Filed <sup>7</sup>          | 124     | 147     | 182     | 172     | 127     |
| Informal Complaints Filed per 100 Employees     | 1.08    | 1.32    | 1.58    | 1.50    | 1.15    |
| Formal Complaints Filed                         | 79      | 76      | 96      | 89      | 84      |
| Formal Complaints Filed per 100 Employees       | 0.67    | 0.68    | 0.81    | 0.74    | 0.76    |
| Permanent Employees as of September 30 per year | 11,501  | 11,170  | 11,552  | 11,488  | 11,051  |

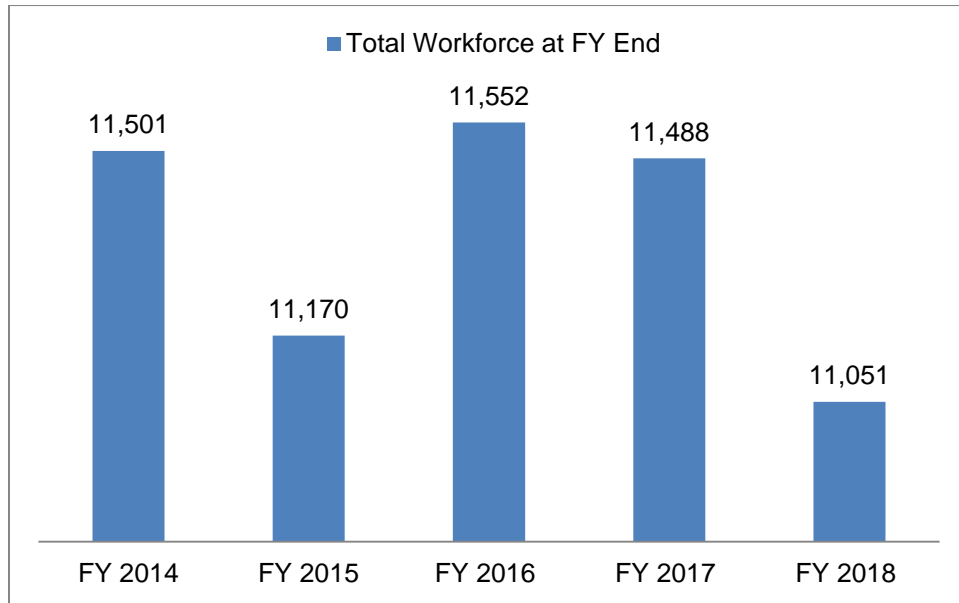
Figures 1 and 2 show a graphic representation of informal and formal complaints filed as well as changes in GSA's workforce population from FY 2014 through FY 2018.

Figure 1: Trends in Informal and Formal Complaints Filed FY 2014 - FY 2018



<sup>7</sup> Informal complaints are not reported in No FEAR Act quarterly postings but are shown here to distinguish informal from formal EEO activity in a given year.

Figure 2: GSA Workforce Population FY 2014 – FY 2018



## B. Bases of Discrimination in EEO Complaints

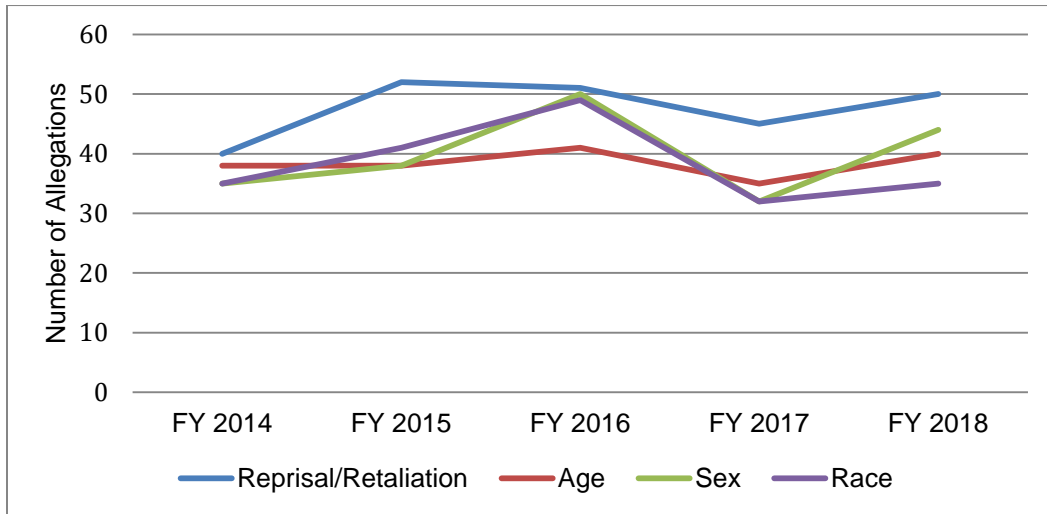
The most frequently cited basis of discrimination alleged in formal complaints in FY 2018 was reprisal/retaliation (50), followed by sex (44), age (40), and race (35). The most frequently cited bases changed slightly from FY 2017, when they were reprisal/retaliation (45), age (35), sex (32) and race (32).

Table 3: Top Bases Alleged in Complaints Filed FY 2014 - FY 2018

|                      | FY 2014 | FY 2015 | FY 2016 | FY 2017 | FY 2018 |
|----------------------|---------|---------|---------|---------|---------|
| <b>Basis</b>         |         |         |         |         |         |
| Reprisal/Retaliation | 40      | 52      | 51      | 45      | 50      |
| Age                  | 38      | 38      | 41      | 35      | 40      |
| Sex                  | 35      | 38      | 50      | 32      | 44      |
| Race                 | 35      | 41      | 49      | 32      | 35      |



Figure 3: Top Bases Alleged in Complaints Filed FY 2014 – FY 2018



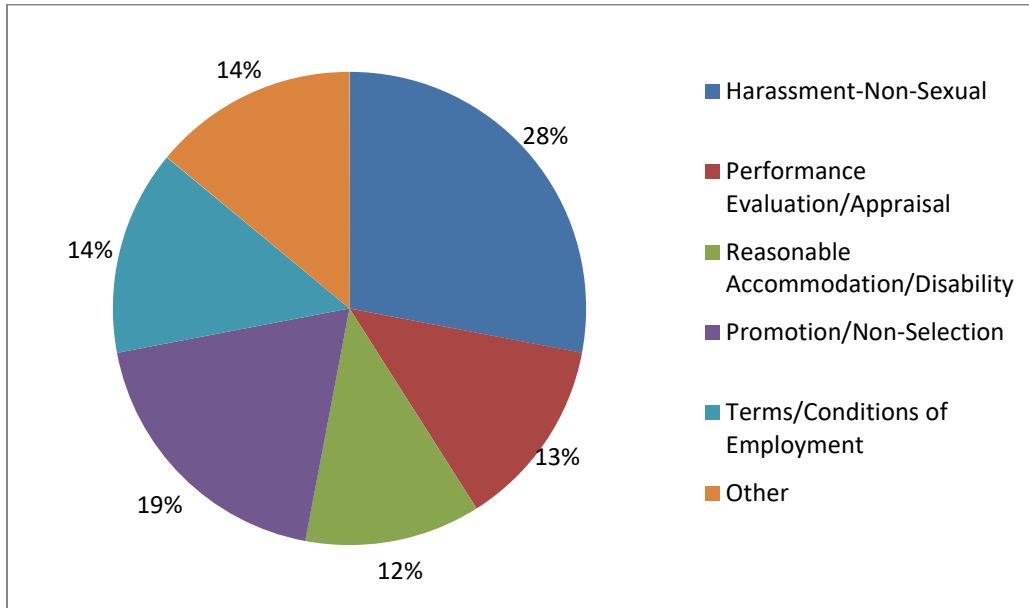
### C. Issues in EEO Complaints

Of the 84 complaints filed in FY 2018, the issue most frequently alleged was non-sexual harassment (24), followed by promotion/non-selection (16), and then terms/conditions of employment (12). By comparison, FY 2017’s most common issue was non-sexual harassment (33), followed by promotion/non-selection (17), performance evaluation/appraisal (17), and reasonable accommodation/disability (17). As shown in Table 4, GSA’s top issues have remained generally unchanged during the past five fiscal years.

Table 4: Top Five Issues in Complaint Allegations Filed FY 2014 - FY 2018

|                                      | FY 2014 | FY 2015 | FY 2016 | FY 2017 | FY 2018 |
|--------------------------------------|---------|---------|---------|---------|---------|
| <b>Issue</b>                         |         |         |         |         |         |
| Harassment - Non-Sexual              | 29      | 32      | 26      | 33      | 24      |
| Performance Evaluation/Appraisal     | 15      | 13      | 17      | 17      | 11      |
| Reasonable Accommodation/ Disability | 8       | 6       | 8       | 17      | 10      |
| Promotion/Non-Selection              | 12      | 18      | 27      | 17      | 16      |
| Terms/Conditions of Employment       | 3       | 17      | 13      | 13      | 12      |

Figure 4: Top Five Issues in Complaint Allegations Filed FY 2014 - FY 2018



Top bases and issues in GSA's formal complaint filings in FY 2018 were consistent with Government-wide statistics as reported by the EEOC. According to the EEOC, Government-wide in FY 2015, reprisal was the most frequently cited basis followed by age, disability/physical and sex/female.<sup>8</sup> The EEOC also reported that in FY 2015, the most frequently alleged issue was harassment-non-sexual, followed by disciplinary action, terms and conditions of employment, and promotion/non-selection.

## V. Complaints Processing and Adjudication Data

### A. EEO Investigations

Generally, agencies must complete investigations and issue the report of investigation within 180 days from the date the formal complaint was filed. However, the investigation period can be extended by the complainant or due to an amendment to the complaint<sup>9</sup>. In FY 2018, GSA, through contract services, was 100 percent timely and completed 63 investigations with an average processing time of 215.48 days. This represents a four percent increase from FY 2017, when investigation processing time averaged 207.12 days, and an overall 0.4 percent increase from investigations conducted in FY 2014, when the processing time averaged 216.88 days.

<sup>8</sup> See EEOC FY 2015 Annual Report on the Federal Workforce, Executive Summary, Part VI, Tables 6.6-6.7, at <https://www.eeoc.gov/federal/reports/fsp2015/index.cfm>

<sup>9</sup> See 29 C.F.R. §1614.106(e)(2).

Table 5: EEO Investigation Processing Performance FY 2014 - FY 2018

| Investigations          | FY 2014 | FY 2015 | FY 2016 | FY 2017 | FY 2018 |
|-------------------------|---------|---------|---------|---------|---------|
| Number processed        | 70      | 53      | 58      | 67      | 63      |
| Number Untimely         | 8       | 0       | 1       | 0       | 0       |
| Percentage Timely       | 89%     | 100%    | 98%     | 100%    | 100%    |
| Average Processing Days | 216.88  | 198..94 | 196.22  | 207.12  | 215.48  |

## B. Procedural Dismissals

Not all formal complaints result in an EEO investigation. Instead, an agency may procedurally dismiss an EEO complaint for one of several reasons, including, but not limited to failure to state a claim, untimely initial contact with an EEO counselor, filing the identical claim in Federal district court, or failure to provide necessary information to the agency. See 29 C.F.R. 1614.107 (a). GSA issued 11 procedural dismissal decisions in FY 2018.

Table 6: Procedural Dismissals FY 2014 - FY 2018

|                                   | FY 2014 | FY 2015 | FY 2016 | FY 2017 | FY 2018 |
|-----------------------------------|---------|---------|---------|---------|---------|
| Total Number                      | 16      | 14      | 12      | 5       | 11      |
| Average number of processing days | 31.88   | 21.93   | 21.42   | 22.60   | 28.64   |

## C. Findings of Discrimination

As shown in Table 7, in FY 2018, GSA processed four cases in which findings of discrimination were made. These cases included one Final Agency Decision on the merits by GSA, one EEOC administrative judge (AJ) decision finding discrimination that resolved through settlement, and one EEOC Office of Federal Operations (OFO) decision affirming default judgment in two cases that were consolidated. GSA's request for reconsideration of the last-mentioned decision is pending before the OFO.

GSA's EEO complaints where there were findings of discrimination from FY 2014 through FY 2018 are summarized in Table 7. In examining its data, GSA did not identify any patterns or trends. Moreover, the fluctuation in the number of findings between FY 2014 and FY 2018 does not appear to be attributable to any particular cause.

Table 7: GSA Findings of Discrimination FY 2014-FY 2018

|                 | FY 2014                          | FY 2015                          | FY 2016                 | FY 2017 | FY 2018                      |
|-----------------|----------------------------------|----------------------------------|-------------------------|---------|------------------------------|
| <b>Findings</b> | 2                                | 2                                | 1                       | 0       | 4                            |
| <b>Bases</b>    | Disability                       | Disability                       | Disability              |         | Disability                   |
|                 | Race                             | Reprisal                         | Age                     |         | Race                         |
|                 | Reprisal                         | Reprisal                         | Age                     |         | Sex                          |
|                 |                                  | Sex                              | Sex                     |         | Reprisal                     |
|                 |                                  | Harassment                       |                         |         |                              |
|                 |                                  |                                  |                         |         |                              |
| <b>Issues</b>   | Reasonable Accommodation         | Reasonable Accommodation         | Promotion/Non-selection |         | General Appointment/Hire     |
|                 | Reassignment                     | Performance Evaluation/Appraisal | Time & Attendance       |         | Disciplinary Action/Removal  |
|                 | Terms & Conditions of Employment |                                  | General Trainings       |         | Harassment                   |
|                 |                                  |                                  |                         |         | General Terms/Conditions     |
|                 |                                  |                                  |                         |         | General Assignment of Duties |

## VI. Practical Knowledge Gained Through Experience and Improvements

During FY 2018, OCR continued to capitalize on program enhancements begun in prior fiscal years and to implement new practices and collaborations that have yielded achievements in several areas.

**Enhanced Early Resolution.** OCR continued to enhance alternative dispute resolution (ADR) strategies by aggressively working with other GSA offices to proactively prevent office conflict from escalating into perceived discrimination and to resolve allegations of discrimination at the earliest possible stage of the EEO process. OCR offers ADR to 100 percent of individuals initiating pre-complaints as well as those initiating formal complaints of discrimination. Of the 134 informal cases, 83 aggrieved persons opted for ADR, resulting in a 62 percent participation rate. Settlement was achieved in 46 percent (38) of the informal cases where ADR was used. A further indication of the program’s success is that 71 percent (76) of respondents to OCR’s customer service survey in FY 2018 were satisfied with and felt well prepared for ADR.

**Innovation at GSA.** While FY 2017's focus was on improving the informal EEO complaint process, FY 2018's focus was improving the formal EEO complaint process. This included awarding a task order to new vendors to provide EEO investigation services for GSA.

**Civilian Labor Force Database.** OCR also worked with the EEOC and OPM to develop a pilot database for reporting the relevant civilian labor force for conducting EEO trigger analysis. OCR shared the innovative approach with other Federal agencies at the 2018 Federal Dispute Resolution Conference, with several agencies expressing interest in adopting the comprehensive database for their own organizations.

**Improvements to the OCR Program.** OCR was reorganized in FY 2015 to improve its organizational and operational efficiency and to improve service delivery to its customers in GSA. A management review conducted in the summer of 2018 revealed that the organization is meeting almost all program requirements of a Federal EEO program in accordance with 29 CFR 1614, but could benefit from additional changes to office functions, structure and staffing in order to achieve optimal performance. During FY 2018, OCR consulted with various organizations within GSA and a network of EEO directors from other Federal agencies to lay the groundwork for a reorganization to further improve the GSA civil rights program. Key goals for the reorganization include developing a five year strategic plan aimed at achieving greater collaboration between OCR and other components of GSA and better integration of EEO policies and diversity considerations in GSA's operations and workforce planning. Another goal of the strategic plan is to establish performance metrics to effectively measure OCR's operational performance and effectiveness in the near and long term. The reorganization is expected to be completed by the end of FY 2019.

## **VII. No FEAR Act Training**

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. At the end of FY 2018, over 95 percent of eligible, onboard GSA employees had completed No FEAR Act training. 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):

(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:**

(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 have submitted 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 2013-2018

EEO Data Posted Pursuant to the No Fear Act

Data posted at the end of the fourth 4<sup>th</sup> quarter of FY 2018

| Complaint Activity         | Comparative Data          |      |      |      |      |      |
|----------------------------|---------------------------|------|------|------|------|------|
|                            | Previous Fiscal Year Data |      |      |      |      |      |
|                            | 2013                      | 2014 | 2015 | 2016 | 2017 | 2018 |
| Number of Complaints Filed | 87                        | 79   | 76   | 96   | 89   | 84   |
| Number of Complainants     | 66                        | 61   | 68   | 84   | 79   | 79   |
| Repeat Filers              | 13                        | 8    | 5    | 9    | 8    | 5    |

| Complaints by Basis  | Comparative Data          |      |      |      |      |      |
|--|---------------------------|------|------|------|------|------|
|  | Previous Fiscal Year Data |      |      |      |      |      |
|  | 2013                      | 2014 | 2015 | 2016 | 2017 | 2018 |
| <i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i> |                           |      |      |      |      |      |
| Race   | 44                        | 35   | 41   | 49   | 32   | 35   |
| Color  | 25                        | 19   | 23   | 34   | 17   | 17   |
| Religion   | 8                         | 9    | 8    | 12   | 4    | 8    |
| Reprisal   | 47                        | 40   | 52   | 51   | 45   | 50   |
| Sex  | 43                        | 35   | 38   | 50   | 32   | 44   |
| Pregnancy Discrimination Act (PDA)   | 0                         | 0    | 0    | 0    | 0    | 0    |
| National Origin  | 14                        | 17   | 23   | 25   | 10   | 13   |
| Equal Pay Act  | 6                         | 4    | 5    | 0    | 0    | 1    |
| Age  | 40                        | 38   | 38   | 41   | 35   | 40   |
| Disability   | 38                        | 21   | 31   | 35   | 41   | 33   |
| Genetics   | 0                         | 0    | 1    | 0    | 0    | 0    |
| Non-EEO  | 3                         | 5    | 6    | 4    | 4    | 3    |

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| Complaints by Issue  | Comparative Data          |      |      |      |      |      |
|--|---------------------------|------|------|------|------|------|
|  | Previous Fiscal Year Data |      |      |      |      |      |
| <i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i> | 2013                      | 2014 | 2015 | 2016 | 2017 | 2018 |
| Appointment/Hire   | 7                         | 3    | 4    | 6    | 3    | 0    |
| Assignment of Duties   | 13                        | 8    | 10   | 12   | 9    | 6    |
| Awards   | 3                         | 0    | 0    | 0    | 0    | 0    |
| Conversion to Full Time/Perm Status  | 0                         | 1    | 1    | 0    | 0    | 0    |
| <b>Disciplinary Action</b>   |                           |      |      |      |      |      |
| Demotion   | 0                         | 3    | 0    | 3    | 2    | 0    |
| Reprimand  | 4                         | 4    | 11   | 3    | 4    | 4    |
| Suspension   | 2                         | 3    | 3    | 1    | 3    | 3    |
| Removal  | 4                         | 1    | 2    | 3    | 4    | 1    |
| Other  | 10                        | 5    | 1    | 0    | 0    | 0    |
| Duty Hours   | 3                         | 1    | 1    | 2    | 2    | 0    |
| Perf. Eval./ Appraisal   | 13                        | 15   | 13   | 17   | 17   | 11   |
| Examination/Test   | 0                         | 0    | 1    | 1    | 1    | 0    |
| <b>Harassment</b>  |                           |      |      |      |      |      |
| Non-Sexual   | 25                        | 29   | 32   | 26   | 33   | 24   |
| Sexual   | 4                         | 1    | 1    | 5    | 1    | 4    |
| Medical Examination  | 1                         | 0    | 0    | 0    | 0    | 0    |
| Pay including overtime   | 5                         | 2    | 4    | 1    | 2    | 4    |
| Promotion/Non-Selection  | 15                        | 12   | 18   | 27   | 17   | 16   |
| <b>Reassignment</b>  |                           |      |      |      |      |      |
| Denied   | 2                         | 2    | 3    | 3    | 3    | 1    |
| Directed   | 3                         | 3    | 3    | 1    | 1    | 2    |
| Reasonable Accommodation Disability  | 6                         | 8    | 6    | 8    | 17   | 10   |
| Reinstatement  | 0                         | 1    | 0    | 0    | 0    | 0    |
| Religious Accommodation  | 0                         | 0    | 0    | 0    | 0    | 0    |

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| Complaints by Issue  | Comparative Data          |      |      |      |      |      |
|--|---------------------------|------|------|------|------|------|
|  | Previous Fiscal Year Data |      |      |      |      |      |
| <i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i> | 2013                      | 2014 | 2015 | 2016 | 2017 | 2018 |
| Retirement   | 0                         | 1    | 2    | 1    | 0    | 3    |
| Sex-Stereotyping   | 0                         | 0    | 0    | 0    | 0    | 0    |
| Telework   | 0                         | 0    | 0    | 2    | 4    | 0    |
| Termination  | 1                         | 1    | 2    | 5    | 1    | 4    |
| Terms/Conditions of Employment   | 11                        | 3    | 17   | 13   | 13   | 12   |
| Time and Attendance  | 5                         | 3    | 7    | 6    | 4    | 2    |
| Training   | 3                         | 2    | 5    | 2    | 2    | 0    |
| <b>Other</b>   |                           |      |      |      |      |      |
| Other - Right of First Refusal   | 0                         | 0    | 0    | 0    | 0    | 0    |
| Other - Suspension   | 0                         | 0    | 0    | 0    | 0    | 0    |
| Other - Not Defined #1   | 1                         | 1    | 0    | 0    | 0    | 0    |
| Other - Not Defined #2   | 0                         | 1    | 0    | 0    | 0    | 0    |

| Processing Time  | Comparative Data          |          |        |        |          |          |
|--|---------------------------|----------|--------|--------|----------|----------|
|  | Previous Fiscal Year Data |          |        |        |          |          |
|  | 2013                      | 2014     | 2015   | 2016   | 2017     | 2018     |
| Complaints pending during fiscal year                                |                           |          |        |        |          |          |
| Average number of days in investigation                              | 268.95                    | 216.88   | 198.94 | 196.22 | 207.12   | 215.48   |
| Average number of days in final action                               | 28.53                     | 49.61    | 34.6   | 35.37  | 48.02    | 38.83    |
| Complaint pending during fiscal year where hearing was requested     |                           |          |        |        |          |          |
| Average number of days in investigation                              | 279.17                    | 228.39   | 205.62 | 200.77 | 212.72   | 221.74   |
| Average number of days in final action                               | 15.06                     | 1,249.00 | 605    | 693    | 1,069.00 | 1,297.55 |
| Complaint pending during fiscal year where hearing was not requested |                           |          |        |        |          |          |
| Average number of days in investigation                              | 253.21                    | 204.64   | 187.31 | 197.23 | 213.92   | 230.78   |
| Average number of days in final action                               | 42.78                     | 61.64    | 48.38  | 54.38  | 51.70    | 54.11    |

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| Complaints Dismissed by Agency              | Comparative Data          |      |      |      |      |      |
|---|---------------------------|------|------|------|------|------|
|   | Previous Fiscal Year Data |      |      |      |      |      |
|   | 2013                      | 2014 | 2015 | 2016 | 2017 | 2018 |
| Total Complaints Dismissed by Agency        | 22                        | 17   | 15   | 13   | 4    | 8    |
| Average days pending prior to dismissal     | 38                        | 31   | 22   | 21   | 21   | 31   |
| <b>Complaints Withdrawn by Complainants</b> |                           |      |      |      |      |      |
| Total Complaints Withdrawn by Complainants  | 6                         | 5    | 7    | 11   | 10   | 13   |

| Total Final Agency Actions Finding Discrimination | Comparative Data          |     |      |    |      |    |      |     |      |   |      |    |
|---|---------------------------|-----|------|----|------|----|------|-----|------|---|------|----|
|   | Previous Fiscal Year Data |     |      |    |      |    |      |     |      |   |      |    |
|   | 2013                      |     | 2014 |    | 2015 |    | 2016 |     | 2017 |   | 2018 |    |
|   | #                         | %   | #    | %  | #    | %  | #    | %   | #    | % | #    | %  |
| Total Number Findings                             | 3                         |     | 2    |    | 4    |    | 1    |     | 0    |   | 4    |    |
| Without Hearing                                   | 3                         | 100 | 1    | 50 | 3    | 75 | 0    | 0   | 0    | 0 | 1    | 25 |
| With Hearing                                      | 0                         | 0   | 1    | 50 | 1    | 25 | 1    | 100 | 0    | 0 | 3    | 75 |

| Findings of Discrimination Rendered by Basis  | Comparative Data          |     |      |    |      |    |      |    |      |   |      |    |
|---|---------------------------|-----|------|----|------|----|------|----|------|---|------|----|
|   | Previous Fiscal Year Data |     |      |    |      |    |      |    |      |   |      |    |
| <i>Note: Complaints can be filed alleging multiple bases.<br/>The sum of the bases may not equal total complaints and findings.</i> | 2013                      |     | 2014 |    | 2015 |    | 2016 |    | 2017 |   | 2018 |    |
|   | #                         | %   | #    | %  | #    | %  | #    | %  | #    | % | #    | %  |
| <b>Total Number Findings</b>  | 1                         |     | 2    |    | 2    |    | 1    |    | 0    |   | 4    |    |
| Race  | 1                         | 100 | 1    | 50 | 1    | 50 | 1    | 25 | 0    | 0 | 2    | 20 |
| 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   | 1    | 50 | 0    | 0  | 0    | 0  | 0    | 0 | 1    | 20 |
| Sex   | 0                         | 0   | 0    | 0  | 1    | 50 | 1    | 25 | 0    | 0 | 3    | 20 |

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| Findings of Discrimination<br>Rendered by Basis   | Comparative Data          |     |      |     |      |    |      |    |      |   |      |    |
|---|---------------------------|-----|------|-----|------|----|------|----|------|---|------|----|
|   | Previous Fiscal Year Data |     |      |     |      |    |      |    |      |   |      |    |
|   | 2013                      |     | 2014 |     | 2015 |    | 2016 |    | 2017 |   | 2018 |    |
| <i>Note: Complaints can be filed alleging multiple bases.<br/>The sum of the bases may not equal total complaints and findings.</i> | #                         | %   | #    | %   | #    | %  | #    | %  | #    | % | #    | %  |
|   | PDA                       | 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  | 1    | 25 | 0    | 0 | 1    | 20 |
| Disability  | 0                         | 0   | 1    | 50  | 1    | 50 | 1    | 25 | 0    | 0 | 1    | 20 |
| 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 After Hearing</b>   | 0                         |     | 1    |     | 1    |    | 1    |    | 0    |   | 3    |    |
| Race  | 0                         | 0   | 0    | 0   | 1    | 50 | 1    | 25 | 0    | 0 | 2    | 25 |
| 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   | 1    | 100 | 0    | 0  | 0    | 0  | 0    | 0 | 1    | 25 |
| Sex   | 0                         | 0   | 0    | 0   | 1    | 50 | 1    | 25 | 0    | 0 | 3    | 25 |
| 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  | 1    | 25 | 0    | 0 | 1    | 25 |
| Disability  | 0                         | 0   | 0    | 0   | 0    | 0  | 1    | 25 | 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 Without Hearing</b>   | 1                         |     | 1    |     | 1    |    | 0    |    | 0    |   | 1    |    |
| Race  | 1                         | 100 | 1    | 100 | 0    | 0  | 0    | 0  | 0    | 0 | 0    | 0  |

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| Findings of Discrimination<br>Rendered by Basis   | Comparative Data          |   |      |     |      |     |      |   |      |   |      |     |
|---|---------------------------|---|------|-----|------|-----|------|---|------|---|------|-----|
|   | Previous Fiscal Year Data |   |      |     |      |     |      |   |      |   |      |     |
|   | 2013                      |   | 2014 |     | 2015 |     | 2016 |   | 2017 |   | 2018 |     |
| <i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i> | #                         | % | #    | %   | #    | %   | #    | % | #    | % | #    | %   |
|   | Color                     | 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   |
| 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  | 0                         | 0 | 1    | 100 | 1    | 100 | 0    | 0 | 0    | 0 | 1    | 100 |
| 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<br>Rendered by Issue | Comparative Data          |   |      |   |      |   |      |   |      |   |      |    |
|---|---------------------------|---|------|---|------|---|------|---|------|---|------|----|
|   | Previous Fiscal Year Data |   |      |   |      |   |      |   |      |   |      |    |
|   | 2013                      |   | 2014 |   | 2015 |   | 2016 |   | 2017 |   | 2018 |    |
|   | #                         | % | #    | % | #    | % | #    | % | #    | % | #    | %  |
| <b>Total Number Findings</b>                    | 1                         |   | 2    |   | 2    |   | 1    |   | 0    |   | 4    |    |
| Appointment/Hire                                | 0                         | 0 | 0    | 0 | 0    | 0 | 0    | 0 | 0    | 0 | 1    | 25 |
| Assignment of Duties                            | 0                         | 0 | 0    | 0 | 0    | 0 | 0    | 0 | 0    | 0 | 1    | 25 |
| 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  |

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| Findings of Discrimination<br>Rendered by Issue | Comparative Data          |     |      |    |      |    |      |     |      |   |      |    |
|---|---------------------------|-----|------|----|------|----|------|-----|------|---|------|----|
|   | Previous Fiscal Year Data |     |      |    |      |    |      |     |      |   |      |    |
|   | 2013                      |     | 2014 |    | 2015 |    | 2016 |     | 2017 |   | 2018 |    |
|   | #                         | %   | #    | %  | #    | %  | #    | %   | #    | % | #    | %  |
| 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 | 1    | 25 |
| 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                          | 1                         | 100 | 0    | 0  | 1    | 50 | 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 | 1    | 25 |
| 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  | 1    | 100 | 0    | 0 | 0    | 0  |
| Reassignment                                    |                           |     |      |    |      |    |      |     |      |   |      |    |
| Denied  | 0                         | 0   | 0    | 0  | 0    | 0  | 0    | 0   | 0    | 0 | 0    | 0  |
| Directed  | 0                         | 0   | 1    | 50 | 0    | 0  | 0    | 0   | 0    | 0 | 0    | 0  |
| Reasonable Accommodation Disability             | 0                         | 0   | 1    | 50 | 1    | 50 | 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   | 1    | 50 | 0    | 0  | 0    | 0   | 0    | 0 | 1    | 25 |
| Time and Attendance                             | 0                         | 0   | 0    | 0  | 0    | 0  | 1    | 100 | 0    | 0 | 0    | 0  |

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| Findings of Discrimination<br>Rendered by Issue | Comparative Data          |   |      |   |      |     |      |     |      |   |      |    |
|---|---------------------------|---|------|---|------|-----|------|-----|------|---|------|----|
|   | Previous Fiscal Year Data |   |      |   |      |     |      |     |      |   |      |    |
|   | 2013                      |   | 2014 |   | 2015 |     | 2016 |     | 2017 |   | 2018 |    |
|   | #                         | % | #    | % | #    | %   | #    | %   | #    | % | #    | %  |
| Training  | 0                         | 0 | 0    | 0 | 0    | 0   | 1    | 100 | 0    | 0 | 0    | 0  |
| Other   |                           |   |      |   |      |     |      |     |      |   |      |    |
| Other - Right of First Refusal                  | 0                         | 0 | 0    | 0 | 0    | 0   | 0    | 0   | 0    | 0 | 0    | 0  |
| Other - Suspension                              | 0                         | 0 | 0    | 0 | 0    | 0   | 0    | 0   | 0    | 0 | 0    | 0  |
| Other - Not Defined #1                          | 0                         | 0 | 0    | 0 | 0    | 0   | 0    | 0   | 0    | 0 | 0    | 0  |
| Other - Not Defined #2                          | 0                         | 0 | 0    | 0 | 0    | 0   | 0    | 0   | 0    | 0 | 1    | 25 |
| <b>Findings After Hearing</b>                   |                           |   |      |   |      |     |      |     |      |   |      |    |
|   | 0                         |   | 1    |   | 1    |     | 1    |     | 0    |   | 3    |    |
| 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   | 0    | 0 | 1    | 33 |
| 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 | 1    | 33 |
| 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 | 1    | 100 | 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 | 1    | 33 |
| Medical Examination                             | 0                         | 0 | 0    | 0 | 0    | 0   | 0    | 0   | 0    | 0 | 0    | 0  |



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| Findings of Discrimination Rendered by Issue | Comparative Data          |   |      |     |      |   |      |     |      |   |      |     |
|--|---------------------------|---|------|-----|------|---|------|-----|------|---|------|-----|
|  | Previous Fiscal Year Data |   |      |     |      |   |      |     |      |   |      |     |
|  | 2013                      |   | 2014 |     | 2015 |   | 2016 |     | 2017 |   | 2018 |     |
|  | #                         | % | #    | %   | #    | % | #    | %   | #    | % | #    | %   |
| Pay including overtime                       | 0                         | 0 | 0    | 0   | 0    | 0 | 0    | 0   | 0    | 0 | 0    | 0   |
| Promotion/Non-Selection                      | 0                         | 0 | 0    | 0   | 0    | 0 | 1    | 100 | 0    | 0 | 0    | 0   |
| Reassignment                                 |                           |   |      |     |      |   |      |     |      |   |      |     |
| Denied                                       | 0                         | 0 | 0    | 0   | 0    | 0 | 0    | 0   | 0    | 0 | 0    | 0   |
| Directed                                     | 0                         | 0 | 1    | 100 | 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   | 0    | 0 | 1    | 33  |
| Time and Attendance                          | 0                         | 0 | 0    | 0   | 0    | 0 | 1    | 100 | 0    | 0 | 0    | 0   |
| Training                                     | 0                         | 0 | 0    | 0   | 0    | 0 | 1    | 100 | 0    | 0 | 0    | 0   |
| Other  |                           |   |      |     |      |   |      |     |      |   |      |     |
| Other - Right of First Refusal               | 0                         | 0 | 0    | 0   | 0    | 0 | 0    | 0   | 0    | 0 | 0    | 0   |
| Other - Suspension                           | 0                         | 0 | 0    | 0   | 0    | 0 | 0    | 0   | 0    | 0 | 0    | 0   |
| Other - Not Defined #1                       | 0                         | 0 | 0    | 0   | 0    | 0 | 0    | 0   | 0    | 0 | 0    | 0   |
| Other - Not Defined #2                       | 0                         | 0 | 0    | 0   | 0    | 0 | 0    | 0   | 0    | 0 | 0    | 0   |
| <b>Findings Without Hearing</b>              |                           |   |      |     |      |   |      |     |      |   |      |     |
| Appointment/Hire                             | 0                         | 0 | 0    | 0   | 0    | 0 | 0    | 0   | 0    | 0 | 1    | 100 |
| 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   |

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| Findings of Discrimination<br>Rendered by Issue | Comparative Data          |     |      |     |      |     |      |   |      |   |      |   |
|---|---------------------------|-----|------|-----|------|-----|------|---|------|---|------|---|
|   | Previous Fiscal Year Data |     |      |     |      |     |      |   |      |   |      |   |
|   | 2013                      |     | 2014 |     | 2015 |     | 2016 |   | 2017 |   | 2018 |   |
|   | #                         | %   | #    | %   | #    | %   | #    | % | #    | % | #    | % |
| 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                          | 1                         | 100 | 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             | 0                         | 0   | 1    | 100 | 1    | 100 | 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 |

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| Findings of Discrimination<br>Rendered by Issue | Comparative Data          |   |      |     |      |   |      |   |      |   |      |   |
|---|---------------------------|---|------|-----|------|---|------|---|------|---|------|---|
|   | Previous Fiscal Year Data |   |      |     |      |   |      |   |      |   |      |   |
|   | 2013                      |   | 2014 |     | 2015 |   | 2016 |   | 2017 |   | 2018 |   |
|   | #                         | % | #    | %   | #    | % | #    | % | #    | % | #    | % |
| Termination                                     | 0                         | 0 | 0    | 0   | 0    | 0 | 0    | 0 | 0    | 0 | 0    | 0 |
| Terms/Conditions of<br>Employment               | 0                         | 0 | 1    | 100 | 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   |                           |   |      |     |      |   |      |   |      |   |      |   |
| Other - Right of First<br>Refusal               | 0                         | 0 | 0    | 0   | 0    | 0 | 0    | 0 | 0    | 0 | 0    | 0 |
| Other - Suspension                              | 0                         | 0 | 0    | 0   | 0    | 0 | 0    | 0 | 0    | 0 | 0    | 0 |
| Other - Not Defined #1                          | 0                         | 0 | 0    | 0   | 0    | 0 | 0    | 0 | 0    | 0 | 0    | 0 |
| Other - Not Defined #2                          | 0                         | 0 | 0    | 0   | 0    | 0 | 0    | 0 | 0    | 0 | 0    | 0 |

| Pending Complaints Filed in<br>Previous Fiscal Years by<br>Status | Comparative Data                               |      |      |      |      |      |
|---|--|------|------|------|------|------|
|   | Previous Fiscal Year Data                      |      |      |      |      |      |
|   | 2013   | 2014 | 2015 | 2016 | 2017 | 2018 |
|   | Total complaints from previous<br>Fiscal Years | 85   | 78   | 85   | 62   | 56   |
| Total Complainants  | 77   | 67   | 70   | 51   | 49   | 60   |
| <b>Number complaints pending</b>                                  |  |      |      |      |      |      |
| Investigation   | 2  | 0    | 0    | 0    | 1    | 1    |
| ROI issued, pending<br>Complainant's action                       | 0  | 0    | 0    | 1    | 0    | 0    |
| Hearing   | 77   | 76   | 81   | 60   | 53   | 62   |
| Final Agency Action   | 5  | 3    | 4    | 2    | 2    | 2    |
| Appeal with EEOC Office<br>of Federal Operations                  | 13   | 25   | 34   | 47   | 58   | 57   |

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| <b>Complaint Investigations</b>                                     | <b>Comparative Data</b>          |             |             |             |             |             |
|---|----------------------------------|-------------|-------------|-------------|-------------|-------------|
|   | <b>Previous Fiscal Year Data</b> |             |             |             |             |             |
|   | <b>2013</b>                      | <b>2014</b> | <b>2015</b> | <b>2016</b> | <b>2017</b> | <b>2018</b> |
| Pending Complaints Where Investigations Exceed Required Time Frames | 5                                | 0           | 2           | 1           | 0           | 0           |