

U. S. DEPARTMENT OF COMMERCE No FEAR ACT EEO COMPLAINT DATA

National Institute of Standards and Technology (NIST)
Updated: July 9, 2004

Notes:

- This is an interim report. It will be revised upon publication of the Equal Employment Opportunity Commission (EEOC) final rule.
- Data for dismissals includes complaints dismissed prior to investigation and complaints dismissed in later proceedings.

1. NUMBER OF COMPLAINTS

Number of Complaints	FY 2004 end of 3rd Quarter	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Pending at the beginning of the FY	28	n/a	n/a	n/a	n/a	n/a
Filed in the FY	5	11	16	10	7	20
Closed in the FY	8	11	10	11	23	20
Pending at any time in the FY	33	n/a	n/a	n/a	n/a	n/a

2. NUMBER OF COMPLAINANTS

Number of Complainants	FY 2004 end of 3rd Quarter	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Who had a complaint pending	23	n/a	n/a	n/a	n/a	n/a
Who filed a complaint	5	11	15	10	7	14
Who filed 2 or more complaints	0	0	1	0	0	4

3. BASES OF COMPLAINTS

Bases of Complaints	FY 2004 end of 3rd Quarter	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Race	1	3	7	5	3	3
Color	0	1	2	2	2	1
Religion	0	0	2	1	2	3
National Origin	2	1	1	3	1	7
Sex	1	3	2	3	3	7
Disability	2	2	4	2	1	6

Bases of Complaints	FY 2004 end of 3rd Quarter	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Age	3	2	7	5	1	12
Reprisal	2	5	8	1	3	10
Equal Pay	0	0	0	0	0	0
Other	0	0	0	0	0	0
TOTALS	11	17	33	22	16	49

4. ISSUES IN COMPLAINTS

Issues in Complaints	FY 2004 end of 3rd Quarter	FY 2003	FY 2002	FY 2001	FY 2000	FY1999
Appointment/ Hire	0	0	1	1	0	4
Assignment of Duties	0	0	3	2	1	2
Awards	0	0	1	0	0	0
Conversion to Full Time	0	0	0	0	0	0
Discipline						
a. Demotion	0	0	0	0	0	0
b. Reprimand	0	0	1	1	0	1
c. Suspension	0	0	0	0	0	0
d. Removal	0	0	1	0	1	0
e. Other	0	0	1	0	0	0
Duty Hours	0	0	0	0	0	0
Evaluation/Appraisal	2	0	3	3	3	6
Examination/Test	0	0	0	0	0	0
Harassment						
a. Non-sexual	3	3	0	0	2	6
b. Sexual	0	1	0	0	0	0
Medical Examination	0	0	0	0	0	0
Pay, including OT	0	0	0	0	0	0
Promotion/ Non-selection	0	0	2	1	1	3
Reassignment						
a. Requested	0	0	0	0	0	1
b. Directed	0	0	0	0	1	1
Reasonable Accommodation	1	1	2	1	1	5
Reinstatement	0	0	0	0	0	0
Retirement	0	0	1	0	0	0
Termination	0	2	2	0	1	1
Terms/Conditions	1	1	0	0	1	0
Time & Attendance	0	1	0	0	1	0
Training	0	0	0	0	0	2
Other	2	2	0	1	0	5
TOTALS	9	11	18	10	12	37

5. COMPLAINTS PENDING BY STATUS

Complaints Pending by Status	FY 2004 end of 3rd Quarter	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Investigation	11	n/a	n/a	n/a	n/a	n/a
Hearing	1	n/a	n/a	n/a	n/a	n/a
Final Agency Action	1	n/a	n/a	n/a	n/a	n/a
Appeal	2	n/a	n/a	n/a	n/a	n/a
Accept/Dismiss	0	n/a	n/a	n/a	n/a	n/a
TOTALS	15	n/a	n/a	n/a	n/a	n/a

**6. AVERAGE DAYS PROCESSING TIME OF
 PENDING COMPLAINTS FROM DATE FORMAL COMPLAINT FILED**

Average Days Processing Time of Pending Complaints from Date Formal Complaint Filed	FY 2004 end of 3rd Quarter
Investigation	403
a. Hearing Requested	0
b. No Hearing	403
Final Agency Action	196
a. With Hearing	0
b. Without Hearing	196

7. INVESTIGATIONS PENDING OVER 180 DAYS

Pending Investigations	FY 2004 end of 3rd Quarter	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
No. of Investigations pending over 180 days	11	n/a	n/a	n/a	n/a	n/a

8. COMPLAINTS DISMISSED

Complaints Dismissed	FY 2004 end of 3rd Quarter	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
No. of Complaints	0	7	3	1	3	5
Average Days Pending	0	145	45	53	174	240

9. FINDINGS OF DISCRIMINATIONS AS % OF TOTAL COMPLAINTS PENDING

Findings of Discrimination as % of Total Complaints Pending	FY 2004 end of 3rd Quarter		FY 2003		FY 2002		FY 2001		FY 2000		FY 1999	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
With Hearing	0	0	0	0	0	0	0	0	0	0	0	0
Without Hearing	0	0	0	0	0	0	0	0	0	0	0	0
TOTALS	0	0	0	0	0	0	0	0	0	0	0	0

10. FINDINGS OF DISCRIMINATION BY BASIS

Findings of Discrimination By Basis	FY 2004 end of 3rd Quarter		FY 2003		FY 2002		FY 2001		FY 2000		FY 1999	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Race	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	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
Disability	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
Reprisal	0	0	0	0	0	0	0	0	0	0	0	0
Equal Pay	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
TOTALS	0	0	0	0	0	0	0	0	0	0	0	0

11. FINDINGS OF DISCRIMINATION BY ISSUE

Findings of Discrimination by Issue	FY 2004 end of 3rd Quarter		FY 2003		FY 2002		FY 2001		FY 2000		FY1999	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
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	0	0
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
Discipline	0	0	0	0	0	0	0	0	0	0	0	0
a. Demotion	0	0	0	0	0	0	0	0	0	0	0	0
b. Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
c. Suspension	0	0	0	0	0	0	0	0	0	0	0	0
d. Removal	0	0	0	0	0	0	0	0	0	0	0	0
e. 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
Evaluation/Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment												
a. Non-sexual	0	0	1	0	0	0	0	0	0	0	0	0
b. 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 OT	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												
a. Requested	0	0	0	0	0	0	0	0	0	0	0	0
b. Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	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
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination by Issue	FY 2004 end of 3rd Quarter		FY 2003		FY 2002		FY 2001		FY 2000		FY1999	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Terms/Conditions	0	0	0	0	0	0	0	0	0	0	0	0
Time & 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	0	0	0	0	0	0	0	0	0	0	0	0
TOTALS	0	0	0	0	0	0	0	0	0	0	0	0