

**U.S. Department of Energy
No Fear Act Report
FY 2004 EEO Year End Data
October 1, 2003 through September 30, 2004**

I. Complaint Activity: 29 CFR §1614.704(a) – (c)

	Number/Totals
Complaints Filed in FY: 1614.704(a)	81
Individual Filers (Complainants): 1614.704(b)	74
Repeat Filers: 1614.704(c)	3

II. Complaints by Basis: 29 CFR §1614.704(d)

Basis	Number/Totals
Age	31
Color	5
Disability	5
National Origin	16
Race	37
Religion	2
Reprisal	30
Sex (Includes Complaints Filed Under Equal Pay Act)	25
Other	0

III. Complaints by Issue: 29 CFR §1614.704(e)

Issue	Number/Totals
Appointment/Hire	15
Assignment of Duties	13
Awards	2
Conversion to Full-Time	0
Disciplinary Actions --	--
Demotion	1
Reprimand	0
Suspension	0
Removal	0
Other	0
Duty Hours	0
Evaluation/Appraisal	3
Examination/Test	0
Harassment – Non-Sexual	14
Harassment – Sexual	1
Medical Examination	0
Pay Including Overtime	3
Promotion/Non-Selection	19
Reassignment – Denied	0
Reassignment – Directed	3
Reasonable Accommodation	2
Reinstatement	1
Retirement	2
Termination	3
Terms/Conditions of Employment	6
Time and Attendance	0
Training	6
Other	0

IV. Average Processing Time: 29 CFR §1614.704(f)

Complaints		Cases	Average Days
All Complaints Pending in Investigative Stage: 1614.704(f)(1)		34	279
All Complaints Pending in Final Agency Action Stage: 1614.704(f)(1)		55	311
All Complaints Pending in which a Hearing was not Requested: 1614.704(f)(2)		10	312
	Time in Investigative Stage: 1614.704(f)(2)	NA	NA
	Time to Issue Final Agency Action: 1614.704(f)(2)	NA	NA
All Complaints Pending in which a Hearing was Requested: 1614.704(f)(3)		45	414
	Time in Investigative Stage: 1614.704(f)(3)	NA	NA
	Time to Issue Final Agency Action: 1614.704(f)(3)	NA	NA

V. Complaints Dismissed by Agency Pursuant to 29 CFR §1614.107(a)

Complaints	Totals/Average
Total Complaints Dismissed by Agency	15
Average Days Pending Prior to Dismissal	184

VI. Total Final Agency Actions Finding Discrimination: 29 CFR §1614.704(h)

Findings	Number/Totals
Total Findings: 1614.704(h)(1)	3
Without Hearing: 1614.704(h)(2)	0
With Hearing: 1614.704(h)(3)	3

VII. Findings of Discrimination Rendered By Basis: 29 CFR §1614.704(i)

Basis Findings		Number/Totals
Total Findings: 1614.704(i)(1)		3
	Without Hearing: 1614.704(i)(2)	0
	After Hearing: 1614.704(i)(3)	3

VIII. Findings of Discrimination Rendered by Issue: 29 CFR §1614.704(j)

Issue Findings		Number/Totals
Total Findings: 29 CFR §1614.704(j)(1)		2
	Without Hearing: 29 CFR §1614.704(j)(2)	0
	After Hearing: 29 CFR §1614.704(j)(3)	2

IX. Pending Complaints from Previous Fiscal Years by Status: 29 CFR §1614.704(k)

Complaints	Number
Total Complaints from Previous Fiscal Years: 29 CFR §1614.704(k)(1)	97
Total Complainants: 29 CFR §1614.704(j)(2)	N/A

X. Pending Complaints : 29 CFR §1614.704(k) (3)

Complaints	Number
Pending Written Notification	8
Investigation	34
Hearings	45
Final Agency Action	10
Appeal with EEOC Office of Federal Operations	28

XI. Complaint Investigations: 29 CFR § 614.704(l)

Complaints	Number/Totals
Pending Completion of Investigation	34
Pending Investigations Over Required Time Frames	8