

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

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

Mixed Cases are Included in this report.

Total Elapsed Time: 00:01:20

AGENCY OR DEPARTMENT: USDA (and below)	REPORTING PERIOD: 10/01/2020 – 09/30/2021
---	--

Part I – Pre-Complaint Activities

EEO Counselor

	Counselings	Individuals
A. Intentionally Left Blank		

ADR Intake Officer

	Counselings	Individuals
B. Intentionally Left Blank		

Total Completed/Ended Counselings

	Counselings	Individuals
C. Total Completed/Ended Counselings	606	560
1. Counseled Within 30 Days	222	209
2. Counseled Within 31 to 90 Days	374	357
a. Counseled Within Written Extension Period No Longer Than 60 Days	122	117

Non-ADR Settlements with Monetary Benefits

	Counselings	Individuals	Amount
E. Total	2	2	\$35,425.46
1. Compensatory Damages	1	1	\$9,795.20
2. Backpay / Frontpay	0	0	\$0.00
3. Lump Sum Payment	0	0	\$0.00
4. Attorney's Fees and Costs	0	0	\$0.00
5. Other Non-ADR Settlements w/ Monetary Benefits	1	1	\$25,630.26
6.	0	0	\$0.00

Non-ADR Settlements With Non-Monetary Benefits

	Counselings	Individuals
F. Total	5	5
1. Hires	0	0
a. Retroactive	0	0
b. Non-Retroactive	0	0
2. Promotions	0	0
a. Retroactive	0	0

b. Counseled Within 90 Days Where Individual Participated in ADR	249	242
c. Counseled Within 31-90 Days That Were Untimely	3	3
3. Counseled Beyond 90 Days	10	10
4. Counseled Due to Remands	0	0

Pre-Complaint Activities

	Counselings	Individuals
D. Pre-Complaint Activities		
1. On Hand at the Beginning of the Reporting Period	84	83
2. Initiated during the Reporting Period	610	564
3. Completed/Ended Counseling	606	560
a. Settlements (Monetary and Non-Monetary)	38	38
b. Withdrawal/No Complaint Filed	240	231
c. Counseling Completed/Ended in Reporting Period that Resulted in Complaint Filing in Reporting Period	314	292
d. Decision to File Complaint Pending at the End of the Reporting Period	14	14
4. Counselings Pending at the End of the Reporting Period	88	88

b. Non-Retroactive	0	0
3. Expungements	0	0
4. Reassignments	1	1
5. Removals Rescinded	1	1
a. Reinstatement	1	1
b. Voluntary Resignation	0	0
6. Accommodations	0	0
7. Training	0	0
8. Apology	0	0
9. Disciplinary Actions	0	0
a. Rescinded	0	0
b. Modified	0	0
10. Performance Evaluation Modified	0	0
11. Leave Restored	2	2
12. Neutral Reference	0	0
13. Other Non-ADR Settlements w/ Non-Monetary Benefits	3	3
14.	0	0

ADR Settlements with Monetary Benefits

	Counselings	Individuals	Amount
G. Total	8	8	\$34,746.99
1. Compensatory Damages	0	0	\$0.00
2. Backpay / Frontpay	0	0	\$0.00
3. Lump Sum Payment	8	8	\$34,746.99
4. Attorney's Fees and Costs	0	0	\$0.00
5. Other ADR Settlements w/ Monetary Benefits	0	0	\$0.00
6.	0	0	\$0.00

ADR Settlements With Non-Monetary Benefits

	Counselings	Individuals
H. Total	28	28
1. Hires	1	1
a. Retroactive	0	0
b. Non-Retroactive	1	1
2. Promotions	1	1
a. Retroactive	1	1
b. Non-Retroactive	0	0
3. Expungements	3	3
4. Reassignments	7	7
5. Removals Rescinded	2	2
a. Reinstatement	1	1
b. Voluntary Resignation	1	1
6. Accommodations	0	0
7. Training	4	4
8. Apology	2	2
9. Disciplinary Actions	5	5
a. Rescinded	2	2
b. Modified	3	3
10. Performance Evaluation Modified	3	3
11. Leave Restored	1	1
12. Neutral Reference	1	1
13. Other ADR Settlements w/ Non-Monetary Benefits	5	4
14.	0	0

NON-ADR SETTLEMENTS

	Counselings	Individuals
--	--------------------	--------------------

I. Total	5	5	
----------	---	---	--

**AGENCY OR DEPARTMENT: USDA
(and below)**

**REPORTING PERIOD: 10/01/2020 –
09/30/2021**

Part II – Formal Complaint Activities

A. Complaints on Hand at the Beginning of the Reporting Period	634
B. Complaints Filed	342
C. Remands (sum of lines C1 + C2 + C3)	6
C.1. Remands (Not Included in A or B)	5
C.2. Remands (Included in A or B)	1
C.3. Number of additional remands in this reporting period that are not captured in C.1 or C.2 above	0
C.4. Additional closures in this reporting period not reflected in F. or H. that resulted from remands	0
D. Total Complaints (sum of lines A + B + C1)	981
E. Complaints in Line D that were NOT Consolidated	923
F. Complaints in Line E that were Closed During Report Period	404
G. Complaints in Line D that WERE Consolidated	58
H. Complaints in Line G that were Closed During Report Period	24
I. Complaints On Hand at the end of the Reporting Period (Line D - (F + H) + [(C2 + C3) - C4])	554
J. Individuals Filing Complaints (Complainants)	313
K. Number of Joint Processing Units from Consolidation of Complaints	27

AGENCY OR DEPARTMENT: USDA
(and below)

REPORTING PERIOD: 10/01/2020 –
09/30/2021

Part III – Agency Resources, Training, Reporting Line

A. Agency & Contract Resources

	Agency		Contract	
	Number	Percent	Number	Percent
1. Work Force				
a. Total Work Force	36914			
b. Permanent Employees	28810			
2. Counselors	6		0	
a. Full-Time	6	100.00	0	0
b. Part-Time	0	0	0	0
c. Collateral Duty	0	0	0	0
3. Investigators	0		6	
a. Full-Time	0	0	6	100.00
b. Part-Time	0	0	0	0
c. Collateral Duty	0	0	0	0
4. Counselor/Investigator	0		0	
a. Full-Time	0	0	0	0
b. Part-Time	0	0	0	0
c. Collateral Duty	0	0	0	0

B. Agency & Contract Staff Training

	Counselor		Investigator		Counselor/Investigator	
	Agency	Contract	Agency	Contract	Agency	Contract
1. New Staff (NS) – Total	0	0	0	0	0	0
a. NS Receiving Required 32 Or More Hours	0	0	0	0	0	0
b. NS Receiving 8 Or More Hours, Usually Given To Experienced Staff	0	0	0	0	0	0
c. NS Receiving No Training At All	0	0	0	0	0	0
2. Experienced Staff (ES) – Total	6	0	0	6	0	0
a. ES Receiving Required 8 Or More Hours	6	0	0	6	0	0
b. ES Receiving 32 Or More Hours, Generally Given To New Staff	0	0	0	0	0	0
c. ES Receiving No Training At All	0	0	0	0	0	0

C. Reporting Line

1. EEO Director's Name:	Michael Watts
1a. Does the EEO Director Report to the Agency Head? (Yes/No)	YES
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: Michael Watts Title: National Director
4. Who does that person report to?	Person: Randy Moore Title: Chief

AGENCY OR DEPARTMENT: USDA (and below)

REPORTING PERIOD: 10/01/2020 – 09/30/2021

Part IV – Bases and Issues Alleged in Complaints Filed (Part 1)

Issues of Alleged Discrimination	Bases of Alleged Discrimination											
	Race						Color	Religion	Reprisal	Total all bases by issue	Total all complaints by issue	Total all complainants by issue
	Amer. Indian / Alaska Native	Asian	Native Hawaiian / Other Pacific Islander	Black / African American	White	Two or More Races						
A. Appointment/Hire	1	1	0	4	2	0	1	5	12	52	24	23
B. Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0
C. Awards	0	0	0	3	0	0	2	0	2	16	7	7
D. Conversion to Full Time/Perm Status	0	0	0	0	0	0	0	0	0	0	0	0
E. Disciplinary Action	1	2	1	14	3	2	8	2	29	125	53	52
1. Demotion	0	0	0	0	0	0	0	0	0	0	0	0
2. Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
3. Suspension	0	1	1	2	1	1	2	0	11	38	20	20
4. Removal	0	0	0	2	0	0	2	0	3	16	7	7
5. Disciplinary Warning	0	0	0	0	0	0	0	0	0	0	0	0
6. Other Disciplinary Actions	1	1	0	10	2	1	4	2	15	71	28	28
7.	0	0	0	0	0	0	0	0	0	0	0	0
F. Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
G. Perf. Eval./ Appraisal	1	1	1	12	3	0	6	1	30	104	44	44
H. Examination/Test	0	0	0	0	0	0	0	0	0	3	2	2
I. Harassment	2	3	2	35	13	6	23	8	81	333	150	143
1. Non-Sexual	2	3	2	35	13	6	23	8	79	327	147	140
2. Sexual					1				3	6	4	4
J. Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
K. Pay Including Overtime	0	0	0	1	1	0	0	1	1	9	4	4
L. Promotion/Non-Selection	0	3	1	16	5	0	10	3	25	137	67	65

Issues of Alleged Discrimination	Bases of Alleged Discrimination											
	Race						Color	Religion	Reprisal	Total all bases by issue	Total all complaints by issue	Total all complainants by issue
	Amer. Indian / Alaska Native	Asian	Native Hawaiian / Other Pacific Islander	Black / African American	White	Two or More Races						
M. Reassignment	1	0	0	9	3	1	6	3	19	81	32	32
1. Denied	0	0	0	0	0	0	0	0	0	0	0	0
2. Directed	0	0	0	0	0	0	0	0	0	0	0	0
N. Reasonable Accommodation Disability				2	1		1		12	49	34	34
O. Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
P. Religious Accommodation	2	1	1	13	5	1	6	6	26	32	28	27
Q. Retirement	0	0	0	0	0	0	0	0	0	0	0	0
R. Sex-Stereotyping										0	0	0
S. Telework	0	0	0	1	1	0	0	0	0	6	2	2
T. Termination	0	1	0	5	1	1	4	1	12	61	28	28
U. Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0
V. Time and Attendance	0	0	0	10	2	1	8	3	16	73	29	29
W. Training	0	0	0	10	2	0	2	2	11	52	20	20
X. Other Terms/Conditions of Employment	1	0	1	28	7	4	20	4	49	212	87	85
Total All Issues by Bases	8	12	6	152	45	15	91	44	338			
Total All Complaints Filed by Bases	3	8	5	87	22	7	53	17	163			
Total All Complainants by Bases	3	8	4	83	20	7	52	16	146			

Part IV – Bases and Issues Alleged in Complaints Filed (Part 2)

Issues of Alleged Discrimination	Bases of Alleged Discrimination														
	Sex			Pregnancy Discrimination Act	National Origin		Equal Pay Act		Age	Disability		GINA	Total all bases by issue	Total all complaints by issue	Total all complainants by issue
	Male	Female	LGBT		Hispanic / Latino	Other	Male	Female		Mental	Physical				
A. Appointment/Hire	2	5	0	0	0	3		1	8	3	4	1	52	24	23
B. Assignment of Duties	0	0	0	0	0	0			0	0	0	0	0	0	0
C. Awards	0	3	0	0	0	0			3	1	2	0	16	7	7

Issues of Alleged Discrimination	Bases of Alleged Discrimination														
	Sex			Pregnancy Discrimination Act	National Origin		Equal Pay Act		Age	Disability		GINA	Total all bases by issue	Total all complaints by issue	Total all complainants by issue
	Male	Female	LGBT		Hispanic / Latino	Other	Male	Female		Mental	Physical				
D. Conversion to Full Time/Perm Status	0	0	0	0	0	0			0	0	0	0	0	0	0
E. Disciplinary Action	4	9	0	0	3	4			18	11	14	0	125	53	52
1. Demotion	0	0	0	0	0	0			0	0	0	0	0	0	0
2. Reprimand	0	0	0	0	0	0			0	0	0	0	0	0	0
3. Suspension	1	3	0	0	0	1			7	1	6	0	38	20	20
4. Removal	0	1	0	0	2	0			3	2	1	0	16	7	7
5. Disciplinary Warning	0	0	0	0	0	0			0	0	0	0	0	0	0
6. Other Disciplinary Actions	3	5	0	0	1	3			8	8	7	0	71	28	28
7.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
F. Duty Hours	0	0	0	0	0	0			0	0	0	0	0	0	0
G. Perf. Eval./ Appraisal	1	11	0	1	1	5			15	7	8	0	104	44	44
H. Examination/Test	0	0	0	0	0	0			1	1	1	0	3	2	2
I. Harassment	15	34	0	1	4	13		2	43	25	23	0	333	150	143
1. Non-Sexual	14	33	0	1	4	13		2	43	25	23	0	327	147	140
2. Sexual	1	2	0	0							1		6	4	4
J. Medical Examination	0	0	0	0	0	0			0	0	0	0	0	0	0
K. Pay Including Overtime	0	2	0	0	0	0	0	0	3	0	0	0	9	4	4
L. Promotion/Non-Selection	12	15	0	0	2	6			30	3	6	0	137	67	65
M. Reassignment	6	6	0	0	1	3			12	6	5	0	81	32	32
1. Denied	0	0	0	0	0	0			0	0	0	0	0	0	0
2. Directed	0	0	0	0	0	0			0	0	0	0	0	0	0
N. Reasonable Accommodation Disability		4		1					1	15	21	0	49	34	34
O. Reinstatement	0	0	0	0	0	0			0	0	0	0	0	0	0
P. Religious Accommodation	6	13			1	6		1	18	9	11	1	32	28	27
Q. Retirement	0	0	0	0	0	0			0	0	0	0	0	0	0
R. Sex-Stereotyping	0	0	0										0	0	0

Issues of Alleged Discrimination	Bases of Alleged Discrimination												Total all bases by issue	Total all complaints by issue	Total all complainants by issue
	Sex			Pregnancy Discrimination Act	National Origin		Equal Pay Act		Age	Disability		GINA			
	Male	Female	LGBT		Hispanic / Latino	Other	Male	Female		Mental	Physical				
S. Telework	1	0	0	0	0	0			1	1	1	0	6	2	2
T. Termination	4	5	0	2	1	1	1		6	8	9	0	61	28	28
U. Terms/Conditions of Employment	0	0	0	0	0	0			0	0	0	0	0	0	0
V. Time and Attendance	3	3	0	0	0	4	2		7	8	8	0	73	29	29
W. Training	0	6	0	1	0	1			7	4	6	0	52	20	20
X. Other Terms/Conditions of Employment	9	23	0	2	2	8			24	14	15	1	212	87	85
Total All Issues by Bases	59	128	0	8	14	51	0	0	186	110	127	3			
Total All Complaints Filed by Bases	40	73	0	3	9	32	0	0	98	54	71	2			
Total All Complainants by Bases	37	70	0	3	9	28	0	0	94	51	70	2			

PART IV C – Bases and Issues Alleged in Settlements (Part 1)

Issues of Alleged Discrimination in Settlements	Bases of Alleged Discrimination in Settlements														
	Race						Color	Religion	Reprisal	Number Counseling Settlement Allegations	Number Counselings Settled by Issue	Number Individuals Settled With by Issue	Number Complaints Settlement Allegations	Number Complaints Settled by Issue	Number Complainants Settled With by Issue
	Amer. Indian / Alaska Native	Asian	Native Hawaiian / Other Pacific Islander	Black / African American	White	Two or More Races									
A. Appointment/Hire	0	0	0	0	1	0	0	2	4	7	3	3	4	2	2
B. Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
C. Awards	0	0	0	2	0	0	0	0	2	0	0	0	5	2	2
D. Conversion to Full Time/Perm Status	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
E. Disciplinary Action	1	2	0	8	1	0	7	2	21	17	10	10	68	14	14
1. Demotion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2. Reprimand	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3. Suspension	0	0	0	3	0	0	3	0	5	3	2	2	20	5	5

Issues of Alleged Discrimination in Settlements	Bases of Alleged Discrimination in Settlements														
	Race						Color	Religion	Reprisal	Number Counseling Settlement Allegations	Number Counselings Settled by Issue	Number Individuals Settled With by Issue	Number Complaints Settlement Allegations	Number Complaints Settled by Issue	Number Complainants Settled With by Issue
	Amer. Indian / Alaska Native	Asian	Native Hawaiian / Other Pacific Islander	Black / African American	White	Two or More Races									
4. Removal	0	1	0	1	0	0	1	1	3	0	0	0	14	4	4
5. Disciplinary Warning	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6. Other Disciplinary Actions	1	1	0	4	1	0	3	1	13	14	8	8	34	10	10
7.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
F. Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
G. Perf. Eval./ Appraisal	0	1	0	11	0	0	6	5	19	12	7	7	58	16	12
H. Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
I. Harassment	1	3	0	19	3	0	9	5	33	42	15	15	158	43	35
1. Non-Sexual	1	3	0	19	3	0	9	5	31	42	15	15	153	40	33
2. Sexual									2	0	0	0	5	4	4
J. Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
K. Pay Including Overtime	0	0	0	0	0	0	0	0	3	5	3	3	7	2	2
L. Promotion/Non-Selection	0	0	0	5	1	1	3	0	7	6	4	4	43	15	15
M. Reassignment	0	0	0	4	0	0	2	1	5	4	3	3	18	5	5
1. Denied	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2. Directed	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
N. Reasonable Accommodation Disability		1		3		1	3	2	5	3	3	3	21	14	14
O. Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
P. Religious Accommodation				3	3		2	3	11	5	3	3	14	10	10
Q. Retirement	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
R. Sex-Stereotyping				1			1			0	0	0	0	0	0
S. Telework	0	0	0	2	0	0	1	0	3	1	1	1	13	5	5

Issues of Alleged Discrimination in Settlements	Bases of Alleged Discrimination in Settlements														
	Race						Color	Religion	Reprisal	Number Counseling Settlement Allegations	Number Counselings Settled by Issue	Number Individuals Settled With by Issue	Number Complaints Settlement Allegations	Number Complaints Settled by Issue	Number Complainants Settled With by Issue
	Amer. Indian / Alaska Native	Asian	Native Hawaiian / Other Pacific Islander	Black / African American	White	Two or More Races									
T. Termination	0	0	0	2	0	0	1	1	4	6	4	4	14	4	4
U. Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
V. Time and Attendance	0	1	0	3	0	0	2	1	8	3	3	3	42	11	10
W. Training	0	0	0	3	0	1	1	2	7	0	0	0	24	9	8
X. Other Terms/Conditions of Employment	0	1	0	8	3	0	5	3	16	10	5	5	74	26	24
1. Counseling Settlement Allegations	2	0	0	14	4	0	2	8	29						
1a. Number of Counselings Settled	1	0	0	7	2	0	2	4	14						
1b. Number of Counselees Settled With	1	0	0	7	2	0	2	4	14						
2. Complaint Settlement Allegations	0	8	0	53	6	2	35	19	123						
2a. Number of Complaints Settled	0	3	0	22	4	1	14	6	39						
2b. Number of Complainants Settled With	0	3	0	19	4	1	13	5	31						

PART IV C – Bases and Issues Alleged in Settlements (Part 2)

Issues of Alleged Discrimination in Settlements	Bases of Alleged Discrimination in Settlements																		
	Sex			Pregnancy Discrimination Act	National Origin		Equal Pay Act		Age	Disability			GINA	Number Counseling Settlement Allegations	Number Counselings Settled by Issue	Number Individuals Settled With by Issue	Number Complaints Settlement Allegations	Number Complaints Settled by Issue	Number Complaints Settled With by Issue
	Male	Female	LGBT		Hispanic/Latino	Other	Male	Female		Mental	Physical								
K. Pay Including Overtime	0	2	0	0	0	2	0	1	1	1	2	0	5	3	3	7	2	2	
L. Promotion/Non-Selection	4	5	0	0	0	0			11	2	2	0	6	4	4	43	15	15	
M. Reassignment	1	3	0	0	0	1			5	0	0	0	4	3	3	18	5	5	
1. Denied	0	0	0	0	0	0			0	0	0	0	0	0	0	0	0	0	
2. Directed	0	0	0	0	0	0			0	0	0	0	0	0	0	0	0	0	
N. Reasonable Accommodation Disability	1	3		1		1			5	3	12	0	3	3	3	21	14	14	
O. Reinstatement	0	0	0	0	0	0			0	0	0	0	0	0	0	0	0	0	
P. Religious Accommodation	4	5			1				7	2	2	1	5	3	3	14	10	10	
Q. Retirement	0	0	0	0	0	0			0	0	0	0	0	0	0	0	0	0	
R. Sex-Stereotyping	0	0	0										0	0	0	0	0	0	
S. Telework	1	1	0	0	0	0			2	1	3	0	1	1	1	13	5	5	
T. Termination	0	2	0	0	0	0			2	4	4	0	6	4	4	14	4	4	
U. Terms/Conditions of Employment	0	0	0	0	0	0			0	0	0	0	0	0	0	0	0	0	
V. Time and Attendance	0	4	0	1	0	1			3	4	8	0	3	3	3	42	11	10	
W. Training	0	5	0	0	0	0			4	1	0	0	0	0	0	24	9	8	
X. Other Terms/Conditions of Employment	4	12	0	1	1	3			12	5	10	0	10	5	5	74	26	24	
1. Counseling Settlement Allegations	2	8	0	0	3	3	0	0	10	7	15	5							
1a. Number of Counselings Settled	2	6	0	0	1	2	0	0	8	4	12	3							

**AGENCY OR DEPARTMENT: USDA
(and below)**

**REPORTING PERIOD: 10/01/2020 –
09/30/2021**

Part V – Summary of Closures by Statute

A. Statute	(If a single complaint has multiple statutes record each on the appropriate line.)
359	1. Title VII
1	1a. Pregnancy Discrimination Act (PDA)
145	2. Age Discrimination in Employment Act (ADEA)
159	3. Rehabilitation Act
4	4. Equal Pay Act (EPA)
0	5. Genetic Information Nondiscrimination Act (GINA)
B. Total by Statutes	
668	This number may be larger than the total number of complaints closed. (A1 + A1a + A2 + A3 + A4 + A5)

**AGENCY OR DEPARTMENT: USDA
(and below)**

**REPORTING PERIOD: 10/01/2020 –
09/30/2021**

Part VI – Summary of Closures By Category

	Total Number	Total Days	Average Days
A. Total Number of Closures (1 + 2 + 3)	427	246687	577.72
1. Withdrawals (a + b)	19	4532	238.53
a. Non-ADR Withdrawals	18	4348	241.56
b. ADR Withdrawals	1	184	184.00
2. Settlements (a + b)	70	43618	623.11
a. Non-ADR Settlements	68	43192	635.18
b. ADR Settlements	2	426	213.00
3. Final Agency Actions (B + C)	338	198537	587.39
B. Final Agency Decisions WITHOUT an ADMINISTRATIVE JUDGE Decision (1 + 2 + 3)	213	82454	387.11
1. Finding Discrimination	0	0	0.00
2. Finding No Discrimination	191	71539	374.55
3. Dismissal of Complaints	22	10915	496.14
C. Final Agency Orders WITH an ADMINISTRATIVE JUDGE (AJ) Decision (1 + 2)	125	116083	928.66
1. AJ Decision Fully Implemented (a + b + c)	125	116083	928.66
(a) Finding Discrimination	2	2425	1,212.50
(b) Finding No Discrimination	120	110851	923.76
(c) Dismissal of Complaints	3	2807	935.67
2. AJ Decision NOT Fully Implemented (a + b + c)	0	0	0.00
(a) Finding Discrimination (i + ii + iii)	0	0	0.00
i. Agency Appealed Finding But Not Remedy	0	0	0.00
ii. Agency Appealed Remedy But Not Finding	0	0	0.00
iii. Agency Appealed Finding And Remedy	0	0	0.00
(b) Finding No Discrimination	0	0	0.00
(c) Dismissal of Complaints	0	0	0.00

	Total Number	Total Days	Average Days
D. Final Agency Merit Decisions (FAD) Issued (1 + 2 + 3 + 4)	190	10863	57.17
1. Complainant Requested Immediate FAD (1a + 1b)	79	3763	47.63
a. Agency Issued FAD WITHIN 60 Days Of Receipt Of FAD Request	62	1591	25.66
b. Agency Issued FAD MORE THAN 60 Days Beyond Receipt Of FAD Request	17	2172	127.76
2. Complainant Did Not Elect Hearing or FAD (2a + 2b)	73	5028	68.88
a. Agency Issued FAD WITHIN 60 Days Of End Of 30-Day Election Period	47	1371	29.17
b. Agency Issued FAD MORE THAN 60 Days Beyond End Of 30-Day Election Period	26	3657	140.65
3. Hearing Requested; AJ Returned Case To Agency For FAD Without AJ Decision (3a + 3b)	38	2072	54.53
a. Agency Issued FAD WITHIN 60 Days of Receipt Of AJ Returned Case For FAD Issuance	27	795	29.44
b. Agency Issued FAD MORE THAN 60 Days After Receipt Of AJ Returned Case For FAD Issuance	11	1277	116.09
4. Final Agency Decision Issued On A Mixed Case (4a + 4b)	0	0	0.00
a. Agency Issued FAD WITHIN 45 Days After Investigation	0	0	0.00
b. Agency Issued FAD MORE THAN 45 Days After Investigation	0	0	0.00

**AGENCY OR DEPARTMENT: USDA
(and below)**

**REPORTING PERIOD: 10/01/2020 –
09/30/2021**

Part VII – Summary of Complaints Closed by Types of Benefits

	Number	Amount
A. Total complaints closed with benefits	69	
B. Total closures with monetary benefits to complainant	54	\$2,554,439.00
1. Back Pay/Front Pay	0	\$0.00
2. Lump Sum Payment	44	\$2,289,358.00
3. Compensatory Damages	3	\$40,000.00
4. Attorney fees and costs	10	\$225,081.00
5. Other Monetary Benefits	1	\$0.00
6.	0	\$0.00
D. Intentionally Left Blank		
E. Total closures with non-monetary benefits to complainant	47	
F. Types of benefits in non-monetary closures	Number of closures that received monetary benefits as well	Number of closures that received only non-monetary benefits
1. Hires	3	0
a. Retroactive	1	0
b. Non-Retroactive	2	0
2. Promotions	0	0
a. Retroactive	0	0
b. Non-Retroactive	0	0
3. Expungements	10	1
4. Reassignments	1	5
5. Removal Rescinded	3	1
a. Reinstatement	0	0
b. Voluntary Resignation	3	1
6. Accommodations	2	1
7. Training	5	5

8. Apology	0	0
9. Disciplinary Actions	4	1
a. Rescinded	3	1
b. Modified	1	0
10. Performance evaluation modified	8	2
11. Leave Restored	12	4
12. Neutral Reference	4	2
13. Other Non-Monetary Benefits	7	4
14.	0	0

**AGENCY OR DEPARTMENT: USDA
(and below)**

**REPORTING PERIOD: 10/01/2020 –
09/30/2021**

Part VIII – Summary of Pending Complaints By Category

	Number Pending	Number of Days	Average Days	Days Pending Oldest Case	Oldest Case EEOC Hearing #
A. Total Complaints Pending (Same as part II line I) (1+1a+2+3+4)	554	364132			
1. Complaints Pending Written Notification (Acknowledgement Letter)	1	0	0.00	0	
1a. Complaints Pending Decision to Accept/Dismiss	29	872	30.00	154	
2. Complaints Pending Investigation	98	11027	112.00	1416	
2a. Complaints Pending 180 Day Investigation Notice	0	0	0.00	0	
3. Complaints In Hearing	369	328910	891.00	8274	570-2015-01171X
4. Complaints Pending A Final Agency Action	57	23323	409.00	1887	

**AGENCY OR DEPARTMENT: USDA
(and below)**

**REPORTING PERIOD: 10/01/2020 –
09/30/2021**

Part IX – Summary Of Investigations Completed

	Total	Total Days	Average
A. Total Investigations Completed During Reporting Period (1 + 3)	284	43722	153.95
Agency Investigations			
1. Investigations Completed by Agency Personnel (a + b + c)	1	162	162.00
a. Investigations Completed in 180 Days or Less	1	162	162.00
b. Investigations Completed in 181 - 360 Days	0	0	0.00
1. Timely Completed Investigations	0	0	0.00
2. Untimely Completed Investigations	0	0	0.00
c. Investigations Completed in 361 or More Days	0	0	0.00
2. Agency Investigation Costs	\$0.00		0.00
Contract Investigations			
3. Investigations Completed by Contractors (a + b + c)	283	43560	153.92
a. Investigations Completed in 180 Days or Less	238	30228	127.01
b. Investigations Completed in 181 - 360 Days	37	9036	244.22
1. Timely Completed Investigations	35	8327	237.91
2. Untimely Completed Investigations	2	709	354.50
c. Investigations Completed in 361 or More Days	8	4296	537.00
4. Contractor Investigation Costs	\$1,091,673.70		3,857.50

**AGENCY OR DEPARTMENT: USDA
(and below)**

**REPORTING PERIOD: 10/01/2020 –
09/30/2021**

Part X – Summary of ADR Program Activities

Informal Phase (Pre-Complaint)

	Counselings	Individuals	Days	Average Days
A. Intentionally Left Blank				
B. ADR Actions in Completed/Ended Counselings				
1. ADR Offered By Agency	544	506		
2. Rejected By Individual (Counselee)	270	250		
3. Intentionally Left Blank				
4. Total Accepted Into ADR Program	274	267		
C. ADR Resources Used in Completed/Ended Counselings (Total)	184	180		
1. Inhouse	171	168		
2. External	13	13		
4. Multiple Resources Used (Please specify in a comment box)	0	0		
6.				
7.				
D. ADR Techniques Used in Completed/Ended Counselings (Totals)	196	192	10832	55.27
1. Mediation	178	174	9763	54.00
2. Settlement Conferences	6	6	346	57.00
3. Early Neutral Evaluations	5	5	313	62.00
4. Fact Finding	1	1	54	54.00
5. Facilitation	6	6	356	59.00
6. Ombudsman	0	0	0	0.00
7. Peer Review	0	0	0	0.00
8. Multiple Techniques Used (Please specify in a comment box)	0	0	0	0.00

	Counselings	Individuals	Days	Average Days
9.				
10.				
E. Status of Cases				
1. Total Closed	273	267	14306	52.40
a. Settlements with Benefits (Monetary & Non-monetary)	33	33	1729	52.00
b. No Formal Complaint Filed	107	105	5325	49.00
c. Complaint Filed				
i. No Resolution	104	103	5858	56.00
ii. No ADR Attempt (aka Part X.E.1.d)	26	26	1181	45.00
e. Decision to File Complaint Pending at the End of the Reporting Period	3	3	213	71.00
2. Intentionally Left Blank				

**AGENCY OR DEPARTMENT: USDA
(and below)**

**REPORTING PERIOD: 10/01/2020 –
09/30/2021**

**Part XI – Summary of ADR Program Activities
Formal Phase (Complaint Filed)**

	Complaints	Complainants	Days	Average Days
A. Intentionally Left Blank				
B. ADR Actions in Complaint Closures				
1. ADR Offered By Agency	46	44		
2. Rejected By Complainant	31	29		
3. Intentionally Left Blank				
4. Total Accepted Into ADR Program	15	15		
C. ADR Resources Used in Complaint Closures (Totals)	7	7		
1. Inhouse	5	5		
2. External	2	2		
3. Private Organizations, (e.g., Contractors, Bar Associations, Individual Volunteers or College/University Personnel)	0	0		
4. Multiple Resources Used (Please specify in a comment box)	0	0		
5. Federal Executive Board	0	0		
6.				
7.				
D. ADR Techniques Used in Complaint Closures (Totals)	10	10	489	48.90
1. Mediation	10	10	489	48.90
2. Settlement Conferences	0	0	0	0.00
3. Early Neutral Evaluations	0	0	0	0.00
4. Fact Finding	0	0	0	0.00
5. Facilitation	0	0	0	0.00
6. Ombudsman	0	0	0	0.00
7. Mini Trials	0	0	0	0.00
8. Peer Review	0	0	0	0.00

9. Multiple Techniques Used (Please specify in a comment box)	0	0	0	0.00
10.				
11.				
E. Status of Cases in Complaint Closures				
1. Total Closed	15	15	8518	567.87
a. Settlements with Benefits (Monetary & Non-monetary)	2	2	95	47.50
b. Withdrawal from EEO Process	1	1	24	24.00
c. No Resolution	10	10	8231	823.10
d. No ADR Attempt	2	2	168	84.00
2. Intentionally Left Blank				
	Complaints	Complainants	Amount	
F. Benefits Received				
1. Monetary (Insert Totals)	0	0	\$0.00	
a. Compensatory Damages	0	0	\$0.00	
b. Backpay/Frontpay	0	0	\$0.00	
c. Lump Sum	0	0	\$0.00	
d. Attorney Fees and Costs	0	0	\$0.00	
e. Other Monetary Benefits	0	0	0	
f.				
2. Non-Monetary (Insert Totals)	2	2		
a. Hires	0	0		
i. Retroactive	0	0		
ii. Non-Retroactive	0	0		
b. Promotions	0	0		
i. Retroactive	0	0		
ii. Non-Retroactive	0	0		
c. Expungements	0	0		
d. Reassignments	1	1		
e. Removals Rescinded	1	1		
i. Reinstatement	0	0		
ii. Voluntary Resignation	1	1		

f. Accommodations	0	0		
g. Training	0	0		
h. Apology	0	0		
i. Disciplinary Actions	0	0		
i. Rescinded	0	0		
ii. Modified	0	0		
j. Performance Evaluation Modified	0	0		
k. Leave Restored	0	0		
l. Neutral Reference	0	0		
m. Other Non-Monetary Benefits	1	1		
n.				

**AGENCY OR DEPARTMENT: USDA
(and below)**

**REPORTING PERIOD: 10/01/2020 –
09/30/2021**

Part XII – Summary of EEO ADR Program Activities

EEO ADR Resources		Number	Trained
A. No Longer Collected			
B. Employees that can participate in EEO ADR		36914	
C. Resources that manage EEO ADR program (does not include neutrals as reported in parts X & XI)		2	
1. In-House Full Time (40 Hours EEO ADR Only)		1	
2. In-House Part Time (32 Hours EEO ADR Only)		0	
3. In-House Collateral Duty (Others/Non-Contract)		0	
4. Contract (Another Federal Agency/Private Organizations)		1	
	Amount		
D. EEO ADR Funding Spent	\$0.00		
E. EEO ADR Contact Information			
1. Name of EEO ADR Program Director / Manager	Linda Overton		
2. Title	Resolving Official Program Coordinator		
3. Telephone Number	707-562-8675		
4. Email	Linda.Overton@usda.gov		
	YES	NO	
F. EEO ADR Program Information			

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

Certification and Contact Information

<p>I certify that the EEO complaint data contained in this report, EEOC Form 462, Annual Federal Equal Opportunity Statistical Report of Discrimination Complaints, for the reporting period October 1, 2020 through September 30, 2021, is accurate and complete.</p>
<p>Name and Title of Certifying Official:</p>
<p>Signature of Certifying Official: (Enter PIN here to serve as your electronic signature)</p>
<p>Date and Telephone Number:</p>
<p>Email:</p>
<p>Name and Title of Preparer:</p>

Date and Telephone Number:

Email:

The FY 2021 report (with the PIN entered) is due on or before October 31.