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

Office of the United States Trade Representative (USTR)

Data for April 1, 2011 – June 30, 2011: End of Third Quarter FY 2011

| 29 CFR §1614.704(a) - (c)                            |               |                     |   |                                   | 29 CFR §1614.705 Comparative |                  |           |       |  |  |  |  |
|--|---------------|---------------------|---|-----------------------------------|------------------------------|------------------|-----------|-------|--|--|--|--|
| Complaint Activity                                   |               | FY201<br>End of     |   | Data<br>Previous Fiscal Year Data |                              |                  |           |       |  |  |  |  |
|  |               | Qtr                 | 3 | 2010                              | 2009                         | 2008             | 2007      | 2006  |  |  |  |  |
| Number of Complaints Filed in FY 1614.704(a)         |               |                     | 0 | 0                                 | 2                            | 0                | 0         | 0     |  |  |  |  |
| Number of Complainants 1614.704(b)                   | )             |                     | 0 | 0                                 | 2                            | 0                | 0         | 0     |  |  |  |  |
| Repeat Filers 1614.704(c)                            |               |                     | 0 | 0                                 | 0                            | 0                | 0         | 0     |  |  |  |  |
| 29 CFR §1614.704(d                                   | d)            |                     |   | 29 C                              | FR §16                       | 14.705 (         | Compara   | ative |  |  |  |  |
| Complaints by Basis                                  | FY2011 End of |                     |   | P                                 | revious                      | Data<br>Fiscal Y | Zear Dat  | ta    |  |  |  |  |
|  |               | 3 <sup>rd</sup> Qtr |   | 2010                              | 2009                         | 2008             | 2007      | 2006  |  |  |  |  |
| Race   |               |                     | 0 | 0                                 | 0                            | 0                | 0         | 0     |  |  |  |  |
| Color  |               |                     | 0 | 0                                 | 0                            | 0                | 0         | 0     |  |  |  |  |
| Religion   |               |                     | 0 | 0                                 | 0                            | 0                | 0         | 0     |  |  |  |  |
| National Origin                                      |               |                     | 0 | 0                                 | 0                            | 0                | 0         | 0     |  |  |  |  |
| Sex (including complaints filed under Equal Pay Act) |               |                     | 0 | 0                                 | 2                            | 0                | 0         | 0     |  |  |  |  |
| Disability   |               |                     | 0 | 0                                 | 1                            | 0                | 0         | 0     |  |  |  |  |
| Age  |               |                     | 0 | 0                                 | 0                            | 0                | 0         | 0     |  |  |  |  |
| Reprisal   |               |                     | 0 | 0                                 | 2                            | 0                | 0         | 0     |  |  |  |  |
| Other  |               |                     | 0 | 0                                 | 0                            | 0                | 0         | 0     |  |  |  |  |
| 29 CFR §1614.704(e) 29                               |               |                     |   | CFR §1                            | 1614.70                      | 5 Comp           | arative l | Data  |  |  |  |  |

|                            |                     | Previous Fiscal Year Data |      |      |      |      |  |  |  |
|----------------------------|---------------------|---------------------------|------|------|------|------|--|--|--|
| <b>Complaints by Issue</b> | FY2011<br>End of    |                           |      |      |      |      |  |  |  |
|                            | 3 <sup>rd</sup> Qtr | 2010                      | 2009 | 2008 | 2007 | 2006 |  |  |  |
| Appointment/Hire           | 0                   | 0                         | 0    | 0    | 0    | 0    |  |  |  |
| Assignment of Duties       | 0                   | 0                         | 1    | 0    | 0    | 0    |  |  |  |
| Awards                     | 0                   | 0                         | 0    | 0    | 0    | 0    |  |  |  |
| Conversion to Full-time    | 0                   | 0                         | 0    | 0    | 0    | 0    |  |  |  |
| Disciplinary Action        | <u> </u>            |                           |      |      |      |      |  |  |  |
| Demotion                   | 0                   | 0                         | 0    | 0    | 0    | 0    |  |  |  |
| Reprimand                  | 0                   | 0                         | 0    | 0    | 0    | 0    |  |  |  |
| Suspension                 | 0                   | 0                         | 0    | 0    | 0    | 0    |  |  |  |
| Removal                    | 0                   | 0                         | 0    | 0    | 0    | 0    |  |  |  |
| Other                      | 0                   | 0                         | 0    | 0    | 0    | 0    |  |  |  |
| Duty Hours                 | 0                   | 0                         | 0    | 0    | 0    | 0    |  |  |  |
| Evaluation Appraisal       | 0                   | 0                         | 0    | 0    | 0    | 0    |  |  |  |
| Examination/Test           | 0                   | 0                         | 0    | 0    | 0    | 0    |  |  |  |
| Harassment                 | *                   |                           |      |      |      |      |  |  |  |
| Non-Sexual                 | 0                   | 0                         | 2    | 0    | 0    | 0    |  |  |  |
| Sexual                     | 0                   | 0                         | 0    | 0    | 0    | 0    |  |  |  |
| Medical Examination        | 0                   | 0                         | 0    | 0    | 0    | 0    |  |  |  |
| Pay (Including Overtime)   | 0                   | 0                         | 0    | 0    | 0    | 0    |  |  |  |
| Promotion/Non-Selection    | 0                   | 0                         | 1    | 0    | 0    | 0    |  |  |  |
| Reassignment               | -                   |                           |      |      |      |      |  |  |  |
| Denied                     | 0                   | 0                         | 0    | 0    | 0    | 0    |  |  |  |
| Directed                   | 0                   | 0                         | 0    | 0    | 0    | 0    |  |  |  |
| Reasonable Accommodation   | 0                   | 0                         | 0    | 0    | 0    | 0    |  |  |  |

| Reinstatement                  | 0 | 0 | 0 | 0 | 0 | 0 |
|--------------------------------|---|---|---|---|---|---|
| Retirement                     | 0 | 0 | 0 | 0 | 0 | 0 |
| Termination                    | 0 | 0 | 0 | 0 | 0 | 0 |
| Terms/Conditions of Employment | 0 | 0 | 0 | 0 | 0 | 0 |
| Time and Attendance            | 0 | 0 | 0 | 0 | 0 | 0 |
| Training                       | 0 | 0 | 0 | 0 | 0 | 0 |
| Other                          | 0 | 0 | 2 | 0 | 0 | 0 |

## 29 CFR §1614.704(f)

| Processing Time "post the average length   |                | 2011 End | of 3 <sup>rd</sup> Qtr |
|--|----------------|----------|------------------------|
| complete each step of the process for every comp<br>during any time of the then fiscal y | 1              | Number   | Average<br>Days        |
| All complaints pending in Investigative Stage  | 1614.704(f)(1) | 0        | 0                      |
| All complaints pending in Final Agency Action Stage                                      |                | 4        | 1,157                  |
| All complaints pending in which Hearing was not requested                                | 1614.704(f)(2) |          |                        |
| Time in Investigation Stage  |                | 0        | 0                      |
| Time in Final Agency Action Stage  |                | 0        | 0                      |
| All complaints pending in which a Hearing was requested                                  |                |          |                        |
| Time in Investigation Stage  |                | 4        | 540                    |
| Time in Final Agency Action Stage  |                | 4        | 1,157                  |

| 29 CFR §1614.704(g)   | 29 CFR §1614.705 Comparative |      |         |                  |         |      |  |  |
|---|------------------------------|------|---------|------------------|---------|------|--|--|
| Complaints Dismissed by Agency Pursuant to 1614.107(a)  FY2011 End of 3 <sup>rd</sup> |                              | P    | revious | Data<br>Fiscal Y | Year Da | ıta  |  |  |
| 2 413 4411 to 202 1320 (4)  | Qtr                          | 2010 | 2009    | 2008             | 2007    | 2006 |  |  |
| Total Complaints Dismissed by Agency  | 0                            | 0    | 0       | 0                | 0       | 0    |  |  |
| Average days pending prior to dismissal   | 0                            | 0    | 0       | 0                | 0       | 0    |  |  |

| 29 CFR §1614.704(h                                    |                               |        |                               | 29   |      | -           |      |      |              | -    | rativ<br>Data |      | ata |
|---|-------------------------------|--------|-------------------------------|------|------|-------------|------|------|--------------|------|---------------|------|-----|
| Total Final Agency Actions Finding Discrimination     |                               | End of |                               | 2010 |      | 2010 2009   |      | 2008 |              | 2007 |               | 2006 |     |
|   |                               | #      | %                             | #    | %    | #           | %    | #    | %            | #    | %             | #    | %   |
| Total Number Findings 704(h)(1)                       |                               | 0      |                               | 0    |      | 0           |      | 0    |              | 0    |               | 0    |     |
| Without Hearing 704(h)(2)                             |                               | 0      |                               | 0    |      | 0           |      | 0    |              | 0    |               | 0    |     |
| With Hearing 704(h)(3)                                |                               | 0      |                               | 0    |      | 0           |      | 0    |              | 0    |               | 0    |     |
| 29 CFR §1614.704(i)                                   |                               |        |                               | 29   |      |             |      |      |              | _    | rativ         |      | ata |
| Findings of Discrimination                            |                               | 201    |                               |      | ]    | Prev        | ious | Fis  | cal <b>Y</b> | Zear | Data          | a    |     |
| Rendered by Basis                                     | End of 3 <sup>rd</sup><br>Qtr |        | End of 3 <sup>rd</sup><br>Qtr |      | )10  | 20          | 009  | 20   | 008          | 20   | 007           | 20   | 006 |
|   | #                             |        | %                             | #    | %    | #           | %    | #    | %            | #    | %             | #    | %   |
| Total Number Findings 704(i)(1)                       | 0                             | )      |                               | 0    |      | 0           |      | 0    |              | 0    |               | 0    |     |
| Number Findings Rendered<br>Without Hearing 704(i)(2) | 0                             | )      |                               | 0    |      | 0           |      | 0    |              | 0    |               | 0    |     |
| Number Findings Rendered After<br>Hearing 704(i)(3)   | 0                             | )      |                               | 0    |      | 0           |      | 0    |              | 0    |               | 0    |     |
| Race  | 0                             | )      |                               | 0    |      | 0           |      | 0    |              | 0    |               | 0    |     |
| Color   | 0                             | )      |                               | 0    |      | 0           |      | 0    |              | 0    |               | 0    |     |
| Religion  | 0                             | )      |                               | 0    |      | 0           |      | 0    |              | 0    |               | 0    |     |
| National Origin                                       | 0                             | )      |                               | 0    |      | 0           |      | 0    |              | 0    |               | 0    |     |
| Sex (include Equal Pay Act)                           | C                             | )      |                               | 0    |      | 0           |      | 0    |              | 0    |               | 0    |     |
| Disability  | 0                             | )      |                               | 0    |      | 0           |      | 0    |              | 0    |               | 0    |     |
| Age   | 0                             | )      |                               | 0    |      | 0           |      | 0    |              | 0    |               | 0    |     |
| Reprisal  | O                             | )      |                               | 0    |      | 0           |      | 0    |              | 0    |               | 0    |     |
| 29 CFR §1614.704(j)                                   |                               |        |                               | 29   | ) CF | <b>R</b> §1 | 1614 | .705 | Cor          | npa  | rativ         | e Da | ata |

| Findings of Discrimination             |   | 11                       |    | ]  | Prev | ious | Fis | cal Y | 'ear | Dat | a  |     |
|--|---|--------------------------|----|----|------|------|-----|-------|------|-----|----|-----|
| Rendered by Issue                      |   | of 3 <sup>rd</sup><br>tr | 20 | 10 | 20   | 009  | 20  | 008   | 20   | 007 | 20 | 006 |
|  | # | %                        | #  | %  | #    | %    | #   | %     | #    | %   | #  | %   |
| <b>Total Number Findings 704(j)(1)</b> | 0 |                          | 0  |    | 0    |      | 0   |       | 0    |     | 0  |     |
| Findings Without Hearing 704(j)(2)     | 0 |                          | 0  |    | 0    |      | 0   |       | 0    |     | 0  |     |
| Findings After Hearing 704(j)(3)       | 0 |                          | 0  |    | 0    |      | 0   |       | 0    |     | 0  |     |
| Appointment/Hire                       | 0 |                          | 0  |    | 0    |      | 0   |       | 0    |     | 0  |     |
| Assignment of Duties                   | 0 |                          | 0  |    | 0    |      | 0   |       | 0    |     | 0  |     |
| Awards                                 | 0 |                          | 0  |    | 0    |      | 0   |       | 0    |     | 0  |     |
| Conversion to Full-time                | 0 |                          | 0  |    | 0    |      | 0   |       | 0    |     | 0  |     |
| Disciplinary Action                    | 0 |                          | 0  |    | 0    |      | 0   |       | 0    |     | 0  |     |
| Demotion                               | 0 |                          | 0  |    | 0    |      | 0   |       | 0    |     | 0  |     |
| Reprimand                              | 0 |                          | 0  |    | 0    |      | 0   |       | 0    |     | 0  |     |
| Suspension                             | 0 |                          | 0  |    | 0    |      | 0   |       | 0    |     | 0  |     |
| Removal                                | 0 |                          | 0  |    | 0    |      | 0   |       | 0    |     | 0  |     |
| Other                                  | 0 |                          | 0  |    | 0    |      | 0   |       | 0    |     | 0  |     |
| Duty Hours                             | 0 |                          | 0  |    | 0    |      | 0   |       | 0    |     | 0  |     |
| Evaluation Appraisal                   | 0 |                          | 0  |    | 0    |      | 0   |       | 0    |     | 0  |     |
| Examination/Test                       | 0 |                          | 0  |    | 0    |      | 0   |       | 0    |     | 0  |     |
| Harassment                             | 0 |                          | 0  |    | 0    |      | 0   |       | 0    |     | 0  |     |
| Non-Sexual                             | 0 |                          | 0  |    | 0    |      | 0   |       | 0    |     | 0  |     |
| Sexual                                 | 0 |                          | 0  |    | 0    |      | 0   |       | 0    |     | 0  |     |
| Medical Examination                    | 0 |                          | 0  |    | 0    |      | 0   |       | 0    |     | 0  |     |
| Pay (Including Overtime)               | 0 |                          | 0  |    | 0    |      | 0   |       | 0    |     | 0  |     |
| Promotion/Non-Selection                | 0 |                          | 0  |    | 0    |      | 0   |       | 0    |     | 0  |     |

| 29 CFR §1614.704(l)  Complaint Investigations |                                       |                                       | P                                     | revious                               | Data<br>Fiscal V                      | Vear Da         | nta    |  |
|---|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|-----------------|--------|--|
| 4(l)  |                                       |                                       | 29 C                                  | FR §16                                |                                       | Compa           | rative |  |
| 1   |                                       | 2                                     | 2                                     | 2                                     | 0                                     | 0               | 0      |  |
|   |                                       | 0                                     | 0                                     | 0                                     | 2                                     | 0               | 0      |  |
|   |                                       | 2                                     | 1                                     | 2                                     | 2                                     | 2               | 2      |  |
| ection  |                                       | 0                                     | 1                                     | 0                                     | 0                                     | 0               | 1      |  |
|   |                                       | 0                                     | 1                                     | 2                                     | 0                                     | 0               | 2      |  |
| (3)   |                                       |                                       |                                       |                                       |                                       |                 |        |  |
|   |                                       | 3                                     | 3                                     | 1                                     | 1                                     | 1               | 1      |  |
| al  |                                       | 4                                     | 4                                     | 2                                     | 2                                     | 2               | 2      |  |
| ous   | End of 3 <sup>rd</sup>                |                                       | Previous 2010 2009                    |                                       | Fiscal Y                              | Zear Da<br>2007 |        |  |
| 29 CFR §1614.704(k)                           |                                       |                                       | 29 C                                  | FR §16                                | 14.705 (<br>Data                      | Compar          | ative  |  |
| 0   |                                       | 0                                     | 0                                     |                                       |                                       | 0               | 0      |  |
| 0   |                                       | 0                                     | 0                                     | 0                                     |                                       | 0               | 0      |  |
| 0   |                                       | 0                                     | 0                                     | 0                                     |                                       | 0               | 0      |  |
| 0   |                                       | 0                                     | 0                                     | 0                                     |                                       | 0               | 0      |  |
| 0   |                                       | 0                                     | 0                                     | 0                                     |                                       | 0               | 0      |  |
| 0   |                                       | 0                                     | 0                                     | 0                                     |                                       | 0               | 0      |  |
| 0   |                                       | 0                                     | 0                                     | 0                                     |                                       | 0               | 0      |  |
| 0   |                                       | 0                                     | 0                                     | 0                                     |                                       | 0               | 0      |  |
| 0   |                                       | 0                                     | 0                                     | 0                                     |                                       | 0               | 0      |  |
| 0   |                                       | 0                                     | 0                                     | 0                                     |                                       | 0               | 0      |  |
|   | 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 | 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 | 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 | 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 | 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 | 0               | 0      |  |

|   | 2011End<br>of<br>3 <sup>rd</sup> Qtr | 2010 | 2009 | 2008 | 2007 | 2006 |
|---|--------------------------------------|------|------|------|------|------|
| Of all complaints pending in FY, number of Investigations exceeding Time Frames required by 29 CFR §1614.106(e)(2) plus authorized extensions | 4                                    | 4    | 4    | 2    | 2    | 2    |

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