

Equal Employment Opportunity Data Posted Pursuant to Title III of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174¹

Complaint Activity	Comparative Data Previous Fiscal Year Data ²					2020 through 09/30/20
	2015	2016	2017	2018	2019	
Number of Complaints Filed	7	3	4	8	7	8
Number of Complainants	7	3	4	8	7	8
Repeat Filers	1	0	0	0	0	0

Complaints by Basis <i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	Comparative Data Previous Fiscal Year Data ²					2020 through 09/30/20
	2015	2016	2017	2018	2019	
Race	3	1	3	1	3	4
Color	0	0	0	0	1	3
Religion	0	0	0	0	0	0
Reprisal	2	1	2	6	3	5
Sex	4	2	3	7	2	3
National Origin	0	1	2	0	0	2
Equal Pay Act	0	1	0	0	0	0
Age	5	1	4	2	3	2
Disability	2	2	0	1	5	2
Genetic Information	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0

Complaints by Issue <i>Note: Complaints can be filed alleging multiple issues. The sum of the issues may not equal total complaints filed.</i>	Comparative Data Previous Fiscal Year Data ²					2020 through 09/30/20
	2015	2016	2017	2018	2019	
Appointment/Hire	1	0	0	0	0	0
Assignment of Duties	1	0	0	1	2	1
Awards	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0
Disciplinary Action						
Demotion	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0
Removal	0	0	0	0	0	0
Suspension	0	0	0	1	1	0
Other	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0
Evaluation Appraisal	4	1	0	4	2	5
Examination/Test	0	0	0	0	0	0
Harassment						
Non-Sexual	2	2	0	6	4	7
Sexual	0	0	0	3	0	0
Medical Examination	0	0	0	0	0	0
Pay (Including Overtime)	0	1	0	1	0	1
Promotion/Non-Selection	3	0	4	3	2	1
Reassignment						
Denied	1	2	0	0	0	0
Directed	0	0	0	0	0	1

Reasonable Accommodation	2	2	0	0	3	0
Reinstatement	0	0	0	0	0	0
Retirement	0	0	0	0	0	0
Termination	0	0	0	2	2	2
Terms/Conditions of Employment	2	1	0	3	3	6
Time and Attendance	0	0	0	1	2	4
Training	0	0	0	1	0	0
Other	0	0	0	0	0	0

Processing Time	Comparative Data Previous Fiscal Year Data ²					2020 through 09/30/20
	2015	2016	2017	2018	2019	
Complaints pending (for any length of time) during fiscal year						
Average number of days in investigation stage ³	156	127	1	211	25	301.75
Average number of days in final action stage ⁴	337	138	78	100	286	149.67
Complaints pending (for any length of time) during fiscal year where hearing was requested⁵						
Average number of days in investigation stage						
Average number of days in final action stage						
Complaints pending (for any length of time) during fiscal year where hearing was not requested⁵						
Average number of days in investigation stage						

Average number of days in final action stage						
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Complaints Dismissed by Agency	Comparative Data Previous Fiscal Year Data ²					2020 through 09/30/20
	2015	2016	2017	2018	2019	
Total Complaints Dismissed by Agency	10	3	2	5	2	2
Average days pending prior to dismissal	297	138	27	57	112	205.5
Complaints Withdrawn by Complainants						
Total Complaints Withdrawn by Complainants	1	0	0	2	3	1

Total Final Actions Finding Discrimination ⁶	Comparative Data Previous Fiscal Year Data ²										2020 through 09/30/20	
	2015		2016		2017		2018		2019		#	%
	#	%	#	%	#	%	#	%	#	%		
Total Number Findings	0	0	0	0	0	0	0	0	0	0	0	0
Without Hearing ⁵												
With Hearing ⁵												

Findings of Discrimination Rendered by Basis <i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>	Comparative Data Previous Fiscal Year Data²										2020 through 09/30/20	
	2015		2016		2017		2018		2019		#	%
	#	%	#	%	#	%	#	%	#	%		
Total Number Findings	0	0	0	0	0	0	0	0	0	0	0	0
Race												
Color												
Religion												
Reprisal												
Sex												
National Origin												
Equal Pay Act												
Age												
Disability												
Genetic Information												
Non-EEO												
Findings After Hearing⁵												
Race												
Color												
Religion												
Reprisal												
Sex												
National Origin												
Equal Pay Act												
Age												

Disability													
Genetic Information													
Non-EEO													
Findings Without Hearing⁵													
Race													
Color													
Religion													
Reprisal													
Sex													
National Origin													
Equal Pay Act													
Age													
Disability													
Genetic Information													
Non-EEO													

Findings of Discrimination Rendered by Issue	Comparative Data Previous Fiscal Year Data ²										2020 through 09/30/20		
	2015		2016		2017		2018		2019				
	#	%	#	%	#	%	#	%	#	%	#	%	
Total Number Findings	0	0	0	0	0	0	0	0	0	0	0	0	0
Appointment/Hire													
Assignment of Duties													
Awards													
Conversion to Full-time													

Disciplinary Action											
Demotion											
Reprimand											
Suspension											
Removal											
Other											
Duty Hours											
Evaluation Appraisal											
Examination/Test											
Harassment											
Non-Sexual											
Sexual											
Medical Examination											
Pay (Including Overtime)											
Promotion/Non-Selection											
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Reasonable Accommodation											
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Termination											
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Termination													
Terms/Conditions of Employment													
Time and Attendance													
Training													
Other													

Pending Complaints Filed in Previous Fiscal Years by Status	Comparative Data Previous Fiscal Year Data ²					2020 through 09/30/20
	2015	2016	2017	2018	2019	
Total complaints from previous Fiscal Years	2	0	1	2	3	5
Total Complainants	2	1	1	2	3	5
Number complaints pending						
Investigation ⁷	0	1	1	1	2	1
Hearing ⁵	0	0	0	0	0	
Final Action ⁴	2	0	3	5	4	1
Appeal with EEOC Office of Federal Operations ⁸	4	3	6	5	3	

Complaint Investigations	Comparative Data Previous Fiscal Year Data ²					2020 through 09/30/20
	2015	2016	2017	2018	2019	
Pending Completion Where Investigation Exceeds Required Time Frames ⁹	0	0	0	0	0	

¹ GAO operates under the EEO complaint process in GAO Order 2713.2, *Discrimination Complaint Resolution Process* (Dec. 9, 2009), not the EEO complaint process in 29 C.F.R. Part 1614.

² GAO revised its process for preparing its summary statistical data in January 2020. GAO did not recalculate the comparative EEO data from fiscal years 2015 to 2019. See Pub. L. No. 107-174, title III, § 301(c)(2), 116 Stat. 566, 574 (May 15, 2002) (requiring agencies to include “year-end data for each of the 5 immediately preceding fiscal years”).

³ For our purposes here, an “investigation” commences when the complaint is filed and ceases when GAO transmits the investigative file or the supplemental investigative file, whichever is later.

⁴ For our purposes here, “final action” commences when GAO transmits the investigative file or the supplemental investigative file, whichever is later, and ceases when GAO issues a final decision or the matter is otherwise resolved.

⁵ GAO Order 2713.2 does not provide complainants with the option to request a hearing before an EEOC Administrative Judge. At GAO, unless the matter is resolved or an individual complainant seeks relief from GAO’s Personnel Appeals Board or a federal district court after a certain amount of time, the complainant will receive a final decision within 90 days of receiving a copy of the investigative file.

⁶ For our purposes here, “final action by an agency involving a finding of discrimination” means a final decision, issued by the Comptroller General or designee, with a finding of discrimination.

⁷ See *supra* note 3. Here, a pending complaint in the investigation stage also includes those complaints being held in abeyance at the MD of O&I’s discretion, such as when the complainant has filed a related charge with the General Counsel of the Personnel Appeals Board.

⁸ GAO Order 2713.2 does not provide complainants with the opportunity to appeal to EEOC’s Office of Federal Operations. Complainants may seek relief, after the receipt of a dismissal or final decision or after certain timeframes have passed, from GAO’s Personnel Appeals Board or a federal district court.

⁹ GAO is not subject to the investigation timeframes in 29 C.F.R. § 1614.106(e)(2). However, GAO Order 2713.2 provides that GAO endeavors to complete an investigation within 180 days of the filing date of an individual complaint.