

**Notification and Federal Employee Antidiscrimination
and Retaliation Act Report
For Fiscal Year 2004**

Interim Report for October 1, 2003 through June 30, 2004

Pension Benefit Guaranty Corporation

1. Basic Information: Title III of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 requires agencies to post certain statistical information on their public web sites concerning complaints of employment discrimination filed under Equal Employment Opportunity Commission regulations. The data in this Report complies with the Act.

2. Contact Information: Equal Employment Opportunity Office, Room 10801, Pension Benefit Guaranty Corporation, 1200 K Street, NW, Washington, DC 20005, (202) 326-4000 x3043.

3. Definitions of Terms Used in this Report

Informal Complaint: A complaint of alleged discrimination that results in equal employment opportunity counselor contact no more than 45 calendar days following an alleged discriminatory event or action.

Counseling: The period of the informal complaint process, normally not to exceed 90 calendar days, where an equal employment opportunity counselor inquires as to the basic facts of what has been alleged and attempts to resolve the complaint informally.

Formal Complaint: A complaint of alleged discrimination that is filed no more than 15 calendar days following the completion of the informal complaint process.

Investigation: The phase of the Formal Complaint process where a trained investigator conducts the formal gathering of facts and information, obtains signed affidavits, and prepares an investigative report.

Hearing: The phase of the process following the investigation, where the complainant has elected to have a judicial hearing before an Equal Employment Opportunity Commission Administrative Judge.

Appeal: The phase of the process where the complainant has elected to contest a decision on his or her complaint by the filing of an appeal of the Administrative Judge's decision or other final agency action with the Equal Employment Opportunity Commission's Office of Federal Operations.

Final Agency Action: The phase of the process where the agency's Equal Employment Opportunity Office notifies the complainant that a decision has been rendered on his or her complaint. The complainant also is notified of his or her appeal rights.

Issue: The issue of a complaint is the factual matter about which the individual is complaining. The issue sets forth the alleged discriminatory incident for which the individual seeks redress.

Basis: The basis of the complaint is the discriminatory factor that is protected by the statute under which the complaint is filed. The bases protected by the civil rights employment statutes are race, color, religion, national origin, sex, disability, age and reprisal.

Fiscal Year for this Report: The period between October 1, 2003 and September 30, 2004.

Repeat Filer: An individual who has filed more than one complaint within a fiscal year.

Individual Filer: An individual who has filed one complaint during a fiscal year.

4. Complaints Filed for the Period covered by this Report

1. Number of Complaints Filed: 10
2. Number of Individual Filers: 6
3. Number of Repeat Filers: 4
4. Number of those complaints filed in which each of the following bases of alleged discrimination was raised:*

Basis	No. of Occurrences
Age	0
Color	2
Disability	0
National Origin	2
Race	6
Religion	1
Reprisal	10
Sex	7
Non-EEO Basis	0

*More than one basis may be stated in a complaint. The total number of occurrences

therefore may exceed the total number of complaints filed.

5. Number of those complaints in which each of the following issues of alleged discrimination was raised:

Issue	Number of Occurrences
Appointment/Hire	0
Assignment of Duties	4
Awards	0
Disciplinary Act-Other	1
Disciplinary Act-Suspension	0
Disciplinary Act-Termination	0
Equal Pay Act Violation	0
Evaluation/Appraisal	2
Harassment-Nonsexual	5
Harassment-Sexual	0
Others	0
Performance Improvement Plan (PIP)	0
Promotion/Non-Selection	3
Reassignment-Directed	0
Reassignment-Denied	0
Retirement	0
Terms/Conditions of Employment	5
Time and Attendance	2
Training	2

Average length of time to complete Counseling, Investigation and Final Agency Action Stages:*

	Counseling (Avg. days)	Investigation (Avg. days)	Final Agency Action (Avg. days)
6. All complaints pending for any length of time	109	231	88
7. All complaints pending for any length of time in which a hearing was not requested	109	259	96
8. All complaints pending for any length of time in which a hearing was requested	109	199	45

*Formal Complaints where counseling or investigation or final agency action were ongoing as of the close of the reporting period were not included in this Report as to the particular ongoing item.

9. Number of complaints dismissed: 5

9.a. Average length of time such complaints were pending prior to dismissal: 108 days

10. Total number of findings with discrimination in this fiscal year: 0

	Number of Actions	Percentage
10.a. Number of Final Agency Actions involving a finding of discrimination without a hearing	0	0%
10.b. Number of Final Agency Actions involving a finding of discrimination following a hearing	0	0%

11. Of the Total Number of Final Agency Actions rendered, basis involved in those actions in which discrimination was found:

Basis	Without Hearing (Number)	Without Hearing (Percent)	After Hearing (Number)	After Hearing (Percent)
Age	0	0%	0	0%
Color	0	0%	0	0%
Disability	0	0%	0	0%
National Origin	0	0%	0	0%
Race	0	0%	0	0%
Religion	0	0%	0	0%
Reprisal	0	0%	0	0%
Sex	0	0%	0	0%
Non EEO Basis	0	0%	0	0%
Total	0	0%	0	0%

12. Of the Total Number of Final Agency Actions rendered, issue(s) involved in those actions in which discrimination was found:

Issue	Without Hearing (No.)	Without Hearing (Percent)	After Hearing (No.)	After Hearing (Percent)
Appointment/Hire	0	0%	0	0%
Assignment of Duties	0	0%	0	0%
Awards	0	0%	0	0%
Conversion to Full-Time	0	0%	0	0%
Disciplinary Act-Demotion	0	0%	0	0%
Disciplinary Act-Other	0	0%	0	0%
Disciplinary Act-Reprimand	0	0%	0	0%
Disciplinary Act-Suspension	0	0%	0	0%
Disciplinary Act-Termination	0	0%	0	0%
Duty Hours	0	0%	0	0%
Equal Pay Act Violation	0	0%	0	0%
Evaluation/Appraisal	0	0%	0	0%
Examination/Test	0	0%	0	0%
Failure to Accommodate	0	0%	0	0%
Harassment-Nonsexual	0	0%	0	0%
Harassment-Sexual	0	0%	0	0%
Other	0	0%	0	0%
Pay Including Overtime	0	0%	0	0%
Performance Improvement Plan	0	0%	0	0%
Promotion/Non-Selection	0	0%	0	0%
Reassignment-Directed	0	0%	0	0%

Reassignment-Request	0	0%	0	0%
Reinstatement	0	0%	0	0%
Terms/Conditions of Employment	0	0%	0	0%
Time and Attendance	0	0%	0	0%
Training	0	0%	0	0%
Total	0	0%	0	0%

13. Total Number of complaints pending for any length of time during fiscal year 2004: 32

13.a. Number first filed before fiscal year 2004: 22

13.b. Number of individuals who filed those complaints prior to or during fiscal year 2004: 16

13.c. Number of those complaints respectively pending at the following steps of the complaint process:*

Counseling	Investigation	Hearing	Final Agency Action	Appeal
3	9	6	2	3

*The chart in Item 13.c. does not included formal complaints that have become cases that are being litigated in United States District Court.

13.d. Of the total number of complaints pending for the period covered by this Report, the total number of complaints in which the agency has not completed its investigation within the required 180 days: 9

13.e. Of the total number of complaints pending for the period covered by this Report, the total number of complaints in which the agency has not completed its investigation within the required 360 days: 1