



U.S. DEPARTMENT OF AGRICULTURE



**REPORT OF CIVIL RIGHTS COMPLAINTS, RESOLUTIONS
AND ACTIONS FOR FISCAL YEAR 2021**

**Food Conservation and Energy Act of 2008
Section 14010
December 7, 2022**

United States Department of Agriculture
Office of the Assistant Secretary for Civil Rights
Washington, DC 20250



United States Department of Agriculture

Office of the Secretary
Washington, D.C. 20250

April 9, 2021

USDA Civil Rights Policy Statement

At USDA, we are recommitting ourselves to the values of equity, inclusion, and equal opportunity for each other and those we serve. As Secretary, I will work with our dedicated team to actively advance racial justice and equity for one another. We will do so by rooting out systemic racism and strengthening civil rights programs while building trust within and outside the Department, ensuring transparency and the equitable delivery of quality programs and services, and holding ourselves accountable toward meeting those goals.

As a Department that operates with excellence in leadership, we must affirm and ensure USDA provides equal employment opportunity for all employees and applicants for employment, regardless of race, religion, color, sex (including pregnancy, gender identity and sexual orientation), national origin, age, genetic information, or disability. All employees have the freedom to compete on a fair and level playing field with equal opportunity for available employment and advancement opportunities. Equal employment opportunity covers all personnel/employment programs, management practices, and decisions, including recruitment/hiring, merit promotion, transfer, reassignments, training and career development, benefits, and separation. These civil rights principles are more than employees' rights by law—they are core values at the USDA.

USDA strives to become a leader in EEO and a model employer. All USDA applicants and employees have the right not only to be free from harassment and discrimination but also to raise an allegation of harassment or discrimination and not fear reprisal. I will continue to enforce zero tolerance toward any form of workplace harassment. Agencies are required to respond to, address, and correct any harassing conduct before it becomes severe or pervasive. USDA will continue to quickly process complaints of harassment, discrimination, and reprisal and provide robust EEO training to all employees.

I will hold all employees and managers accountable for doing their part to ensure all USDA applicants, customers, constituents, and stakeholders are provided equal access to all opportunities, programs, and services available through USDA. Accordingly, all senior leaders, managers, and supervisors must model values-based leadership and appropriate behavior, leading always by example, treating everyone with dignity and respect, and promoting an ethical, equitable, and inclusive culture. All employees must comply with EEO principles as we perform the Department's mission.

A handwritten signature in blue ink that reads "Thomas J. Vilsack". The signature is fluid and cursive.

Thomas J. Vilsack
Secretary

USDA IS AN EQUAL OPPORTUNITY PROVIDER, EMPLOYER AND LENDER

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Annual Reporting Requirements

Section 14010 (1) of the Food, Conservation, and Energy Act of 2008 (2008 Farm Bill), mandates USDA to prepare an annual report on each of its agency's civil rights complaints, resolutions and actions. In accordance with that section, this report provides the:

- number of civil rights complaints filed that relate to USDA, including whether a complaint is a program complaint or an employment complaint;
- length of time USDA took to process each civil rights complaint to closure;
- number of proceedings brought against USDA, including the number of complaints (as described in Section 14010 (1)) that were resolved with a finding of discrimination; and
- number and types of personnel actions taken by USDA following the resolution of civil rights complaints.

The 2008 Farm Bill requires USDA to submit a copy of this report to the House Committee on Agriculture and the Senate Committee on Agriculture, Nutrition and Forestry, as well as make the report available to the public on USDA's website.

USDA agencies included in the report¹ are: Agricultural Marketing Service (AMS); Agricultural Research Service (ARS); Animal and Plant Health Inspection Service (APHIS); Economic Research Service (ERS); Farm Service Agency (FSA); Food and Nutrition Service (FNS); Food Safety and Inspection Service (FSIS); Foreign Agricultural Service (FAS); Forest Service (FS); National

Agricultural Statistics Service (NASS); National Appeals Division (NAD)²; National Institute of Food and Agriculture (NIFA), Natural Resources Conservation Service (NRCS); Office of the Chief Financial Officer (OCFO); Office of Inspector General (OIG); Rural Development (RD); Risk Management Agency (RMA); Departmental Administration (DA);³ and Office of the Assistant Secretary for Civil Rights (OASCR).

Executive Summary

The U.S. Department of Agriculture (USDA) submits this fiscal year (FY) 2021 civil rights report to the House Committee on Agriculture and the Senate Committee on Agriculture, Nutrition, and Forestry in accordance with section 14010 of the Food, Conservation, and Energy Act of 2008.

The Office of the Assistant Secretary for Civil Rights' (OASCR) mission is provide leadership and direction for the fair and equitable treatment of all USDA customers and employees while ensuring the delivery of quality programs and enforcement of civil rights. USDA remains committed to ensuring the equal and equitable enforcement of civil rights, including (but not limited to) matters related to program delivery, compliance, and the processing of employee and program complaint.

OASCR manages two complaint processes: employment complaints (EEO or Equal Employment Opportunity) and program complaints. Program discrimination complaints are those filed by participants in USDA's federally funded programs and activities and against recipients of USDA Federal financial assistance programs. Employment discrimination complaints are filed by USDA employees, applicants or any specific class of individuals who believe they have suffered

¹ On November 29, 2018, GIPSA was eliminated as a stand-alone agency and transferred to AMS. However, one complaint processed during Fiscal Year (FY) 2021 was reported under GIPSA. As a result, the employment exhibits in this report reflect one GIPSA complaint separate from AMS complaints.

² In FY 2021, USDA did not process any NAD cases.

³ DA complaints received prior to FY 2018 are reflected in this report under the previous name, Departmental Management (DM). Employment complaints initiated or filed against DA and other staff offices were processed by the OASCR's Conflict Complaints Division (CCD).

discrimination in terms, conditions, and/or privileges of employment.

Timeliness in all phases of the employment complaint process in FY 2021

In FY 2021 OASCR was 99% timely in all phases of the employment complaint process and within regulatory timeframes. Most notably, there was a reduction in the length of time for completion of EEO investigations from 203 days in FY 2020 to 154 days in FY 2021, well below the regulatory time frame of 180 days. This represents a reduction, on average, of 49 days to complete an investigation.⁴ The average processing time for issuing Final Agency Decision without hearing for which USDA retained jurisdiction in 42 days in FY 2020 and 56 days in FY 2021. These average processing times are consistently below the regulatory time frame of 60 days. For those cases where complainants requested a hearing before Administrative Judge instead of a final agency decision by USDA, the average processing time decreased from 973 days in FY 2020 to 931 days in FY 2021.

Processing time for Program Complaints

The timeliness of program complaint processing is impacted by a variety of factors: the timely submission of details from complainants, the complexity of a complaint, the related USDA

program, and resources available to investigate and respond to complaints from the field and USDA agencies and staff offices.

In FY 2020, the average processing time for resolved program complaints was 369 days. In FY 2021, the average processing time for resolved program complaints was 412 days. Currently, OASCR is working to reduce processing times for program complaints further to 365 days in FY 2023 and 180 days in FY 2024. To accomplish this, OASCR is actively rebuilding its civil rights workforce and capacity by leveraging existing authorities and funding resources.

Other Notable Accomplishments in FY 2021

USDA is focused on resolving complaints in a timely manner to ensure public trust. In FY 2021, OASCR deployed a new program case tracking system (Civil Rights Management System or CRMS) to improve data tracking and reporting. OASCR has prioritized quality customer service by creating complaint filing systems that are easy to navigate and adequately making policies and procedures available to the public on the USDA website. In FY 2021, OASCR launched a USDA Civil Rights mobile application that provides easy access to civil rights complaint filing information and contact information for the relevant USDA civil rights staff.

⁴ FY 2021 and FY 2020 EEO 462 Reports.

PART I:

Fiscal Years 2020 and 2021 USDA Formal Program Complaint Data

Section A — Number of Program Complaints Filed at USDA

Introduction

Program discrimination complaints are filed by participants of USDA’s federally funded programs and activities conducted by USDA and administered through local USDA offices, (e.g., FSA’s Farm Loan and RD’s Single Family Housing Loan programs). Additionally, USDA receives program complaints filed against recipients of USDA’s Federal financial assistance programs (primarily State and local agencies and multi-family housing authorities), such as FNS’ Supplemental Nutrition Assistance Program and RD’s Multi-Family Housing Program.

This section contains comparative information regarding the number of formal Program complaints filed.

Summary of Data

Table 1 below indicates the number of Program Complaints filed with USDA for two fiscal years. The data show the number of complaints filed in comparison to the previous year (See Graph 1). In FY 2021, 220 complaints were filed as compared to 243 in FY 2020. This represents an approximate 9.5 percent decrease in complaints filed from the previous year.

Table 1
Number of Program Complaints Filed at USDA

Fiscal Year	Number
2020	243
2021	220

Source: Civil Rights Enterprise System

Section B — Inventory of Program Complaints Processed at USDA

Introduction

This section contains data regarding significant stages of the complaint inventory for program complaints processed during FYs 2020 and 2021. These stages are: (1) Beginning Inventory; (2) Complaints Filed; (3) Total USDA Inventory; (4) Complaints Closed, and (5) Ending Inventory.

Summary of Data

At the beginning of FY 2021, USDA had an open inventory of 300 program complaints. During the fiscal year, USDA received 220 complaints which resulted in a total ~~inventory~~ of 520 program complaints. USDA closed a total of 227 complaints. At the end of the fiscal year, USDA had an inventory of 293 open program complaints.

In comparison, at the beginning of FY 2020, USDA had an open inventory of 400 program complaints. During the fiscal year, USDA received an additional 243 complaints which resulted in a total inventory of 643 program complaints. USDA closed a total of 344 complaints. At the end of the fiscal year, USDA had an inventory of 299 open program complaints.

Table 2 provides the number of complaints at each of the significant stages of the complaint inventory for FY 2021 in comparison to the previous fiscal year. The data show a decrease in the complaints filed as well as in the beginning, total and ending inventories. The data also show a decrease in complaints closed.

Table 2
Inventory of Program Complaints Processed at USDA

Fiscal Year	Beginning Inventory	Complaints Filed	Total Inventory	Complaints Closed	Ending Inventory
2020	400 ¹	243	643	344	299
2021	300 ¹	220	520	227	293 ¹

Source: Civil Rights Enterprise System

Section C—Top Three Most Frequently Alleged Bases in Program Complaints Filed with USDA

Introduction

USDA prohibits discrimination on the basis of race, color, religion, sex, age, national origin, marital status, sexual orientation, familial status, disability, or because all or a part of an individual's income is derived from a public assistance program. In programs that receive Federal financial assistance from USDA, discrimination is prohibited on the basis of race, color, religion, sex, political beliefs, age, disability, or national origin (Not all bases apply to all programs). Reprisal is prohibited based on prior civil rights activity. Any person who believes they have experienced discrimination when obtaining services from USDA may file a program complaint with USDA.⁵

Summary of Data

Table 3 provides data on the top three most frequently alleged bases in program complaints filed with USDA. The three most frequently cited bases in program complaints filed in FY 2021 are: (1) disability, (2) race, and (3) age. In FY 2020, the three most frequently-cited bases were: (1) disability, (2) race, and (3) age.

Complaints Alleging Disability

Disability was the most frequently alleged basis in program complaints filed against the

Department. In FY 2021, 25 percent of program complaints cited disability as a basis compared to 30 percent in FY 2020.

Complaints Alleging Race

Race was the second most frequently alleged basis in program complaints at USDA in FY 2021. In FY 2021, 24 percent of program complaints cited race as a basis compared to 17 percent in FY 2020.

Complaints Alleging Age

Age was the third most frequently alleged basis in program complaints at USDA in FY 2021. In FY 2021, 17 percent of program complaints cited age as a basis compared to 15 percent in FY 2020.

Table 3
Top Three Most Frequently Alleged Bases in Program Complaints Filed with USDA

Fiscal Year	Disability	Race	Age
2020	144	84	74
2021	98	92	67

Source: Civil Rights Enterprise System

⁵ Complainants may allege multiple bases in a single complaint.

Section D – Program Complaint Inventory by Agencies with Highest Total Inventory

Introduction

This section contains data regarding the top three USDA agencies with the highest total inventory and the number of complaints filed against them.

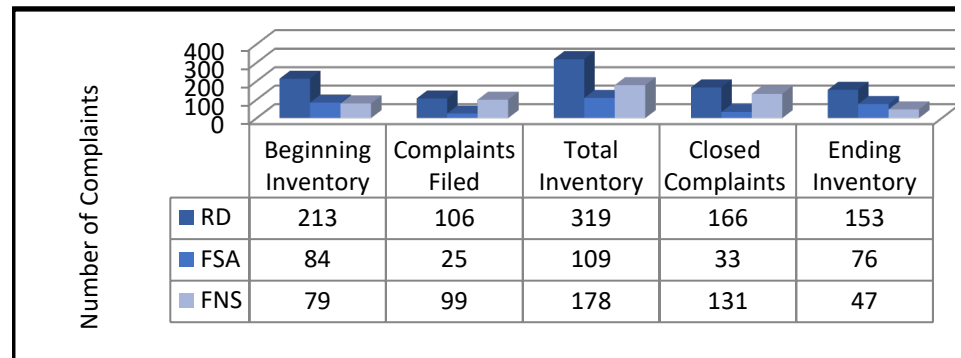
Summary of Data

In FY 2021, the program complaint inventory of RD, FNS, and FSA accounted for approximately 93 percent (482 complaints) of the total USDA complaint inventory (520). Out of the 220 program complaints filed with USDA during FY 2021, the respective top three agencies had the following totals: RD accounted for 85 complaints; FNS accounted for 80 complaints; and FSA accounted for 40 complaints.

In comparison, the FY 2020 program complaint inventory of FNS, RD and FSA accounted for approximately 94 percent (606 complaints) of the total USDA complaint inventory (643). Out of the 243 program complaints filed with USDA during FY 2020, the respective top three agencies had the following totals: FNS accounted for 99 complaints; RD accounted for 106; and FSA accounted for 25 complaints filed.

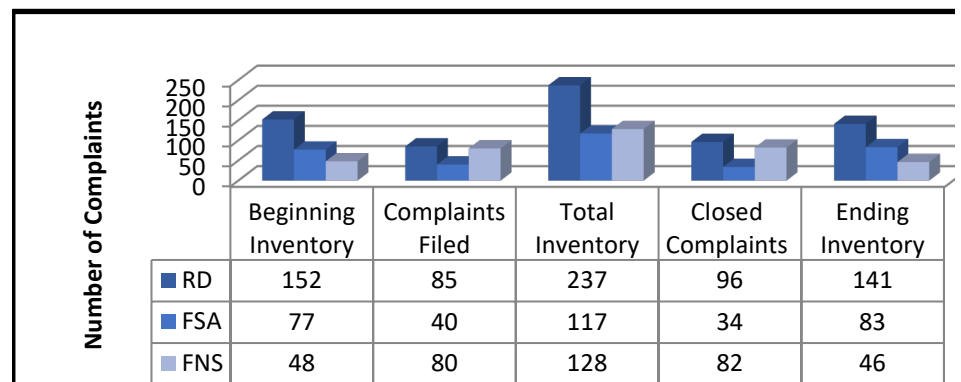
Graphs 4A and 4B provide data on the top three agencies with the highest total program

Graph 4A
FY 2020 Program Complaint Inventory by Agencies with Highest Total Inventory



Source: Civil Rights Enterprise System

Graph 4B
FY 2021 Program Complaint Inventory by Agencies with Highest Total Inventory



Source: Civil Rights Enterprise System

complaint inventory. The data shows that FNS, RD and FSA were consistently one of the top three agencies with the highest inventories for the two-year period.

Section E –Average Processing Time of Closed Program Cases

Introduction

The Average Processing Time (APT) for program complaints is the average duration of cases processed to closure within the respective fiscal year. Complaints processed are interpreted as complaints that have been received, accepted for processing, and resolved through a determination in compliance with Departmental regulations. The date the complaint was resolved (Final Agency Decision or Closure) minus the date the complaint was accepted is the method of computation of the APT.

Average Processing Time of Closed Cases:

The average processing time for 151⁶ program complaints resolved (Final Agency Decision or Closure) in FY 2021 was 412 days. The average processing time for 203⁷ complaints resolved in FY 2020 was 369 days.

Table 5 shows the number of complaints resolved at USDA, by each agency for FYs 2020 and 2021.

Table 5
Average Processing Time of Closed Cases
for USDA and Agencies

Fiscal Year	Agency	Resolved	Average Processing Time (Days)
2020	USDA	203	369
	GIPSA	1	758
	NIFA	1	632
	NRCS	3	600
	FSA	24	537
	RD	93	451
	FS	5	423
	AMS	1	303
	FNS	75	193
2021	USDA	151	412
	NIFA	2	592
	NRCS	3	670
	FSA	27	644
	RD	59	449
	FS	6	433
	AMS	1	489
	FNS	53	229

Source: Civil Rights Enterprise System

⁶ The cases resolved with following closure codes were used to calculate the average processing time: Finding, No Finding, Filed in Court, HUD Decision, Settlement, and Withdrawal. The following closure codes were omitted from calculating the average processing time: Failure to Pursue, Failure to State a Claim, Lack of Jurisdiction, Programmatic Referral, and Untimely Filing.

⁷ Same closure codes used for FY 2021 were used for FY 2020 average processing time of closed cases.

Section F - Program Complaints Resolved with a Finding of Discrimination

Introduction

Final Agency Actions involving a finding of discrimination are issued on the record. The final actions involving a finding of discrimination may include complaints with a variety of bases and issues.

Summary of Data

Table 6 shows that from FY 2020 to FY 2021, the number of findings of discrimination remained the same.

Table 6
Program Complaints Resolved with a Finding of Discrimination

Fiscal Year	Number
2020	1
2021	1

Source: Civil Rights Enterprise System

Section G - Program Complaints Resolved with a Settlement Agreement

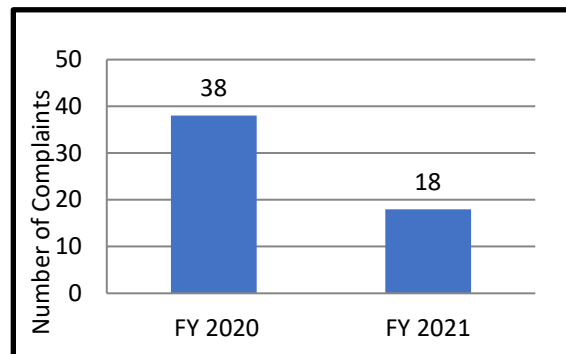
Introduction

This section contains data regarding the number of program complaints resolved with a settlement agreement for FYs 2020 and 2021.

Summary of Data

Graph 7 shows that from FY 2020 to FY 2021, the number of complaints resolved by a settlement agreement decreased by 20, from 38 in FY 2020 to 18 in FY 2021.

Graph 7
Program Complaints Resolved with a Settlement Agreement



Source: Civil Rights Enterprise System

PART II:

Fiscal Years 2020 and 2021 USDA Formal Employment Complaint Data

Section A – Number of Employment Complaints Filed at USDA

Introduction

Employment discrimination complaints are filed by USDA employees, applicants or any specific class of individuals who believe they have suffered discrimination in terms, conditions, and/or privileges of employment. USDA encourages the use of Alternative Dispute Resolution to resolve all discrimination complaints as early as possible.

This section contains comparative information regarding Pre-complaint data on ADR and the number of formal EEO complaints filed.

Summary of Data

Table 1 shows FY 2020 and FY 2021 Pre-complaint EEO ADR data. In FY 2020, 624 aggrieved cases were offered ADR and 267 (43%) agreed to participate, resulting in forty-eight settlement agreements. In FY 2021, 542 aggrieved cases were offered ADR and 274 (51%) agreed to participate, resulting in thirty-three settlement agreements. USDA will continue to embark upon a robust early resolution initiative to improve resolution rates.

Table 1
Number of EEO Pre-Complaint Resolutions at USDA

Fiscal Year	Offered ADR	Accepted ADR	Resolved /Settlement Agreements	Resolution Rate
2020	624	267	48	0.077
2021	542	274	33	0.060

Source: Certified FY 2020 and FY 2021 462 Reports.

Table 2 indicates the number of formal EEO complaints filed with USDA for two fiscal years. The data show the number of complaints filed in comparison to the previous year. In FY 2021, 346 complaints were filed as compared to 389 in FY 2020. This represents an 11 percent decrease in the number of complaints filed.

Table 2
Number of Employment Complaints Filed at USDA

Fiscal Year	Number
2020 ¹	389
2021	346

Source: Certified FY 2020 and FY 2021 462 Reports

Section B – Inventory of Employment Complaints Processed at USDA

Introduction

This section contains data regarding significant stages of the complaint inventory for formal EEO complaints processed during FYs 2020 and 2021. These stages are: (1) Beginning Inventory; (2) Complaints Filed; (3) Total USDA Inventory; (4) Complaints Closed; and (5) Ending Inventory.

Summary of Data

At the beginning of FY 2021, USDA had an open employment complaint inventory of 631 cases. During the fiscal year, USDA received an additional 346 employment complaints which gave USDA a total inventory of 977 complaints. USDA closed a total of 411 employment complaints. At the end of the

fiscal year, USDA had an inventory of 567 open employment complaints.

In comparison, at the beginning of FY 2020, USDA had an open inventory of 756 employment complaints. During the fiscal year, USDA received an additional 389 complaints which gave USDA a total inventory of 1,145 employment complaints. USDA closed a total of 512 employment

complaints. At the end of the fiscal year, USDA had an inventory of 637 open employment complaints.

Table 3 below provides the number of complaints in the inventory for FY 2021 in comparison to the previous fiscal year. The data shows a decline in inventory at each of the significant stages of the employment complaint inventory.

Table 3
Inventory of Employment Complaints Processed at USDA

Fiscal Year	Beginning Inventory (A)	Complaints Filed (B)	Total A + B	Complaints Closed	Ending Inventory
2020 ⁸	756	389	1,145	512	637
2021	631	346	977	411	567

Source: FY 2020 and FY 2021 462 Reports.

Section C – Top Three Most Frequently Alleged Bases in Formal Employment Complaints Filed with USDA

Introduction

USDA prohibits discrimination on the basis of race, color, national origin, age (40 or older), mental and/or physical disability, sex (including pregnancy, sexual orientation or gender identity), genetic information, religion, reprisal/retaliation, marital status, parental status, or political beliefs. It is also USDA’s policy to process complaints of employment discrimination in a fair, equitable, and timely manner.⁹

Summary of Data

Table 4 provides data on the top three most frequently alleged bases¹⁰ in formal EEO complaints filed with USDA. The three most frequently cited bases in formal EEO complaints filed in FY 2021 are: (1) retaliation; (2) race; and (3) sex. The three

most frequently cited bases in formal EEO complaints filed in FY 2020 were also: (1) retaliation; (2) race; and (3) sex.

Complaints Alleging Retaliation

Retaliation was the most frequently alleged basis in formal EEO complaints at USDA for both FYs 2020 and 2019. In FY 2021, 47 percent of complaints cited retaliation as a basis as compared to 57 percent in FY 2020.

Complaints Alleging Race Discrimination

Race was the second most frequently alleged basis in formal EEO complaints at USDA in FY 2021. In FY 2021, 41 percent of complaints cited race as a basis as compared to 43 percent in FY 2020.

⁸ After reconciliation, the number of complaints filed is 389 and closed cases is 512 according to FY 2020 462 report.

⁹ Complainants may allege multiple bases in a single complaint.

¹⁰ Source: FY 2020 and FY 2021 No FEAR Reports

Complaints Alleging Sex Discrimination

Sex was the third most frequently alleged basis in formal EEO complaints at USDA in FY 2021. In FY 2021, 32 percent of complaints cited sex as a basis compared to 43 percent in FY 2020.

Table 4
Top Three Most Frequently Alleged Bases in Formal Complaints Filed with USDA

Fiscal Year	Retaliation	Race	Sex
2020	224	170	168
2021	162	142	111

Source: FY 2020 and FY 2021 462 Reports.

Section D – Employment Complaint Inventory by Agencies and Mission Areas with Highest Total Inventory

Introduction

This section contains data regarding the top three USDA agencies and/or Mission Areas with the highest total inventory and the number of complaints filed against them.

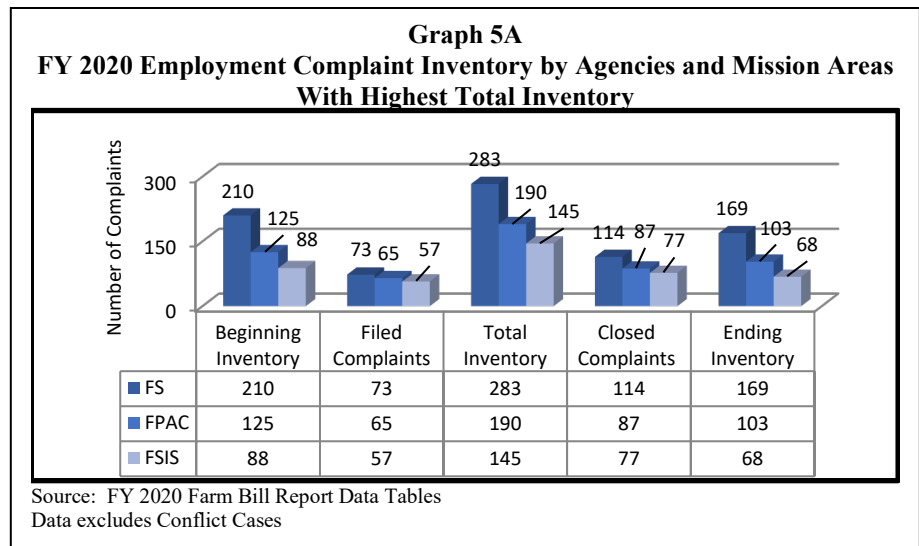
Out of the 397 employment complaints filed with USDA during FY 2020, the respective top three agencies had the following totals: FS accounted for 73 complaints; FPAC accounted for 65 complaints; and FSIS accounted for 57 complaints.

Summary of Data

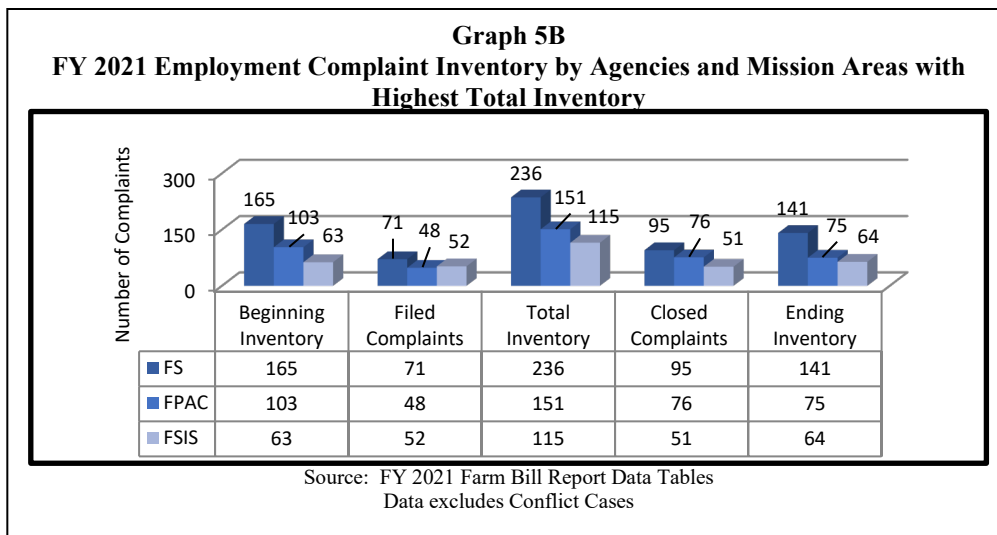
In FY 2021, the employment complaint inventory of FS, FPAC, and FSIS accounted for approximately 51 percent (502 complaints) of the total USDA complaint inventory¹¹ (982). Out of the 342 employment complaints filed with USDA during FY 2021, the respective top three agencies had the following totals: FS accounted for 71 complaints; FPAC accounted for 48 complaints; and FSIS accounted for 52 complaints.

Graphs 5A and 5B provide data on the top three agencies and/or Mission Areas with the highest total employment complaint inventory. The data shows FS, FPAC and FSIS were consistently the top three agencies with the highest total inventory for the two-year period (See Graphs 5A and 5B).

In comparison, the FY 2020 employment complaint inventory of FS, FPAC and FSIS accounted for approximately 53 percent (618 complaints) of the total USDA complaint inventory (1,169).



¹¹ FY 2021 data from Farm Bill Report Data Tables. The data from FY 2021 Farm Bill Report Data Tables from USDA Civil Rights Enterprise System dated January 27, 2022, shows the following: 640 as Beginning Balance, 342 as Complaints filed, 982 as Total Inventory, 419 as Complaints closed, and 563 as Ending Inventory.



Section D.1 – Employment Complaints Filed Per Capita in Top Three Agencies with Highest Inventories

Introduction

This section contains data and information for the top three USDA agencies and/or Mission Areas with the highest total inventory and the number of EEO complaints filed per capita.

Table 6 displays data on those agencies with the highest inventories and their respective complaints filed per capita (per 1,000 employees).

Summary of Data

In FY 2021, the USDA agencies with the highest employment complaint inventories were FS, FPAC, and FSIS. The number of complaints filed as a percent of their individual agency's total work force (per capita 1,000 employees) indicates FS at 2.5, FPAC at 3.4 and FSIS 5.9, respectively.

The same agencies, FS, FPAC, and FSIS, were also the highest employment complaint inventories in FY 2020. The number of complaints filed as a percent of their individual agency's total work force (per capita 1,000 employees) indicates FS at 2.5, FPAC at 4.5 and FSIS 6.6.

Table 6
Formal Employment Complaints Filed Per Capita in Top Three Agencies with Highest Inventories

USDA Agency	Agency Total Workforce ¹	Number Complaints Filed ²	Number of Complaints Filed as % of Total Work Force	Per Capita (per 1,000)
FY 2020				
FS	28,894	73	0.25%	2.5
FPAC ³	14,572	65	0.45%	4.5
FSIS	8,617	57	0.66%	6.6
FY 2021				
FS	28,724	71	0.25%	2.5
FPAC ³	14,124	48	0.34%	3.4
FSIS	8,854	52	0.59%	5.9
FY 2021 Department-wide ⁴	91,873	346	0.37%	3.7
FY 2019 Government-wide ⁵	3,002,119	15,070	0.50%	5.0

Source:

¹ MD-715 Workforce Table A-2, Agency data only include permanent workforce

² FY 2020 and FY 2021 Farm Bill Report Data Tables

³ Does not include FPAC Business Center Employees (2,991 FSA, 10,741 NRCS, and 392 RMA employees)

⁴ FY 2021 MD-715, Aggregate, Table A-1, Department-wide data include permanent and temporary workforce

⁵ EEOC FY 2019 Federal Sector Report Data--Table B-1. FY 2020 Government-wide data is currently unavailable.

<https://www.eeoc.gov/federal-sector/reports>

Section E: Average Processing Time for Employment Complaints

Introduction

For FY 2021 report, OASCR is providing the Average Processing Time (APT) for employment complaints in the three categories that follow: 1) Average Days for USDA to Complete Investigations, 2) Average Days for USDA to Issue Final Agency Decisions, and 3) Average Days for EEOC Administrative Judge to Issue Final Agency Decisions. The categories provided will help distinguish the cases processed by USDA and those over which EEOC retained jurisdiction through issuance of the final order.

Average Processing Time to complete EEO Investigations:

There has been a reduction in the time required to complete EEO investigations from 203 days in FY 2020 to 154 in FY 2021, well below the regulatory time frame of 180 days. This represents a reduction, on average, of 49 days to complete an investigation. (See Table 7)

Average Processing Time for USDA to issue Final Agency Decisions:

The average processing time for USDA to issue Final Agency Decisions (FADs) in FY 2021 was consistently below the regulatory time frame of 60 days. On average, 56 days in FY 2021 and 42 days in FY 2020 for USDA to issue Final Agency Decisions. (See Table 8)

Table 7
Average Days to Complete EEO Investigations

Agency	Average Days In FY 2020	Average Days in FY 2021
USDA	203	154
AMS	217	140
APHIS	166	150
ARS	183	143
CCD	247	194
ERS	205	137
FAS	235	149
FNS	165	143
FS	174	132
FSIS	198	137
FSA	228	130
NASS	180	178
NIFA	133	-
NRCS	205	128
RD	181	187
RMA	135	141

Source:
FY 2020 and FY 2021 462 Reports
Part IX, Summary of Investigations Completed, Section A
Two cases in NIFA are conflict cases and the data are included in CCD figure

Average Processing Time for EEOC to issue Final Agency Decisions:

The average processing time where the EEOC Administrative Judge issued a final agency order (decision) decreased from 973 days in FY 2020 to 931 days in FY 2021. EEOC retained jurisdiction over the cases until the final order was issued. (See Table 8)

Table 8
Average Days to Issue Final Agency Decisions by USDA and EEOC

	USDA Average Days in FY 2020	USDA Average Days in FY 2021	EEOC Average Days in FY 2020	EEOC Average Days in FY 2021
USDA	42	56	973	931
AMS	32	64	788	1,059
APHIS	42	79	926	1,049
ARS	38	40	695	1,481
CCD	47	57	1,001	807
ERS	-	-	603	-
FAS	52	28	332	886
FNS	24	26	966	943
FS	39	53	1,083	923
FSIS	37	43	861	753
FSA	52	54	1,007	1,020
NASS	35	-	1,436	-
NIFA	15	-	-	-
NRCS	43	56	835	1,016
RD	47	103	795	927
RMA	135	61	887	-

Source: FY 2020 and FY 2021 462 Reports
Part VI, Summary of Closures by Category, Sections C and D
Note: CCD data includes Agency conflict cases

Section F – Employment Complaints Resolved with a Finding of Discrimination

Introduction

Final Agency Actions involving a finding of discrimination may be issued on the record or following an EEOC Administrative Hearing. The final actions involving a finding of discrimination may include complaints with a variety of bases and issues.

Summary of Data

Table 9 shows that from FY 2020 to FY 2021, the number of findings of discrimination issued with an EEOC Administrative Hearing decreased by six, and the number of findings without an EEOC Administrative Hearing decreased to zero during FY 2021.

Table 9
Employment Complaints Resolved with a Finding of Discrimination

Fiscal Year	With an EEOC Administrative Hearing	Without an EEOC Administrative Hearing
2020	7	3
2021	1	0

Source: FY 2020 No FEAR Act Annual Report

Section G – Personnel Actions Taken Following Resolution of Employment Complaint by Either a Settlement Agreement or Finding of Discrimination

In FY 2021, 64 complaints were voluntarily resolved by a settlement agreement and one (1) final agency order. The total number of personnel actions taken by USDA agencies following the resolution of employment complaints was 27 (See Table 10).

Detailed information regarding the number and types of actions taken, including monetary and non-monetary, following the resolution of each complaint in FY 2021 is provided in Part III, Exhibit 2-1: Number and Type of Personnel Actions Taken Following Resolution of Employment Complaints

Table 10
Personnel Actions Taken Following Resolution of Employment Complaints by Either a Settlement Agreement or Finding of Discrimination in FY 2021

Personnel Actions	FY 2021
Disciplinary Action Modified	2
Disciplinary Action Rescinded	4
Hire Non-Retroactive	3
Hire Retroactive	1
Promotion Non-Retroactive	0
Promotion Retroactive	1
Reassignment	9
Reinstatement	1
Removals Rescinded and Voluntary	6
Total	27

Source: FY 2021 Farm Bill Report Data Tables

Section H – Administrative Disciplinary Actions

Summary of Data

Table 11 contains the number of disciplinary actions taken against employees who were found to have committed prohibited acts of discrimination, retaliation, harassment, or

prohibited personnel practices (including those acts discovered in conjunction with investigations of whistleblower protection or civil rights complaints).

Table 11
USDA Disciplinary Actions for Fiscal Years 2020–2021

TYPE OF ACTION	FY 2020						FY 2021					
	DISC.	RET.	HAR.	PPP	WBP	TOTAL	DISC.	RET.	HAR.	PPP	WBP	TOTAL
REMOVAL	0	0	0	0	0	0	0	0	0	0	0	0
15 DAY OR MORE	0	0	0	0	0	0	0	0	0	0	0	0
14 DAY OR LESS	1	2	5	0	1	9	0	0	0	0	0	0
REDUCTION IN GRADE	0	0	0	0	0	0	0	0	0	0	0	0
REDUCTION IN PAY	0	0	0	0	0	0	0	0	0	0	0	0
LOR	1	0	4	0	0	5	1	0	0	0	0	0
TOTAL DISCIPLINE	2	2	9	0	1	14	1	0	0	0	0	1

Source: FY 2020 and FY 2021 No FEAR Act Annual Reports.

Table

Abbreviations:
Disc. = Discrimination;
Ret. = Retaliation;
Har. = Harassment;
PPP = Prohibited Personnel Practice;
WBP = Whistleblower Protection Act; and
LOR = Letter of Reprimand.

PART III

Fiscal Year 2021 Complaint Data Tables by USDA Agency

Section I – Program Discrimination Complaint Data by USDA Agency

Summary of Data

This section provides summary data for program complaints in FY 2021 for each USDA agency. References are made to the exhibits section of this report regarding detailed program complaint data for each USDA agency.

Table 12
Program Complaints Inventory During FY 2021

Agency	Beginning Complaint Inventory	Complaints Filed	Total Complaint Inventory During FY 2021	Closed	Ending Complaint Inventory	Exhibit 1 Page(s)
AMS	3	1	4	1	3	1
APHIS	1	0	1	0	1	1
FNS	48	80	128	82	46	1-4
FS	10	4	14	9	5	5
FSA	77	40	117	34	83	5-8
NIFA	3	1	4	2	2	8
NRCS	5	4	9	3	6	8-9
Other Government Agency ¹²	1	1	2	0	2	9
RD	152	85	237	96	141	9-16
RMA	0	4	4	0	4	16
Total USDA	300*	220	520	227	293	1-16

*This number differs from the FY 2020 Farm Bill Report ending inventory due to database reconciliation.

¹² Other Government Agency refers to those complaints over which both USDA and another Federal Agency have jurisdiction.

Section II – Employment Complaints Data by USDA Agency

Summary of Data

This section provides summary data for employment complaints in FY 2021 for each USDA agency. References are made to the exhibits section of this report regarding detailed employment complaint data for each USDA agency.

Table 13: Employment Complaints for FY 2021

Agency	Beginning Complaint Inventory*	Complaints Filed	Total Complaint Inventory During FY 2020	Closed	Ending Complaint Inventory	Exhibit 2 Page(s)
AMS	23	18	41	19	22	1
APHIS	66	39	105	31	74	1-2
ARS	17	15	32	14	18	2
CCD**	83**	39**	122**	44**	78**	2-3
ERS	2	1	3	0	3	-
FAS	19	9	28	11	17	3
FNCS	24	9	33	20	13	3-4
FPAC	103	48	151	76	75	4-6
FS	165	71	236	95	141	6-8
FSA***	1***		1***	***		***
FSIS	63	52	115	51	64	8-10
GIPSA	1	0	1	0	1	-
NASS	2	4	6	0	6	-
NIFA	1*	0	0	0	0	-
OCFO	22	17	39	27	12	10
OIG	7	0	7	2	5	10
RD	41	20	61	28	33	10-11
RMA***	2***		2***	***		***
Unassigned	3***	***	***	***	3***	***
Total USDA*	640*	342	982	419	563	1-11

Source: FY 2021 Farm Bill Report Data Tables. The data from FY 2021 Farm Bill Report Data Tables from USDA Civil Rights Enterprise System dated January 27, 2022, shows the following: 640 as Beginning Balance, 342 as Complaints filed, 982 as Total Inventory, 419 as Complaints closed, and 563 as Ending Inventory.

Note: For FY 2021, CCD data includes Agency’s conflict and DEPT cases.

*This number differs from the FY 2020 Farm Bill Report ending inventory due to database reconciliation.

**Data from the CCD’s certified FY 2021 462 report dated 10/26/2021. Per FY 2021 Farm Bill Data Tables, CCD data is as follows: 84 cases for Beginning Complaint Inventory, 39 Complaints Filed, 123 as Total Complaint Inventory in CCD. In addition, during FY 2021, 45 of CCD cases as Closed, and 78 as Ending Complaint Inventory in CCD. In addition, the average processing time to close 45 cases per the FY 2021 Farm Bill Data Table is 542 days.

***The “Summary section” of the FY 2021 Farm Bill Report Data Tables showed three (3) cases without agency designation but with other relevant info such as Beginning Inventory and Ending Inventory. Details of the three (3) cases are listed in the “Unassigned” category above. In the “Details by Agency” section, three (3) cases, without relevant data, were identified as cases in two agencies in FPAC Mission Area (1 from FSA, and 2 from RMA) and were counted as part of the total 982 cases.

PART IV: Recommendations

Based on the findings within the report, USDA will implement select mitigation and complaint prevention strategies annually. Specifically, OASCR will:

- Increase Alternative Dispute Resolution efforts to resolve Program discrimination and EEO Complaints.
- Take steps necessary to reduce substantially the processing time on Program Complaints. The reduction in time to process Program Complaints, on average, is targeted as 365 days in FY 2023 and 180 days in FY 2024.
- Monitor USDA agency's efforts in assessing the participation rates of protected groups in programs and services and its methods to increase their representation.
- Collaborate with USDA agencies to develop methods to resolve program complaints filed by issues, bases, or geographic locations.
- Implement and schedule civil rights training and education modules to address complaint allegations on the bases of age, disability, race, sex, and retaliation.

EXHIBITS

- Exhibit 1: FY 2021 USDA Program Complaint Inventory**
- Exhibit 2: FY 2021 USDA Employment Complaint Inventory**
- Exhibit 2-1: FY 2021 Number and Type of Personnel Actions Taken Following Resolution of Employment Complaints**

The exhibits listed above will be made available on our website. In the interim, you may obtain a copy of the exhibits by contacting the Office of the Assistant Secretary for Civil Rights, Information Research Service, at (202) 401-0005 or (800) 795-3272 (toll free) or by sending an email request to CR-INFO@usda.gov.

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Report of Civil Rights Complaints, Resolutions, and Actions
Fiscal Year 2021
Exhibit 1: USDA Program Complaints Resolved

Agency	Complaint	Closure Date	Processing Time to Resolve
AMS	1	02/25/2021	489
FNS	2	04/29/2021	996
FNS	3	11/16/2020	748
FNS	4	12/22/2020	494
FNS	5	12/22/2020	476
FNS	6	12/22/2020	525
FNS	7	11/18/2020	419
FNS	8	06/29/2021	637
FNS	9	12/14/2020	406
FNS	10	02/09/2021	442
FNS	11	04/29/2021	531
FNS	12	12/28/2020	381
FNS	13	06/29/2021	565
FNS	14	01/19/2021	342
FNS	15	04/23/2021	389
FNS	16	03/31/2021	400
FNS	17	10/08/2020	183
FNS	18	04/23/2021	380
FNS	19	12/22/2020	216
FNS	20	10/23/2020	161
FNS	21	10/07/2020	145
FNS	22	02/04/2021	307
FNS	23	02/04/2021	212
FNS	24	12/22/2020	236
FNS	25	03/02/2021	201
FNS	26	03/04/2021	211
FNS	27	10/01/2020	55
FNS	28	10/27/2020	60
FNS	29	03/17/2021	229
FNS	30	12/22/2020	117
FNS	31	03/18/2021	210
FNS	32	03/29/2021	242
FNS	33	03/04/2021	241
FNS	34	02/04/2021	276
FNS	35	01/19/2021	256

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Agency	Complaint	Closure Date	Processing Time to Resolve
FNS	36	02/02/2021	154
FNS	37	06/03/2021	279
FNS	38	06/21/2021	391
FNS	39	11/20/2020	36
FNS	40	12/01/2020	47
FNS	41	12/07/2020	32
FNS	42	06/03/2021	245
FNS	43	01/11/2021	52
FNS	44	03/25/2021	112
FNS	45	01/11/2021	39
FNS	46	06/29/2021	208
FNS	47	03/24/2021	105
FNS	48	02/09/2021	49
FNS	49	05/01/2021	116
FNS	50	03/23/2021	68
FNS	51	03/31/2021	78
FNS	52	05/19/2021	124
FNS	53	06/03/2021	126
FNS	54	02/25/2021	28
FNS	55	03/01/2021	27
FNS	56	03/12/2021	36
FNS	57	04/09/2021	52
FNS	58	08/31/2021	215
FNS	59	03/23/2021	61
FNS	60	03/30/2021	61
FNS	61	05/18/2021	76
FNS	62	06/17/2021	106
FNS	63	06/03/2021	106
FNS	64	06/09/2021	77
FNS	65	08/31/2021	180
FNS	66	06/09/2021	72
FNS	67	06/28/2021	77
FNS	68	08/11/2021	126
FNS	69	06/30/2021	84
FNS	70	08/31/2021	218

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Agency	Complaint	Closure Date	Processing Time to Resolve
FNS	71	08/11/2021	133
FNS	72	06/30/2021	65
FNS	73	06/15/2021	61
FNS	74	06/09/2021	28
FNS	75	09/08/2021	107
FNS	76	08/10/2021	82
FNS	77	08/11/2021	62
FNS	78	07/01/2021	22
FNS	79	08/31/2021	96
FNS	80	08/25/2021	58
FNS	81	09/28/2021	76
FNS	82	09/15/2021	41
FNS	83	05/28/2021	43
FS	84	04/05/2021	725
FS	85	01/11/2021	635
FS	86	03/10/2021	484
FS	87	01/11/2021	364
FS	88	03/18/2021	455
FS	89	11/05/2020	275
FS	90	09/14/2021	433
FS	91	07/14/2021	171
FS	92	09/30/2021	183
FSA	93	12/15/2020	1114
FSA	94	01/27/2021	1136
FSA	95	12/08/2020	1077
FSA	96	11/02/2020	823
FSA	97	03/31/2021	842
FSA	98	10/19/2020	605
FSA	99	04/05/2021	837
FSA	100	09/28/2021	1043
FSA	101	06/28/2021	833
FSA	102	03/10/2021	734
FSA	103	01/13/2021	630
FSA	104	09/03/2021	848
FSA	105	04/22/2021	695

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Agency	Complaint	Closure Date	Processing Time to Resolve
FSA	106	03/10/2021	597
FSA	107	09/15/2021	765
FSA	108	08/11/2021	702
FSA	109	04/15/2021	585
FSA	110	06/08/2021	599
FSA	111	05/18/2021	567
FSA	112	02/25/2021	506
FSA	113	07/22/2021	569
FSA	114	12/16/2020	415
FSA	115	07/01/2021	484
FSA	116	11/03/2020	312
FSA	117	03/31/2021	411
FSA	118	06/28/2021	460
FSA	119	03/31/2021	184
FSA	120	08/25/2021	540
FSA	121	09/21/2021	312
FSA	122	07/20/2021	170
FSA	123	07/02/2021	133
FSA	124	05/25/2021	62
FSA	125	08/30/2021	168
FSA	126	09/25/2021	61
NIFA	127	07/21/2021	523
NIFA	128	09/03/2021	660
NRCS	129	03/18/2021	785
NRCS	130	09/01/2021	705
NRCS	131	09/23/2021	519
RD	132	09/22/2021	1800
RD	133	09/23/2021	1249
RD	134	08/16/2021	1179
RD	135	10/21/2020	792
RD	136	07/20/2021	1058
RD	137	10/15/2020	688
RD	138	11/02/2020	685
RD	139	11/02/2020	706
RD	140	11/03/2020	691

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Agency	Complaint	Closure Date	Processing Time to Resolve
RD	141	11/09/2020	642
RD	142	01/06/2021	645
RD	143	03/25/2021	741
RD	144	01/14/2021	640
RD	145	08/18/2021	856
RD	146	01/26/2021	652
RD	147	07/22/2021	800
RD	148	11/03/2020	559
RD	149	07/20/2021	795
RD	150	06/28/2021	759
RD	151	10/21/2020	499
RD	152	01/28/2021	605
RD	153	06/11/2021	709
RD	154	11/02/2020	462
RD	155	12/10/2020	497
RD	156	11/02/2020	467
RD	157	10/15/2020	471
RD	158	09/16/2021	792
RD	159	03/18/2021	552
RD	160	11/19/2020	435
RD	161	05/18/2021	610
RD	162	05/13/2021	610
RD	163	11/03/2020	393
RD	164	01/27/2021	482
RD	165	11/24/2020	393
RD	166	02/11/2021	476
RD	167	04/22/2021	500
RD	168	07/20/2021	595
RD	169	10/15/2020	311
RD	170	04/15/2021	498
RD	171	03/25/2021	447
RD	172	11/19/2020	322
RD	173	11/19/2020	314
RD	174	12/16/2020	322
RD	175	09/01/2021	579

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Agency	Complaint	Closure Date	Processing Time to Resolve
RD	176	11/03/2020	278
RD	177	07/02/2021	493
RD	178	05/18/2021	473
RD	179	08/18/2021	558
RD	180	02/11/2021	378
RD	181	09/01/2021	580
RD	182	03/25/2021	400
RD	183	11/02/2020	257
RD	184	04/15/2021	499
RD	185	09/16/2021	555
RD	186	11/02/2020	265
RD	187	03/25/2021	357
RD	188	04/14/2021	546
RD	189	02/11/2021	406
RD	190	01/28/2021	267
RD	191	04/19/2021	340
RD	192	04/14/2021	546
RD	193	11/05/2020	374
RD	194	09/01/2021	539
RD	195	05/18/2021	452
RD	196	08/05/2021	484
RD	197	08/12/2021	456
RD	198	07/20/2021	390
RD	199	08/23/2021	439
RD	200	11/04/2020	114
RD	201	12/16/2020	252
RD	202	04/22/2021	426
RD	203	03/08/2021	285
RD	204	03/23/2021	476
RD	205	06/15/2021	306
RD	206	01/08/2021	112
RD	207	09/28/2021	382
RD	208	03/26/2021	198
RD	209	06/11/2021	524
RD	210	07/20/2021	306

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Agency	Complaint	Closure Date	Processing Time to Resolve
RD	211	07/20/2021	298
RD	212	03/26/2021	343
RD	213	03/25/2021	258
RD	214	03/25/2021	211
RD	215	08/12/2021	374
RD	216	03/25/2021	156
RD	217	01/27/2021	105
RD	218	08/23/2021	279
RD	219	05/18/2021	153
RD	220	09/29/2021	237
RD	221	07/20/2021	140
RD	222	07/01/2021	108
RD	223	09/01/2021	139
RD	224	08/23/2021	83
RD	225	08/23/2021	67
RD	226	08/04/2021	41
RD	227	08/23/2021	175
Total Resolved = 227		Average Processing Time to Resolve = 391 Days	

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Agency	Complaint	Closure Date	Processing Time to Resolve
AMS	1	01/25/2021	1673
AMS	2	04/23/2021	1109
AMS	3	07/19/2021	914
AMS	4	06/30/2021	706
AMS	5	04/08/2021	428
AMS	6	12/28/2020	333
AMS	7	02/22/2021	369
AMS	8	08/11/2021	565
AMS	9	11/20/2020	289
AMS	10	08/25/2021	511
AMS	11	04/05/2021	28
AMS	12	08/24/2021	446
AMS	13	08/11/2021	156
AMS	14	03/26/2021	156
AMS	15	05/19/2021	212
AMS	16	08/11/2021	156
AMS	17	08/11/2021	222
AMS	18	08/04/2021	138
AMS	19	08/09/2021	201
APHIS	20	10/02/2020	1519
APHIS	21	03/29/2021	1615
APHIS	22	12/02/2020	1391
APHIS	23	10/19/2020	1245
APHIS	24	02/01/2021	1245
APHIS	25	03/19/2021	739
APHIS	26	04/29/2021	640
APHIS	27	01/25/2021	473
APHIS	28	03/22/2021	465
APHIS	29	03/31/2021	420
APHIS	30	01/08/2021	385
APHIS	31	08/09/2021	588
APHIS	32	12/02/2020	254
APHIS	33	04/06/2021	295
APHIS	34	03/02/2021	323
APHIS	35	09/23/2021	199
APHIS	36	03/11/2021	310
APHIS	37	03/30/2021	313
APHIS	38	12/22/2020	204
APHIS	39	12/17/2020	199

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Agency	Complaint	Closure Date	Processing Time to Resolve
APHIS	40	03/11/2021	262
APHIS	41	01/14/2021	55
APHIS	42	05/20/2021	183
APHIS	43	08/11/2021	232
APHIS	44	05/06/2021	131
APHIS	45	01/14/2021	29
APHIS	46	08/03/2021	245
APHIS	47	09/03/2021	227
APHIS	48	09/15/2021	198
APHIS	49	03/11/2021	24
APHIS	50	04/13/2021	34
ARS	51	10/26/2020	4731
ARS	52	09/14/2021	1013
ARS	53	03/25/2021	825
ARS	54	04/07/2021	566
ARS	55	09/16/2021	553
ARS	56	06/04/2021	393
ARS	57	01/28/2021	174
ARS	58	11/17/2020	39
ARS	59	05/11/2021	200
ARS	60	02/03/2021	78
ARS	61	01/24/2021	7
ARS	62	08/11/2021	224
ARS	63	03/08/2021	35
ARS	64	06/17/2021	42
ARS (CCD)	65	09/03/2021	175
CCD	66	12/11/2020	823
CCD	67	07/15/2021	989
CCD	68	06/03/2021	366
CCD	69	11/20/2020	38
CCD	70	02/22/2021	355
CCD	71	07/15/2021	451
CCD	72	10/14/2020	30
CCD	73	05/05/2021	162
CCD	74	07/15/2021	128
CCD	75	08/25/2021	75
CCD	76	08/18/2021	1282
CCD	77	10/01/2020	929
CCD	78	08/18/2021	792

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Agency	Complaint	Closure Date	Processing Time to Resolve
CCD	79	06/14/2021	677
CCD	80	12/11/2020	469
CCD	81	03/03/2021	383
CCD	82	05/18/2021	330
CCD	83	08/24/2021	252
CCD	84	09/30/2021	36
CCD	85	09/30/2021	36
CCD	86	12/02/2020	1834
CCD	87	03/19/2021	1660
CCD	88	09/30/2021	871
CCD	89	12/01/2020	277
DEPT	90	05/04/2021	1336
DEPT	91	05/04/2021	1115
DEPT	92	05/27/2021	771
DEPT	93	02/12/2021	431
DEPT	94	12/28/2020	370
DEPT	95	09/15/2021	582
DEPT	96	11/20/2020	239
DEPT	97	04/20/2021	354
DEPT	98	04/20/2021	331
DEPT	99	03/31/2021	273
DEPT	100	04/15/2021	205
DEPT	101	03/22/2021	166
DEPT	102	09/15/2021	286
FAS	103	12/23/2020	1065
FAS	104	03/09/2021	893
FAS	105	09/28/2021	1093
FAS	106	07/08/2021	948
FAS	107	04/29/2021	766
FAS	108	11/20/2020	291
FAS	109	11/20/2020	192
FAS	110	08/27/2021	393
FAS	111	05/19/2021	163
FAS	112	09/27/2021	196
FAS	113	09/22/2021	163
FNCS	114	05/16/2021	2313
FNCS	115	06/16/2021	1944
FNCS	116	10/27/2020	1687
FNCS	117	05/16/2021	1858

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Agency	Complaint	Closure Date	Processing Time to Resolve
FNCS	118	05/16/2021	1367
FNCS	119	10/27/2020	946
FNCS	120	10/27/2020	587
FNCS	121	04/28/2021	650
FNCS	122	09/28/2021	660
FNCS	123	06/15/2021	488
FNCS	124	02/26/2021	375
FNCS	125	11/19/2020	280
FNCS	126	10/30/2020	207
FNCS	127	08/31/2021	420
FNCS	128	05/25/2021	215
FNCS	129	11/09/2020	82
FNCS	130	09/14/2021	283
FNCS	131	09/01/2021	153
FNCS	132	06/09/2021	61
FNCS	133	07/16/2021	29
FNCS (CCD)	134	07/15/2021	1210
FPAC	135	12/03/2020	446
FPAC	136	02/26/2021	486
FPAC	137	08/24/2021	685
FPAC	138	01/14/2021	358
FPAC	139	03/23/2021	417
FPAC	140	04/15/2021	454
FPAC	141	10/14/2020	239
FPAC	142	10/15/2020	246
FPAC	143	11/18/2020	282
FPAC	144	11/19/2020	273
FPAC	145	11/03/2020	257
FPAC	146	10/20/2020	200
FPAC	147	03/23/2021	348
FPAC	148	12/14/2020	262
FPAC	149	03/24/2021	315
FPAC	150	11/19/2020	199
FPAC	151	01/12/2021	259
FPAC	152	12/03/2020	240
FPAC	153	09/14/2021	538
FPAC	154	03/23/2021	326
FPAC	155	03/03/2021	278
FPAC	156	10/14/2020	190

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FPAC	157	04/01/2021	24
FPAC	158	04/15/2021	301
FPAC	159	12/07/2020	214
FPAC	160	03/24/2021	216
FPAC	161	02/03/2021	232
FPAC	162	03/23/2021	223
FPAC	163	01/25/2021	192
FPAC	164	03/26/2021	197
FPAC	165	02/04/2021	173
FPAC	166	08/10/2021	204
FPAC	167	03/23/2021	214
FPAC	168	05/12/2021	211
FPAC	169	08/10/2021	250
FPAC	170	08/10/2021	186
FPAC	171	03/10/2021	90
FPAC	172	09/23/2021	226
FPAC	173	05/17/2021	90
FPAC	174	03/31/2021	771
FPAC	175	09/23/2021	910
FPAC	176	05/06/2021	595
FPAC	177	01/15/2021	2669
FPAC	178	01/08/2021	1884
FPAC	179	04/28/2021	1744
FPAC	180	04/06/2021	1606
FPAC	181	11/30/2020	1368
FPAC	182	04/28/2021	1489
FPAC	183	09/08/2021	1582
FPAC	184	09/14/2021	1274
FPAC	185	12/09/2020	883
FPAC	186	02/04/2021	976
FPAC	187	04/14/2021	898
FPAC	188	11/19/2020	619
FPAC	189	05/25/2021	718
FPAC	190	10/01/2020	485
FPAC	191	12/09/2020	496
FPAC	192	06/03/2021	631
FPAC	193	11/02/2020	433
FPAC	194	03/10/2021	505
FPAC	195	05/11/2021	554

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Agency	Complaint	Closure Date	Processing Time to Resolve
FPAC	196	12/21/2020	419
FPAC	197	12/10/2020	2771
FPAC	198	05/13/2021	2169
FPAC	199	12/10/2020	1144
FPAC	200	05/18/2021	1369
FPAC	201	12/07/2020	1117
FPAC	202	05/10/2021	1237
FPAC	203	06/30/2021	1297
FPAC	204	11/17/2020	907
FPAC	205	02/02/2021	938
FPAC	206	08/03/2021	1097
FPAC	207	05/20/2021	790
FPAC	208	11/04/2020	454
FPAC	209	04/29/2021	562
FPAC	210	05/25/2021	1295
FS	211	03/19/2021	7058
FS	212	02/03/2021	3011
FS	213	12/07/2020	2142
FS	214	06/23/2021	2030
FS	215	05/27/2021	1807
FS	216	12/16/2020	1594
FS	217	09/24/2021	1831
FS	218	01/05/2021	1533
FS	219	04/02/2021	1478
FS	220	05/27/2021	1577
FS	221	11/18/2020	1383
FS	222	09/24/2021	1639
FS	223	02/03/2021	1331
FS	224	02/02/2021	1273
FS	225	03/31/2021	1306
FS	226	02/02/2021	1215
FS	227	07/21/2021	1381
FS	228	01/21/2021	1127
FS	229	09/07/2021	1314
FS	230	08/09/2021	1327
FS	231	10/06/2020	999
FS	232	02/03/2021	1062
FS	233	02/02/2021	1078
FS	234	08/09/2021	1224

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Agency	Complaint	Closure Date	Processing Time to Resolve
FS	235	08/25/2021	1213
FS	236	10/02/2020	863
FS	237	07/21/2021	1139
FS	238	09/01/2021	1180
FS	239	09/07/2021	1180
FS	240	11/19/2020	787
FS	241	03/29/2021	850
FS	242	09/01/2021	1009
FS	243	04/02/2021	386
FS	244	11/23/2020	663
FS	245	05/06/2021	814
FS	246	02/18/2021	752
FS	247	09/21/2021	942
FS	248	07/21/2021	863
FS	249	01/13/2021	678
FS	250	12/03/2020	618
FS	251	12/01/2020	497
FS	252	08/04/2021	863
FS	253	10/26/2020	537
FS	254	09/15/2021	803
FS	255	09/22/2021	824
FS	256	04/06/2021	616
FS	257	02/18/2021	542
FS	258	07/21/2021	727
FS	259	08/17/2021	726
FS	260	04/26/2021	626
FS	261	03/26/2021	520
FS	262	08/09/2021	707
FS	263	04/26/2021	607
FS	264	03/11/2021	539
FS	265	04/06/2021	487
FS	266	02/22/2021	479
FS	267	04/26/2021	461
FS	268	11/03/2020	277
FS	269	08/09/2021	578
FS	270	10/13/2020	252
FS	271	04/07/2021	419
FS	272	07/29/2021	580
FS	273	03/22/2021	381

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Agency	Complaint	Closure Date	Processing Time to Resolve
FS	274	02/22/2021	318
FS	275	04/22/2021	162
FS	276	11/20/2020	173
FS	277	07/27/2021	342
FS	278	11/18/2020	121
FS	279	03/30/2021	246
FS	280	04/01/2021	249
FS	281	03/30/2021	231
FS	282	12/11/2020	120
FS	283	04/06/2021	235
FS	284	10/21/2020	61
FS	285	08/26/2021	307
FS	286	11/19/2020	5
FS	287	02/09/2021	45
FS	288	04/07/2021	146
FS	289	01/14/2021	43
FS	290	04/22/2021	162
FS	291	09/21/2021	237
FS	292	08/31/2021	260
FS	293	06/17/2021	178
FS	294	06/14/2021	148
FS	295	09/15/2021	162
FS	296	08/09/2021	153
FS	297	08/25/2021	160
FS	298	05/25/2021	26
FS	299	09/15/2021	188
FS	300	04/13/2021	19
FS	301	08/25/2021	125
FS	302	08/25/2021	155
FS	303	09/24/2021	52
FS	304	08/20/2021	59
FS	305	09/17/2021	39
FS (CCD)	306	10/22/2020	935
FS (CCD)	307	11/03/2020	893
FS (CCD)	308	11/05/2020	3
FSIS	309	03/03/2021	1882
FSIS	310	02/12/2021	1674
FSIS	311	04/14/2021	1660
FSIS	312	05/06/2021	1619

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Agency	Complaint	Closure Date	Processing Time to Resolve
FSIS	313	09/30/2021	1492
FSIS	314	04/05/2021	1174
FSIS	315	10/02/2020	925
FSIS	316	03/26/2021	942
FSIS	317	03/03/2021	838
FSIS	318	12/23/2020	640
FSIS	319	11/12/2020	685
FSIS	320	10/14/2020	575
FSIS	321	10/14/2020	565
FSIS	322	11/24/2020	632
FSIS	323	02/02/2021	635
FSIS	324	02/02/2021	603
FSIS	325	11/23/2020	490
FSIS	326	09/14/2021	742
FSIS	327	01/04/2021	473
FSIS	328	05/27/2021	479
FSIS	329	02/08/2021	341
FSIS	330	11/23/2020	294
FSIS	331	10/21/2020	250
FSIS	332	11/18/2020	238
FSIS	333	03/25/2021	336
FSIS	334	09/22/2021	198
FSIS	335	08/04/2021	149
FSIS	336	10/23/2020	193
FSIS	337	03/22/2021	328
FSIS	338	12/21/2020	208
FSIS	339	11/20/2020	204
FSIS	340	09/15/2021	405
FSIS	341	03/25/2021	215
FSIS	342	10/05/2020	25
FSIS	343	05/05/2021	212
FSIS	344	10/23/2020	74
FSIS	345	05/05/2021	209
FSIS	346	10/14/2020	21
FSIS	347	11/30/2020	40
FSIS	348	11/20/2020	72
FSIS	349	11/13/2020	39
FSIS	350	04/15/2021	176
FSIS	351	04/14/2021	149

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Agency	Complaint	Closure Date	Processing Time to Resolve
FSIS	352	03/04/2021	42
FSIS	353	09/30/2021	245
FSIS	354	08/24/2021	182
FSIS	355	08/09/2021	174
FSIS	356	09/02/2021	181
FSIS	357	08/31/2021	210
FSIS	358	08/04/2021	139
FSIS	359	09/24/2021	154
OCFO	360	10/26/2020	728
OCFO	361	05/21/2021	882
OCFO	362	11/20/2020	486
OCFO	363	10/14/2020	449
OCFO	364	12/29/2020	438
OCFO	365	04/28/2021	552
OCFO	366	10/27/2020	371
OCFO	367	04/28/2021	497
OCFO	368	03/15/2021	462
OCFO	369	07/22/2021	496
OCFO	370	04/28/2021	376
OCFO	371	11/06/2020	203
OCFO	372	10/01/2020	184
OCFO	373	11/23/2020	193
OCFO	374	06/04/2021	263
OCFO	375	04/20/2021	214
OCFO	376	08/11/2021	313
OCFO	377	06/04/2021	212
OCFO	378	06/16/2021	177
OCFO	379	08/11/2021	239
OCFO	380	09/16/2021	237
OCFO	381	09/16/2021	205
OCFO	382	08/12/2021	143
OCFO	383	07/14/2021	117
OCFO	384	09/15/2021	148
OCFO	385	08/16/2021	118
OCFO	386	09/28/2021	55
OIG	387	01/19/2021	1111
OIG	388	03/15/2021	336
RD (CCD)	389	03/29/2021	306
RD	390	12/23/2020	2119

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Agency	Complaint	Closure Date	Processing Time to Resolve
RD	391	07/07/2021	1542
RD	392	09/30/2021	1626
RD	393	01/11/2021	1329
RD	394	10/26/2020	1180
RD	395	06/14/2021	1384
RD	396	06/14/2021	1273
RD	397	01/04/2021	949
RD	398	03/12/2021	1010
RD	399	02/10/2021	786
RD	400	02/10/2021	687
RD	401	07/01/2021	752
RD	402	03/24/2021	678
RD	403	04/21/2021	746
RD	404	02/10/2021	541
RD	405	10/21/2020	393
RD	406	08/14/2021	688
RD	407	12/28/2020	263
RD	408	12/28/2020	203
RD	409	03/23/2021	193
RD	410	08/31/2021	383
RD	411	09/22/2021	337
RD	412	12/11/2020	37
RD	413	08/09/2021	185
RD	414	08/17/2021	213
RD	415	09/02/2021	234
RD	416	08/17/2021	222
RD	417	09/15/2021	187
RD (CCD)	418	09/14/2021	854
RD (CCD)	419	05/04/2021	321
Total Resolved = 419		Average Processing Time to Resolve = 615 Days	

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Exhibit 2-1: Number and Type of Personnel Actions Taken Following Resolution of Employment Complaints

CORRECTIVE ACTION		AMS	APHIS	ARS	CCD	DEPT	ERS	FAS	FNS	FPAC	FS	FSIS	NASS	NIFA	OCFO	OIG	RD	USDA	ALL USDA
Monetary	Attorney's Fees and Cost	1	1	0	0	0	0	0	0	3	1	1	0	0	0	0	0	0	7
	Backpay/Frontpay	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Compensatory Damages	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1	0	2
	Lump Sum	1	0	1	9	1	0	0	8	8	7	2	0	0	4	1	5	0	47
	Other	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Non-Monetary	Apology	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1
	Disciplinary Action Modified	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1	0	2
	Disciplinary Action Rescinded	0	0	0	0	0	0	0	0	1	2	1	0	0	0	0	0	0	4
	Hire Non-Retroactive	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	2	0	3
	Hire - Retroactive	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
	Leave Restored	1	1	0	4	0	0	0	3	2	1	1	0	0	4	0	1	0	18
	Neutral Reference	0	0	0	0	0	0	0	1	0	4	0	0	0	0	1	0	0	6
	Other	0	1	1	2	0	0	0	1	2	0	0	0	0	1	2	0	0	10
	Performance Evaluation Modified	0	0	1	3	0	0	0	4	0	0	0	0	0	2	0	0	0	10
	Personnel File Purged of Adverse Material	1	0	0	0	0	0	0	0	4	2	4	0	0	0	0	0	0	11
	Promotion Non-Retroactive	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Promotion Retroactive	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1
	Reasonable Accommodation	0	0	0	0	0	0	0	0	2	1	0	0	0	1	0	0	0	4
	Reassignment	0	0	0	2	0	0	0	0	1	2	3	0	0	0	1	0	0	9
	Reinstatement	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1
	Removals Rescinded and Voluntary	0	1	0	0	0	0	0	0	0	5	0	0	0	0	0	0	0	6
	Training	1	0	2	1	0	0	0	0	0	0	2	1	0	0	0	2	0	9
Training/Tuition	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Totals	5	6	5	21	1	0	0	0	22	33	25	6	0	0	12	5	12	0	153

Source: FY 2021 Farm Bill Report Data Tables