



THE NATIONAL GUARD BUREAU

# Tennessee National Guard

## Data Posted Pursuant to the No Fear Act:

### Complaint Activity

End of FY 2010

29 CFR §1614.704(a) - (c)		29 CFR §1614.705 Comparative Data Previous Fiscal Year Data				
Complaint Activity	FY2010					
		2009	2008	2007	2006	2005
Number of Complaints Filed in FY 1614.704(a)	2	1	5	0	1	7
Number of Complainants 1614.704(b)	2	1	5	0	1	6
Repeat Filers 1614.704(c)	0	1	0	0	0	1

29 CFR §1614.704(d)		29 CFR §1614.705 Comparative Data Previous Fiscal Year Data				
Complaints by Basis <i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	FY2010					
		2009	2008	2007	2006	2005
Race	1	1	3	0	1	6
Color	0	0	0	0	0	0
Religion	0	0	0	0	0	0
National Origin	1	0	0	0	0	0
Sex (including complaints filed under Equal Pay Act)	0	1	1	0	0	0
Disability	0	0	0	0	0	0
Age	0	0	2	0	0	1

Reprisal	0	0	2	0	0	2
Other	0	0	1	0	0	0

- Data not collected by Color - Color included in basis "Race/Color"

<b>29 CFR §1614.704(e)</b>		<b>29 CFR §1614.705 Comparative Data Previous Fiscal Year Data</b>				
<b>Complaints by Issue</b> <i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	<b>FY2010</b>					
		<b>2009</b>	<b>2008</b>	<b>2007</b>	<b>2006</b>	<b>2005</b>
Appointment/Hire	2	1	0	0	1	3
Assignment of Duties	0	0	0	0	0	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	1
Reprimand	0	0	0	0	0	1
Suspension	0	0	0	0	0	1
Removal	0	0	0	0	0	1
Other	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	1
Examination/Test	0	0	0	0	0	0

**Harassment**

Non-Sexual	0	1	3	0	0	1
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	2	0	2	0	0	4

**Reassignment**

Denied	0	0	0	0	0	0
Directed	0	1	0	0	0	1
Reasonable Accommodation	0	0	0	0	0	0

Reinstatement	0	0	0	0	0	0
Retirement	0	0	0	0	0	1
Termination	0	0	0	0	0	3
Terms/Conditions of Employment	0	0	0	0	0	1
Time and Attendance	0	0	0	0	0	0
Training	0	0	0	0	0	0
Other	0	0	3	0	0	0

**29 CFR §1614.704(f)**

**Processing Time "...post the average length of time it takes to complete each step of the process for every complaint that is pending during any time of the then fiscal year..."**

**FY 2010**

**Number**

**Average Days**

All complaints pending in Investigative Stage	1614.704(f)(1)	2	249
All complaints pending in Final Agency Action Stage		0	0
All complaints pending in which Hearing was not requested	1614.704(f)(2)	0	0
Time in Investigation Stage			
Time to issue Final Agency Action			
All complaints pending in which a Hearing was requested	1614.704(f)(3)	0	0
Time in Investigation Stage plus time in Final Agency Action Stage			
Time to issue Final Agency Action			
<b>29 CFR §1614.704(g)</b>		<b>29 CFR §1614.705 Comparative Data</b>	

Complaints Dismissed by Agency Pursuant to 1614.107(a)	FY 2010	Previous Fiscal Year Data				
		2009	2008	2007	2006	2005
Total Complaints Dismissed by Agency	0	3	3	0	0	0
Average days pending prior to dismissal	0	118	97	0	0	0

29 CFR §1614.704(h)		29 CFR §1614.705 Comparative Data previous Fiscal Year Data									
Total Final Agency Actions Finding Discrimination	FY 2010	2009		2008		2007		2006		2005	
		#	%	#	%	#	%	#	%	#	%
				100		100		100		100	
Total Number Findings 704(h)(1)	0			0		0		0		0	



Age	0		0		0		0		0		0	
Reprisal	0		0		0		0		0		0	
<b>29 CFR §1614.704(j)</b>						<b>29 CFR §1614.705 Comparative Data</b>						
<b>Findings of Discrimination Rendered by Issue</b>	<b>FY 2010</b>		<b>Previous Fiscal Year Data</b>									
			<b>2009</b>		<b>2008</b>		<b>2007</b>		<b>2006</b>		<b>2005</b>	
	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>
<b>Total Number Findings 704(j)(1)</b>	0		0		0		0		0		0	
<b>Findings Without Hearing 704(j)(2)</b>	0		0		0		0		0		0	
<b>Findings After Hearing 704(j)(3)</b>	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	0	0
Removal	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0
Harassment	0	0	0	0	0	0	0	0
Non-Sexual	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0
Reassignment	0	0	0	0	0	0	0	0
Denied	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0

<b>29 CFR §1614.704(k)</b>		<b>29 CFR §1614.705 Comparative Data</b>				
<b>Complaints Pending From Previous Fiscal Years by Status</b>	<b>2010 as of //10</b>	<b>Previous Fiscal Year Data</b>				
		<b>2009</b>	<b>2008</b>	<b>2007</b>	<b>2006</b>	<b>2005</b>
Total complaints from previous  Fiscal Years 704(k)(1)	1	2	2	3	0	0
Total Complainants 704(k)(2)	1	2	2	3	0	0
<b>Number complaints pending [as of 9/30]: 704(k)(3)</b>						
Investigation	2	0	1	0	0	0
ROI issued, pending Complainant's action	2	0	0	0	0	0

Hearing	0	1	1
Final Agency Action	2	0	4
Appeal with EEOC Office of Federal Operations	0	1	1

*\*Data not available for reconstruction*

<b>29 CFR §1614.704(I)</b>		<b>29 CFR §1614.705 Co Previous Fiscal</b>		
<b>Complaint Investigations</b>	<b>FY 2010</b>	<b>2009</b>	<b>2008</b>	<b>2007</b>
		Number Pending Completion of Investigation	2	0
Pending Investigations Over Required Time Frames	0	0	1	0

*\*Data not available for reconstruction*

*This page was last modified on January 14, 2005.*