

NEW MEXICO NATIONAL GUARD
DATA POSTED PURSUANT TO THE NO FEAR ACT

COMPLAINT ACTIVITY
DATA AS OF MAR 2006
Update 03/01/06

Comparative Data
Previous Fiscal Year Data
29 CFR §1614.705

Complaint Activity
29 CFR §1614.704(a) - (c)

	FY 2006	FY 2005	FY 2004
Pending at the Beginning of the FY	3	6	7
Number of Complaints Filed in FY (1614.704(a))	0	0	0
Number of Complainants (1614.704(b))	0	3	7
Repeat Filers (1614.704(c))	0	0	0

Complaints by Basis

Note: Complaints can be filed alleging multiple bases.
The sum of the bases my not equal total complaints filed.
29 CFR §1614.704(d)

	FY 2006	FY 2005	FY 2004
Race	1	1	1
Color	0	0	0
Religion	0	1	0
National Origin	1	1	3
Sex (Including Equal Pay Act)	1	2	3
a. Male	1	2	1
b. Female	0	2	2
Disability	0	0	2
Age	0	0	2
Reprisal	2	2	2
Other	0	0	0

Complaints by Issue

Note: Complaints can be filed alleging multiple bases.
The sum of the bases my not equal total complaints filed.
29 CFR §1614.704(e)

	FY 2006	FY 2005	FY 2004
Appointment/Hire	0	0	0
Assignment of Duties	0	0	0
Awards	0	0	0
Conversion to Full time	0	0	0
Disciplinary Action:	0	0	0
Demotion	0	0	0
Reprimand	0	0	0
Suspension	0	0	0
Removal	0	0	0

Other	0	0	0
Duty Hours	0	0	0
Evaluation Appraisal	0	0	0
Harassment:	3	3	4
Non-Sexual	3	3	4
Sexual	0	0	0
Medical Examination	0	0	1
Pay Including Overtime	0	0	1
Promotion/Non-Selection	0	3	2
Reassignment	0	0	0
Denied	0	0	0
Directed	0	0	0
Reasonable Accomodation	0	0	1
Reinstatement	0	0	0
Retirement	0	0	0
Termination	0	0	0
Terms/Conditions of Employment	0	0	0
Time and Attendance	0	0	0
Training	0	0	0
Other	0	0	0

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 06 End of 1st QTR

29 CFR §1614.704(f)

	#	AVG # DAYS
All complaints pending in Investigative Stage	0	0
All complaints pending in Final Agency Action Stage	3	3782
1. Without a Hearing	2	2231
2. With a Hearing	1	1212

Complaints Dismissed by Agency

29 CFR §1614.107(a)

	FY 2006	FY 2005	FY 2004
Total Complaints Dismissed by Agency	0	2	2
Average number of days from Receipt to Dismissal	0	1268	1314

Total Final Agency Actions Finding Discrimination

29 CFR §1614.704(h)

	FY 2006	FY 2005 #/%	FY 2004 #/%
Without Hearing	0	0	0
With Hearing	0	0	0

Findings of Discrimination Rendered by Basis

Note: Complaints can be filed alleging multiple bases.

The sum of the bases may not equal total complaints and findings.

29 CFR §1614.704(i)

	FY 2006	FY 2005	FY 2004
Total Number Findings	0	0	0
Rendered Without Hearing	0	0	0
Rendered After Hearing	0	0	0

Race	0	0	0
Color	0	0	0
Religion	0	0	0
National Origin	0	0	0
Sex (Including Equal Pay Act)	0	0	0
a. Male	0	0	0
b. Female	0	0	0
Disability	0	0	0
Age	0	0	0
Reprisal	0	0	0
Other	0	0	0

Findings of Discrimination Rendered by Issue

29 CFR §1614.704(j)

	FY 2006	FY 2005	FY 2004
Total Number Findings	0	0	0
Findings Without Hearing	0	0	0
Findings After Hearing	0	0	0
Appointment/Hire	0	0	0
Assignment of Duties	0	0	0
Awards	0	0	0
Conversion to Full time	0	0	0
Disciplinary Action:	0	0	0
Demotion	0	0	0
Reprimand	0	0	0
Suspension	0	0	0
Removal	0	0	0
Other	0	0	0
Duty Hours	0	0	0
Evaluation Appraisal	0	0	0
Harassment:	0	0	0
Non-Sexual	0	0	0
Sexual	0	0	0
Medical Examination	0	0	0
Pay Including Overtime	0	0	0
Promotion/Non-Selection	0	0	0
Reassignment	0	0	0
Denied	0	0	0
Directed	0	0	0
Reasonable Accomodation	0	0	0
Reinstatement	0	0	0
Retirement	0	0	0
Termination	0	0	0
Terms/Conditions of Employment	0	0	0
Time and Attendance	0	0	0
Training	0	0	0
Other	0	0	0

Complaints Pending From Previous FY's by Status

29 CFR §1614.704(k)

FY 06 End of 1:

Total complaints from previous FY	3	[REDACTED]	
Number complaints pending [as of 03/06]	3	[REDACTED]	
Investigation	0	[REDACTED]	
ROI issued, pending Complainant's action	1	[REDACTED]	
Hearing		[REDACTED]	
Final Agency Action	3	[REDACTED]	
Appeal with EEOC Office of Federal Operations	1	[REDACTED]	

Complaints Not Timely Investigated

29 CFR § 1614.

FY
2006

FY
2005

FY
2004

Complaints not Investigated within Time Frames	0	0	[REDACTED]
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