

"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. 107-174."

U.S. Department of Labor (DOL)

Mine Safety and Health Administration (MSHA)

Complaint Activity	Comparative Data Previous Fiscal Year Data					2009 thru 9/30
	2004	2005	2006	2007	2008	
Number of Complaints Filed	16	8	15	16	26	12
Number of Amendments	0	1	1	1	0	0
Number of Complainants	16	8	13	12	22	12
Repeat Filers	0	0	1	1	2	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					2009 thru 9/30
	2004	2005	2006	2007	2008	
Race	5	2	4	2	3	9
Color	2	0	2	1	0	3
Religion	0	0	1	0	0	2
Reprisal	7	4	8	11	10	4
Sex	4	1	5	2	5	5
National Origin	2	1	3	1	2	1
Equal Pay	0	0	0	0	0	0
Age	10	3	5	12	10	3
Disability	9	5	3	8	9	2
Non-EEO Basis	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					2009 thru 9/30
	2004	2005	2006	2007	2008	
Appointment/Hire	0	2	0	0	0	0
Assignment of Duties	0	3	0	1	1	0
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
Termination	1	1	1	1	2	1
Suspension	1	0	0	0	0	0
Other	1	0	0	0	0	0
Duty Hours	0	0	0	0	1	1
Equal Pay Act Violation	0	0	0	0	0	0
Evaluation/Appraisal	0	0	3	0	3	1
Examination/Test	0	0	1	0	0	0
Harrassment						
Nonsexual	1	1	2	3	1	4
Sexual	0	0	0	0	1	0
Medical Examination	0	0	0	0	0	0
Pay Including Overtime	0	0	0	0	0	1
Performance Improvement Plan (PIP)	0	0	0	0	0	0
Promotion/Non-Selection	10	0	6	10	12	4
Reassignment						
Request Denied	0	0	0	0	0	0
Directed	0	0	1	2	2	0
Failure to Accommodate	3	3	1	0	2	0
Reinstatement	0	1	0	0	0	0
Retirement	0	0	0	0	0	0
Terms/Conditions of Employment	3	2	5	3	6	5

U.S. Department of Labor (DOL)

Mine Safety and Health Administration (MSHA)

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					2009 thru 9/30
	2004	2005	2006	2007	2008	
	Time and Attendance	1	1	0	0	
Training	1	0	0	0	0	0
Other	2	0	2	1	0	1

Processing Time	Comparative Data Previous Fiscal Year Data					2009 thru 9/30
	2004	2005	2006	2007	2008	
	Complaints pending (for any length of time) during fiscal year					
Average number of days in investigation stage	139	185	188	122	138	122
Average number of days in final action stage	101	128	101	121	63	52
Complaints pending (for any length of time) during fiscal year where hearing was requested						
Average number of days in investigation stage	165	187	139	103	152	138
Average number of days in final action stage	35	45	31	36	34	21
Complaints pending (for any length of time) during fiscal year where hearing was not requested						
Average number of days in investigation stage	136	185	194	125	136	119
Average number of days in final action stage	138	161	115	143	68	60

Complaints Dismissed by Agency	Comparative Data Previous Fiscal Year Data					2009 thru 9/30
	2004	2005	2006	2007	2008	
	Total Complaints Dismissed By Agency	5	3	3	3	
Average days pending prior to dismissal	178.60	297.00	104.00	162.00	169.00	0.00
Complaints Withdrawn by Complainants						
Total complaints Withdrawn by Complainants	2	1	4	3	1	0

Total Final Actions Finding Discrimination	Comparative Data Previous Fiscal Year Data										2009 thru 9/30	
	2004		2005		2006		2007		2008			
	#	%	#	%	#	%	#	%	#	%		
Total Number Findings	1	100 %	2	100 %	1	100 %	2	100 %	1	100 %	1	100 %
Without Hearing	1	100 %	2	100 %	1	100 %	1	50 %	1	100 %	1	100 %
With Hearing	0	0 %	0	0 %	0	0 %	1	50 %	0	0 %	0	0 %

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 (Sec. 1614.705) Previous Fiscal Year Data										2009 thru 9/30	
	2004		2005		2006		2007		2008			
	#	%	#	%	#	%	#	%	#	%		
Total Number Findings	1	100 %	2	100 %	1	100 %	2	100 %	1	100 %	1	100 %
Race	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Color	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Religion	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Reprisal	1	100 %	0	0 %	1	100 %	0	0 %	1	100 %	0	0 %
Sex	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	1	100 %
National Origin	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Equal Pay	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Age	0	0 %	2	100 %	0	0 %	1	50 %	0	0 %	0	0 %
Disability	0	0 %	0	0 %	0	0 %	1	50 %	0	0 %	0	0 %

U.S. Department of Labor (DOL)

Mine Safety and Health Administration (MSHA)

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 (Sec. 1614.705) Previous Fiscal Year Data										2009 thru 9/30	
	2004		2005		2006		2007		2008			
	#	%	#	%	#	%	#	%	#	%	#	%
Non-EEO Basis	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Findings After Hearing	0	0 %	0	0 %	0	0 %	1	50 %	0	0 %	0	0 %
Race	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Color	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Religion	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Reprisal	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Sex	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
National Origin	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Equal Pay	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Age	0	0 %	0	0 %	0	0 %	1	100 %	0	0 %	0	0 %
Disability	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Non-EEO Basis	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Findings Without Hearing	1	100 %	2	100 %	1	100 %	1	50 %	1	100 %	1	100 %
Race	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Color	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Religion	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Reprisal	1	100 %	0	0 %	1	100 %	0	0 %	1	100 %	0	0 %
Sex	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	1	100 %
National Origin	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Equal Pay	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Age	0	0 %	2	100 %	0	0 %	0	0 %	0	0 %	0	0 %
Disability	0	0 %	0	0 %	0	0 %	1	100 %	0	0 %	0	0 %
Non-EEO Basis	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %

Findings of Discrimination Rendered by Issue	Comparative Data Previous Fiscal Year Data										2009 thru 9/30	
	2004		2005		2006		2007		2008			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	1	100 %	2	100 %	1	100 %	3	100 %	1	100 %	1	100 %
Appointment/Hire	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Assignment of Duties	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Awards	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Conversion to Full-Time	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Disciplinary Action												
Demotion	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Reprimand	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Termination	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Suspension	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Other	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Duty Hours	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Equal Pay Act Violation	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Evaluation/Appraisal	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Examination/Test	0	0 %	0	0 %	0	0 %	1	33 %	0	0 %	0	0 %
Harrassment												
Nonsexual	1	100 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %

U.S. Department of Labor (DOL)
Mine Safety and Health Administration (MSHA)

Findings of Discrimination Rendered by Issue	Comparative Data Previous Fiscal Year Data										2009 thru 9/30			
	2004		2005		2006		2007		2008					
	#	%	#	%	#	%	#	%	#	%	#	%		
Sexual	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	1	100 %
Medical Examination	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Pay Including Overtime	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Performance Improvement Plan (PIP)	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Promotion/Non-Selection	0	0 %	2	100 %	0	0 %	2	67 %	0	0 %	0	0 %	0	0 %
Reassignment														
Request Denied	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Directed	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Failure to Accommodate	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Reinstatement	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Retirement	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Terms/Conditions of Employment	0	0 %	0	0 %	0	0 %	0	0 %	1	100 %	0	0 %	0	0 %
Time and Attendance	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Training	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Other	0	0 %	0	0 %	1	100 %	0	0 %	0	0 %	0	0 %	0	0 %
Findings Afer Hearing														
Appointment/Hire	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Assignment of Duties	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Awards	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Conversion to Full-Time	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Disciplinary Action														
Demotion	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Reprimand	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Termination	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Suspension	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Other	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Duty Hours	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Equal Pay Act Violation	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Evaluation/Appraisal	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Examination/Test	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Harrassment														
Nonsexual	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Sexual	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Medical Examination	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Pay Including Overtime	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Performance Improvement Plan (PIP)	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Promotion/Non-Selection	0	0 %	0	0 %	0	0 %	1	100 %	0	0 %	0	0 %	0	0 %
Reassignment														
Request Denied	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Directed	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Failure to Accommodate	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Reinstatement	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Retirement	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Terms/Conditions of Employment	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Time and Attendance	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %

U.S. Department of Labor (DOL)

Mine Safety and Health Administration (MSHA)

Findings of Discrimination Rendered by Issue	Comparative Data Previous Fiscal Year Data											2009 thru 9/30	
	2004		2005		2006		2007		2008				
	#	%	#	%	#	%	#	%	#	%	#	%	
Training	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	
Other	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	
Findings Without Hearing	1	100 %	2	100 %	1	100 %	2	67 %	1	100 %	1	100 %	
Appointment/Hire	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	
Assignment of Duties	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	
Awards	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	
Conversion to Full-Time	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	
Disciplinary Action													
Demotion	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	
Reprimand	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	
Termination	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	
Suspension	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	
Other	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	
Duty Hours	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	
Equal Pay Act Violation	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	
Evaluation/Appraisal	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	
Examination/Test	0	0 %	0	0 %	0	0 %	1	50 %	0	0 %	0	0 %	
Harrassment													
Nonsexual	1	100 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	
Sexual	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	1	100 %	
Medical Examination	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	
Pay Including Overtime	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	
Performance Improvement Plan (PIP)	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	
Promotion/Non-Selection	0	0 %	2	100 %	0	0 %	1	50 %	0	0 %	0	0 %	
Reassignment													
Request Denied	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	
Directed	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	
Failure to Accommodate	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	
Reinstatement	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	
Retirement	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	
Terms/Conditions of Employment	0	0 %	0	0 %	0	0 %	0	0 %	1	100 %	0	0 %	
Time and Attendance	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	
Training	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	
Other	0	0 %	0	0 %	1	100 %	0	0 %	0	0 %	0	0 %	

Pending Complaints Filed in Previous Fiscal Years by Status	Comparative Data Previous Fiscal Year Data					2009 thru 9/30
	2004	2005	2006	2007	2008	
Total complaints from previous Fiscal Years	6	7	7	5	4	11
Total Complainants	5	7	7	3	4	9
Number complaints pending						
Investigation	0	4	2	0	0	0
Hearing	3	1	2	3	3	11
Final Agency Action	2	2	2	2	0	0
Appeal with EEOC Office of Federal Operations	1	3	1	4	3	3

U.S. Department of Labor (DOL)

Mine Safety and Health Administration (MSHA)

Complaint Investigations	Comparative Data Previous Fiscal Year Data					2009 thru 9/30
	2004	2005	2006	2007	2008	
Pending Completion Where Investigation Exceeds Required Time Frames	8	7	13	5	17	3