New York National Guard No FEAR Act Data (FY2022)

The Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Section 301 requires each federal agency to post summary statistical data pertaining to complaints of employment discrimination filed against it by employees, former employees and applicants for employment under 29 CFR Part 1614.

The specific data to be posted is as described in section 301 (b) of the Act and 29 CR 1614.704. The required summary statistical data for EEO complaints filed against the New York National Guard is provided.

Additionally, the No FEAR Act, Section 302, requires the agency to post government-wide, a summary of the statistical data relative to hearings requested under 29 CFR Part 1614 and appeals filed with EEOC. The posted data is as specified in Section 302 (a) of the Act and 29 CFR 1614.706 and provided below. The posting of EEO data on agency public web sites is intended to assist Federal agencies, Congress, and the public to review whether the agency specific to subject required reporting are in compliance with the equal employment opportunity responsibilities and in compliance with law and regulations.

This posting consists of the aggregate total of the New York National Guard's agency activity under the purview of the Equal Employment Opportunity Commission, the Department of Defense, and the National Guard Technician's Act of 1968. The total numbers posted are the aggregate sums of the agency. Sub-elements do not apply to this agency.

*Note: The National Guard Discrimination Complaint Program, CNGBI 9601.01 DTD: 27 Sep 2015, CNGBM 9601.01 DTD: 25 Apr 2017 regulations apply to Army National Guard (ARNG) and Air National Guard (ANG) military personnel currently serving, former military personnel who served, in an inactive duty for training status, during annual training, in a full-time support status, and while in Active Guard Reserve (AGR) status or ADSW status under Title 32 U.S.C. These military complaint regulations also apply to applicants for membership in the ARNG and ANG and for duty as AGR under Title 32 U.S.C. Complaints under the military discrimination complaint process are not accounted for here. Refer to the ARNG Annual Narrative & Statistical Report and the ANG Annual MEO Report.

Complaint Activity	Pr	Comparative evious Fiscal Y 2017 2018 1 0 1 1				2021 thru
Complaint Activity	2016	2017	2018	2019	2020	09- 30
Number of Complaints Filed	1	1	0	0	1	1
Number of Complainants	2	1	1	0	4	3
Repeat Filers	0	0	0	0	0	1

Repeat Filers	0		0	0	0	0	1				
Note: Complaints can b of the bases may		ging n	nultiple			Pr	compa eviou		cal Y		2021 thru 09-
or the bases may	inot equal	lolai	Compia	iiits iiie	u.	2016	2017	2018	2019	2020	30
Race											1
Color											
Religion							1	1		1	1
Reprisal							1	1			
Sex						1	1	1		1	1
National Origin											
Equal Pay Act											
Age							1	1		1	1
Disability						1					
Genetic Information											
Non-EEO basis								1			
Note: Complaints can		leging	g multip	le issue	es. The		compa eviou		cal Ye		2021 thru
sum of the issues n	nay not equ	ual tot	tal com	plaints i	filed.	0046	0047			0000	09-
sum of the issues n	nay not equ	ual tot	tal com _l	plaints 1	filed.	2016	2017	2018			30
Appointment/Hire	nay not equ	ual tot	tal comp	plaints 1	filed.	2016	2017			2020 1	
Appointment/Hire Assignment of Duties	nay not equ	ual tot	tal comp	plaints 1	filed.	2016	2017	2018			30
Appointment/Hire Assignment of Duties Awards	nay not equ	ual tot	tal comp	plaints 1	filed.	2016	2017	2018			30
Appointment/Hire Assignment of Duties Awards Conversion to Full-time	nay not equ	ual tot	tal com _l	olaints 1	filed.	2016	2017	2018			30
Appointment/Hire Assignment of Duties Awards Conversion to Full-time Disciplinary Action	may not equ	ual tot	tal comp	olaints 1	filed.	2016	2017	2018			30
Appointment/Hire Assignment of Duties Awards Conversion to Full-time Disciplinary Action Demotion	may not equ	ual tot	tal com _l	plaints 1	filed.	2016	2017	2018			30
Appointment/Hire Assignment of Duties Awards Conversion to Full-time Disciplinary Action Demotion Reprimand	may not equ	ual tot	tal comp	plaints 1	filed.	2016	2017	2018			30
Appointment/Hire Assignment of Duties Awards Conversion to Full-time Disciplinary Action Demotion Reprimand Removal	may not equ	ual tot	tal com	plaints 1	filed.	2016	2017	2018			30
Appointment/Hire Assignment of Duties Awards Conversion to Full-time Disciplinary Action Demotion Reprimand Removal Suspension	may not equ	ual tot	tal comp	plaints 1	filed.	2016	2017	2018			30
Appointment/Hire Assignment of Duties Awards Conversion to Full-time Disciplinary Action Demotion Reprimand Removal Suspension Other	nay not equ	ual tot	tal com	plaints 1	filed.	2016	2017	2018			30
Appointment/Hire Assignment of Duties Awards Conversion to Full-time Disciplinary Action Demotion Reprimand Removal Suspension Other Duty Hours	may not equ	ual tot	tal com	plaints 1	filed.	2016	2017	2018			30
Appointment/Hire Assignment of Duties Awards Conversion to Full-time Disciplinary Action Demotion Reprimand Removal Suspension Other Duty Hours Evaluation Appraisal	may not equ	ual tot	tal com	plaints 1	filed.	2016	2017	2018			30
Appointment/Hire Assignment of Duties Awards Conversion to Full-time Disciplinary Action Demotion Reprimand Removal Suspension Other Duty Hours Evaluation Appraisal Examination/Test	may not equ	ual tot	tal com	plaints 1	filed.	2016	2017	2018			30
Appointment/Hire Assignment of Duties Awards Conversion to Full-time Disciplinary Action Demotion Reprimand Removal Suspension Other Duty Hours Evaluation Appraisal Examination/Test Harassment	may not equ	ual tot	tal com	plaints 1	filed.	2016	2017	2018			30
Appointment/Hire Assignment of Duties Awards Conversion to Full-time Disciplinary Action Demotion Reprimand Removal Suspension Other Duty Hours Evaluation Appraisal Examination/Test Harassment Non-Sexual	may not equ	ual tot	tal comp	plaints 1	filed.		2017	2018			30
Appointment/Hire Assignment of Duties Awards Conversion to Full-time Disciplinary Action Demotion Reprimand Removal Suspension Other Duty Hours Evaluation Appraisal Examination/Test Harassment	may not equ	ual tot	tal com	plaints 1	filed.	1	2017	2018			30

Complaints by Issue Note: Complaints can be filed alleging m sum of the issues may not equal total						2	Pre	evi	ou	s F Da	iso ta	e Da cal Y 2019		2021 thru 09- 30
Pay (Including Overtime)														
Promotion/Non-Selection														
Reassignment														
Denied														
Directed														
Reasonable Accommodation														
Reinstatement														
Retirement														
Termination														
Terms/Conditions of Employment														
Time and Attendance										1				
Training														
Other							1							
Processing Time						2	Pre	evi	ou	s F Da	iso ta	e Da cal Y 2019		2021 thru 09- 30
Complaints pending (for any length of time) du	uring f	fisc	cal year	r									1	
Average number of days in investigation stage	Э							45	5					
Average number of days in investigation stage	Э							30)					
Complaints pending (for any length of time) du where hearing was requested	uring f	fisc	cal year	ſ										
Average number of days in investigation stage	9													
Average number of days in final action stage														
Complaints pending (for any length of time) du where hearing was not requested	uring f	fisc	cal year	r										
Average number of days in investigation stage	Э													
Average number of days in final action stage														
Complaints Dismissed by Agency			Compevious 2017	Fi	iscal	Y	ear l	Dat		20		2021 thru 09-3	ı	
Total Complaints Dismissed by Agency	2016		2017		2018		2019		ZU	, 2 U		JJ-J		
Average days pending prior to dismissal														
Complaints Withdrawn by Complainants														
Total complaints Withdrawn by Complainants														
Total Final Actions Finding Discrimination			Com evious 2017	F		I		Da		202	0	202 thr 09-3	u	
	#	%	# %	, D	# 4	%	#	%	1	#	%	#	%	
Total Number Findings														

Complaints Dismissed by Agency

Comparative Data
Previous Fiscal Year Data
2016 2017 2018 2019 2020

2021 thru 09-30

With Hearing

With Hearing											
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	~	vic	us	161 Fis	4.7 sca	705 al Y	ear	Sec Da 20	ta	202 thr 09	ru)-
findings.								#			%
Total Number Findings											
Race											
Color											
Religion											
Reprisal											
Sex											
National Origin											
Age											
Disability											
Genetic Information											
Non-EEO											
Findings After Hearing											
Race											
Color											
Religion											
Reprisal											
Sex											
National Origin											
Equal Pay Act											
Age											
Disability											
Genetic Information											
Non-EEO											
Findings Without Hearing											
Race											
Color											
Religion											
Reprisal											
Sex											
National Origin											
Equal Pay Act											
Age											
Disability											
Genetic Information											
Non-EEO											

Findings of Discrimination Rendered by Basis Note: Complaints can be filed alleging multiple bases The sum of the bases may not equal total complaints a findings.		20	Pre	vic 20	ous 17	161 Fi 20	14. sc 18	705 al Y 20	ea 19	(Sec r Da 20	ta 20	202 thru 09- 30-	u -
manigor		#	%	#	%	#	%	#	%	#	%	# 9	%
								Dat			20	21	
		rev	_								th		
Findings of Discrimination Dandoned by Jacob		_	_		-	_	-	_		020	09-		
Findings of Discrimination Rendered by Issue	#	%	#	%	#	%	#	%	#	%	#	%	
Total Number Findings Appointment/Hire													
Assignment of Duties													
Awards													
Conversion to Full-time													
Disciplinary Action													
Demotion													
Reprimand													
Suspension													
Removal													
Other													
Duty Hours													
Evaluation Appraisal													
Examination/Test													
Harassment													
Non-Sexual													
Sexual													
Medical Examination													
Pay (Including Overtime)													
Promotion/Non-Selection													
Reassignment													
Denied													
Directed													
Reasonable Accommodation													
Reinstatement													
Retirement													
Termination													
Terms/Conditions of Employment													
Time and Attendance													
Training													
Other													
Findings After Hearing													
Appointment/Hire													
Assignment of Duties													
Awards													
Conversion to Full-time													

Findings of Discrimination Rendered by Basis ote: Complaints can be filed alleging multiple bases. sum of the bases may not equal total complaints and findings.	ı			•	1614	1.7	' 05	,	Sec Da		20: thi	ru
•	20	16	20	17	201	8	20	19	20	20	30)-
mangs.	#	%	#	%	# 4	%	#	%	#	%	#	%
D: 11: A 4:												

3	#	%	#	%	#	%	#	%	#	%	#
Disciplinary Action											
Reprimand											
Suspension											
Removal											
Other											
Duty Hours											
Evaluation Appraisal											
Examination/Test											
Harassment											
Non-Sexual											
Sexual											
Medical Examination											
Pay (Including Overtime)											
Promotion/Non-Selection											
Reassignment											
Denied											
Directed											
Reasonable Accommodation											
Reinstatement											
Retirement											
Termination											
Terms/Conditions of Employment											
Time and Attendance											
Training											
Other											
Findings Without Hearing											
Appointment/Hire											
Assignment of Duties											
Awards											
Conversion to Full-time											
Disciplinary Action											
Reprimand											
Suspension											
Removal											
Other											
Duty Hours											
Evaluation Appraisal											
Examination/Test											
Harassment											
Non-Sexual											

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	d		Pre	vic	us	16 ²	14.7 sca	705 al Y	ita (; 'ear 19	Da	ta	202 thi 09	ru 9-
findings.		#	%	#	%	#	%	#	%	#	%	#	%
Sexual													
Medical Examination													
Pay (Including Overtime)													
Promotion/Non-Selection													
Reassignment													
Denied													
Directed													
Reasonable Accommodation													
Reinstatement													
Retirement													
Termination													
Terms/Conditions of Employment													
Time and Attendance													
Training													
Other													
Pending Complaints Filed in Previous Fiscal Years by		ı	Pre						Dat ear		ta	20 th	
Status	1	201			201						2020	09	9-
Total complaints from previous Fiscal Years				1									
Total Complainants				1									
Number complaints pending													
Investigation													
Hearing													
Final Agency Action													
Appeal with EEOC Office of Federal Operations				1									
Complaint Investigations				F	Pre	vic	us C	Fis Data		Ye	ar	20 th	ru 9-
Pending Completion Where Investigation Exceeds Required Frames	Tir	me		20(J6 2	200	7 2	:00	8 20	109	2010	3	U