

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.

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					2021 thru 09- 30
	2016	2017	2018	2019	2020	
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	Comparative Data Previous Fiscal Year Data					2021 thru 09- 30
	2016	2017	2018	2019	2020	
Complaints pending (<i>for any length of time</i>) during fiscal year					1	
Average number of days in investigation stage		45				
Average number of days in investigation stage		30				
Complaints pending (<i>for any length of time</i>) during fiscal year where hearing was requested						
Average number of days in investigation stage						
Average number of days in final action stage						
Complaints pending (<i>for any length of time</i>) during fiscal year where hearing was not requested						
Average number of days in investigation stage						
Average number of days in final action stage						
Complaints Dismissed by Agency	Comparative Data Previous Fiscal Year Data					2021 thru 09-30
	2016	2017	2018	2019	2020	
Total Complaints Dismissed by Agency						
Average days pending prior to dismissal						
Complaints Withdrawn by Complainants	Comparative Data Previous Fiscal Year Data					2021 thru 09-30
	2016	2017	2018	2019	2020	
Total complaints Withdrawn by Complainants						
Total Final Actions Finding Discrimination	Comparative Data Previous Fiscal Year Data					2021 thru 09-30
	2016	2017	2018	2019	2020	
	#	%	#	%	#	%
Total Number Findings						
Without Hearing						

Complaints Dismissed by Agency	Comparative Data Previous Fiscal Year Data					2021 thru	
	2016	2017	2018	2019	2020	09-30	
With Hearing							
Findings of Discrimination Rendered by Basis <i>Note: Complaints can be filed alleging multiple bases.</i> <i>The sum of the bases may not equal total complaints and findings.</i>	Comparative Data (Sec. 1614.705)					2021 thru	
	Previous Fiscal Year Data					09-30-	
	2016	2017	2018	2019	2020	#	%
	#	%	#	%	#	%	#
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 <i>Note: Complaints can be filed alleging multiple bases.</i> <i>The sum of the bases may not equal total complaints and findings.</i>	Comparative Data (Sec. 1614.705) Previous Fiscal Year Data										2021 thru 09- 30- # %
	2016		2017		2018		2019		2020		
	#	%	#	%	#	%	#	%	#	%	
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 Status	Comparative Data Previous Fiscal Year Data										2021 thru 09- 30
	2016	2017	2018	2019	2020						
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	Comparative Data Previous Fiscal Year Data					2021 thru 09- 30					
	2006	2007	2008	2009	2010						
Pending Completion Where Investigation Exceeds Required Time Frames											