

**"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					2010 thru 6/30
	2005	2006	2007	2008	2009	
Number of Complaints Filed	8	15	16	26	12	11
Number of Amendments	1	1	1	0	0	0
Number of Complainants	8	13	12	22	12	11
Repeat Filers	0	1	1	2	0	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					2010 thru 6/30
	2005	2006	2007	2008	2009	
Race	2	4	2	3	9	4
Color	0	2	1	0	3	1
Religion	0	1	0	0	2	0
Reprisal	4	8	11	10	4	7
Sex	1	5	2	5	5	5
National Origin	1	3	1	2	1	1
Equal Pay	0	0	0	0	0	0
Age	3	5	12	10	3	6
Disability	5	3	8	9	2	7
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					2010 thru 6/30
	2005	2006	2007	2008	2009	
Appointment/Hire	2	0	0	0	0	0
Assignment of Duties	3	0	1	1	0	1
Awards	0	0	0	0	0	0
Conversion to Full-Time	0	0	0	0	0	0
<b>Disciplinary Action</b>						
Demotion	0	0	0	0	0	2
Reprimand	0	0	0	0	0	1
Termination	1	1	1	2	1	0
Suspension	0	0	0	0	0	0
Other	0	0	0	0	0	0
Duty Hours	0	0	0	1	1	0
Equal Pay Act Violation	0	0	0	0	0	0
Evaluation/Appraisal	0	3	0	3	1	3
Examination/Test	0	1	0	0	0	0
<b>Harrassment</b>						
Nonsexual	1	2	3	1	4	4
Sexual	0	0	0	1	0	0
Medical Examination	0	0	0	0	0	0
Pay Including Overtime	0	0	0	0	1	0
Performance Improvement Plan (PIP)	0	0	0	0	0	0
Promotion/Non-Selection	0	6	10	12	4	1
<b>Reassignment</b>						
Request Denied	0	0	0	0	0	0
Directed	0	1	2	2	0	0
Failure to Accommodate	3	1	0	2	0	2
Reinstatement	1	0	0	0	0	0
Retirement	0	0	0	0	0	0
Terms/Conditions of Employment	2	5	3	6	5	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					2010 thru 6/30
	2005	2006	2007	2008	2009	
	Time and Attendance	1	0	0	0	
Training	0	0	0	0	0	0
Other	0	2	1	0	1	1

Processing Time	Comparative Data Previous Fiscal Year Data					2010 thru 6/30
	2005	2006	2007	2008	2009	
	<b>Complaints pending (for any length of time) during fiscal year</b>					
Average number of days in investigation stage	185	188	122	138	122	96
Average number of days in final action stage	128	101	121	63	52	85
<b>Complaints pending (for any length of time) during fiscal year where hearing was requested</b>						
Average number of days in investigation stage	187	139	103	152	138	90
Average number of days in final action stage	45	31	36	34	21	30
<b>Complaints pending (for any length of time) during fiscal year where hearing was not requested</b>						
Average number of days in investigation stage	185	194	125	136	119	97
Average number of days in final action stage	161	115	143	68	60	112

Complaints Dismissed by Agency	Comparative Data Previous Fiscal Year Data					2010 thru 6/30
	2005	2006	2007	2008	2009	
	Total Complaints Dismissed By Agency	3	3	3	8	
Average days pending prior to dismissal	297.33	104.00	162.00	169.00	0.00	0.00
<b>Complaints Withdrawn by Complainants</b>						
Total complaints Withdrawn by Complainants	1	4	3	1	0	0

Total Final Actions Finding Discrimination	Comparative Data Previous Fiscal Year Data										2010 thru 6/30	
	2005		2006		2007		2008		2009			
	#	%	#	%	#	%	#	%	#	%		
Total Number Findings	2	100 %	1	100 %	2	100 %	1	100 %	1	100 %	0	0 %
Without Hearing	2	100 %	1	100 %	1	50 %	1	100 %	1	100 %	0	0 %
With Hearing	0	0 %	0	0 %	1	50 %	0	0 %	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										2010 thru 6/30	
	2005		2006		2007		2008		2009			
	#	%	#	%	#	%	#	%	#	%		
<b>Total Number Findings</b>	2	100 %	1	100 %	2	100 %	1	100 %	1	100 %	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 %	1	100 %	0	0 %	1	100 %	0	0 %	0	0 %
Sex	0	0 %	0	0 %	0	0 %	0	0 %	1	100 %	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	2	100 %	0	0 %	1	50 %	0	0 %	0	0 %	0	0 %
Disability	0	0 %	0	0 %	1	50 %	0	0 %	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										2010 thru 6/30	
	2005		2006		2007		2008		2009			
	#	%	#	%	#	%	#	%	#	%	#	%
Non-EEO Basis	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
<b>Findings After Hearing</b>	0	0 %	0	0 %	1	50 %	0	0 %	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 %	1	100 %	0	0 %	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 %
<b>Findings Without Hearing</b>	2	100 %	1	100 %	1	50 %	1	100 %	1	100 %	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 %	1	100 %	0	0 %	1	100 %	0	0 %	0	0 %
Sex	0	0 %	0	0 %	0	0 %	0	0 %	1	100 %	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	2	100 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %
Disability	0	0 %	0	0 %	1	100 %	0	0 %	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										2010 thru 6/30	
	2005		2006		2007		2008		2009			
	#	%	#	%	#	%	#	%	#	%	#	%
<b>Total Number Findings</b>	2	100 %	1	100 %	3	100 %	1	100 %	1	100 %	0	0 %
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 %
<b>Disciplinary Action</b>												
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 %	1	33 %	0	0 %	0	0 %	0	0 %
<b>Harrassment</b>												
Nonsexual	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											2010 thru 6/30	
	2005		2006		2007		2008		2009				
	#	%	#	%	#	%	#	%	#	%	#	%	
Sexual	0	0 %	0	0 %	0	0 %	0	0 %	1	100 %	0	0 %	
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	2	100 %	0	0 %	2	67 %	0	0 %	0	0 %	0	0 %	
<b>Reassignment</b>													
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 %	1	100 %	0	0 %	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 %	1	100 %	0	0 %	0	0 %	0	0 %	0	0 %	
<b>Findings Afer Hearing</b>													
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 %	
<b>Disciplinary Action</b>													
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 %	0	0 %	0	0 %	0	0 %	
<b>Harrassment</b>													
Nonsexual	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 %	
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 %	0	0 %	1	100 %	0	0 %	0	0 %	0	0 %	
<b>Reassignment</b>													
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 %	0	0 %	0	0 %	
Time and Attendance	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											2010 thru 6/30	
	2005		2006		2007		2008		2009				
	#	%	#	%	#	%	#	%	#	%	#	%	
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 %	
<b>Findings Without Hearing</b>	2	100 %	1	100 %	2	67 %	1	100 %	1	100 %	0	0 %	
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 %	
<b>Disciplinary Action</b>													
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 %	1	50 %	0	0 %	0	0 %	0	0 %	
<b>Harrasment</b>													
Nonsexual	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	0	0 %	
Sexual	0	0 %	0	0 %	0	0 %	0	0 %	1	100 %	0	0 %	
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	2	100 %	0	0 %	1	50 %	0	0 %	0	0 %	0	0 %	
<b>Reassignment</b>													
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 %	1	100 %	0	0 %	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 %	1	100 %	0	0 %	0	0 %	0	0 %	0	0 %	

Pending Complaints Filed in Previous Fiscal Years by Status	Comparative Data Previous Fiscal Year Data					2010 thru 6/30
	2005	2006	2007	2008	2009	
Total complaints from previous Fiscal Years	7	7	5	4	11	15
Total Complainants	7	7	3	4	9	13
<b>Number complaints pending</b>						
Investigation	4	2	0	0	0	0
Hearing	1	2	3	3	11	13
Final Agency Action	2	2	2	0	0	1
Appeal with EEOC Office of Federal Operations	3	1	4	3	3	1

**U.S. Department of Labor (DOL)**

**Mine Safety and Health Administration (MSHA)**

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Complaint Investigations	Comparative Data Previous Fiscal Year Data					2010 thru 6/30
	2005	2006	2007	2008	2009	
Pending Completion Where Investigation Exceeds Required Time Frames	7	13	5	17	3	2