



ANNUAL REPORT

TO

THE LEGISLATURE

DISCRIMINATION COMPLAINT ACTIVITY IN THE STATE CIVIL SERVICE FOR CALENDAR YEAR 2005

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TABLE OF CONTENTS

	Page
I. Purpose of Report	2
II. Anti-Discrimination Laws	2
III. The State Discrimination Complaint Process	2
IV. The State Personnel Board Appeals Process	3
V. Summary of Findings.....	4
VI. Data Collection	6
• Table 1 -Total Complaints by Department.....	7
• Table 2 -Type of Discrimination.....	11
• Table 3 - Disposition of Closed Complaints.....	12
• Table 4 - Actions Taken Against Responsible Parties.....	15
• Table 5 - Time to Close Formal Discrimination Complaints.....	17
• Table 6 – Active Formal Complaints Exceeding 180 Days.....	20
• Table 7 - Partial Time and Costs Expended on Discrimination Complaints	22
• Table 8 – Outcome of Discrimination Complaints Appealed to the SPB	28

PURPOSE OF REPORT

This report has been prepared pursuant to Government Code Section 19702.5(c), which requires the State Personnel Board (SPB) to annually report to the Legislature on discrimination complaint activity in the state civil service. The Discrimination Complaint System (DCS), SPB's Internet-based, online reporting system, is the source of the data included in this report. Since 2003 this system has enabled the SPB to collect information on departmental discrimination complaint activities, including formal complaints filed by employees directly with their department, and complaints filed with the Department of Fair Employment and Housing (DFEH), and the U.S. Equal Employment Opportunity Commission (EEOC). The system also provides information to the Legislature on management inquiries initiated by departments concerning suspected discrimination activities, discrimination grievances, and discrimination lawsuits filed against departments with the California courts. Attempts to obtain cost information on discrimination complaint activities were only partially successful. Many departments either could not or were unwilling to provide this information because they have not developed a system for capturing and calculating costs. All information submitted by departments covers the reporting period of January 1, 2005, through December 31, 2005.

The following departments did not comply with reporting requirements by failing to submit data for the second, third, and fourth Quarters of 2005: Office of Emergency Services, Office of Environmental Health Hazard Assessment, and Victims Compensation and Government Claims Board.

I. ANTI-DISCRIMINATION LAWS

California Government Code Sections 19700-19705 prohibit discrimination against State employees and applicants based on sex, race, religious creed, color, national origin, ancestry, marital status, political affiliation, and disability. These sections also prohibit retaliation and harassment against State employees and applicants for filing a discrimination complaint with the department or directly with the SPB. Executive Order B-54-79 and Government Code Section 12940(I) prohibit discrimination on the basis of sexual orientation and sexual harassment respectively. Additional civil rights protection is provided through the following federal laws: Equal Pay Act of 1963, the Age Discrimination in Employment Act of 1967, the Poppin Act, previously referred to as the Rehabilitation Act of 1973, the Pregnancy Discrimination Act of 1978, and the Americans with Disabilities Act of 1990.

II. THE DISCRIMINATION COMPLAINT PROCESS

Employees and applicants are required to file most formal discrimination complaints with the department involved; however, there are some exceptions. Complaints may be filed directly with the SPB if they involve: (1) the executive director or other executive officers of a department; (2) retaliation for opposing discrimination; or (3) retaliation for

participating in the discrimination complaint process by filing a complaint, participating as a witness or other involved party. Informal complaints and grievances are also filed directly with the department involved.

The department's equal employment opportunity (EEO) officer has the overall responsibility for managing the discrimination complaint process. This process may involve both an informal and a formal component. It is important to note that prior to filing a formal discrimination complaint, individuals are encouraged to seek informal resolution of their complaints through use of EEO counselors. Counselors attempt to quickly gather information about the complaint and to resolve the problem. This informal process should not exceed the time frame in the department's discrimination complaint process. The SPB recommends that this informal process as well as mediation be used to quickly resolve complaints, at the lowest organizational level.

The State Employee Mediation Program (SEMP) is an alternative informal intervention tool available to state employees who seek assistance in resolving workplace conflicts. SEMP offers a voluntary, confidential, collaborative mediation process where disputing parties have an opportunity to discuss their issues with a neutral party and generate mutually satisfying agreements. SEMP has demonstrated its effectiveness in resolving disputes involving charges of discrimination. On average, cases referred to the program are mediated within 19 calendar days of intake.

If a complaint cannot be resolved through the informal process or the complainant chooses to bypass this process, the complainant then has the right to file a formal discrimination complaint. Upon the filing of a formal complaint, the EEO officer may assign the complaint to an EEO investigator for formal investigation and provide supervision and assistance throughout the process. The EEO officer provides the complainant with a report (or summary of investigation findings), and, with director/executive officer approval, may also provide the final determination of the department. The department must render a timely final decision on the complaint in accordance with internal timelines that they establish. Complainants are advised of their rights in the process as well as their appeal rights to the SPB. Complainants may appeal to the SPB in writing, within 30 calendar days of the department's response to their complaint, or if the department fails to respond within the department's internal timelines.

III. STATE PERSONNEL BOARD APPEALS PROCESS

Appeals of discrimination complaints accepted by the SPB are scheduled for hearings before an Administrative Law Judge (ALJ). Once heard by the ALJ, a proposed decision goes to the five-member State Personnel Board for review and final adoption. California Government Code Section 18671.1 provides that a decision shall be rendered within 4 months of the filing of a formal discrimination complaint appeal with the SPB. Appellants who receive an unsatisfactory decision may petition for rehearing within 30 days of receipt of the decision, on the basis of new and/or compelling evidence not considered in the original hearing.

IV. SUMMARY OF FINDINGS

Discrimination Complaints Received

During Calendar Year 2005, the number of employees in the state civil service increased by (0.18%), from 204,819 to 206,440 as of December 31, 2005. Information from all major departments (accounting for over 95% of the state workforce) is included in this report. Complaints were filed in 66.7% of all state departments, agencies, boards and commissions (Table 1). This is 2.8% increase in departments receiving complaints compared to last year. A total of 1,442 discrimination complaints were filed in 2005 by state employees; this represents an increase of 6.9% from last year.

The most significant changes in types of complaints filed in 2005:

Type of Complaint	# increase	% increase
Management Inquiry	50	41.3%
Grievance	3	33.3%
Court Case	3	17.6%
DFEH complaints	24	13.4%
Informal	53	18.1%

In 2005 1,710 charges of discrimination were made in the 1,442 complaints. The most frequent charges in 2005 remain the same five categories as cited in the 2004 report: Sexual Harassment, 20.6%; Race 17.9%; Retaliation, 16.9%, Disability 13.2%, and Sex 10.3%. [See Table 2].

Discrimination Findings and Actions Taken

In 2005, 1,075 discrimination complaints were closed statewide. Of these, investigations were completed in 38.0% of the cases. Discrimination was found in 6.7% of the complaints investigated [Table 3]. Adverse or other corrective action was taken in 93.2% of these cases. In addition, corrective action, such as counseling or training, was taken in 13 other complaints where no discrimination was found [Table 4].

In 2004, 1,040 complaints were closed with investigations completed in 37.2% of the cases. Of the complaints investigated, discrimination was found in 5.9% of the complaints. Adverse or other corrective action was taken in 83.6% of these cases. Corrective action was also taken in 40 cases where no discrimination was found.

Timeliness of Discrimination Complaint Decisions

It should be noted that the law requires the timely investigation and resolution of discrimination complaints and that complaints open longer than 180 days are not considered timely.

In 2005, the average length of time for departments to close a formal discrimination complaint was 144 days [Table 5], which is a 25.0% increase from 2004. Of the 1,075 complaints closed, 202 of them exceeded the 180-day timeframe for processing. In 2004, 100 of the total 1,040 complaints exceeded the 180-day timeframe.

As of April 25, 2005, 44 departments had 754 complaints still active that are more than 180 days old [Table 6] with 25.1% filed in 2005. At approximately the same time in 2004, 623 pending complaints exceeded the 180-day timeframe representing a continuing increase from previous years when complaints numbered below 300.

The oldest complaint in the DCS remains the same one cited in 2004, which was filed with the Department of Water Resources on January 25, 2001 and has been open for 2,279 days (6.2 years). The department was contacted once last year and twice this year to explain why the complaint has not been closed. Last year, the department indicated that the complaint was closed, but that they neglected to enter the date it was closed in the DCS, then stated that they would close the complaint in the DCS. This year, the department reported uncertainty as to the status of the complaint and affirmed that they would contact SPB to clarify. When the department failed to do so, SPB contacted them again and as of the printing of this report, the Department of Water Resources has not provided any information.

It is not entirely clear why processing time of complaints has substantially increased over the past two years. One factor appears to be budget and staff reductions, which could ultimately impact the availability of staff to conduct investigations. The complexity of the cases may also be a factor. Increasingly EEO complaints include elements of workplace violence, workers compensation, disability accommodation issues and other complicating factors.

Time and Cost Expenditures

Although 68 departments reported receiving discrimination complaints, only 35 (51.5%) provided some information about their time and cost expended on discrimination complaints in 2005. The information from many of these departments remains incomplete, particularly with respect to legal costs. Only 6 out of the 68 departments reported any legal costs and only two departments reported legal settlement costs. These reported costs amounted to \$1,029.63. Total adjudicative costs reported from all departments amounted to \$315,348 [Table 7].

The actual total cost of discrimination complaint activity for departments is in all likelihood much greater. It is recommended that this cost information be made available under the Information Practices Act [Civil Code Sections 1798.24(o) and (p)]. This critical information is needed by the SPB and the Legislature to effectively evaluate the impact of costs associated with compliance with and/or violation of federal and state non-discrimination and equal employment opportunity requirements as well as to appropriately address areas where guidance or monitoring is required.

Complaints Appealed to the SPB

In 2005, discrimination complaints appealed to the SPB increased to 344 from 251 in 2004. Of the 344 appeals, 60.5% were closed. Of the 208 appeals closed by the SPB, 14.5% were settled by negotiation or stipulation, 2.9% were granted, and 6.7% were denied. Of these closures, 34.3% were the result of a withdrawn appeal, untimely filing, insufficient grounds, or a lack of SPB jurisdiction [Table 8].

V. DATA COLLECTION

The SPB requires each department to report all discrimination complaint activity on a quarterly basis for the calendar year. This includes: the type of discrimination complaint; the complainant's class code, work location, sex, ethnicity, and age; disposition of complaint; types of discrimination, issues involved; remedies granted; actions taken against the responsible party; and dates of filing and closing of each complaint.

Departments were also asked to develop a tracking system for reporting total administrative time, total administrative costs, legal costs, and, if applicable, damages awarded or settlement amounts. Many departments did not complete their tracking system information during 2005; therefore, cost information is incomplete and limited.

The tables that follow in this report contain information reported to the SPB by state departments and the SPB Appeals Division for calendar year 2005.

Table 1
Total Discrimination
Complaints by Department

(Includes all pending & closed cases received in 2005)

F – Formal Departmental Discrimination Complaints
 DFEH – Department of Fair Employment & Housing Complaints
 EEOC – Equal Employment Opportunity Commission Complaints
 MI – Management Discrimination Inquiries
 G – Discrimination Grievances
 IF – Informal Departmental Discrimination Complaints
 C – Court Cases [Discrimination Lawsuits]

Department	F	DFEH	EEOC	MI	G	IF	C	Total
317 AFRO-AMERICAN MUSEUM GENERAL FUND	0	0	0	0	0	0	0	0
013 AGRICULTURAL LABOR RELATIONS BOARD	0	0	0	0	0	0	0	0
673 AIR RESOURCES BOARD, STATE	0	0	0	0	0	0	0	0
798 ALCOHOL AND DRUG PROGRAMS, DEPARTMENT OF	1	2	1	1	0	1	0	6
024 ALCOHOLIC BEVERAGE CONTROL, DEPARTMENT OF	0	0	0	0	0	0	0	0
040 BOARD OF CONTROL	0	0	0	0	0	0	0	0
041 BOARD OF CORRECTIONS	0	0	0	0	0	0	0	0
037 BOARD OF PRISON TERMS	0	0	0	0	0	0	0	0
556 BOATING AND WATERWAYS, DEPARTMENT OF	0	0	0	0	0	1	0	1
339 BUREAU OF STATE AUDITS	0	0	0	0	0	0	0	0
839 CALIFORNIA BAY-DELTA AUTHORITY	0	0	0	0	0	0	0	0
348 CALIFORNIA COASTAL COMMISSION	0	0	0	0	0	0	0	0
364 CALIFORNIA COMMUNITY COLLEGES	0	0	0	0	0	0	0	0
533 CALIFORNIA CONSERVATION CORPS	10	1	0	0	0	7	0	18
797 CALIFORNIA DEPARTMENT OF AGING	0	0	0	0	0	0	0	0
313 CALIFORNIA EXPOSITION AND STATE FAIR	1	1	0	0	0	6	0	8
388 CALIFORNIA HIGHWAY PATROL, DEPARTMENT OF	7	12	1	0	0	16	0	36
693 CALIFORNIA HOUSING FINANCE AGENCY	0	0	0	0	0	0	0	0
835 CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD	0	0	0	0	0	0	0	0
165 CALIFORNIA POSTSECONDARY EDUCATION COMMISSION	0	0	0	0	0	0	0	0
314 CALIFORNIA SCIENCE CENTER	0	0	0	0	0	2	0	2
175 CALIFORNIA STATE LIBRARY	0	0	0	0	0	0	0	0
358 CALIFORNIA STATE LOTTERY	1	0	0	3	0	8	0	12
270 CALIFORNIA STUDENT AID COMMISSION	0	0	0	0	0	0	0	0
817 CHILD SUPPORT SERVICES, DEPARTMENT OF	2	0	0	0	0	0	0	2
192 COMMISSION ON TEACHER CREDENTIALING	0	0	0	0	0	0	0	0
016 COMMUNITY SERVICES & DEVELOPMENT, DEPARTMENT OF	0	0	0	0	0	1	0	1
402 COMPENSATION INSURANCE FUND, STATE	66	6	6	10	0	1	0	89
538 CONSERVATION, DEPARTMENT OF	0	1	0	0	0	0	0	1
610 CONSUMER AFFAIRS, DEPARTMENT OF	18	4	2	0	0	1	0	25
051 CONTROLLER, OFFICE OF STATE THE	0	0	0	0	0	4	0	4
410 CORPORATIONS, DEPARTMENT OF	2	1	1	2	0	0	0	6
065 CORRECTIONS, DEPARTMENT OF	207	5	2	26	0	21	0	261
453 DEVELOPMENTAL SERVICES, AGNEWS DEVELOPMENTAL CENTER	1	5	2	2	0	0	0	10
504 DEVELOPMENTAL SERVICES, CANYON SPRINGS SMALL FACILITY	0	0	0	0	0	2	0	2

Table 1 - Continued
Total Discrimination
Complaints by Department

(Includes all pending & closed cases received in 2005)

F – Formal Departmental Discrimination Complaints
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 MI – Management Discrimination Inquiries
 G – Discrimination Grievances
 IF – Informal Departmental Discrimination Complaints
 C – Court Cases [Discrimination Lawsuits]

Department	F	DFEH	EEOC	MI	G	IF	C	Total
473 DEVELOPMENTAL SERVICES, DEPARTMENT OF	7	5	0	3	0	5	0	20
518 DEVELOPMENTAL SERVICES, FAIRVIEW DEVELOPMENTAL CENTER	3	2	0	2	0	12	0	19
497 DEVELOPMENTAL SERVICES, LANTERMAN DEVELOPMENTAL CENTER	2	1	0	0	0	2	0	5
515 DEVELOPMENTAL SERVICES, PORTERVILLE DEVELOPMENTAL CENTER	9	1	0	0	0	0	0	10
505 DEVELOPMENTAL SERVICES, SIERRA VISTA SMALL FACILITY	0	0	0	0	0	0	0	0
507 DEVELOPMENTAL SERVICES, SONOMA DEVELOPMENTAL CENTER	10	2	0	2	0	18	0	32
174 EDUCATION, DEPARTMENT OF	1	0	1	0	0	45	0	47
280 EMPLOYMENT DEVELOPMENT DEPARTMENT	11	3	3	0	1	4	0	22
290 EQUALIZATION, BOARD OF	10	4	2	0	0	9	5	30
328 FAIR EMPLOYMENT AND HOUSING COMMISSION	0	0	0	0	0	0	0	0
326 FAIR EMPLOYMENT AND HOUSING, DEPARTMENT OF	0	0	0	2	0	2	0	4
325 FAIR POLITICAL PRACTICES COMMISSION	0	0	0	0	0	1	0	1
300 FINANCE, DEPARTMENT OF	2	0	0	0	0	0	0	2
407 FINANCIAL INSTITUTIONS, DEPARTMENT OF	0	0	0	0	0	0	0	0
565 FISH AND GAME, DEPARTMENT OF	8	1	0	0	0	6	0	15
014 FOOD AND AGRICULTURE, DEPARTMENT OF	6	2	1	0	1	0	0	10
541 FORESTRY AND FIRE PROTECTION, DEPARTMENT OF	6	3	1	0	0	0	0	10
564 FRANCHISE TAX BOARD	0	3	0	0	0	35	0	38
306 GENERAL SERVICES, DEPARTMENT OF	11	10	5	0	0	0	0	26
690 HEALTH AND HUMAN SERVICES AGENCY DATA CENTER	0	0	0	0	0	0	0	0
808 HEALTH SERVICES, DEPARTMENT OF	24	0	0	0	1	6	0	31
395 HORSE RACING BOARD, CALIFORNIA	0	0	0	0	0	0	0	0
401 HOUSING & COMMUNITY DEVELOPMENT, DEPARTMENT OF	2	2	1	0	0	0	0	5
400 INDUSTRIAL RELATIONS, DEPARTMENT OF	13	1	0	0	0	4	0	18
413 INSURANCE, DEPARTMENT OF	2	0	0	2	0	1	0	5
420 JUSTICE, DEPARTMENT OF	14	0	2	1	0	16	0	33
430 LEGISLATIVE COUNSEL BUREAU	1	0	0	0	0	0	0	1
409 MANAGED HEALTH CARE, DEPARTMENT OF	0	0	0	0	0	0	0	0
443 MANAGED RISK MEDICAL INSURANCE BOARD	0	0	0	0	0	0	0	0
455 MENTAL HEALTH, ATASCADERO STATE HOSPITAL	0	0	0	0	0	0	0	0
437 MENTAL HEALTH, COALINGA STATE HOSPITAL	0	0	0	0	0	1	0	1
461 MENTAL HEALTH, DEPARTMENT OF	1	0	0	0	0	1	0	2
487 MENTAL HEALTH, METROPOLITAN STATE HOSPITAL	1	0	0	2	0	18	0	21
480 MENTAL HEALTH, NAPA STATE HOSPITAL	6	0	0	2	0	37	0	45
502 MENTAL HEALTH, PATTON STATE HOSPITAL	11	2	1	1	0	0	0	15

Table 1 - Continued
Total Discrimination
Complaints by Department

(Includes all pending & closed cases received in 2005)

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 EEOC – Equal Employment Opportunity Commission Complaints
 MI – Management Discrimination Inquiries
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 IF – Informal Departmental Discrimination Complaints
 C – Court Cases [Discrimination Lawsuits]

Department	F	DFEH	EEOC	MI	G	IF	C	Total
488 MENTAL HEALTH, SALINAS VALLEY PSYCHIATRIC PROGRAM	0	0	0	0	0	0	0	0
486 MENTAL HEALTH, VACAVILLE PSYCHIATRIC PROGRAM	0	0	0	0	0	2	0	2
006 MILITARY DEPARTMENT	0	0	0	0	0	0	0	0
525 MOTOR VEHICLES, DEPARTMENT OF	43	9	3	11	0	63	3	132
305 OFFICE OF ADMINISTRATIVE LAW	0	0	0	0	0	0	0	0
163 OFFICE OF EMERGENCY SERVICES	1	0	0	0	0	0	0	1
811 OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT	0	0	0	0	0	0	0	0
417 OFFICE OF REAL ESTATE APPRAISERS	0	0	0	0	0	0	0	0
441 OFFICE OF STATEWIDE HEALTH PLANNING & DEVELOP	1	0	0	1	0	3	0	5
549 PARKS AND RECREATION, DEPARTMENT OF	16	7	3	0	0	0	0	26
421 PEACE OFFICER STANDARDS AND TRAINING	0	0	0	0	0	1	0	1
363 PERSONNEL ADMINISTRATION, DEPARTMENT OF	1	0	0	0	0	0	0	1
590 PERSONNEL BOARD, STATE	0	1	0	0	0	0	0	1
814 PESTICIDE REGULATION, DEPARTMENT OF	3	0	0	0	0	0	0	3
063 PRISON INDUSTRY AUTHORITY	6	1	1	0	0	9	0	17
275 PUBLIC EMPLOYEES RETIREMENT SYSTEM	1	3	1	1	0	4	0	10
315 PUBLIC EMPLOYMENT RELATIONS BOARD	0	0	0	0	0	0	0	0
680 PUBLIC UTILITIES COMMISSION	1	0	2	0	0	3	0	6
414 REAL ESTATE, DEPARTMENT OF	4	0	0	0	0	0	0	4
813 REHABILITATION, DEPARTMENT OF	7	1	2	0	0	0	1	11
785 SECRETARY OF STATE	4	0	0	0	0	2	0	6
800 SOCIAL SERVICES, DEPARTMENT OF	17	5	4	1	0	6	0	33
015 STATE AND CONSUMER SERVICES AGENCY	0	0	0	0	0	0	0	0
536 STATE COASTAL CONSERVANCY	0	0	0	0	0	0	0	0
535 STATE ENERGY RESOURCES CONSERVATION & DEV COMM	0	0	0	0	0	0	0	0
340 STATE LANDS COMMISSION	0	0	0	0	0	0	0	0
426 STATE PUBLIC DEFENDER	0	0	0	0	0	0	0	0
690 STEPHEN P. TEALE CONSOLIDATED DATA CENTER	0	1	0	0	0	0	0	1
815 TEACHERS RETIREMENT SYSTEM, STATE	1	1	0	0	0	0	0	2
810 TOXIC SUBSTANCES CONTROL, DEPARTMENT OF	5	0	3	1	0	8	0	17
900 TRANSPORTATION, DEPARTMENT OF	50	23	15	38	4	0	0	130
820 TREASURER, STATE	0	0	0	0	0	0	0	0
279 UNEMPLOYMENT INSURANCE APPEALS BOARD	0	0	0	0	1	0	0	1
830 VETERANS AFFAIRS, DEPARTMENT OF	11	1	6	0	0	2	0	20

Table 1 - Continued
Total Discrimination
Complaints by Department

(Includes all pending & closed cases received in 2005)

F – Formal Departmental Discrimination Complaints
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 IF – Informal Departmental Discrimination Complaints
 C – Court Cases [Discrimination Lawsuits]

Department	F	DFEH	EEOC	MI	G	IF	C	Total
880 WATER RESOURCES CONTROL BOARD, STATE	3	0	0	0	0	0	0	3
840 WATER RESOURCES, DEPARTMENT OF	10	2	3	13	0	0	1	29
110 YOUTH AUTHORITY, DEPARTMENT OF THE	25	0	1	2	0	0	0	28
Total	687	135	76	129	8	397	10	1442

Table 2

**Type of Discrimination Charged
1/1/2005 – 12/31/2005**

F – Formal Departmental Discrimination Complaints
 DFEH – Department of Fair Employment & Housing Complaints
 EEOC – Equal Employment Opportunity Commission Complaints
 MI – Management Discrimination Inquiries
 G – Discrimination Grievances
 IF – Informal Departmental Discrimination Complaints
 C – Court Cases [Discrimination Lawsuits]

Discrimination Type	Formal		DFEH		EEOC		MI		Grievance		Informal		Court		Total	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Age	55	5.89%	20	11.17%	12	10.08%	5	4.13%	0	0.00%	13	3.93%	0	0.00%	105	6.14%
Ancestry	22	2.36%	3	1.68%	0	0.00%	0	0.00%	0	0.00%	7	2.11%	1	5.88%	33	1.93%
Color	29	3.10%	3	1.68%	2	1.68%	1	0.83%	0	0.00%	1	0.30%	1	5.88%	37	2.16%
Disability	100	10.71%	54	30.17%	23	19.33%	8	6.61%	3	33.33%	38	11.48%	0	0.00%	226	13.22%
Marital Status	8	0.86%	3	1.68%	0	0.00%	0	0.00%	0	0.00%	2	0.60%	0	0.00%	13	0.76%
National Origin	34	3.64%	12	6.70%	5	4.20%	6	4.96%	0	0.00%	8	2.42%	1	5.88%	66	3.86%
Political Affiliation	11	1.18%	3	1.68%	0	0.00%	0	0.00%	0	0.00%	3	0.91%	0	0.00%	17	0.99%
Race	165	17.67%	26	14.53%	24	20.17%	15	12.40%	2	22.22%	72	21.75%	2	11.76%	306	17.89%
Religion	20	2.14%	8	4.47%	5	4.20%	3	2.48%	0	0.00%	8	2.42%	0	0.00%	44	2.57%
Sex	98	10.49%	19	10.61%	14	11.76%	13	10.74%	1	11.11%	27	8.16%	4	23.53%	176	10.29%
Sexual Harassment	182	19.49%	5	2.79%	6	5.04%	53	43.80%	3	33.33%	100	30.21%	4	23.53%	353	20.64%
Sexual Orientation	21	2.25%	3	1.68%	5	4.20%	1	0.83%	0	0.00%	14	4.23%	0	0.00%	44	2.57%
Retaliation	188	20.13%	20	11.17%	23	19.33%	16	13.22%	0	0.00%	38	11.48%	4	23.53%	289	16.90%
Veterans Status	1	0.11%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	1	0.06%
Total	934	100.00%	179	100.00%	119	100.00%	121	100.00%	9	100.00%	331	100.00%	17	100.00%	1710	100.00%

Table 3

**Disposition of Closed
Discrimination Complaints
1/1/2005 – 12/31/2005**

F – Formal Departmental Discrimination Complaints
 DFEH – Department of Fair Employment & Housing Complaints
 EEOC – Equal Employment Opportunity Commission Complaints
 MI – Management Discrimination Inquiries
 G – Discrimination Grievances
 IF – Informal Departmental Discrimination Complaints
 C – Court Cases [Discrimination Lawsuits]

Investigation Completed																
Disposition Type	Formal		DFEH		EEOC		MI		Grievance		Informal		Court		Total	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Court found no discrimination	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	3	50.00%	3	0.28%
Discrimination Found	51	10.34%	1	0.99%	0	0.00%	16	18.18%	1	20.00%	3	0.90%	0	0.00%	72	6.70%
Discrimination Found, Appealed to SPB	2	0.41%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	2	0.19%
Discrimination Not Found	190	38.54%	34	33.66%	17	36.17%	45	51.14%	1	20.00%	42	12.54%	0	0.00%	329	30.60%
Discrimination Not Found, Appealed to SPB	0	0.00%	1	0.99%	0	0.00%	0	0.00%	0	0.00%	1	0.30%	0	0.00%	2	0.19%
Subtotal	243	49.29%	36	35.64%	17	36.17%	61	69.32%	2	40.00%	46	13.73%	3	50.00%	408	37.95%

Table 3 - Continued

**Disposition of Closed
Discrimination Complaints
1/1/2005 – 12/31/2005**

F – Formal Departmental Discrimination Complaints
 DFEH – Department of Fair Employment & Housing Complaints
 EEOC – Equal Employment Opportunity Commission Complaints
 MI – Management Discrimination Inquiries
 G – Discrimination Grievances
 IF – Informal Departmental Discrimination Complaints
 C – Court Cases [Discrimination Lawsuits]

Investigation Not Completed																
Disposition Type	Formal		DFEH		EEOC		MI		Grievance		Informal		Court		Total	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
No prima facie case established	73	14.81%	4	3.96%	1	2.13%	3	3.41%	1	20.00%	20	5.97%	0	0.00%	102	9.49%
Complainant Did Not Pursue	11	2.23%	1	0.99%	1	2.13%	4	4.55%	0	0.00%	12	3.58%	0	0.00%	29	2.70%
Allegations Not based on Protected Group Status	116	23.53%	4	3.96%	2	4.26%	14	15.91%	1	20.00%	59	17.61%	0	0.00%	196	18.23%
Complaint Withdrawn	18	3.65%	3	2.97%	2	4.26%	1	1.14%	1	20.00%	1	0.30%	0	0.00%	26	2.42%
Resolved by Mutual Agreement	22	4.46%	1	0.99%	1	2.13%	3	3.41%	0	0.00%	1	0.30%	0	0.00%	28	2.60%
Process Terminated, Adverse Action Initiated Against Complainant	0	0.00%	0	0.00%	0	0.00%	2	2.27%	0	0.00%	0	0.00%	0	0.00%	2	0.19%
Right to Sue Letter Issued	2	0.41%	48	47.52%	19	40.43%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	69	6.42%
Resolved through Mediation	2	0.41%	2	1.98%	3	6.38%	0	0.00%	0	0.00%	11	3.28%	0	0.00%	18	1.67%
No Remedy Possible	6	1.22%	2	1.98%	1	2.13%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	9	0.84%

Table 3 - Continued

**Disposition of Closed
Discrimination Complaints
1/1/2005 – 12/31/2005**

F – Formal Departmental Discrimination Complaints
 DFEH – Department of Fair Employment & Housing Complaints
 EEOC – Equal Employment Opportunity Commission Complaints
 MI – Management Discrimination Inquiries
 G – Discrimination Grievances
 IF – Informal Departmental Discrimination Complaints
 C – Court Cases [Discrimination Lawsuits]

Investigation Not Completed – Continued																
Disposition Type	Formal		DFEH		EEOC		MI		Grievance		Informal		Court		Total	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Court Case withdrawn, no settlement	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	1	16.67%	1	0.09%
Informal Resolved	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	165	49.25%	0	0.00%	165	15.35%
Informal Not Resolved - Complainant Did Not Pursue	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	13	3.88%	0	0.00%	13	1.21%
Informal Not Resolved - Complainant Filed Formal Complaint	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	7	2.09%	0	0.00%	7	0.65%
Court Case withdrawn, settlement	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	2	33.33%	2	0.19%
Subtotal	250	50.71%	65	64.36%	30	63.83%	27	30.68%	3	60.00%	289	86.27%	3	50.00%	667	62.05%

Total Cases Closed	493	100.00%	101	100.00%	47	100.00%	88	100.00%	5	100.00%	335	100.00%	6	100.00%	1075	100.00%
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Court Case Pending	0		0		0		0		0		0		30		30	
Case Pending	779		142		96		144		2		103		0		1266	

Table 4

**Actions Taken Against Responsible Parties
1/1/2005 – 12/31/2005**

F – Formal Departmental Discrimination Complaints
 DFEH – Department of Fair Employment & Housing Complaints
 EEOC – Equal Employment Opportunity Commission Complaints
 MI – Management Discrimination Inquiries
 G – Discrimination Grievances
 IF – Informal Departmental Discrimination Complaints
 C – Court Cases [Discrimination Lawsuits]

Discrimination Found	Formal		DFEH		EEOC		MI		Grievance		Informal		Court		Total	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Verbal Counseling	15	3.04%	0	0.00%	0	0.00%	2	2.27%	0	0.00%	0	0.00%	0	0.00%	17	1.58%
Informal Reprimand	4	0.81%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	2	0.60%	0	0.00%	6	0.56%
Formal Reprimand	11	2.23%	0	0.00%	0	0.00%	6	6.82%	1	20.00%	0	0.00%	0	0.00%	18	1.67%
Reassignment	1	0.20%	0	0.00%	0	0.00%	1	1.14%	0	0.00%	0	0.00%	0	0.00%	2	0.19%
Suspension	2	0.41%	0	0.00%	0	0.00%	1	1.14%	0	0.00%	0	0.00%	0	0.00%	3	0.28%
Reduction in Salary	1	0.20%	0	0.00%	0	0.00%	1	1.14%	0	0.00%	0	0.00%	0	0.00%	2	0.19%
Demotion	5	1.01%	0	0.00%	0	0.00%	2	2.27%	0	0.00%	0	0.00%	0	0.00%	7	0.65%
Dismissal	8	1.62%	0	0.00%	0	0.00%	1	1.14%	0	0.00%	0	0.00%	0	0.00%	9	0.84%
Required Training	4	0.81%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	1	0.30%	0	0.00%	5	0.47%
No Action Taken	2	0.41%	1	0.99%	0	0.00%	2	2.27%	0	0.00%	0	0.00%	0	0.00%	5	0.47%
Total Discrimination Found	53	10.75%	1	0.99%	0	0%	16	18.18%	1	20.00%	3	0.90%	0	0%	74	6.88%

Discrimination Not Found	Formal		DFEH		EEOC		MI		Grievance		Informal		Court		Total	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	3	0.90%	0	0.00%	3	0.28%
Verbal Counseling	2	0.41%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	2	0.19%
Informal Reprimand	1	0.20%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	1	0.09%
Formal Reprimand	3	0.61%	0	0.00%	0	0.00%	1	1.14%	0	0.00%	0	0.00%	0	0.00%	4	0.37%
Reassignment	1	0.20%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	1	0.09%

Table 4 - Continued

F – Formal Departmental Discrimination Complaints
 DFEH – Department of Fair Employment & Housing Complaints
 EEOC – Equal Employment Opportunity Commission Complaints
 MI – Management Discrimination Inquiries
 G – Discrimination Grievances
 IF – Informal Departmental Discrimination Complaints
 C – Court Cases [Discrimination Lawsuits]

**Actions Taken Against Responsible Parties
 1/1/2005 – 12/31/2005**

Discrimination Not Found – Continued	Formal		DFEH		EEOC		MI		Grievance		Informal		Court		Total	
Dismissal	1	0.20%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	1	0.09%
Required Training	1	0.20%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	1	0.09%
No Action Taken	181	36.71%	35	34.65%	17	36.17%	44	50.00%	1	20.00%	40	11.94%	3	50.00%	321	29.86%
Total Discrimination Not Found	190	38.54%	35	34.65%	17	36.17%	45	51.14%	1	20.00%	43	12.84%	3	50.00%	334	31.07%

Investigation Not Completed	Formal		DFEH		EEOC		MI		Grievance		Informal		Court		Total	
Action	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	34	10.15%	0	0.00%	34	3.16%
Verbal Counseling	2	0.41%	0	0.00%	0	0.00%	1	1.14%	0	0.00%	42	12.54%	0	0.00%	45	4.19%
Informal Reprimand	2	0.41%	0	0.00%	0	0.00%	1	1.14%	0	0.00%	22	6.57%	0	0.00%	25	2.33%
Formal Reprimand	4	0.81%	0	0.00%	0	0.00%	2	2.27%	0	0.00%	0	0.00%	0	0.00%	6	0.56%
Reassignment	3	0.61%	0	0.00%	0	0.00%	1	1.14%	0	0.00%	2	0.60%	0	0.00%	6	0.56%
Reduction in Salary	1	0.20%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	1	0.09%
Demotion	0	0.00%	0	0.00%	0	0.00%	1	1.14%	0	0.00%	0	0.00%	0	0.00%	1	0.09%
Dismissal	2	0.41%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	2	0.19%
Required Training	4	0.81%	0	0.00%	0	0.00%	1	1.14%	0	0.00%	7	2.09%	0	0.00%	12	1.12%
No Action Taken	232	47.06%	65	64.36%	30	63.83%	20	22.73%	3	60.00%	182	54.33%	3	50.00%	535	49.77%
Total Investigation Not Completed	250	50.71%	65	64.36%	30	63.83%	27	30.68%	3	60.00%	289	86.27%	3	50.00%	667	62.05%

Total	493	100.00%	101	100.00%	47	100.00%	88	100.00%	5	100.00%	335	100.00%	6	100.00%	1075	100.00%
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Table 5**Time to Close Formal Discrimination Complaints
1/1/2005 – 12/31/2005**

Department Name	Investigation Time				Average Time (Days)
	Total Closed	0-89 Days	90-179 Days	180+ Days	
AIR RESOURCES BOARD, STATE	2	0	0	2	257
ALCOHOL AND DRUG PROGRAMS, DEPARTMENT OF	2	1	1	0	77
CALIFORNIA CONSERVATION CORPS	9	7	2	0	48
CALIFORNIA HIGHWAY PATROL, DEPARTMENT OF	14	10	4	0	53
CALIFORNIA STATE LOTTERY	2	2	0	0	30
CHILD SUPPORT SERVICES, DEPARTMENT OF	1	1	0	0	54
COMPENSATION INSURANCE FUND, STATE	48	29	11	8	111
CONSERVATION, DEPARTMENT OF	1	0	0	1	208
CONSUMER AFFAIRS, DEPARTMENT OF	9	5	4	0	83
CORPORATIONS, DEPARTMENT OF	6	2	3	1	128
CORRECTIONS, DEPARTMENT OF	196	131	21	44	97
DEVELOPMENTAL SERVICES, AGNEWS DEVELOPMENTAL CENTER	5	1	1	3	182
DEVELOPMENTAL SERVICES, CANYON SPRINGS SMALL FACILITY	2	0	0	2	220
DEVELOPMENTAL SERVICES, DEPARTMENT OF	13	3	8	2	126
DEVELOPMENTAL SERVICES, FAIRVIEW DEVELOPMENTAL CENTER	11	1	1	9	217
DEVELOPMENTAL SERVICES, LANTERMAN DEVELOPMENTAL CENTER	1	0	1	0	147
DEVELOPMENTAL SERVICES, PORTERVILLE DEVELOPMENTAL CENTER	6	0	0	6	411
DEVELOPMENTAL SERVICES, SONOMA DEVELOPMENTAL CENTER	15	7	7	1	128
EMPLOYMENT DEVELOPMENT DEPARTMENT	20	13	6	1	72
EQUALIZATION, BOARD OF	20	8	3	9	163

Table 5 - Continued**Time to Close Formal Discrimination Complaints
1/1/2005 – 12/31/2005**

Department Name	Investigation Time				
	Total Closed	0-89 Days	10-179 Days	180+ Days	Average Time (Days)
FAIR EMPLOYMENT AND HOUSING, DEPARTMENT OF	1	1	0	0	87
FINANCE, DEPARTMENT OF	4	1	0	3	376
FISH AND GAME, DEPARTMENT OF	8	5	0	3	119
FOOD AND AGRICULTURE, DEPARTMENT OF	6	4	2	0	72
FORESTRY AND FIRE PROTECTION, DEPARTMENT OF	1	0	0	1	193
GENERAL SERVICES, DEPARTMENT OF	18	12	2	4	95
HEALTH SERVICES, DEPARTMENT OF	29	12	13	4	99
HOUSING & COMMUNITY DEVELOPMENT, DEPARTMENT OF	11	6	2	3	222
INDUSTRIAL RELATIONS, DEPARTMENT OF	12	6	1	5	158
INSURANCE, DEPARTMENT OF	1	0	1	0	104
JUSTICE, DEPARTMENT OF	7	6	1	0	40
LEGISLATIVE COUNSEL BUREAU	1	0	1	0	146
MENTAL HEALTH, METROPOLITAN STATE HOSPITAL	4	0	2	2	208
MENTAL HEALTH, NAPA STATE HOSPITAL	9	3	6	0	102
MENTAL HEALTH, PATTON STATE HOSPITAL	12	2	5	5	169
MOTOR VEHICLES, DEPARTMENT OF	61	46	9	6	89
OFFICE OF STATEWIDE HEALTH PLANNING & DEVELOP	1	1	0	0	21
PARKS AND RECREATION, DEPARTMENT OF	14	6	0	8	193
PERSONNEL ADMINISTRATION, DEPARTMENT OF	1	1	0	0	48
PERSONNEL BOARD, STATE	1	0	0	1	795
PESTICIDE REGULATION, DEPARTMENT OF	1	0	0	1	476

Table 5 - Continued**Time to Close Formal Discrimination Complaints
1/1/2005 – 12/31/2005**

Department Name	Investigation Time				
	Total Closed	0-89 Days	10-179 Days	180+ Days	Average Time (Days)
PRISON INDUSTRY AUTHORITY	2	1	1	0	83
PUBLIC EMPLOYEES RETIREMENT SYSTEM	3	1	0	2	242
PUBLIC UTILITIES COMMISSION	1	1	0	0	77
REHABILITATION, DEPARTMENT OF	2	2	0	0	4
SECRETARY OF STATE	1	1	0	0	15
SOCIAL SERVICES, DEPARTMENT OF	15	13	2	0	45
STEPHEN P. TEALE CONSOLIDATED DATA CENTER	1	1	0	0	29
TEACHERS RETIREMENT SYSTEM, STATE	3	2	1	0	59
TOXIC SUBSTANCES CONTROL, DEPARTMENT OF	6	1	3	2	137
TRANSPORTATION, DEPARTMENT OF	85	21	8	56	263
VETERANS AFFAIRS, DEPARTMENT OF	7	1	2	4	232
WATER RESOURCES CONTROL BOARD, STATE	3	2	1	0	61
WATER RESOURCES, DEPARTMENT OF	17	13	2	2	63
YOUTH AUTHORITY, DEPARTMENT OF THE	9	5	3	1	146
Totals	742	399	141	202	144

Table 6**Active Formal Complaints Exceeding 180 Days
As of April 2006**

Department	# Complaints
ALCOHOL AND DRUG PROGRAMS, DEPARTMENT OF	1
BOARD OF PRISON TERMS	2
BOATING AND WATERWAYS, DEPARTMENT OF	1
CALIFORNIA CONSERVATION CORPS	3
CALIFORNIA HIGHWAY PATROL, DEPARTMENT OF	3
CALIFORNIA SCIENCE CENTER	2
CALIFORNIA STATE LOTTERY	1
COMMUNITY SERVICES & DEVELOPMENT, DEPARTMENT OF	3
COMPENSATION INSURANCE FUND, STATE	19
CONSUMER AFFAIRS, DEPARTMENT OF	11
CONTROLLER, OFFICE OF STATE THE	1
CORRECTIONS, DEPARTMENT OF	498
DEVELOPMENTAL SERVICES, CANYON SPRINGS SMALL FACILITY	1
DEVELOPMENTAL SERVICES, DEPARTMENT OF	2
DEVELOPMENTAL SERVICES, FAIRVIEW DEVELOPMENTAL CENTER	1
DEVELOPMENTAL SERVICES, LANTERMAN DEVELOPMENTAL CENTER	2
DEVELOPMENTAL SERVICES, PORTERVILLE DEVELOPMENTAL CENTER	1
DEVELOPMENTAL SERVICES, SIERRA VISTA SMALL FACILITY	1
EDUCATION, DEPARTMENT OF	2
EMPLOYMENT DEVELOPMENT DEPARTMENT	2
FINANCE, DEPARTMENT OF	1
FISH AND GAME, DEPARTMENT OF	4
FOOD AND AGRICULTURE, DEPARTMENT OF	5
FORESTRY AND FIRE PROTECTION, DEPARTMENT OF	2
GENERAL SERVICES, DEPARTMENT OF	3
HEALTH SERVICES, DEPARTMENT OF	2
INDUSTRIAL RELATIONS, DEPARTMENT OF	4
INSURANCE, DEPARTMENT OF	7
JUSTICE, DEPARTMENT OF	8
MANAGED HEALTH CARE, DEPARTMENT OF	3
MENTAL HEALTH, ATASCADERO STATE HOSPITAL	1
MENTAL HEALTH, DEPARTMENT OF	7
MENTAL HEALTH, PATTON STATE HOSPITAL	3
MOTOR VEHICLES, DEPARTMENT OF	8
OFFICE OF EMERGENCY SERVICES	15
PARKS AND RECREATION, DEPARTMENT OF	17
PRISON INDUSTRY AUTHORITY	7
REHABILITATION, DEPARTMENT OF	12
SECRETARY OF STATE	1
SOCIAL SERVICES, DEPARTMENT OF	18
TECHNOLOGY SERVICES, DEPARTMENT OF	2

Table 6 - Continued

**Active Formal Complaints Exceeding 180 Days
As of April 2006**

Department	# Complaints
TRANSPORTATION, DEPARTMENT OF	43
VETERANS AFFAIRS, DEPARTMENT OF	5
WATER RESOURCES, DEPARTMENT OF	19

Total Number of Active Complaints Exceeding 180 Days: 754

Number of Departments with Complaints Exceeding 180 Days: 44

Departments that received discrimination complaints but did not report any information about time and cost are annotated with "DNR" for, Did Not Report

Table 7

**Partial Time and Costs Expended on Discrimination Complaints As Reported by Some Departments
1/1/2005 – 12/31/2005**

Department Name	Time and Cost				
	Admin Time	Admin Costs	Legal Costs	Damages/Settlement	Total Cost
ALCOHOL AND DRUG PROGRAMS, DEPARTMENT OF					DNR
BOATING AND WATERWAYS, DEPARTMENT OF	80.00	\$1,852.00	\$25,000.00	\$0.00	\$26,852.00
CALIFORNIA CONSERVATION CORPS	188.45	\$6,198.16	\$0.00	\$0.00	\$6,198.16
CALIFORNIA EXPOSITION AND STATE FAIR	35.00	\$1,137.00	\$0.00	\$0.00	\$1,137.00
CALIFORNIA HIGHWAY PATROL, DEPARTMENT OF	1,614.00	\$73,072.85	\$0.00	\$0.00	\$73,072.85
CALIFORNIA SCIENCE CENTER	6.00	\$450.00	\$0.00	\$0.00	\$450.00
CALIFORNIA STATE LOTTERY	4,172.00	\$9,392.00	\$0.00	\$0.00	\$9,392.00
CHILD SUPPORT SERVICES, DEPARTMENT OF	16.00	\$538.00	\$0.00	\$0.00	\$538.00
COMMUNITY SERVICES & DEVELOPMENT, DEPT OF					DNR
COMPENSATION INSURANCE FUND, STATE	369.00	\$3,800.00	\$0.00	\$0.00	\$3,800.00
CONSERVATION, DEPARTMENT OF					DNR
CONSUMER AFFAIRS, DEPARTMENT OF	101.50	\$2,581.79	\$0.00	\$0.00	\$2,581.79
CONTROLLER, OFFICE OF STATE THE					DNR
CORPORATIONS, DEPARTMENT OF	155.00	\$21,080.00	\$0.00	\$0.00	\$21,080.00
CORRECTIONS, DEPARTMENT OF	2,557.02	\$0.00	\$0.00	\$0.00	\$0.00

Departments that received discrimination complaints but did not report any information about time and cost are annotated with "DNR" for, Did Not Report

Table 7 – Continued

**Partial Time and Costs Expended on Discrimination Complaints As Reported by Some Departments
1/1/2005 – 12/31/2005**

Department Name	Time and Cost				
	Admin Time	Admin Costs	Legal Costs	Damages/Settlement	Total Cost
DEVELOPMENTAL SERVICES, AGNEWS DEVP CENTER	208.50	\$6,918.00	\$0.00	\$0.00	\$6,918.00
DEVELOPMENTAL SERVICES, CANYON SPRINGS SM FACILITY					DNR
DEVELOPMENTAL SERVICES, DEPT OF					DNR
DEVELOPMENTAL SERVICES, FAIRVIEW DEVP CENTER					DNR
DEVELOPMENTAL SERVICES, LANTERMAN DEVP CENTER					DNR
DEVELOPMENTAL SERVICES, PORTERVILLE DEVP CENTER					DNR
DEVELOPMENTAL SERVICES, SONOMA DEVP CENTER					DNR
EDUCATION, DEPARTMENT OF					DNR
EMPLOYMENT DEVELOPMENT DEPARTMENT	308.25	\$9,198.57	\$396.20	\$29.63	\$9,624.40
EQUALIZATION, BOARD OF	747.70	\$0.00	\$0.00	\$0.00	\$0.00
FAIR EMPLOYMENT AND HOUSING, DEPARTMENT OF	176.00	\$5,726.00	\$0.00	\$0.00	\$5,726.00
FAIR POLITICAL PRACTICES COMMISSION	10.00	\$491.00	\$0.00	\$0.00	\$491.00

Departments that received discrimination complaints but did not report any information about time and cost are annotated with "DNR" for, Did Not Report

Table 7 – Continued

**Partial Time and Costs Expended on Discrimination Complaints As Reported by Some Departments
1/1/2005 – 12/31/2005**

Department Name	Time and Cost				
	Admin Time	Admin Costs	Legal Costs	Damages/ Settlement	Total Cost
FINANCE, DEPARTMENT OF	3.00	\$200.00	\$20,000.00	\$0.00	\$20,200.00
FISH AND GAME, DEPARTMENT OF	56.00	\$2,510.00	\$0.00	\$0.00	\$2,510.00
FOOD AND AGRICULTURE, DEPARTMENT OF	45.00	\$0.00	\$0.00	\$0.00	\$0.00
FORESTRY AND FIRE PROTECTION, DEPARTMENT OF					DNR
FRANCHISE TAX BOARD	738.00	\$0.00	\$0.00	\$0.00	\$0.00
GENERAL SERVICES, DEPARTMENT OF					DNR
HEALTH SERVICES, DEPARTMENT OF					DNR
HOUSING & COMMUNITY DEVP, DEPT OF	20,100.00	\$30,000.00	\$0.00	\$1,000.00	\$31,000.00
INDUSTRIAL RELATIONS, DEPARTMENT OF					DNR
INSURANCE, DEPARTMENT OF					DNR
JUSTICE, DEPARTMENT OF	43.77	\$0.00	\$0.00	\$0.00	\$0.00
LEGISLATIVE COUNSEL BUREAU	142.50	\$6,334.89	\$0.00	\$0.00	\$6,334.89
MENTAL HEALTH, COALINGA STATE HOSPITAL					DNR

Departments that received discrimination complaints but did not report any information about time and cost are annotated with "DNR" for, Did Not Report

Table 7 – Continued

**Partial Time and Costs Expended on Discrimination Complaints As Reported by Some Departments
1/1/2005 – 12/31/2005**

Department Name	Time and Cost				
	Admin Time	Admin Costs	Legal Costs	Damages/ Settlement	Total Cost
MENTAL HEALTH, DEPT OF					DNR
MENTAL HEALTH, METROPOLITAN STATE HOSP					DNR
MENTAL HEALTH, NAPA STATE HOSPITAL					DNR
MENTAL HEALTH, PATTON STATE HOSPITAL					DNR
MENTAL HEALTH, VACAVILLE PSYCHIATRIC PROGRAM	31.00	\$1,100.00	\$0.00	\$0.00	\$1,100.00
MOTOR VEHICLES, DEPARTMENT OF					DNR
OFFICE OF EMERGENCY SERVICES					DNR
OFFICE OF STATEWIDE HEALTH PLANNING & DEVELOP	14.50	\$250.00	\$0.00	\$0.00	\$250.00
PARKS AND RECREATION, DEPARTMENT OF	256.75	\$6,784.00	\$205.00	\$0.00	\$6,989.00
PEACE OFFICER STANDARDS AND TRAINING					DNR
PERSONNEL ADMINISTRATION, DEPARTMENT OF	50.00	\$1,700.00	\$0.00	\$0.00	\$1,700.00

Departments that received discrimination complaints but did not report any information about time and cost are annotated with "DNR" for, Did Not Report

Table 7 – Continued

**Partial Time and Costs Expended on Discrimination Complaints As Reported by Some Departments
1/1/2005 – 12/31/2005**

Department Name	Time and Cost				
	Admin Time	Admin Costs	Legal Costs	Damages/ Settlement	Total Cost
PERSONNEL BOARD, STATE					DNR
PESTICIDE REGULATION, DEPARTMENT OF	20.00	\$500.00	\$0.00	\$0.00	\$500.00
PRISON INDUSTRY AUTHORITY	162.00	\$4,875.00	\$0.00	\$0.00	\$4,875.00
PUBLIC EMPLOYEES RETIREMENT SYSTEM					DNR
PUBLIC UTILITIES COMMISSION	59.50	\$4,501.00	\$0.00	\$0.00	\$4,501.00
REAL ESTATE, DEPT OF	387.00	\$41,167.00	\$13,096.00	\$0.00	\$54,263.00
REHABILITATION, DEPT OF					DNR
SECRETARY OF STATE	5.00	\$205.00	\$0.00	\$0.00	\$205.00
SOCIAL SERVICES, DEPT OF					DNR
TECHNOLOGY SERVICES, DEPT OF	80.00	\$2,380.00	\$0.00	\$0.00	\$2,380.00
TEACHERS RETIREMENT SYSTEM, STATE	90.00	\$5,562.72	\$999.68	\$0.00	\$6,562.40
TOXIC SUBSTANCES CONTROL, DEPARTMENT OF					DNR
TRANSPORTATION, DEPARTMENT OF					DNR
UNEMPLOYMENT INSURANCE APPEALS BOARD					DNR

Departments that received discrimination complaints but did not report any information about time and cost are annotated with "DNR" for, Did Not Report

Table 7 – Continued

**Partial Time and Costs Expended on Discrimination Complaints As Reported by Some Departments
1/1/2005 – 12/31/2005**

Department Name	Time and Cost				
	Admin Time	Admin Costs	Legal Costs	Damages/ Settlement	Total Cost
VETERANS AFFAIRS, DEPARTMENT OF					DNR
WATER RESOURCES CONTROL BOARD, STATE	229.00	\$4,110.00	\$0.00	\$0.00	\$4,110.00
WATER RESOURCES, DEPARTMENT OF					DNR
Totals	33,286.00	\$254,620.00	\$59,698.00	\$1,030.00	\$315,348.00

**Administrative Costs include time spent by all EEO staff (manager/officer, investigators, counselors, and support staff), and any other staff involved, except for legal staff.*

Table 8**Outcome of Discrimination Complaints Appealed
To the State Personnel Board in 2005**

DISPOSITION	<u>2005</u>		<u>2005</u>	
	#	%	#	%
<i>Appeals Decided or Settled</i>				
Stipulation Approved by the Executive Officer	41	16.33%	50	14.53%
ALJ Granted/Board Adopted	5	2.00%	3	0.87%
ALJ Denied/Board Adopted	16	6.37%	20	5.81%
Board Granted	1	0.40%	7	2.03%
Board Denied	0	0.00%	3	0.87%
Staff Denied/No Board Action	4	1.60%	0	0.00%
Subtotal:	67	26.70%	83	24.13%
<i>Other Appeals Closed</i>				
Appeal Not Accepted – No Jurisdiction, No Grounds, or Not Timely	38	15.14%	51	14.83%
Appeal Withdrawn	58	23.11%	67	19.48%
Appellant Did Not Appear For Hearing	5	2.00%	7	2.03%
Subtotal:	101	40.25%	125	36.34%
SUMMARY				
Total Appeals Closed:	168	66.93%	208	60.47%
Total Appeals Pending:	83	33.07%	136	39.53%
TOTAL APPEALS:	251	100.00%	344	100.00%