



ANNUAL REPORT

TO

THE LEGISLATURE

DISCRIMINATION COMPLAINT ACTIVITY IN THE STATE CIVIL SERVICE FOR CALENDAR YEAR 2004

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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 Reporting System, SPB's Internet-based, online reporting system, is the source of the data included in this report. For the years 2003 and 2004 this system has allowed the SPB to collect more complete 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 not previously reported 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. An attempt was made to obtain cost information on discrimination complaint activities; however, the SPB was only partially successful in obtaining this information. Many departments either could not or were unwilling to provide this information. All information submitted by departments is for the reporting period of January 1, 2004, through December 31, 2004.

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. Governor's Executive Order B-54-79 and Government Code Section 12940(l) 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 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. There are some exceptions. Complaints may be filed directly with the SPB if they involve: (1) retaliation for opposing discrimination; or (2) retaliation for participating in the discrimination complaint process by filing a complaint, or participating as a witness or other involved party; or (3) the executive director or other executive officers of a department. 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 component 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 the facts 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 first be used because its purpose is to resolve complaints as quickly as possible, at the lowest organizational level, involving the fewest people.

If a complaint cannot be resolved through the informal process or the complainant chooses to bypass the 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 time lines 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 time lines.

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 2004, the number of employees in the state civil service decreased by (2.4%), from 209,714 to 204,819 as of December 31, 2004. Information from all major departments (accounting for over 95% of the state workforce) is included in this report. Complaints were filed in 63.9% of all state departments, agencies, boards and commissions (Table 1). This is 4.2% decrease in departments receiving complaints compared to last year. A total of 1,349 discrimination complaints were filed in 2004 by state employees, this represents an increase of 9.3% from last year. The most significant changes in the types of complaints filed were decreases in the following

areas: 8 court cases, 75% decrease; 110 DFEH complaints, 49.1% decrease; and 73 management inquiries, 31.5% decrease. Informal complaints decreased by 21.8%. In 2004, 1,636 charges of discrimination were made in 1,349 complaints. The most frequent charges were: Retaliation, 19.1%; Race, 18.8%; Sexual Harassment, 16.3%; Sex, 13.5%; and Disability, 12.9%. [See Table 2].

Discrimination Findings and Actions Taken

In 2004, 1,040 discrimination complaints were closed statewide. Of these, investigations were completed in 37.2% of the cases. Discrimination was found in 5.9% of the complaints investigated [Table 3]. Adverse or other corrective action was taken in 83.6% of these cases. In addition, corrective action, such as counseling or training, was taken in 40 other complaints where no discrimination was found [Table 4].

In 2003, 1,091 complaints were closed with investigations completed in 41.4% of the cases. Of the complaints investigated, discrimination was found in 12.2% of the complaints. Adverse or other corrective action was taken in 94.5% of these cases. Corrective action was also taken in 36 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 2004, the average length of time for departments to close a formal discrimination complaint was 108 days [Table 5], which is a 9.2% decrease from 2003. Of the complaints closed, 100 of them exceeded the 180-day timeframe for processing. In 2003, 130 complaints exceeded the 180-day timeframe.

As of April 25, 2004, forty-two departments had 623 complaints still active that are more than 180 days old [Table 6] with 53.5% filed in 2004. At approximately the same time in 2003, 275 pending complaints exceeded the 180-day timeframe representing a substantial increase. The oldest complaint in the DCS remains the same one cited in 2003, which was filed on January 25, 2001 and has been open for 1,161 days (3.2 years).

It is not entirely clear why there is such a significant disparity between the processing times of complaints in 2003 versus 2004. One factor appears to be budget and staff reductions, which could ultimately impact the availability of staff to conduct investigations.

Time and Cost Expenditures

Although 69 departments reported receiving discrimination complaints, only 28 (40.6%) provided some information about their time and cost expended on discrimination complaints in 2004. The information from many of these departments remains incomplete, particularly with respect to legal costs. Only 11 out of the 69 departments

reported any legal costs. Only five departments reported legal settlement costs, however, these costs alone amounted to \$104,296. Total costs reported from all departments amounted to \$377,297 [Table 7].

The actual total cost of discrimination complaint activity for departments is in all likelihood much greater. The SPB believes that this cost information should be made available under the Information Practices Act [Civil Code Sections 1798.24(o) and (p)]. It is critical information 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. This information is required to appropriately address areas where guidance or monitoring is needed.

Complaints Appealed to the SPB

In 2004, discrimination complaints appealed to the SPB numbered 251. Of the 251 appeals, 66.9% were closed. Of the 168 appeals closed by the SPB, 16.3% were settled by negotiation or stipulation, 3.6% were granted, and 11.9% were denied. Of these closures, 57.1% were the result of a withdrawn appeal, untimely filing, insufficient grounds, or a lack of SPB jurisdiction. These data cannot be directly compared with 2003 data because it does not capture appeals filed prior to 2003, which closed in 2003 [Table 8].

V. DATA COLLECTION

The SPB asks 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 during 2004; 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 2004.

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]

Table 1
Total Discrimination
Complaints by Department

(Includes all pending & closed cases received in 2004)

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	1	0	0	0	0	1
673 AIR RESOURCES BOARD, STATE	1	1	1	0	0	1	0	4
798 ALCOHOL AND DRUG PROGRAMS, DEPT OF	0	0	0	1	0	1	0	2
024 ALCOHOLIC BEVERAGE CONTROL, DEPT OF	0	0	0	0	0	0	0	0
040 BOARD OF CONTROL	2	0	0	0	0	0	0	2
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	0	0	0
339 BUREAU OF STATE AUDITS	0	0	0	0	0	0	0	0
342 CA. MORTG BOND & TAX CREDIT ALLOC COMM.	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	13	1	0	0	0	13	0	27
797 CALIFORNIA DEPARTMENT OF AGING	0	0	0	0	0	0	0	0
313 CALIFORNIA EXPOSITION AND STATE FAIR	0	0	0	0	0	0	0	0
388 CALIFORNIA HIGHWAY PATROL, DEPT OF	7	10	5	0	0	12	0	34
693 CALIFORNIA HOUSING FINANCE AGENCY	0	0	0	0	0	0	0	0
835 CALIFORNIA INTEGRATED WASTE MGMT BD	0	0	0	0	0	0	0	0
165 CALIFORNIA POSTSECONDARY EDUCAT COMM	0	0	0	0	0	0	0	0
314 CALIFORNIA SCIENCE CENTER	3	0	0	0	0	1	0	4
175 CALIFORNIA STATE LIBRARY	0	0	0	0	0	0	0	0
358 CALIFORNIA STATE LOTTERY	1	0	0	0	0	1	0	2
270 CALIFORNIA STUDENT AID COMMISSION	0	0	0	0	0	0	0	0
817 CHILD SUPPORT SERVICES, DEPARTMENT OF	0	0	0	0	0	0	0	0
192 COMMISSION ON TEACHER CREDENTIALING	0	0	0	0	0	0	0	0
016 COMMUNITY SVCS & DEVELOPMENT, DEPT OF	3	0	0	0	0	0	0	3
402 COMPENSATION INSURANCE FUND, STATE	20	9	8	4	0	1	1	43
538 CONSERVATION, DEPARTMENT OF	1	0	1	0	1	1	0	4
610 CONSUMER AFFAIRS, DEPARTMENT OF	13	2	1	1	0	2	0	19
051 CONTROLLER, OFFICE OF STATE THE	0	0	0	0	0	11	0	11
410 CORPORATIONS, DEPARTMENT OF	0	1	0	0	0	0	0	1

Table 1 - Continued

Total Discrimination Complaints by Department

(Includes all pending & closed cases received in 2004)

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

Department	F	DFEH	EEOC	MI	G	IF	C	Total
065 CORRECTIONS, DEPARTMENT OF	244	0	1	7	0	0	0	252
453 DEVELOPMENTAL SVCS, AGNEWS DVP CTR	1	1	0	2	0	1	0	5
504 DEVELOPMENTAL SVCS, CANYON SPRINGS	3	0	0	0	0	5	0	8
505 DEVELOPMENTAL SVCS, DEPARTMENT OF	7	1	1	4	0	2	0	15
518 DEVELOPMENTAL SVCS, FAIRVIEW DVP CTR	10	3	2	1	0	14	0	30
497 DEVELOPMENTAL SVCS, LANTERMAN DVP CTR	3	1	1	0	0	3	0	8
515 DEVELOPMENTAL SVCS, PORTERVILLE DVP CT	10	2	3	0	0	9	0	24
505 DEVELOPMENTAL SVCS, SIERRA VISTA	1	0	1	0	0	1	0	3
507 DEVELOPMENTAL SVCS, SONOMA DVP CTR	12	0	0	2	0	21	0	35
174 EDUCATION, DEPARTMENT OF	0	0	0	0	0	44	0	44
280 EMPLOYMENT DEVELOPMENT DEPARTMENT	18	8	7	0	2	6	0	41
290 EQUALIZATION, BOARD OF	5	7	6	0	0	5	5	28
328 FAIR EMPLOYMENT AND HOUSING COMMISN	0	0	0	0	0	0	0	0
326 FAIR EMPLOYMENT AND HOUSING, DEPT OF	0	0	0	0	0	0	0	0
325 FAIR POLITICAL PRACTICES COMMISSION	0	0	0	0	0	0	0	0
300 FINANCE, DEPARTMENT OF	5	1	0	0	0	0	0	6
407 FINANCIAL INSTITUTIONS, DEPARTMENT OF	0	0	0	0	0	0	0	0
565 FISH AND GAME, DEPARTMENT OF	5	1	0	0	0	1	0	7
014 FOOD AND AGRICULTURE, DEPARTMENT OF	6	1	0	0	0	1	0	8
541 FORESTRY AND FIRE PROTECTION, DEPT OF	23	4	2	0	0	0	0	29
564 FRANCHISE TAX BOARD	3	2	0	2	0	40	0	47
306 GENERAL SERVICES, DEPARTMENT OF	6	3	1	0	0	1	0	11
790 HEALTH & HUMAN SVCS AGENCY DATA CTR	1	0	0	0	0	0	0	1
808 HEALTH SERVICES, DEPARTMENT OF	33	7	2	0	0	5	0	47
395 HORSE RACING BOARD, CALIFORNIA	0	0	0	0	0	0	0	0
401 HOUSING & COMMUNITY DEVP, DEPT OF	2	1	1	0	1	0	0	5
400 INDUSTRIAL RELATIONS, DEPARTMENT OF	11	2	1	0	0	0	0	14
413 INSURANCE, DEPARTMENT OF	6	0	0	0	0	1	0	7
420 JUSTICE, DEPARTMENT OF	12	3	6	0	0	13	0	34
430 LEGISLATIVE COUNSEL BUREAU	0	0	0	2	0	1	0	3
409 MANAGED HEALTH CARE, DEPARTMENT OF	3	0	0	0	0	0	0	3
443 MANAGED RISK MEDICAL INSURANCE BOARD	0	0	0	0	0	0	0	0

Table 1 - Continued

**Total Discrimination
Complaints by Department**

(Includes all pending & closed cases received in 2004)

F – Formal Departmental Discrimination Complaints
 DFEH – Department of Fair Employment & Housing Complaints
 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
455 MENTAL HEALTH, ATASCADERO STATE HOSP	2	0	0	0	0	0	0	2
437 MENTAL HEALTH, COALINGA STATE HOSPITAL	0	0	0	0	0	0	0	0
461 MENTAL HEALTH, DEPARTMENT OF	7	0	0	0	0	0	0	7
487 MENTAL HEALTH, METROPOLITAN STATE HOSP	1	3	2	1	0	20	0	27
480 MENTAL HEALTH, NAPA STATE HOSPITAL	3	1	2	4	0	3	0	13
502 MENTAL HEALTH, PATTON STATE HOSPITAL	6	2	2	0	0	3	0	13
488 MENTAL HEALTH, SALINAS VALLEY PSYCH PRG	0	0	2	0	0	0	0	2
486 MENTAL HEALTH, VACAVILLE PSYCH PROG	5	0	0	0	0	0	0	5
006 MILITARY DEPARTMENT	0	0	0	0	0	0	0	0
525 MOTOR VEHICLES, DEPARTMENT OF	33	7	5	7	0	65	2	119
305 OFFICE OF ADMINISTRATIVE LAW	0	0	0	0	0	0	0	0
163 OFFICE OF EMERGENCY SERVICES	13	0	0	0	0	0	0	13
811 OFF OF ENVIRONMNTL HEALTH HAZARD ASMT	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 STWD HEALTH PLANNING & DEVP	1	1	1	3	0	2	0	8
297 OFFICE OF THE INSPECTOR GENERAL	0	0	0	0	0	0	0	0
549 PARKS AND RECREATION, DEPARTMENT OF	7	2	3	0	0	0	0	12
421 PEACE OFFICER STANDARDS AND TRAINING	0	0	0	0	0	0	0	0
363 PERSONNEL ADMINISTRATION, DEPT OF	0	0	0	0	0	0	0	0
590 PERSONNEL BOARD, STATE	0	0	0	0	0	0	0	0
998 PERSONNEL BOARD-OFFICE OF CIVIL RIGHTS	0	0	0	0	0	0	0	0
814 PESTICIDE REGULATION, DEPARTMENT OF	2	0	0	0	0	0	0	2
063 PRISON INDUSTRY AUTHORITY	1	0	0	0	0	0	0	1
275 PUBLIC EMPLOYEES RETIREMENT SYSTEM	0	1	0	1	0	4	0	6
315 PUBLIC EMPLOYMENT RELATIONS BOARD	0	0	0	0	0	0	0	0
680 PUBLIC UTILITIES COMMISSION	1	0	2	0	0	1	0	4
414 REAL ESTATE, DEPARTMENT OF	0	0	0	0	0	0	0	0
813 REHABILITATION, DEPARTMENT OF	4	0	2	0	0	0	0	6
785 SECRETARY OF STATE	0	0	0	0	1	2	0	3
800 SOCIAL SERVICES, DEPARTMENT OF	26	3	2	2	0	7	0	40
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

Table 1 - Continued

Total Discrimination Complaints by Department

(Includes all pending & closed cases received in 2004)

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
535 STATE ENERGY RSRCS CNSRV & DEV COMM	0	0	0	0	0	0	0	0
340 STATE LANDS COMMISSION	0	0	0	0	0	1	0	1
426 STATE PUBLIC DEFENDER	0	0	0	0	0	0	0	0
690 STEPHEN P. TEALE CONSOLIDATED DATA CTR	3	0	0	0	0	0	0	3
815 TEACHERS RETIREMENT SYSTEM, STATE	1	0	0	0	0	2	0	3
810 TOXIC SUBSTANCES CONTROL, DEPT OF	0	0	0	4	0	3	0	7
900 TRANSPORTATION, DEPARTMENT OF	52	11	6	16	0	0	0	85
820 TREASURER, STATE	1	0	0	0	0	1	0	2
279 UNEMPLOYMENT INSURANCE APPEALS BOARD	0	0	1	0	0	0	0	1
830 VETERANS AFFAIRS, DEPARTMENT OF	10	0	1	0	0	8	0	19
040 VICTIMS COMP AND GOVT CLAIMS BOARD	0	0	0	0	0	0	0	0
880 WATER RESOURCES CONTROL BOARD, STATE	0	1	0	0	0	0	0	1
840 WATER RESOURCES, DEPARTMENT OF	0	3	1	6	0	2	0	12
110 YOUTH AUTHORITY, DEPARTMENT OF THE	52	3	0	3	0	2	0	60
112 YOUTHFUL OFFENDER PAROLE BOARD	0	0	0	0	0	0	0	0
Total	725	110	84	73	5	344	8	1349

Table 2

**Type of Discrimination Charged
1/1/2004 – 12/31/2004**

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	56	5.58%	12	7.74%	8	6.90%	1	1.41%	1	16.67%	8	2.95%	0	0.00%	86	5.26%
Ancestry	19	1.89%	2	1.29%	0	0.00%	0	0.00%	0	0.00%	3	1.11%	0	0.00%	24	1.47%
Color	46	4.59%	1	0.65%	0	0.00%	0	0.00%	0	0.00%	2	0.74%	0	0.00%	49	3.00%
Disability	95	9.47%	30	19.35%	28	24.14%	5	7.04%	2	33.33%	50	18.45%	1	7.14%	211	12.90%
Marital Status	10	1.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	5	1.85%	0	0.00%	15	0.92%
National Origin	25	2.49%	13	8.39%	6	5.17%	4	5.63%	0	0.00%	9	3.32%	1	7.14%	58	3.55%
Political Affiliation	5	0.50%	1	0.65%	0	0.00%	0	0.00%	0	0.00%	2	0.74%	0	0.00%	8	0.49%
Race	173	17.25%	34	21.94%	22	18.97%	17	23.94%	1	16.67%	58	21.40%	3	21.43%	308	18.83%
Religion	25	2.49%	1	0.65%	0	0.00%	0	0.00%	0	0.00%	6	2.21%	1	7.14%	33	2.02%
Sex	150	14.96%	18	11.61%	17	14.66%	10	14.08%	1	16.67%	23	8.49%	2	14.29%	221	13.51%
Sexual Harassment	164	16.35%	9	5.81%	8	6.90%	25	35.21%	0	0.00%	59	21.77%	1	7.14%	266	16.26%
Sexual Orientation	23	2.29%	5	3.23%	0	0.00%	3	4.23%	0	0.00%	10	3.69%	0	0.00%	41	2.51%
Retaliation	209	20.84%	29	18.71%	27	23.28%	6	8.45%	1	16.67%	35	12.92%	5	35.71%	312	19.07%
Veterans Status	3	0.30%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	1	0.37%	0	0.00%	4	0.24%
Total	1003	100.00%	155	100.00%	116	100.00%	71	100.00%	6	100.00%	271	100.00%	14	100.00%	1636	100.00%

Table 3

**Disposition of Closed
Discrimination Complaints
1/1/2004 – 12/31/2004**

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%	1	100.00%	1	0.10%
Discrimination Found	34	7.02%	0	0.00%	2	3.08%	14	25.45%	0	0.00%	11	3.42%	0	0.00%	61	5.87%
Discrimination Not Found	197	40.70%	41	37.61%	24	36.92%	29	52.73%	2	50.00%	18	5.59%	0	0.00%	311	29.90%
Discrimination Not Found, Appealed to SPB	12	2.48%	1	0.92%	1	1.54%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	14	1.35%
Subtotal	243	50.21%	42	38.53%	27	41.54%	43	78.18%	2	50.00%	29	9.01%	1	100.00%	387	37.21%

Investigation Not Completed

Disposition Type	Formal		DFEH		EEOC		MI		Grievance		Informal		Court		Total	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
No prima facie case established	108	22.31%	1	0.92%	2	3.08%	2	3.64%	0	0.00%	20	6.21%	0	0.00%	133	12.79%

Table 3 - Continued

**Disposition of Closed
Discrimination Complaints
1/1/2004 – 12/31/2004**

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	
Complainant Did Not Pursue	15	3.10%	5	4.59%	1	1.54%	2	3.64%	0	0.00%	13	4.04%	0	0.00%	36	3.46%
Allegations Not based on Protected Group Status	47	9.71%	0	0.00%	0	0.00%	3	5.45%	0	0.00%	60	18.63%	0	0.00%	110	10.58%
Complaint Withdrawn	23	4.75%	3	2.75%	5	7.69%	1	1.82%	0	0.00%	14	4.35%	0	0.00%	46	4.42%
Resolved by Mutual Agreement	25	5.17%	8	7.34%	4	6.15%	1	1.82%	1	25.00%	1	0.31%	0	0.00%	40	3.85%
Process Terminated, Adverse Action Initiated Against Complainant	1	0.21%	0	0.00%	0	0.00%	0	0.00%	1	25.00%	0	0.00%	0	0.00%	2	0.19%
Right to Sue Letter Issued	2	0.41%	45	41.28%	25	38.46%	1	1.82%	0	0.00%	0	0.00%	0	0.00%	73	7.02%
Resolved through Mediation	2	0.41%	1	0.92%	1	1.54%	0	0.00%	0	0.00%	12	3.73%	0	0.00%	16	1.54%

Table 3 - Continued

**Disposition of Closed
Discrimination Complaints
1/1/2004 – 12/31/2004**

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	
No Remedy Possible	17	3.51%	4	3.67%	0	0.00%	1	1.82%	0	0.00%	3	0.93%	0	0.00%	25	2.40%
Informal Resolved	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	135	41.93%	0	0.00%	135	12.98%
Informal Not Resolved - Complainant Did Not Pursue	0	0.00%	0	0.00%	0	0.00%	1	1.82%	0	0.00%	24	7.45%	0	0.00%	25	2.40%
Informal Not Resolved - Complainant Filed Formal Complaint	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	11	3.42%	0	0.00%	11	1.06%
Court Case withdrawn, settlement	1	0.21%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	1	0.10%
Subtotal	241	49.79%	67	61.47%	38	58.46%	12	21.82%	2	50.00%	293	90.99%	0	0.00%	653	62.79%
Total Complaints Closed	484	100.00%	109	100.00%	65	100.00%	55	100.00%	4	100.00%	322	100.00%	1	100.00%	1040	100.00%
Court Case Pending	0		0		0		0		0		0		27		27	
Complaint Pending	664		124		72		93		2		57		0		1012	

Table 4

**Actions Taken Against Responsible Parties
1/1/2004 – 12/31/2004**

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	4	0.83%	0	0.00%	0	0.00%	3	5.45%	0	0.00%	5	1.55%	0	0.00%	12	1.15%
Informal Reprimand	1	0.21%	0	0.00%	0	0.00%	1	1.82%	0	0.00%	3	0.93%	0	0.00%	5	0.48%
Formal Reprimand	9	1.86%	0	0.00%	0	0.00%	4	7.27%	0	0.00%	0	0.00%	0	0.00%	13	1.25%
Reassignment	1	0.21%	0	0.00%	0	0.00%	1	1.82%	0	0.00%	1	0.31%	0	0.00%	3	0.29%
Suspension	3	0.62%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	3	0.29%
Reduction in Salary	1	0.21%	0	0.00%	0	0.00%	1	1.82%	0	0.00%	0	0.00%	0	0.00%	2	0.19%
Demotion	0	0.00%	0	0.00%	0	0.00%	1	1.82%	0	0.00%	0	0.00%	0	0.00%	1	0.10%
Dismissal	10	2.07%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	10	0.96%
Required Training	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	1	0.31%	0	0.00%	1	0.10%
No Action Taken	5	1.03%	0	0.00%	2	1.54%	3	5.45%	0	0.00%	1	0.31%	0	0.00%	11	0.96%
Total Discrimination Found	34	7.02%	0	0%	2	3.08%	14	25.45%	0	0%	11	3.42%	0	0%	61	5.87%

Table 4 – Continued

**Actions Taken Against Responsible Parties
1/1/2004 – 12/31/2004**

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 Not Found	Formal		DFEH		EEOC		MI		Grievance		Informal		Court		Total	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Verbal Counseling	7	1.45%	0	0.00%	0	0.00%	5	9.09%	0	0.00%	0	0.00%	0	0.00%	12	1.15%
Informal Reprimand	5	1.03%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	1	0.31%	0	0.00%	6	0.58%
Formal Reprimand	1	0.21%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	1	0.10%
Reassignment	2	0.41%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	2	0.19%
Reduction in Salary	0	0.00%	0	0.00%	0	0.00%	1	1.82%	0	0.00%	0	0.00%	0	0.00%	1	0.10%
Demotion	1	0.21%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	1	0.10%
Dismissal	1	0.21%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	1	0.10%
Required Training	6	1.24%	0	0.00%	0	0.00%	1	1.82%	0	0.00%	0	0.00%	0	0.00%	7	0.67%
No Action Taken	186	37.40%	42	34.86%	25	38.46%	22	40.00%	2	50.00%	17	5.28%	1	100.00%	295	27.50%
Total Discrimination Not Found	209	43.18%	42	38.53%	25	38.46%	29	52.73%	2	50.00%	18	5.59%	1	100.00%	326	31.35%

Table 4 – Continued

**Actions Taken Against Responsible Parties
1/1/2004 – 12/31/2004**

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	Formal		DFEH		EEOC		MI		Grievance		Informal		Court		Total	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Verbal Counseling	3	0.62%	0	0.00%	0	0.00%	3	5.45%	0	0.00%	32	9.94%	0	0.00%	38	3.65%
Informal Reprimand	5	1.03%	0	0.00%	1	1.54%	0	0.00%	0	0.00%	12	3.73%	0	0.00%	18	1.73%
Formal Reprimand	4	0.83%	1	0.92%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	5	0.48%
Reassignment	6	1.24%	0	0.00%	1	1.54%	0	0.00%	0	0.00%	6	1.86%	0	0.00%	13	1.25%
Demotion	0	0.00%	1	0.92%	0	0.00%	0	0.00%	1	25.00%	0	0.00%	0	0.00%	2	0.19%
Dismissal	3	0.62%	1	0.92%	4	6.15%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	8	0.77%
Required Training	4	0.83%	2	1.83%	1	1.54%	0	0.00%	0	0.00%	5	1.55%	0	0.00%	12	1.15%
No Action Taken	217	43.80%	62	55.96%	31	44.62%	9	16.36%	1	25.00%	238	68.32%	0	0.00%	557	51.15%
Total Investigation Not Completed	241	49.79%	67	61.47%	38	58.46%	12	21.82%	2	50.00%	293	90.99%	0	0%	653	62.79%
Total	484	100.00%	109	100.00%	65	100.00%	55	100.00%	4	100.00%	322	100.00%	1	100.00%	1040	100.00%

Table 5**Time to Close Formal Discrimination Complaints
1/1/2004 – 12/31/2004**

Department	Investigation Time				
	Total Closed	0-89 Days	90-179 Days	180+ Days	Average Time (Days)
ALCOHOL AND DRUG PROGRAMS, DEPARTMENT OF	1	0	0	1	311
BOARD OF CONTROL	1	0	1	0	141
CALIFORNIA CONSERVATION CORPS	15	7	6	2	146
CALIFORNIA HIGHWAY PATROL, DEPARTMENT OF	6	5	1	0	57
CALIFORNIA SCIENCE CENTER	2	1	1	0	95
CALIFORNIA STATE LOTTERY	0	0	0	0	0
COMPENSATION INSURANCE FUND, STATE	17	17	0	0	37
CONSERVATION, DEPARTMENT OF	0	0	0	0	0
CONSUMER AFFAIRS, DEPARTMENT OF	17	4	5	8	184
CONTROLLER, OFFICE OF STATE THE	0	0	0	0	0
CORRECTIONS, DEPARTMENT OF	91	78	6	7	65
DEVELOPMENTAL SERVICES, AGNEWS DEVELOPMENTAL CENTER	0	0	0	0	0
DEVELOPMENTAL SERVICES, CANYON SPRINGS SMALL FACILITY	0	0	0	0	0
DEVELOPMENTAL SERVICES, DEPARTMENT OF	8	3	0	5	148
DEVELOPMENTAL SERVICES, FAIRVIEW DEVELOPMENTAL CENTER	4	2	1	1	220
DEVELOPMENTAL SERVICES, LANTERMAN DEVELOPMENTAL CENTER	3	1	1	1	135
DEVELOPMENTAL SERVICES, PORTERVILLE DEVELOPMENTAL CENTER	13	2	3	8	382
DEVELOPMENTAL SERVICES, SIERRA VISTA SMALL FACILITY	0	0	0	0	0
DEVELOPMENTAL SERVICES, SONOMA DEVELOPMENTAL CENTER	9	7	2	0	35
EMPLOYMENT DEVELOPMENT DEPARTMENT	21	15	4	2	75
EQUALIZATION, BOARD OF	4	2	2	0	81
FAIR EMPLOYMENT AND HOUSING, DEPARTMENT OF	0	0	0	0	0
FINANCE, DEPARTMENT OF	1	1	0	0	48
FISH AND GAME, DEPARTMENT OF	4	1	2	1	174
FOOD AND AGRICULTURE, DEPT OF	5	4	0	1	71

Table 5 – Continued

Time to Close Formal Discrimination Complaints 1/1/2004 – 12/31/2004

Department	Investigation Time				
	Total Closed	0-89 Days	90-179 Days	180+ Days	Average Time (Days)
FORESTRY AND FIRE PROTECTION, DEPARTMENT OF	22	8	10	4	125
FRANCHISE TAX BOARD	2	2	0	0	47
GENERAL SERVICES, DEPARTMENT OF	4	2	2	0	58
HEALTH & HUMAN SERVICES AGENCY DATA CENTER	0	0	0	0	0
HEALTH SERVICES, DEPARTMENT OF	23	14	6	3	92
INDUSTRIAL RELATIONS, DEPARTMENT OF	4	1	1	2	176
INSURANCE, DEPARTMENT OF	3	0	1	2	234
JUSTICE, DEPARTMENT OF	18	5	6	7	143
MANAGED HEALTH CARE, DEPARTMENT OF	0	0	0	0	0
MENTAL HEALTH, ATASCADERO STATE HOSPITAL	1	1	0	0	46
MENTAL HEALTH, NAPA STATE HOSPITAL	1	1	0	0	13
MENTAL HEALTH, PATTON STATE HOSPITAL	5	5	0	0	60
MENTAL HEALTH, VACAVILLE PSYCHIATRIC PROGRAM	4	2	2	0	96
MOTOR VEHICLES, DEPARTMENT OF	23	13	10	0	70
OFFICE OF EMERGENCY SERVICES	1	1	0	0	39
OFFICE OF STATEWIDE HEALTH PLANNING & DEVP	2	1	0	1	125
PARKS AND RECREATION, DEPT OF	1	0	0	1	409
PUBLIC UTILITIES COMMISSION	1	1	0	0	54
REHABILITATION, DEPARTMENT OF	2	1	0	1	129
SOCIAL SERVICES, DEPARTMENT OF	14	10	2	2	97
STEPHEN P. TEALE CONSOLIDATED DATA CENTER	0	0	0	0	0
TRANSPORTATION, DEPARTMENT OF	40	10	8	22	220
TREASURER, STATE	0	0	0	0	0
VETERANS AFFAIRS, DEPARTMENT OF	13	4	3	6	148
WATER RESOURCES CONTROL BOARD, STATE	1	0	0	1	490
YOUTH AUTHORITY, DEPARTMENT OF THE	27	10	6	11	216
Totals	434	242	92	100	108

Table 6**Active Formal Complaints Exceeding 180 Days
As of April 2005**

Department	# Complaints
AIR RESOURCES BOARD, STATE	1
BOARD OF PRISON TERMS	2
BOATING AND WATERWAYS, DEPARTMENT OF	1
CALIFORNIA CONSERVATION CORPS	2
CALIFORNIA SCIENCE CENTER	2
COMMUNITY SERVICES & DEVELOPMENT, DEPARTMENT OF	3
COMPENSATION INSURANCE FUND, STATE	14
CONTROLLER, OFFICE OF STATE THE	1
CORRECTIONS, DEPARTMENT OF	407
DEVELOPMENTAL SERVICES, AGNEWS DEVP CENTER	1
DEVELOPMENTAL SERVICES, CANYON SPRINGS SM FACILITY	1
DEVELOPMENTAL SERVICES, FAIRVIEW DEVP CENTER	6
DEVELOPMENTAL SERVICES, LANTERMAN DEVP CENTER	1
DEVELOPMENTAL SERVICES, PORTERVILLE DEVP CENTER	4
DEVELOPMENTAL SERVICES, SIERRA VISTA SMALL FACILITY	1
EDUCATION, DEPARTMENT OF	1
FINANCE, DEPARTMENT OF	3
FISH AND GAME, DEPARTMENT OF	1
FOOD AND AGRICULTURE, DEPARTMENT OF	4
FORESTRY AND FIRE PROTECTION, DEPARTMENT OF	3
GENERAL SERVICES, DEPARTMENT OF	3
HEALTH SERVICES, DEPARTMENT OF	7
INDUSTRIAL RELATIONS, DEPARTMENT OF	10
INSURANCE, DEPARTMENT OF	5
MANAGED HEALTH CARE, DEPARTMENT OF	1
MENTAL HEALTH, ATASCADERO STATE HOSPITAL	1
MENTAL HEALTH, DEPARTMENT OF	7
MENTAL HEALTH, METROPOLITAN STATE HOSPITAL	1
MENTAL HEALTH, PATTON STATE HOSPITAL	4
MOTOR VEHICLES, DEPARTMENT OF	5

Table 6 – Continued

**Active Formal Complaints Exceeding 180 Days
As of April 2005**

Department	# Complaints
OFFICE OF EMERGENCY SERVICES	14
PARKS AND RECREATION, DEPARTMENT OF	9
PERSONNEL BOARD, STATE	1
PESTICIDE REGULATION, DEPARTMENT OF	2
PRISON INDUSTRY AUTHORITY	1
REHABILITATION, DEPARTMENT OF	5
SOCIAL SERVICES, DEPARTMENT OF	5
STEPHEN P. TEALE CONSOLIDATED DATA CENTER	2
TRANSPORTATION, DEPARTMENT OF	40
VETERANS AFFAIRS, DEPARTMENT OF	2
WATER RESOURCES, DEPARTMENT OF	11
YOUTH AUTHORITY, DEPARTMENT OF THE	28

Total Number of Active Complaints Exceeding 180 Days: 623

Number of Departments with Complaints Exceeding 180 Days: 42

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
1/1/2004 – 12/31/2004**

Department Name	Time and Cost				
	Admin Time (Hrs)	Admin Costs*	Legal Costs	Damages Awarded/Settlement	Total Cost
AGRICULTURAL LABOR RELATIONS BOARD					DNR
AIR RESOURCES BOARD, STATE					DNR
ALCOHOL AND DRUG PROGRAMS, DEPARTMENT OF					DNR
CALIFORNIA CONSERVATION CORPS	779.4	\$30,022.14	\$0.00	\$0.00	\$30,022.14
CALIFORNIA HIGHWAY PATROL, DEPARTMENT OF	489.3	\$26,735.40	\$0.00	\$0.00	\$26,735.40
CALIFORNIA SCIENCE CENTER	18	\$1,100.00	\$0.00	\$0.00	\$1,100.00
CALIFORNIA STATE LOTTERY	41	\$2,558.00	\$0.00	\$0.00	\$2,558.00
COMMUNITY SERVICES & DEVELOPMENT, DEPARTMENT OF					DNR
COMPENSATION INSURANCE FUND, STATE	189	\$0.00	\$0.00	\$0.00	\$0.00
CONSERVATION, DEPARTMENT OF	8	\$0.00	\$0.00	\$0.00	\$0.00
CONSUMER AFFAIRS, DEPARTMENT OF	837.5	\$23,835.85	\$0.00	\$0.00	\$23,835.85
CONTROLLER, OFFICE OF STATE THE	74	\$3,934.00	\$153.00	\$0.00	\$4,087.00
CORPORATIONS, DEPARTMENT OF					DNR
CORRECTIONS, DEPARTMENT OF					DNR

*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 7 - Continued

**Partial Time and Costs Expended on Discrimination Complaints As
Reported by Some Departments
1/1/2004 – 12/31/2004**

Department Name	Time and Cost				
	Admin Time (Hrs)	Admin Costs	Legal Costs	Damages Awarded/Settlement	Total Cost
DEVELOPMENTAL SERVICES, AGNEWS DEVELOPMENTAL CENTER	3	\$75.00	\$0.00	\$0.00	\$75.00
DEVELOPMENTAL SERVICES, CANYON SPRINGS SMALL FACILITY	3	\$86.40	\$0.00	\$0.00	\$86.40
DEVELOPMENTAL SERVICES, DEPARTMENT OF	0	\$0.00	\$0.00	\$10,000.00	\$10,000.00
DEVELOPMENTAL SERVICES, FAIRVIEW DEVELOPMENTAL CENTER					<i>DNR</i>
DEVELOPMENTAL SERVICES, LANTERMAN DEVELOPMENTAL CENTER	0	\$0.00	\$0.00	\$70,000.00	\$70,000.00
DEVELOPMENTAL SERVICES, PORTERVILLE DEVELOPMENTAL CENTER	285.1	\$7,649.91	\$2,000.00	\$11,975.50	\$21,625.41
DEVELOPMENTAL SERVICES, SIERRA VISTA SMALL FACILITY					<i>DNR</i>
DEVELOPMENTAL SERVICES, SONOMA DEVELOPMENTAL CENTER					<i>DNR</i>
EDUCATION, DEPARTMENT OF					<i>DNR</i>
EMPLOYMENT DEVELOPMENT DEPARTMENT	426.5	\$11,626.00	\$1,325.00	\$120.00	\$13,071.00
EQUALIZATION, BOARD OF	669.25	\$0.00	\$0.00	\$0.00	\$0.00
FINANCE, DEPARTMENT OF	21	\$335.89	\$0.00	\$0.00	\$335.89
FISH AND GAME, DEPARTMENT OF	95	\$3,500.00	\$2,000.00	\$0.00	\$5,500.00

Table 7 - Continued

**Partial Time and Costs Expended on Discrimination Complaints As
Reported by Some Departments
1/1/2004 – 12/31/2004**

Department Name	Time and Cost				
	Admin Time (Hrs)	Admin Costs	Legal Costs	Damages Awarded/Settlement	Total Cost
FOOD AND AGRICULTURE, DEPARTMENT OF	43	\$0.00	\$0.00	\$0.00	\$0.00
FORESTRY AND FIRE PROTECTION, DEPARTMENT OF					<i>DNR</i>
FRANCHISE TAX BOARD	409.5	\$5,428.00	\$0.00	\$0.00	\$5,428.00
GENERAL SERVICES, DEPARTMENT OF					<i>DNR</i>
HEALTH & HUMAN SERVICES AGENCY DATA CENTER					<i>DNR</i>
HEALTH SERVICES, DEPARTMENT OF					<i>DNR</i>
HOUSING & COMMUNITY DEVELOPMENT, DEPARTMENT OF	260	\$19,000.00	\$0.00	\$0.00	\$19,000.00
INDUSTRIAL RELATIONS, DEPARTMENT OF	413	\$26,800.00	\$33,618.00	\$12,200.00	\$72,618.00
INSURANCE, DEPARTMENT OF					<i>DNR</i>
JUSTICE, DEPARTMENT OF	208.15	\$0.00	\$0.00	\$0.00	\$0.00
LEGISLATIVE COUNSEL BUREAU	89	\$4,817.19	\$0.00	\$0.00	\$4,817.19
MANAGED HEALTH CARE, DEPARTMENT OF					<i>DNR</i>
MENTAL HEALTH, ATASCADERO STATE HOSPITAL	20	\$0.00	\$0.00	\$0.00	\$0.00
MENTAL HEALTH, DEPARTMENT OF					<i>DNR</i>

Table 7 - Continued

**Partial Time and Costs Expended on Discrimination Complaints As
Reported by Some Departments
1/1/2004 – 12/31/2004**

Department Name	Time and Cost				
	Admin Time (Hrs)	Admin Costs	Legal Costs	Damages Awarded/Settlement	Total Cost
MENTAL HEALTH, METROPOLITAN STATE HOSPITAL					<i>DNR</i>
MENTAL HEALTH, NAPA STATE HOSPITAL					<i>DNR</i>
MENTAL HEALTH, PATTON STATE HOSPITAL					<i>DNR</i>
MENTAL HEALTH, SALINAS VALLEY PSYCHIATRIC PROGRAM					<i>DNR</i>
MENTAL HEALTH, VACAVILLE PSYCHIATRIC PROGRAM	107	\$3,001.47	\$0.00	\$0.00	\$3,001.47
MOTOR VEHICLES, DEPARTMENT OF					<i>DNR</i>
OFFICE OF EMERGENCY SERVICES					<i>DNR</i>
OFFICE OF STATEWIDE HEALTH PLANNING & DEVELOP	44	\$1,280.00	\$6,534.83	\$0.00	\$7,814.83
PARKS AND RECREATION, DEPARTMENT OF	37	\$1,060.00	\$18.00	\$0.00	\$1,078.00
PESTICIDE REGULATION, DEPARTMENT OF					<i>DNR</i>
PRISON INDUSTRY AUTHORITY					<i>DNR</i>
PUBLIC EMPLOYEES RETIREMENT SYSTEM					<i>DNR</i>
PUBLIC UTILITIES COMMISSION	40	\$1,427.00	\$0.00	\$0.00	\$1,427.00
REHABILITATION, DEPARTMENT OF					<i>DNR</i>
SECRETARY OF STATE	60	\$2,000.00	\$20,000.00	\$0.00	\$22,000.00

Table 7 - Continued**Partial Time and Costs Expended on Discrimination Complaints As
Reported by Some Departments
1/1/2004 – 12/31/2004**

Department Name	Time and Cost				
	Admin Time (Hrs)	Admin Costs	Legal Costs	Damages Awarded/Settlement	Total Cost
SOCIAL SERVICES, DEPARTMENT OF	576	\$16,484.10	\$1,230.00	\$0.00	\$17,714.10
STATE LANDS COMMISSION	3.5	\$302.00	\$0.00	\$0.00	\$302.00
STEPHEN P. TEALE CONSOLIDATED DATA CENTER	80	\$2,400.00	\$2,000.00	\$0.00	\$4,400.00
TEACHERS RETIREMENT SYSTEM, STATE	174	\$6,500.00	\$2,000.00	\$0.00	\$8,500.00
TOXIC SUBSTANCES CONTROL, DEPARTMENT OF					<i>DNR</i>
TRANSPORTATION, DEPARTMENT OF					<i>DNR</i>
TREASURER, STATE	3	\$163.00	\$0.00	\$0.00	\$163.00
UNEMPLOYMENT INSURANCE APPEALS BOARD					<i>DNR</i>
VETERANS AFFAIRS, DEPARTMENT OF					<i>DNR</i>
WATER RESOURCES CONTROL BOARD, STATE					<i>DNR</i>
WATER RESOURCES, DEPARTMENT OF	136	\$0.00	\$0.00	\$0.00	\$0.00
YOUTH AUTHORITY, DEPARTMENT OF THE					<i>DNR</i>
Totals	6,656	\$202,122.00	\$70,879.00	\$104,296.00	\$377,297.00

Table 8**Outcome of Discrimination Complaints Appealed
To the State Personnel Board in 2004**

		2004
	DISPOSITION	#
		%
<i>Appeals Decided or Settled</i>		
	Negotiated Settlement	0
	Stipulation Approved by the Executive Officer	41
	ALJ Granted/Board Adopted	5
	ALJ Denied/Board Adopted	16
	ALJ Sustained Adverse Action/Board Adopted	0
	Board Granted	1
	Board Denied	0
	Staff Denied/No Board Action	4
	Subtotal:	67
		26.70%
<i>Other Appeals Closed</i>		
	Appeal Not Accepted – No Jurisdiction, No Grounds, or Not Timely	38
	Appeal Withdrawn	58
	Appellant Did Not Appear For Hearing	5
	Subtotal:	101
		40.25%
SUMMARY		
	Total Appeals Closed:	168
		66.93%
	Total Appeals Pending:	83
		33.07%
	TOTAL APPEALS:	251
		100.00%