

Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act EEO Complaint Data Fiscal Year 2021, Quarter 1

Office of Diversity and Civil Rights 31 December 2021



U.S. Immigration and Customs Enforcement Equal Employment Opportunity Data Posted Pursuant to the No Fear Act

For 1st Quarter 2021 for period ending December 31, 2020

Comparative Data

Complaint Activity	P	reviou	s Fisca	l Year	Data		004551 40.04
	2016	2017	7 201	8 201	19 20	20	021Thru12-31
Number of Complaints Filed	213	227	201	1 14	5 18	34	36
Number of Complainants	199	207	193	3 14	3 1	76	35
Repeat Filers	10	13	7	2		3	1
Completed by Dorto				Com	parati	ve Dat	ta
Complaints by Basis		Pre	vious]	D ata			
Note: Complaints can be filed alleging multiple bases. The su the bases may not equal total complaints filed.	m of	2016	2017	2018	2019	2020	2021Thru12- 31
Race		84	96	81	55	67	16
Color		29	49	32	20	32	9
Religion		12	15	13	4	7	1
Reprisal		128	127	124	67	97	20
Sex		90	88	79	56	70	14
PDA		3	0	6	2	2	0
National Origin		54	64	54	21	36	11
Equal Pay Act		0	5	2	1	0	1
Age		98	98	61	51	59	11

Disability	43	58	44	38	57	8
Genetics	0	0	1	0	0	0
Non-EEO	19	15	15	12	7	5
			Com	parati	ve Dat	a
Complaints by Issue	Pre	vious l	Fiscal '	Year D	ata	
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.	2016	2017	2018	2019	2020	2021Thru12- 31
Appointment/Hire	8	18	10	19	17	1
Assignment of Duties	38	38	36	10	25	3
Awards	4	5	1	0	3	1
Conversion to Full Time/Perm Status	0	0	0	0	0	0
Disciplinary Action						
Demotion	0	0	0	1	2	1
Reprimand	6	13	8	4	7	3
Suspension	10	8	9	4	4	3
Removal	0	5	4	2	1	0
Duty Hours	4	3	6	2	0	1
Perf. Eval./ Appraisal	22	34	32	28	23	5
Examination/Test	2	0	1	0	1	0
Harassment						
Non-Sexual	87	105	85	58	76	15
Sexual	10	13	8	5	9	1
Medical Examination	1	4	2	7	5	0
Pay including overtime	11	18	5	3	10	1
Promotion/Non-Selection	94	77	51	28	28	7
Reassignment						
Denied	8	21	9	6	4	0

Directed	15	29	20	5	11	2
Reasonable Accommodation Disability	12	18	18	13	15	2
Reinstatement	0	0	1	1	1	0
Religious Accommodation	1	1	0	0	0	0
Retirement	3	0	1	2	2	0
Sex-Stereotyping	1	0	0	0	0	0
Telework	5	4	5	2	4	2
Termination	6	8	12	8	15	6
Terms/Conditions of Employment	36	50	57	13	15	0
Time and Attendance	20	34	18	3	18	4
Training	15	15	7	6	4	0
		Co	mpara	tive Da	ata	

			Data			
Processing Time	F	Previous	Fiscal Y	ear Dat	a	2021Thru12-
	2016	2017	2018	2019	2020	31
Complaints pending during f	iscal yea	r				
Average number of days in investigation	285.73	281.87	363.83	439.84	345.50	277.09
Average number of days in final action	147.72	195.93	124.31	206.53	182.44	224.17
Complaint pending during fi	scal year	where h	earing wa	as reques	sted	
Average number of days in investigation	293.17	254.35	372.12	455.71	340.14	314.36
Average number of days in final action	98.45	89.62	64.96	76.32	114.74	121.47
Complaint pending during fi	scal year	where h	earing wa	as not red	quested	
Average number of days in investigation	278.81	328.29	348.90	432.91	351.38	246.24
Average number of days in final action	196.76	340.74	348.77	418.49	395.56	334.21

							Co	mp	arati	ve]	Data	ı	
Complaints Dismissed by Ag	enc	y	J	Pre	vio	us I	iscal	Ye	ar D	ata		2021T	hru12-
			20	16	20	17	2018	2	019	20	20	3	31
Total Complaints Dismissed by Agency	7		12	2	19	9	21		15	2	4		7
Average days pending prior to dismissal			40)3	20	06	295		281	37	75	1	29
Complai	nts	Wi	ithd	lra	wn	by	Comp	olai	inant	s			
Total Complaints Withdrawn b Complainants	y		10	6	1'	7	14		18	2:	3		6
	Π					(Comp	ara	ative	Da	ta		
Total Final Agency Actions			Pre	evi	ous	Fis	cal Y	ear	Data	a		20217	Thru12-
Finding Discrimination	20	2016 201		17	20	018	20	019	20	20		31	
	#	%	, #	1	%	#	%	#	%	#	%	#	%
Total Number Findings	3		2			1		1		8		0	
Without Hearing	2	67	7 2	1	00	0	0	1	100	6	75	0	0
With Hearing	1	33	0		0	1	100	0	0	2	25	0	0
Findings of Discrimination						(Comp	ara	tive]	Dat	ta		
Rendered by Basis			Pre	evi	ous	Fis	cal Y	ear	Data	a		2021	Thru12-
Note: Complaints can be	2	016		20	17	2	018	2	019	20	020		31
filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.	#	%	, #	¥	%	#	%	#	%	#	%	#	%
Total Number Findings	2		2	2		1		1		8		0	
Race	0	0	()	0	0	0	1	100	2	25	0	0
Color	0	0	()	0	0	0	0	0	2	25	0	0
Religion	0	0	()	0	0	0	0	0	0	0	0	0
Reprisal	1	50) ()	0	1	100	0	0	5	63	0	0

2 100 2 100 0

Sex

PDA

5 63

National Origin	0	0	0	0	0	0	0	0	2	25	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	4	50	0	0
Disability	0	0	1	50	1	100	0	0	2	25	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	1	50	0	0	0	0	0	0	1	13	0	0
Findings After Hearing	1		0		1		1		2		0	
Race	0	0	0	0	0	0	1	100	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	1	100	0	0	1	100	0	0	1	50	0	0
Sex	1	100	0	0	0	0	0	0	1	50	0	0
PDA	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 Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	1	50	0	0
Disability	0	0	0	0	1	100	0	0	1	50	0	0
Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	1	100	0	0	0	0	0	0	1	50	0	0
Findings Without Hearing	1		2		0		0		6		0	
Race	0	0	0	0	0	0	0	0	2	33	0	0
Color	0	0	0	0	0	0	0	0	2	33	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	4	67	0	0
Sex	1	100	2	100	0	0	0	0	4	67	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0	0
	_				-		_		-			

National Origin	0	0	0	0	Τ,	0 0		0 0		2	33	0	0
Equal Pay Act	0	0	0	0	\dashv	0 0		0 0	+	0	0	0	0
Age	0	0	0	0	1	0 0		0 0		3	50	0	0
Disability	0	0	1	50		0 0		0 0		1	17	0	0
Genetics	0	0	0	0		0 0		0 0		0	0	0	0
Non-EEO	0	0	0	0		0 0		0 0		0	0	0	0
						Com	ıpaı	rative	Da	ata	<u> </u>	<u> </u>	<u> </u>
Findings of Discrimination		P	rev	ious	Fi		_	r Da				20217	
Rendered by Issue	2	016	20)17	2	018	2	019	2	02	0		31
	#	%	#	%	#	%	#	%	#	0	%	#	%
Total Number Findings	2		2		1		1		8			0	
Appointment/Hire	1	50	0	0	0	0	0	0	0	(0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	1	1	3	0	0
Awards	0	0	0	0	0	0	0	0	0		0	0	0
Conversion to Full Time/Perm Status	0	0	0	0	0	0	0	0	0	(0	0	0
Disciplinary Action													
Demotion	0	0	0	0	0	0	0	0	0	(0	0	0
Reprimand	1	50	0	0	0	0	0	0	0	(0	0	0
Suspension	0	0	0	0	0	0	0	0	0	(0	0	0
Removal	0	0	0	0	0	0	0	0	0	(0	0	0
Duty Hours	1	50	0	0	0	0	0	0	0	(0	0	0
Perf. Eval./ Appraisal	0	0	0	0	1	100	0	0	5	6	53	0	0
Examination/Test	0	0	1	50	0	0	0	0	0	(0	0	0
Harassment													
Non-Sexual	1	50	0	0	0	0	1	100	4	5	0	0	0
Sexual	1	50	0	0	0	0	0	0	1	1	3	0	0
Medical Examination	0	0	0	0	0	0	0	0	1	1	3	0	0
Pay including overtime	0	0	0	0	0	0	0	0	0		0	0	0

Promotion/Non-Selection	1	50	0	0	0	0	0	0	3	38	0	0
Reassignment												
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	3	38	0	0
Reasonable Accommodation Disability	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
Religious Accommodation	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
Sex-Stereotyping	0	0	0	0	0	0	0	0	0	0	0	0
Telework	0	0	0	0	0	0	0	0	1	13	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	1	50	1	50	0	0	0	0	3	38	0	0
Time and Attendance	1	50	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Findings After Hearing	1		0		1		1		2		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	1	50	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full Time/Perm Status	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action		_		-		-						_
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	1	100	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	1	100	0	0	0	0	0	0	0	0	0	0

Perf. Eval./ Appraisal	0	0	0	0	1	100	0	0	2	100	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment	_				_							
Non-Sexual	1	100	0	0	0	0	1	100	2	100	0	0
Sexual	1	100	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
Promotion/Non-Selection	1	100	0	0	0	0	0	0	0	0	0	0
Reassignment												
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	2	100	0	0
Reasonable Accommodation Disability	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
Religious Accommodation	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
Sex-Stereotyping	0	0	0	0	0	0	0	0	0	0	0	0
Telework	0	0	0	0	0	0	0	0	1	50	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	1	100	0	0	0	0	0	0	2	100	0	0
Time and Attendance	1	100	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing	1		2		0		0		6		0	
Appointment/Hire	1	100	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/Perm Status	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action		-				-				-		
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
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	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
Perf. Eval./ Appraisal	0	0	0	0	0	0	0	0	3	50	0	0
Examination/Test	0	0	1	50	0	0	0	0	0	0	0	0
Harassment												
Non-Sexual	0	0	0	0	0	0	0	0	2	33	0	0
Sexual	0	0	0	0	0	0	0	0	1	17	0	0
Medical Examination	0	0	0	0	0	0	0	0	1	17	0	0
Pay including overtime	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	3	50	0	0
Reassignment												
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	1	17	0	0
Reasonable Accommodation Disability	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
Religious Accommodation	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
Sex-Stereotyping	0	0	0	0	0	0	0	0	0	0	0	0
Telework	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
Terms/Conditions of Employment	0	0	1	50	0	0	0	0	1	17	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

Training		0 0	0	0 0	0 () 0	0	0				
				Com	parati	ve Dat	a					
Pending Complaints Fil Previous Fiscal Years by		Pre	vious]	Fiscal `	Year D	ata	20217	Γhru12-				
2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	2 444 42	2016	2017	2018	2019	2020		31				
Total complaints from previous Fiscal Years	ous	277	340	410	388	333		150				
Total Complainants		259	300	350	344	302	3	399				
Number complaints pendin	ıg											
Investigation		2	11	28	30	5		75				
ROI issued, pending Complainant's action		0	9	12	10	5		5				
Hearing		218	248	244	219	173	1	198				
Final Agency Action		35	31	84	117	141	1	154				
Appeal with EEOC Office Federal Operations	ce of	91	97	105	141	165]	177				
			Comparative Data									
Complaint Investigation	ons	Pre	evious]	Fiscal `	Year D	ata	2021	Γhru12-				
		2016	2017	2018	2019	2020		31				
Pending Complaints Where Investigations Exceed Requireme Frames	red	20	34	55	76	19		25				