

Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act EEO Complaint Data Fiscal Year 2021, Quarter 2

Office of Diversity and Civil Rights

31 March 2021



U.S. Immigration and Customs Enforcement

## U.S. Immigration and Customs Enforcement Equal Employment Opportunity Data Posted

## Pursuant to the No Fear Act

For 2nd Quarter 2021 for period ending March 31, 2021

			Co	ompara	tive Da	ıta
<b>Complaint Activity</b>	Pr	evious	Fiscal Y	Year D	ata	2021TI 02 21
	2016	2017	2018	2019	2020	2021Thru03-31
Number of Complaints Filed	213	227	201	145	184	72
Number of Complainants	199	207	193	143	176	69
Repeat Filers	10	13	7	2	8	3
Complaints by Pasis			ita			
Complaints by Basis	Pr	evious				
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.	2016	2017	2018	2019	2020	2021Thru03-31
Race	84	96	81	55	67	34
Color	29	49	32	20	32	14
Religion	12	15	13	4	7	1
Reprisal	128	127	124	67	97	43
Sex	90	88	79	56	70	30
PDA	3	0	6	2	2	0
National Origin	54	64	54	21	36	24
Equal Pay Act	0	5	2	1	0	2
Age	98	98	61	51	59	25
Disability	43	58	44	38	57	17

Genetics		0	0	1	0	0	0
Non-EEO		19	15	15	12	7	7
				Comp	arativ	e Data	
Complaints by Issue		Previou	s Fisca	l Year	r Data		
Note: Complaints can be filed alleging multiple bases.The sum of the bases may not equal total complaints filed.	2016 2017		201	8 2	2019	2020	2021Thru03-31
Appointment/Hire	8	18	10		19	17	2
Assignment of Duties	38	38	36		10	25	8
Awards	4	5	1		0	3	2
Conversion to Full Time/Perm Status	0	0	0		0	0	0
<b>Disciplinary Action</b>							
Demotion	0	0	0		1	2	2
Reprimand	6	13	8		4	7	5
Suspension	10	8	9		4	4	3
Removal	0	5	4		2	1	0
Duty Hours	4	3	6		2	0	2
Perf. Eval./ Appraisal	22	34	32		28	23	9
Examination/Test	2	0	1		0	1	0
Harassment							
Non-Sexual	87	105	85		58	76	31
Sexual	10	13	8		5	9	1
Medical Examination	1	4	2		7	5	0
Pay including overtime	11	18	5		3	10	2
Promotion/Non-Selection	94	77	51		28	28	12
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	1
Sex-Stereotyping	1	0	0	0	0	0
Telework	5	4	5	2	4	2
Termination	6	8	12	8	15	12
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	1
			Cor	nparativ	e Data	
<b>Processing Time</b>		Previous	Fiscal Y	ear Data		2021Thru03-31
	2016	2017	2018	2019	2020	20211111005-51
Complaints pending during						
Penaning adding	, fiscal ye	ar				
Average number of days in investigation	g fiscal yes 285.73	ar 281.87	363.83	439.84	345.50	279.86
Average number of			363.83	439.84 206.53	345.50 182.44	279.86 283.18
Average number of days in investigation Average number of	285.73 147.72	281.87 195.93	124.31	206.53	182.44	
Average number of days in investigation Average number of days in final action	285.73 147.72	281.87 195.93	124.31	206.53	182.44	
Average number of days in investigation Average number of days in final action Complaint pending during Average number of	285.73 147.72 fiscal yea	281.87 195.93 r where h	124.31 learing wa	206.53 as request	182.44 ted	283.18
Average number of days in investigationAverage number of days in final actionComplaint pending duringAverage number of days in investigationAverage number of days in investigation	285.73 147.72 fiscal yea 293.17 98.45	281.87 195.93 r where h 254.35 89.62	124.31 earing wa 372.12 64.96	206.53 as request 455.71 76.32	182.44 ted 340.14 114.74	283.18 290.21

Average nur days in final			1	96.	76	340.74	34	8.7	7	418.4	.9	395.56		4	15.53																				
								Co	mp	oarati	ve	Data			1																				
Complaint					Р	reviou	s Fis	cal	Ye	ear Da	ita	l																							
Dismissed by A	gen	ey 🗌	20	16		2017	2	201	8	201 9		2020	2	2021	1Thru03-31																				
Total Complaint Dismissed by A		y	1	2		19		21		15	24				9																				
Average days pe prior to dismissa		g	4(	)3		206		295	5 281 375			375		118																					
			Con	npla	ints	Withd	raw	n b	y C	Compl	air	nants																							
Total Complaint Withdrawn by Complainants	S		1	6		17		14		18		23			14																				
Total Final							Co	mp	ara	tive <b>E</b>	)at	a																							
Agency Actions					Prev	vious F	iscal	Ye	ear	Data				20	21Thru03-																				
Finding Discriminatio	2	016		2	017	20	018		2	2019		2020			31																				
n	#	9	6	#	%	#	9	6	#	%		#	%	#	%																				
Total Number Findings	3			2		1			1			8		2																					
Without Hearing	2	6	7	2	100	0	(	)	1	100		6	7 5	1	50																				
With Hearing	1	3	3	0	0	1	1(	00	0	0		2	2 5	1	50																				
Findings of							Co	omp	bar	ative	Da	ita																							
Discrimination Rendered by Basis			Previous Fiscal Year Data 2021Thru03-31										<sup></sup>																						
Note:		016	6 2017 2018 2019 2020								2020																								
Complaints can be filed alleging multiple bases. The sum of the bases may not equal		%	#	# % #			%	ó #		<b>,</b> #		<b>,</b> #		<b>5</b> #				<b>)</b> #		, #		, # <sup>(</sup>		5 # 1		<b>,</b> # '		<b>,</b> #		%	¥	%	#		%

total complaints and findings.												
Total Number Findings	2		2		1		1		8		2	
Race	0	0	0	0	0	0	1	10 0	2	25	1	50
Color	0	0	0	0	0	0	0	0	2	25	1	50
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	1	50	0	0	1	100	0	0	5	63	2	100
Sex	2	100	2	100	0	0	0	0	5	63	1	50
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	2	25	1	50
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	1	50
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		1	
Race	0	0	0	0	0	0	1	10 0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	1	100	0	0	1	100	0	0	1	50	1	100
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

Appointment/Hi	e	1	50	0	0	0	0	0	0	0	0	0	0
Total Number Findings		2		2		1		1		8		2	
Issue		#	%	#	%		%	#	%	#	%	#	%
Rendered by	-	20	16	201	17	201	8	20	19	2	2020	2021	Thru03-31
Findings of Discrimination	1			Pre	viou	s Fise	cal						
	1		1	1	1	1	С	omp	arati	ive D	ata		1
Non-EEO	0	0	0	0	0	(	)	0	0	0	0	0	0
Genetics	0	0	0	0	0	(	)	0	0	0	0	0	0
Disability	0	0	1	50	0	(	)	0	0	1	17	0	0
Age	0	0	0	0	0	(	)	0	0	3	50	0	0
Equal Pay Act	0	0	0	0	0	(	)	0	0	0	0	0	0
National Origin	0	0	0	0	0	(	)	0	0	2	33	1	100
PDA	0	0	0	0	0	(	)	0	0	0	0	0	0
Sex	1	100	2	100	0	(	)	0	0	4	67	1	100
Reprisal	0	0	0	0	0	(	)	0	0	4	67	1	100
Religion	0	0	0	0	0	(	)	0	0	0	0	0	0
Color	0	0	0	0	0	(	)	0	0	2	33	1	100
Race	0	0	0	0	0	(	)	0	0	2	33	1	100
Findings Without Hearing	1		2		0			0		6		1	
Non-EEO	1	100	0	0	0	(	,	0	0	1	50	0	0
Genetics Non-EEO	0	0	0	0	0	(		0	0	0	0	0	0
Disability	0	0	0	0	1	10		0	0	1	50	0	0
Age	0	0	0	0	0	(		0	0	1	50	1	100
Equal Pay Act	0	0	0	0	0	(		0	0	0	0	0	0

Assignment of Duties	0	0	0	0	0	0	0	0	1	13	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	10 0	0	0	5	63	0	0
Examination/Test	0	0	1	50	0	0	0	0	0	0	0	0
Harassment	1		1	1	1	1	1	1				
Non-Sexual	1	50	0	0	0	0	1	10 0	4	50	1	50
Sexual	1	50	0	0	0	0	0	0	1	13	0	0
Medical Examination	0	0	0	0	0	0	0	0	1	13	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	1	1	1	1	1	1	1	1				
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	1	50
Time and Attendance	1	50	0	0	0	0	0	0	0	0	1	50
Training	0	0	0	0	0	0	0	0	0	0	0	0
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	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	1		1				1	1		1	1	
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	1	10 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	1	10 0	0	0	0	0	0	0	0	0	0	0
Perf. Eval./ Appraisal	0	0	0	0	1	10 0	0	0	2	100	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment												
Non-Sexual	1	10 0	0	0	0	0	1	10 0	2	100	0	0

							-					
Sexual	1	10 0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay including overtime	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non- Selection	1	10 0	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	10 0	0	0	0	0	0	0	2	100	1	100
Time and Attendance	1	10 0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other - User Define												
Appointment/Hire	1	10 0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0

				1								
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						8						1
Non-Sexual	0	0	0	0	0	0	0	0	2	33	1	100
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	50	0	0	0	0	1	17	0	0			
Time and Attendance	0	0	0	0	0	0	0	0	0	0	1	100
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other - User Define												
								С	ompa	ative D	Data	
Pending Complaints Filed in Previous Fiscal Years by StatusPrevious Fiscal Year Data2021T												
i i cvious i iscui	I Cui 5	by S	uuu5		2016	20	)17	2018	2019	2020	202	1Thru03-31
Total complaints fro Years	om pre	evious	s Fisc	al	277	3	40	410	388	333		382
Total Complainants					259	3	00	350	344	302		344
Number complaint	s pen	ding										
Investigation					2	]	1	28	30	5		34
ROI issued, pen Complainant's a	-				0		9	12	10	5		8
Hearing					218	2	48	244	219	173		175
Final Agency A	ction				35	3	31	84	117	141		148
Appeal with EE Federal Operation		office	of		91	ç	97	105	141	165		180
			<b>Comparative Data</b>									
Complaint In	vesti	gatio	18		Pr	evio	ous l	Fiscal	Year	Data	202	1Thru03-31
		2016	20	)17	2018	2019	2020	202	11111003-31			
Pending Complaints Investigations Excee Frames	e	20	3	34	55	76	19		17			