

Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act EEO Complaint Data Fiscal Year 2021, Quarter 4

Office of Diversity and Civil Rights 30 September 2021



U.S. Immigration and Customs Enforcement Equal

Employment Opportunity Data Posted Pursuant to the No Fear Act

For 4th Quarter 2021 for period ending September 30, 2021

	Comparative Data												
Complaint Activity	Pre	evious]	ata	2021Thru09-									
	2016	2017	2018	2019	2020	30							
Number of Complaints Filed	213	227	201	145	184	137							
Number of Complainants	199	207	193	143	176	130							
Repeat Filers	10	13	7	2	8	6							
Commission to have Dogic	Comparative Data												
Complaints by Basis	Pre	evious]	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	2021Thru09- 30							
Race	84	96	81	55	67	59							
Color	29	49	32	20	32	22							
Religion	12	15	13	4	7	5							
Reprisal	128	127	124	67	97	75							
Sex	90	88	79	56	70	58							
PDA	3	0	6	2	2	2							
National Origin	54	64	54	21	36	43							

Equal Pay Act		0	5	2	1	l	0	2
Age		98	98	61	. 5	1	59	45
Disability		43	58	44	3	8	57	38
Genetics		0	0	1	()	0	1
Non-EEO		19	15	15	5 1	2	7	13
			Co	mpa	arativ	e D	ata	
Complaints by Issue	I	Previous	s Fisca	al Ye	ear Da	ıta		
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.	2016	2017	201	8	2019		2020	2021Thru09- 30
Appointment/Hire	8	18	10)	19		17	9
Assignment of Duties	38	38	36	5	10		25	15
Awards	4	5	1		0		3	2
Conversion to Full Time/Perm Status	0	0	0		0		0	0
Disciplinary Action								
Demotion	0	0	0		1		2	2
Reprimand	6	13	8		4		7	7
Suspension	10	8	9		4		4	5
Removal	0	5	4		2		1	2
Duty Hours	4	3	6		2		0	3
Perf. Eval./ Appraisal	22	34	32	2	28		23	12
Examination/Test	2	0	1		0		1	2
Harassment								
Non-Sexual	87	105	85	5	58		76	53
Sexual	10	13	8		5		9	5
Medical Examination	1	4	2		7		5	0

Pay including overtime

Promotion/Non-Selection	94	77	51	28	28	22
Reassignment						
Denied	8	21	9	6	4	1
Directed	15	29	20	5	11	2
Reasonable Accommodation Disability	12	18	18	13	15	6
Reinstatement	0	0	1	1	1	0
Religious Accommodation	1	1	0	0	0	0
Retirement	3	0	1	2	2	3
Sex-Stereotyping	1	0	0	0	0	0
Telework	5	4	5	2	4	4
Termination	6	8	12	8	15	14
Terms/Conditions of Employment	36	50	57	13	15	8
Time and Attendance	20	34	18	3	18	7
Training	15	15	7	6	4	1
			Comp	arative	Data	
Processing Time	1	2021Thru09				
	2016	2017	2018	2019	2020	30
Complaints pending during fisc	cal year					
Average number of days in investigation	285.73	281.87	363.83	439.84	345.50	276.68
Average number of days in final action	147.72	195.93	124.31	206.53	182.44	288.06
Complaint pending during fisc	al year w	here hear	ring was	requeste	d	
Average number of days in investigation	293.17	254.35	372.12	455.71	340.14	285.75
Average number of days in final action	98.45	89.62	64.96	76.32	114.74	137.49
Complaint pending during fisc	al year w	here hear	ring was	not reque	ested	ı

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Average num in investigati		aay	S	27	8.81	32	8.29	34	8.90	43	2.91	35	1.38	2	64.57
Average num in final action		day	s	19	6.76	34	0.74	34	348.77		418.49		5.56	4	22.23
Compleints Dis	•							Col	npa	rati	ve Da	ıta			
Complaints Dis					Prev	viou	ıs Fi	scal	Yea	r Da	ata			2021	Thru09-
•	,		20	16		201	17	20	18	201	19	202	20		30
Total Complaints Dismissed by Ag			1	2		19)	2	1	15	5	24			15
Average days per prior to dismissal	_		4()3		20	6	29	5	28	1	37:	5		115
	(Com	nplaints Withdrawn by Complainants												
Total Complaints Withdrawn by Complainants			1	6		17	7	14	14		18		1	22	
Total Final							Con	npa	rativ	e D	ata				
Agency				Pr	eviou	ıs F	`iscal	Ye	ar D	ata				2021	Thru09-
Actions Finding	201	6		20 1	17		201	8		201	9	20	20		30
Discrimination	#	%	#	ŧ	%		#	%	#	%		#	%	#	%
Total Number Findings	3		2	2			1		1			8		1	
Without Hearing	2	67	2)	100		0	0	1	10	00	6	75	1	100
With Hearing	1	33	C)	0		1	100	0	()	2	25	0	0
Findings of Dis	crimiı	natio	n						Com	par	ative	Da	ta		
Rendered k]	Pre	vious	s Fis	scal '	Yea	r Dat	a		2021	Thru09-
Note: Complaint alleging multiple		-		2	016	2	017	2	018	2019		9 2020			30
sum of the bases						1					# %				

Total Number Findings

Race	0	0	0	0	0	0	1	100	2	25	1	100
Color	0	0	0	0	0	0	0	0	2	25	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	1	50	0	0	1	100	0	0	5	63	1	100
Sex	2	100	2	100	0	0	0	0	5	63	1	100
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	100
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		1	

												I		
Race	0	0	0	0	0	0	0	0	2	33	1	100		
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	1	100		
Sex	1	100	2	100	0	0	0	0	4	67	1	100		
PDA	0	0	0	0	0	0	0	0	0	0	0	0		
National Origin	0	0	0	0	0	0	0	0	2	33	1	100		
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0		
Age	0	0	0	0	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		
					(Comp	ara	ative	Da	ta				
Findings of Discrimination	Previous Fiscal Year Data 2021Thru09													
Rendered by Issue	2	016	2	017	2	018	2019		2020			30		
	#	%	#	%	#	%	#	%	#	%	#	%		
Total Number Findings	2		2		1		1		8		1			
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	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		
		1						^	0	0	0	0		
Removal	0	0	0	0	0	0	0	0	U	U	0	U		
Removal Duty Hours	0	50	0	0	0	0	$\begin{bmatrix} 0 \\ 0 \end{bmatrix}$	0	0	0	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	50	1	100
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												
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	1	100
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		1	
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	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

		1	1				_				T							
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	1	100						
Training	0	0	0	0	0	0	0	0	0	0	0	0						
					Comparative Data													
Pending Complaints File Previous Fiscal Years by S			Previous Fiscal Year Data 2021Thru															
Trevious Fiscal Tears by S	Tears by Status				2017	20	18	2019	2	2020		30						
Total complaints from previous Years	s Fis	scal	27	77	340	4	10	388		333		214						
Total Complainants			25	59	300	3:	50	344	1	302		198						
Number complaints pending						-1												
Investigation			2	2	11	2	28	30		5		7						
ROI issued, pending Complainant's action			()	9	1	2	10		5		1						
Hearing			21	18	248	2	44	219		173		121						
Final Agency Action			3	5	31	8	34	117		141	82							
Appeal with EEOC Office Federal Operations	of		9	1	97	10	05	141		165		208						
									ive	Dat	a							
Complaint Investigation	ns			Prev	vious	Fisc	cal `	Year I)ai	ta	2021	Thru09-						
			20	16	2017	20	18	2019	2	2020		30						
Pending Complaints Where Investigations Exceed Required Frames	d Ti	me	2	0	34	5	55	76		19		21						