

Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act EEO Complaint Data Fiscal Year 2023, Quarter 2

Office of Diversity and Civil Rights March 31, 2023



U.S. Immigration and Customs Enforcement

Equal Employment Opportunity Data Posted Pursuant to the No Fear Act:

For 2nd Quarter 2023 for period ending March 31, 2023

Comparative Data

Complaint Activity	Pre	evious	Fiscal	Year	Data	2	023Thru03-31
	2018	2019	2020	202	1 202		023 1 Hru03-31
Number of Complaints Filed	201	145	184	137	26	0	94
Number of Complainants	193	143	176	130	24	3	93
Repeat Filers	7	2	8	6	15	5	1
Complaints by Davis				Com	parati	ve Da	ta
Complaints by Basis		Pre	vious I	Fiscal `	Year I	Data	
Note: Complaints can be filed alleging multiple bases. The sum the bases may not equal total complaints filed.	of	2018	2019	2020	2021	2022	2023Thru03- 31
Race		81	55	67	59	68	37
Color		32	20	32	22	27	11
Religion		13	4	7	5	49	10
Reprisal		124	67	97	75	96	50
Sex		79	56	70	58	89	35
PDA	6	2	2	2	1	0	

Non-EEO	15	12	7	13	16	7
Genetics	1	0	0	1	10	1
Disability	44	38	57	38	103	28
Age	61	51	59	45	71	26
Equal Pay Act	2	1	0	2	1	0
National Origin	54	21	36	43	46	23

Complete to be Income			Com	parati	ve Dat	ta
Complaints by Issue	Pre	vious l	Fiscal `	Year I	Data	
Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed. Starting in FY2022, issues marked with:* are reported under Other Terms / Conditions of Employment.** are reported under Other Disciplinary Actions.	2018	2019	2020	2021	2022	2023Thru03- 31
Appointment/Hire	10	19	17	9	20	6
Assignment of Duties*	36	10	25	15	0	0
Awards	1	0	3	2	0	0
Conversion to Full Time/Perm Status*	0	0	0	0	0	0
Disciplinary Action						
Demotion	0	1	2	2	1	0
Reprimand**	8	4	7	7	0	0
Suspension	9	4	4	5	6	2
Removal	4	2	1	2	4	2
Disciplinary Warning**	0	0	0	0	0	0
Other Disciplinary Actions**	0	0	0	0	13	4
Other 2**	0	0	0	0	0	0
Duty Hours*	6	2	0	3	0	0
Perf. Eval./ Appraisal	32	28	23	12	15	7
Examination/Test	1	0	1	2	4	0
Harassment						

Average number of days in investigation	363.83	439.84	345.50	276	.68	343.85	310.69
Complaints pending during fis	cal year		1		-		
C	2018	2019	2020	202	21	2022	31
Processing Time	P	revious		para Year			2023Thru03-
User Defined - Other 4*		0	0				
User Defined - Other 3*		0	$\begin{vmatrix} 0 \\ 0 \end{vmatrix}$	0	$\begin{vmatrix} 0 \\ 0 \end{vmatrix}$		0
User Defined - Other 2*		0	0	0	0	0	0
User Defined - Other 1*		0	0	0	0	0	0
Other Terms/Conditions of Employment*		0	0	0	0	81	22
Training		7	6	4	1	6	1
Time and Attendance		18	3	18	7	5	4
Terms/Conditions of Employm	nent*	57	13	15	8	0	0
Termination		12	8	15	14	11	1
Telework		5	2	4	4	3	2
Sex-Stereotyping		0	0	0	0	0	0
Retirement*		1	2	2	3	0	0
Religious Accommodation		0	0	0	0	6	0
Reinstatement*		1	1	1	0	0	0
Reasonable Accommodation D	Disability	18	13	15	6	15	6
Directed		20	5	11	2	6	1
Denied		9	6	4	1	2	1
Reassignment		1	<u> </u>		<u> </u>	I	l
Promotion/Non-Selection		51	28	28	22	2 21	13
Pay including overtime		5	3	10	3	5	3
Medical Examination		2	7	5	0	44	6
Sexual		8	5	9	5	10	2

Average number of days in final action	124	.31	200	5.5.	3 18	2.4	14 2	88	.06	201	.71	3	1.40
Complaint pending during fisc	al ye	ear v	whe	re h	earin	ıg '	was	req	ueste	ed			
Average number of days in investigation	372	.12	12 455		1 34	0.1	14 2	85	.75	365	.23	31	6.39
Average number of days in final action	64.	96	76	5.32	2 11	4.7	74 1	137.49		133.40		28.11	
Complaint pending during fisc	al ye	ear v	whe	re h	earin	ıg '	was	not	requ	ıest	ed		
Average number of days in investigation	348	.90	432	432.91		351.3		64	.57	318	3.03	31	3.29
Average number of days in final action	348	.77	418	8.49	9 39	5.5	56 4	-22	.23	287	7.53	4	3.90
							Co	mp	arat	ive	Dat	a	
Complaints Dismissed by A	gen	cy	F	re	vious	F	iscal	Y	ear I	Dat	a	2023	Thru03-
			20	18	2019	2019		20 2021		1 2022			31
Total Complaints Dismissed b Agency	у		2	1	15		24		15	1	7		16
Average days pending prior to dismissal)		29)5	281		375		115	18	86	2	209
Compla	ints	Wi	thdı	aw	n by	C	omp	plainan		its			
Total Complaints Withdrawn l Complainants	by		1	4	18		23	3 22		2	0		13
			•			(Comj	pai	rativ	e D	ata		
Total Final Agency Action	s		Pr	evi	ous F	isc	cal Y	Zea	r Da	ta		2023	Γhru03-
Finding Discrimination		20	18	2	019	2	020	2	021	20)22		31
	İ	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings		1		1		8		1		0		0	
Without Hearing		0	0	1	100	6	75	1	100	0	0	0	0
With Hearing	İ	1	100	0	0	2	25	0	0	0	0	0	0
_				1				1			<u> </u>	1	ı

Findings of Discrimination	D : E: LV D /											
Rendered by Basis		Pı	ev	ious]	Fis	cal '	Ye	ar Da	ta		2023	3Thru03-
Note: Complaints can be filed	2	018	2	019	20	020	2	021	2	022		31
alleging multiple bases. The sum of the bases may not equal total complaints and findings.	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	1		1		8		1		2		1	
Race	0	0	1	100	2	25	1	100	0	0	1	100
Color	0	0	0	0	2	25	0	0	0	0	1	100
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	1	100	0	0	5	63	1	100	2	100	1	100
Sex	0	0	0	0	5	63	1	100	0	0	1	100
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	2	25	1	100	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	4	50	0	0	0	0	1	100
Disability	1	100	0	0	2	25	0	0	1	50	0	0
Genetics	0	0	0	0	0	0	0	0	1	50	0	0
Non-EEO	0	0	0	0	1	13	0	0	0	0	0	0
Findings After Hearing	1		1		2		0		1		1	
Race	0	0	1	100	0	0	0	0	0	0	1	100
Color	0	0	0	0	0	0	0	0	0	0	1	100
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	1	100	0	0	1	50	0	0	1	100	1	100
Sex	0	0	0	0	1	50	0	0	0	0	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	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	1	50	0	0	0	0	1	100
Disability	1	100	0	0	1	50	0	0	0	0	0	0

Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	1	50	0	0	0	0	0	0
Findings Without Hearing	0		0		6		1		1		0	
Race	0	0	0	0	2	33	1	100	0	0	0	0
Color	0	0	0	0	2	33	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	4	67	1	100	1	100	0	0
Sex	0	0	0	0	4	67	1	100	0	0	0	0
PDA	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	2	33	1	100	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	3	50	0	0	0	0	0	0
Disability	0	0	0	0	1	17	0	0	1	100	0	0
Genetics	0	0	0	0	0	0	0	0	1	100	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0

Starting in FY2022, issues marked with:* are reported under Other Terms / Conditions of Employment.** are reported under Other Disciplinary Actions.

					•	Com	par	ative	e Da	ata		
Findings of Discrimination		P	rev	ious	Fis	cal Y	Yea	r Da	ta		2023	3Thru03-
Rendered by Issue	2	018	2	019	2	020	2	021	2	022		31
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	1		1		8		1		1		1	
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties*	0	0	0	0	1	13	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
Other Disciplinary Actions**	0	0	0	0	0	0	0	0	0	0	1	100
Duty Hours*	0	0	0	0	0	0	0	0	0	0	0	0
Perf. Eval./ Appraisal	1	100	0	0	5	63	0	0	0	0	1	100
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment												
Non-Sexual	0	0	1	100	4	50	1	100	1	100	1	100
Sexual	0	0	0	0	1	13	0	0	0	0	1	100
Medical Examination	0	0	0	0	1	13	0	0	0	0	0	0
Pay including overtime	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	3	38	0	0	1	100	0	0
Reassignment		-		-		-						
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	3	38	0	0	0	0	1	100
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	1	13	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	0	0	3	38	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	1	100	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other Terms/Conditions of Employment*	0	0	0	0	0	0	0	0	1	100	1	100
User Defined - Other 1*	0	0	0	0	0	0	0	0	0	0	0	0

								1		1	
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
1		1		2		0		0		1	
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	1	50	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	1	100
0	0	0	0	0	0	0	0	0	0	0	0
1	100	0	0	2	100	0	0	0	0	1	100
0	0	0	0	0	0	0	0	0	0	0	0
				-			-				
0	0	1	100	2	100	0	0	0	0	1	100
0	0	0	0	0	0	0	0	0	0	1	100
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	2	100	0	0	0	0	1	100
0	0	0	0	0	0	0	0	0	0	0	0
	0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	O	0 0 0 0 0 0 1 1 1 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 1 100 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	0 0 0 0 0 0 0 0 1 1 1 0 0 0 0 0 0 <	0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 <td>0 0 0 0 0 0 0 0 0 0 0 0 1 1 2 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 <</td> <td>0 0</td> <td>0 0</td> <td>0 0</td> <td>0 0</td> <td> 1</td>	0 0 0 0 0 0 0 0 0 0 0 0 1 1 2 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 <	0 0	0 0	0 0	0 0	1

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	1	50	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	0	0	2	100	0	0	0	0	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
Other Terms/Conditions of Employment*	0	0	0	0	0	0	0	0	1	0	1	100
User Defined - Other 1*	0	0	0	0	0	0	0	0	0	0	0	0
User Defined - Other 2*	0	0	0	0	0	0	0	0	0	0	0	0
User Defined - Other 3*	0	0	0	0	0	0	0	0	0	0	0	0
User Defined - Other 4*	0	0	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing	0		0		6		1		1		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	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
Other Disciplinary Actions**	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	3	50	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment								I	1			I
Non-Sexual	0	0	0	0	2	33	1	100	1	100	0	0
Sexual	0	0	0	0	1	17	0	0	0	0	0	0
Medical Examination	0	0	0	0	1	17	0	0	0	0	0	0
Pay including overtime	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	3	50	0	0	1	100	0	0
Reassignment												
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	1	17	0	0	0	0	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	0	0	1	17	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	1	100	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other Terms/Conditions of Employment*	0	0	0	0	0	0	0	0	0	0	0	0
User Defined - Other 1*	0	0	0	0	0	0	0	0	0	0	0	0
User Defined - Other 2*	0	0	0	0	0	0	0	0	0	0	0	0
User Defined - Other 3*	0	0	0	0	0	0	0	0	0	0	0	0
User Defined - Other 4*	0	0	0	0	0	0	0	0	0	0	0	0

Pending Complaints Filed in Previous Fiscal Years by Status	Comparative Data					
	Previous Fiscal Year Data					2023Thru03-
	2018	2019	2020	2021	2022	31
Total complaints from previous Fiscal Years	410	388	333	214	109	234
Total Complainants	350	344	302	198	101	218
Number complaints pending						
Investigation	28	30	5	7	6	127
ROI issued, pending Complainant's action	12	10	5	1	1	5
Hearing	244	219	173	121	86	90
Final Agency Action	84	117	141	82	20	15
Appeal with EEOC Office of Federal Operations	105	141	165	208	240	161
Complaint Investigations	Comparative Data					
	Previous Fiscal Year Data					2023Thru03-
	2018	2019	2020	2021	2022	31
Pending Complaints Where Investigations Exceed Required Time Frames	55	76	19	21	31	75