

Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act EEO Complaint Data Fiscal Year 2023, Quarter 3

Office of Diversity and Civil Rights June 30, 2023



U.S. Immigration and Customs Enforcement

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

For 3rd Quarter 2023 for period ending June 30, 2023

Comparative Data

Complaint Activity	Pre	evious	Fiscal	Year	Data	2	023Thru06-30
	2018	2019	2020	202	1 202		023 1 Hruvo-30
Number of Complaints Filed	201	145	184	137	26	0	121
Number of Complainants	193	143	176	130	24	3	120
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	2023Thru06- 30
Race		81	55	67	59	68	46
Color		32	20	32	22	27	15
Religion		13	4	7	5	49	13
Reprisal		124	67	97	75	96	61
Sex		79	56	70	58	89	42
PDA	6	2	2	2	1	0	

Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed. Starting in FY2022,	Pre	vious 1	Fiscal `	Year I	Oata	2023Thru06-
Complaints by Issue			•		ve Dat	a
Non-EEO	15	12	7	13	16	10
Genetics	1	0	0	1	10	1
Disability	44	38	57	38	103	39
Equal Pay Act Age	61	51	59	2 45	71	31
D 1D 4 .	54	21	36	43	46	28

Conversion to Full Time/Perm Status* **Disciplinary Action** Demotion Reprimand** Suspension Removal Disciplinary Warning**

Disciplinary Warning**	0	0	0	0	0	0
Other Disciplinary Actions**	0	0	0	0	13	8
Other 2**	0	0	0	0	0	0
Duty Hours*	6	2	0	3	0	0
Perf. Eval./ Appraisal	32	28	23	12	15	9
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	323.17
Complaints pending during fis	cal year		1				I
ъ ·	2018	2019	2020	202		2022	30
Processing Time	P	revious		iparai Year			2023Thru06-
User Defined - Other 4*		0	0	0	0		0
User Defined - Other 3*		0	0	0	0		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	26
Training		7	6	4	1	6	2
Time and Attendance		18	3	18	7	5	5
Terms/Conditions of Employn	nent*	57	13	15	8	0	0
Termination		12	8	15	14	11	2
Telework		5	2	4	4	3	3
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 I	Disability	18	13	15	6	15	8
Directed		20	5	11	2	6	1
Denied		9	6	4	1	2	2
Reassignment		<u> </u>	<u> </u>		<u> </u>	<u> </u>	1
Promotion/Non-Selection		51	28	28	22		17
Pay including overtime		5	3	10	3	5	3
Medical Examination		2	7	5	0	44	7
Non-Sexual Sexual		85	58	76 9	53	85	59

Average number of days in final action	124	.31	200	5.5°.	3 18	2.4	14 2	288	.06	201	.71	3	0.33
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	45:	5.7	1 34	0.1	14 2	285	.75	365	.23	31	8.07
Average number of days in final action	64.	96	76	5.32	11	4.7	74 1	37	.49	133	.40	2	5.19
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	2.9	1 35	351.3		264	.57	318.03		340.97	
Average number of days in final action	348	.77	418	8.49	9 39	5.5	56 4	22	.23	287	.53	4	4.68
							Co	mp	arat	ive	Dat	a	
Complaints Dismissed by A	geno	cy	F	re	vious	F	iscal	Y	ear I	at	a	2023	Thru06-
			20	18	2019	9	2020) 2	2021	20	22		30
Total Complaints Dismissed b Agency	у		2	1	15		24		15	1	7		31
Average days pending prior to dismissal)		29)5	281		375		115	18	86	2	201
Compla	ints	Wi	thdı	aw	n by	·C	Comp		inant	S			
Total Complaints Withdrawn Complainants	by		1.	4	18		23		22	2	0		22
						(Comj	pai	rativ	e D	ata		
Total Final Agency Action	s		Pr	evi	ous F	isc	cal Y	Zea	r Da	ta		2023	Γhru06-
Finding Discrimination		20	18	2	019	2	020	2	021	20)22		30
	Ì	#	%	#	%	#	%	#	%	#	%	#	%
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		1	100	0	0	2	25	0	0	0	0	0	0
_								1			<u> </u>	1	ı

Findings of Discrimination	Comparative Data Previous Fiscal Year Data											
Rendered by Basis		Pr	ev	ious]	Fis	cal `	Ye	ar Da	ta		2023	Thru06-
Note: Complaints can be filed	2	018	2	019	20	020	2	021	2	022		30
alleging multiple bases. The sum of the bases may not equal total complaints and findings.	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	1		1		8		1		2		2	
Race	0	0	1	100	2	25	1	100	0	0	1	50
Color	0	0	0	0	2	25	0	0	0	0	1	50
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	50
Sex	0	0	0	0	5	63	1	100	0	0	1	50
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	50
Disability	1	100	0	0	2	25	0	0	1	50	1	50
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		2	
Race	0	0	1	100	0	0	0	0	0	0	1	50
Color	0	0	0	0	0	0	0	0	0	0	1	50
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	50
Sex	0	0	0	0	1	50	0	0	0	0	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	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	50
Disability	1	100	0	0	1	50	0	0	0	0	1	50

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	Thru06-
Rendered by Issue	2	018	2	019	2	020	2	021	2	022		30
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	1		1		8		1		1		2	
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	50
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	50
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	50
Sexual	0	0	0	0	1	13	0	0	0	0	1	50
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	50
Reasonable Accommodation Disability	0	0	0	0	0	0	0	0	0	0	1	50
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	50
User Defined - Other 1*	0	0	0	0	0	0	0	0	0	0	0	0

_				_	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		2	
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	50
0	0	0	0	0	0	0	0	0	0	0	0
1	100	0	0	2	100	0	0	0	0	1	50
0	0	0	0	0	0	0	0	0	0	0	0
0	0	1	100	2	100	0	0	0	0	1	50
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	2	100	0	0	0	0	1	50
0	0	0	0	0	0	0	0	0	0	1	50
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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	50
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
					1				1		1	

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			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					2023Thru06-
	2018	2019	2020	2021	2022	30
Total complaints from previous Fiscal Years	410	388	333	214	109	183
Total Complainants	350	344	302	198	101	174
Number complaints pending						
Investigation	28	30	5	7	6	88
ROI issued, pending Complainant's action	12	10	5	1	1	6
Hearing	244	219	173	121	86	70
Final Agency Action	84	117	141	82	20	18
Appeal with EEOC Office of Federal Operations	105	141	165	208	240	169
Complaint Investigations	Comparative Data					
	Previous Fiscal Year Data					2023Thru06-
	2018	2019	2020	2021	2022	30
Pending Complaints Where Investigations Exceed Required Time Frames	55	76	19	21	31	95