

Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act EEO Complaint Data Fiscal Year 2023, Quarter 4

Office of Diversity and Civil Rights

02 November 2023



U.S. Immigration and Customs Enforcement

## **U.S.** Immigration and Customs Enforcement

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

				Cor	npa	rativ	e C	Data	
Complaint Activity		Previo	ous Fis	cal \	′ear	Dat	а		2023Thru09-30
	201	.8 201	L9 20	)20	20	21	20	22	2023111009-30
Number of Complaints Filed	20	1 14	5 1	84	13	37	20	60	161
Number of Complainants	193	3 14	3 1	76	13	30	24	43	159
Repeat Filers	7	2		8	6	3	1	.5	2
Complaints by Basis			a						
		Pr	evious	Fis	cal Y	/ear	Da	ta	
Note: Complaints can be filed alleging multiple bases.The su of the bases may not equal to complaints filed.	ım	2018	2019	20	20	202	21	202	2023Thru09- 2 30
Race		81	55	6	67	59	9	68	61
Color		32	20	3	32	22	2	27	22
Religion		13	4		7	5		49	14
Reprisal		124	67	g	)7	75		96	90
Sex		79	56	7	0	58	3	89	63
PDA		6	2		2	2		1	1
National Origin		54	21	3	86	43	3	46	38
Equal Pay Act		2	1		0	2		1	1
Age		61	51	5	9	45	15 7:		42
Disability		44	38	5	57	38	3	103	3 52
Genetics		1	0		0	1		10	1
Non-EEO		15	12		7	13	3	16	10

## For 4th Quarter 2023 for period ending September 30, 2023

Complainte by locus			Com	parative	e Data	
Complaints by Issue	Pr	evious	Fiscal \	(ear Da	ta	
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	2023Thru09- 30
Appointment/Hire	10	19	17	9	20	11
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	3
Removal	4	2	1	2	4	3
Disciplinary Warning**	0	0	0	0	0	0
Other Disciplinary Actions**	0	0	0	0	13	11
Other 2**	0	0	0	0	0	0
Duty Hours*	6	2	0	3	0	0
Perf. Eval./ Appraisal	32	28	23	12	15	12
Examination/Test	1	0	1	2	4	0
Harassment						·
Non-Sexual	85	58	76	53	85	83
Sexual	8	5	9	5	10	2
Medical Examination	2	7	5	0	44	7
Pay including overtime	5	3	10	3	5	8
Promotion/Non-Selection	51	28	28	22	21	19

Reassignment							
Denied		9	6	4	1	2	5
Directed		20	5	11	2	6	2
Reasonable Accommoda Disability	tion	18	13	15	6	15	13
Reinstatement*		1	1	1	0	0	0
Religious Accommodatio	n	0	0	0	0	6	0
Retirement*		1	2	2	3	0	0
Sex-Stereotyping		0	0	0	0	0	0
Telework		5	2	4	4	3	7
Termination		12	8	15	14	11	3
Terms/Conditions of Employment*		57	13	15	8	0	0
Time and Attendance		18	3	18	7	5	13
Training		7	6	4	1	6	6
Other Terms/Conditions Employment*	of	0	0	0	0	81	46
			Con	npara	ative D	ata	
<b>Processing Time</b>		Previous	s Fiscal	Year	Data		2023Thru09-
	2018	2019	2020	) 2	2021	2022	30
Complaints pending duri	ng fiscal y	/ear					
Average number of days in investigation	363.83	439.84	345.5	0 27	76.68	343.85	334.54
Average number of days in final action	124.31	206.53	182.4	4 28	38.06	201.71	31.40
Complaint pending durin	g fiscal ye	ear where	hearin	g wa	s requ	ested	·
Average number of days in investigation	372.12	455.71	340.1	4 28	35.75	365.23	331.96
Average number of days in final action	64.96	76.32	114.7	4 13	37.49	133.40	26.21
Complaint pending durin	g fiscal ye	ear where	e hearin	g wa	s not r	equested	1

Average number of days in investigation	348.	90	432	2.9	1 35	1.3	38 2	264	4.57	318	3.03	34	7.10
Average number of days in final action	348.	77	418	8.4	9 39	5.5	56	422	2.23	287	<i>.</i> 53	43	3.79
							Со	mp	arativ	ve D	ata		
Complaints Dismissed by	Ager	ю		Pr	eviou	s F	isca	ΙYe	ear Da	ata		2023	Thru09-
			20:	18	201	9 2	202	0	2021	20	22	3	30
Total Complaints Dismiss Agency	ed by	/	2:	1	15		24		15	1	7	7	71
Average days pending prid dismissal	or to		29	5	281		375	;	115	18	36	2	22
Co	mplai	ints	Wit	hdı	awn I	oy (	Com	pla	inants	S			
Total Complaints Withdray Complainants	wn by	/	14	4	18		23		22	2	0	2	24
					<u> </u>	(	Com	pa	rative	Dat	a		
Total Final Agency Action	ns		F	Prev	/ious	Fis	scal Year Da			a		2023Thru09	
Finding Discrimination		20	)18	2	2019	2	020		2021	20	)22		30
	Ì	#	%	#		i –	1	i –					
Total Number Findings				$ \pi $	%	#	%	#	%	#	%	#	%
		1		1	%	# 8	%	# 1		# 0	%	# 0	%
Without Hearing		1 0	0		% 100	8		1		0	% 0		% 0
Without Hearing With Hearing		0		1		8	75	1	100	0		0	
With Hearing		0	0	1	100	8 6 2	75 25	1 1 0	100	0 0 0	0	0	0
		0	0 100	1 1 0	100	8 6 2 (	75 25 Com	1 1 0 par	100 0	0 0 0 0 0	0	0 0 0	0
With Hearing Findings of Discrimination Rendered by Basis Note: Complaints can be	on	0	0 100 F	1 1 0	100	8 6 2 <b>(</b> Fis	75 25 Com	1 0 par	100 0 ative	0 0 0 0 0 0 0 0	0	0 0 0 2023	0
With Hearing Findings of Discrimination Rendered by Basis	on 5es	0	0 100 F	1 1 0	100 0 vious	8 6 2 <b>(</b> Fis	75 25 Com	1 0 par	100 0 ative r Data	0 0 0 0 0 0 0 0	0 0	0 0 0 2023	0 0 Thru09-
With Hearing Findings of Discrimination Rendered by Basis Note: Complaints can be filed alleging multiple bases.The sum of the bas may not equal total	on Ses	0 1 20	0 100 F 18	1 1 0 Prev 2	100 0 vious 019	8 6 2 ( Fis 2(	75 25 Com cal \ )20	1 0 par (ea	100 0 ative r Data 021	0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	0 0 a	0 0 0 2023	0 0 Thru09- 30
With Hearing         Findings of Discrimination         Rendered by Basis         Note: Complaints can be         filed alleging multiple         bases. The sum of the base         may not equal total         complaints and findings.	on Ses	0 1 20 #	0 100 F 18	1 1 0 Prev 2 #	100 0 vious 019	8 6 2 ( Fis 20 #	75 25 Com cal \ )20	1 1 0 7 6 a 7 4	100 0 ative r Data 021	0 0 0 Data 2 ( 4	0 0 a	0 0 2023	0 0 Thru09- 30
With HearingFindings of Discrimination Rendered by BasisNote: Complaints can be filed alleging multiple bases. The sum of the bas may not equal total complaints and findings.Total Number Findings	on 5.000 4	0 1 20 #	0 100 F 18 %	1 1 0 2 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7	100 0 vious 019 %	8 6 2 ( Fis 20 #	75 25 Com cal \ )20	1 1 0 par (ea 2 #	100 0 rative r Data 021 %	0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0       0 <t< td=""><td>0 0 a )22</td><td>0 0 2023 # 3</td><td>0 0 ThruO9- 30</td></t<>	0 0 a )22	0 0 2023 # 3	0 0 ThruO9- 30

Reprisal	1	100	0	0	5	63	1	100	2	100	1	33
Sex	0	0	0	0	5	63	1	100	0	0	1	33
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	2	67
Disability	1	100	0	0	2	25	0	0	1	50	1	33
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		3	
Race	0	0	1	100	0	0	0	0	0	0	2	67
Color	0	0	0	0	0	0	0	0	0	0	2	67
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	33
Sex	0	0	0	0	1	50	0	0	0	0	1	33
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	2	67
Disability	1	100	0	0	1	50	0	0	0	0	1	33
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.

	Comparative Data Previous Fiscal Year Data													
Findings of Discrimination			Pre	evious	s Fis	scal Y	ear	Data			2023	Thru09-		
Rendered by Issue	2	018	2	019	2	020	2	021	2	022		30		
	#	%	#	%	#	%	#	%	#	%	#	%		
Total Number Findings	1		1		8		1		1		3			
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	33		
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	33		
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	33		

Sexual	0	0	0	0	1	13	0	0	0	0	1	33
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	1	33
Reassignment			<u> </u>			I	1	1	1		1	1
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	33
Reasonable Accommodation Disability	0	0	0	0	0	0	0	0	0	0	1	33
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	33
Findings After Hearing	1		1		2		0		0		3	
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties*	0	0	0	0	1	50	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	33
Duty Hours*	0	0	0	0	0	0	0	0	0	0	0	0
Perf. Eval./ Appraisal	1	100	0	0	2	100	0	0	0	0	1	33
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment												
Non-Sexual	0	0	1	100	2	100	0	0	0	0	1	33
Sexual	0	0	0	0	0	0	0	0	0	0	1	33
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	0	0	0	0	0	0	0	0	0	0	1	33
Reassignment												
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	2	100	0	0	0	0	1	33
Reasonable Accommodation Disability	0	0	0	0	0	0	0	0	0	0	1	33
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	33
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						<u> </u>			-			·
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						<u> </u>		<u>.</u>				·
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
						C	om	parati	ve	Data		
Pending Complaints File Previous Fiscal Years by S				Pre	evious	Fisc	al \	(ear D	ata	а	2023	Thru09-
		uo	201	8	2019	20	20	2021	- 2	2022		30
Total complaints from prev Fiscal Years	ious	6	410	)	388	33	33	214		109	-	L16
Total Complainants			350	)	344	30	)2	198		101	-	L13
Number complaints pendir	ıg		-								-	
Investigation			28		30	5	5	7		6		39
ROI issued, pending Complainant's action			12		10	5	5	1		1		2
Hearing			244	ł	219	17	73	121		86		65
Final Agency Action			84		117	14	11	82		20		13
Appeal with EEOC Offic Federal Operations	e of	F	105	5	141	16	65	208		240		86
						C	om	parati	ve	Data		
Complaint Investigatio	ns	Previous Fiscal Year Data 2023Thr					Thru09-					
			201	8	2019	20	20	2021		2022		30
Pending Complaints Where Investigations Exceed Requ Time Frames		d	55		76	1	9	21		31		74