



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

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

Complaint Activity	Comparative Data					
	Previous Fiscal Year Data					2023Thru09-30
	2018	2019	2020	2021	2022	
Number of Complaints Filed	201	145	184	137	260	161
Number of Complainants	193	143	176	130	243	159
Repeat Filers	7	2	8	6	15	2
Complaints by Basis	Comparative Data					
	Previous Fiscal Year Data					2023Thru09-30
	2018	2019	2020	2021	2022	
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>						
Race	81	55	67	59	68	61
Color	32	20	32	22	27	22
Religion	13	4	7	5	49	14
Reprisal	124	67	97	75	96	90
Sex	79	56	70	58	89	63
PDA	6	2	2	2	1	1
National Origin	54	21	36	43	46	38
Equal Pay Act	2	1	0	2	1	1
Age	61	51	59	45	71	42
Disability	44	38	57	38	103	52
Genetics	1	0	0	1	10	1
Non-EEO	15	12	7	13	16	10

Complaints by Issue	Comparative Data					
	Previous Fiscal Year Data					2023Thru09-30
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	
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 Accommodation Disability	18	13	15	6	15	13
Reinstatement*	1	1	1	0	0	0
Religious Accommodation	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 of Employment*	0	0	0	0	81	46
Processing Time	Comparative Data					
	Previous Fiscal Year Data					2023Thru09-30
	2018	2019	2020	2021	2022	
Complaints pending during fiscal year						
Average number of days in investigation	363.83	439.84	345.50	276.68	343.85	334.54
Average number of days in final action	124.31	206.53	182.44	288.06	201.71	31.40
Complaint pending during fiscal year where hearing was requested						
Average number of days in investigation	372.12	455.71	340.14	285.75	365.23	331.96
Average number of days in final action	64.96	76.32	114.74	137.49	133.40	26.21
Complaint pending during fiscal year where hearing was not requested						

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.

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										2023Thru09-30	
	2018		2019		2020		2021		2022			
	#	%	#	%	#	%	#	%	#	%	#	%
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												
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

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
Pending Complaints Filed in Previous Fiscal Years by Status	Comparative Data						2023Thru09-30					
	Previous Fiscal Year Data											
	2018	2019	2020	2021	2022							
Total complaints from previous Fiscal Years	410	388	333	214	109	116						
Total Complainants	350	344	302	198	101	113						
Number complaints pending												
Investigation	28	30	5	7	6	39						
ROI issued, pending Complainant's action	12	10	5	1	1	2						
Hearing	244	219	173	121	86	65						
Final Agency Action	84	117	141	82	20	13						
Appeal with EEOC Office of Federal Operations	105	141	165	208	240	86						
Complaint Investigations	Comparative Data						2023Thru09-30					
	Previous Fiscal Year Data											
	2018	2019	2020	2021	2022							
Pending Complaints Where Investigations Exceed Required Time Frames	55	76	19	21	31	74						