

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

U.S. Immigration and Customs Enforcement

For 1st Quarter 2020 for period ending December 31, 2019

| Complaint Activity | Comparative Data | | | | | |
|----------------------------|---------------------------|------|------|------|------|-----------------------|
| | Previous Fiscal Year Data | | | | | 2020 Thru 12-31 |
| | 2015 | 2016 | 2017 | 2018 | 2019 | |
| Number of Complaints Filed | 178 | 213 | 227 | 201 | 145 | <u>51</u> |
| Number of Complainants | 173 | 199 | 207 | 193 | 143 | 50 |
| Repeat Filers | 4 | 10 | 13 | 7 | 2 | 1 |

| Complaints by Basis | Comparative Data | | | | | |
|--|---------------------------|------|------|------|------|---------------------------|
| | Previous Fiscal Year Data | | | | | 2020 Thru 12- 31 |
| Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed. | 2015 | 2016 | 2017 | 2018 | 2019 | |
| Race | 70 | 84 | 96 | 81 | 55 | <u>17</u> |
| Color | 17 | 29 | 49 | 32 | 20 | <u>9</u> |
| Religion | 10 | 12 | 15 | 13 | 4 | <u>5</u> |
| Reprisal | 88 | 128 | 127 | 124 | 67 | <u>26</u> |
| Sex | 61 | 90 | 88 | 79 | 56 | <u>18</u> |
| PDA | 7 | 3 | 0 | 6 | 2 | <u>0</u> |
| National Origin | 36 | 54 | 64 | 54 | 21 | <u>13</u> |
| Equal Pay Act | 2 | 0 | 5 | 2 | 1 | <u>0</u> |
| Age | 60 | 98 | 98 | 61 | 51 | <u>18</u> |
| Disability | 33 | 43 | 58 | 44 | 38 | <u>18</u> |
| Genetics | 0 | 0 | 0 | 1 | 0 | <u>0</u> |
| Non-EEO | 8 | 19 | 15 | 15 | 12 | <u>3</u> |

| Complaints by Issue | Comparative Data | | | | | |
|--|---------------------------|------|------|------|------|---------------------------|
| | Previous Fiscal Year Data | | | | | 2020 Thru 12- 31 |
| Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed. | 2015 | 2016 | 2017 | 2018 | 2019 | |
| Appointment/Hire | 6 | 8 | 18 | 10 | 19 | <u>6</u> |
| Assignment of Duties | 29 | 38 | 38 | 36 | 10 | <u>6</u> |
| Awards | 3 | 4 | 5 | 1 | 0 | <u>1</u> |
| Conversion to Full Time/Perm Status | 0 | 0 | 0 | 0 | 0 | <u>0</u> |
| Disciplinary Action | | | | | | |
| Demotion | 0 | 0 | 0 | 0 | 1 | <u>0</u> |
| Reprimand | 4 | 6 | 13 | 8 | 4 | <u>1</u> |
| Suspension | 3 | 10 | 8 | 9 | 4 | <u>2</u> |
| Removal | 0 | 0 | 5 | 4 | 2 | <u>0</u> |
| Duty Hours | 2 | 4 | 3 | 6 | 2 | <u>0</u> |
| Perf. Eval./ Appraisal | 21 | 22 | 34 | 32 | 28 | <u>8</u> |
| Examination/Test | 2 | 2 | 0 | 1 | 0 | <u>0</u> |
| Harassment | | | | | | |
| Non-Sexual | 81 | 87 | 105 | 85 | 58 | <u>21</u> |
| Sexual | 5 | 10 | 13 | 8 | 5 | <u>1</u> |
| Medical Examination | 1 | 1 | 4 | 2 | 7 | <u>2</u> |
| Pay including overtime | 19 | 11 | 18 | 5 | 3 | <u>0</u> |
| Promotion/Non-Selection | 45 | 94 | 77 | 51 | 28 | <u>7</u> |
| Reassignment | | | | | | |
| Denied | 3 | 8 | 21 | 9 | 6 | <u>0</u> |
| Directed | 1 | 15 | 29 | 20 | 5 | <u>4</u> |
| Reasonable Accommodation Disability | 10 | 12 | 18 | 18 | 13 | <u>4</u> |
| Reinstatement | 0 | 0 | 0 | 1 | 1 | <u>0</u> |
| Religious Accommodation | 0 | 1 | 1 | 0 | 0 | <u>0</u> |
| Retirement | 3 | 3 | 0 | 1 | 2 | <u>1</u> |
| Sex-Stereotyping | 0 | 1 | 0 | 0 | 0 | <u>0</u> |
| Telework | 0 | 5 | 4 | 5 | 2 | <u>2</u> |

| Complaints by Issue | Comparative Data | | | | | |
|--|---------------------------|------|------|------|------|---------------------------|
| | Previous Fiscal Year Data | | | | | 2020 Thru 12- 31 |
| <u>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</u> | 2015 | 2016 | 2017 | 2018 | 2019 | |
| Termination | 8 | 6 | 8 | 12 | 8 | <u>4</u> |
| Terms/Conditions of Employment | 14 | 36 | 50 | 57 | 13 | <u>2</u> |
| Time and Attendance | 14 | 20 | 34 | 18 | 3 | <u>3</u> |
| Training | 11 | 15 | 15 | 7 | 6 | <u>2</u> |
| Other | | | | | | |

| Processing Time | Comparative Data | | | | | |
|--|---------------------------|--------|--------|--------|--------|-----------------------|
| | Previous Fiscal Year Data | | | | | 2020 Thru 12-31 |
| | 2015 | 2016 | 2017 | 2018 | 2019 | |
| Complaints pending during fiscal year | | | | | | |
| Average number of days in investigation | 301.06 | 285.73 | 281.87 | 363.83 | 439.84 | 421.11 |
| Average number of days in final action | 150.06 | 147.72 | 195.93 | 124.31 | 206.53 | 116.96 |
| Complaint pending during fiscal year where hearing was requested | | | | | | |
| Average number of days in investigation | 308.50 | 293.17 | 254.35 | 372.12 | 455.71 | 392.32 |
| Average number of days in final action | 69.09 | 98.45 | 89.62 | 64.96 | 76.32 | 49.57 |
| Complaint pending during fiscal year where hearing was not requested | | | | | | |
| Average number of days in investigation | 287.87 | 278.81 | 328.29 | 348.90 | 432.91 | 435.94 |
| Average number of days in final action | 216.49 | 196.76 | 340.74 | 348.77 | 418.49 | 226.50 |

| Complaints Dismissed by Agency | Comparative Data | | | | | |
|--|---------------------------|------|------|------|------|-----------------------|
| | Previous Fiscal Year Data | | | | | 2020 Thru 12-31 |
| | 2015 | 2016 | 2017 | 2018 | 2019 | |
| Total Complaints Dismissed by Agency | 8 | 12 | 19 | 21 | 15 | <u>6</u> |
| Average days pending prior to dismissal | 275 | 403 | 206 | 295 | 281 | 447 |
| Complaints Withdrawn by Complainants | | | | | | |
| Total Complaints Withdrawn by Complainants | 15 | 16 | 17 | 14 | 18 | <u>7</u> |

| Total Final Agency Actions Finding Discrimination | Comparative Data | | | | | | | | | | | |
|---|---------------------------|-----|------|----|------|-----|------|-----|------|-----|-----------------|---|
| | Previous Fiscal Year Data | | | | | | | | | | 2020 Thru 12-31 | |
| | 2015 | | 2016 | | 2017 | | 2018 | | 2019 | | | |
| | # | % | # | % | # | % | # | % | # | % | # | % |
| Total Number Findings | 6 | | 3 | | 2 | | 1 | | 1 | | 0 | |
| Without Hearing | 0 | 0 | 2 | 67 | 2 | 100 | 0 | 0 | 1 | 100 | <u>0</u> | 0 |
| With Hearing | 6 | 100 | 1 | 33 | 0 | 0 | 1 | 100 | 0 | 0 | <u>0</u> | 0 |

| Findings of Discrimination Rendered by Issue | Comparative Data | | | | | | | | | | | |
|--|---------------------------|----|------|----|------|----|------|-----|------|-----|-----------------------|---|
| | Previous Fiscal Year Data | | | | | | | | | | 2020 Thru 12-31 | |
| | 2015 | | 2016 | | 2017 | | 2018 | | 2019 | | | |
| | # | % | # | % | # | % | # | % | # | % | # | % |
| Total Number Findings | 7 | | 2 | | 2 | | 1 | | 1 | | 0 | |
| Appointment/Hire | 0 | 0 | 1 | 50 | 0 | 0 | 0 | 0 | 0 | 0 | <u>0</u> | 0 |
| Assignment of Duties | 1 | 14 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | <u>0</u> | 0 |
| Awards | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | <u>0</u> | 0 |
| Conversion to Full Time/Perm Status | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | <u>0</u> | 0 |
| Disciplinary Action | | | | | | | | | | | | |
| Demotion | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | <u>0</u> | 0 |
| Reprimand | 0 | 0 | 1 | 50 | 0 | 0 | 0 | 0 | 0 | 0 | <u>0</u> | 0 |
| Suspension | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | <u>0</u> | 0 |
| Removal | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | <u>0</u> | 0 |
| Duty Hours | 0 | 0 | 1 | 50 | 0 | 0 | 0 | 0 | 0 | 0 | <u>0</u> | 0 |
| Perf. Eval./ Appraisal | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 100 | 0 | 0 | <u>0</u> | 0 |
| Examination/Test | 0 | 0 | 0 | 0 | 1 | 50 | 0 | 0 | 0 | 0 | <u>0</u> | 0 |
| Harassment | | | | | | | | | | | | |
| Non-Sexual | 5 | 71 | 1 | 50 | 0 | 0 | 0 | 0 | 1 | 100 | <u>0</u> | 0 |
| Sexual | 1 | 14 | 1 | 50 | 0 | 0 | 0 | 0 | 0 | 0 | <u>0</u> | 0 |
| Medical Examination | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | <u>0</u> | 0 |
| Pay including overtime | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | <u>0</u> | 0 |
| Promotion/Non-Selection | 1 | 14 | 1 | 50 | 0 | 0 | 0 | 0 | 0 | 0 | <u>0</u> | 0 |
| Reassignment | | | | | | | | | | | | |
| Denied | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | <u>0</u> | 0 |
| Directed | 1 | 14 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | <u>0</u> | 0 |
| Reasonable Accommodation Disability | 1 | 14 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | <u>0</u> | 0 |
| Reinstatement | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | <u>0</u> | 0 |
| Religious Accommodation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | <u>0</u> | 0 |
| Retirement | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | <u>0</u> | 0 |
| Sex-Stereotyping | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | <u>0</u> | 0 |

| Findings of Discrimination Rendered by Issue | Comparative Data | | | | | | | | | | | |
|--|---------------------------|-----|------|---|------|----|------|---|------|---|-----------------------|---|
| | Previous Fiscal Year Data | | | | | | | | | | 2020 Thru 12-31 | |
| | 2015 | | 2016 | | 2017 | | 2018 | | 2019 | | | |
| | # | % | # | % | # | % | # | % | # | % | # | % |
| Sexual | 0 | 0 | 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 | 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 | 50 | 0 | 0 | 0 | 0 | 0 | 0 |
| Time and Attendance | 1 | 100 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Training | 1 | 100 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Other - User Define | | | | | | | | | | | | |

| Pending Complaints Filed in Previous Fiscal Years by Status | Comparative Data | | | | | |
|---|---------------------------|------|------|------|------|-----------------|
| | Previous Fiscal Year Data | | | | | 2020 Thru 12-31 |
| | 2015 | 2016 | 2017 | 2018 | 2019 | |
| Total complaints from previous Fiscal Years | 265 | 277 | 340 | 410 | 388 | <u>465</u> |
| Total Complainants | 252 | 259 | 300 | 350 | 344 | 417 |
| Number complaints pending | | | | | | |
| Investigation | 7 | 2 | 11 | 28 | 30 | <u>84</u> |
| ROI issued, pending Complainant's action | 1 | 0 | 9 | 12 | 10 | <u>10</u> |
| Hearing | 201 | 218 | 248 | 244 | 219 | <u>218</u> |
| Final Agency Action | 44 | 35 | 31 | 84 | 117 | <u>139</u> |
| Appeal with EEOC Office of Federal Operations | 49 | 91 | 97 | 105 | 141 | <u>145</u> |

| Complaint Investigations | Comparative Data | | | | | |
|---|---------------------------|------|------|------|------|---------------------------|
| | Previous Fiscal Year Data | | | | | 2020 Thru 12- 31 |
| | 2015 | 2016 | 2017 | 2018 | 2019 | |
| Pending Complaints Where Investigations Exceed Required Time Frames | 35 | 20 | 34 | 55 | 76 | <u>53</u> |