



Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act EEO Complaint Data Fiscal Year 2022, Quarter 3

Office of Diversity and Civil Rights

30 June 2022



U.S. Immigration
and Customs
Enforcement

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

ICE (and below)

For 3rd Quarter 2022 for period ending June 30, 2022

| Complaint Activity | Comparative Data | | | | | |
|--|---------------------------|------|------|------|------|---------------|
| | Previous Fiscal Year Data | | | | | 2022Thru06-30 |
| | 2017 | 2018 | 2019 | 2020 | 2021 | |
| Number of Complaints Filed | 227 | 201 | 145 | 184 | 137 | 192 |
| Number of Complainants | 207 | 193 | 143 | 176 | 130 | 177 |
| Repeat Filers | 13 | 7 | 2 | 8 | 6 | 12 |
| Complaints by Basis | Comparative Data | | | | | |
| | Previous Fiscal Year Data | | | | | 2022Thru06-30 |
| | 2017 | 2018 | 2019 | 2020 | 2021 | |
| <i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i> | | | | | | |
| Race | 96 | 81 | 55 | 67 | 59 | 50 |
| Color | 49 | 32 | 20 | 32 | 22 | 22 |
| Religion | 15 | 13 | 4 | 7 | 5 | 32 |
| Reprisal | 127 | 124 | 67 | 97 | 75 | 77 |
| Sex | 88 | 79 | 56 | 70 | 58 | 72 |
| PDA | 0 | 6 | 2 | 2 | 2 | 1 |
| National Origin | 64 | 54 | 21 | 36 | 43 | 32 |
| Equal Pay Act | 5 | 2 | 1 | 0 | 2 | 0 |

| | | | | | | |
|--|----------------------------------|-------------|-------------|-------------|-------------|----------------------|
| Age | 98 | 61 | 51 | 59 | 45 | 59 |
| Disability | 58 | 44 | 38 | 57 | 38 | 72 |
| Genetics | 0 | 1 | 0 | 0 | 1 | 8 |
| Non-EEO | 15 | 15 | 12 | 7 | 13 | 11 |
| Complaints by Issue | Comparative Data | | | | | |
| | Previous Fiscal Year Data | | | | | 2022Thru06-30 |
| <i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i> | 2017 | 2018 | 2019 | 2020 | 2021 | |
| Appointment/Hire | 18 | 10 | 19 | 17 | 9 | 19 |
| Assignment of Duties | 38 | 36 | 10 | 25 | 15 | 6 |
| Awards | 5 | 1 | 0 | 3 | 2 | 0 |
| Conversion to Full Time/Perm Status | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Action | | | | | | |
| Demotion | 0 | 0 | 1 | 2 | 2 | 1 |
| Reprimand | 13 | 8 | 4 | 7 | 7 | 7 |
| Suspension | 8 | 9 | 4 | 4 | 5 | 7 |
| Removal | 5 | 4 | 2 | 1 | 2 | 5 |
| Duty Hours | 3 | 6 | 2 | 0 | 3 | 1 |
| Perf. Eval./ Appraisal | 34 | 32 | 28 | 23 | 12 | 15 |
| Examination/Test | 0 | 1 | 0 | 1 | 2 | 4 |
| Harassment | | | | | | |
| Non-Sexual | 105 | 85 | 58 | 76 | 53 | 64 |
| Sexual | 13 | 8 | 5 | 9 | 5 | 6 |
| Medical Examination | 4 | 2 | 7 | 5 | 0 | 6 |
| Pay including overtime | 18 | 5 | 3 | 10 | 3 | 1 |
| Promotion/Non-Selection | 77 | 51 | 28 | 28 | 22 | 16 |
| Reassignment | | | | | | |
| Denied | 21 | 9 | 6 | 4 | 1 | 1 |
| Directed | 29 | 20 | 5 | 11 | 2 | 4 |

| | | | | | | |
|--|----------------------------------|-------------|-------------|-------------|-------------|----------------------|
| Reasonable Accommodation Disability | 18 | 18 | 13 | 15 | 6 | 7 |
| Reinstatement | 0 | 1 | 1 | 1 | 0 | 0 |
| Religious Accommodation | 1 | 0 | 0 | 0 | 0 | 5 |
| Retirement | 0 | 1 | 2 | 2 | 3 | 3 |
| Sex-Stereotyping | 0 | 0 | 0 | 0 | 0 | 0 |
| Telework | 4 | 5 | 2 | 4 | 4 | 1 |
| Termination | 8 | 12 | 8 | 15 | 14 | 7 |
| Terms/Conditions of Employment | 50 | 57 | 13 | 15 | 8 | 31 |
| Time and Attendance | 34 | 18 | 3 | 18 | 7 | 1 |
| Training | 15 | 7 | 6 | 4 | 1 | 4 |
| Other | | | | | | |
| Processing Time | Comparative Data | | | | | |
| | Previous Fiscal Year Data | | | | | 2022Thru06-30 |
| | 2017 | 2018 | 2019 | 2020 | 2021 | |
| Complaints pending during fiscal year | | | | | | |
| Average number of days in investigation | 281.87 | 363.83 | 439.84 | 345.50 | 276.68 | 363.99 |
| Average number of days in final action | 195.93 | 124.31 | 206.53 | 182.44 | 288.06 | 192.91 |
| Complaint pending during fiscal year where hearing was requested | | | | | | |
| Average number of days in investigation | 254.35 | 372.12 | 455.71 | 340.14 | 285.75 | 382.15 |
| Average number of days in final action | 89.62 | 64.96 | 76.32 | 114.74 | 137.49 | 118.33 |
| Complaint pending during fiscal year where hearing was not requested | | | | | | |
| Average number of days in investigation | 328.29 | 348.90 | 432.91 | 351.38 | 264.57 | 337.38 |
| Average number of days in final action | 340.74 | 348.77 | 418.49 | 395.56 | 422.23 | 277.65 |

| | | | | | | | | | | | | |
|---------------------------------|---|-----|---|-----|---|-----|---|----|---|-----|---|-----|
| Age | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 50 | 0 | 0 | 0 | 0 |
| Disability | 1 | 50 | 1 | 100 | 0 | 0 | 2 | 25 | 0 | 0 | 1 | 100 |
| Genetics | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 100 |
| Non-EEO | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 13 | 0 | 0 | 0 | 0 |
| Findings After Hearing | | | | | | | | | | | | |
| | 0 | | 1 | | 1 | | 2 | | 0 | | 0 | |
| Race | 0 | 0 | 0 | 0 | 1 | 100 | 0 | 0 | 0 | 0 | 0 | 0 |
| Color | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Religion | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Reprisal | 0 | 0 | 1 | 100 | 0 | 0 | 1 | 50 | 0 | 0 | 0 | 0 |
| Sex | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 50 | 0 | 0 | 0 | 0 |
| 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 | 0 | 0 | 1 | 50 | 0 | 0 | 0 | 0 |
| Disability | 0 | 0 | 1 | 100 | 0 | 0 | 1 | 50 | 0 | 0 | 0 | 0 |
| Genetics | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Non-EEO | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 50 | 0 | 0 | 0 | 0 |
| Findings Without Hearing | | | | | | | | | | | | |
| | 2 | | 0 | | 0 | | 6 | | 1 | | 1 | |
| Race | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 33 | 1 | 100 | 0 | 0 |
| Color | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 33 | 0 | 0 | 0 | 0 |
| Religion | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Reprisal | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 67 | 1 | 100 | 1 | 100 |
| Sex | 2 | 100 | 0 | 0 | 0 | 0 | 4 | 67 | 1 | 100 | 0 | 0 |
| PDA | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| National Origin | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 33 | 1 | 100 | 0 | 0 |
| Equal Pay Act | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Age | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 50 | 0 | 0 | 0 | 0 |
| Disability | 1 | 50 | 0 | 0 | 0 | 0 | 1 | 17 | 0 | 0 | 1 | 100 |

| | | | | | | | | | | | | | |
|---|----------------------------------|----------|-------------|----------|-------------|----------|-------------|----------|-------------|----------|----------------------|----------|----------|
| Genetics | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 100 |
| Non-EEO | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Findings of Discrimination Rendered by Issue | Comparative Data | | | | | | | | | | | | |
| | Previous Fiscal Year Data | | | | | | | | | | 2022Thru06-30 | | |
| | 2017 | | 2018 | | 2019 | | 2020 | | 2021 | | | | |
| | # | % | # | % | # | % | # | % | # | % | # | % | # |
| Total Number Findings | 2 | | 1 | | 1 | | 8 | | 1 | | 1 | | |
| Appointment/Hire | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Assignment of Duties | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 13 | 0 | 0 | 0 | 0 | 0 |
| Awards | 0 | 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 | 0 |
| Disciplinary Action | | | | | | | | | | | | | |
| Demotion | 0 | 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 | 0 |
| Suspension | 0 | 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 | 0 |
| Duty Hours | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Perf. Eval./ Appraisal | 0 | 0 | 1 | 100 | 0 | 0 | 5 | 63 | 0 | 0 | 0 | 0 | 0 |
| Examination/Test | 1 | 50 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Harassment | | | | | | | | | | | | | |
| Non-Sexual | 0 | 0 | 0 | 0 | 1 | 100 | 4 | 50 | 1 | 100 | 1 | 100 | 100 |
| Sexual | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 13 | 0 | 0 | 0 | 0 | 0 |
| Medical Examination | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 13 | 0 | 0 | 0 | 0 | 0 |
| Pay including overtime | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Promotion/Non-Selection | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 38 | 0 | 0 | 1 | 100 | 100 |
| Reassignment | | | | | | | | | | | | | |
| Denied | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Directed | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 38 | 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 | 0 | 0 | 3 | 50 | 0 | 0 | 0 | 0 |
| Examination/Test | 1 | 50 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Harassment | | | | | | | | | | | | |
| Non-Sexual | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 33 | 1 | 100 | 1 | 100 |
| Sexual | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 17 | 0 | 0 | 0 | 0 |
| Medical Examination | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 17 | 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 | 3 | 50 | 0 | 0 | 1 | 100 |
| Reassignment | | | | | | | | | | | | |
| Denied | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Directed | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 17 | 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 | 1 | 50 | 0 | 0 | 0 | 0 | 1 | 17 | 0 | 0 | 0 | 0 |
| Time and Attendance | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 100 | 0 | 0 |
| Training | 0 | 0 | 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 | | | | | 2022Thru06-30 |
| | 2017 | 2018 | 2019 | 2020 | 2021 | |
| Total complaints from previous Fiscal Years | 340 | 410 | 388 | 333 | 214 | 150 |
| Total Complainants | 300 | 350 | 344 | 302 | 198 | 139 |

| Number complaints pending | | | | | | |
|---|----------------------------------|-------------|-------------|-------------|-------------|----------------------|
| Investigation | 11 | 28 | 30 | 5 | 7 | 16 |
| ROI issued, pending Complainant's action | 9 | 12 | 10 | 5 | 1 | 4 |
| Hearing | 248 | 244 | 219 | 173 | 121 | 115 |
| Final Agency Action | 31 | 84 | 117 | 141 | 82 | 16 |
| Appeal with EEOC Office of Federal Operations | 97 | 105 | 141 | 165 | 208 | 238 |
| Complaint Investigations | Comparative Data | | | | | |
| | Previous Fiscal Year Data | | | | | 2022Thru06-30 |
| | 2017 | 2018 | 2019 | 2020 | 2021 | |
| Pending Complaints Where Investigations Exceed Required Time Frames | 34 | 55 | 76 | 19 | 21 | 24 |