



# Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act EEO Complaint Data Fiscal Year 2024, Quarter 1

Office of Diversity and Civil Rights

2 January 2024



U.S. Immigration  
and Customs  
Enforcement

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

ICE (includes sub-level offices)

For 1st Quarter 2024 for period ending December 31, 2023

Part 1 Complaint Activity	Comparative Data					
	Previous Fiscal Year Data					2024 Thru 12-31
	2019	2020	2021	2022	2023	
Number of Complaints Filed	145	184	137	260	161	60
Number of Complainants	143	176	130	243	159	55
Repeat Filers	2	8	6	15	2	5

Part 2 Complaints by Basis	Comparative Data					
	Previous Fiscal Year Data					2024 Thru 12-31
	2019	2020	2021	2022	2023	
<small>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</small>						
Race	55	67	59	68	61	16
Color	20	32	22	27	22	8
Religion	4	7	5	49	14	3
Reprisal	67	97	75	96	90	36
Sex	56	70	58	89	63	25
PDA	2	2	2	1	1	1
National Origin	21	36	43	46	38	12
Equal Pay Act	1	0	2	1	1	1
Age	51	59	45	71	42	23
Disability	38	57	38	103	52	24
Genetics	0	0	1	10	1	0
Non-EEO	12	7	13	16	10	5

Part 3 Complaints By Issue	Comparative Data					
<p>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</p> <p>Starting in FY2022, issues marked with: * are reported under Other Terms / Conditions of Employment. ** are reported under Other Disciplinary Actions.</p> <p>The reporting of Reassignment Claims has been changed from two separate Denied and Directed rows to one combined row: the first row now accommodates both "Reassignment: Denied/Directed" and the second row has been deprecated for the current FY starting in FY2023.</p>	Previous Fiscal Year Data					2024 Thru 12-31
	2019	2020	2021	2022	2023	
Appointment/Hire	19	17	9	20	11	2
Assignment of Duties*	10	25	15	0	0	0
Awards	0	3	2	0	0	0
Conversion to Full Time/Perm Status*	0	0	0	0	0	0
Disciplinary Action						
Demotion	1	2	2	1	0	0
Reprimand**	4	7	7	0	0	0
Suspension	4	4	5	6	3	2
Removal	2	1	2	4	3	4
Other Disciplinary Actions**	0	0	0	0	0	4
Other 2**	0	0	0	0	0	0
Duty Hours*	2	0	3	0	0	0
Perf. Eval./ Appraisal	28	23	12	15	12	3
Examination/Test	0	1	2	4	0	0
Harassment						
Non-Sexual	58	76	53	85	83	35
Sexual	5	9	5	10	2	3
Medical Examination	7	5	0	44	7	0
Pay including overtime	3	10	3	5	8	3
Promotion/Non-Selection	28	28	22	21	19	6
Reassignment						
Reassignment: Denied/Directed	6	4	1	2	5	4
Directed	5	11	2	6	2	0
Reasonable Accommodation Disability	13	15	6	15	13	8
Reinstatement*	1	1	0	0	0	0
Religious Accommodation	0	0	0	6	0	0
Retirement*	2	2	3	0	0	0
Sex-Stereotyping	0	0	0	0	0	0
Telework	2	4	4	3	7	1
Termination	8	15	14	11	3	3
Terms/Conditions of Employment*	13	15	8	0	0	0
Time and Attendance	3	18	7	5	13	5
Training	6	4	1	6	6	1
Other Terms/Conditions of Employment*	0	0	0	0	0	14
User Defined - Other 1*	0	0	0	0	0	0
User Defined - Other 2*	0	0	0	0	0	0
User Defined - Other 3*	0	0	0	0	0	0
User Defined - Other 4*	0	0	0	0	0	0

Part 4 Processing Time	Comparative Data					
	Previous Fiscal Year Data					2024 Thru 12-31
	2019	2020	2021	2022	2023	
Complaints pending during fiscal year						
Average number of days in investigation	439.84	345.5	276.68	343.85	334.54	407.76
Average number of days in final action	206.53	182.44	288.06	201.71	31.4	33.86
Complaints pending during fiscal year where hearing was requested						
Average number of days in investigation	455.71	340.14	285.75	365.23	331.96	379.95
Average number of days in final action	76.32	114.74	137.49	133.4	26.21	30.53
Complaints pending during fiscal year where hearing was not requested						
Average number of days in investigation	432.91	351.38	264.57	318.03	347.1	446.00
Average number of days in final action	418.49	395.56	422.23	287.53	43.79	40.45

Part 5 Complaints Dismissed by Agency	Comparative Data					
	Previous Fiscal Year Data					2024 Thru 12-31
	2019	2020	2021	2022	2023	
Part 5 Complaints Dismissed by Agency	15	24	15	17	71	8
Average days pending prior to dismissal	281	375	115	186	222	264.38
Complaints Withdrawn by Complainants						
Total Complaints Withdrawn by Complainants	18	23	22	20	24	4

Part 6 Total Final Agency Actions Finding Discrimination	Comparative Data											
	Previous Fiscal Year Data										2024 Thru 12-31	
	2019		2020		2021		2022		2023			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	1		8		1		0		0		2	
Without Hearing	1	100	6	75	1	100	0	0	0	0	0	0
With Hearing	0	0	2	25	0	0	0	0	0	0	2	100

Part 7 Finding of Discrimination Rendered by Basis	Comparative Data											
	Previous Fiscal Year Data										2024 Thru 12-31	
	2019		2020		2021		2022		2023			
#	%	#	%	#	%	#	%	#	%	#	%	
Total Number Findings	1		8		1		2		3		2	
Race	1	100.00	2	25.00	1	100.00	0	0.00	2	66.67	1	50.00
Color	0	0.00	2	25.00	0	0.00	0	0.00	2	66.67	1	50.00
Religion	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Reprisal	0	0.00	5	62.50	1	100.00	2	100.00	1	33.33	2	100.00
Sex	0	0.00	5	62.50	1	100.00	0	0.00	1	33.33	2	100.00
PDA	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
National Origin	0	0.00	2	25.00	1	100.00	0	0.00	0	0.00	1	50.00
Equal Pay Act	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Age	0	0.00	4	50.00	0	0.00	0	0.00	2	66.67	0	0.00
Disability	0	0.00	2	25.00	0	0.00	1	50.00	1	33.33	0	0.00
Genetics	0	0.00	0	0.00	0	0.00	1	50.00	0	0.00	0	0.00
Non-EEO	0	0.00	1	12.50	0	0.00	0	0.00	0	0.00	0	0.00

Findings After Hearing	1		2		0		1		3		2	
Race	1	100.00	0	0.00	0	0.00	0	0.00	2	66.67	1	50.00
Color	0	0.00	0	0.00	0	0.00	0	0.00	2	66.67	1	50.00
Religion	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Reprisal	0	0.00	1	50.00	0	0.00	1	100.00	1	33.33	2	100.00
Sex	0	0.00	1	50.00	0	0.00	0	0.00	1	33.33	2	100.00
PDA	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
National Origin	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	1	50.00
Equal Pay Act	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Age	0	0.00	1	50.00	0	0.00	0	0.00	2	66.67	0	0.00
Disability	0	0.00	1	50.00	0	0.00	0	0.00	1	33.33	0	0.00
Genetics	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Non-EEO	0	0.00	1	50.00	0	0.00	0	0.00	0	0.00	0	0.00
Finding Without Hearing	0		6		1		1		0		0	
Race	0	0.00	2	33.33	1	100.00	0	0.00	0	0.00	0	0.00

Color	0	0.00	2	33.33	0	0.00	0	0.00	0	0.00	0	0.00
Religion	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Reprisal	0	0.00	4	66.67	1	100.00	1	100.00	0	0.00	0	0.00
Sex	0	0.00	4	66.67	1	100.00	0	0.00	0	0.00	0	0.00
PDA	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
National Origin	0	0.00	2	33.33	1	100.00	0	0.00	0	0.00	0	0.00
Equal Pay Act	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Age	0	0.00	3	50.00	0	0.00	0	0.00	0	0.00	0	0.00
Disability	0	0.00	1	16.67	0	0.00	1	100.00	0	0.00	0	0.00
Genetics	0	0.00	0	0.00	0	0.00	1	100.00	0	0.00	0	0.00
Non-EEO	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00







Findings Without Hearing	0		6		1		1		0		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
Other 2**	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	3	50	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment												
Sexual	0	0	1	17	0	0	0	0	0	0	0	0
Non-Sexual	0	0	2	33	1	100	1	100	0	0	0	0
Medical Examination	0	0	1	17	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	3	50	0	0	1	100	0	0	0	0
Reassignment												
Reassignment: Denied/Directed	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	1	17	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	1	17	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	1	100	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	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

Part 9 Complaints Pending from Previous Fiscal Years By Status	Comparative Data					
	Previous Fiscal Year Data					2024 Thru 12-31
	2019	2020	2021	2022	2023	
Total complaints from previous Fiscal Years	388	333	214	109	116	201
Total Complainants	344	302	198	101	113	190
Number complaints pending						
Investigation	30	5	7	6	39	118
ROI issued, pending Complainant's action	10	5	1	1	2	10
Hearing	219	173	121	86	65	70
Final Agency Action	117	141	82	20	13	12
Appeal with EEOC Office of Federal Operations	141	165	208	240	86	86

Part 10 Complaint Investigations	Comparative Data					
	Previous Fiscal Year Data					2024 Thru 12-31
	2019	2020	2021	2022	2023	
Pending Complaints Where Investigations Exceed Required Time Frames	76	19	21	31	74	66