



# Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act EEO Complaint Data Fiscal Year 2021, Quarter 1

Office of Diversity and Civil Rights

31 December 2021



U.S. Immigration  
and Customs  
Enforcement

# U.S. Immigration and Customs Enforcement Equal Employment Opportunity Data Posted

## Pursuant to the No Fear Act

For 1st Quarter 2021 for period ending December 31, 2020

Complaint Activity	Comparative Data					
	Previous Fiscal Year Data					2021Thru12-31
	2016	2017	2018	2019	2020	
Number of Complaints Filed	213	227	201	145	184	36
Number of Complainants	199	207	193	143	176	35
Repeat Filers	10	13	7	2	8	1
Complaints by Basis	Comparative Data					
	Previous Fiscal Year Data					2021Thru12-31
	2016	2017	2018	2019	2020	
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>						
Race	84	96	81	55	67	16
Color	29	49	32	20	32	9
Religion	12	15	13	4	7	1
Reprisal	128	127	124	67	97	20
Sex	90	88	79	56	70	14
PDA	3	0	6	2	2	0
National Origin	54	64	54	21	36	11
Equal Pay Act	0	5	2	1	0	1
Age	98	98	61	51	59	11

Disability	43	58	44	38	57	8
Genetics	0	0	1	0	0	0
Non-EEO	19	15	15	12	7	5
<b>Complaints by Issue</b>	<b>Comparative Data</b>					
	<b>Previous Fiscal Year Data</b>					<b>2021 Thru 12-31</b>
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	
Appointment/Hire	8	18	10	19	17	1
Assignment of Duties	38	38	36	10	25	3
Awards	4	5	1	0	3	1
Conversion to Full Time/Perm Status	0	0	0	0	0	0
<b>Disciplinary Action</b>						
Demotion	0	0	0	1	2	1
Reprimand	6	13	8	4	7	3
Suspension	10	8	9	4	4	3
Removal	0	5	4	2	1	0
Duty Hours	4	3	6	2	0	1
Perf. Eval./ Appraisal	22	34	32	28	23	5
Examination/Test	2	0	1	0	1	0
<b>Harassment</b>						
Non-Sexual	87	105	85	58	76	15
Sexual	10	13	8	5	9	1
Medical Examination	1	4	2	7	5	0
Pay including overtime	11	18	5	3	10	1
Promotion/Non-Selection	94	77	51	28	28	7
<b>Reassignment</b>						
Denied	8	21	9	6	4	0

Directed	15	29	20	5	11	2
Reasonable Accommodation Disability	12	18	18	13	15	2
Reinstatement	0	0	1	1	1	0
Religious Accommodation	1	1	0	0	0	0
Retirement	3	0	1	2	2	0
Sex-Stereotyping	1	0	0	0	0	0
Telework	5	4	5	2	4	2
Termination	6	8	12	8	15	6
Terms/Conditions of Employment	36	50	57	13	15	0
Time and Attendance	20	34	18	3	18	4
Training	15	15	7	6	4	0
<b>Processing Time</b>	<b>Comparative Data</b>					
	<b>Previous Fiscal Year Data</b>					<b>2021 Thru 12-31</b>
	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	
<b>Complaints pending during fiscal year</b>						
Average number of days in investigation	285.73	281.87	363.83	439.84	345.50	277.09
Average number of days in final action	147.72	195.93	124.31	206.53	182.44	224.17
<b>Complaint pending during fiscal year where hearing was requested</b>						
Average number of days in investigation	293.17	254.35	372.12	455.71	340.14	314.36
Average number of days in final action	98.45	89.62	64.96	76.32	114.74	121.47
<b>Complaint pending during fiscal year where hearing was not requested</b>						
Average number of days in investigation	278.81	328.29	348.90	432.91	351.38	246.24
Average number of days in final action	196.76	340.74	348.77	418.49	395.56	334.21











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
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
Perf. Eval./ Appraisal	0	0	0	0	0	0	0	0	3	50	0	0
Examination/Test	0	0	1	50	0	0	0	0	0	0	0	0
Harassment												
Non-Sexual	0	0	0	0	0	0	0	0	2	33	0	0
Sexual	0	0	0	0	0	0	0	0	1	17	0	0
Medical Examination	0	0	0	0	0	0	0	0	1	17	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	3	50	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	1	17	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	50	0	0	0	0	1	17	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
<b>Pending Complaints Filed in Previous Fiscal Years by Status</b>	<b>Comparative Data</b>											
	<b>Previous Fiscal Year Data</b>										<b>2021Thru12-31</b>	
	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>							
Total complaints from previous Fiscal Years	277	340	410	388	333							450
Total Complainants	259	300	350	344	302							399
<b>Number complaints pending</b>												
Investigation	2	11	28	30	5							75
ROI issued, pending Complainant's action	0	9	12	10	5							5
Hearing	218	248	244	219	173							198
Final Agency Action	35	31	84	117	141							154
Appeal with EEOC Office of Federal Operations	91	97	105	141	165							177
<b>Complaint Investigations</b>	<b>Comparative Data</b>											
	<b>Previous Fiscal Year Data</b>										<b>2021Thru12-31</b>	
	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>							
Pending Complaints Where Investigations Exceed Required Time Frames	20	34	55	76	19							25