



Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act EEO Complaint Data Fiscal Year 2020, Quarter 4

Office of Diversity and Civil Rights
30 September 2020



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 2020 for period ending September 30, 2020

Complaint Activity	Comparative Data					
	Previous Fiscal Year Data					2020Thru09-30
	2015	2016	2017	2018	2019	
Number of Complaints Filed	178	213	227	201	145	184
Number of Complainants	173	199	207	193	143	176
Repeat Filers	4	10	13	7	2	8
Complaints by Basis	Comparative Data					
	Previous Fiscal Year Data					2020Thru09-30
	2015	2016	2017	2018	2019	
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>						
Race	70	84	96	81	55	67
Color	17	29	49	32	20	32
Religion	10	12	15	13	4	7
Reprisal	88	128	127	124	67	97
Sex	61	90	88	79	56	70
PDA	7	3	0	6	2	2
National Origin	36	54	64	54	21	36
Equal Pay Act	2	0	5	2	1	0
Age	60	98	98	61	51	59
Disability	33	43	58	44	38	57
Genetics	0	0	0	1	0	0
Non-EEO	8	19	15	15	12	7

Complaints by Issue	Comparative Data					
	Previous Fiscal Year Data					2020Thru09-30
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	2015	2016	2017	2018	2019	
Appointment/Hire	6	8	18	10	19	17
Assignment of Duties	29	38	38	36	10	25
Awards	3	4	5	1	0	3
Conversion to Full Time/Perm Status	0	0	0	0	0	0
Disciplinary Action						
Demotion	0	0	0	0	1	2
Reprimand	4	6	13	8	4	7
Suspension	3	10	8	9	4	4
Removal	0	0	5	4	2	1
Duty Hours	2	4	3	6	2	0
Perf. Eval./ Appraisal	21	22	34	32	28	23
Examination/Test	2	2	0	1	0	1
Harassment						
Non-Sexual	81	87	105	85	58	76
Sexual	5	10	13	8	5	9
Medical Examination	1	1	4	2	7	5
Pay including overtime	19	11	18	5	3	10
Promotion/Non-Selection	45	94	77	51	28	28
Reassignment						
Denied	3	8	21	9	6	4
Directed	1	15	29	20	5	11
Reasonable Accommodation Disability	10	12	18	18	13	15
Reinstatement	0	0	0	1	1	1

Religious Accommodation	0	1	1	0	0	0
Retirement	3	3	0	1	2	2
Sex-Stereotyping	0	1	0	0	0	0
Telework	0	5	4	5	2	4
Termination	8	6	8	12	8	15
Terms/Conditions of Employment	14	36	50	57	13	15
Time and Attendance	14	20	34	18	3	18
Training	11	15	15	7	6	4
Processing Time	Comparative Data					
	Previous Fiscal Year Data					2020Thru09-30
	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	345.50
Average number of days in final action	150.06	147.72	195.93	124.31	206.53	182.44
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	340.14
Average number of days in final action	69.09	98.45	89.62	64.96	76.32	114.74
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	351.38
Average number of days in final action	216.49	196.76	340.74	348.77	418.49	395.56
Complaints Dismissed by Agency	Comparative Data					
	Previous Fiscal Year Data					2020Thru09-30
	2015	2016	2017	2018	2019	
Total Complaints Dismissed by Agency	8	12	19	21	15	24

Average days pending prior to dismissal	275	403	206	295	281	375						
Complaints Withdrawn by Complainants												
Total Complaints Withdrawn by Complainants	15	16	17	14	18	23						
Total Final Agency Actions Finding Discrimination	Comparative Data											
	Previous Fiscal Year Data										2020Thru09-30	
	2015		2016		2017		2018		2019			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	6		3		2		1		1		8	
Without Hearing	0	0	2	67	2	100	0	0	1	100	6	75
With Hearing	6	100	1	33	0	0	1	100	0	0	2	25
Findings of Discrimination Rendered by Basis	Comparative Data											
	Previous Fiscal Year Data										2020Thru09-30	
	2015		2016		2017		2018		2019			
	#	%	#	%	#	%	#	%	#	%	#	%
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>												
Total Number Findings	7		2		2		1		1		8	
Race	0	0	0	0	0	0	0	0	1	100	2	25
Color	0	0	0	0	0	0	0	0	0	0	2	25
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	1	50	0	0	1	100	0	0	5	63
Sex	0	0	2	100	2	100	0	0	0	0	5	63
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	2	25
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0	4	50
Disability	0	0	0	0	1	50	1	100	0	0	2	25

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

Genetics	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0
Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										2020Thru09-30	
	2015		2016		2017		2018		2019			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	7		2		2		1		1		8	
Appointment/Hire	0	0	1	50	0	0	0	0	0	0	0	0
Assignment of Duties	1	14	0	0	0	0	0	0	0	0	1	13
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	1	50	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	1	50	0	0	0	0	0	0	0	0
Perf. Eval./ Appraisal	0	0	0	0	0	0	1	100	0	0	5	63
Examination/Test	0	0	0	0	1	50	0	0	0	0	0	0
Harassment												
Non-Sexual	5	71	1	50	0	0	0	0	1	100	4	50
Sexual	1	14	1	50	0	0	0	0	0	0	1	13
Medical Examination	0	0	0	0	0	0	0	0	0	0	1	13
Pay including overtime	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	1	14	1	50	0	0	0	0	0	0	3	38
Reassignment												
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	1	14	0	0	0	0	0	0	0	0	3	38

Reasonable Accommodation Disability	1	14	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	1	13
Termination	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	3	43	1	50	1	50	0	0	0	0	3	38
Time and Attendance	1	14	1	50	0	0	0	0	0	0	0	0
Training	1	14	0	0	0	0	0	0	0	0	0	0
Findings After Hearing	6		1		0		1		1		2	
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	1	17	0	0	0	0	0	0	0	0	1	50
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	1	100	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	1	100	0	0	0	0	0	0	0	0
Perf. Eval./ Appraisal	0	0	0	0	0	0	1	100	0	0	2	100
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment												
Non-Sexual	5	83	1	100	0	0	0	0	1	100	2	100

Pending Complaints Filed in Previous Fiscal Years by Status	Comparative Data					
	Previous Fiscal Year Data					2020Thru09-30
	2015	2016	2017	2018	2019	
Total complaints from previous Fiscal Years	265	277	340	410	388	333
Total Complainants	252	259	300	350	344	302
Number complaints pending						
Investigation	7	2	11	28	30	5
ROI issued, pending Complainant's action	1	0	9	12	10	5
Hearing	201	218	248	244	219	173
Final Agency Action	44	35	31	84	117	141
Appeal with EEOC Office of Federal Operations	49	91	97	105	141	165
Complaint Investigations	Comparative Data					
	Previous Fiscal Year Data					2020Thru09-30
	2015	2016	2017	2018	2019	
Pending Complaints Where Investigations Exceed Required Time Frames	35	20	34	55	76	19