

COMPONENT: Executive Office for Immigration Review (EOIR)

| EEO COMPLAINT DATA | 1st Quarter FY 2022 | 2nd Quarter FY2022 | 3rd Quarter FY 2022 | 4th Quarter FY 2022 | Year to Date Total |
|--|---|---|---|---|-----------------------------------|
| I. Number of Complaints | | | | | |
| A. Pending at the beginning of the quarter: | 20 | 27 | 27 | 31 | 31 |
| B. Filed during the quarter: | 8 | 4 | 6 | 4 | 22 |
| C. Pending, at any time, during the quarter: | 28 | 31 | 33 | 35 | 35 |
| II. Number of Filers | 1st Quarter FY 2022 | 2nd Quarter FY 2022 | 3rd Quarter FY 2022 | 4th Quarter FY 2022 | Year to Date Total |
| A. Who had a complaint pending at the start of the quarter: | 20 | 27 | 27 | 31 | 31 |
| B. Who filed a complaint during this quarter: | 8 | 4 | 6 | 4 | 22 |
| C. Who had a complaint pending at any time during this quarter: | 28 | 31 | 33 | 35 | 35 |
| D. Who filed two or more complaints during this quarter: | 0 | 0 | 0 | 0 | 0 |
| III. Breakdown of all Complaints filed during this quarter by basis and issue | 1st Quarter FY 2022 | 2nd Quarter FY 2022 | 3rd Quarter FY 2022 | 4th Quarter FY 2022 | Year to Date Total |
| A. Complaints filed during the quarter broken down by basis: | | | | | |
| 1. Race: | 2 | 3 | 0 | 0 | 5 |
| a. American Indian/Alaskan Native: | 0 | 0 | 0 | 0 | 0 |
| b. American Asian/Pacific Islander: | 0 | 1 | 0 | 0 | 1 |
| c. Black: | 1 | 2 | 0 | 0 | 3 |
| d. White: | 1 | 0 | 0 | 0 | 1 |
| 2. Color: | 0 | 2 | 0 | 0 | 2 |
| 3. Sex: | 6 | 3 | 1 | 2 | 12 |
| a. Male: | 1 | 0 | 0 | 1 | 2 |
| b. Female: | 5 | 3 | 1 | 1 | 10 |
| 4. Age: | 1 | 2 | 1 | 2 | 6 |
| 5. Religion: | 1 | 1 | 0 | 0 | 2 |

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| 6. Reprisal: | 3 | 1 | 2 | 2 | 8 |
| 7. Pregnancy (PDA): | 1 | 0 | 0 | 0 | 1 |
| 8. National Origin: | 0 | 1 | 0 | 1 | 2 |
| a. Hispanic: | 0 | 0 | 0 | 1 | 1 |
| b. Other: | 0 | 1 | 0 | 0 | 1 |
| 9. Equal Pay Act: | 0 | 1 | 0 | 0 | 1 |
| a. Male: | 0 | 0 | 0 | 0 | 0 |
| b. Female: | 0 | 1 | 0 | 0 | 1 |
| 10. Disability: | 2 | 2 | 4 | 4 | 12 |
| 11. Genetics: | 1 | 1 | 0 | 0 | 2 |
| 12. Non-EEO Basis: | 1 | 1 | 1 | 0 | 3 |
| B. Complaints filed during the quarter broken down by issue: | | | | | |
| 1. Appointment/Hire: | 0 | 0 | 0 | 0 | 0 |
| 2. Assignment of Duties: | 0 | 0 | 1 | 0 | 1 |
| 3. Awards: | 0 | 0 | 0 | 0 | 0 |
| 4. Conversion to Full Time/Perm Status: | 0 | 0 | 0 | 0 | 0 |
| 5. Disciplinary Action: | 0 | 0 | 0 | 0 | 0 |
| a. Demotion: | 0 | 0 | 0 | 0 | 0 |
| b. Reprimand: | 0 | 0 | 0 | 0 | 0 |
| c. Suspension: | 0 | 0 | 0 | 0 | 0 |
| d. Removal: | 0 | 0 | 0 | 0 | 0 |
| e. Other: | 0 | 0 | 0 | 0 | 0 |
| 6. Duty Hours: | 0 | 0 | 0 | 0 | 0 |
| 7. Perf. Eval/ Appraisal: | 1 | 0 | 0 | 0 | 1 |
| 8. Examination/Test: | 0 | 0 | 0 | 0 | 0 |
| 9. Harassment: | 7 | 2 | 3 | 4 | 16 |
| a. Non-sexual: | 4 | 2 | 3 | 4 | 13 |
| b. Sexual: | 3 | 0 | 0 | 0 | 3 |

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| 10. Medical Examination: | 0 | 0 | 0 | 0 | 0 |
| 11. Pay Including Overtime: | 0 | 0 | 0 | 0 | 0 |
| 12. Promotion/Non-Selection: | 1 | 2 | 2 | 0 | 5 |
| 13. Reassignment: | 0 | 0 | 0 | 0 | 0 |
| a. Denied: | 0 | 0 | 0 | 0 | 0 |
| b. Directed: | 0 | 0 | 0 | 0 | 0 |
| 14. Reasonable Accommodation Disability: | 1 | 0 | 1 | 0 | 2 |
| 15. Reinstatement: | 0 | 0 | 0 | 0 | 0 |
| 16. Religious Accommodation: | 1 | 1 | 0 | 0 | 2 |
| 17. Retirement: | 0 | 0 | 0 | 0 | 0 |
| 18. Sex-Stereotyping: | 0 | 0 | 0 | 0 | 0 |
| 19. Telework: | 0 | 0 | 0 | 0 | 0 |
| 20. Termination: | 2 | 0 | 0 | 0 | 2 |
| 21. Terms/Conditions of Employment: | 0 | 0 | 0 | 0 | 0 |
| 22. Time and Attendance: | 0 | 0 | 0 | 0 | 0 |
| 23. Training: | 0 | 0 | 0 | 0 | 0 |
| 24. Other: | 0 | 0 | 0 | 0 | 0 |
| IV. Time measurements – All complaints pending at any time during the quarter | 1st Quarter FY 2022 | 2nd Quarter FY 2022 | 3rd Quarter FY 2022 | 4th Quarter FY 2022 | Year to Date Total |
| A. Average number of days for Investigation: | 178 | 200 | 191 | 205 | 194 |
| B. Average number of days for Final Agency Decision: | 0 | 2321 | 0 | 0 | 2321 |
| C. Average number of days for Final Agency Action: | 17 | 1114 | 414 | 724 | 567 |
| D. Number of complaints dismissed pursuant to 29 CFR § 1614.107(a): | 0 | 0 | 0 | 0 | 0 |
| E. Average number of days complaints were pending at the time of dismissal: | 0 | 0 | 0 | 0 | 0 |

| V. Final agency actions involving discrimination during the quarter broken down by hearing/no hearing and basis/issue | 1st Quarter FY 2022 # / % | 2nd Quarter FY 2022 # / % | 3rd Quarter FY 2022 # / % | 4th Quarter FY 2022 # / % | Year to Date Total |
|--|---|---|---|---|-----------------------------------|
| A. Total number of final agency actions (decisions) involving discrimination during the quarter: | 0 | 0 | 0 | 0 | 0 |
| B. Decisions finding discrimination without a hearing: | 0 | 0 | 0 | 0 | 0 |
| C. Decisions finding discrimination without a hearing broken down by basis: | | | | | |
| 1. Race: | 0 | 0 | 0 | 0 | 0 |
| a. American Indian/Alaskan Native: | 0 | 0 | 0 | 0 | 0 |
| b. American Asian/Pacific Islander: | 0 | 0 | 0 | 0 | 0 |
| c. Black: | 0 | 0 | 0 | 0 | 0 |
| d. White: | 0 | 0 | 0 | 0 | 0 |
| 2. Color: | 0 | 0 | 0 | 0 | 0 |
| 3. Sex: | 0 | 0 | 0 | 0 | 0 |
| a. Male: | 0 | 0 | 0 | 0 | 0 |
| b. Female: | 0 | 0 | 0 | 0 | 0 |
| 4. Pregnancy (PDA): | 0 | 0 | 0 | 0 | 0 |
| 5. Age: | 0 | 0 | 0 | 0 | 0 |
| 6. Religion: | 0 | 0 | 0 | 0 | 0 |
| 7. Reprisal: | 0 | 0 | 0 | 0 | 0 |
| 8. National Origin: | 0 | 0 | 0 | 0 | 0 |
| a. Hispanic: | 0 | 0 | 0 | 0 | 0 |
| b. Other: | 0 | 0 | 0 | 0 | 0 |
| 9. Equal Pay Act: | 0 | 0 | 0 | 0 | 0 |
| a. Male: | 0 | 0 | 0 | 0 | 0 |
| b. Female: | 0 | 0 | 0 | 0 | 0 |
| 10. Disability: | 0 | 0 | 0 | 0 | 0 |
| 11. Genetics: | 0 | 0 | 0 | 0 | 0 |
| 12. Non-EEO Basis: | 0 | 0 | 0 | 0 | 0 |

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| D. Decisions finding discrimination without a hearing broken down by issue: | | | | | |
| 1. Appointment/Hire: | 0 | 0 | 0 | 0 | 0 |
| 2. Assignment of Duties: | 0 | 0 | 0 | 0 | 0 |
| 3. Awards: | 0 | 0 | 0 | 0 | 0 |
| 4. Conversion to Full Time/Perm Status: | 0 | 0 | 0 | 0 | 0 |
| 5. Disciplinary Action: | 0 | 0 | 0 | 0 | 0 |
| a. Demotion: | 0 | 0 | 0 | 0 | 0 |
| b. Reprimand: | 0 | 0 | 0 | 0 | 0 |
| c. Suspension: | 0 | 0 | 0 | 0 | 0 |
| d. Removal: | 0 | 0 | 0 | 0 | 0 |
| e. Other: | 0 | 0 | 0 | 0 | 0 |
| 6. Duty Hours: | 0 | 0 | 0 | 0 | 0 |
| 7. Perf. Eval/ Appraisal: | 0 | 0 | 0 | 0 | 0 |
| 8. Examination/Test: | 0 | 0 | 0 | 0 | 0 |
| 9. Harassment: | 0 | 0 | 0 | 0 | 0 |
| a. Non-sexual: | 0 | 0 | 0 | 0 | 0 |
| b. Sexual: | 0 | 0 | 0 | 0 | 0 |
| 10. Medical Examination: | 0 | 0 | 0 | 0 | 0 |
| 11. Pay Including Overtime: | 0 | 0 | 0 | 0 | 0 |
| 12. Promotion/Non-Selection: | 0 | 0 | 0 | 0 | 0 |
| 13. Reassignment: | 0 | 0 | 0 | 0 | 0 |
| a. Denied: | 0 | 0 | 0 | 0 | 0 |
| b. Directed: | 0 | 0 | 0 | 0 | 0 |
| 14. Reasonable Accommodation Disability: | 0 | 0 | 0 | 0 | 0 |
| 15. Reinstatement: | 0 | 0 | 0 | 0 | 0 |
| 16. Religious Accommodation: | 0 | 0 | 0 | 0 | 0 |
| 17. Retirement: | 0 | 0 | 0 | 0 | 0 |
| 18. Sex-Stereotyping: | 0 | 0 | 0 | 0 | 0 |

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| 19. Telework: | 0 | 0 | 0 | 0 | 0 |
| 20. Termination: | 0 | 0 | 0 | 0 | 0 |
| 21. Terms/Conditions of Employment: | 0 | 0 | 0 | 0 | 0 |
| 22. Time and Attendance: | 0 | 0 | 0 | 0 | 0 |
| 23. Training: | 0 | 0 | 0 | 0 | 0 |
| 24. Other: | 0 | 0 | 0 | 0 | 0 |
| E. Decisions involving discrimination after a hearing: | 0 | 0 | 0 | 0 | 0 |
| F. Decisions involving discrimination after a hearing broken down by basis: | | | | | |
| 1. Race: | 0 | 0 | 0 | 0 | 0 |
| a. American Indian/Alaskan Native: | 0 | 0 | 0 | 0 | 0 |
| b. American Asian/Pacific Islander: | 0 | 0 | 0 | 0 | 0 |
| c. Black: | 0 | 0 | 0 | 0 | 0 |
| d. White: | 0 | 0 | 0 | 0 | 0 |
| 2. Color: | 0 | 0 | 0 | 0 | 0 |
| 3. Sex: | 0 | 0 | 0 | 0 | 0 |
| a. Male: | 0 | 0 | 0 | 0 | 0 |
| b. Female: | 0 | 0 | 0 | 0 | 0 |
| 4. Age: | 0 | 0 | 0 | 0 | 0 |
| 5. Religion: | 0 | 0 | 0 | 0 | 0 |
| 6. Reprisal: | 0 | 0 | 0 | 0 | 0 |
| 7. Pregnancy (PDA): | 0 | 0 | 0 | 0 | 0 |
| 8. National Origin: | 0 | 0 | 0 | 0 | 0 |
| a. Hispanic: | 0 | 0 | 0 | 0 | 0 |
| b. Other: | 0 | 0 | 0 | 0 | 0 |
| 9. Equal Pay Act: | 0 | 0 | 0 | 0 | 0 |
| a. Male: | 0 | 0 | 0 | 0 | 0 |
| b. Female: | 0 | 0 | 0 | 0 | 0 |

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| 10. Disability: | 0 | 0 | 0 | 0 | 0 |
| 11. Genetics: | 0 | 0 | 0 | 0 | 0 |
| 12. Non-EEO Basis: | 0 | 0 | 0 | 0 | 0 |
| G. Decisions involving discrimination after a hearing broken down by issue: | | | | | |
| 1. Appointment/Hire: | 0 | 0 | 0 | 0 | 0 |
| 2. Assignment of Duties: | 0 | 0 | 0 | 0 | 0 |
| 3. Awards: | 0 | 0 | 0 | 0 | 0 |
| 4. Conversion to Full Time/Perm Status: | 0 | 0 | 0 | 0 | 0 |
| 5. Disciplinary Action: | 0 | 0 | 0 | 0 | 0 |
| a. Demotion: | 0 | 0 | 0 | 0 | 0 |
| b. Reprimand: | 0 | 0 | 0 | 0 | 0 |
| c. Suspension: | 0 | 0 | 0 | 0 | 0 |
| d. Removal: | 0 | 0 | 0 | 0 | 0 |
| e. Other: | 0 | 0 | 0 | 0 | 0 |
| 6. Duty Hours: | 0 | 0 | 0 | 0 | 0 |
| 7. Perf. Eval/ Appraisal: | 0 | 0 | 0 | 0 | 0 |
| 8. Examination/Test: | 0 | 0 | 0 | 0 | 0 |
| 9. Harassment: | 0 | 0 | 0 | 0 | 0 |
| a. Non-sexual: | 0 | 0 | 0 | 0 | 0 |
| b. Sexual: | 0 | 0 | 0 | 0 | 0 |
| 10. Medical Examination: | 0 | 0 | 0 | 0 | 0 |
| 11. Pay Including Overtime: | 0 | 0 | 0 | 0 | 0 |
| 12. Promotion/Non-Selection: | 0 | 0 | 0 | 0 | 0 |
| 13. Reassignment: | 0 | 0 | 0 | 0 | 0 |
| a. Denied: | 0 | 0 | 0 | 0 | 0 |
| b. Directed: | 0 | 0 | 0 | 0 | 0 |
| 14. Reasonable Accommodation Disability: | 0 | 0 | 0 | 0 | 0 |
| 15. Religious Accommodation: | 0 | 0 | 0 | 0 | 0 |

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| 16. Reinstatement: | 0 | 0 | 0 | 0 | 0 |
| 17. Sex-Stereotyping: | 0 | 0 | 0 | 0 | 0 |
| 18. Retirement: | 0 | 0 | 0 | 0 | 0 |
| 19. Telework: | 0 | 0 | 0 | 0 | 0 |
| 20. Termination: | 0 | 0 | 0 | 0 | 0 |
| 21. Terms/Conditions of Employment: | 0 | 0 | 0 | 0 | 0 |
| 22. Time and Attendance: | 0 | 0 | 0 | 0 | 0 |
| 23. Training: | 0 | 0 | 0 | 0 | 0 |
| 24. Other: | 0 | 0 | 0 | 0 | 0 |
| VI. Status of all pending complaints | 1st Quarter FY 2022 | 2nd Quarter FY 2022 | 3rd Quarter FY 2022 | 4th Quarter FY 2022 | Year to Date Total |
| A. Number of complaints pending investigation: | 7 | 2 | 10 | 9 | 9 |
| B. Number of complaints pending hearing: | 10 | 9 | 8 | 11 | 11 |
| C. Number of complaints pending final agency action: | 5 | 6 | 4 | 11 | 11 |
| D. Number of complaints pending decision on appeal: | 6 | 4 | 3 | 3 | 3 |
| VII. Complaints not timely investigated | 1st Quarter FY 2022 | 2nd Quarter FY 2022 | 3rd Quarter FY 2022 | 4th Quarter FY 2022 | Year to Date Total |
| A. Number of complaints not investigated within the time required by 29 CFR § 1614.106(e)(2): | 0 | 0 | 0 | 0 | 0 |