

# No FEAR Act quarterly data of the Consumer Financial Protection Bureau

Pursuant to Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002

# Summary of complaint data

Equal Employment Opportunity Data Posted Pursuant to Title III of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174, for the Consumer Financial Protection Bureau (the CFPB or CFPB).

For the period ending June 30, 2023.

- Mixed-case complaints are included in this report.
- Calculations begin day after triggering event but include the last day of event per 29 C.F.R. § 1614.604.

# 1. Complaint activity

TABLE 1: COMPLAINT ACTIVITY

Complaint Activity	2018	2019	2020	2021	2022	2023 Q3
Number of complaints filed	21*	17**	18	19	13	9
Number of complainants	19	14	17	16	12	9
Repeat filers <sup>1</sup>	2	3	1	3	1	0

\* One of these complaints alleged a violation of Executive Order 11478 (as amended) only. The OCR processed this complaint pursuant to a policy the Agency has established to address such allegations. In FY 2018, the CFPB received 20 new formal complaints filed (in whole or in part) under 29 C.F.R. Part 1614.

\*\* Two of these reported matters involve alleged violations of Executive Order 11478 (as amended) only. In FY 2019, the CFPB received 15 new formal complaints filed (in whole or in part) under 29 C.F.R. Part 1614.

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<sup>1</sup> For this purpose, “repeat filers” include only individuals who have filed more than one complaint during the relevant fiscal year. This data does not include individuals who may have filed more than one formal complaint but who have never filed more than one complaint in any single fiscal year.

# 1.1 Complaints by basis

**TABLE 2:** COMPLAINTS BY BASIS\*

Complaints by Basis	2018	2019	2020	2021	2022	2023 Q3
Race	13	9	8	14	8	4
Color	5	4	5	4	2	0
Religion	2	0	2	1	1	0
Reprisal	12	9	14	12	6	6
Sex	11	9	7	9	5	2
Pregnancy (PDA)	0	0	1	0	0	0
National Origin	0	2	3	3	2	1
Equal Pay (EPA)	0	1	0	1	1	0
Age	5	7	5	8	2	2
Disability	5	4	6	4	2	4
Genetic Information	0	0	0	0	0	0
Non-EEO	2	3	1	0	1	0

\* Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.

# 1.2 Complaints by issue

**TABLE 3: COMPLAINTS BY ISSUE**

Complaints by Issue	2018	2019	2020	2021	2022	2023 Q3
Appointment/Hire	0	1	0	1	0	0
Assignment of Duties	8	6	4	3	1	0
Awards	2	0	0	0	0	0
Conversion to Full Time/Permanent Status	0	1	0	0	0	0
Disciplinary Action – Demotion	0	0	0	0	0	0
Disciplinary Action – Reprimand	0	0	3	2	0	0
Disciplinary Action – Suspension	0	0	0	0	0	0
Disciplinary Action – Removal	1	0	0	2	1	0
Disciplinary Action – Other	0	0	0	0	0	0
Duty Hours	3	4	1	0	0	0
Performance Evaluation/Appraisal	2	1	2	0	1	1
Examination/Test	0	0	0	0	0	0
Harassment – Non-Sexual	12	11	10	11	8	7
Harassment – Sexual	2	0	0	1	1	0
Medical Examination	0	1	0	0	0	0
Pay (Including Overtime)	4	9	1	2	2	1
Promotion/Non-Selection	3	3	4	4	0	2
Reassignment – Denied	0	0	0	0	0	0
Reassignment – Directed	3	1	0	2	0	0
Reasonable Accommodation – Disability	1	4	2	0	0	3

<b>Complaints by Issue</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023 Q3</b>
Reinstatement	0	0	0	0	0	0
Reasonable Accommodation – Religion	0	0	0	0	0	0
Retirement	0	0	0	1	0	0
Sex Stereotyping	0	0	0	0	0	0
Telework	0	0	1	0	0	0
Termination	0	1	0	2	1	0
Terms/Conditions of Employment	7	6	4	1	0	1
Time and Attendance	2	3	2	0	0	0
Training	2	0	1	0	0	0
Other	0	0	0	0	0	0

## 2. Complaint processing times

**TABLE 4:** PROCESSING TIMES FOR COMPLAINTS PENDING (FOR ANY LENGTH OF TIME) DURING FISCAL YEAR

Type of Processing Time	2018	2019	2020	2021	2022	2023 Q3
Average number of days in investigation	142.86	227.24	253.56	218.91	224.82	168.20
Average number of days in final action	133.00*	39.94	47.27	42.83	34.56	33.33

\* This processing time resulted in part from the CFPB’s Office of Civil Rights (OCR) holding one matter in abeyance while the parties engaged in settlement negotiations. The matter was not resolved, and the CFPB ultimately issued the FAD in FY 2018.

**TABLE 5:** PROCESSING TIMES FOR COMPLAINTS PENDING (FOR ANY LENGTH OF TIME) DURING FISCAL YEAR WHERE HEARING WAS REQUESTED

Type of Processing Time	2018	2019	2020	2021	2022	2023 Q3
Average number of days in investigation	190.33	229.00	277.33	191.50	218.55	216.36
Average number of days in final action	35.00	24.33	44.80	0.00	32.29	33.33

**TABLE 6:** PROCESSING TIMES FOR COMPLAINTS PENDING (FOR ANY LENGTH OF TIME) DURING FISCAL YEAR WHERE HEARING WAS NOT REQUESTED

Type of Processing Time	2018	2019	2020	2021	2022	2023 Q3
Average number of days in investigation	107.25	225.92	241.67	276.75	204.00	111.00
Average number of days in final action	165.67*	49.30	49.33	44.20	42.50	0

\* This processing time resulted in part from the CFPB’s Office of Civil Rights (OCR) holding one matter in abeyance while the parties engaged in settlement negotiations. The matter was not resolved, and the CFPB ultimately issued the FAD in FY 2018.



# 3. Complaint dismissals and withdrawals

**TABLE 7:** COMPLAINTS DISMISSED BY AGENCY

<b>Agency Dismissal Information</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023 Q3</b>
Total complaints dismissed by agency	4	4	2	5	4	0
Average days pending prior to dismissal	13	15	21	24	39	0

**TABLE 8:** COMPLAINTS WITHDRAWN BY COMPLAINANTS

<b>Complaints Withdrawn</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023 Q3</b>
Total complaints withdrawn by complainants	0	1	4	3	1	2

# 4. Findings of discrimination

**TABLE 9:** TOTAL FINAL AGENCY ACTIONS FINDING DISCRIMINATION

Type of Findings	2018 #	2018 %	2019 #	2019 %	2020 #	2020 %	2021 #	2021 %	2022 #	2022 %	2023 Q3#	2023 Q3%
Total findings	1	100	0	0	0	0	0	0	0	0	1	100
Without hearing	1	100	0	0	0	0	0	0	0	0	0	0
With hearing	0	0	0	0	0	0	0	0	0	0	1	100

## 4.1 Findings by basis\*

**TABLE 10:** TOTAL FINDINGS OF DISCRIMINATION RENDERED BY BASIS

Basis	2018 #	2018 %	2019 #	2019 %	2020 #	2020 %	2021 #	2021 %	2022 #	2022 %	2023 Q3#	2023 Q3%
Total findings	1	100	0	0	0	0	0	0	0	0	1	100
Race	0	0	0	0	0	0	0	0	0	0	1	100
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	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0	1	100
Pregnancy (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 (EPA)	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0	1	100
Disability	1	100	0	0	0	0	0	0	0	0	0	0
Genetic Information	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

**TABLE 11: FINDINGS OF DISCRIMINATION RENDERED AFTER HEARING BY BASIS**

<b>Basis</b>	<b>2018</b>	<b>2018</b>	<b>2019</b>	<b>2019</b>	<b>2020</b>	<b>2020</b>	<b>2021</b>	<b>2021</b>	<b>2022</b>	<b>2022</b>	<b>2023</b>	<b>2023</b>
	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>Q3#</b>	<b>Q3%</b>
Total findings	0	0	0	0	0	0	0	0	0	0	1	100
Race	0	0	0	0	0	0	0	0	0	0	1	100
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	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0	1	100
Pregnancy (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 (EPA)	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0	1	100
Disability	0	0	0	0	0	0	0	0	0	0	0	0
Genetic Information	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

**TABLE 12: FINDINGS OF DISCRIMINATION RENDERED WITHOUT HEARING BY BASIS**

<b>Basis</b>	<b>2018</b>	<b>2018</b>	<b>2019</b>	<b>2019</b>	<b>2020</b>	<b>2020</b>	<b>2021</b>	<b>2021</b>	<b>2022</b>	<b>2022</b>	<b>2023</b>	<b>2023</b>
	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>Q3#</b>	<b>Q3%</b>
Total findings	1	100	0	0	0	0	0	0	0	0	0	0
Race	0	0	0	0	0	0	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	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0	0	0
Pregnancy (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

Basis	2018 #	2018 %	2019 #	2019 %	2020 #	2020 %	2021 #	2021 %	2022 #	2022 %	2023 Q3#	2023 Q3%
Equal Pay (EPA)	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0	0	0
Disability	1	100	0	0	0	0	0	0	0	0	0	0
Genetic Information	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

\* Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.

## 4.2 Findings by issue

**TABLE 13:** TOTAL FINDINGS OF DISCRIMINATION RENDERED BY ISSUE

Issue	2018 #	2018 %	2019 #	2019 %	2020 #	2020 %	2021 #	2021 %	2022 #	2022 %	2023 Q3#	2023 Q3%
Total findings	1	100	0	0	0	0	0	0	0	0	1	100
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/Permanent 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
Disciplinary Action – Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action – Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action – Removal	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action – Other	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

Issue	2018 #	2018 %	2019 #	2019 %	2020 #	2020 %	2021 #	2021 %	2022 #	2022 %	2023 Q3#	2023 Q3%
Performance Evaluation/Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment – Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Harassment – Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	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	0	0	0	0	0	0	0	0	1	100
Reassignment – Denied	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment – Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation – Disability	1	100	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation – Religion	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	0	0	0	0	0	0	0	0	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
Other	0	0	0	0	0	0	0	0	0	0	0	0

**TABLE 14: FINDINGS OF DISCRIMINATION RENDERED AFTER HEARING BY ISSUE**

<b>Issue</b>	<b>2018</b>	<b>2018</b>	<b>2019</b>	<b>2019</b>	<b>2020</b>	<b>2020</b>	<b>2021</b>	<b>2021</b>	<b>2022</b>	<b>2022</b>	<b>2023</b>	<b>2023</b>
	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>Q3#</b>	<b>Q3%</b>
Total findings	0	0	0	0	0	0	0	0	0	0	1	100
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/Permanent 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
Disciplinary Action – Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action – Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action – Removal	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action – Other	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
Performance Evaluation/Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment – Non- Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Harassment – Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	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	0	0	0	0	0	0	0	0	1	100
Reassignment – Denied	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment – Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation – Disability	0	0	0	0	0	0	0	0	0	0	0	0

Issue	2018 #	2018 %	2019 #	2019 %	2020 #	2020 %	2021 #	2021 %	2022 #	2022 %	2023 Q3#	2023 Q3%
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation – Religion	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	0	0	0	0	0	0	0	0	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
Other	0	0	0	0	0	0	0	0	0	0	0	0

**TABLE 15: FINDINGS OF DISCRIMINATION RENDERED WITHOUT HEARING BY ISSUE**

<b>Issue</b>	<b>2018 #</b>	<b>2018 %</b>	<b>2019 #</b>	<b>2019 %</b>	<b>2020 #</b>	<b>2020 %</b>	<b>2021 #</b>	<b>2021 %</b>	<b>2022 #</b>	<b>2022 %</b>	<b>2023 Q3#</b>	<b>2023 Q3%</b>
Total findings	1	100	0	0	0	0	0	0	0	0	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/Permanent 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
Disciplinary Action – Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action – Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action – Removal	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action – Other	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
Performance Evaluation/Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment – Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Harassment – Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	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	0	0	0	0	0	0	0	0	0	0
Reassignment – Denied	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment – Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation – Disability	1	100	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0



Issue	2018	2018	2019	2019	2020	2020	2021	2021	2022	2022	2023	2023
	#	%	#	%	#	%	#	%	#	%	Q3#	Q3%
Reasonable Accommodation – Religion	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	0	0	0	0	0	0	0	0	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
Other	0	0	0	0	0	0	0	0	0	0	0	0

# 5. Pending complaints

**TABLE 16:** PENDING COMPLAINTS FILED IN PREVIOUS FISCAL YEARS BY STATUS

Pending Complaints and Complainants	2018	2019	2020	2021	2022	2023 Q3
Total complaints from previous fiscal years	14	10	5	7	7	7
Total complainants	12	10	5	7	7	6

**TABLE 17:** PENDING COMPLAINTS FILED IN PREVIOUS FISCAL YEARS BY STATUS

Where in EEO Process Complaints Are Pending	2018	2019	2020	2021	2022	2023 Q3
Investigation	0	0	0	0	1	0
ROI issued, pending complainant's action	0	0	0	0	0	0
Hearing	14	9	5	7	5*	4**
Final Agency Action	0	1	0	0	0	0
Appeal with EEOC Office of Federal Operations	3	7	7	3	6	7***

\* This total does not include one case that was at Hearing but has been remanded pending district court class action proceedings and is now being held in abeyance.

\*\* This total does not include one case that was at Hearing but has been remanded because it is pending district court class action, and one pending MSPB proceedings and are now being held in abeyance. In addition, this total includes two cases filed by the same filer, bifurcated by the U.S. Equal Employment Opportunity Commission (EEOC).

\*\*\* This total includes two cases that are on Request for Reconsideration (RFR) from the EEOC, and three cases filed by the same filer that were consolidated by the EEOC and are being processed as one case.

**TABLE 18:** INVESTIGATIONS THAT EXCEED TIME FRAMES

<b>Investigations</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023 Q3</b>
Pending complaints where investigations exceed required time frames	0	0	0	0	0	0