

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



# 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 Bureau of Consumer Financial Protection (Bureau or CFPB).

For the period ending June 30, 2021.

- 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	2016	2017	2018	2019	2020	2021 thru Q3
Number of complaints filed	19*	5	21**	17***	18	15
Number of complainants	18	5	19	14	17	14
Repeat filers <sup>1</sup>	1	0	2	3	1	1

\* Three of these complaints were putative class complaints filed in a previous fiscal year. In FY 2016, an EEOC Administrative Judge (AJ) denied class certification in all three matters, requiring the matters to be processed as individual complaints. *See* 29 C.F.R. § 1614.204(d)(7). Total *new* formal complaints filed in FY 2016 were 16.

\*\* One of these complaints alleged a violation of Executive Order 11478 (as amended) only. The Bureau processed this complaint pursuant to a policy the Agency has established to address such allegations. In FY 2018 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 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 not filed more than one complaint in any single fiscal year.

# 1.1 Complaints by basis

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

Complaints by Basis	2016	2017	2018	2019	2020	2021 thru Q3
Race	8	2	13	9	8	10
Color	6	1	5	4	5	3
Religion	0	0	2	0	2	1
Reprisal	13	3	12	9	14	9
Sex	10	2	11	9	7	7
Pregnancy (PDA)	2	0	0	0	1	0
National Origin	2	1	0	2	3	1
Equal Pay (EPA)	5	0	0	1	0	1
Age	4	4	5	7	5	5
Disability	4	0	5	4	6	3
Genetic Information	0	0	0	0	0	0
Non-EEO	2	1	2	3	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	2016	2017	2018	2019	2020	2021 thru Q3
Appointment/Hire	1	2	0	1	0	1
Assignment of Duties	6	1	8	6	4	3
Awards	0	0	2	0	0	0
Conversion to Full Time/Permanent Status	2	0	0	1	0	0
Disciplinary Action – Demotion	1	0	0	0	0	0
Disciplinary Action – Reprimand	1	1	0	0	3	2
Disciplinary Action – Suspension	0	0	0	0	0	0
Disciplinary Action – Removal	0	0	1	0	0	1
Disciplinary Action – Other	0	0	0	0	0	0
Duty Hours	0	0	3	4	1	0
Performance Evaluation/Appraisal	7	0	2	1	2	0
Examination/Test	0	0	0	0	0	0
Harassment – Non-Sexual	4	0	12	11	10	9
Harassment – Sexual	0	0	2	0	0	1
Medical Examination	0	0	0	1	0	0
Pay (Including Overtime)	7	0	4	9	1	1
Promotion/Non-Selection	11	2	3	3	4	2
Reassignment – Denied	0	0	0	0	0	0
Reassignment – Directed	1	0	3	1	0	1

<b>Complaints by Issue</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021 thru Q3</b>
Reasonable Accommodation – Disability	3	0	1	4	2	0
Reinstatement	0	0	0	0	0	0
Reasonable Accommodation – Religion	0	0	0	0	0	0
Retirement	0	0	0	0	0	1
Sex Stereotyping	0	0	0	0	0	0
Telework	0	0	0	0	1	0
Termination	1	0	0	1	0	1
Terms/Conditions of Employment	8	1	7	6	4	1
Time and Attendance	3	0	2	3	2	0
Training	3	0	2	0	1	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	2016	2017	2018	2019	2020	2021 thru Q3
Average number of days in investigation	270.05	238.20	142.86	227.24	253.56	221.50
Average number of days in final action	91.83	60.50	133.00**	39.94	47.27	42.83

\*\* This processing time resulted in part from the Bureau’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 Bureau 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	2016	2017	2018	2019	2020	2021 thru Q3
Average number of days in investigation	242.83	240.83	190.33	229.00	277.33	199.0
Average number of days in final action	0.00	35.67	35.00	24.33	44.80	0

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

Type of Processing Time	2016	2017	2018	2019	2020	2021 thru Q3
Average number of days in investigation	316.71	243.33	107.25	225.92	241.67	274.67
Average number of days in final action	91.83	85.33	165.67**	49.30	49.33	44.20

\*\* This processing time resulted in part from the Bureau’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 Bureau ultimately issued the FAD in FY 2018.



### 3. Complaint dismissals and withdrawals

**TABLE 7:** COMPLAINTS DISMISSED BY AGENCY

<b>Agency Dismissal Information</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021 thru Q3</b>
Total complaints dismissed by agency	1	1	4	4	2	2
Average days pending prior to dismissal	34.00	21.00	13.00	15.00	21	10

**TABLE 8:** COMPLAINTS WITHDRAWN BY COMPLAINANTS

<b>Complaints Withdrawn</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021 thru Q3</b>
Total complaints withdrawn by complainants	2	3	0	1	4	2

# 4. Findings of discrimination

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

Type of Findings	2016 #	2016 %	2017 #	2017 %	2018 #	2018 %	2019 #	2019 %	2020 #	2020 %	2021 Q3#	2021 Q3%
Total findings	1	100	0	0	1	100	0	0	0	0	0	0
Without hearing	1	100	0	0	1	100	0	0	0	0	0	0
With hearing	0	0	0	0	0	0	0	0	0	0	0	0

## 4.1 Findings by basis\*

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

Basis	2016 #	2016 %	2017 #	2017 %	2018 #	2018 %	2019 #	2019 %	2020 #	2020 %	2021 Q3#	2021 Q3%
Total findings	1	100	0	0	1	100	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	1	100	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
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	1	100	0	0	0	0	0	0

Basis	2016 #	2016 %	2017 #	2017 %	2018 #	2018 %	2019 #	2019 %	2020 #	2020 %	2021 Q3#	2021 Q3%
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

Basis	2016 #	2016 %	2017 #	2017 %	2018 #	2018 %	2019 #	2019 %	2020 #	2020 %	2021 Q3#	2021 Q3%
Total findings	0	0	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
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	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

Basis	2016 #	2016 %	2017 #	2017 %	2018 #	2018 %	2019 #	2019 %	2020 #	2020 %	2021 Q3#	2021 Q3%
Total findings	1	100	0	0	1	100	0	0	0	0	0	0
Race	0	0	0	0	0	0	0	0	0	0	0	0

<b>Basis</b>	<b>2016</b>	<b>2016</b>	<b>2017</b>	<b>2017</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>#</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>
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	1	100	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
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	1	100	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

<b>Issue</b>	<b>2016</b>	<b>2016</b>	<b>2017</b>	<b>2017</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>#</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	1	100	0	0	0	0	0	0
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	1	100	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0

<b>Issue</b>	<b>2016</b>	<b>2016</b>	<b>2017</b>	<b>2017</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>#</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>
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	1	100	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	1	100	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

Issue	2016 #	2016 %	2017 #	2017 %	2018 #	2018 %	2019 #	2019 %	2020 #	2020 %	2021 Q3#	2021 Q3%
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

Issue	2016 #	2016 %	2017 #	2017 %	2018 #	2018 %	2019 #	2019 %	2020 #	2020 %	2021 Q3#	2021 Q3%
Total findings	0	0	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

<b>Issue</b>	<b>2016</b>	<b>2016</b>	<b>2017</b>	<b>2017</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>#</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>
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	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
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>2016 #</b>	<b>2016 %</b>	<b>2017 #</b>	<b>2017 %</b>	<b>2018 #</b>	<b>2018 %</b>	<b>2019 #</b>	<b>2019 %</b>	<b>2020 #</b>	<b>2020 %</b>	<b>2021 Q3#</b>	<b>2021 Q3%</b>
Total findings	1	100	0	0	1	100	0	0	0	0	0	0
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	1	100	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	1	100	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



Issue	2016 #	2016 %	2017 #	2017 %	2018 #	2018 %	2019 #	2019 %	2020 #	2020 %	2021 Q3#	2021 Q3%
Reassignment – Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation – Disability	1	100	0	0	1	100	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

# 5. Pending complaints

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

<b>Pending Complaints and Complainants</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021 thru Q3</b>
Total complaints from previous fiscal years	21	16	14	10	5	9
Total complainants	17	12	12	10	5	9

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

<b>Where in EEO Process Complaints Are Pending</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021 thru Q3</b>
Investigation	0	0	0	0	0	0
ROI issued, pending complainant's action	0	0	0	0	0	0
Hearing	18	12	14	9	5	9
Final Agency Action	2	1	0	1	0	0
Appeal with EEOC Office of Federal Operations	6	9	3	7	7	4

# 6. Investigation timeframes

TABLE 18: INVESTIGATIONS THAT EXCEED TIME FRAMES

Investigations	2016	2017	2018	2019	2020	2021 thru Q3
Pending complaints where investigations exceed required time frames	0	0	0	0	0	0