



Quarterly Report

NO FEAR

Fiscal Year 2023, Quarter Four
Office of Minority and Women Inclusion



Introduction

The mission of the Commodity Futures Trading Commission (CFTC) is to promote the integrity, resilience, and vibrancy of the U.S. derivatives markets through sound regulation.

The CFTC's Office of Minority and Women Inclusion leads the CFTC's civil rights, equal employment opportunity, and diversity, equity, inclusion, and accessibility programs.



Background



The Notification and Federal Employee Anti-discrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174, went into effect on October 1, 2003. The Act requires that federal agencies be accountable for violations of anti-discrimination and whistleblower protection laws and post quarterly on its public website certain statistical data relating to federal sector Equal Employment Opportunity (EEO) complaints filed with the agency.

This report includes the data required for the CFTC's Fiscal Year 2023, Quarter Four report.

Equal Employment Opportunity Complaint Data

Commodity Futures Trading Commission
For 4th Quarter 2023 for period ending September 30, 2023

TABLE 1: COMPLAINT ACTIVITY

Complaint Activity	2018	2019	2020	2021	2022	2023 thru 9-30
Number of complaints filed	4	5	5	6	1	3
Number of complainants	4	5	3	5	1	3
Repeat Filers	0	1	1	1	0	0

TABLE 2: COMPLAINTS BY BASIS*

Complaints by Basis	2018	2019	2020	2021	2022	2023 thru 9-30
Race	2	2	2	5	0	1
Color	1	1	1	2	0	0
Religion	0	0	0	0	0	0
Reprisal	2	3	3	5	1	3
Sex	1	1	1	2	0	0
Pregnancy	0	0	0	0	0	0
National Origin	0	1	1	0	0	0
Equal Pay Act	0	0	0	0	0	0
Age	2	3	3	3	0	1
Disability	1	0	0	1	0	2
Genetics	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0

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

TABLE 3: COMPLAINTS BY ISSUE

Complaints by Issue	2018	2019	2020	2021	2022	2023 thru 9-30
Appointment/Hire	0	0	0	2	1	1
Assignment of Duties	0	0	0	2	0	0
Awards	0	0	0	0	0	0
Conversion to Full Time/Perm Status	0	0	0	0	0	0
Disciplinary Action-Demotion	0	0	0	0	0	0
Disciplinary Action-Reprimand	0	0	0	0	0	0
Disciplinary Action-Suspension	0	0	0	0	0	0
Disciplinary Action-Removal	0	0	0	0	0	0
Disciplinary Action-Other	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0
Performance Evaluation/Appraisal	2	0	1	1	0	0
Examination/Test	0	0	0	0	0	0
Harassment- Non-Sexual	1	5	2	2	0	1
Harassment-Sexual	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0
Pay (including overtime)	0	0	0	2	0	0
Promotion/Non-Selection	0	0	1	2	1	0
Reassignment-Denied	0	0	0	0	0	0
Reassignment-Directed	0	0	1	0	0	0
Reasonable Accommodation-Disability	1	0	0	0	0	2
Reinstatement	0	0	0	0	0	0
Religious Accommodation	0	0	0	0	0	0
Retirement	0	0	0	0	0	0
Sex Stereotyping	0	1	0	0	0	0

Complaints by Issue (cont'd)	2018	2019	2020	2021	2022	2023 thru 9-30
Telework	0	0	0	0	0	0
Termination	0	0	0	1	0	0
Terms/Conditions of Employment	0	0	0	1	0	0
Time and Attendance	0	0	0	0	0	0
Training	0	0	0	1	0	0
Other Terms/Conditions of Employment	0	0	0	0	0	1

TABLE 4: PROCESSING TIME (FOR COMPLAINTS PENDING DURING THE FISCAL YEAR)

Processing Time	2018	2019	2020	2021	2022	2023 thru 9-30
Average number of days in investigation	149	33	117	152.6	164.33	204.00
Average number of days in final action	0	0	0	0	0	48.50

TABLE 5: PROCESSING TIME (FOR COMPLAINTS PENDING DURING FISCAL YEAR WHERE HEARING WAS REQUESTED)

Processing Time	2018	2019	2020	2021	2022	2023 thru 9-30
Average number of days in investigation	156	45	167	135.33	140.14	0
Average number of days in final action	0	0	0	0	0	37.00

TABLE 6: PROCESSING TIME (FOR COMPLAINTS DURING FISCAL YEAR WHERE HEARING WAS NOT REQUESTED)

Processing Time	2018	2019	2020	2021	2022	2023 thru 9-30
Average number of days in investigation	144	45	167	188	162	204.00
Average number of days in final action	0	0	0	0	0	60.00

TABLE 7: COMPLAINTS DISMISSED BY AGENCY

Agency Dismissal Information	2018	2019	2020	2021	2022	2023 thru 9-30
Complaints dismissed by agency	0	0	0	1	1	0
Average days pending prior to dismissal	0	0	0	262	235	0
Total Complaints Withdrawn by Complainants	0	0	0	0	0	0

TABLE 8: TOTAL FINAL AGENCY ACTIONS FINDING DISCRIMINATION

Type of Findings	2018 #	2018 %	2019 #	2019 %	2020 #	2020 %	2021 #	2021 %	2022 #	2022 %	2023 thru 9-30 #	2023 thru 9-30 %
Total Findings	0	0	0	0	0	0	0	0	0	0	0	0
Without Hearing	0	0	0	0	0	0	0	0	0	0	0	0
With Hearing	0	0	0	0	0	0	0	0	0	0	0	0

TABLE 9: TOTAL FINDINGS OF DISCRIMINATION RENDERED BY BASIS

Basis	2018 #	2018 %	2019 #	2019 %	2020 #	2020 %	2021 #	2021 %	2022 #	2022 %	2023 thru 9-30 #	2023 thru 9-30 %
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	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	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0
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

TABLE 10: TOTAL FINDINGS OF DISCRIMINATION RENDERED AFTER HEARING BY BASIS

Basis	2018 #	2018 %	2019 #	2019 %	2020 #	2020 %	2021 #	2021 %	2022 #	2022 %	2023 thru 9-30 #	2023 thru 9-30 %
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	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	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0
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

TABLE 11: TOTAL FINDINGS OF DISCRIMINATION RENDERED WITHOUT HEARING BY BASIS

Basis	2018 #	2018 %	2019 #	2019 %	2020 #	2020 %	2021 #	2021 %	2022 #	2022 %	2023 thru 9-30 #	2023 thru 9-30 %
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	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	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0
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

TABLE 12: TOTAL FINDINGS OF DISCRIMINATION RENDERED BY ISSUE

Issue	2018 #	2018 %	2019 #	2019 %	2020 #	2020 %	2021 #	2021 %	2022 #	2022 %	2023 thru 9-30 #	2023 thru 9-30 %
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/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
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-Sexual	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
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
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

Issue	2018 #	2018 %	2019 #	2019 %	2020 #	2020 %	2021 #	2021 %	2022 #	2022 %	2023 thru 9-30 #	2023 thru 9-30 %
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 Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0

TABLE 13: TOTAL FINDINGS OF DISCRIMINATION RENDERED AFTER HEARING BY ISSUE

Issue	2018 #	2018 %	2019 #	2019 %	2020 #	2020 %	2021 #	2021 %	2022 #	2022 %	2023 thru 9-30 #	2023 thru 9-30 %
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/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
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-Sexual	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
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

Issue	2018 #	2018 %	2019 #	2019 %	2020 #	2020 %	2021 #	2021 %	2022 #	2022 %	2023 thru 9-30 #	2023 thru 9-30 %
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-Sterotyping	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 Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0

TABLE 14: TOTAL FINDINGS OF DISCRIMINATION RENDERED WITHOUT HEARING BY ISSUE

Issue	2018 #	2018 %	2019 #	2019 %	2020 #	2020 %	2021 #	2021 %	2022 #	2022 %	2023 thru 9-30 #	2023 thru 9-30 %
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/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
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-Sexual	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

Issue	2018 #	2018 %	2019 #	2019 %	2020 #	2020 %	2021 #	2021 %	2022 #	2022 %	2023 thru 9-30 #	2023 thru 9-30 %
Medical Examination	0	0	0	0	0	0	0	0	0	0	0 ¹ u	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
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	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 Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0

TABLE 15: PENDING COMPLAINTS FILED IN PREVIOUS FISCAL YEARS BY STATUS

Pending Complaints and Complainants	2018	2019	2020	2021	2022	2023 thru 9-30
Total complaints from previous fiscal years	4	1	2	8	2	0
Total complainants	4	1	2	8	2	0

TABLE 16: PENDING COMPLAINTS BY STATUS

Complaint Status	2018	2019	2020	2021	2022	2023 thru 9-30
Investigation	0	0	0	0	0	0
ROI issued, pending complainant's action	0	0	0	0	0	0
Hearing	0	0	0	3	2	0
Final Agency Action	0	0	0	1	0	0
Appeal with EEOC Office of Federal Operations	0	0	0	0	0	1

TABLE 17: PENDING COMPLAINTS WHERE INVESTIGATION EXCEED REQUIRED TIME FRAMES

Investigations	2018	2019	2020	2021	2022	2023 thru 9-30
Number of investigations exceeding timeframes	0	0	0	0	0	0



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