



**United States Department of State
and the Broadcasting Board of Governors
Office of Inspector General**

Inspection of the Office of Civil Rights

The Department of State (Department) has had policies against discrimination for almost half a century. The mission of the Office of Civil Rights (S/OCR) is “to assist the Department of State in fostering a work environment free of discrimination and to maintain a continuing affirmative outreach program which promotes equal opportunity through the identification and elimination of discriminatory policies and practices.” The Foreign Affairs Manual also describes S/OCR’s role in managing special emphasis efforts for all minorities and women, including the Federal Women’s Program (FWP) and the Hispanic Employment Program.

Out of a total Department workforce of approximately 19,000 Foreign Service and Civil Service employees (other than contracted employees or those hired overseas), S/OCR receives approximately 80 new formal complaints of discrimination or harassment annually. An estimated 125 clients seek EEO counseling during that same period. This ratio of counseling and complaints to the Department’s total work force is one of the lowest among all government agencies, although S/OCR’s case-tracking and statistics-collection mechanisms are not entirely reliable. Furthermore, S/OCR’s FY 2005 costs associated with settlements in the formal complaint process and alternative dispute resolution totaled approximately \$450,000.

The Office of Inspector General (OIG) found S/OCR has been ineffective in ensuring that EEO and diversity concerns are properly integrated into the Office of the Secretary’s Bureau Performance Plan and the Department’s strategic and performance planning process.

Top S/OCR management must provide the leadership to ensure that complaints are processed fairly, efficiently, and in a timely manner in keeping with EEOC standards. S/OCR needs to improve its case tracking through better operator training and senior oversight of the entire process, including the automated system.

Rampant vacancies - one third of all authorized S/OCR positions - affect S/OCR morale and contribute to its backlog of EEO complaints. The office’s new director has initiated a review of all position descriptions and a review of the entire office structure, exercises that must be completed promptly. Because it must recruit new staff and train them in the Equal Employment Opportunity Commission (EEOC) processes, S/OCR’s new leadership has an unparalleled opportunity to evaluate the existing workflow and rebuild the office in line with current priorities.

S/OCR’s outreach unit is focusing an inordinate amount of its limited resources on commemorative events rather than devoting its attention to mandated programs for Hispanic and disabled persons and women, and on the identification and analysis of EEO barriers. OIG recommended downsizing S/OCR’s commemorative events activities and restructuring and writing procedures to improve S/OCR’s mandated programs and analysis work.

In 2001, S/OCR's director, who was formerly designated at the deputy assistant secretary level, was redesignated as an assistant secretary equivalent. This change, plus the fact that the Secretary appoints the director personally, ensures the director both visibility and access at the highest levels of senior management. Prior to 1989, S/OCR reported to the Under Secretary for Management, but in that year the office was moved to the Office of the Secretary. OIG's previous inspection of S/OCR noted that this situation was advantageous because it demonstrated high-level interest in S/OCR's work and was disadvantageous because it did not provide for regular operational supervision over S/OCR. The current structure, in which S/OCR reports to the Secretary through the Under Secretary for Management, seems to address these competing needs well.

Background: Office of Civil Rights

Although every federal agency must be concerned about EEO issues, the Department has a special concern. The Foreign Service Act of 1980 calls for a Foreign Service that is broadly representative of the American people. Since the Department is the face America presents to the world, especially in the more than 200 embassies and consulates around the world, its workforce should represent America's diversity, and its standards of fairness and justice must be exemplary.

The EEOC enforces federal laws prohibiting job discrimination and promoting affirmative action, but it also provides oversight and coordination of all federal EEO regulations, practices, and policies. S/OCR is guided by the EEOC's management directives, sends its staff to EEOC training, prepares mandated EEOC reports, submits unsettled formal complaints concerning discrimination or harassment to EEOC's administrative law judges, and is reminded when it is delinquent in any area.

Office of Inspector General

The Office of Inspector General conducts independent audits, inspections, and investigations to promote effective management, accountability, and positive change in the Department of State, the Broadcasting Board of Governors, and the foreign affairs community.

OIG's Office of Inspections provides systematic and independent evaluations of the operations of the Department of State, its posts abroad, and related activities. Inspections cover policy implementation, resource management, and management controls.

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