



United States Equal Employment Opportunity Commission

**STRATEGIC PLAN FOR
FISCAL YEARS 2007 – 2012
IMPLEMENTED: OCTOBER 1, 2006
[As Modified]**

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OUR VISION

***A Strong and Prosperous Nation
Secured Through a Fair
and Inclusive Workplace.***

OUR MISSION

***We Promote Equality of
Opportunity in the Workplace and
Enforce Federal Laws Prohibiting
Employment Discrimination.***

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THE EEOC

The United States Equal Employment Opportunity Commission (EEOC) was established by Title VII of the Civil Rights Act of 1964 and began operating on July 2, 1965. The EEOC enforces the following federal statutes:

- Title VII of the Civil Rights Act of 1964, as amended, (Title VII) prohibiting employment discrimination on the basis of race, color, religion, sex, or national origin;
- Age Discrimination in Employment Act of 1967, as amended, (ADEA) prohibiting employment discrimination against individuals 40 years of age and older;
- Equal Pay Act of 1963 (EPA) prohibiting discrimination on the basis of gender in compensation for substantially equal work performed under similar conditions;
- Title I and Title V of the Americans with Disabilities Act of 1990 (ADA) prohibiting employment discrimination on the basis of disability in the private sector and state and local governments;
- Sections 501 through 505 of the Rehabilitation Act of 1973, as amended, prohibiting employment discrimination against federal employees with disabilities; and,
- Additionally, under Executive Order 12067 and section 715 of Title VII, the EEOC coordinates federal equal employment opportunity regulations, practices, and policies.

The Commission interprets employment discrimination laws, monitors the federal sector equal employment opportunity program, and provides funding and support to state and local Fair Employment Practices Agencies (FEPAs) and Tribal Employment Rights Organizations (TEROs). Additionally, the EEOC sponsors outreach and technical assistance programs that advise individuals and employees of their rights and responsibilities under the law.

Any individual who believes that he or she has experienced discrimination in employment may file a charge with the EEOC in any of its field offices. After investigating the charge, the EEOC determines whether there is "reasonable cause" to believe discrimination has occurred. If "reasonable cause" is found, the EEOC

attempts to conciliate the charge by reaching a voluntary resolution between the charging party and the respondent. If conciliation is not successful, the Commission may bring a lawsuit in federal court to remedy the employment discrimination. As part of the administrative process, the EEOC may also issue a Right-to-Sue-Notice to the charging party, allowing the charging party to file an individual action in court.

The EEOC also offers mediation as an alternative means of dispute resolution. Rather than initially going through the traditional charge investigation process, the parties may first elect to resolve the charge voluntarily with the help of a neutral mediator.

The EEOC's federal program differs significantly from its private sector enforcement program and procedures. By contrast to the private sector, in the federal sector individuals file EEO complaints with their own agency employers and the agency conducts the initial investigation of the complaint. Subsequent to the agency investigation, the complainant may request a hearing with an EEOC Administrative Judge. In the hearing, the EEOC Administrative Judge develops a full and appropriate record, adjudicates the claims of discrimination, and issues decisions. If dissatisfied with the Administrative Judge's decision, either the complainant or the federal agency may file an appeal with the EEOC. Relief ordered in a final EEOC decision is mandatory and binding on the agency employer, except in limited circumstances. If dissatisfied with the outcome of a hearing or an appeal, a federal sector complainant, like a private sector charging party, may file a lawsuit in federal court to resolve the claims of discrimination.

INTRODUCTION

Positioned for the Future

The promise of equal opportunity is a legal right afforded to all of our Nation's workers and job applicants, and is woven into the fabric of the American dream. Since its inception in 1965, the EEOC has helped make this promise a reality. Equal opportunity in the workplace is a matter of social justice and a national economic imperative in the United States. Our Nation plays a leading role in today's global marketplace. To continue that role, we must make full use of the Nation's human capital by promoting workplace practices that allow all workers to achieve their highest potential.

Updating our strategic approach is a continually evolving challenge for EEOC. Technological advancements, economic shifts, heightened security alerts, the globalization of world markets, and profound demographic shifts are reshaping the workplace in the United States. Researchers forecast an increasingly diverse workforce. Ethnic and racial minority groups will continue to grow as a proportion of the workforce. Some of the challenges of serving a multi-ethnic workforce were highlighted by a poll released by the Gallup Organization in December 2005. According to those surveyed, 31% of Asians, 26% of African Americans, 18% of Hispanics, 13% of individuals with disabilities, 22% of women, and 17% of persons 40 years of age or over believed that they had been subjected to employment discrimination within the previous year. Promotion, pay, hiring, and general treatment, including harassment, were the four most common discrimination issues reported by survey respondents.

These numbers tell us that we must continue to target and enhance the EEOC's outreach, including those traditionally underserved communities whose culture or experience may not encourage complaints of discrimination. They also tell us that much work remains to be done before the promise of equal opportunity becomes a reality, and that many Americans will continue to rely on the EEOC.

This Strategic Plan provides the roadmap for the agency to position itself for the future. The Strategic Plan has one Strategic Objective (Justice, Opportunity and Inclusive Workplaces) based on the agency's vision and mission. The Objective focuses the agency on preventing discrimination, efficiently resolving claims of discrimination (including the use of alternative dispute resolution), strategically developing our enforcement, litigation and federal programs, and enhancing our internal operations to support this focus. Our Strategic Plan also incorporates many other key initiatives, such as the President's New Freedom Initiative, the EEOC's

Freedom to Compete Initiative, our Youth@Work and Systemic Initiatives, and our new E-RACE Initiative (Eradicating Racism And Colorism from Employment).

In this Plan, we describe our Strategic Objective and its relationship to the EEOC's expected long-term outcomes and annual performance measures. All of our measures demonstrate in a concrete way the EEOC's impact on creating fair and inclusive workplaces across the United States. The chart on the next page demonstrates how the Strategic Plan flows from our Strategic Objective through our Long-Term Performance Measures to our Annual Performance Measures and Efficiency Measure.

Modifications to the Strategic Plan

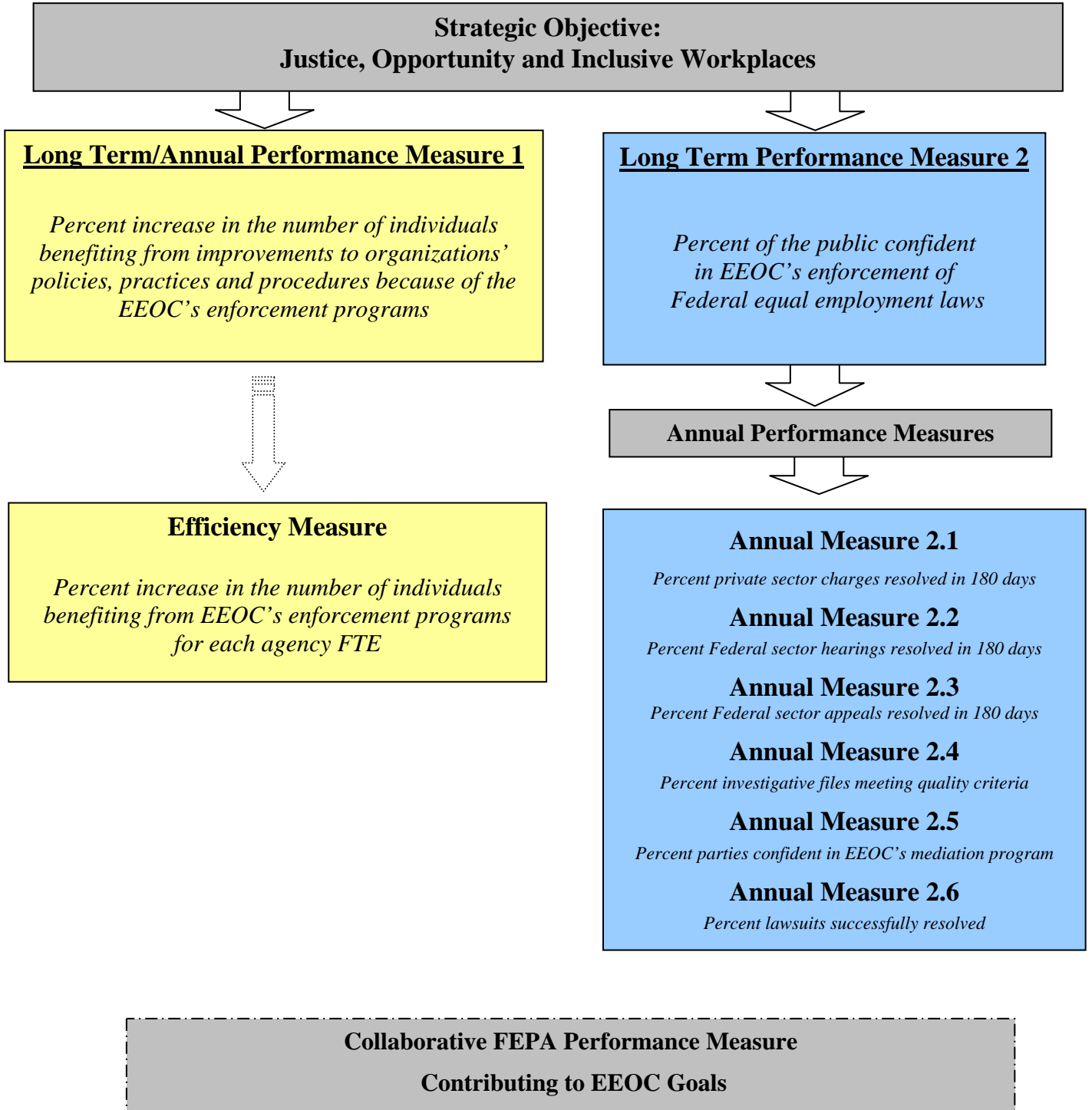
The agency issued this Strategic Plan For Fiscal Years 2007 to 2012 at the beginning of FY 2007 (October 1, 2006) under the Government Performance and Results Act of 1993 (GPRA). Although the Plan covers a six-year period, the GPRA requires agencies to review; revise, if necessary; and, reissue their Strategic Plan every three years.

In addition to our GPRA review during FY 2006 in preparation for reissuing our Strategic Plan in the three year cycle, the Office of Management and Budget (OMB) assessed the EEOC for the first time using its Program Assessment Rating Tool (PART). OMB uses the PART to review Federal programs and their planning and performance measurement approaches. These simultaneous GPRA and PART reviews had a significant impact on the revisions we made to the structure of the Strategic Plan we issued on October 1, 2006; particularly, the agency's performance measurement structure.

During FY 2007, as the agency began to address aspects of the new performance structure, the agency identified further areas which required adjustment. With OMB's approval, these modifications were incorporated into the agency's Performance and Accountability Report (PAR) for FY 2007, which was issued on November 15, 2007. In addition to the structural changes, the agency identified final performance goals for FY 2012 for its ten measures. Finally, during FY 2008, the performance structure was modified to remove one measure and targets and final goals for two of the performance measures were adjusted.

All of the modifications to this Strategic Plan For Fiscal Years 2007 through 2012 are incorporated into the chart on the next page and are fully described starting on page 31.

STRATEGIC PLAN OVERVIEW



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STRATEGIC OBJECTIVE

JUSTICE, OPPORTUNITY AND INCLUSIVE WORKPLACES

The EEOC is the Nation's primary enforcer of the civil rights employment laws, which prohibit discrimination on the basis of race, national origin, color, religion, sex, age, and disability. The agency began its work in 1965 for the purposes of handling charges of discrimination and securing relief for victims of discrimination. More than 40 years later, the public continues to rely on the Commission to carry out these fundamental responsibilities and bring justice and opportunity to the workplace. Our fight against discrimination goes beyond enforcing the law. The best way to combat workplace discrimination is to prevent it from happening in the first place. Educating employers and workers about their rights and responsibilities under the law is the first step toward promoting an inclusive workplace, where all workers are judged on their talents and abilities without regard to any protected characteristic.

EEOC's major programs and activities are investigating and resolving charges of discrimination; litigating complaints of discrimination; conducting hearings, resolving appeals of discrimination complaints and promoting equal employment opportunity in the federal workplace; and educating the public about its rights and responsibilities. All of these programs and activities are done in the service of four shared goals:

- remedying and deterring unlawful employment discrimination
- increasing public confidence in the fair and prompt resolution of employment discrimination disputes
- increasing voluntary compliance with the Federal equal employment laws
- increasing individual awareness and understanding of rights and responsibilities.

We measure our ability to achieve these outcomes through the Long-Term, Efficiency, and Annual Measures in our Strategic Plan. These measures demonstrate our success by assessing the number of individuals benefited from our enforcement programs and by assessing the public's confidence in our enforcement of the laws.

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PERFORMANCE MEASURES

Long-Term/Annual Measure 1

By FY 2012, the number of individuals benefiting from improvements to organizations' policies, practices and procedures because of the EEOC's enforcement programs increases by 20.2%.

We believe it is important to measure our success by looking beyond the monetary and equitable relief we secure through our enforcement actions. Our long-term measure focuses on tracking the improvements that are made in the workplace as a direct result of our enforcement programs. We selected this measure because, when we secure changes in employment policies, practices and procedures through our enforcement programs, we have a positive impact not only on the immediate victims of discrimination, but also on all individuals in the affected workplace. Through organization-wide changes, individuals benefit from a more inclusive workplace and have greater opportunities to compete on a level playing field. With the agency's renewed emphasis on combating systemic discrimination, we expect to make significant increases over time in the number of individuals who benefit from our enforcement activities.

The Long-Term/Annual Measure was developed to focus on all enforcement services we provide to the public that result in workplace benefits. These results include benefits from administrative resolutions (including mediation), litigation resolutions, and federal sector hearings and appeals resolutions. Beginning in FY 2005, we began collecting data on the number of individuals benefited through private sector administrative resolutions (including mediations) only. Based on that experience we adapted the same data collection approach for our other enforcement programs and established annual targets and our final goal for FY 2012.

Relationship Between Annual Program Performance Goals and the Strategic Goal Framework

The Long-Term/Annual Measure is linked to the EEOC's Strategic Objective by focusing on the combined results of all three of our distinct, but complementary, enforcement programs. By combining results of the enforcement programs in this one measure, we ensure that our programs work toward a common goal rather than in competition with one another. If we measured the results separately at each step of the charge process, rather than as a combined result, a resolution providing

benefits for the charging party at one step logically would eliminate the ability to resolve the charge at some other step in the process. By measuring the result achieved from all of our enforcement programs as a whole, we make sure that the various programs support and complement one another, while maximizing the total number of individuals benefited.

Efficiency Measure

By FY 2012, the number of individuals benefiting from EEOC's enforcement programs for each agency FTE increases by 11.7%.

Enhancing the number of working people who benefit for each agency Full-Time Equivalent (FTE) position demonstrates our efficiency, because over 70% of the agency's budget is dedicated to compensation and benefits. This entirely new area of measurement relies on data of the number of individuals benefited by our enforcement programs, which is collected for Long-Term/Annual Measure 1. As noted in connection with that measure, we identified annual targets and established our final goal for FY 2012.

The correlation to our FTE level is appropriate as it recognizes that our staff are the direct contributors to positive change in the workplace and because staff levels are susceptible to change. We believe that this measure will be a compelling indicator of the efficiency of our operations.

Long-Term Measure 2	By FY 2012, the public rates its confidence in EEOC's enforcement of federal equal employment laws at <u>65%</u> or higher.
Annual Measure 2.1	At least <u>54%</u> of private sector charges are resolved in 180 days or fewer by FY 2012.
Annual Measure 2.2	At least <u>54%</u> of federal sector hearings are resolved in 180 days or fewer by FY 2012.
Annual Measure 2.3	At least <u>70%</u> of federal sector appeals are resolved in 180 days or fewer by FY 2012.
Annual Measure 2.4	At least <u>93%</u> of investigative files meet established criteria for quality by FY 2012.
Annual Measure 2.5	At least <u>95%</u> of respondents and charging parties report confidence in EEOC's private sector mediation/ADR program by FY 2012.
Annual Measure 2.6	At least <u>90%</u> of EEOC lawsuits are successfully resolved during the period ending in FY 2012.

If the public is aware of our enforcement activities and believes that we have handled discrimination complaints effectively, they will be more likely to rely on us to investigate, mediate, litigate, adjudicate a federal complaint, and otherwise resolve allegations of discrimination. Additionally, if the agency's reputation is one of a fair and responsible enforcer of the civil rights employment laws, then employers, attorneys and other members of the public will be more likely to defer to our

assessment of discrimination complaints and commit to voluntary compliance through mediation, settlement or conciliation.

To measure the public's confidence in the agency's enforcement of the federal equal employment opportunity laws, the agency engaged a reputable private organization to conduct a survey in FY 2007 of a representative sample of individuals nationwide. From that survey, we were able to establish a baseline value for FY 2007, annual targets, and a final goal for FY 2012.

*Relationship Between Annual Program Performance Goals
and the Strategic Goal Framework*

Annual Measures 2.1, 2.2, and 2.3 focus on the resolution of private sector charges, federal sector hearings, and federal sector appeals. We have established final goals for FY 2012 for all of these measures, as reflected in the modifications made to this Strategic Plan. In recognition of the maxim that justice delayed is justice denied, these measures ensure the timely resolution of complaints in each of our major complaint handling activities. The goal of resolving private sector charges within 180 days is important to containing the overall average charge processing time. It also balances the need to provide prompt service with the need to devote the necessary time and attention to charges that present meritorious or complex claims and to remedy discrimination where it is found. The goals of resolving federal sector hearings and federal sector appeals within 180 days reflect our commitment to continue the timely handling of federal sector complaints.

Annual Measure 2.4 ensures that investigative files meet quality standards. As reflected in the modifications, we also established a final goal for this measure. A large proportion of sampled investigative files reviewed will meet two critical quality criteria: 1) the appropriate charge categorization and file documentation to support actions taken, and 2) the resolution of the charge. This measure is intended to ensure that we do not complete our work quickly at the expense of performing our work well.

Annual Measure 2.5 focuses on the EEOC's mediation/ADR program. We recognize that the public's confidence in our mediation program has a significant impact on its perception of the EEOC as a whole. We obtain results for this measure by surveying participants in EEOC's mediation program and tabulating responses about their confidence in using the program. This measure has been used by the agency since 2004, so we have significant trend data upon which to base our targets. The confidence level in this program is consistently high. It is critical to maintain this level of confidence because it helps convince participants, particularly company representatives, of the value of alternative dispute resolution.

In that regard, as part of the recent modifications to the Strategic Plan, we include an enhanced final goal for this measure.

Annual Measure 2.6 places a premium on maintaining the high level of successful resolutions in our litigation program. Successful resolutions include cases decided by favorable court order and those concluded through a consent decree or a settlement agreement in litigation. Achieving success on this measure will ensure that we continue to exercise our prosecutorial discretion responsibly, while allowing us to take on challenging issues and litigate complex cases, including cases of systemic discrimination. As our systemic litigation program gets underway, this measure remains significant because the achievement of success in systemic cases is challenging and resource-intensive. Our goal for this measure remains significantly ambitious through FY 2012.

Collaborative FEPA Measure Contributing to EEOC Goals

In collaboration with our Fair Employment Practices Agency (FEPA) partners, in FY 2007, we initiated the development of one or more measures that will focus on the influence the actions of the many FEPAs nationwide have on the achievement of our Strategic Objective and our performance objectives. The information will help us and the FEPAs improve our cooperative relationship and common interest in improving the enforcement of our respective employment discrimination laws.

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MEANS AND STRATEGIES

Enforcement

- Ensure that the private sector charge process and the federal sector complaint process, including ADR, are fair, impartial, efficient and promote high quality work.
- Promote the advantages of mediation/ADR programs and expand their use in the private and federal sector processes.
- Enhance public confidence in the fairness, neutrality and confidentiality of the agency's mediation programs for resolving private sector and federal sector employment discrimination disputes.
- Coordinate between enforcement and legal staff in all phases of the investigative process to ensure the appropriate identification of issues, investigation strategy and remedies.
- Implement systemic plans in each district office to ensure the identification, investigation and litigation of systemic discrimination charges.
- Develop the law through litigation, amicus briefs, regulations and policy guidance.

Information and Assistance

- Enhance the effectiveness of outreach, education and technical assistance programs and materials that meet the needs of diverse audiences by incorporating new and innovative programs and approaches.
- Partner with federal sector stakeholders to devise new strategies designed to improve the participation rate of people with targeted disabilities in the federal workforce.
- Promote clarity and consistency in rights and obligations under the law, particularly in areas of novel or emerging issues, through amicus briefs, regulations, policy guidance, and informational materials.
- Collaborate with, and provide technical assistance to, federal agencies to assess and then tailor strategies and solutions to correct identified EEO problem areas and implement and maintain efficient and effective EEO practices and programs.

- Continue to use new and cutting edge technologies to improve the public's access to EEOC, including the EEOC's website, to obtain information about the charge filing process and to secure information about the status of charges.

Coordination with Partners

- Partner with Fair Employment Practices Agencies (FEPAs) to explore innovative methods for assessing future quality and timeliness performance measures.
- Partner with federal agencies to identify best practices and develop assessment tools to assist agencies to initiate or improve a mediation/ADR program.

Agency Infrastructure and the President's Management Agenda

- Consider and implement further repositioning initiatives that will enhance the effectiveness and efficiency of the agency.
- Improve the **strategic management of human capital** by completing key steps in our human capital initiative, including:
 - Improving the agency's newly implemented performance management system and improving the effective link in performance and the agency's mission and goals;
 - Developing and sustaining leadership, through the agency's Management Development Institute, and supporting succession planning;
 - Developing human capital management action plans based on the Office of Personnel Management's human capital surveys and agency internal surveys to measure employee satisfaction;
 - Identifying mission critical competencies for key positions and developing multi-year training plans to address organizational gaps;
 - Closing gaps through individual development plans, mentoring, training, rotational assignments and other staff development initiatives; and,
 - Aggressively recruiting, developing and retaining high-quality talent.
- Identify potential areas for planned competitions, as part of the agency's **competitive sourcing** objectives.

- Continue EEOC's commitment toward **improved financial management** by maintaining its success in obtaining unqualified audit opinions on its financial statements and upgrading its financial system software.
- Continue EEOC's commitment toward improved service and government efficiency through use of **expanded electronic government** (e-gov), including:
 - Implementing integrated information systems to support the management of corporate information nationwide;
 - Using technology to facilitate the creation and sharing of knowledge to enable effective and efficient decision-making and enhance program performance;
 - Moving toward a paperless office environment that promotes electronic access and sharing of information, streamlines work processes, reduces paperwork burden and provides for electronic data storage and recovery;
 - Providing EEOC employees with secure remote access to agency systems and data;
 - Expanding access to information and improving EEOC services by providing our customers and partners with the means to securely submit or access information on-line; and,
 - Providing equal access to information by people with or without disabilities.
- Promote better ways to enhance the Agency's **budget and performance integration** and improve financial management through the collection, allocation and reporting of performance and budget information.

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CROSS-CUTTING PROGRAMS

To support the goals and strategies in this strategic plan and avoid redundancy and duplication of effort, the EEOC works in partnership and collaboration with other government agencies. We highlight below a selection of the agency's significant cross-cutting programs.

- The EEOC refers federal sector cases involving non-compliance with our appellate orders and/or acts of egregious discrimination to the Office of Special Counsel (OSC) for review and possible action pursuant to a Memorandum of Understanding between EEOC and OSC.
- Through collaborative efforts with other federal agencies, the EEOC provides federal sector mediation services to federal agencies, which allows them to comply with EEOC regulations requiring all agencies to establish or make available an alternative dispute resolution program.
- The EEOC has a Memorandum of Understanding with the Department of Labor's Office of Federal Contractor Compliance Programs (OFCCP) that obligates OFCCP to forward individual charges of discrimination against government contractors to the EEOC for investigation.
- The EEOC has a Memorandum of Understanding with the Department of Justice, Office of Special Counsel for Immigration Related Unfair Employment Practices, which provides for referral of certain charges and supports coordinated outreach and education.
- The EEOC coordinates at the local level with the Department of Labor, Wage and Hour Division, the Office of Federal Contract Compliance Programs, and the Department of Justice Civil Rights Division to deliver outreach and education.
- The EEOC maintains Work Sharing Agreements with more than 90 state and local FEPAs to allocate responsibility for investigation and resolution of employment discrimination charges which fall within the jurisdiction of both the EEOC and an enforcing state or local entity. The EEOC also provides funding for some investigative efforts by FEPAs on the EEOC's behalf.

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EXTERNAL FACTORS AFFECTING STRATEGIC OBJECTIVE

Below is a list of key external factors that could significantly affect the achievement of the EEOC's Strategic Objective and its strategies and goals. These factors provide insight on the assumptions used when defining the agency's goals.

Social Factors

- The personal decision of victims of discrimination to pursue a remedy through the EEOC's enforcement mechanisms will directly impact the number of individuals we benefit and our speed in resolving discrimination complaints.
- Non-discriminatory factors, such as access to technology and educational opportunities and personal lifestyle choices, play a significant role in the representation of certain protected groups in the available labor pool.
- The ability of the EEOC to increase access to job opportunities for workers with disabilities is in part dependent upon the success of federal, state and local initiatives—including the President's New Freedom Initiative—designed to increase access to public accommodations, transportation, telecommunications, education and housing.

Economic Factors

- Most of the EEOC's enforcement activities are based on complaints of employment discrimination. While the EEOC can use long-term data analyses and other predictors to try to anticipate trends, broad economic changes and the actions of employers will determine in large part the complaints to which the agency will need to direct resources.
- The success of EEOC's outreach and technical assistance activities will rest in part with industry leaders who exercise full control over workplace policies and practices and how they are implemented. In times of recession or economic downturn there may be less willingness to implement policy changes or to invest in human resource related functions.
- The globalization of markets and the emergence of transnational corporations—with the inevitable infusion of differing cultural norms and

practices—will affect the challenges that EEOC faces in proactively influencing workplace practices.

- The scope of the agency's mission requires the continual review of resources available and priorities established in order to allocate funds among enforcement activities.

Demographic Factors

- It is projected that profound changes in the characteristics of the United States population will occur in the coming decade. For example, Hispanic employment in the private sector nearly doubled from 1990 to 2001, reaching 11 percent in 2001. This trend is expected to continue. As the baby boom-generation ages, the share of the labor force aged 55 or older is projected to increase to 20 percent by 2020. These demographic changes will affect how the agency directs its resources.
- The changing ethnic mix in the population will introduce new challenges, such as new language barriers and different cultural norms.

Technology Factors

- The Internet has changed employment practices, and has changed how the government does business. Americans believe that e-government will mean better government. Related to this is the expectation of 24/7 service availability, electronic transmission of information, a more informed and empowered population, and a more accountable government.

Political Factors

- The agency's long-standing relationship with state and local government Fair Employment Practices Agencies (FEPAs) is promoted and encouraged through the annual appropriation of funds to EEOC to support FEPA charge processing activities. Coordination issues will continue to drive the FEPA/EEOC relationship with respect to enforcement, technology enhancements, and other partnership or collaborative efforts that can influence the overall enforcement of civil rights in the United States.
- The EEOC's federal sector hearings and appellate inventories will be directly impacted by the extent to which federal agencies succeed in developing model EEO programs, with the anticipated result of reducing the number of EEO complaints filed throughout the government.

- Reform of the immigration laws may affect the volume and type of charges filed, as well as the EEOC's outreach efforts.

Legal Factors

- As history has demonstrated, the EEOC may be required to assume additional responsibilities under employment discrimination laws, regulations or executive orders.
- Court decisions will affect how we enforce civil rights laws.
- The number of individuals benefited through litigation may rise or decline sharply due to the resolution of an unusually large class case affecting thousands of individuals.

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PROGRAM EVALUATIONS

Program evaluation is an important component of an agency's effort to assure that a program is operating as intended and achieving results. A program evaluation is a thorough examination of program design or operational effectiveness that uses a rigorous methodology and statistical and analytical tools. It also uses expertise within and outside the program under review to enhance the analytical perspectives and add credence to the evaluation and recommendations.

Completion of a Program Evaluation on the Private Sector Charge Process

The agency initiated a program evaluation of its private sector charge process, as scheduled in its previous Strategic Plan. An independent contractor focused on answering two key questions or issues about the charge process: 1) whether different charge intake procedures among field offices provide consistent access to charge filing by potential charging parties and affect charge outcomes regardless of where charging parties live, work, or engage EEOC; and 2) whether the agency-wide emphasis on annual charge inventory control and expedited charge processing affects the nature of charge closures at the end of the fiscal year. The contractor issued its final report in November 2006, and the report contained three major findings and recommendations that the contractor believed would strengthen the efficacy of the Private Sector Charge intake and closure processes, and thereby promote more consistent treatment and justice for individuals seeking assistance from EEOC regardless of the field office responding to their inquiries and requests.

The report noted that it was "... impressed by the overall operation of the process, which handles and closes more than 70,000 charges of discrimination annually and results in significant remediation of discrimination in the workplace." It indicated that the agency "... appears to keep the process functioning, handling most charges in a timely manner, achieving more 'meritorious' resolutions, securing greater monetary benefits for complainants, and keeping charge inventories under control as never before."

With respect to its three findings, the contractor found first that "there are many intake procedures that are consistent among the field offices, but there appear to be major inconsistencies in the nature and amount of information provided by EEOC to potential charging parties concerning their opportunities, rights, and responsibilities, as well as the nature of information required of potential charging parties before they could file a formal charge of discrimination. These procedural inconsistencies may result in unequal opportunity for potential charging

parties to access EEOC assistance.” It recommended that “policies and procedures should be established to ensure more consistency among field offices regarding the information provided by EEOC to potential charging parties regarding their rights, opportunities, and obligations related to the Private Sector Charge Process that may influence their decision to file a charge.”

Second, the contractor found that, “while different intake procedures and requirements among field offices may affect access to the EEOC, they do not appear to influence charge outcomes.” It recommended that the agency “... should review and correct apparent procedural inconsistencies among field offices that may impact the opportunity of potential charging parties to gain access to the Private Sector Charge Process, including hours of operation and the availability of staff to respond to inquiries and conduct intake (interviews and charge filing), the methods available to potential charging parties to participate in intake interviews or file charges, and the kinds of information required of potential charging parties to file charges.”

Third, based on the data reviewed, the contractor found that “field offices close a higher number of charges during months preceding inventory control performance reporting, especially at the end of the 2 fiscal years reviewed for this evaluation. These ‘spikes’ in charge closures may indicate inconsistent attention to, and treatment of, charges resolved during those performance reporting months relative to other months of the fiscal year.” The contractor recommended that “the Commission should conduct periodic assessments of charge closures during months preceding quarterly and end-of-the-fiscal-year inventory control performance reporting by field offices to ensure that charging parties whose charges were closed during those months received equal attention and treatment to parties whose charges were closed at other times of the year.”

The agency has established organizational work groups to examine the major findings and recommendations. Additionally, the issues regarding procedural inefficiencies and charge closures will be included in the scheduled reviews of field office operations.

Schedule of Future Program Evaluations

We have scheduled a number of program evaluations for completion during the next several years and will review opportunities to conduct additional evaluations. These evaluations will help guide adjustments or enhancements to these programs.

United States Equal Employment Opportunity Commission

Program Evaluation	Statement of Parameters of the Program Evaluation	Expected Initiation and Completion
Priority Charge Handling Procedures	Evaluate how well the Priority Charge Handling Procedures are working and ways to improve their implementation.	Initiate FY 2007 Complete FY 2009
Outreach/Technical Assistance	Evaluate the effectiveness of fee and no-fee based outreach/technical assistance efforts; for example, agency Technical Assistance Program Seminars (TAPS), Youth@Work activities, speakers at meetings, forums, panels, or other activities designated as outreach or technical assistance.	Initiate FY 2009 Complete FY 2010
EEOC External Communications	Evaluate the impact and effectiveness of the EEOC's external communications efforts, including publicity, the agency's activities with the media, the external web site, and other public communications efforts.	Initiate FY 2010 Complete FY 2011
Effect of EEOC's Federal Sector Evaluations and Assistance	Evaluate the results achieved from EEOC's evaluation and assistance activities with federal agencies that changed policies, practices or procedures.	Initiate FY 2011 Complete FY 2012
Systemic Enforcement	Evaluate the effectiveness of the EEOC's systemic enforcement initiative.	Initiate FY 2012 Complete FY 2013

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DESCRIPTION OF MODIFICATIONS TO THE STRATEGIC PLAN

The agency made interim modifications to its Strategic Plan for Fiscal Years 2007 through 2012. Many modifications were made and included in the agency's FY 2007 Performance and Accountability Report (PAR), which became effective on November 15, 2007. A final goal for Annual Measure 2.1 was initially determined shortly after that date. Also, although we included baselines for four (4) of our measures in the PAR, we were able to initially determine our annual targets and final goals for these measures several months later. Subsequent to establishing these initial targets and goals, we made further adjustments to better align the performance structure and the annual targets and final goals with our enhanced workload and available resources. All of our modifications to the Strategic Plan are described below:

- **Revised Long-Term Measure 1**

Initially, Long-Term Measure 1 included two Annual Measures. These integrated measures were designed to demonstrate the EEOC's results in providing benefits to individuals in the workplace because of its enforcement and outreach programs. During the agency's review and preliminary efforts to design an appropriate methodology for collecting data, the agency determined that the enforcement program was the substantial component of the Long-Term Measure, and that it was not currently feasible to develop a reliable method for collecting and analyzing outreach data. In consultation with OMB, the measure was modified to measure the agency's enforcement programs only. The Annual Measure regarding outreach results was removed. Since the remaining Annual Measure for enforcement results was now redundant with the Long-Term Measure, it was also removed. Long-Term Measure 1 was modified to Long-Term/Annual Measure 1 and minor language changes were made.

- **Removed the Management Objective—Incorporated Concepts into Means and Strategies**

In reviewing the overall focus of the agency's Strategic Plan, it was determined that a separate Management Objective was not required, since the agency's efforts to improve its internal operations were designed to benefit its front-line enforcement and outreach programs. The agency incorporated the concepts of organizational improvement into the Means and Strategies section of the Strategic Plan; highlighting their important supportive role. Organizational changes and efforts to implement the President's Management Agenda are part of the agency's strategies for doing all of its work more effectively and efficiently.

- Revised References to the Five-Point Plan

Also, the concepts described under the umbrella of the Five-Point Plan have always been critical aspects of its work. Although the Five-Point Plan itself provided an overall structure to express these important concepts, it added another organizational layer to the Strategic Plan that the agency now considers unnecessary. With the removal of a separate Management Objective and the incorporation of the essential elements into the Strategic Plan's Means and Strategies, the structure of the Five-Point Plan was less important and may add confusion for the reader of the EEOC's documents. Even though the structure of the Five-Point Plan was removed, the essential concepts remain in the Strategic Plan.

- Revised the Schedule of Program Evaluations

The agency also revised a number of the program evaluations it intends to conduct during the life of the Strategic Plan. The revised program evaluation schedule is included in this plan.

In addition, a completed program evaluation on the Private Sector Charge Process, that informed our revision of the program evaluation schedule, was described.

- Revised Organizational Elements

The organization of the measures was revised to better explain their interrelationship. Since the Efficiency Measure was directly related to the results achieved with the revised Long-Term/Annual Measure 1, it was moved directly after Measure 1 to better connect the relationship.

- Revised Performance Structure and Established Final Goals for all Performance Measures

The agency established initial targets and final goals through FY 2012, with OMB approval, for all of its performance measures and reported its accomplishments in the agency's FY 2007 PAR and its FY 2009 budget submission to Congress in February 2008. Based upon recognition that there was a need to balance the increased agency workload with its available resources, the agency and OMB reviewed and reassessed the previously established performance structure and the initial targets and final goals for two of the agency's performance measures during the second half of FY 2008. Three adjustments were made. For its performance structure, Annual Measure 2.7 was removed, because the agency will be reconsidering how best to collect, use and report on data for describing the achievements for this measure. Finally, baselines, targets and goals were revised for two measures. For Long Term Measure 2, measuring confidence in the EEOC, the baseline for FY 2007, the annual targets and the final goal for FY 2012 were increased because the

methodology used to aggregate the collected survey data was revised. For Annual Measure 2.1, measuring the percent of charges resolved in 180 days or fewer, the baseline for FY 2007, the annual targets and the final goal for FY 2012 were reduced to establish ambitious, but more realistic, targets/goals in order to better balance the increasing workload with available agency resources.

- **Other Revisions**

A placeholder was added for the development of a measure of the contribution of our FEPA partners toward achievement of the agency's goals. This development effort is required by the PART and the Improvement Plan adopted to change the agency's rating.

In addition, the graphic presentation of the new performance structure was revised to accurately reflect the other revisions made to the plan.

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