



Digital Process Transformation and Automation (DPTA) Evaluation

Final Evaluation Report

Prepared for the EEOC Office of the Inspector General

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SUBMITTED BY:



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SECTION 1: EXECUTIVE SUMMARY

In 2022, the EEOC Office of Inspector General (OIG) procured the services of KAI Partners, Inc. (KAIP) to perform an evaluation of the Equal Employment Opportunity Commission’s (EEOC) Digital Process Transformation and Automation (DPTA) progress, with an emphasis on evaluating EEOC’s DPTA plans, capabilities, and requirements. DPTA is the digitization and automation of business processes to improve effectiveness and efficiency to continually enhance the customer experience.

Beginning with the federal government’s “Open Government” initiative in 2009, a series of Executive Orders released through 2021 have sought to rebuild the public’s trust and confidence in government through the application of digital methods. To do so, these Executive Orders were based on three principles: *transparency*, *participation*, and *collaboration*. These principles underscore the customer focus of digital services in today’s hyperconnected world.

In response to Executive Order 14058 (“Transforming Federal Customer Experience and Service Delivery to Rebuild Trust in Government,” December 16, 2021), EEOC committed in 2022 to “...building a **digital workplace** to increase our efficiency and to provide timely service to the public” (Fiscal Year 2022 Congressional Budget Justification). EEOC further committed to:

- **Transform the way EEOC services the public** by making its charge complaint and appeal processes transparent and providing information to its constituents online and on demand.
- **Streamline processes to improve service for stakeholders**, including individuals, state and local partners, Federal agencies, and other organizations.
- **Improve productivity** by providing the agency employees secure access to the tools, data, and documents they require.

To produce a comprehensive and informed set of findings, conclusions, and recommendations, KAIP analyzed 23 EEOC documents, conducted 15 interviews with leadership- and management-level employees, surveyed 56 Office of Field Programs (OFP) staff (with a 78% response rate), facilitated two 90-minute EEOC focus groups, and held three follow-up meetings. KAIP analyzed the data collected and developed a Draft Evaluation Report. OIG solicited the Agency’s comments on the draft report (see [Appendix A](#)). KAIP both responded to Agency comments individually (see [Appendix B](#)) and made minor modifications to the text of the report, resulting in this Final Evaluation Report.

KAIP used a [digital maturity evaluation framework](#) to determine EEOC’s DPTA progress across six digital elements. These six digital elements are *Strategy, Organization & Culture, Technology, Customer, Operations, and Data*. The purpose of delineating digital maturity across six separate digital elements is to provide a comprehensive understanding of an organization’s DPTA capacity – and in particular to prevent conflation of technological infrastructure enhancements with DPTA as a whole. For each digital element, EEOC was given one of three possible maturity-level ratings. Figure 1 graphically represents EEOC’s digital maturity across the six digital elements. EEOC has two areas of relative strength: the Technology and Data digital elements. In terms of the Technology digital element, EEOC has done an excellent job in modernizing its information technology (IT) infrastructure. The Office of Information Technology (OIT) has adopted a microservice approach to infrastructure enhancements, i.e., an approach that structures applications as modular collections of independently serviceable components.

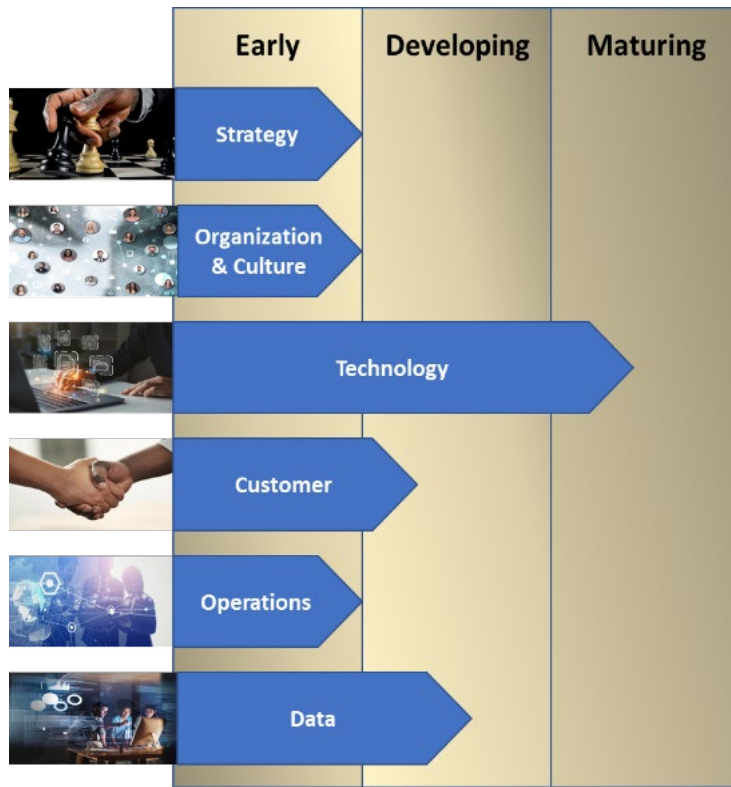


Figure 1 EEOC Overall Digital Maturity Across the Six Digital Elements

This approach is open and adaptable, and it will enable EEOC’s IT infrastructure to evolve with the Agency’s needs as its DPTA efforts progress.

EEOC’s second area of relative strength is the Data digital element. This is primarily due to the sophisticated skillsets of staff members in the Office of Enterprise Data and Analytics (OEDA), of whom 40% are statisticians. However, the Data digital element maturity score is also diminished by EEOC’s underutilization of OEDA’s more advanced areas of expertise, particularly in terms of predictive and prescriptive analytics. The underutilization could be due to low awareness of the potential uses of EEOC’s data assets, resistance to uncovering information that may challenge longstanding assumptions, or a combination of both.

The Customer digital element was rated as “Developing,” as EEOC is making

strides in this area. In particular, this evaluation notes progress made by the Office of Communications and Legislative Affairs (OCLA) in implementing the 15 recommendations made in response to an evaluation of the EEOC’s Social Media program. As of September 30, 2022, OCLA has implemented 10 of 15 recommendations.

This evaluation found that EEOC’s digital maturity is in the “Early” stages in terms of the Strategy, Organization & Culture, and Operations digital elements. In terms of Strategy, this evaluation found that EEOC lacks a clear, consistent, and comprehensive vision of what “digital” means for EEOC. EEOC’s Strategic Plan for Fiscal Years 2018 – 2022 and other reviewed artifacts appear to use the word “digital” as either synonymous with “technology” or as an undefined term intended to achieve compliance with Executive Orders. A comprehensive digital vision will be an essential component of EEOC’s future overall digital maturity.

In terms of the Organization & Culture digital element, this evaluation found that the lack of a clearly defined vision of what “digital” means for EEOC has resulted in varied and fragmented understandings of the agency’s digital goals, ambivalence toward engaging in DPTA efforts, and concern that DPTA might threaten current ways of doing business. Moreover, in the absence of a defined digital vision, many EEOC employees view the recent deployment of the Agency Records Center (ARC) application as the representation of DPTA. This evaluation found that the Agency failed to sufficiently address the “people” element of the deployment, which contributed to a negative response on the part of end

users. The resulting negative perceptions about DPTA within EEOC must be addressed if future DPTA initiatives are to succeed.

In terms of the Operations digital element, this evaluation found that the ARC implementation eliminated the need for a few key manual processes that end users had developed in response to deficiencies in the legacy Integrated Mission System (IMS) application. However, this evaluation also found that ARC development did not benefit from a comprehensive effort to rationalize and re-engineer business processes *prior* to applying a technology solution. EEOC must place an emphasis on streamlining processes and developing appropriate metrics to measure operational performance as part of future DPTA efforts.

As a result of these findings, KAIP developed nine recommendations that will assist EEOC in maturing across all six digital elements and improving its DPTA efforts. KAIP notes that in defining its vision, EEOC may set whatever goals it believes are achievable. The agency may benefit from implementing small efforts – such as the recommended pilot projects – to build momentum before setting more ambitious goals. Given its capabilities in the Technology and Data digital elements, EEOC can approach efforts to mature in other areas with confidence.

Table 1: Summary of EEOC Digital Process Transformation and Automation Recommendations

No.	Recommendation	Priority	Owner
1	Engage an independent organizational change management firm / entity to assist EEOC in implementing Recommendations 2 through 9.	High	Leadership / Office of the Chair
2	Create a Digital Support Unit (DSU) of dedicated staff.	High	Leadership / Office of the Chair
3	Define a clear, consistent, and comprehensive vision of digital transformation at EEOC.	High	Leadership / Office of the Chair in collaboration with Organizational Change Management Firm
4	Recommendation #4: Consider formulating a Digital Transformation Strategy, either as a strategic goal in the EEOC Strategic Plan for Fiscal Years 2023 – 2027 or as a standalone document.	High	Leadership / Office of the Chair in collaboration with Organizational Change Management Firm, Office of Field Programs (OFP), Office of Information Technology (OIT), Office of Enterprise Data and Analytics (OEDA), and other offices as appropriate
5	Plan at least three digital pilot projects with appropriate evaluation methods.	High	Digital Support Unit (with sponsorship from Leadership / Office of the Chair)
6	Task OEDA with a goal of building a Data Analytics Plan for EEOC.	High	Office of Enterprise Data and Analytics (OEDA), Office of Field Programs (OFP), Office of General Counsel (OGC), Office of Information Technology (OIT)
7	Develop an EEOC Organizational Communication Strategy and Plan.	Medium	Office of Communications and Legislative Affairs (OCLA), in collaboration with the Organizational Change Management Firm
8	Develop a Target-State Architecture Plan.	Medium	Office of Information Technology (OIT)
9	Inventory and plan the decommissioning of outdated technologies and online content.	Medium	Office of Information Technology (OIT), Office of Communications and Legislative Affairs (OCLA), and Office of Enterprise Data and Analytics (OEDA)

SECTION 2: OBJECTIVES, METHODOLOGY, AND EVALUATION FRAMEWORK

Objectives

The Equal Employment Opportunity Commission (EEOC), Office of Inspector General (OIG), requested an independent evaluation of EEOC's Digital Process Transformation and Automation (DPTA) progress. The OIG provided KAI Partners (KAIP) with the following definition of DPTA as "...the digitizing of business processes and automating those processes to improve effectiveness and efficiency." KAIP extended this definition to include one of the essential components of any digital transformation: the customer experience. Further, including the customer experience is consistent with the Executive Orders. Thus, for this evaluation, the definition of DPTA is as follows:

The digitization and automation of business processes to improve effectiveness and efficiency to **continually enhance the customer experience.**

A series of Executive Orders starting in 2009 resulted in the Office of Management and Budget's Memorandum M-10-06, which spearheaded the Federal Government's "Open Government" initiative. This was followed by Executive Order 13571 dated April 21, 2011, and Executive Order 13576 dated June 13, 2011. These documents emphasized three principles:

- **Transparency.** Promote accountability by informing the public about what the government is doing.
- **Participation.** Allow members of the public to contribute ideas and expertise so that their government can make policies connected to information widely dispersed in society.
- **Collaboration.** Improve the effectiveness of government by encouraging partnerships and cooperation within the Federal Government, across levels of government, and between the government and private institutions.

Executive Order 14058, "Transforming Federal Customer Experience and Service Delivery to Rebuild Trust in Government," dated December 13, 2021, directed that each agency and department address how it will further streamline service delivery and improve the customer experience. Executive Order 14058 also encouraged the application of human-centered design methodologies, empirical customer research, behavioral science, user testing for digital services, and other customer engagement mechanisms. Agencies are directed to adopt plans for rigorous testing that use empirical methods to test various approaches to determine which ones work best for the customer.

Such methods are consistent with private sector digital business strategies and can dramatically transform the customer experience (e.g., Amazon, Google, Meta, Uber, Lyft, Apple, Netflix). The Executive Orders and Open Government directives, particularly Executive Order 14058, are consistent with digital services delivered in the private sector and what customers, particularly the public, expect when interacting with a service delivery organization. Interacting with private sector companies like Amazon, Uber, and Google raised the public's expectations when dealing with a government entity. The average working age, according to the [Bureau of Labor Statistics in 2020](#) is 42 years. This means that the average-aged worker was born in 1980 and is "digitally native," i.e., raised with mainstream technology such as computers, smartphones, and the internet, and functionally fluent with that technology. Increasingly, digital natives will dominate the working population, increasing the demand for a

frictionless, seamless, and technologically based interaction where human interaction is a customer choice and not a requirement.

The end goal of this assessment is to evaluate DPTA in the context of EEOC's strategy, technology, operations, and culture and to supply EEOC with actionable recommendations. The primary questions addressed by this engagement are as follows:

- What are EEOC's DPTA plans, capabilities, and culture?
- How can EEOC best address the requirements of the Federal guidance regarding system modernization, data transformation, and associated automation?
- Is the current effort to transform the Agency's primary mission system (IMS) effective and efficient?
- What DPTA efforts will yield the best returns on investment for the Agency?
- How can EEOC improve its processes for developing DPTA strategies and tactics?

Methodology

The data collection methodology consisted of qualitative and quantitative methods to gather and analyze the information. In summary, data collection consisted of the following activities:

- **Leadership/Management Interviews.** KAIP conducted 15 1-hour interviews with EEOC leadership- and management-level personnel selected by OIG. In each interview, the interviewee responded to 20 questions (both qualitative and quantitative) from an interview instrument created by KAIP. KAIP asked questions about interviewees' awareness, understanding, and desire to adopt DPTA, as well as questions designed to ascertain EEOC's ability to deliver on DPTA initiatives. Interviewees were also given an opportunity to provide any further information they thought was relevant.
- **Staff Survey.** KAIP sent a 25-question survey to 58 EEOC staff members in the Office of Field Programs (OFP). The survey asked 23 questions covering similar topics as the interviews, using a Likert scale (1-4 rating). Two survey questions offered staff members the opportunity to provide free form responses; one asked about their visions for a future EEOC that had implemented DPTA, and one solicited their input for the evaluation's focus groups. Seventy-eight percent of those who received the survey responded in full.
- **Focus Groups.** KAIP conducted two 90-minute focus groups, each with four field personnel selected by the OFP Director. Topics covered included DPTA application, the adoption of modern technologies, and improving customer experience. Participants were also given an opportunity to discuss the rollout and support of the new Agency Records Center (ARC) application, as well as their vision for a future EEOC that had implemented DPTA.
- **Document Reviews.** KAIP reviewed 23 documents related to EEOC's implementation of DPTA activities. These included Executive Orders, the agency's Congressional Budget Justifications, and a variety of EEOC strategy documents (e.g., Research and Data Plan, Open Government Plan, Strategic Plan for Fiscal Years 2018 – 2022, the 2021 Annual Performance Report). Other documents reviewed included agency orders, organizational capabilities statements and assessments, organizational charts, and previous evaluations, assessments, and reports authored both internally and by OIG.

- **Follow-up Meetings.** KAIP conducted three follow-up meetings with leadership of the Office of Information Technology (OIT), the Office of Enterprise Data and Analytics (OEDA), and the Office of Communications and Legislative Affairs (OCLA). Discussions pursued deeper explorations of topics touched on in the interviews and focus groups.

The information gathered from documentation sources was analyzed, and key information was extracted and documented in a summary document for reference. Information collected from qualitative sources such as the Leadership and Management interviews and the Focus Groups were categorized, distilled into common themes, and then summarized into narratives. Based on an analysis of all the evidence collected, KAIP developed a Draft Evaluation Report with findings, conclusions, and recommendations.

OIG solicited the Agency's comments on the draft report. (See [Appendix A](#).) KAIP responded to each comment individually in [Appendix B](#) and made minor revisions to the report accordingly. This Final Evaluation Report represents the culmination of this process.

Evaluation Framework

KAIP used the [digital maturity evaluation framework](#) described in this section to measure EEOC's progress in its objective to build a digital workplace and implement digital transformation. The digital maturity evaluation framework is based on Deloitte's Digital Maturity Model (DMM).

Six elements were used to organize the data collected and evaluate EEOC's digital maturity. They are defined as follows:

- **Strategy.** Focuses on how EEOC embeds digital methods into its operating model to improve the customer experience. Evaluates how digital methods are envisioned and applied to EEOC's services.
- **Organization and Culture.** Focuses on EEOC's readiness and ability to adopt, adapt to, and experiment with digital technologies to improve process efficiency, outcomes, and customer experiences. Evaluates how leadership explains the value of digital methods to educate and set the tone within the broader organization. Analyzes whether EEOC has a common understanding of "digital" and has a digital mindset.
- **Technology.** Focuses on EEOC's technology infrastructure and tools to support creating, storing, securing, and processing information to meet the needs of EEOC's customers and employees and adapt to changing circumstances (e.g., policy, process, demand).
- **Customer.** Focuses on how EEOC is changing and optimizing the customer experience to build trust and confidence in EEOC's services. Evaluates the degree to which the customer's voice, preferences, and behaviors are included in service delivery's design.
- **Operations.** Focuses on how EEOC's processes, activities, and tasks use digital technologies, automation, and measurement to enhance the customer experience, improve outcomes, and continually adapt to changing circumstances.
- **Data.** Focuses on how EEOC uses data assets to drive decisions, shape policy, and optimize operations at all organizational levels. Evaluates the degree to which the organization understands how to use data effectively.

There are three maturity levels across these six elements – **early**, **developing**, and **maturing** – which are described in detail in the table below.

Table 2: Digital Maturity Evaluation Framework Maturity Levels

Digital Element	Early	Developing	Maturing
Strategy	<ul style="list-style-type: none"> • Cost reduction / efficiency focused • Digital is siloed as technology implementation • Basic measurements • Compliance driven 	<ul style="list-style-type: none"> • Aims to improve customer experience and decision-making • Technology is embedded in some non-technical initiatives • Challenging longstanding assumptions 	<ul style="list-style-type: none"> • Technology is embedded in all aspects of strategy • Operating model changes using technology • Data drives decision-making and policy development • Inspirational visions of the future
Organization and Culture	<ul style="list-style-type: none"> • Risk-averse • Disintegrated • Leadership and staff have low or an uncommon digital awareness • Resistant to change • Values traditional methods of interaction 	<ul style="list-style-type: none"> • Risk tolerant • Accommodates some innovation and collaboration • Leadership is digitally aware / leverages technologies • Willing to experiment / change 	<ul style="list-style-type: none"> • Risk receptive • Fosters innovation and collaboration • Leadership is digitally sophisticated • Adaptive to change • Data-driven decision-making • Engages technologists in policy decisions
Technology	<ul style="list-style-type: none"> • Front-end services upgraded (e.g., public portals, websites) • Basic web technologies • Legacy system upgrades • Some forms are digitized / electronic 	<ul style="list-style-type: none"> • Cloud platforms deployed • Legacy system modernization • Collaborative tools deployed • Defined / targeted service-oriented architecture • Infrastructure is current • Data warehouse available (single source) 	<ul style="list-style-type: none"> • Interoperability among systems • Robust and flexible infrastructure to adapt to changing demands • Deployed service-oriented architecture • Micro-services • Universal identity • Structure / semi-structured / unstructured data available in data lake • On-demand access to niche skills
Customer	<ul style="list-style-type: none"> • Customer experience is electronic but uses the same pre-electronic process and was not streamlined • Front-end customer service improvements 	<ul style="list-style-type: none"> • Multiple channels for engagement • Some personalization • Two-way communication • Customer behavior is understood • Some customer involvement in system design 	<ul style="list-style-type: none"> • Human-centered design • Customer / end-user is the center of innovative design and is involved in system design • Advanced personalization • Omnichannel • Full and evolving customer journey maps (end-to-end)
Operations	<ul style="list-style-type: none"> • Basic service automation • Adoption of electronic processes (processes remain analog / unchanged) • Measurements are taken downstream 	<ul style="list-style-type: none"> • Targeted processes re-engineered and automated • High-impact processes are streamlined and measured • Single data entry 	<ul style="list-style-type: none"> • Real-time insight through detailed measurements • Adaptive process management • Continual process improvement • Optimized high-tech / high-touch balance

Digital Element	Early	Developing	Maturing
	<ul style="list-style-type: none"> Use of electronic forms 	<ul style="list-style-type: none"> Increased flexibility / adaptability to accommodate change 	
Data	<ul style="list-style-type: none"> Early data governance Data analytics unit is part of IT Scheduled reporting on organizational performance using traditional metrics 	<ul style="list-style-type: none"> Data warehouse (single source) of structured data is available, and current Some adoption of analytics for planning Some adoption of analytic visualization or dashboards 	<ul style="list-style-type: none"> Data is used to predict changing circumstances Predictive and prescriptive analytics adopted Data drives decision-making and policy changes

SECTION 3: FINDINGS AND CONCLUSIONS

In this section, the findings and conclusions are categorized by each digital element as described in the [Evaluation Framework](#) section.

Strategy Findings

For the Strategy digital element evaluated, there are two findings:

- EEOC uses the term “digital” in an impressionistic way. The absence of a sufficiently defined vision poses challenges in operationalizing the agency’s DPTA commitments.
- In the absence of a sufficiently defined and comprehensive vision for digital transformation, EEOC tends to misinterpret technology modernization as synonymous with digital transformation as a whole. This has resulted in insufficient consideration of the perspective of the customer and insufficient consideration of how the agency’s processes could be streamlined prior to the application of a technology solution.

In evaluating the Strategy digital element, KAIP sought to understand how EEOC defines DPTA, as well as how it selects and prioritizes DPTA efforts. To achieve this understanding, KAIP first reviewed relevant documentation, including relevant Executive Orders and EEOC’s own written commitments in its Strategic Plan and Congressional Budget Justifications.

The evaluation found that EEOC uses the word “digital” in an impressionistic way, as a modifying adjective for a variety of nouns (e.g., “digital workplace,” “digital infrastructure,” “digital technology,” and “digital services”). As used, it is intended to broadly convey the idea that technology will be adopted to provide services to the public in a more efficient, focused, accurate, and paperless manner. These positive aspirations indicate a general sense of direction, but the evaluation found they lacked sufficient definition to be operationalized effectively.

For example, in EEOC’s Fiscal Year 2022 Congressional Budget Justification, the Agency committed to “building a digital workplace.”¹ It further describes that this objective is organized around three strategic IT goals, including:

- Transform the way the EEOC serves the public by making its charge, complaint, and appeals processes transparent and supplying information to its constituents online and on demand.
- Streamline processes to improve service for stakeholders, including individuals, state, and local partners, Federal agencies, businesses, and other organizations.
- Improve productivity by providing agency employees secure access to the tools, data, and documents they require.

The written narrative that follows focuses on technology modernization efforts. While such modernization efforts are an essential component of DPTA – and are commended elsewhere in this

¹ This evaluation included examination of EEOC’s activities undertaken in response to its FY22 Congressional Budget Justification commitment. The FY23 Congressional Budget Justification references “Digital Transformation” in place of “Building a Digital Workplace,” however, the supporting objectives are nearly the same, indicating that the agency uses these phrases interchangeably. For the purposes of this report, these phrases should also be understood to be interchangeable.

report – technology modernization alone is insufficient to achieve process transformation and automation.

As discussed elsewhere in this report, there is little evidence that such efforts “transform[ed] the way EEOC serves the public.” Executive Order 14058 requests that departments and agencies “...annually designate a limited number of services for prioritized improvement” and adoption of human-centered design to redesign “...the moments that matter most to the individuals served.” The Congressional Budget Justification’s focus on technology modernization, while necessary, evidently eclipsed the importance of a focus on human-centered design and the agency’s individual customers. (See Customer findings and conclusions.)

Furthermore, there is little evidence that such technology modernization efforts focused on “streamlining processes to improve services for stakeholders.” As discussed later, the design of ARC did not involve a comprehensive rationalization of business processes, but rather made targeted improvements to known areas of end-user friction. (See section on Operations digital element.)

The finding that EEOC’s understanding of “digital” and DPTA lacked sufficient definition to be coherently and effectively operationalized was corroborated by the staff survey, focus groups, and interviews. The paragraphs below discuss individual findings of interest from each of these, but the most salient thing about these findings is what is missing from all of them: evidence of a commonly held understanding of the term “digital” and a clearly understood vision for DPTA at the agency.

Approximately 27 percent of survey responses indicated a full understanding of what DPTA is, and approximately 60 percent of survey responses indicated that the respondent mostly understood what DPTA is. Notably, many written responses in the survey related to ARC implementation and other technology implementations; this phenomenon was echoed in the interviews and focus groups, and it is consistent with the aforementioned tendency to misinterpret technology enhancements as synonymous with digital transformation as a whole.

During the leadership and management interviews, when presented with the statement, “DPTA is one of the top five priorities at EEOC,” 60 percent of interviewees fully agreed that it was. The qualitative responses, however, tell a more nuanced story. Some participants reported it is a high priority; others said it is for their roles, but not for those of their colleagues. Qualitative interview data also suggested that some in leadership would prioritize using resources to hire more people, rather than invest in technology.

Focus groups participants explicitly stated they had heard of DPTA through connection with the agency’s Strategic Plan, the primary source material for the EEOC’s goals and objectives. Because the plan lacks a well-defined digital vision for EEOC, the responses to the question, “What is DPTA?” varied significantly.

Strategy Conclusions

Strategy Digital Maturity: **Early**

Based on the [Strategy Findings](#) and applying the [digital maturity evaluation framework](#), there are two conclusions:

1. **EEOC needs a digital identity.** EEOC uses the term digital in various ways and contexts, typically presented as synonymous with “technology.” The term “digital” and DPTA are not intended to

be prescriptive. Instead, digital needs to be defined within the context of EEOC with a focus on what EEOC-digital is, how it applies to the work they do, and what benefits adoption of digital processes and technologies could manifest to benefit EEOC customers. EEOC needs to define what EEOC-digital is and build a strategy around that definition. EEOC's digital identity will likely evolve; however, EEOC's lack of a clear definition likely causes organizational confusion and likely contributes to overstating EEOC's DPTA adoption (e.g., building a digital workplace).

2. **The term digital is used for compliance.** The term digital, particularly in official EEOC plans (e.g., Congressional Budget Justification, Strategic Plan, Annual Performance Review), seems to be applied to achieve compliance with federal government requirements (e.g., Executive Order 14058) versus as an opportunity to reimagine how EEOC delivers services to its customers. Digital is not presented as a method for improving EEOC's operations, outcomes, or customer experiences.

Organization & Culture Findings

For the Organization and Culture digital elements evaluated, there are four findings as follows:

- There is a perception at the leadership and management levels that EEOC staff do not understand what DPTA is; some interviewees conveyed the belief that leadership could be doing more to communicate the agency's DPTA objectives and their importance to front-line employees.
- EEOC's culture is reluctant to embrace new technologies and automated service delivery methods.
- EEOC's workforce is structured to execute manual business processes, and there is a perception that automation of manual tasks will require a reduced headcount, which will result in reduced budget allocations.
- There is no formal organizational change management strategy and plan to prepare EEOC to adopt and adapt to digital process transformation and automation methods.

In evaluating the Organization & Culture digital element, KAIP sought to understand the degree to which EEOC demonstrated readiness and ability to adopt, adapt to, and experiment with digital technologies to improve process efficiency, outcomes, and customer experiences. The evaluation team uncovered notable findings that should be addressed to facilitate future DPTA efforts.

First, several leadership interviewees voiced the opinion that while they themselves understand digital transformation, many of their staff-level colleagues do not. In tandem, they expressed a belief that they, as leaders and managers, could be doing more to communicate the agency's DPTA objectives and emphasize their importance. This finding harmonized with a finding from the OFP staff focus groups. Focus group participants commented that EEOC lacks a sense of organizational urgency toward change.

Second, two participants in the leadership/management interviews expressed to evaluators the sense that digital transformation could potentially have a negative impact on employee headcount and budget allocations. Like any organization, the EEOC workforce is structured to execute its processes. Historically, such processes have been manual. Automation of such processes might warrant reconsideration of current resource allocations. Concerns about automation were echoed in responses to the staff surveys. For example, staff survey respondents overwhelmingly indicated favorability toward the adoption of

new technologies and the elimination of paper (with 80 percent fully agreeing and 20 percent mostly agreeing). Support markedly decreased, however, when participants were asked if they agreed with the idea of automating manual processes and adopting self-service technologies to reduce EEOC customer reliance on human interaction. For this question, 44 percent fully agreed, and 40 percent mostly agreed. It should be noted, however, that many free-form survey responses specifically discussed the need to automate the customer intake process, at least insofar as to screen out potential customers that the agency cannot help prior to any interview with an EEOC employee.

Much of the free-form survey feedback expressed dissatisfaction with the recent ARC implementation. Many respondents expressed their belief that the system was not sufficiently ready for use by EEOC personnel at the time it was deployed. KAIP asked OIT to provide its organizational change management (OCM) strategy and plan for ARC deployment. Such a document is an essential component of successfully implementing projects such as ARC. An OCM strategy and plan gives comprehensive consideration to three main elements: business processes, enabling technology, and the people who will use the system. OIT did not provide any such document to evaluators. The absence of such a document is a significant finding. In preparation for the system's launch, OIT conducted ARC roadshows and developed ARC videos, but EEOC employees were largely unclear on how ARC would change and improve their individual working experiences. Although IMS was inefficient and widely disliked, the benefits of ARC were not immediately obvious to end users, who had adjusted to the legacy system's drawbacks and in a sense had gotten comfortable with them. Survey responses and focus group participants indicated no such comfort with ARC. OIT's failure to evaluate end-user readiness for the transition significantly contributed to the negative feedback received about ARC implementation in the staff survey responses. It will likely take time for the perception of ARC to recover.

Organization & Culture Conclusions

Organization and Culture Digital Maturity: **Early**

Based on the [Organization and Culture Findings](#) and applying the [digital maturity evaluation framework](#), there are two conclusions:

1. **EEOC's culture is risk-averse and resistant to disruptive change.** EEOC is applying new technology to existing processes without taking full advantage of the available possibilities. Digital adoption can be disruptive depending on how it is planned and implemented. However, the disruption's intensity is controllable if defined in advance and scoped according to that definition. A risk-averse culture is not uncommon in a government entity, particularly one that works with people who are in vulnerable circumstances. The resistance to change is likely due to fear of disruption, difficulty navigating ambiguity, and not understanding what digital is in the context of EEOC's operating model.
2. **The people aspect of DPTA was missed.** The absence of an organizational change management plan to prepare EEOC's workforce for new technology implementations, particularly ARC, is the primary reason the Organization and Culture digital element is in its early stage. EEOC did not consider the human element in the rollout of ARC, which was a key driver of negative feedback from end users. An OCM plan would have required evaluating organizational readiness, phasing-in change, developing as-is and to-be business process models, and establishing rigorous communications protocols to ensure no ambiguity on what to expect.

Technology Findings

For the Technology digital element evaluated, there are six findings as follows:

- The Office of Information Technology (OIT) has made significant advancements in implementing modern and sustainable technologies since 2016.
- Internal end-user staff were not dedicated full-time to working on ARC's design.
- External EEOC customers were not involved in the design of ARC.
- There is no formal communication plan to keep EEOC's end-users apprised of upcoming technology implementations, particularly about ARC.
- The technical architecture implementation is open, service-oriented, and adaptable, which is consistent with DPTA.
- ARC addresses some significant business process issues, but there is no evidence that the current design is intended to streamline business processes.

Since 2016, OIT has made significant strides in modernizing EEOC's IT infrastructure and toolsets by adopting sustainable technologies (e.g., MSO365, MS Teams, MPLS). The leadership interviews and focus groups commended OIT and the Chief Information Officer's forward-looking view in this regard.

ARC implementation, however, elicited a more negative response. In part, this was because ARC replaced a longstanding legacy application (IMS) that EEOC employees had adapted to using – regardless of how well it did or did not serve EEOC's business needs.

A significant additional factor, however, was the Agency's lack of a comprehensive OCM strategy and plan for ARC. An OCM strategy and plan gives comprehensive consideration to three main elements: business processes, enabling technology, and the people who will use the system. Comprehensive consideration of business processes involves the development of "as-is" and "to-be" business process models. The Agency provided no evidence that such an approach was taken.

This is not to suggest that ARC was designed without end-user input. On the contrary, OIT conducted a significant number of requirement workgroups, as listed in an ARC roadshow presentation:

- **Charge Private Sector and FEPA:** 52 requirement sessions
- **Federal Hearings:** 14 requirement sessions
- **Federal Appeals:** 15 requirement sessions
- **Litigation:** 7 requirement sessions

OIT used end-user input from the requirement workgroups to implement targeted fixes to user-identified problems in IMS (e.g., action codes, fake user accounts). These resulted in meaningful operational improvements.² Nevertheless, ARC did not benefit from comprehensive business process rationalization or streamlining.

Consistent with the absence of an OCM strategy and plan, KAIP learned through focus groups that the end users who were working on the design of ARC were not dedicated to the project on a full-time basis,

² For a discussion of these improvements, which were outside the scope of a DPTA evaluation, see [Appendix B, Comment 25](#).

but instead participated as a “secondary duty,” in addition to their full-time jobs. Under such circumstances, the pace of EEOC’s work and the demands placed on EEOC employees likely precluded full business-process re-engineering. An OCM strategy and plan would have enabled business-process subject matter experts to temporarily relinquish some or all of their pre-existing duties to facilitate a greater degree of focus on the ARC project.

External EEOC customers (i.e., the public) were not involved in ARC’s design. According to OIT, this was an intentional decision, as ARC is a system designed to support internal users. The assumption is that if ARC provides more detailed and reliable information, external customers will reap downstream benefits. OIT intends to redesign the external portals after ARC is fully implemented and IMS is decommissioned in 2023. When this occurs, OIT will begin the redesign of the external portals by using the improvements that ARC offers.

Even though the survey feedback on ARC was mainly negative (i.e., >50% negative feedback), the leadership interview and focus group participants expressed cautious optimism about its potential. There is a recognition that system implementations are challenging and because end-users are between two systems, the adjustment is difficult. Focus group participants expressed that, because end-users now see what ARC can do, the list of enhancements is growing. While OIT works as fast as possible to finish ARC’s deployment, end-users are becoming impatient as their enhancements are backlogged. This is normal during any legacy system decommissioning and transition effort.

The source of the impatience may be due to the absence of a rigorous change management and communication strategy and plan regarding the ARC implementation. The focus group participants stated that communications start strong with the best intentions and decrease over time when the ARC implementation work intensifies. Primary methods of communication with end users are via release notes, delivered the day before or the day of new ARC releases. This gives end-users little time to prepare and adjust for a new release of ARC. Further, end users do not know precisely how the upcoming release will impact their specific jobs. Therefore, the ARC implementation approach is viewed in this evaluation as using a “system imposition” approach versus a “system adoption” approach to implementation. The “people” aspect of ARC’s implementation was not adequately prioritized, which was recognized in the leadership interviews, staff surveys, and focus groups.

Because ARC was implemented using a “big bang” approach (i.e., all sites cutover to ARC at once) versus implementing on a smaller scale using a pilot approach (i.e., a few sites cutover to ARC before full-scale implementation), the negativity towards ARC is amplified. In an organization that is reluctant to adopt and adapt to new technologies with varying levels of technical understanding, the “big bang” approach was likely overwhelming, as the feedback in the staff survey revealed. EEOC’s Technology Modernization Fund (TMF)³ proposal and the project plan provided in the March 7, 2022, letter to the Chief Information Officer of the Office of Management and Budget committed OIT to an aggressive schedule,

³ The Technology Modernization Fund is an innovative investment program that gives agencies additional ways to deliver services to the American public more quickly, better secure sensitive systems and data, and use taxpayer dollars more efficiently. Government agencies may submit proposals for technology modernization projects. Agencies whose proposals are accepted receive funding to implement projects incrementally, tied to the successful completion of key milestones. For more information, see <http://tmf.cio.gov>.

which limited the time available to conduct a phased implementation. Continued ARC funding was dependent on meeting this schedule.

OIT's plans for EEOC's overall IT future state are consistent with digital process transformation and automation. Based on the documents reviewed and a follow-up meeting with OIT, the technology plan for EEOC is open, adaptive, secure, service-oriented, and cloud-based. OIT is positioning EEOC to achieve the objective to build a digital workplace in whatever manner EEOC decides.

Technology Conclusions

Technology Digital Maturity: **Maturing**

Based on the [Technology Findings](#) and applying the [digital maturity evaluation framework](#), there are two conclusions:

1. **EEOC's technology capability surpassed EEOC's organizational capability.** The funds invested in modernizing EEOC's technology infrastructure, tools, and legacy application (IMS to ARC) were well spent. Because organizational change management was not included in this modernization and upgrade effort, EEOC's organizational readiness was not evaluated. Based on the findings in this evaluation, the organization is not well set up to take advantage of what the technology can offer, particularly in terms of automation, data analytics, operational performance measurement, and customer experience measurement.
2. **EEOC is well-positioned to decide on its digital future.** EEOC is in a rare position: the technology capability available to them now and in the near future is flexible, adaptable, and service-oriented, meaning that however EEOC defines what EEOC-digital is, the technology capability will not be a constraint in achieving an EEOC-digital workplace. The service-oriented architecture in place, robust infrastructure, and Azure cloud adoption allow EEOC to chart its digital path forward and at its own pace. This is rare because the Technology digital element is often a major obstacle to advancing digital initiatives by forcing workarounds and leaving technical debt that becomes so overwhelming that it becomes impossible to unwind without significant unplanned operational outages and performance slowdowns.

Customer Findings

For the Customer digital element evaluated, there are five findings as follows:

- Customer feedback collection is inconsistent and not automated.
- There is no evidence of a customer experience measurement or improvement plan consistent with meeting the guidelines in Executive Order 14058.
- EEOC employees would like greater insight into understanding the needs of the population that EEOC serves.
- The Office of Communications and Legislative Affairs is actively responding to the 15 recommendations made in response to an independent evaluation performed of EEOC's social media program. As of September 30, 2022, 10 recommendations have been implemented.
- EEOC has outdated public-facing content and links that complicate finding information and understanding how to interact with EEOC.

Without question, EEOC consists of a capable and passionate workforce that genuinely believes in and is dedicated to EEOC's mission of ending discrimination in the workplace and protecting civil rights. Dedication to serving the customer is paramount to EEOC and it is foundational to EEOC's values. This theme was evident in the EEOC documents reviewed, the leadership interviews, the staff survey, and the focus groups.

The workforce is increasingly composed of digital natives, and EEOC's digital implementation lags behind the digital savvy of its external customers. Digital methods focus intensely on understanding the customer experience and the customer's behavior at every step in a customer's journey. Customer feedback is currently collected in traditional ways such as via email and in-person listening sessions with stakeholders, employers, and advocacy groups. Customer behavior is not measured electronically at each stage of the EEOC customer journey, which is significantly different than collecting customer feedback by explicitly requesting it. EEOC is collecting this information after the fact or requesting it.

What separates digital collection of customer feedback from traditional methods are two things: Data age and subjectivity / objectivity. Electronic measurement of a customer's behavior and interaction with EEOC is objective and occurs in real-time. Traditional methods such as in-person listening sessions or requests for feedback are more likely to be after a customer journey is completed. Further, some of the listening sessions may consist of stakeholders representing multiple individuals, subjecting the feedback to a single person's interpretation. With electronic measurement, feedback is immediate, allowing EEOC to respond and resolve any issues identified. Further, by studying the customer experience electronically, EEOC will better understand its external customers and how to best serve them. This is consistent with Executive Order 14058 (2021) Section 2 statement that "...performance must be measured empirically and by on-the-ground results for the people of the United States, especially for their experiences with services delivered."

Both the leadership interview and focus group participants commented that customer feedback data is of poor quality and not received regularly. They noted that the email survey responses are manually administered. Leadership interview participants also commented that there is more work to improve internal and external communications with customers.

Focus group participants commented on the need to simplify the customer experience and gain deeper insight into where customers require support. They emphasized the need to offer more mobile methods of communication. Further, focus group participants advised a concerted effort to deliver services based on "where customers are at." It is likely that more digitally native customers may prefer to interact with EEOC via web and mobile platforms – but EEOC has no way of knowing, because it has collected no data on the matter. Relatedly, the evaluation also conducted a brief analysis of EEOC's public-facing internet presence, which identified defunct links and outdated information.

Finally, the OCLA team is working on addressing some inconsistencies identified in EEOC's online presence, specifically on social media. OCLA presented a clear plan on how it is addressing the 15 recommendations resulting from the evaluation of EEOC's social media. As of September 30, 2022, OCLA has implemented 10 of these recommendations. OCLA is also working on creating customer journey maps, which will be helpful to EEOC in implementing the recommendations in this document.

Customer Conclusions

Customer Digital Maturity: **Early/Developing**

Based on the [Customer Findings](#) and applying the [digital maturity evaluation framework](#), there are two conclusions:

- EEOC customers are not active participants in designing EEOC systems or service delivery methods.** As stated in the findings, EEOC is committed to its mission and providing justice for its customers. At the same time, EEOC appears to be losing touch with the composition of the working population as digital natives are increasingly common. Further, according to [Pew Research, as of April 2021](#), 97% of Americans own a cell phone, and 85% of those Americans own a smartphone. Despite this growing dynamic, EEOC continues to use traditional methods of gathering information from the customer instead of gathering it electronically. Further, with the ever-increasing use of digital technologies like smartphones among the general population, EEOC may want to consider exploring newer methods of engagement and pursuing different engagement channels. Not only will feedback be received sooner, but the feedback will also be objective and taken from the source without adding a subjective interpretation. EEOC continues to design systems with an internal-looking view based on the assumption that what is good internally will yield external benefits. This may be true when designing ARC; however, it is incompatible with DPTA. As stated in the focus group, EEOC could be missing opportunities to “meet customers where they are at.”
- OCLA is advancing EEOC’s ability to measure customer behavior through social media.** In response to Hager-Sharp’s evaluation of EEOC’s social media program, the OCLA team has actively pursued implementing the 15 recommendations made. In meeting with OCLA, it is clear that the feedback in Hager-Sharp’s report (June 2021) resonates with the OCLA team. Further, OCLA is reimagining how to use social media as a tool for two-way customer interaction versus as a tool for pushing out one-way communications. Because of this progress, OCLA is advancing EEOC’s Customer digital maturity out of an **early** status and into a **developing** one.

Operations Findings

For the Operations digital elements evaluated, there are four findings as follows:

- EEOC policies and procedures are disparate and are not streamlined for end-to-end connectivity. This impedes EEOC’s ability to establish an agency performance baseline and make strategic adjustment to optimize organizational performance.
- Shortcomings of the legacy system, IMS, had forced EEOC employees to develop manually intensive business process workarounds. The implementation of ARC addressed some of these shortcomings, which eliminated the need for these workarounds. Consequently, ARC is also improving the quality and amount of available business process data.
- EEOC does not have an agencywide operational performance measurement plan.
- EEOC has the technological capability to automate manual business processes.

In both the leadership interviews and the focus groups, participants commented that current EEOC policies and procedures are relevant to the specific work they govern, but that they exist in siloes and are not part of a coherent whole spanning all agency activity. Participants stated that agency processes

lack connectivity and rely on manual task intervention. Currently, there is no known plan for overhauling these disconnected processes. Leadership interview participants commented that developing new business processes requires forming workgroups and that it takes years to make such modifications.

OIT provided information on how the implementation of ARC eliminated the need for certain manual business processes necessitated by the shortcomings of IMS (e.g., the use of action codes and fake user accounts). The focus groups recognized that OIT made tremendous strides in making automation capability available. The leadership interview and the focus group participants stated that full automation and elimination of human interaction is not possible, given the nature of EEOC's work, particularly when interacting with customers in vulnerable circumstances. EEOC must strike a balance between automation (high-tech) and human interaction (high-touch), but opportunities remain to eliminate low-value manual tasks so that high-value tasks requiring human participation can be more effectively implemented.

Operational performance metrics are metrics that enable agency leadership to: (1) understand current organizational performance in real-time; and (2) make course corrections or reallocate resources to optimize that performance. This evaluation found that operational performance metrics are collected at EEOC's local levels. In reviewing the agency's strategic documents (e.g., Strategic Plan, Annual Performance Report, etc.), KAIP found no evidence of the existence of an agencywide operational performance measurement plan. KAIP asked OEDA personnel whether EEOC performs predictive analytics to forecast workloads, so resources (both human and electronic) can be allocated to optimize EEOC's performance. OEDA responded that EEOC does not do this. This evaluation found that most operational measurements are backward-looking, such as tallying workload volumes. A focus group participant mentioned that program effectiveness is measured manually by performing file reviews on randomly selected cases.

This evaluation found that it is not possible for EEOC to objectively measure its operational performance due to the fact that business processes are not streamlined across the agency, do not have clearly established relationships with one another, and do not have automated collection of appropriate metrics. In the absence of accurate, end-to-end measures of operational effectiveness, it is difficult for EEOC to establish a performance baseline and make strategic operational improvements. The agency must instead implement more tactical-level solutions to obvious problems, which may or may not be symptoms of larger – but less obvious – issues. For example, EEOC has implemented a system of text messaging to reduce customer call center wait times. While this is admirable, the absence of business process data makes it difficult to determine whether other operational improvements could be implemented to reduce the number of customers needing assistance in the first place. This absence of streamlined, end-to-end operational processes is incompatible with DPTA.

Operations Conclusions

Operations Digital Maturity: **Early**

Based on the [Operations Findings](#) and applying the [digital maturity evaluation framework](#), there are two conclusions:

1. **EEOC prefers depending on human labor for service delivery versus automation.** EEOC's business processes are siloed and not streamlined, which makes it challenging to take advantage

of automation. Based on the feedback received in the leadership interviews and focus groups, there is currently no plan for reengineering existing manual processes for several reasons, including the perceived threat to job security and loss of funding due to needing fewer full-time equivalents. While it is true that EEOC must maintain a balance between human interaction and automation, it is concluded that there is a preference for human interaction over automation. Minimizing the need for manual processing of low-value and repetitive tasks could affect how EEOC is organized and require retraining of existing staff to prepare staff to take on higher-value tasks. Optimizing the balance between “high-tech” and “high-touch” does not necessarily equate to job elimination; instead, it likely means EEOC will need to recruit for different skill sets, which is a normal part of any digital transformation. EEOC has access to the Blanket Purchase Agreement (BPA), which could help EEOC bridge the gap as it transitions to more automated processes and evaluates the efficacy of automation.

2. **EEOC’s organizational performance measurements are outdated.** EEOC does take operational measurements as defined in the EEOC Strategic Plan for Fiscal Years 2018 – 2022, with the results available in the 2021 Annual Performance Report (APR). The performance measurements that measure organizational workload volumes are subjective and not actionable. The measurements provide outcomes of the work performed; however, the outcomes do not provide insight into how effective EEOC’s processes were in achieving those outcomes or what possibilities exist for improving the outcomes in the future. While the performance measurements have meaning, they are inconsistent with DPTA and provide EEOC with little insight into how effective EEOC’s services are and where improvements can be made.

Data Findings

For the Data digital element evaluated, there are four findings as follows:

- EEOC has access to advanced and sophisticated data analytics skillsets that are underutilized.
- OEDA does not perform the full range of duties listed in its Mission and Function Statement.
- EEOC leadership and staff opinions on, and confidence in, data reliability and quality vary widely.
- EEOC leadership / management is resistant to adopting data-driven decision-making or predictive analytics.

This evaluation found that EEOC leadership / management has an ambivalent attitude toward the utility of existing data in making management decisions. While leadership interview participants expressed that leadership has the best access to operational information within EEOC, they did voice some reservations. For example, some interviewees voiced concerns about the quality and timeliness of information received, suggesting that its utility in making management decisions was variable. One leadership interview participant indicated a preference for relying on relationships to make management decisions, rather than data. This ambivalence toward using existing data harmonized with this evaluation’s findings that existing processes and metrics do not lend themselves to strategic operational adjustments. (See Operations Findings above.)

Focus group participants expressed the view that this apparent ambivalence may instead be motivated by resistance. Some focus group participants suggested that the adoption of predictive analytics in efforts to optimize resource allocation might negate EEOC’s justifications for increased headcount and budget allocations. They also suggested that the results of data analytics might conflict with

longstanding beliefs and practices of EEOC employees, thereby calling into question the methods that EEOC currently uses to deliver its services.

This evaluation does not speculate on the degree to which such resistance may exist, or the motivations of such resistance, if any. However, this evaluation did find that a valuable resource in implementing potential data analytics approaches to managing EEOC's workforce and operations is not utilized for that purpose.

The Office of Enterprise Data and Analytics was chartered in May 2018 and consists of 50 staff members, of whom 40% are statisticians. Per OEDA's Mission and Function Statement from May 2018, OEDA is responsible for "...ensuring data-driven decision making." Also per the Mission and Function Statement, OEDA "...determines the employment information necessary for the Commission to perform its functions...and seeks to improve agency performance and credibility through enhanced management and organization approaches to performance measurement, performance improvement, the work environment, work processes, and re-engineering."

These responsibilities are essential components of DPTA initiatives. As stated previously, technology modernization alone does not constitute DPTA, but rather must be combined with the other elements of digital maturity. DPTA's goal is *not* to merely digitize existing manual processes, *nor* is it to merely improve the technological architecture of currently digitized processes. Rather, it is to use technology as an enabling component in rationalizing business processes, defining appropriate metrics, and using data from those metrics to optimize operational performance. OEDA's Mission and Function Statement should put it front-and-center in the agency's DPTA initiatives.

KAIP found it notable how seldom OEDA was mentioned by interviewees in their discussions of DPTA. This evaluation found evidence that OEDA is not fully empowered to deliver on its enumerated responsibilities and that this places significant limits on EEOC's ability to be data-driven in its decision-making. OEDA is integrated with other operating units to a very limited degree, and this has left key opportunities untapped. Specifically, EEOC has not yet benefitted from opportunities to use predictive analytics or advanced statistical modeling to forecast EEOC's workload, prepare for changing circumstances, and measure EEOC's productivity. These findings are consistent with a previous OIG evaluation of EEOC's data analytics activities.⁴

EEOC's 2021 Annual Performance Report states that EEOC uses "...modern data analytics to drive data-driven decision-making." EEOC's aspirations to being an organization that makes decisions based on data are admirable but will require organizational changes to reach fruition.

Data Conclusions

Data Digital Maturity: **Developing**

Based on the [Data Findings](#) and applying the [digital maturity evaluation framework](#), there are two conclusions:

⁴ Elder Research, "Evaluation of the EEOC's Data Analytics Activities, Final Report, OIG Report Number 2017-02-EOIG." September 5, 2018.

1. **EEOC is underutilizing OEDA’s more advanced capabilities.** OEDA is an invaluable asset to EEOC. While OEDA staff are engaged in existing Agency-priority projects, they have not been tasked with responsibilities at the upper end of their capabilities, including predictive and prescriptive analytics. Data is foundational to DPTA. Without applying OEDA’s full analytical capabilities (and applying any necessary staffing and training inputs), EEOC’s DPTA efforts will remain limited.
2. **Data analytics are viewed as potentially disruptive.** Data analytics offer near endless opportunities for understanding and improving organizational performance, but to unlock those possibilities, appropriate systems must be set up and put into operation. Resistance to implementing such systems may stem from fears that data analysis could contradict longstanding beliefs or might expose operational problems that are difficult to address. Even in such cases, understanding where operational flaws and service delivery issues exist is informative. Even if analysis uncovers problems that cannot be immediately remedied, EEOC leadership can still benefit from being aware that such problems exist.

SECTION 4: OVERALL DIGITAL MATURITY CONCLUSION

Figure 2 represents EEOC’s overall digital maturity across the six digital elements. In summary, EEOC has done an excellent job in modernizing its information technology (IT) infrastructure and replacing its primary legacy application, Integrated Mission System (IMS), with the new Agency Records Center (ARC) application. OIT continues to enable EEOC’s ability to advance DPTA activities. At the same time, the Technology digital element surpassed EEOC’s DPTA organizational capability and cultural acceptance. Further, the Technology capability is not reflected in streamlining operational processes.

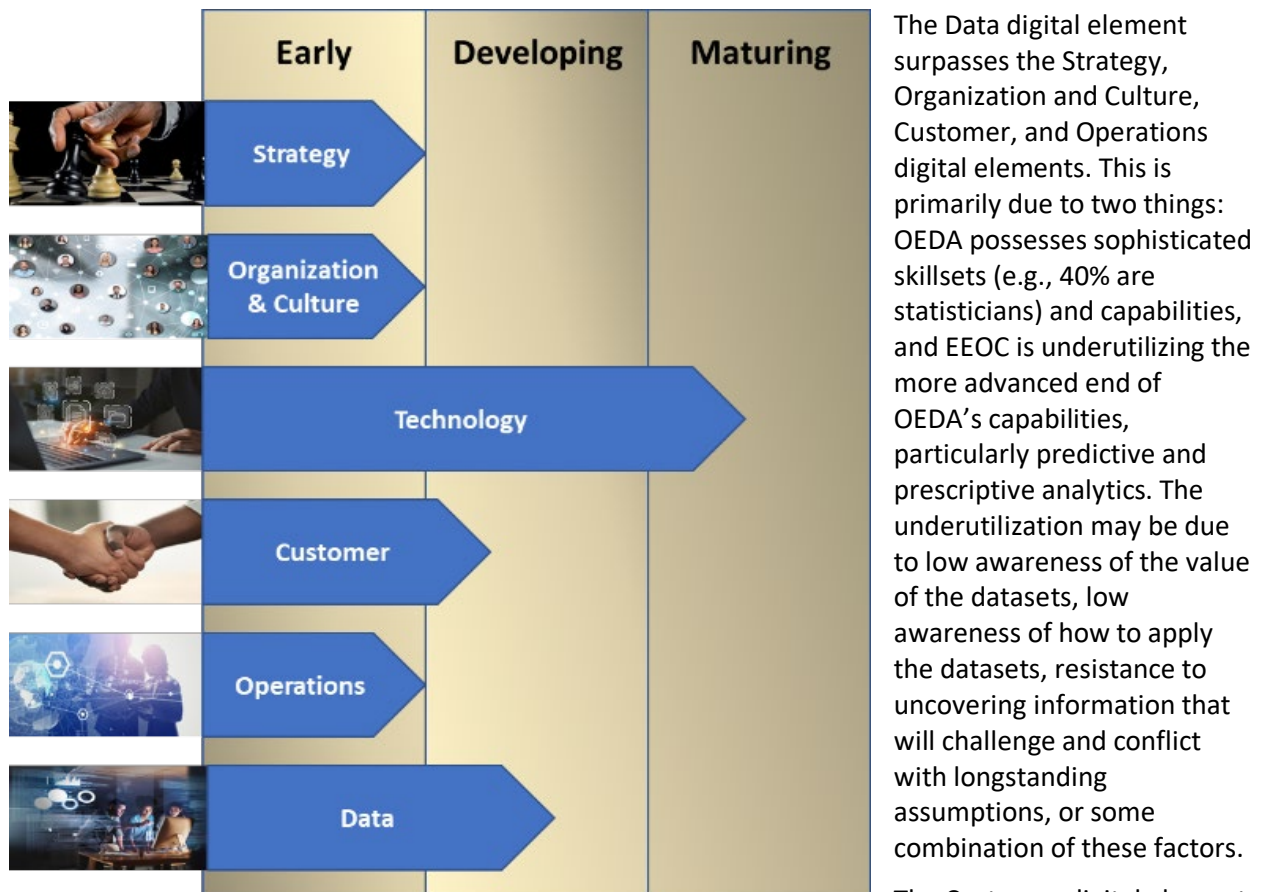


Figure 2: EEOC Overall Digital Maturity Across the Six Digital Elements

implementing the 15 recommendations made in response to an evaluation of the EEOC’s Social Media program. Based on meetings held with OCLA, meaningful progress is underway.

SECTION 5: RECOMMENDATIONS

This section contains nine recommendations, as summarized in Table 3 below. These recommendations are based on the findings and conclusions as presented in this report. Following the table is a graphic showing the proposed recommendation sequencing, followed by narrative details on each recommendation. Each recommendation also provides a list of proposed activities, which while not required, may be of assistance to EEOC in implementing the recommendations.

Table 3: Summary of Recommendations

No.	Recommendation	Priority	Owner
1	Engage an independent organizational change management firm / entity to assist EEOC in implementing Recommendations 2 through 9.	High	Leadership / Office of the Chair
2	Create a Digital Support Unit (DSU) of dedicated staff.	High	Leadership / Office of the Chair
3	Define a clear, consistent, and comprehensive vision of digital transformation at EEOC.	High	Leadership / Office of the Chair in collaboration with Organizational Change Management Firm
4	Consider formulating a Digital Transformation Strategy, either as a strategic goal in the EEOC Strategic Plan for Fiscal Years 2023 – 2027 or as a standalone document.	High	Leadership / Office of the Chair in collaboration with Organizational Change Management Firm, Office of Field Programs (OFP), Office of Information Technology (OIT), Office of Enterprise Data and Analytics (OEDA), and other offices as appropriate
5	Plan at least three digital pilot projects with appropriate evaluation methods.	High	Digital Support Unit (with sponsorship from Leadership / Office of the Chair)
6	Task OEDA with a goal of building a Data Analytics Plan for EEOC.	High	Office of Enterprise Data and Analytics (OEDA), Office of Field Programs (OFP), Office of General Counsel (OGC), Office of Information Technology (OIT)
7	Develop an EEOC Organizational Communication Strategy and Plan.	Medium	Office of Communications and Legislative Affairs (OCLA) in collaboration with Organizational Change Management Firm
8	Develop a Target-State Architecture Plan.	Medium	Office of Information Technology (OIT)
9	Inventory and plan the decommissioning of outdated technologies and online content.	Medium	Office of Information Technology (OIT), Office of Communications and Legislative Affairs (OCLA), and Office of Enterprise Data and Analytics (OEDA)

Figure 3 below represents proposed sequencing of each recommendation.

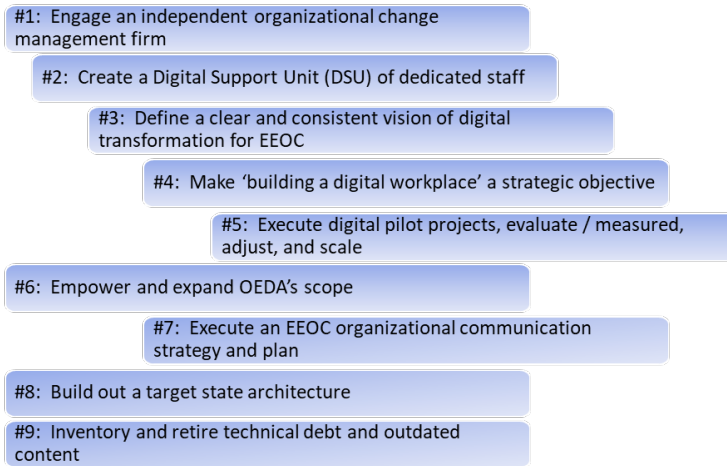


Figure 3: Recommendation Sequencing

Recommendations #1, #6, #8, and #9 can start simultaneously, with Recommendations #1 and #6 as the highest priority. Recommendations #8 and #9 can start at any time based on OIT's schedule and availability. The organizational change management firm (Recommendation #1) and the DSU (Recommendation #2) should be onboarded to participate in Recommendation #3, followed by Recommendations #4 and #5. Recommendation #7 should start with communications about progress on Recommendations #1, #2, and #3. It is not expected that the DSU will be fully

onboarded when work commences on Recommendation #3. Members of the DSU should participate in Recommendations #3 and #4, as they will be responsible for executing Recommendation #5.

Recommendation #1: Engage an independent organizational change management firm / entity to assist EEOC in implementing Recommendations 2 through 9.

Priority: High

To help EEOC implement the following recommendations and increase the probability of success, the EEOC should engage an independent firm specializing in organizational change management, particularly a firm with experience in government digital transformation. By hiring an independent organizational change management vendor, EEOC will have access to a fresh perspective on its current operations and digital acumen. Such a firm would be of significant assistance in assuring EEOC's successful implementation of the other recommendations made in this report.

At a minimum, the firm should provide the following deliverables and services to EEOC as shown in Table 4 below.

Table 4: Proposed List of Organizational Change Management Firm Services and Deliverables to Support Developing and Delivering EEOC's Digital Workplace

Proposed Services	Deliverables
Leadership and management coaching on digital adoption and promoting a digital vision	Organizational Change Management Plan for Building a Digital Workplace (includes re-evaluating organizational structure and proposing new support structures)
Facilitation of creation of EEOC's digital vision and Digital Transformation Strategy. Help EEOC define what a digital workplace means to EEOC and scope it appropriately.	Training Plan for EEOC Leadership and Staff to facilitate digital adoption, which includes ARC and other technology training as well as how to operate in a digital workplace and to learn to use data effectively (depending on budget – may / may not include training delivery; consider exploring GSA IT Acquisition University)
Training and preparing OCLA to manage organizational communications, including messaging on ARC releases	Organizational Communication Strategy and Plan (to be adopted by OCLA upon engagement's conclusion)

Proposed Services	Deliverables
Working with OCLA to assume communication responsibility for upcoming ARC and other technology releases	As-Is and To-Be Business Process Models (includes gap analysis)
Business process modeling and gap analysis on as-is and to-be processes for targeted processes to be streamlined as part of the digital pilot projects	Facilitate EEOC’s development of a Customer Service Plan to be compliant with Executive Order 14058
Facilitate or kick-off training plans on digital methods and digital mindset as well as other technology training as applicable	

Proposed Activities for Recommendation #1:

- 1) Secure funding and identify the procurement vehicle.
- 2) Use the recommendations in this document as the requirements for the procurement and request that responding vendors propose a plan and method for implementing the recommendations.
- 3) Release the procurement, evaluate proposals, and award a contract.
- 4) Onboard the firm.
- 5) The organizational change management firm executes support services and provides deliverables.

Recommendation #2: Create a Digital Support Unit (DSU) of dedicated staff.

Priority: High

For the duration of its DPTA efforts, it is recommended that EEOC put together a Digital Support Unit (DSU) that reports directly to the Office of the Chair and works independently, giving it power to experiment. The DSU will consist of a small, high-caliber team of EEOC staff that work independently to devise and promote new ways of working and who will own the digital pilot projects sponsored by the Office of the Chair and senior leadership. The DSU should also partner closely with both OIT and OEDA, as the pilot projects will require involvement from both offices.

The Office of the Chair should assign a senior executive to act as the DSU’s Champion. The Champion would be responsible for clearing bureaucratic blockages and rebalancing the duties of DSU members to ensure both the DSU and the agency operate at peak efficiency. It is not necessary that the Champion be a subject matter expert on DPTA or the processes examined by the DSU for potential transformation or automation.

The purpose of the DSU is to innovate and experiment in a risk-tolerant environment. Pilot projects would take place at a smaller scale within EEOC to test out new service delivery methods and measure the results of these new methods before scaling-up within the larger organization. Because EEOC overall is a risk-averse organization, starting on a smaller scale and gradually scaling-up may result in greater adoption in the long-term and address some of the change reluctance identified in the findings and conclusions. EEOC’s vision for digital transformation (see Recommendation #3) should be clear so that the DSU understands the boundaries within which to plan and design.

The DSU may consist of:

- 1 – 2 project managers
- 5 – 8 subject matter experts on EEOC business processes

- 2 – 3 IT specialists that are practiced in agile development and are versed in digital technologies (contractor or internal hire)
- 1 – 2 data specialists (ideally current OEDA staff or a new OEDA hire)
- 2 – 3 senior business analysts who are experienced in business process modeling

If necessary, EEOC may recruit new staff for specific DSU positions, but the greatest benefit will likely come from temporarily reassigning existing staff members. Existing staff have vital knowledge about current agency processes and procedures. They will likely have the greatest appreciation of what is to be gained (in terms of saved labor, avoided confusion, and improved customer experience) through streamlining processes and applying appropriate technologies. They may even have ready-made hypotheses about potential improvements.

It will be critical that the DSU is allowed to work independently and has the full support and sponsorship of the Office of the Chair and other senior leaders. The DSU may need to engage different resources at different times, and the team composition, as described above, will likely change over time. Further, the organizational change management firm (see Recommendation #1) should participate in the composition of the DSU and work closely with the DSU during its tenure supporting EEOC.

Proposed Activities for Recommendation #2:

- 1) Engage, if available, the organizational change management firm to assist with creating the DSU.
- 2) Identify the job roles for the DSU and create job descriptions / duty statements.
- 3) Reassign (or hire) EEOC staff or contractors to participate in the DSU for a dedicated period of at least two (2) years.
- 4) Once onboarded (and ideally with the assistance of the organizational change management firm), author a DSU charter that documents roles, responsibilities, objectives, and scope of work (including digital pilot project ownership and a clear connection to how the DSU will be instrumental in meeting the “digital workplace” commitment).
- 5) The Office of the Chair should select a senior leadership sponsor for the DSU charter, and the charter and sponsor (with role and responsibilities) should be communicated throughout the EEOC organization to amplify the importance of the DSU.
- 6) Engage the DSU, even if not fully staffed, on formulating a digital vision and Digital Transformation Strategy for the Agency.

Recommendation #3: Define a clear, consistent, and comprehensive vision of Digital Transformation at EEOC.

Priority: High

EEOC should define a clear, consistent, and comprehensive vision of what digital transformation means *at EEOC* in order to inform the scope of its DPTA activities. As explained above, EEOC consistently misinterprets the deployment of new and more advanced technologies as synonymous with digital maturity as a whole. In defining its vision, EEOC should meaningfully address the other five elements of digital maturity, as well.

In creating and refining its vision, EEOC should keep certain guidelines in mind. First, it should find its “why,” i.e., it should know its reasons for pursuing digital process transformation. Customer service and

customer experience will likely figure prominently, but there may be other contributing motivations. Knowing its “why” will be essential in deciding what DPTA should address—and what it should not.

Second, it should be explicit in its openness to revising and streamlining existing processes, rather than merely translating them into digital versions of existing processes. Compliance requirements may dictate that certain processes remain the same or substantially similar, but where such requirements do not apply, EEOC should embrace opportunities to use creativity and good judgment to cut out duplicative, unnecessary, or low-value work.

Third, EEOC’s vision should explicitly embrace experimentation and calculated risk. By adopting small-scale pilot projects as a model for DPTA activities, the vision should provide cover for EEOC personnel to undertake good-faith approaches to process improvement without fear of being penalized for potential failure.

Proposed Activities for Recommendation #3:

- 1) Compile key documents in which the agency has made digital commitments – such as the EEOC Strategic Plan, Fiscal Year 2022 Congressional Budget Justification, and EEOC Open Government Plan (2016) – and extract and list those commitments. Note context and ensure that they do not conflict with the definition and vision exercise.
- 2) Using the example documents above or similar, facilitate sessions with a few selected leaders, managers, and staff-level employees to scope EEOC’s digital transformation vision. Ensure consistency with existing plans, commitments, and technology implementation efforts.
- 3) Document the resulting vision and secure senior leadership approval and support.
- 4) Communicate the vision across all EEOC internal communication channels. If possible, have OCLA, in collaboration with the Digital Support Unit (DSU), create signage, visual reminders, and other artifacts to promote EEOC’s digital vision.
- 5) Consider incorporating the vision into the EEOC Strategic Plan for Fiscal Years 2023 – 2027 (or modifying the Strategic Plan if it has already been finalized).

Recommendation #4: Consider formulating a Digital Transformation Strategy, either as a strategic goal in the EEOC Strategic Plan for Fiscal Years 2023 – 2027 or as a standalone document.

Priority: High

Once a vision has been defined (per Recommendation #3), it is important to consider how resources will be allocated and accountability will be established to ensure that the vision comes to fruition.

Documenting resource planning efforts – either as a core part of the strategic plan or as a standalone strategy document – can ensure that EEOC’s vision comes to pass. KAIP wishes to emphasize that EEOC is free to define this strategy to suit its needs and capacity; it may be as ambitious – or as manageable – as EEOC decides. KAIP strongly advises that any strategy specifies the use of limited pilot projects, prior to any potential large-scale changes.

Proposed Activities for Recommendation #4:

- 1) Form a workgroup tasked with formulating a Digital Transformation Strategy. Include personnel from OFP, OIT, OEDA, and other offices as appropriate. Have the workgroup make a recommendation to the Office of the Chair.

Recommendation #5: Plan at least three digital pilot projects with appropriate evaluation methods.

Priority: High

It is recommended that EEOC scopes, describes, and plans at least three digital pilot projects.

The descriptions of each digital pilot project should include, at a minimum, the following elements:

- **Purpose.** Address why the pilot project will be done and describe why it was specifically chosen.
- **Alignment with Vision.** Describe how the pilot project will contribute to manifesting EEOC's vision of digital transformation.
- **Scope.** Describe the project's scope, including which processes, tools, and technologies will be used.
- **Pilot Project Participants.** Identify the project sponsor(s), owners, project manager(s), subject matter experts, end users, and affected stakeholders as fully as possible. Also, include which sites, locations, and/or business units will participate in the pilot. It is strongly advised that EEOC assign a dedicated team to work on each pilot project, rather than assigning participation as a "special duty" in addition to staffers' full-time jobs.
- **Pilot Project Outcomes.** Define meaningful outcomes that can be quantitatively – or at least, objectively – measured. Determine what success may look like and be prepared to adjust. Ensure that the measurements are taken throughout the pilot and are not limited to the pilot project's completion. Further, it is advised that quantitative targets are defined based on existing performance so that meaningful conclusions can be drawn to determine the effectiveness of the pilot project.
- **Pilot Project Timeline.** Define a clear timeline for the project's duration.

It is advised that the DSU project managers charter each project and, using Agile methods, create a backlog of user stories. With the backlog in hand, the DSU Project Managers (ideally, in conjunction with the organizational change management firm) should work to perform business process modeling on the targeted business processes for streamlining and automation.

Each pilot project plan should detail how the DSU will work closely with end-users, EEOC offices, and, as appropriate, external customers. It should detail plans and approaches for close coordination with OIT and accommodation of OIT priorities in completing ARC's deployment and decommissioning IMS.

Each pilot project plan should outline ways the DSU will partner with OEDA to collect baseline measurements and track the pilot's progress and effectiveness. Each pilot project plan should detail how DSU project managers will adjust and adapt as measurements are taken that show room for improvement. Each pilot project plan should incorporate experimental methods and A/B testing to advance learning.

Each pilot project plan should detail how the DSU will continually communicate project progress across EEOC in preparation for future scaling and adoption. Regardless of the digital pilot projects' successes or failures, there should be transparent and frequent communication on each project's progress. It is suggested that the communications involve OCLA, in keeping with Recommendation #7.

Each pilot project plan should include consideration of potential next steps to scale it up across EEOC. Scaling-up would depend on a pilot project's results, and it is not a guaranteed outcome. Even if a digital pilot project does not achieve the targets and outcomes sought, it can still provide valuable information that should be used to determine next steps. For example, knowledge gained may be used to identify other digital transformation pilot projects. Regardless of the outcome of any single pilot project, EEOC should remain committed to pilot project experimentation as a way to embrace innovation and change.

Proposed Activities for Recommendation #5:

- 1) Identify at least three pilot projects.
- 2) Charter each digital pilot project and secure senior leadership support and sponsorship.
- 3) Publicize using visuals or other creative methods to promote future adoption and demonstrate leadership support of the digital projects.
- 4) Compile use cases.
- 5) Identify points of automation.
- 6) Create memorandums of understanding (MOUs) with OIT, OEDA, and OCLA, so resources and timeline commitments are established.
- 7) Devise plans to engage stakeholders (including external customers as appropriate).
- 8) Devise plans to execute projects in sprints using Agile methods.
- 9) Devise plans to measure and communicate progress consistently and on a regular schedule.
- 10) Devise plans to adapt and adjust based on measurements and feedback.
- 11) Devise plans to report on progress.
- 12) Devise plans to conclude and identify the next steps for scaling or otherwise.

Recommendation #6: Task OEDA with a goal of building a Data Analytics Plan for EEOC.

Priority: High

It is recommended EEOC leadership task OEDA with the goal of building a Data Analytics Plan for the agency, in conjunction with interested program offices, including the Offices of the General Counsel, Field Programs, and Information Technology. It is suggested that OEDA use data available in the Enterprise Data Warehouse (EDW) and Intermediate Data Repository (IDR), as well as any other structured, semi-structured, and unstructured data to build more advanced statistical forecasting models by taking advantage of predictive analytics and advancing to prescriptive analytics.

Proposed Activities for Recommendation #6:

- 1) Form a workgroup tasked with formulating an outcome goal of creating a Data Analytics Plan. Include personnel from OFP, OGC, OIT, OEDA, and other offices as appropriate. Have the workgroup make a recommendation to the Office of the Chair.
- 2) Consider OEDA's requirements for tools, technologies, and storage requirements to support the DSU efforts and provide to OIT.
- 3) Consider acquisition of the tools and technologies and evaluate budget availability.

- 4) Draft a Charter for OEDA's creation of an ambitious Data Analytics plan. Consider including support for the DSU's pilot projects.

Recommendation #7: Develop an EEOC Organizational Communication Strategy and Plan

Priority: Medium

This evaluation identified improved communication as a critical need in furthering the goals of EEOC's DPTA efforts. A well-planned and rigorously implemented communication strategy will be essential in achieving agencywide buy-in on DPTA initiatives going forward, especially in light of the lack of sufficient communication during the ARC rollout.

To ensure that future organizational change efforts are appropriately communicated, EEOC should develop an Organizational Communication Strategy and Plan (OCSP). At a minimum, it is advised that the OCSP define: target audiences and stakeholders; communication channels and their uses; cadence of communication (by topic, audience, and channel); responsible parties for conceiving, drafting/producing, editing, and distributing communications; appropriate EEOC branding and style; methods for setting audience reach goals and measuring reach; and frequency of strategic reviews and plan updates.

Given that strategic communications are not typically considered a core competency of Information Technology departments, it is suggested that responsibility for the OCSP be given to OCLA. Strategic communication is a core competency of OCLA personnel, and the OCSP would build upon and complement existing OCLA initiatives currently underway. Such an approach also has ancillary benefits: the OCSP need not be restricted to DPTA initiatives, but may also encompass all EEOC communications.

Proposed Activities for Recommendation #7:

- 1) Author an EEOC OCSP.
- 2) Secure senior leadership approval of and support for the OCSP.

Recommendation #8: Develop a Target-State Architecture Plan

Priority: Medium

Based on the meetings held with the Office of Information Technology (OIT) and the documentation provided, it is clear that OIT has a thoughtful plan for enabling digital sustainability through the adoption of open, adaptable, and modular IT infrastructure. The risk is that this plan is embedded in various disconnected documents, and there is no single document that describes EEOC's future target state architecture. Further, having a model of how EEOC's business, strategy, and technology interact would help EEOC to understand the impact of future organizational, process, governance, and policy changes.

EEOC should apply an enterprise architecture framework to create a Target-State Architecture Plan. A Target-State Architecture Plan is a living document in which an organization defines its intended technological architecture in the future. The document lists all elements of the intended architecture and their interdependencies, so as to enable executives to understand how making certain proposed changes will affect existing systems or planned future systems. Having a Target-State Architecture Plan helps organizations choose among competing alternatives and avoid unexpected consequences when making changes to portions of their IT infrastructure.

Given OIT's current workload, it is suggested that OIT identify when there will be ample bandwidth for work to be completed, as it will require participation from multiple staff members.

OIT should consider applying the following domains (or similar) when constructing the target architecture model:⁵

- **Business Architecture.** Describes EEOC's business processes and strategic intent.
- **Data Architecture.** Identifies the data EEOC collects and describes how it is structured and analyzed.
- **Application Architecture.** Describes the software tools EEOC uses to process its data.
- **Technology Architecture.** Identifies the technology that supports EEOC's applications, data, and overall operational enterprise.

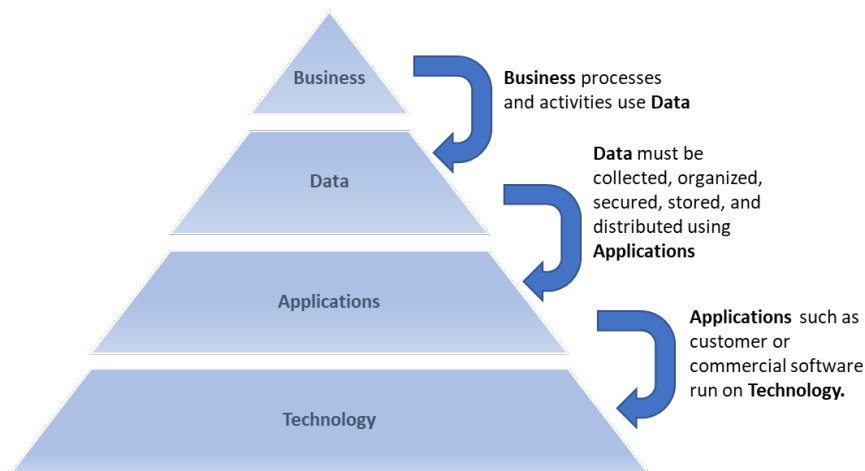


Figure 4: Sample Enterprise Architecture Domains

Proposed Activities for Recommendation #8:

- 1) Determine an appropriate schedule for the creation of a Target-State Architecture Plan based on existing workload demands and available resources.
- 2) Determine personnel and resource requirements to develop the Target-State Architecture Plan.
- 3) Create the Target-State Architecture Plan. Include requirements for staff training, staff certification, and periodic (ideally, annual) evaluation of the impact of business, strategy, and technology changes.

Recommendation #9: Inventory and plan the decommissioning of outdated technologies and online content.

Priority: **Medium**

The final recommendation for EEOC is to inventory and devise a plan to retire outdated technologies and clean up outdated online content. Some of the Agency's online content is aged, not kept up-to-date, and disorganized. EEOC's online presence is representative of the organization, and defunct links and

⁵ [Enterprise architecture framework reference](#)

out-of-date information do not reflect well on any organization. With the population increasingly composed of digital natives (e.g., the average age of an employed citizen is 42⁶), EEOC’s online presence is increasingly important.

Below is a brief list of outdated content identified through a sampling of public-facing data. Is not intended to be exhaustive.

Table 5: Outdated Content Examples

Outdated Content Examples	Action Advised
Availability of high-value data sets (data.gov): <ul style="list-style-type: none"> • 138 data sets identified • EEO-1 and EEO-4 are the only data sets posted • EEO-3 and EEO-5 data sets are not posted • Several landing page links are invalid • Last posting was in 2017 	<ul style="list-style-type: none"> • Organize data sets. • Review all links. • Update or eliminate data sets and consolidate them in a single location for access
EEOC YouTube channel clean-up <ul style="list-style-type: none"> • Out-of-date videos / recordings • Videos that promote public portal as “new” 	<ul style="list-style-type: none"> • Organize playlists into categories. • Eliminate / archive older videos. • Update “About” to be current and add in hyperlinks (links are static text)
Open Government webpage is out of date	<ul style="list-style-type: none"> • Update the site or direct to EEOC’s new website. • Redirect users to the correct location where up-to-date information can be found

Proposed Activities for Recommendation #9:

- 1) Allocate resources to the effort. This recommendation should be a joint responsibility of OIT, OCLA, and OEDA.
- 2) Create an inventory framework for the identification of outdated technologies and content.
- 3) Perform a comprehensive inventory of outdated technologies and outdated content, prioritizing public-facing online services.
- 4) Review the inventory and ensure that any outdated technologies or content have a replacement or are no longer relevant; removing them should not leave gaps. Determine if archiving is necessary.
- 5) Execute the clean-up effort and measure progress.
- 6) Plan for a regularly scheduled technical debt and content clean-up effort to ensure: technical resources are not being unnecessarily expended; content is relevant and current; and presentation is resonant with the external customer population.

⁶ [United States Bureau of Labor Statistics](#)

APPENDIX A: AGENCY COMMENTS ON THE DRAFT EVALUATION REPORT

KAIP received comments on the draft report from the Office of the Chair (OCH), the Office of Field Programs (OFP), the Office of Enterprise Data and Analytics (OEDA), the Office of the General Counsel (OGC), and the Office of Information Technology (OIT). These comments are provided verbatim below. The Office of the Inspector General instructed KAIP that where different offices provided conflicting comments, OCH's comments would control. For KAIP's responses, see Appendix B.

Office of the Chair Comments

MEMORANDUM

Date: December 9, 2022

To: OIG Comments Mailbox (OIG.AEIP@EEOC.GOV)

From: Brett A. Brenner
 Acting Deputy Chief Operating Officer

Subject: Office of the Chair Initial Response to the Digital Process Transformation and Automation (DPTA) Draft Evaluation Report, OIG Report Number 2021-002-EOIG

General Comments

- OCH appreciates the work on this report and the acknowledgement of the progress the EEOC has made in many of these areas. However, the report and recommendations tend to be general in nature and lack context concerning the work of the agency.
- While we recognize that many workers are “digitally native” and may be comfortable with digital interactions, we would also point out that many of the reasons workers contact the EEOC are sensitive in nature and digital interactions may not be the preferred method of communications.
- OCH disagrees with the finding that “EEOC leadership /management is resistant to adopting data-driven decision-making or predictive analytics” (p. 22)
 - Report not clear what types of decisions or predictive analytics are referenced and the evidence for this finding appears to be a handful of focus group participants who speculated about these concepts in a vacuum. Specific examples of possible predictive analytics in an EEOC context would be helpful.

Recommendations

No.	Recommendation	Program office position
1	Engage an independent organizational change management firm/entity to assist EEOC in implementing Recommendations 2 through 9.	OCH does not agree with this recommendation. As OGC pointed out in its comments, the cost of such an engagement does not appear to be justified in relation to the potential benefits, and many if not all the recommendations could be implemented without the services of a contractor.

No.	Recommendation	Program office position
2	Create a Digital Support Unit (DSU) of dedicated staff.	OCH agrees that this recommendation could be helpful in modernizing the agency's digital processes, resources permitting. EEOC has utilized cross functional working groups similar to his to develop and manage several projects (e.g., website migration to new content management system; development of the public portal.)
3	Define a clear, consistent, and comprehensive vision of digital transformation at EEOC.	OCH agrees with this recommendation.
4	Consider making “Digital Transformation” a strategic objective in the EEOC Strategic Plan for Fiscal Years 2023 – 2027.	OCH disagrees with this recommendation. As OGC notes in its response, “[s]trategic objectives reflect the outcome or management impact the agency is trying to achieve and generally include the agency's role. They express more specifically the results or direction the agency will work to achieve outcomes in order to make progress on its mission and provide services to customers.” OMB Circular A-11 at 230.8 (Aug. 2022). Digital transformation is a means to an end, not an end itself. We would not object to a digital transformation strategy in support of a broader stewardship-focused strategic objective, although the Strategic Plan for FY2022-2026 is likely too far along in the process to insert this specific language. We do, however, believe that our vision for making progress on digital transformation is embodied in the draft EEOC Strategic Plan under Strategic Goal III which calls for expanding the use of technology and leveraging the use of data analytics and information management.
5	Plan at least three digital pilot projects with appropriate evaluation methods.	OCH agrees in principle with using pilot projects as part of digital transformation efforts, although we agree with OGC that the number, focus, and scope of such pilots should depend on how “digital transformation” is defined and operationalized in the context of EEOC’s work. Also, as OIT points out, the agency’s primary

No.	Recommendation	Program office position
		<p>source for paying back the TMF award is eliminating the Oracle licenses required for the legacy IMS system. If work is delayed on either of the two domains, EEOC would need to seek other sources to repay the TMF in FY 2024 and beyond.</p>
6	<p>Consider tasking OEDA in the Strategic Plan with a goal of building a Data Analytics Plan for EEOC.</p>	<p>OCH agrees that the agency should create a data analytics plan and that OEDA should lead that effort in collaboration with interested program offices, including OGC, OFP, and OIT. However, OCH does not concur with including the tasking in the Strategic Plan. As noted above the Plan is too far along in the process to include significant revisions.</p>
7	<p>Develop an EEOC Organizational Communication Strategy and Plan.</p>	<p>OCH agrees with this recommendation.</p>
8	<p>Develop a Target-State Architecture Plan.</p>	<p>OCH agrees with this recommendation.</p>
9	<p>Inventory and plan the decommissioning of outdated technologies and online content.</p>	<p>OCH agrees with this recommendation, which should be a joint responsibility of OIT, OCLA, and OEDA.</p>

Office of Field Programs Comments



Office of
Field Programs

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Washington, D.C. 20507

November 17, 2022

MEMORANDUM

TO: Joyce Willoughby, Acting Inspector General
Office of Inspector General

FROM: Delner Franklin-Thomas, Acting Director
Office of Field Programs

SUBJECT: OFP's Comments Re: Office of Inspector General Draft Evaluation of
Digital Process Transformation and Automation

Thank you for the opportunity to review and comment on the Office of Inspector General (OIG) Draft Evaluation of Digital Process Transformation and Automation (DPTA). Your October 27, 2022, Memorandum requested comments addressing the accuracy of the facts presented in the draft and any observations we would like you to consider when preparing the final report. You also requested a formal response to each recommendation, indicating concurrence or non-concurrence.

OFP has reviewed the draft report and has no objections to the nine recommendations outlined in the report. OFP provides the following comments regarding the accuracy of facts, for your consideration.

OFP agrees that improvements can be made in the work we do and how we do it, and we welcome OIG's suggestions and the opportunity to perform our important work in a way that is more streamlined, efficient, data-driven, and productive, while providing enhanced customer service to both internal and external stakeholders. However, certain characterizations described

in the Operational Findings on pages 20 to 22^{7,8} and certain statements listed in the Data Findings on pages 22 to 24⁹, are not accurate and miss important and relevant information regarding OFP's ongoing collaborations with OEDA and OIT, and OFP's routine and effective review of program operations.

More specifically, each quarter, OFP works closely with OEDA and OIT to ensure field staff review and validate data quarterly in advance of OEDA's release of the quarterly Workload Quarterly Report (WQR), formerly the Data Summary Report (DSR). OFP, OEDA, and OIT collaborate to ensure quarterly validation guidance is updated and accurate prior to issuance to the field. This guidance describes steps field staff must take to ensure integrity of the data reported, which OEDA then produces in workload reports to OFP, the Office of the Chair, and other offices. OFP utilizes OEDA's WQR to both evaluate Districts'/Offices' past work and performance, and project future work and performance. In addition, in FY 2022, OFP collaborated with OEDA to update the data captured in the WQR and develop OFP-specific quarterly reports focused on various items that were not reported previously, primarily related to intake.

⁷ **Page 21:**

"KAIP asked OEDA personnel whether EEOC performs predictive analytics to forecast workloads, so resources (both human and electronic) can be allocated to optimize EEOC's performance. OEDA responded that EEOC does not do this. This evaluation found that most operational measurements are backward-looking, such as tallying workload volumes. A focus group participant mentioned that program effectiveness is measured manually by performing file reviews on randomly selected cases.

This evaluation found that it is not possible for EEOC to objectively measure its operational performance due to the fact that business processes are not streamlined across the agency, do not have clearly established relationships with one another, and do not have automated collection of appropriate metrics. In the absence of accurate, end-to-end measures of operational effectiveness, it is difficult for EEOC to establish a performance baseline and make strategic operational improvements. The agency must instead implement more tactical-level solutions to obvious problems, which may or may not be symptoms of larger – but less obvious – issues."

⁸ **Page 22:**

"EEOC's organizational performance measurements are outdated. EEOC does take operational measurements as defined in the EEOC Strategic Plan for Fiscal Years 2018 – 2022, with the results available in the 2021 Annual Performance Report (APR). The performance measurements that measure organizational workload volumes are subjective and not actionable. The measurements provide outcomes of the work performed; however, the outcomes provide insight into how effective EEOC's processes were in achieving those outcomes or what possibilities exist for improving the outcomes in the future. While the performance measurements have meaning, they are inconsistent with DPTA and provide EEOC with little insight into how effective EEOC's services are and where improvements can be made."

⁹ **Page 22:**

"EEOC leadership / management is resistant to adopting data-driven decision-making or predictive analytics."
"This ambivalence toward using existing data harmonized with this evaluation's findings that existing processes and metrics do not lend themselves to strategic operational adjustments."

It is correct that OFP also conducts manual reviews of randomly selected closed private sector and federal sector cases, which is required under the current Strategic Plan, but this quality review is only one measure of program effectiveness, among many. For several years, OFP has objectively measured operational performance using OEDA's quarterly report (WQR, DSR), as well as real time reports OFP runs directly from the charge database (IMS, ARC) or Power BI (utilizing data from IMS or ARC), and internal reports created in OFP for OFP (e.g., District Director Goal Reports). In addition, OFP utilizes monthly reports OEDA distributes showing monthly performance. In FY 2021, OFP asked OEDA to provide the monthly national reports to OFP at the District and Office level, as well, which OEDA has done for the past year or more. OFP has well-established relationships with OEDA and OIT, and does not hesitate to reach out for reports as needed when specific reports are not available and cannot be created in OFP. OFP's routine and frequent reviews of program operations result in the effective identification of current performance compared with established baselines or prior fiscal years or quarters, and OFP regularly makes strategic operational improvements based on those evaluations.

Moreover, OFP recently learned of OEDA's ability to provide data driven predictive analysis models and is currently in discussions with OEDA on expanding OFP's utilization of OEDA's products. OFP is excited to collaborate with OEDA to focus on data projections, and hopes to use OEDA's reports to provide improved services to stakeholders.

Office of Enterprise Data and Analytics Comments



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Washington, D.C. 20507

Office of Enterprise
Data and Analytics

November 17, 2022

TO: Joyce Willoughby
Acting Inspector General

FROM: Kimberly Essary
Deputy Chief Data Officer
Office of Enterprise Data and Analytics

CC: Chris Haffer
Chief Data Officer
Director, Office of Enterprise Data and Analytics

SUBJECT: Office of Enterprise Data and Analytics (OEDA) Comments on Draft Report for the OIG Evaluation of Digital Process Transformation and Automation (OIG No. 2021-002-EOIG)

Thank you for the opportunity to review the draft DPTA report (“report”). OEDA concurs with each of the recommendations listed in the report.

In addition to OEDA’s concurrence with these recommendations, our office has a limited number of comments on specific references in the report. Please see OEDA’s comments below.

- (1) Recognizing the EEOC Strategic Plan for Fiscal Years 2022 – 2026 is almost finalized, it will likely be difficult to rewrite the Plan as recommended in the report and still adhere to the original completion timeline. If the intent is to add an additional Strategic Objective, that may be more feasible. However, this is not for OEDA to determine but rather the Office of the Chair (OCH). OEDA recommends OIG confer with OCH on the report’s discussion of the agency’s Strategic Plan and any proposed changes thereto.

Additionally, OEDA would like to note that the terminology used in the Strategic Plan has recently changed. “Strategic Objectives” have been replaced with “Strategic Goals.” The report should reflect the current nomenclature.

- (2) OEDA requests the report clarify that the “underutilization” of OEDA resources is a statement on current activities not fully utilizing expertise and is not a statement on idle and/or ineffective staff. OEDA staff are fully engaged and OEDA would like, if funding permitted, to onboard additional staff to work on existing agency priority projects for which there is not currently staff bandwidth to handle.

Additionally, it is essential that the more advanced development activities proposed in the report consider OEDA’s available resources for necessary inputs such as staffing and funding for training.

- (3) On page 32 of the report, the reference to the IDR as the “Interim Data Repository” is incorrect. It is OEDA’s understanding that the IDR is referred to as the “Intermediate Data Repository.”
- (4) OEDA has the following update regarding the availability of “high-value data sets” on data.gov as discussed on page 35 of the report. Yesterday, OEDA staff met with the EEOC’s Chief Technology Officer (CTO) in EEOC’s Office of Information Technology (OIT) and will be working to add updated datasets to data.gov. Additionally, based on OEDA’s discussion with the CTO, OEDA will be taking over responsibility for all future updates to data.gov. OEDA will be working to ensure that the currently available datasets on eeoc.gov are also provided on data.gov.

Please note that OEDA does not agree with the report’s “advised” action to put all available public datasets on eeocdata.org. EEOCdata.org is maintained by the agency’s current EEO data collection contractor and is the one-stop-shop for eligible filers to submit their mandatory EEO reports. It is not a site which serves as a repository for the data the EEOC releases to the public (e.g., aggregate EEO report data, charge data, litigation data).

Office of the General Counsel



Office of
General Counsel

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Washington, D.C. 20507

November 17, 2022

TO: Joyce Willoughby
Acting Inspector General

FROM: Christopher Lage
Deputy General Counsel

SUBJECT: OGC Comments on Draft Report of Digital Process
Transformation and Automation (OIG No. 2021-002-EOIG)

OGC appreciates the opportunity to provide comments on this draft report. Our overarching concern is that the study lacks an operational definition DPTA in the context of EEOC and its work as a civil rights law enforcement agency. OGC participants in this study emphasized this problem during the Entrance Conference presentation, and we were assured that it would be addressed before the study was launched. We reiterated this concern to the OIG points of contact after observing that the concern was not accurately reflected in the Entrance Conference minutes. We also provided this feedback during interviews, highlighting that the lack of a clear definition meant it was not clear what exactly was being evaluated and that any information gathered through these interviews or focus groups may not be meaningful and could even be misleading.

The lack of a clear definition of DPTA resulted in significant shortcomings in the draft report. The draft report provides only a broad definition of DPTA, provides no clear indication of what specific EEOC processes were focused on, and includes no discussion of specific problems with these processes or what data were considered that could be used for addressing such problems. Instead, the draft report discusses disparate matters (e.g., problems with the ARC system's deployment, lack of an "operational performance measurement plan," OCLA's progress in implementing recommendations regarding the agency's Social Media program), often uses generic terminology that does not have direct relevance to EEOC, and makes some generic recommendations.

The draft report contains several statements or conclusions which we believe should be improved. Regarding ARC, the draft report correctly observes that the failure to communicate adequately with customers – that is, field staff – contributed to many of its problems, but it fails to note serious problems with ARC data, which in many respects is less reliable than legacy IMS

data. The draft report recommends several times that we should use predictive analytics to forecast workloads (see pp. 5, 11, 21, 22, 23, 25, 32), but it does not explain how its use would be of practical benefit. The report faults the agency for “depending on human labor for service delivery versus automation” (p. 22), without appreciating that talking to charging parties and witnesses is an essential component of our work and should not be automated in most instances even if it were possible.

Regarding the recommendations:

No.	Recommendation	OGC Position
1	Engage an independent organizational change management firm / entity to assist EEOC in implementing Recommendations 2 through 9.	OGC does not agree with this recommendation. Overall, the report is too dependent on jargon and does not demonstrate a sufficient understanding of the agency's mission or its digital processes and architecture. Moreover, the cost of such an engagement does not appear to be justified in relation to the potential benefits, and many if not all the recommendations could be implemented without the services of a contractor.
2	Create a Digital Support Unit (DSU) of dedicated staff.	OGC agrees that this recommendation could be helpful in modernizing the agency's digital processes.
3	Define a clear, consistent, and comprehensive vision of digital transformation at EEOC.	OGC agrees with this recommendation.
4	Consider making “Digital Transformation” a strategic objective in the EEOC Strategic Plan for Fiscal Years 2023 – 2027.	OGC disagrees with this recommendation. “Strategic objectives reflect the outcome or management impact the agency is trying to achieve and generally include the agency's role. They express more specifically the results or direction the agency will work to achieve outcomes in order to make progress on its mission and provide services to customers.” OMB Circular A-11 at 230.8 (Aug. 2022). Digital transformation is a means to an end, not an end itself. We would not object to a digital transformation strategy in support of a broader stewardship-focused strategic objective.
5	Plan at least three digital pilot projects with appropriate evaluation methods.	OGC agrees with this recommendation’s concept of pilot projects as part of digital transformation efforts. The number, focus, and scope of such pilots should depend on how “digital transformation” is defined and operationalized in the context of EEOC’s work.

No.	Recommendation	OGC Position
6	Consider tasking OEDA in the Strategic Plan with a goal of building a Data Analytics Plan for EEOC.	OGC agrees that the agency should create a data analytics plan but believes that it should be developed collaboratively among interested program offices.
7	Develop an EEOC Organizational Communication Strategy and Plan.	OGC agrees with this recommendation.
8	Develop a Target-State Architecture Plan.	OGC agrees with this recommendation.
9	Inventory and plan the decommissioning of outdated technologies and online content.	OGC agrees with this recommendation.

Office of Information Technology

MEMORANDUM

Date: November 29, 2022

To: OIG Comments Mailbox (OIG.AEIP@EEOC.GOV)

From: Bryan Burnett, Chief Information Officer
Pierrette McIntire, Deputy Chief Information Officer

Subject: Office of Information Technology's (OIT) Initial Response to the Digital Process Transformation and Automation (DPTA) Evaluation Draft

General Impression

We appreciate the work that went into this analysis and generally are supportive of the recommendations outlined in the draft. As with most point-in-time analysis, some of the situations observed have changed while others, such as change management and communications, remain significant impediments to full use of the ARC charge management system. As an example, while there were change management components deployed along with the system, the lack of a formal plan resulted in gaps in expectations setting, training, and general communications.

Specific Comments

Page 5: *"This evaluation found that OIT failed to sufficiently address the 'people' element of the deployment, which contributed to a negative response on the part of end users."*

OIT recommends a change to the language to read, "found that **the Agency** failed to". As outlined later in the report, change management is an *enterprise-wide responsibility*. During the development cycles, OIT and OFP used the phrase, "we're building ARC with you, not for you", as a way to indicate a partnership between the two offices and the staff that would eventually use the system. Likewise, change management, training, and communications were (and are) the responsibility of all stakeholders.

Page 5: *"[This] evaluation also found that ARC development did not benefit from a comprehensive effort to rationalize and re-engineer business processes prior to applying a technology solution."* And **Page 16:** *"OIT used end-user input from the requirement workgroups to implement targeted fixes to user-identified problems in IMS (e.g., action codes, fake user*

accounts), but did not undertake a comprehensive approach to business process rationalization or streamlining.”

OIT suggests that the authors are minimizing the transformative impact of replacing data recordation based on action codes with process-driven flows and data validation. We ask that the authors consider the positive impact on the hundreds of recent Field hires who were not handed a binder of codes and asked to learn them. We also point out, as below, that the significant improvements in process and data integrity resulted in the elimination of a time-consuming, manual process for data validation at the end of each quarter.

- In FY 21, OIT formed a “396 Modernization Workgroup” with participants from OEDA and OFP to review the legacy 396 processes. Since ARC automates activity workflow, removing the errors introduced through manual action code entry, the issues and related reconciliation of problem charges were no longer necessary. ARC additionally enforces data integrity rules that previously required manual verification. With the deployment of ARC in FY 22, OIT worked with OFP and OEDA to streamline a new “Quarterly Data Validation” process which primarily utilizes Power BI-based reports to review Benefits Data. Upon verification of the quarterly data, OIT exports a “snapshot” of the ARC data to a repository for OEDA upload and use. This new process will provide consistent quarterly data reporting, at a detailed level, for EEOC.GOV posting, external reporting/use, and quarterly performance reports. As importantly, any required corrections to the Benefits Data are made in ARC, ensuring greater data quality and integrity in subsequent quarterly snapshots.

Likewise, other reengineering efforts during the ARC development resulted in:

- Automation to improve processes, such as for closures.
- Full charge management capabilities – e.g., next actions, due dates, etc.
- Support for program and process innovation and policy flexibilities.

Page 12: *“In the absence of a sufficiently defined and comprehensive vision for digital transformation, EEOC tends to misinterpret technology modernization as synonymous with digital transformation as a whole. This has resulted in insufficient consideration of the perspective of the customer and insufficient consideration of how the agency’s processes could be streamlined prior to the application of a technology solution.”*

While OIT does not disagree with this statement, we point out that the ARC team (OIT and OFP) pushed as hard as it could for transformative change while it was undertaking the very necessary modernization of the Agency’s charge management system. As the authors state later in the report, “focus group participants commented that EEOC lacks a sense of

organizational urgency toward change.” That lack of urgency, which some might describe as an aversion to change, made transformation particularly difficult without a prototype of the new system. Implementing ARC, which allows users to see possibilities related to transformation of business processes, may have been a necessary first step.

Page 16 and elsewhere: *General overview of the ARC development process.*

With the benefit of time since ARC’s launch, below is an overview of the process OIT provided in its year-end accomplishments narrative:

- In early 2020, the Technology Modernization Fund (TMF) Board provided EEOC with an initial tranche of \$2 million to modernize the legacy technology and data structure of our now 22-year-old IMS system. For the last two years, OIT, OFP, and SLTP worked relentlessly to define and build a modern solution to enable the agency’s Private Sector processes and the accompanying processes for its Fair Employment Practice Agency (FEPA) partners. It was a highly collaborative effort, best described by the team’s maxim that OIT was building a system *with the Field, not for the Field*.

The team held over 230 requirements workgroup meetings, requirement reviews, Field Office and FEPA Roadshows, and demonstrations in support of this program. In preparation for the go-live, the technical team evaluated, cleansed, and transformed more than thirty years of EEOC and FEPA data from both prior legacy systems – IMS and CDS. The technical team also developed a secure, modern infrastructure, utilizing the Microsoft Azure identity, database, and containerized application services and platforms. As was necessary immediately after launch, the cloud-based infrastructure proved flexible and scalable to support a code base that had not undergone stress testing and optimization.

On January 18, 2022, the new ARC system went live for 145 EEOC and FEPA offices and more than 2,000 users.

Section 5: Recommendations.

OIT is generally supportive of the recommendations presented with this analysis. We do have a concern regarding undertaking recommendation #5, “[plan] at least three digital pilot projects with appropriate evaluation methods”, prior to deploying ARC to the final two domains – Litigation and Federal. One of the primary sources of funding for paying back the TMF award is the elimination of the Oracle licenses that are required for the legacy IMS system. If we are to delay work on either of the two domains, the Agency would need to seek other sources to repay the TMF in FY 2024 and beyond.

In addition, recommendation #9 should be a joint OIT, OCLA, and OEDA responsibility, as OEDA provides the data set deliverables that are referenced, along with data.gov coordination, and OCLA oversees social media content and the referenced eeoc.gov links.

APPENDIX B: KAIP’S RESPONSES TO AGENCY COMMENTS

The table below provides KAIP’s responses to Agency comments on the draft report. The table also indicates whether the final report was updated to reflect Agency comments.



#	Source	Report Section/ Topic	Comment	KAIP Recommendation	Edits to Report
1	OCH	General	OCH appreciates the work on this report and the acknowledgement of the progress the EEOC has made in many of these areas. However, the report and recommendations tend to be general in nature and lack context concerning the work of the agency.	KAIP’s generality in its report was intentional. DPTA is a <i>method</i> of improving operations that emphasizes the experience of the customer. For this reason, KAIP did not wish to limit EEOC’s options by being prescriptive. Instead, KAIP recommended actions the Agency could take to define for itself how it would contextualize DPTA within its own mission.	
2	OCH	General	While we recognize that many workers are “digitally native” and may be comfortable with digital interactions, we would also point out that many of the reasons workers contact the EEOC are sensitive in nature and digital interactions may not be the preferred method of communications.	The preferences of the Agency’s digitally native customers should be studied in greater detail by OEDA, particularly given the increasing population of digital natives over time. Many digital natives prefer electronic interaction. This is common in healthcare and therapeutic settings, both of which are also sensitive.	
3	OCH	Data Findings (p. 22)	OCH disagrees with the finding that “EEOC leadership /management is resistant to adopting data-driven decision-making or predictive analytics” (p. 22) <ul style="list-style-type: none"> Report not clear what types of decisions or predictive analytics are referenced and the evidence for this finding appears to be a handful of focus group participants who speculated about these concepts in a vacuum. Specific examples of 	The evaluation team requested that OEDA provide examples of predictive analytics on future work volume useful for planning workloads and staffing requirements. Such examples were not produced for the purposes of this study.	



#	Source	Report Section/ Topic	Comment	KAIP Recommendation	Edits to Report
			possible predictive analytics in an EEOC context would be helpful.		
4	OCH	Rec. 1 (Engage an independent OCM firm.)	OCH does not agree with this recommendation. As OGC pointed out in its comments, the cost of such an engagement does not appear to be justified in relation to the potential benefits, and many if not all the recommendations could be implemented without the services of a contractor.	KAIP’s recommendation was based on its position that reevaluating – and potentially re-engineering – business processes is a task that requires a degree of objectivity. Structurally, this objectivity is best served by independence. The Agency runs a significant risk in using internal resources, as they have “skin in the game,” and may find it difficult to be objective.	
5	OCH	Rec. 2 (Create a DSU.)	OCH agrees that this recommendation could be helpful in modernizing the agency's digital processes, resources permitting. EEOC has utilized cross functional working groups similar to his to develop and manage several projects (e.g., website migration to new content management system; development of the public portal.)	KAIP believes that the Agency’s prior experience in assembling cross-functional teams will be valuable. KAIP notes two components of the recommendation that are essential to its success: (1) the DSU must be composed of staff who are dedicated to it on a full-time basis; and (2) the DSU must have the support of OCH.	
6	OCH	Rec. 4 (Consider making Digital Transformation a strategic objective in the Strategic Plan.)	OCH disagrees with this recommendation. As OGC notes in its response, “[s]trategic objectives reflect the outcome or management impact the agency is trying to achieve and generally include the agency's role. They express more specifically the results or direction the agency will work to achieve outcomes in order to make progress on its mission and provide services to	KAIP notes that the recommendation was to “consider” a strategic objective and did not direct EEOC one way or another. If, in the Agency’s judgment, it is not practical to amend the Strategic Plan at this time, KAIP considers EEOC’s suggestion of a “Digital Transformation Strategy” to be a productive step, provided that the DSU (constituted as recommended) is pursued and a statement on	X



#	Source	Report Section/ Topic	Comment	KAIP Recommendation	Edits to Report
			customers.” OMB Circular A-11 at 230.8 (Aug. 2022). Digital transformation is a means to an end, not an end itself. We would not object to a digital transformation strategy in support of a broader stewardship-focused strategic objective, although the Strategic Plan for FY2022-2026 is likely too far along in the process to insert this specific language. We do, however, believe that our vision for making progress on digital transformation is embodied in the draft EEOC Strategic Plan under Strategic Goal III which calls for expanding the use of technology and leveraging the use of data analytics and information management.	EEOC's digital strategy is documented and codified. The recommendation has been revised accordingly.	
7	OCH	Rec. 5 (Plan 3 pilot projects.)	OCH agrees in principle with using pilot projects as part of digital transformation efforts, although we agree with OGC that the number, focus, and scope of such pilots should depend on how “digital transformation” is defined and operationalized in the context of EEOC’s work. Also, as OIT points out, the agency’s primary source for paying back the TMF award is eliminating the Oracle licenses required for the legacy IMS system. If work is delayed on either of the two domains, EEOC	KAIP also agrees that the focus and scope of pilots should be defined according to how EEOC defines “digital transformation” within the confines of its mission. The expansiveness (or lack thereof) of that definition is within EEOC’s purview to decide. Similarly, KAIP’s recommendation to establish a DSU would fall within the mandate of the Agency’s self-defined strategy. KAIP understands that the TMF is the primary driver of the ARC implementation. However, ARC is a component of digital transformation, not identical with it. The DSU should operate outside bounds of the TMF.	



#	Source	Report Section/ Topic	Comment	KAIP Recommendation	Edits to Report
			would need to seek other sources to repay the TMF in FY 2024 and beyond.		
8	OCH	Rec. 6 (Task OEDA in SP with building a Data Analytics Plan.)	OCH agrees that the agency should create a data analytics plan and that OEDA should lead that effort in collaboration with interested program offices, including OGC, OFP, and OIT. However, OCH does not concur with including the tasking in the Strategic Plan. As noted above the Plan is too far along in the process to include significant revisions.	KAIP agrees with OCH that OEDA should collaborate with other EEOC offices. KAIP understands that the late stage of Strategic Plan development precludes this task from being included. The report has been revised accordingly.	X
9	OCH	Rec. 9 (Inventory and decommission outdated technologies and content.)	OCH agrees with this recommendation, which should be a joint responsibility of OIT, OCLA, and OEDA.	KAIP agrees that this recommendation should be a joint responsibility of the parties named by OCH. The report has been revised accordingly.	X
10	OFP	Operations Findings (p. 21) / Data Findings (p. 22)	Each quarter, OFP works closely with OEDA and OIT to ensure field staff review and validate data quarterly in advance of OEDA's release of the quarterly Workload Quarterly Report (WQR), formerly the Data Summary Report (DSR). OFP, OEDA, and OIT collaborate to ensure quarterly validation guidance is updated and accurate prior to issuance to the field. This guidance describes steps field staff must take to ensure integrity	KAIP notes that the information provided is consistent with its findings. KAIP fully acknowledges that OEDA provides numerous reports used by the Agency to understand its own work. However, KAIP emphasizes that these reports tend to be backward-looking. As OFP states, "OFP's routine and frequent reviews of program operations result in the effective identification of current performance compared with established	



#	Source	Report Section/ Topic	Comment	KAIP Recommendation	Edits to Report
			<p>of the data reported, which OEDA then produces in workload reports to OFP, the Office of the Chair, and other offices. OFP utilizes OEDA’s WQR to both evaluate Districts’/Offices’ past work and performance, and project future work and performance. In addition, in FY 2022, OFP collaborated with OEDA to update the data captured in the WQR and develop OFP-specific quarterly reports focused on various items that were not reported previously, primarily related to intake.</p> <p>It is correct that OFP also conducts manual reviews of randomly selected closed private sector and federal sector cases, which is required under the current Strategic Plan, but this quality review is only one measure of program effectiveness, among many. For several years, OFP has objectively measured operational performance using OEDA’s quarterly report (WQR, DSR), as well as real time reports OFP runs directly from the charge database (IMS, ARC) or Power BI (utilizing data from IMS or ARC), and internal reports created in OFP for OFP (e.g., District Director Goal Reports). In addition, OFP utilizes monthly reports OEDA distributes showing monthly performance. In FY 2021,</p>	<p>baselines or prior fiscal years or quarters, and OFP regularly makes strategic operational improvements based on those evaluations” (emphasis added).</p> <p>KAIP notes that more advanced predictive analytics are possible. They would also include analysis of, for example, data from the Bureau of Labor Statistics, the Internal Revenue Services, State tax authorities, unemployment datasets, and other available information. Such information would help forecast future workload.</p> <p>KAIP notes OFP’s ongoing discussions with OEDA about the possibilities afforded by predictive analytics and takes this as a positive sign that the Agency is disposed to act on the draft report’s recommendations.</p>	



#	Source	Report Section/ Topic	Comment	KAIP Recommendation	Edits to Report
			<p>OFP asked OEDA to provide the monthly national reports to OFP at the District and Office level, as well, which OEDA has done for the past year or more. OFP has well-established relationships with OEDA and OIT, and does not hesitate to reach out for reports as needed when specific reports are not available and cannot be created in OFP. OFP’s routine and frequent reviews of program operations result in the effective identification of current performance compared with established baselines or prior fiscal years or quarters, and OFP regularly makes strategic operational improvements based on those evaluations.</p> <p>Moreover, OFP recently learned of OEDA’s ability to provide data driven predictive analysis models and is currently in discussions with OEDA on expanding OFP’s utilization of OEDA’s products. OFP is excited to collaborate with OEDA to focus on data projections, and hopes to use OEDA’s reports to provide improved services to stakeholders.</p>		



#	Source	Report Section/ Topic	Comment	KAIP Recommendation	Edits to Report
11	OEDA	Recs. related to Strategic Plan	<p>(1) Recognizing the EEOC Strategic Plan for Fiscal Years 2022 – 2026 is almost finalized, it will likely be difficult to rewrite the Plan as recommended in the report and still adhere to the original completion timeline. If the intent is to add an additional Strategic Objective, that may be more feasible. However, this is not for OEDA to determine but rather the Office of the Chair (OCH). OEDA recommends OIG confer with OCH on the report’s discussion of the agency’s Strategic Plan and any proposed changes thereto.</p> <p>Additionally, OEDA would like to note that the terminology used in the Strategic Plan has recently changed. “Strategic Objectives” have been replaced with “Strategic Goals.” The report should reflect the current nomenclature.</p>	KAIP understands OCH's decision not to change the Strategic Plan at this date. KAIP notes with thanks the updated nomenclature. The report has been updated accordingly.	X



#	Source	Report Section/ Topic	Comment	KAIP Recommendation	Edits to Report
12	OEDA	Regarding underutilization of OEDA	<p>(2) OEDA requests the report clarify that the “underutilization” of OEDA resources is a statement on current activities not fully utilizing expertise and is not a statement on idle and/or ineffective staff. OEDA staff are fully engaged and OEDA would like, if funding permitted, to onboard additional staff to work on existing agency priority projects for which there is not currently staff bandwidth to handle.</p> <p>Additionally, it is essential that the more advanced development activities proposed in the report consider OEDA’s available resources for necessary inputs such as staffing and funding for training.</p>	KAIP agrees with OEDA’s characterization of the use of the word “underutilization” and has edited the report accordingly. Further, while KAIP assumes the Agency would appropriately staff and train for activities it undertakes, it has updated the report to make this explicit.	X
13	OEDA	P. 32	(3) On page 32 of the report, the reference to the IDR as the “Interim Data Repository” is incorrect. It is OEDA’s understanding that the IDR is referred to as the “Intermediate Data Repository.”	KAIP appreciates this correction and has updated the report.	X
14	OEDA	P. 35	(4) OEDA has the following update regarding the availability of “high-value data sets” on data.gov as discussed on page 35 of the report. Yesterday, OEDA staff met with the EEOC’s Chief Technology Officer (CTO) in EEOC’s Office of Information Technology (OIT) and will be working to add updated	KAIP notes the actions planned by OEDA and the CTO regarding data.gov. KAIP appreciates the correction regarding EEOCdata.org and has updated the report accordingly.	X



#	Source	Report Section/ Topic	Comment	KAIP Recommendation	Edits to Report
			<p>datasets to data.gov. Additionally, based on OEDA’s discussion with the CTO, OEDA will be taking over responsibility for all future updates to data.gov. OEDA will be working to ensure that the currently available datasets on eeoc.gov are also provided on data.gov.</p> <p>Please note that OEDA does not agree with the report’s “advised” action to put all available public datasets on eeocdata.org. EEOCdata.org is maintained by the agency’s current EEO data collection contractor and is the one-stop-shop for eligible filers to submit their mandatory EEO reports. It is not a site which serves as a repository for the data the EEOC releases to the public (e.g., aggregate EEO report data, charge data, litigation data).</p>		
15	OGC	Definition of DPTA	<p>OGC appreciates the opportunity to provide comments on this draft report. Our overarching concern is that the study lacks an operational definition DPTA in the context of EEOC and its work as a civil rights law enforcement agency. OGC participants in this study emphasized this problem during the Entrance Conference presentation, and we were assured that it would be addressed before the study was launched. We</p>	<p>KAIP provided a definition of DPTA on page 7 of the report and explained its methodology in assessing the Agency’s implementation of DPTA.</p> <p>KAIP notes that this comment speaks to some of the evaluation’s most important findings and recommendations. DPTA is a <i>method</i> of improving operations that emphasizes the experience of the customer. KAIP chose not to be prescriptive in its recommendations, as the Agency is best placed to</p>	



#	Source	Report Section/ Topic	Comment	KAIP Recommendation	Edits to Report
			<p>reiterated this concern to the OIG points of contact after observing that the concern was not accurately reflected in the Entrance Conference minutes. We also provided this feedback during interviews, highlighting that the lack of a clear definition meant it was not clear what exactly was being evaluated and that any information gathered through these interviews or focus groups may not be meaningful and could even be misleading.</p> <p>The lack of a clear definition of DPTA resulted in significant shortcomings in the draft report. The draft report provides only a broad definition of DPTA, provides no clear indication of what specific EEOC processes were focused on, and includes no discussion of specific problems with these processes or what data were considered that could be used for addressing such problems. Instead, the draft report discusses disparate matters (e.g., problems with the ARC system’s deployment, lack of an “operational performance measurement plan,” OCLA’s progress in implementing recommendations regarding the agency’s Social Media program), often uses generic terminology that does not have direct relevance to EEOC, and makes some generic recommendations.</p>	<p>determine how this method can be applied to its own context. KAIP made recommendations that it believes would assist the Agency in doing so appropriately.</p>	



#	Source	Report Section/ Topic	Comment	KAIP Recommendation	Edits to Report
16	OGC	Problems with ARC Data	The draft report contains several statements or conclusions which we believe should be improved. Regarding ARC, the draft report correctly observes that the failure to communicate adequately with customers – that is, field staff – contributed to many of its problems, but it fails to note serious problems with ARC data, which in many respects is less reliable than legacy IMS data.	This was an evaluation of DPTA, per the definition on page 7 of the draft report. KAIP did not examine ARC data; doing so was outside scope of this evaluation.	
17	OGC	Use of Predictive Analytics	The draft report recommends several times that we should use predictive analytics to forecast workloads (see pp. 5, 11, 21, 22, 23, 25, 32), but it does not explain how its use would be of practical benefit.	<p>On page 21 of the report, KAIP stated that predictive analytics would be useful in “forecast[ing] workloads, so resources (both human and electronic) can be allocated to optimize EEOC’s performance.” As KAIP noted on the same page, “most [of EEOC’s] operational measurements are backward-looking, such as tallying workload volumes.” (See further discussion in the response to Comment 10, above.)</p> <p>Further, KAIP noted on page 32 that predictive analytics would serve as a basis for prescriptive analytics, i.e., an examination of which EEOC practices result in the best possible outcomes for its customers and how EEOC should optimize its business practices to deliver those outcomes. While KAIP did not emphasize this point in the report, prescriptive analytics could inform individual case strategies or personnel assignments.</p>	



#	Source	Report Section/ Topic	Comment	KAIP Recommendation	Edits to Report
18	OGC	Uses of Automation	The report faults the agency for “depending on human labor for service delivery versus automation” (p. 22), without appreciating that talking to charging parties and witnesses is an essential component of our work and should not be automated in most instances even if it were possible.	KAIP does not suggest reducing or eliminating human interaction for gathering information. KAIP was referencing business processes, which are not automated and integrated, making it impossible to measure their performance electronically and in real-time.	
19	OGC	Rec. 1 (Engage an independent OCM firm.)	OGC does not agree with this recommendation. Overall, the report is too dependent on jargon and does not demonstrate a sufficient understanding of the agency's mission or its digital processes and architecture. Moreover, the cost of such an engagement does not appear to be justified in relation to the potential benefits, and many if not all the recommendations could be implemented without the services of a contractor.	KAIP refers to its response to OCH’s comment on Recommendation 1.	
20	OGC	Rec. 4 (Consider making Digital Transformation a strategic objective in the Strategic Plan.)	OGC disagrees with this recommendation. “Strategic objectives reflect the outcome or management impact the agency is trying to achieve and generally include the agency's role. They express more specifically the results or direction the agency will work to achieve outcomes in order to make progress on its mission and provide services to customers.” OMB Circular A-11 at 230.8	KAIP refers to its response to OCH’s comment on Recommendation 4.	X



#	Source	Report Section/ Topic	Comment	KAIP Recommendation	Edits to Report
			(Aug. 2022). Digital transformation is a means to an end, not an end itself. We would not object to a digital transformation strategy in support of a broader stewardship-focused strategic objective.		
21	OGC	Rec. 5 (Plan 3 pilot projects.)	OGC agrees with this recommendation’s concept of pilot projects as part of digital transformation efforts. The number, focus, and scope of such pilots should depend on how “digital transformation” is defined and operationalized in the context of EEOC’s work.	KAIP refers to its response to OCH’s comment on Recommendation 5.	
22	OGC	Rec. 6 (Task OEDA in SP with building a Data Analytics Plan.)	OGC agrees that the agency should create a data analytics plan but believes that it should be developed collaboratively among interested program offices.	KAIP refers to its response to OCH’s comment on Recommendation 6.	X
23	OIT	General	We appreciate the work that went into this analysis and generally are supportive of the recommendations outlined in the draft. As with most point-in-time analysis, some of the situations observed have changed while others, such as change management and communications, remain significant impediments to full use of the ARC charge management system. As an example, while there were change management components deployed along with the	This statement is consistent with KAIP’s findings.	



#	Source	Report Section/ Topic	Comment	KAIP Recommendation	Edits to Report
			system, the lack of a formal plan resulted in gaps in expectations setting, training, and general communications.		
24	OIT	P. 5	<p>Page 5: “This evaluation found that OIT failed to sufficiently address the ‘people’ element of the deployment, which contributed to a negative response on the part of end users.”</p> <p>OIT recommends a change to the language to read, “found that the Agency failed to”. As outlined later in the report, change management is an enterprise-wide responsibility. During the development cycles, OIT and OFP used the phrase, “we’re building ARC with you, not for you”, as a way to indicate a partnership between the two offices and the staff that would eventually use the system. Likewise, change management, training, and communications were (and are) the responsibility of all stakeholders.</p>	KAIP agrees with this point and has edited the draft report accordingly.	X
25	OIT	P. 5, 16	<p>Page 5: “[This] evaluation also found that ARC development did not benefit from a comprehensive effort to rationalize and re-engineer business processes prior to applying a technology solution.” And Page 16: “OIT used end-user input from the</p>	KAIP applauds OIT’s significant achievements with respect to ARC and in no way wishes to minimize the positive impact of the points cited. Moreover, KAIP wishes to affirm OIT’s statement in Comment 24 that “change management is an enterprise-wide responsibility.” KAIP believes that the statement	X



#	Source	Report Section/ Topic	Comment	KAIP Recommendation	Edits to Report
			<p>requirement workgroups to implement targeted fixes to user-identified problems in IMS (e.g., action codes, fake user accounts), but did not undertake a comprehensive approach to business process rationalization or streamlining.”</p> <p>OIT suggests that the authors are minimizing the transformative impact of replacing data recordation based on action codes with process-driven flows and data validation. We ask that the authors consider the positive impact on the hundreds of recent Field hires who were not handed a binder of codes and asked to learn them. We also point out, as below, that the significant improvements in process and data integrity resulted in the elimination of a time-consuming, manual process for data validation at the end of each quarter.</p> <ul style="list-style-type: none"> • In FY 21, OIT formed a “396 Modernization Workgroup” with participants from OEDA and OFP to review the legacy 396 processes. Since ARC automates activity workflow, removing the errors introduced through manual action code entry, the issues and related reconciliation of problem charges were no longer necessary. ARC additionally enforces data integrity rules that previously 	<p>quoted on page 5 can be read in such a light without changes to the report. KAIP has adjusted pages 15 and 16 to address OIT’s concern.</p>	



#	Source	Report Section/ Topic	Comment	KAIP Recommendation	Edits to Report
			<p>required manual verification. With the deployment of ARC in FY 22, OIT worked with OFP and OEDA to streamline a new “Quarterly Data Validation” process which primarily utilizes Power BI-based reports to review Benefits Data. Upon verification of the quarterly data, OIT exports a “snapshot” of the ARC data to a repository for OEDA upload and use. This new process will provide consistent quarterly data reporting, at a detailed level, for EEOC.GOV posting, external reporting/use, and quarterly performance reports. As importantly, any required corrections to the Benefits Data are made in ARC, ensuring greater data quality and integrity in subsequent quarterly snapshots.</p> <p>Likewise, other reengineering efforts during the ARC development resulted in:</p> <ul style="list-style-type: none"> • Automation to improve processes, such as for closures. • Full charge management capabilities – e.g., next actions, due dates, etc. • Support for program and process innovation and policy flexibilities. 		
26	OIT	P. 12	Page 12: “In the absence of a sufficiently defined and comprehensive vision for digital	KAIP affirms, as OIT stated in Comment 24, that “change management is an enterprise-wide	



#	Source	Report Section/ Topic	Comment	KAIP Recommendation	Edits to Report
			<p>transformation, EEOC tends to misinterpret technology modernization as synonymous with digital transformation as a whole. This has resulted in insufficient consideration of the perspective of the customer and insufficient consideration of how the agency’s processes could be streamlined prior to the application of a technology solution.”</p> <p>While OIT does not disagree with this statement, we point out that the ARC team (OIT and OFP) pushed as hard as it could for transformative change while it was undertaking the very necessary modernization of the Agency’s charge management system. As the authors state later in the report, “focus group participants commented that EEOC lacks a sense of organizational urgency toward change.” That lack of urgency, which some might describe as an aversion to change, made transformation particularly difficult without a prototype of the new system. Implementing ARC, which allows users to see possibilities related to transformation of business processes, may have been a necessary first step.</p>	<p>responsibility.” Further comment by KAIP on the point raised by OIT would be speculative and outside the scope of the evaluation.</p>	



#	Source	Report Section/ Topic	Comment	KAIP Recommendation	Edits to Report
27	OIT	P. 16 (and elsewhere)	<p>Page 16 and elsewhere: General overview of the ARC development process.</p> <p>With the benefit of time since ARC’s launch, below is an overview of the process OIT provided in its year-end accomplishments narrative:</p> <ul style="list-style-type: none"> In early 2020, the Technology Modernization Fund (TMF) Board provided EEOC with an initial tranche of \$2 million to modernize the legacy technology and data structure of our now 22-year-old IMS system. For the last two years, OIT, OFP, and SLTP worked relentlessly to define and build a modern solution to enable the agency’s Private Sector processes and the accompanying processes for its Fair Employment Practice Agency (FEPA) partners. It was a highly collaborative effort, best described by the team’s maxim that OIT was building a system with the Field, not for the Field. <p>The team held over 230 requirements workgroup meetings, requirement reviews, Field Office and FEPA Roadshows, and demonstrations in support of this program. In preparation for the go-live, the technical team evaluated, cleansed, and transformed more than thirty years of EEOC and FEPA</p>	KAIP acknowledges the efforts and accomplishments of OIT.	



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			<p>data from both prior legacy systems – IMS and CDS. The technical team also developed a secure, modern infrastructure, utilizing the Microsoft Azure identity, database, and containerized application services and platforms. As was necessary immediately after launch, the cloud-based infrastructure proved flexible and scalable to support a code base that had not undergone stress testing and optimization.</p> <p>On January 18, 2022, the new ARC system went live for 145 EEOC and FEPA offices and more than 2,000 users.</p>		
28	OIT	Rec. 5 (Plan 3 pilot projects.)	<p>OIT is generally supportive of the recommendations presented with this analysis. We do have a concern regarding undertaking recommendation #5, “[plan] at least three digital pilot projects with appropriate evaluation methods”, prior to deploying ARC to the final two domains – Litigation and Federal. One of the primary sources of funding for paying back the TMF award is the elimination of the Oracle licenses that are required for the legacy IMS system. If we are to delay work on either of the two domains, the Agency would need to seek other sources to repay the TMF in FY 2024 and beyond.</p>	<p>Given the budgetary constraints imposed by the TMF, KAIP acknowledges that deploying the Litigation and Federal domains will take precedence over deploying pilot projects.</p>	



#	Source	Report Section/ Topic	Comment	KAIP Recommendation	Edits to Report
29	OIT	Rec. 9 (Inventory and decommission outdated technologies and content.)	Recommendation #9 should be a joint OIT, OCLA, and OEDA responsibility, as OEDA provides the data set deliverables that are referenced, along with data.gov coordination, and OCLA oversees social media content and the referenced eeoc.gov links.	KAIP refers to its response to OCH's comment on Recommendation 9.	