



**Office of Inspector General**  
U.S. Equal Employment Opportunity Commission

# **Semiannual Report to the U.S. Congress**

October 1, 2019 through March 31, 2020



## **OIG VISION**

Effective, efficient and accountable oversight of Agency programs, operations, and personnel.

## **OIG MISSION**

To detect and prevent waste, fraud, and abuse and promote economy, efficiency, and effectiveness in the programs and operations of the Equal Employment Opportunity Commission.

## **Contents**

Message from the Inspector General .....	1
Executive Synopsis .....	2
Introduction .....	3
The Audit and Evaluation Program .....	5
Completed Audit, Evaluation, and Other Projects	
Planned Audit, Evaluation, and Other Projects	
Audit Follow-Up	
The Investigation Program .....	16
Investigative Inquiries Resolved	
OIG Hotline	
Closed Investigations	
Ongoing Investigative Activities	
Appendices .....	19
Appendix I.	Final OIG Audit, Evaluation, and Review Reports
Appendix II.	Investigative Statistical Report
Appendix III.	A Report on Each Investigation Conducted by the Office Involving a Senior Government Employee Where Allegations of Misconduct Were Substantiated
Appendix IV.	A Detailed Description of Any Instance of Whistleblower Retaliation
Appendix V.	A Detailed Description of Any Attempt by the Establishment to Interfere with the Independence of the Office
Appendix VI.	Detailed Description of the Particular Circumstances
Appendix VII.	Index of Reporting Requirements
Appendix VIII.	Single Audit Act Reports
Appendix IX.	Peer Review Reporting



---

## Message from the Inspector General

I am honored to present this Semiannual Report to the United States Congress for the period covering October 1, 2019, through March 31, 2020.

While I recognize that the intent of this report, pursuant to the Inspector General Act of 1978, as amended, is to inform the Congress of our office's activities for the preceding six-month period, I want to pause to acknowledge the countless Americans who have been on the front line of our fight to overcome the dreaded COVID-19 pandemic. I commend them on their valiant efforts to provide health care, deliver vital supplies, provide essential services and protection to this nation under some of the most grueling conditions many of us have ever experienced.

In this same connection, I commend the employees of the U.S. Equal Employment Opportunity Commission (EEOC), under the steady leadership of Chair Janet Dhillon, for their perseverance during these unprecedented times, in continuing to relentlessly pursue the mission of the Agency in service to the American people. Finally, I am thankful for, and proud of, the staff of the Office of Inspector General. I am thankful for their steadfast dedication to our oversight role as demonstrated by being undeterred by the challenges brought on by COVID-19 in meeting our statutory responsibilities under the Act. I am proud of our office's ability to maintain the highest state of mission readiness while enduring the pressures associated with this pandemic.

As we perform our work during the second half of FY 2020, we will continue to focus our efforts on the goal of providing findings, observations, recommendations, and various types of data to the EEOC to help inform the Agency's planning and execution of programs and operations. During this period, we will commence such initiatives as the annual audit of the EEOC's financial statements, the annual Federal Information Security Modernization Act evaluation; a performance audit of the DATA Act; and the launching of our evaluation of the EEOC's social media activities. These and other projects reflect our continued commitment to providing oversight of the EEOC by using our resources, experience, and talent to detect and prevent fraud, waste and abuse, and improve the economy and efficiency of the programs and operations of the Agency.

In closing, we extend our appreciation to Chair Dhillon, her senior leadership team, the Commissioners, and the entire EEOC staff for their continued cooperation with our office. Our thoughts and prayers are with them and the entire nation.

Respectfully submitted,

A handwritten signature in cursive script, reading "Milton A. Mayo, Jr.", is positioned below the text "Respectfully submitted,".

Milton A. Mayo, Jr.  
Inspector General



---

## Executive Synopsis

This semiannual report summarizes the OIG's activities and accomplishments for the period October 1, 2019, through March 31, 2020.

The OIG issued six audit and evaluation reports and one written advisory. The OIG resolved 435 investigative inquiries.

The OIG's completed, ongoing, and planned projects, as well as, closed and ongoing investigations include the following:

### Completed Audits, Evaluations, and Other Projects

- The public accounting firm Harper, Rains, Knight & Company, P.A. (HRK) completed the OIG's Fiscal Year 2019 Audit of EEOC's Financial Statements.
- The public accounting firm Harper, Rains, Knight & Company, P.A. (HRK) completed the Fiscal Year 2019 Management Letter providing comments and recommendations regarding internal control deficiencies.
- The public accounting firm Harper, Rains, Knight & Company, P.A. (HRK) completed a performance audit report concerning the U.S. Equal Employment Opportunity Commission's Compliance with the Digital Accountability and Transparency Act of 2014 (DATA Act) Submission Requirements for the First Quarter of Fiscal Year 2019.
- The public accounting firm Brown & Company CPAs and Management Consultants, PLLC, completed the OIG's Federal Information Security Modernization Act of 2014 (FISMA) Fiscal Year 2019 Performance Audit.
- The Center for Organizational Excellence, Inc. (COE) completed an evaluation of the EEOC Federal Hearings and Appeals Processes.
- The OIG issued an evaluation report concerning the EEOC's Contracts Administration Activities.
- The OIG issued a written advisory to the Chair, validating the Agency's compliance with the Federal Managers' Financial Integrity Act.

### Planned Audits, Evaluations, and Other Projects

- The OIG plans to commence a program evaluation of EEOC's social media activities during the fourth quarter of FY 2020.

### Closed Investigations

- The OIG closed a complaint involving the possible release of personally identifiable information by an EEOC employee.
- The OIG closed a preliminary investigation into a harassment complaint filed by an Agency employee.

### Ongoing Investigations

- Conflicts of interest by Agency employees.
- The investigation of possible misuse of position by EEOC employees engaged in obtaining information on individuals from an Agency information system.
- The investigation of an allegation of misuse of the Agency seal by a private company.



---

## Introduction

### The Equal Employment Opportunity Commission

The Equal Employment Opportunity Commission (EEOC) is the Federal agency responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), disability or genetic information.

The EEOC is a bipartisan commission comprised of five presidentially-appointed members, including the Chair<sup>1</sup>, Vice-Chair, and three Commissioners. The Chair is responsible for the administration and implementation of policy and the financial management and organizational development of the Commission. The Commissioners participate equally in the development and approval of Commission policies, issue charges of discrimination where appropriate, and authorize the filing of some lawsuits. In addition to the Commissioners, the President appoints a General Counsel to support the Commission and provide direction, coordination, and supervision to the EEOC's litigation program.

### The EEOC Office of Inspector General

The U.S. Congress established the Office of Inspector General (OIG) at the EEOC through the 1988 amendments to the Inspector General Act of 1978. These amendments expanded the authority of designated Federal entities to create independent and objective OIGs. Under the direction of the Inspector General (IG), the OIG meets this statutory responsibility by conducting and supervising audits, evaluations, and investigations relating to the Agency's programs and operations.

The IG provides overall direction, coordination, and leadership to the OIG. The IG is the principal advisor to the Chair regarding all audit, evaluation, and investigative matters relating to the prevention, identification, and elimination of fraud, waste, and abuse in any EEOC program or operation. The IG strives to ensure the effectiveness and efficiency of Agency programs and activities and recommends the proper boundaries of audit and investigative jurisdiction between the OIG and other EEOC organizations. The IG also develops a separate and independent annual budget for the OIG, responds directly to inquiries from the public, the U. S. Congress, the news media, and prepares press releases, statements, and other information about the OIG's activities.

The Deputy Inspector General (DIG) serves as the IG's alter ego and participates fully in policy development and execution. The DIG is the second-line supervisor for the OIG's audit and evaluation program activities; and has primary supervisory responsibility for the investigation and information technology programs.

---

<sup>1</sup> Editor's Correction: In the OIG's previous Semiannual Report to the U.S. Congress, the OIG stated that the Honorable Janet Dhillon was sworn-in on May 8, 2019, to serve as the Chair of the EEOC. This statement was incorrect. Chair Dhillon was confirmed on May 8, 2019, and sworn-in on May 15, 2019.



---

The Counsel to the Inspector General is the sole legal advisor for the OIG, providing day-to-day supervision of the OIG's investigative work and is the primary liaison with Agency legal components and the U. S. Department of Justice. Since January 2010, the Counsel to the Inspector General has served as the Acting Deputy Inspector General.

The Assistant Inspector General for Audit and Evaluation (AIGA&E) has oversight of the audit and evaluation program.

The OIG's non-supervisory staff positions include a chief technology officer, a senior and staff evaluator, a staff auditor, two criminal investigators, a confidential support assistant, and an administrative specialist.



## The Audit and Evaluation Program

*The Audit and Evaluation Program supports the OIG's strategic goal of improving the economy, efficiency, and effectiveness of EEOC programs, operations, and activities.*

### Completed Audits, Evaluations, and Other Projects

#### **Performance Audit of the Equal Employment Opportunity Commission's Compliance with the Digital Accountability and Transparency Act of 2014 (DATA Act) Submission Requirements for the First Quarter of Fiscal Year 2019 (OIG Report No. 2019-003-AOIG)**

On November 8, 2019, the OIG issued a performance audit report on the U.S. Equal Employment Opportunity Commission's Compliance with the Digital Accountability and Transparency Act of 2014 (DATA Act) Submission Requirements for the First Quarter of Fiscal Year 2019. The OIG contracted with the public accounting firm Harper, Rains, Knight & Company, P.A. (HRK) to perform the audit. The audit disclosed that EEOC's Fiscal Year 2019 first quarter submission was substantially complete, accurate, and timely; and that the Agency's data was considered of high quality.

HRK recommended that:

- EEOC enhance its current DATA Act internal control procedures over the reliability and validity of its DATA Act submission by ensuring the Agency meets all aspects of Office of Management and Budget (OMB) M-17-04, including documentation of all work performed to ensure data alignment.

#### **Audit of the Equal Employment Opportunity Commission's Fiscal Year 2019 Financial Statements (OIG Report No. 2019-002-AOIG)**

On November 19, 2019, the OIG issued a performance audit report on the Fiscal Year 2019 Audit of EEOC's Financial Statements. The report was prepared by the public accounting firm Harper, Rains, Knight & Company, P.A. (HRK). The audit disclosed that EEOC's financial statements were presented fairly in all material respects. It also found that EEOC's financial position (as of September 30, 2019 and 2018), its net cost of operations, changes in net position, and budgetary resources for the fiscal years then ended were in accordance with accounting principles generally accepted in the United States of America.



---

---

## **Management Letter Report for Fiscal Year 2019 Financial Statement Audit (OIG Report No. 2019-005-AOIG)**

On December 17, 2019, the OIG issued the Fiscal Year 2019 Management Letter prepared by the public accounting firm, Harper, Rains, Knight & Company, P.A. (HRK), to the EEOC, identifying internal control deficiencies over undelivered orders.

HRK tested a sample of 26 Undelivered Orders and noted the following exceptions:

- Two purchase orders listed as an undelivered order have been fully delivered and should be de-obligated, therefore no longer having a balance as of September 30, 2019. The balance of these exceptions is \$6,029.
- One purchase order listed as an undelivered order could not be completely substantiated with audit evidence. The balance of this exception is \$29,804.

HRK recommended EEOC ensure the existing policy in place is followed, and documentation of the process is reviewed by the Chief Financial Officer or designee on a quarterly basis.

## **Federal Information Security Modernization Act of 2014 (FISMA) Fiscal Year 2019 Performance Audit (OIG Report No. 2019-004-AOIG)**

On February 20, 2020, the OIG issued a performance audit report of the Federal Information Security Modernization Act of 2014 (FISMA) Fiscal Year 2019 Performance Audit. The OIG contracted with the public accounting firm Brown & Company CPAs and Management Consultants, PLLC (Brown & Company), to perform the performance audit.

Brown & Company concluded that EEOC's information security program is substantially compliant with the FISMA legislation and applicable OMB guidance. The firm identified four areas that can be improved:

- OIT needs to monitor security controls over SharePoint.
- OIT needs to remediate internal vulnerabilities on its network.
- OIT needs to enforce its mobile device management compliance policies.
- OIT needs to develop an action plan to address the Strengthening and Enhancing Cyber-capabilities by Utilizing Risk Exposure (SECURE) Technology Act requirements.



---

## **Evaluation of the Equal Employment Opportunity Commission's Contracts Administration Activities (OIG Report Number 2019-001- EOIG)**

On March 11, 2020, the OIG issued an evaluation report regarding the Agency's contracts administration activities.

The evaluation concluded that EEOC's Acquisition Services Division (ASD) has adequately implemented its contract administration process. It identified five recommendations to improve EEOC's contracts administration activities:

- Office of Chief Financial Officer (OCFO) should review and update the Contract File Content Checklist to reflect current documents maintained in the file.
- ASD should establish a mechanism to provide oversight of contracting officer's representatives (CORs) to ensure compliance with documentation requirements consistent with the FAR and agency policy.
- ASD should review and update the COR Appointment Letter as needed and specifically address the maintenance of electronic contract files.
- OCFO should revise EEOC Order 360.001 as needed to assist CORs in performing their duties and include implementation guidance for contract administration activities, such as submitting contract modifications.
- OCFO should develop a mechanism to ensure that CORs are notified when invoices are ready for their review, including reminder notifications when invoices remain in the system longer than five days.

## **EEOC Federal Hearings and Appeals Processes (OIG Report No. 2018-001-EOIG)**

On March 30, 2020, the OIG issued an evaluation report of the EEOC Federal Hearings and Appeals Processes. The OIG contracted with The Center for Organizational Excellence, Inc. (COE) to perform the evaluation.

The objective of this evaluation was to help the EEOC improve the efficiency and effectiveness of its Federal hearings and appeals processes. The evaluation contained the following 14 recommendations in the areas of handbooks and procedures, organizational structures in District and Field Offices, reporting and tracking needs, and the appeals intake process:

- Ensure all major processes and procedures are documented accurately and reviewed on an annual basis.
- Standardize on-boarding activities and training programs required for new Administrative Judges (AJs) and other staff working at the District and Field offices, so that the Federal hearings experience is consistent for both complainants and agencies across offices.
- Ensure future process changes are implemented according to change management best practices noted by the Government Accountability Office (GAO).
- Standardize organizational structures used in the District and Field offices to include all resources required for major tasks.
- Standardize the role of the administrative support for all District and Field offices.



- Evaluate availability of resources dedicated to Alternative Dispute Resolution (ADR) per office and determine if the agreement between EEOC and the Federal Mediation and Conciliation Service (FMCS) would provide enough mediation support for the District and Field offices.
- Office of Information Technology (OIT), in partnership with Office of Field Programs (OFP) and Office of Federal Operations (OFO), should re-evaluate Integrated Mission System (IMS) requirements, and requirements for the framework of its successor system, to determine what additional reporting functionalities are needed in order to analyze data about staff and office productivity.
- OIT developers should meet directly with software users, such as OFO attorneys and supervisory attorneys and OFP AJs and Supervisory AJs (SAJ) to determine additional requirements.
- OIT should explore the inclusion of additional codes, events, and activities required in IMS tracking for specific user needs (e.g., monitoring Pilot Projects).
- OFO and OFP, in partnership with OIT, should consider development of an IMS training guide or document that is consistently updated and reviewed following upgrades, enhancements or modifications of software.
- Examine the staffing model of the appeals intake process to determine if the dedicated resources are sufficient for ensuring processes are completed in a timely manner.
- Examine whether full appeals packets from agencies and complainants can be submitted electronically so that OFO can drive agency compliance with the requirement to submit digital files and consider eliminating compact discs (CDs) and paper records as avenues for submitting documentation.
- Assign a target amount of days for intake so that management can determine if changes implemented impact the efficiency of the process.
- Evaluate and assess timeline improvement after the use of the new contractors. If significant improvements are verified by data, consider improvements to the ongoing staffing model and the possible addition of these contractor positions as permanent roles.

### **Fiscal Year 2019 Agency Compliance with the Federal Managers' Financial Integrity Act (OIG Report No. 2020-001-SOIG)**

On November 14, 2019, the OIG issued a written advisory to the EEOC Chair, validating the Agency's compliance with the Federal Managers' Financial Integrity Act (FMFIA). FMFIA, as well as the Office of Management and Budget's (OMB) Circular No. A-123, Management's Responsibility for Enterprise Risk Management and Internal Control establish specific requirements for management controls. EEOC Order 195.001, Internal Control Systems, requires the Office of Inspector General (OIG) to annually provide a written advisory to the Chair on whether the management control evaluation process complied with OMB guidelines.

Based on the OIG's review, the Agency's management control evaluation process was conducted in accordance with applicable guidance.



---

## **Planned Audits, Evaluations, and Other Projects**

### **Evaluation of EEOC's Social Media Activities**

The OIG plans to commence a program evaluation of EEOC's social media activities. The purpose of the evaluation is to assess the EEOC's management of its most important social media activities and provide the Chair, Office of Communications and Legislative Affairs, and other offices performing or planning to perform significant social media activities, with useful recommendations for improving the management of social media.

The OIG plans to begin work on this evaluation during the fourth quarter of Fiscal Year 2020.



---

## Audit Follow-Up

Audit Follow-Up is an integral part of effective management and is a shared responsibility of agency management officials and auditors. Corrective action taken by management to resolve findings and recommendations is essential to improving the effectiveness and efficiency of Agency operations.

Section 5(a)(1) of the Inspector General Act of 1978, as amended, requires that semiannual reports include a summary description of significant problems, abuses, and deficiencies relating to the Agency's administration of programs and operations disclosed by the OIG during the reporting period. The OIG issued **four** audit and **two** evaluation reports during this reporting period (October 1, 2019– March 31, 2020). Five of those reports contained findings and recommendations.



## Audit and Evaluation Reports Issued During This Reporting Period

Fiscal Year	Report Number	Report Title	Date Issued	Recommendations
2020	2019-003-AOIG	Performance Audit of the U.S. Equal Employment Opportunity Commission's Compliance with the Digital Accountability and Transparency Act of 2014 (DATA Act) Submission Requirements for the First Quarter of Fiscal Year 2019	11/8/2019	Yes
2020	2019-002-AOIG	Audit of the Equal Employment Opportunity Commission's Fiscal Year 2019 Financial Statements	11/19/2019	No
2020	2019-005-AOIG	Management Letter Report for Fiscal Year 2019 Financial Statement Audit	12/17/2019	Yes
2020	2019-004-AOIG	Federal Information Security Modernization Act of 2014 (FISMA) Fiscal Year 2019 Performance Audit	2/20/2020	Yes
2020	2019-001-EOIG	Evaluation of the Equal Employment Opportunity Commission's Contracts Administration Activities	3/11/2020	Yes
2020	2018-001-EOIG	EEOC Federal Hearings and Appeals Processes	3/30/2020	Yes



## Recommendations for Which Corrective Actions Have Not Been Completed

As required by Section 5(a)(3) of the Inspector General Act of 1978, as amended, semiannual reports shall provide an identification of each significant recommendation described in previous semiannual reports for which corrective action has not been completed. The OIG is reporting a total of **seven** audit and evaluation reports with a total of **sixteen** open recommendations for this reporting period. The following table shows those recommendations for which corrective actions have not been completed.

Fiscal Year	Report Number	Report Name	Date Issued
2019	2018-007-AOIG	FY 2017 and FY 2018 Performance Audit of the U.S. Equal Employment Opportunity Commission Commercial Charge Card Program (OIG Report No. 2018-007-AOIG)	5/31/2019
1. We recommend that the Office of the Chief Financial Officer of the U.S. Equal Employment Opportunity Commission enhance the documentation, monitoring, and enforcement of its controls over the closure of charge card accounts.			
Fiscal Year	Report Number	Report Name	Date Issued
2019	2018-004-AOIG	U.S. Equal Employment Opportunity Commission Federal Information Security Modernization Act of 2014 (FISMA Fiscal Year 2018 Independent Evaluation	3/6/2019
1. We recommend the OIT review and remediate critical-risk, high-risk and moderate-risk vulnerabilities. These vulnerabilities should be resolved to avoid compromise to EEOC's systems; or the Agency should document acceptance of the risk or reclassification of the risk.			
2. We recommend the OIT employ an automated mechanism that ensures sensitive PII is encrypted on removable mobile media.			
3. We recommend the OCHCO and OIT conduct a baseline assessment of the EEOC's cybersecurity workforce that includes (1) the percentage of personnel with IT, cybersecurity, or other cyber-related job functions who hold certifications; (2) the level of preparedness of other cyber personnel without existing credentials to take certification exams; and (3) a strategy for mitigating any gaps identified with appropriate training and certification for existing personnel.			



<b>Fiscal Year</b>	<b>Report Number</b>	<b>Report Name</b>	<b>Date Issued</b>
<b>2018</b>	<b>2017-007-AOIG</b>	<b>Independent Evaluation of the U.S. Equal Employment Opportunity Commission's Compliance with Provisions of the Federal Information Security Modernization Act of 2014 (FISMA)</b>	<b>12/18/2017</b>
<ol style="list-style-type: none"> <li>1. We recommend the OIT implement an automated solution to provide a centralized, enterprise-wide view of risk across the agency.</li> <li>2. EEOC should develop a Trusted Internet Connection (TIC) program that meets OMB requirements to improve the agency's security posture.</li> <li>3. EEOC OIT conduct an e-authentication risk assessment based on NIST SP 800-63-3 Digital Identity Guidelines suite, for EEOC's digital services, and fully implement multifactor authentication for logical and remote access enterprise-wide. (Repeat finding since FY 2008)</li> </ol>			
<b>Fiscal Year</b>	<b>Report Number</b>	<b>Report Name</b>	<b>Date Issued</b>
<b>2018</b>	<b>2017-002-EOIG</b>	<b>Evaluation of the EEOC's Data Analytics Activities</b>	<b>9/5/2018</b>
<ol style="list-style-type: none"> <li>1. Consider new approaches, such as web-enabled and cloud-based solutions, to support expanding IT infrastructure needs of both the analytics team as well as analytical product users.</li> <li>2. Establish a data warehouse to address data retention, versioning, and reporting needs.</li> <li>3. Invest in the generation of new metrics that quantify opportunity costs and corresponding benefits of data collection and data assurance.</li> </ol>			
<b>Fiscal Year</b>	<b>Report Number</b>	<b>Report Name</b>	<b>Date Issued</b>
<b>2017</b>	<b>2016-008-EOIG</b>	<b>Independent Evaluation of the U.S. Equal Employment Opportunity Commission's Compliance with Provisions of the Federal Information Security Modernization Act of 2014 (FISMA)</b>	<b>1/4/2017</b>
<ol style="list-style-type: none"> <li>1. EEOC OIT should review and analyze critical, high, and medium vulnerabilities. These vulnerabilities should be resolved to avoid compromise of EEOC's systems; or the agency should document acceptance of the risk or reclassification of the risk.</li> </ol>			



Fiscal Year	Report Number	Report Name	Date Issued
2015	2014-008-EOIG	Independent Evaluation of U. S. Equal Employment Opportunity Commission Compliance with Provisions of the Federal Information Security Management Act of 2002	12/16/2014
<ol style="list-style-type: none"> <li>1. Development of policies and procedures to properly manage physical security access cards.</li> <li>2. EEOC update its personnel policy and procedures requiring screening and background checks for all individuals having access to information systems and information as defined by NIST SP 800-53, Rev. 4, <i>Security and Privacy Controls for Federal Information Systems and Organizations</i>, PS-3 Personnel Screening. The agency should ensure all individuals are processed through the E-Verify program, and no exception exists for those who have previously been verified by a third-party.</li> </ol>			
Fiscal Year	Report Number	Report Name	Date Issued
2014	2013-008-PSA	Performance Audit of the Agency's Personnel Security Program	9/15/14
<ol style="list-style-type: none"> <li>1. Immediately correct any known weaknesses. If EEOC determines not to correct a noted weakness, EEOC should document this analysis and their acceptance of the associated risk.</li> <li>2. Implement a formalized training program for individuals who use classified information as a part of their duties. If an external agency is to assume the responsibility of training these individuals, this agreement should be documented in an MOU.</li> <li>3. Develop and implement policies and procedures to address the safeguarding, transfer, storage, or disposal of classified information. The policy should include the requirements for Memorandums of Understanding between agencies.</li> </ol>			



## Recommendations for Which Corrective Actions Have Not Been Completed

As required by Section 5(a)(10) of the Inspector General Act of 1978, as amended, semiannual reports must include a summary of each audit report issued before the start of the reporting period for which no management decision has been made by the end of the reporting period.

The OIG has **no** audit or evaluation reports that were issued before the reporting period began for which no management decision has been made.

Fiscal Year	Number of Reports with Unimplemented Recommendations (such as report title, report number, hyperlink to report, etc.)	Number of Unimplemented Recommendations	Dollar Value of Aggregate Potential Cost Savings	For which no establishment comment was returned within 60 days of providing the report to the establishment
2020	0	0	0	N/A



## The Investigation Program

*The Investigation Program supports the OIG's strategic goal to focus limited investigative resources on issues that represent the greatest risk and offer the maximum opportunity to detect and prevent fraud, waste, and abuse in EEOC programs and operations.*

### Investigative Inquiries Resolved

Investigative Inquiries Resolved October 1, 2019 – March 31, 2020	
Allegations	Number
Charge Processing	193
Other Statutes	71
Title VII	38
Mismanagement	26
Ethics Violations	23
Backgrounds	11
Theft	7
Threats	15
Fraud	27
Other Criminal Allegations	24
<b>Total</b>	<b>435</b>



---

## **OIG Hotline**

The OIG Hotline exists to enable EEOC employees, EEOC contractors, and the public to have direct and confidential contact with the OIG. We do not investigate every hotline complaint we receive. The OIG hotline complaints are evaluated on specific criteria, including the merits of the allegation, the availability of evidence, and the priorities, commitments, and resources of the OIG. Hotline complaints may be closed following an initial assessment of the allegations which reveals the allegations to be factually unsubstantiated, lacking information to proceed, or pending resolution.

It should also be noted that some complaints are outside the jurisdiction of the OIG. The OIG frequently receives reports and allegations which are misdirected complaints/inquiries that should be routed to other EEOC offices, other federal agencies, or to other law enforcement agencies, or other state or local government entities. Reviewing and responding to these reports and allegations can entail a significant amount of staff time and effort. In these instances, OIG personnel strive to provide excellent customer service and provide the complainant with the appropriate contact information for the entity that may address his/her needs. The complaint/inquiry may be redirected and sent to the appropriate office or agency directly from the OIG.

## **Closed Investigations**

### **Distribution of Personally Identifiable Information (PII)**

The OIG received a complaint involving the possible release of Personally Identifiable Information (PII) in an Agency district office. The preliminary investigation revealed that the PII was sent from an official EEOC email account to a member of the public. The OIG investigated and determined that the person to whom the email was forwarded was authorized to receive the PII. The investigation also determined that the Office of Information Technology took appropriate action in monitoring and attempting to mitigate the potential release of the PII. The OIG closed the matter.

### **Harassment**

The OIG conducted a preliminary investigation into a harassment complaint filed by an EEOC employee. The complainant alleged the harassment resulted from a charging party sending unwanted and excessive emails to the employee, unrelated to any cases or other official EEOC matters. The OIG investigated and determined that the charging party did not violate any federal laws or statutes. The OIG advised the EEOC employee of possible recourse they could seek from state-level law enforcement. The Agency's Office of Information Technology instituted security controls to diminish the number of unwanted emails from the complainant. The OIG closed the matter.



---

## Ongoing Investigative Activity

OIG's ongoing investigative activities include, but are not limited to the following allegations:

- Conflicts of interest by Agency employees.
- The investigation of possible misuse of position by EEOC employees engaged in obtaining information on individuals from an Agency information system.
- The investigation of an allegation of misuse of the Agency seal by a private company.



## Appendices

### Appendix I.

#### Final OIG Audit and Evaluation Reports

Report Title	Date Issued	Questioned Costs	Funds Put to Better Use	Unsupported Costs
Performance Audit of the U.S. Equal Employment Opportunity Commission's Compliance with the Digital Accountability and Transparency Act of 2014 (DATA Act) Submission Requirements for the First Quarter of Fiscal Year 2019	11/8/2019	0	0	0
Audit of the U.S. Equal Employment Opportunity Commission's Fiscal Year 2019 Financial Statements	11/19/2019	0	0	0
Management Letter Report for FY 2019 Financial Statement Audit	12/17/2019	0	0	0
Federal Information Security Modernization Act of 2014 (FISMA) Fiscal Year 2019 Performance Audit	2/20/2020	0	0	0
Evaluation of the U.S. Equal Employment Opportunity Commission's Contracts Administration Activities	3/11/2020	0	0	0
EEOC Federal Hearings and Appeals Processes	3/30/2020	0	0	0



---

## Appendix II.

### Investigative Statistical Report

Report Title	Number
Total number of investigative reports	0
Total number of persons referred to the Department of Justice for criminal prosecution during the reporting period	0
Total number of persons referred to State and local prosecuting authorities for criminal prosecution during the reporting period	0
Total number of indictments and criminal information during the reporting period that resulted from any prior referral to prosecuting authorities	0



---

### Appendix III.

#### A Report on Each Investigation Conducted by the Office Involving a Senior Government Employee Where Allegations of Misconduct Were Substantiated.

**Report Name:** N/A      **Report Number** N/A      **Date Issued** N/A

<b>Facts and circumstances of the investigation</b>	<b>(B) the status and disposition of the matter, including- (i) if the matter was referred to the Department of Justice, the date of the referral; and (ii) if the Department of Justice declined the referral, the date of the declination</b>
N/A	N/A

### Appendix IV.

#### A Detailed Description of Any Instance of Whistleblower Retaliation.

<b>Information about the official found to have engaged in retaliation</b>	<b>Consequences the establishment imposed to hold that official accountable</b>
N/A	N/A



## Appendix V.

### A Detailed Description of Any Attempt by the Establishment to Interfere With the Independence of the Office.

Issue	Description
With budget constraints designed to limit the capabilities of the Office	N/A
Incidents where the establishment has resisted or objected to oversight activities of the Office or restricted or significantly delayed access to information, including the justification of the establishment for such action	N/A

## Appendix VI.

### Detailed Descriptions of the Particular Circumstances.

Issue	Description
Inspection, evaluation, and audit conducted by the Office that is closed and was not disclosed to the public	N/A
Investigation conducted by the Office involving a senior Government employee that is closed and was not disclosed to the public	N/A



## Appendix VII.

### Index of Reporting Requirements

<b>Inspector General Act Citation</b>	<b>Reporting Requirements</b>	<b>Page</b>
Section 4(a)(2)	Review of Legislation and Regulations	N/A
Section 5(a)(1)	Significant Problems, Abuses, and Deficiencies	10-11
Section 5(a)(2)	Recommendations with Respect to Significant Problems, Abuses, and Deficiencies	5-8
Section 5(a)(3)	Significant Recommendations Included in Previous Reports on Which Corrective Action Has Not Been Completed	12-14
Section 5(a)(4)	Matters Referred to Prosecutorial Authorities	N/A
Section 5(a)(5)	Summary of Instances Where Information Was Refused	N/A
Section 5(a)(6)	List of Audit Reports	11
Section 5(a)(7)	Summary of Significant Reports	5-8
Section 5(a)(8)	Questioned and Unsupported Costs	19
Section 5(a)(9)	Recommendations That Funds Be Put to Better Use	19
Section 5(a)(10)	Summary of each audit report, inspection reports, and evaluation reports issued before the commencement of the reporting period:  (A) for which no management decision has been made by the end of the reporting period (including the date and title of each such report), an explanation of the reasons such management decision has not been made, and a statement concerning the desired timetable for achieving a management decision on each such report;	15



	<p>(B) for which no establishment comment was returned within 60 days of providing the report to the establishment; and</p> <p>(C) for which there are any outstanding unimplemented recommendations, including the aggregate potential cost savings of those recommendations.</p>	
Section 5(a)(11)	Significant Management Decisions That Were Revised During the Reporting Period	N/A
Section 5(a)(12)	Significant Management Decisions with Which the Office of Inspector General Disagreed	N/A
Section 5(a)(17)	<p>Statistical tables showing:</p> <p>(A) the total number of investigative reports issued during the reporting period;</p> <p>(B) the total number of persons referred to the Department of Justice for criminal prosecution during the reporting period;</p> <p>(C) the total number of persons referred to State and local prosecuting authorities for criminal prosecution during the reporting period; and</p> <p>(D) the total number of indictments and criminal information during the reporting period that resulted from any prior referral to prosecuting authorities.</p>	20
Section 5(a)(19)	<p>A report on each investigation conducted by the Office involving a senior Government employee where allegations of misconduct were substantiated, including a detailed description of:</p> <p>(A) the facts and circumstances of the investigation; and</p> <p>(B) the status and disposition of the matter, including:</p> <p>(i) if the matter was referred to the Department of Justice, the date of the referral; and</p> <p>(ii) if the Department of Justice declined the referral, the date of the declination.</p>	21



Section 5(a)(20)	A detailed description of any instance of whistleblower retaliation, including information about the official found to have engaged in retaliation and what, if any, consequences the establishment imposed to hold that official accountable.	21
Section 5(a)(21)	A detailed description of any attempt by the establishment to interfere with the independence of the Office, including: (A) with budget constraints designed to limit the capabilities of the Office; and (B) incidents where the establishment has resisted or objected to oversight activities of the Office or restricted or significantly delayed access to information, including the justification of the establishment for such action.	22
Section 5(a)(22)	Detailed descriptions of the particular circumstances of each:  (A) inspection, evaluation, and audit conducted by the Office that is closed and was not disclosed to the public; and (B) investigation conducted by the Office involving a senior Government employee that is closed and was not disclosed to the public.	22



---

## **Appendix VIII.**

### **Single Audit Act Reports**

The Single Audit Act Amendments of 1996 (Single Audit Act) were enacted to streamline and improve the effectiveness of audits of federal awards expended by states, local governments, and not-for-profit entities.

During the reporting period, the OIG received no audit reports issued by public accounting firms concerning Fair Employment Practice Agencies that have work-sharing agreements with EEOC.

## **Appendix IX.**

### **Peer Review Reporting**

Inspectors General are required to include their peer review results as an appendix in semiannual reports to Congress in accordance with Section 989C of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

The National Endowment for the Arts (NEA) conducted a peer review of the OIG's audit function system of quality controls. NEA's peer review covered the period ending March 31, 2017, and issued its report on September 19, 2017. OIG received a Modified Opinion that the audit function policies and procedures were current and consistent with applicable professional standards. The peer review report did not include any recommendations.



# Office of Inspector General

Equal Employment Opportunity Commission



## Contact Us

The Office of Inspector General is at the forefront of the Nation's efforts to fight waste, fraud and abuse in EEOC programs and operations. If your question refers to programs that are not part of EEOC you can find contacts for all Federal agencies on the USA.gov website's [Index of U.S. Departments and Agencies](#).



To Hotline by telephone:  
Toll-free 1-800-849-4230



For general inquiries, please visit:  
[HTTPS://OIG.EEOC.GOV/CONTACT](https://oig.eeoc.gov/contact)

To electronically report fraud, waste, abuse, and potential wrong-doing please visit:  
[HTTPS://OIG.EEOC.GOV/HOTLINE](https://oig.eeoc.gov/hotline)



For written inquiries, please send mail to:  
Equal Employment Opportunity Commission  
Office of Inspector General  
PO Box 77067  
Washington, DC 20013-7067

**Your identity when contacting the OIG is fully protected and confidential**