



Evaluation of EEOC's Outreach and Education

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Executive Summary

The Office of Inspector General at the US Equal Employment Opportunity Commission (EEOC) contracted with the Urban Institute to provide an evaluation of EEOC's Outreach and Education activities from a broad perspective. The five-month evaluation would provide a broad overview examining EEOC's outreach and education efforts and, where appropriate, suggest areas where EEOC might improve its effectiveness or efficiency.

The evaluation relied on two sources to build its findings and conclusions: a series of interviews with key staff involved in outreach and education and an examination of relevant documents (see appendix A). Those interviewed included staff at EEOC headquarters, staff at EEOC district and field offices, representatives from a few FEPA-partner state agencies, one interview with the outreach and education office at the US Department of Housing and Urban Development (HUD) and three interviews with the staff working on outreach at the Department of Labor. In addition to the document review, we examined the EEOC website as well as EEOC's social media presence on Facebook, Twitter, and YouTube.

We found that EEOC performs a significant amount of outreach and education. Although we did not interview all staff in the agency, those we spoke with, identified many different staff both at EEOC headquarters, and in the district and field offices who conduct outreach and education. EEOC's outreach and education is diffused throughout the different offices of EEOC. The primary outreach and education responsibilities fall within the Office of Field Programs. Nineteen program analysts (who are spread among the 15 district offices) conduct and organize a significant portion of EEOC's outreach and education. Many other staff, including regional attorneys, investigators, legal counsel, and attorneys both at EEOC headquarters offices and in district and field offices, participate in presentations and events that occur throughout the year.

EEOC's outreach includes both free and fee-based presentations, the latter relying on the revolving fund, which supports the efforts of EEOC's Training Institute. The Training Institute is located in the Office of Field Programs (OFP), though a substantial portion of fees comes from training federal employees in the Office of Federal Operations (OFO). Through EEOC's revolving fund, district offices organize technical assistant program seminars (TAPS) and other customer specific trainings (CSTs). These are specialized training and education programs that provide practical guidance to private employers and government agencies. Each district is responsible for one or two TAPS each year; sessions are held in cities within the district boundaries.

The Office of Federal Operations is responsible for outreach and education to federal agencies. Federal equal employment opportunity (EEO) investigators and EEO counselors are required to attend 32 hours of

initial training. Existing staff are required to take eight hours of EEO refresher training each year whether through EEOC or another organization.

EEOC's primary audience includes (a) workers; (b) employers, unions and employment agencies; and (c) advocacy groups for either of these audiences. Another common audience is lawyers who help enforce EEO laws. In effect, EEOC's audiences include all adult members of the public and youth nearing the time they are likely to be seeking employment.

Major Findings

Many respondents throughout EEOC field and district offices and within EEOC headquarters were encouraged by EEOC's outreach and education efforts. Respondents in the Office of General Counsel (OGC), OFP and the district offices and field offices thought highly of the work of the district office program analysts. The program analysts doing outreach and education represent one of the greatest strengths of EEOC's outreach and education.

We found that the fragmentation and diffused outreach and education efforts at EEOC limit the potential effectiveness of EEOC's outreach and education. Responsibilities for outreach and education are spread throughout EEOC's headquarters offices, and are shared with the district and field offices.

Our interviews with Fair Employment Practice Agencies (FEPAs) revealed they also conduct a significant amount of local outreach and education. Their outreach and education efforts are not generally funded through EEOC, though EEOC has previously provided a small amount of money to provide some outreach and education. Respondents in FEPAs suggested they would like to do more, but they often operate on limited budgets that restrict their outreach and education efforts.

EEOC could benefit from improved external communication. Respondents in the Office of Communications and Legislative Affairs (OCLA) indicated that EEOC does not have a strategic communications plan. It is, however, being developed. OCLA prioritized other important guidance, primarily focusing its efforts on creating uniformity for press releases and providing social media guidance for EEOC staff. These initiatives provide vital building blocks to successful communications, but they should not replace efforts to build a strategic communications plan.

EEOC's current communications content seems to be heavy on punishment and enforcement. It might be beneficial to emphasize the benefits of fair and inclusive work environments. Know-your-rights messaging or a know-your-responsibilities campaign could inform many audiences while promoting a positive, empowering message. Additionally, EEOC does not have a well-recognized human face, unlike

other government agencies such as the US Department of Justice and HUD. The heads of these other agencies are generally known among the public and can help communicate content and important points of emphasis. It is harder for the public to connect with an organization without a public face.

EEOC's website is difficult to navigate and the information might be difficult to understand for some audiences, specifically information for employees. Our review of the website revealed outdated outreach and education event information. Multiple respondents in many of EEOC's offices (including the district and field offices) suggested EEOC improve the website. Our interviews with OCLA indicate that plans are underway to update the website and make it more accessible; this kind of change requires a large investment and needs to be done thoughtfully.

To help guide their efforts, EEOC and the district offices developed enforcement priorities to help target their outreach and education efforts. EEOC, in collaboration with the district offices, developed a Strategic Enforcement Plan (SEP) that guides the overall agency's enforcement and outreach and education efforts. Additionally, in coordination with each district office, EEOC further refined the Strategic Enforcement Plan by creating District Complement Plans (DCP) to help focus each district's enforcement and outreach and education work. Though these documents help identify audiences for outreach and education, respondents in the field suggested the DCPs were largely developed based on observations from field staff. The Commission, with input from district and field offices, developed the Strategic Enforcement Plan. A gap in priority setting at the district and field level was that the staff from the districts we talked to did not look at charge data in a systematic way to help develop their priority areas for outreach and education activities.

Because the agency has not measured its outreach and education outcomes, it was difficult to determine the extent that their efforts might have been successful. Most of our respondents were optimistic about EEOC's outreach and education efforts: they said that the efforts were successful, but respondents were unable to point to specific evidence other than anecdotes to prove the success of the efforts.

To help illustrate the relationships between outreach and education activities and the outcomes we developed a logic model for EEOC's outreach and education (figure ES. 1).

There is no focus on the extent to which EEOC's activity "outputs" provide insight into the effectiveness of EEOC's outreach and education. District offices do not systematically examine information on patterns and trends in the characteristics of charges received. They, therefore, miss the opportunity both to strengthen local priority setting and to get feedback on the success of local outreach and education efforts. EEOC should also conduct a more robust examination of the final outcomes for outreach and education.

When feasible, EEOC measures the number of attendees at trainings or events, but this is not a measure that is reported on in their strategic plan. For some events, offices seek participant feedback through surveys. However, follow-up is not conducted after events to determine which information and content was used by participants in the weeks and months following the event.

EEOC measures the number of its strategic partnerships as a part of their strategic plan. EEOC does not systematically evaluate its partners for effectiveness. One respondent from our four interviews in EEOC's district and field offices said they record referrals from strategic partners on incoming complaints. Our other interviews with the district and field offices found no other evidence of attempts to track interactions with strategic partners.

Recommendations

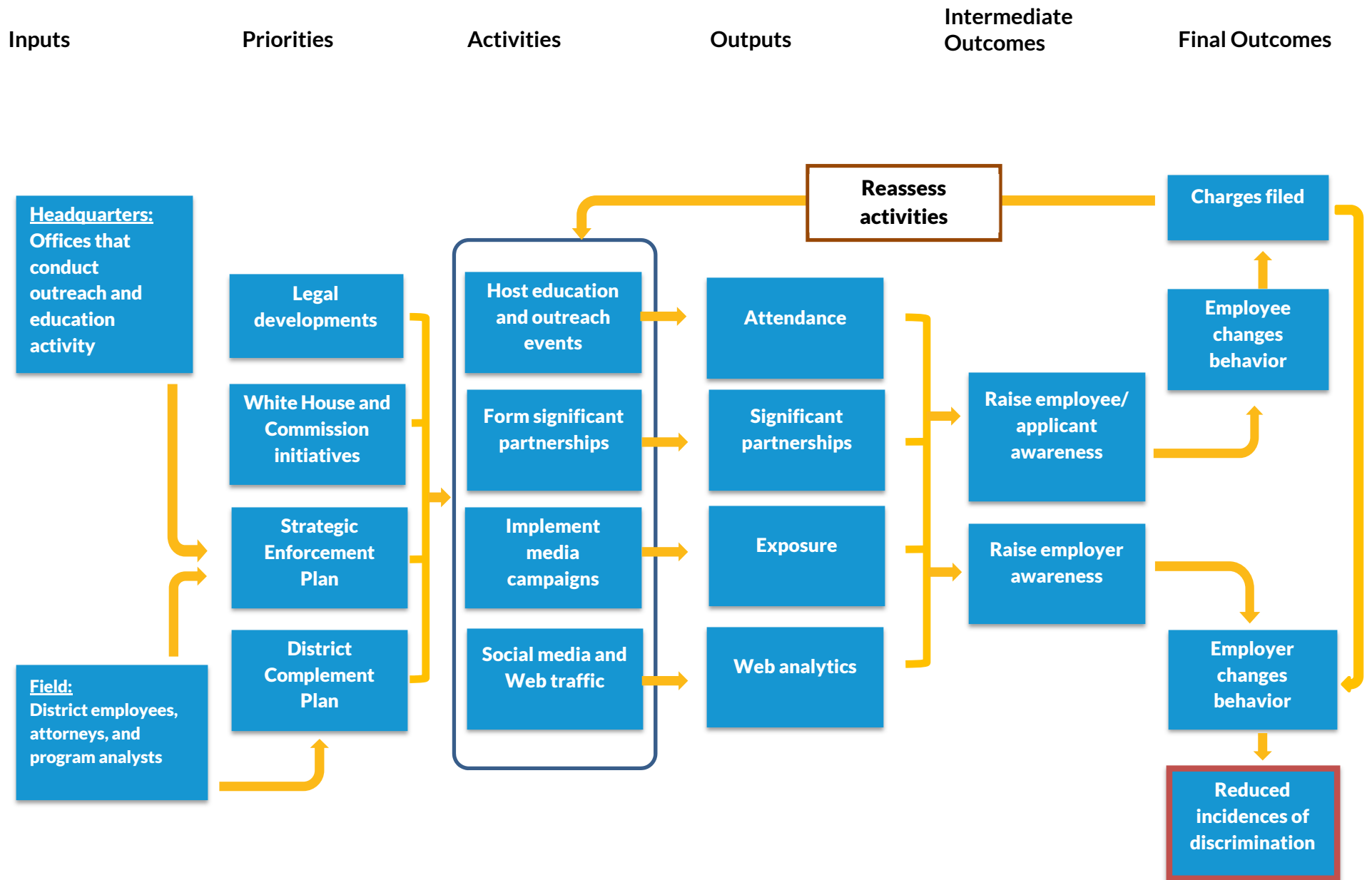
Given the findings from our evaluation, we have the following recommendations for EEOC:

1. Create a more centralized operation for outreach and education, perhaps developing a role for a director of outreach and education.
2. Alleviate some of the administrative burden program analysts in the district and field offices experience in organizing outreach and education.
3. Evaluate the feasibility of funding more local outreach and education through EEOC's FEPAs.
4. Seek more "earned media" (regular opportunities to evoke news coverage), possibly through a regular update on the state of employment discrimination; deliver EEOC's message in an empowering way with a human connection.
5. Improve the EEOC website. Specifically, improve navigation, tailor content to various audiences and keep information updated about ongoing outreach and education opportunities.
6. Evaluate how EEOC's audiences view the agency; one way to achieve this is to conduct a brand evaluation, possibly including an audit of communications materials and/or surveys of audience opinion on EEOC's image and communications.
7. Use the EEOC's internal intranet (InSite) to facilitate communications among program analysts including the creation of an outreach and education "clearinghouse" with past materials used by program analysts for presentations and events.
8. Provide analytical support to district and field offices to help in prioritizing audiences and subject matter based on a thorough examination of charge data.
9. Regularly survey event attendees to measure the effectiveness of outreach and education efforts.
10. Review website analytics regularly; look specifically at the EEO guidance consumers view.

11. Regularly survey EEOC's significant partners to track how partners are using EEOC materials and information.
12. Track the source of charges to identify the extent to which significant partners or other sources have helped those who have been discriminated against access EEOC's services.
13. Use charge data to provide evidence of the outreach and education outcomes.
14. Change the position title of "program analyst" to something like "outreach and education coordinator."

The full report contains additional information on these and other findings and recommendations about EEOC's outreach and education.

FIGURE ES 1: EEOC OUTREACH AND EDUCATION LOGIC MODEL



Background, Objectives, and Methods

Title VII of the Civil Rights Act of 1964 charges the Equal Employment Opportunity Commission (EEOC) with the responsibility to cooperate with other departments and agencies to perform outreach and education (Section 2000-4 [705] subsection (h)). EEOC further explains its outreach and education mandate in its *Strategic Plan for Fiscal Year 2012-2016*, stating “[...] the EEOC is also required to provide technical assistance and training regarding the laws and regulations it enforces” (2011).

In keeping with its charge to provide outreach and education, EEOC established “Strategic Objective II” to “prevent employment discrimination through education and outreach.” Indeed, EEOC set two outcome goals related to preventing discrimination through education and outreach. EEOC’s first goal under Objective II is that members of the public understand and know how to exercise their right to employment free of discrimination. The second goal is that employers, unions, and employment agencies (covered entities) better address and resolve Equal Employment Opportunity (EEO) issues (2011).

Outreach and education encompass a broad array of activities that provide a public face for EEOC. Those involved with outreach and education work to disseminate EEO laws across the country to prevent discrimination. Understanding and quantifying outreach and education activities in EEOC is crucial, but difficult, since activities are broad, decentralized and understanding impact is challenging.

EEOC’s Office of Inspector General funded a five-month independent evaluation focusing on EEOC’s outreach and education efforts. Specifically, the scope of work sought an evaluation of EEOC’s outreach and education efforts that would help inform areas where EEOC might improve efficiency and effectiveness. The objectives of our evaluation included

- examining the **organization** of outreach and education activities at EEOC;
- examining EEOC’s **communications** (both internally, to understand outreach and education organization, and externally, to understand who EEOC’s audiences are, what strategies it uses, and whether there is a cohesive message);
- reviewing how **resources** for outreach and education (both financial and human) are allocated; and
- determining how EEOC **measures and holds itself accountable** for its outreach and education activities.

Our evaluation provides a high-level analysis of EEOC’s outreach and education efforts.

Our evaluation relied on two primary methods of data collection: (1) a review of relevant documents and the EEOC website; and (2) in-person interviews with key staff throughout the agency with a limited number of interviews outside EEOC.

The documents we reviewed included the *Strategic Plan*; the *Strategic Enforcement Plan*, *EEOC's Congressional Budget Justification*, *EEOC's Guide to Official Use of Social Media*, examples of outreach and education activity and charge reports from the IMS system, and content from EEOC's website. We also reviewed EEOC's social media presence through Twitter, Facebook and YouTube. A more complete list of documents we reviewed is provided in appendix A.

We also interviewed 21 respondents for this evaluation. The EEOC headquarters interviews included the following offices: Office of Field Programs (OFP); Office of Communications and Legislative Affairs (OCLA); Office of Legal Counsel (OLC); Office of Federal Operations (OFO); and Office of General Counsel (OGC). We spoke to a small sample of individuals from four field offices, including district and field office directors and program analysts. Additionally, we spoke to directors at three state government Fair Employment Practices Agencies (FEPAs). Finally, we spoke to one respondent from HUD who organizes housing discrimination outreach and education for the agency and three respondents involved with outreach and education at the Department of Labor. Appendix B provides a list of respondents identified by position. To avoid identifying respondents at lower staff levels, we only list their positions, but not their office.

Findings

This section identifies the findings from our evaluation. The first subsection clarifies EEOC’s outreach and education efforts—addressing the activities respondents considered outreach and education. The second subsection focuses on the structure of outreach and education—who does what for outreach and education. The third subsection examines the audiences EEOC targets for outreach and education. We then examine how EEOC communicates its message externally and how the agency coordinates its message internally. Finally, we look at the strengths of EEOC’s outreach and education activities and then the weaknesses and room for improvement in its outreach and education activities. We provide recommendations that we believe might help EEOC improve its effectiveness or efficiency for areas we identified as weaknesses in outreach and education.

Outreach and Education

Outreach and education involves efforts designed to inform EEOC’s audiences about EEO laws. For the purposes of this evaluation, we do not distinguish between outreach and education activities. We did not ask all respondents about their perceived distinction between outreach and education. However, one respondent stated that education encompasses a broader set of activities than outreach, elaborating further that educating audiences on litigation and EEO laws has a deterrent value that outreach alone does not have. In other words, the respondent suggested that outreach can be interpreted as identifying whom the agency needs to educate; education is providing the needed information so that discrimination is prevented. This distinction provides insight into effective outreach and education practices. Strategizing how the agency will reach the necessary audiences to prevent discrimination is important, but EEOC must also provide those audiences with the right information.

Outreach and education includes providing information about employment discrimination through in-person trainings or events, electronic presentations and webinars, or through written materials. The following are examples of EEOC activities respondents identified as outreach and education:

- Speaking engagements from EEOC commissioners, general counsel, upper-level officials
- Special speaking engagements arranged by district and field offices for particular audiences, usually arranged by the program analysts, and usually including presentations by other office professionals, including the program analysts, investigators, regional attorneys, other EEOC attorneys and administrative judges

- Technical assistance program sessions (TAPS) (trainings in each district about litigation and laws undertaken as part of the Training Institute; on average each district office is asked to provide two such sessions each year)
- Customer specific trainings (CSTs) (paid trainings tailored to the requests of the consumer; these are paid for out of the Training Institute's revolving fund; EEOC charges fees if a requesting organization requires two or more hours of training)
- The Excel Conference (an annual conference put on by the revolving fund to bring together federal partners, private industry partners, and equal employment advocates)
- Advertisements, marketing, and public service announcement that help employees know their rights and whom to contact if they believe they've been discriminated against
- Coordination with FEPAs (e.g., such as providing presentations at FEPA events)

Outreach and education primarily consists of reaching audiences that are (a) workers; (b) employers, unions and employment agencies; and (c) advocacy groups for either of these audiences. All these activities provide education to help improve knowledge of federal EEO Laws.

EEOC provides both free and fee-based outreach and education. The activities of both are largely the same with the main distinctions often being the amount of effort and resources that go into developing the materials for the outreach and education. EEOC's Training Institute provides fee-based outreach and education. Congress established a revolving fund of \$1,000,000 through the EEOC Education, Technical Assistance and Training Revolving Fund Act of 1992 that funds the activities of the Training Institute. Fees collected from organizations using its training services fund the Training Institute's on-going training activities. The Training Institute is required to limit its fees to actual costs of the training activities (including costs for development of courses).

The Training Institute has a small staff at EEOC headquarters. It relies on the program analysts, regional attorneys, investigators and other EEOC attorneys in the field to conduct trainings. The Training Institute sometimes contracts with outside organizations for specific trainings, but this is rare and applies exclusively to trainings conducted with federal agencies. EEOC employees working on Training Institute projects charge their time to the Training Institute. We understand that fees for the OFO trainings account for a large proportion of the fees collected. The most likely reason OFO makes up a large proportion of the fees collected from the Training Institute is the federal requirement that new EEO counselors and investigators receive 32 hours of initial training. They are also required to complete an eight hour refresher training every year after their initial training.

Structure of Outreach and Education Activities

A primary goal of this evaluation was examining the various EEOC offices to identify their outreach and education activities. Below, we record a broad picture of each office's involvement in outreach and education. Appendix C includes a more detailed description of the office activities and the roles of various staffs in outreach and education.

Our evaluation found that most of EEOC's headquarters offices have some involvement in outreach and education. Indeed, outreach and education efforts are decentralized throughout the agency and each office has a different role in outreach and education. The primary offices involved include the OFP, OCLA, OGC, OLC, and OFO.¹

The Office of Field Programs (OFP) holds responsibility for a large portion of EEOC's outreach and education. Most outreach and education efforts in OFP occur in the district and field offices. Program analysts coordinate the district's outreach and education activities (sometimes working with national EEO experts from EEOC headquarters). Program analysts connect EEOC's various audiences, which are outlined in the next section, with information about EEO laws. Moreover, OFP partially funds some FEPA efforts, specifically enforcement efforts. These state agencies typically engage in their own independent outreach and education separate from EEOC's. Their outreach and education is typically self-funded. In the past EEOC has offered small, \$1,000, outreach and education grants to FEPAs. Their efforts are not at odds with EEOC's, but rather, they are not coordinated or funded as a part of EEOC's efforts, in most cases.

The Office of Communications and Legislative Affairs (OCLA) represents the external face of the EEOC. It maintains EEOC's website; is responsible for the agency's social media presence; and manages traditional media outlets through the agency's press releases. These are important functions, assisting the agencies outreach and education efforts.

Staff in OGC and OLC help provide information on EEO laws as part of outreach and education. Their litigators and enforcement officers participate in speaking engagements and conferences, helping inform audiences of EEOC guidance and initiatives. Program analysts, FEPA partners, and OCLA rely on the work and expertise of these offices to help inform the content they disseminate to various audiences.

The Office of Research Information and Planning (ORIP) and the Office of Information Technology provide performance data. ORIP can play a greater role in assisting with priority setting and measuring success. More information on these topics and the specific ways ORIP might help improve outreach and education efforts are discussed later in the subsections on priority setting and measuring success.

Audience

EEOC targets groups of individuals who have “historically [...] been victims of employment discrimination and have not been equitably served by the Commission” and “individuals on whose behalf the Commission has authority to enforce any other law prohibiting employment discrimination [...]” (42 U.S.C §2000e-4(h)(2)). The EEOC’s Strategic Enforcement Plan (SEP) identifies several underserved populations. EEOC’s primary audiences include: (a) workers; (b) employers, unions and employment agencies; and (c) advocacy groups for either of these audiences. Some of the businesses that receive education and training do so as part of conciliation.² Another common audience includes lawyers who help enforce EEO laws.

Multiple respondents in OFP and in the district and field offices identified the SEP as the guide used to set outreach and education priorities for the districts. In addition to the federal SEP, each district has its own District Complement Plan (DCP). Each district office tailors their DCP to meet the specific needs of special audiences within the jurisdictions of their local office. DCPs allow districts to focus on special populations and concerns that might not be appropriate across all districts or issues and priorities that vary by region or geography.

Another audience for outreach and education are EEOC’s national and local partners. EEOC headquarters and the district and field offices work to build partnerships with local and national agencies, nonprofit organizations and business groups. According to respondents in the district offices and in OFP, these strategic partnerships serve an important purpose in expanding the reach of EEOC. Multiple respondents referred to EEOC’s recent Memorandum of Understanding with the Mexican Consulate as an example of a significant partnership for the EEOC’s outreach and education efforts. Numerous respondents expressed hope that this partnership will have a significant impact in identifying employment discrimination among undocumented or migrant-worker communities, a population identified in the SEP. Other strategic partnerships include human resources groups, industry liaison groups, equal opportunity advisory councils, bar associations, law firms, and the employees of federal agencies.

Communications

Communicating EEOC’s message is a vital piece of outreach and education. Communications represent the external face of the agency. Additionally, because outreach and education is broad and decentralized within EEOC, we also evaluated EEOC’s internal communication.

External

The way EEOC communicates its message is important; contributing to the “public face” of the agency. All of the respondents we talked to agreed that external communications provide an important avenue for outreach and education. Respondents identified social media, EEOC.gov and traditional national media outlets as the primary vehicle for external communication. The Office of Communications and Legislative Affairs (OCLA) is responsible for most of the agencies external communications. However, some of the outreach and education activities conducted throughout OFP, OGC, OLC, and OFO can broadly be considered external communications as well.

According to respondents, the mode of communication for outreach and education presentations and events is very important. Most respondents in OFP thought that face-to-face outreach and education activities were the most successful. Respondents thought that teleconferencing and webinars seemed to be a less effective means to convey information through events and presentations. However, other than anecdotally, respondents were unable to suggest why. Presentations and events represent a portion of outreach and education activities. Throughout our interviews, respondents noted that other forms of electronic communication can be successful, but certain activities require in-person outreach and education.

A few respondents noted the lack of uniformity for strategizing information dissemination, that is, what EEO issues get elevated to various communications outlets. This issue is amplified because EEOC does not currently have a strategic communications plan. It does have guidance for press releases and a social media guide, but neither are substitutes for a strategic communications plan. Our interviews with OCLA staff indicate that there are current efforts to draft a meaningful communications strategy. The commissioners have asked OCLA to reconfigure a previous draft strategic communications plan. The new plan would identify and discuss strategies and lay out necessary infrastructure improvements. The lack of a communications strategy, as well as EEOC’s decentralization, means that current communication activities vary by district office. A respondent in OCLA emphasized this point noting that a district’s success in communicating through traditional forms of media depends on how press-savvy or press-aggressive the district office happens to be.

Internal

EEOC’s internal communication is fundamental to EEOC’s outreach and education strategies. The agency’s internal communication is especially important given the decentralized nature of EEOC’s outreach and education efforts.

Various respondents in all offices said that communication between offices involved in outreach and education could be strengthened. Some respondents noted that internal communication has improved, but that there is still room for more improvement. Two respondents mentioned the multiple offices and various staff conducting outreach and education make internal communication difficult.

Offices involved in EEOC's outreach and education use a number of ways to communicate with one another. The Commission Chair has a weekly newsletter that often includes outreach and education activities. One interviewee suggests that this is a good way to communicate EEOC's ongoing outreach and education activities. A few other offices also communicate their activities although through various mechanisms. For instance OLC has a quarterly report that includes outreach and education activities completed. A respondent from OGC also mentioned a newsletter about activities (although the newsletter we examined mostly contained important information about enforcement).

EEOC uses its information management system (IMS) to count outreach and education events and participation. The counts provide context for specific issues and might be useful to communicate EEOC's ongoing outreach and education. EEOC headquarters staff relies on the national outreach coordinator to compile outreach and education activities completed by headquarters staff.

EEOC Outreach and Education Strengths

The respondents at EEOC headquarters, district and field offices, and FEPAs were generally highly positive about the outreach and education efforts at EEOC. They generally thought the efforts are successful, pointing to anecdotal evidence.

Office of Field Programs Outreach and Education Program Analysts

Nearly all respondents offered considerable praise for the quality and ingenuity of the OFP program analysts' outreach and education work. Respondents commonly noted program analysts' work as being vital to the success of outreach and education. Our interviews revealed that program analysts are given leeway to innovate and create new presentation methods to engage different audiences. Multiple respondents said that the leeway allows the program analysts to be creative and reach audiences in a way that is not restrictive. There are some constraints because the analysts need to clear some of their work through EEOC headquarters, primarily OLC and OCLA. This clearance serves as a quality control mechanism and the program analysts we talked to were happy to coordinate their efforts with these offices at EEOC headquarters.

The directors we talked to in the district and field offices were happy to have skilled program analysts organizing district outreach and education efforts. The program analysts we talked to were involved in helping construct their local DCPs using their knowledge and experience. The program analysts said they look at complaint data occasionally, but respondents noted that the outreach and education program analysts' success comes from their ability to interact directly with people.³

The Strategic Enforcement Plan

The SEP appears to be a good, though general, guide for directing outreach and education efforts. District offices are also able to prioritize specific regional needs that complement the SEP. Respondents suggested that the SEP and DCPs were indeed complementary. The individuals in field offices whom we spoke with noted that there is a considerable number of topics to cover for outreach and education given the national SEP initiatives, the local DCPs and other potential White House initiatives.

Participation in Outreach and Education Efforts

We found that a significant number of staff in EEOC are involved in outreach and education. Respondents suggested that it was admirable that many EEOC staff are involved in outreach and education activities. Appendix C provides evidence of how many offices and staff are involved in outreach and education—even attorneys and people involved with enforcement provide their expertise through trainings and presentations. As mentioned, EEOC has a significant amount of information it needs to disseminate. Given this consideration, staff adapt the available resources and rely on their expertise about EEO laws to help cover as much ground as possible.

Weaknesses in Outreach and Education

Structural Issues

Multiple respondents mentioned that EEOC could improve the agency's organization of outreach and education. One suggestion to improve the structural issues was a more centralized operation with a direct chain of command for outreach and education activities. Currently, outreach and education efforts are decentralized. EEOC could benefit from a more structured approach that relies on existing agency resources and strategically restructuring positions to leverage current assets in a more centralized way.

This, however, should not reduce the flexibility the district and field offices have to strategize and innovate their outreach and education activities. The national outreach coordinator role might, for example, be expanded to encompass broader cross-office outreach and education communications efforts.

Some representatives from both OFP and OFO stated it would be better and more efficient if the Training Institute reported at a higher level and was not located within OFP. An OFO representative noted that having OFP house the revolving fund placed OFO at a disadvantage. Approvals, for example, have to go through OFP which delays response time. In opposition to this thought a respondent in OFP offered that part of the success of the Training Institute has been a result of the revolving fund's location within OFP.

The program analysts we spoke to noted that they were overloaded doing administrative and clerical work, especially for the TAPS, such as arranging hotels, event space, and equipment. They would like to have help with those time-consuming tasks so they can spend more time on content for outreach and education.

The FEPA officials we talked to reported undertaking considerable outreach and education locally, often with staffs and limited resources. Their efforts are not directly tied to EEOC's since they also cover other types of discrimination (such as housing discrimination). State laws vary from federal laws, and EEOC's contracts with FEPA partners are primarily based on enforcement rather than outreach and education. However, there is considerable enthusiasm and willingness to conduct outreach and education within the FEPAs. The FEPA partners shared some of their successful practices which can be found in appendix D. Reviewers of our draft report from EEOC pointed out that in 2014 EEOC district offices offered funding opportunities to FEPA partners who submitted proposals detailing joint outreach and education activities that support EEOC's SEP. Eighty-two of the ninety-two FEPAs received these small \$1,000 grants in the 2014 fiscal year.

Recommendation 1 EEOC should consider a more centralized operation for outreach and education. Centralizing outreach and education would help improve the efficiency of the agency's efforts. EEOC should be careful not to reduce the autonomy of program analysts when restructuring. A more centralized structure would require rethinking the location of the Training Institute. Our evaluation did not provide enough insight to support specific recommendations on restructuring beyond the need to reexamine the organization of activities to include more coordination. Any restructuring should focus on improving the effectiveness and efficiency of EEOC's outreach and education.

Recommendation 2 EEOC should consider ways to alleviate the administrative workload of program analysts, perhaps through some centralized help in making hotel accommodations and other administrative arrangements. We were told that EEOC had attempted to centralize administrative tasks through EEOC headquarters in the past. According to the program analysts we interviewed this attempt was unsuccessful and created more work for program analysts. According to them, a program analyst assistant position

located within the district offices would be more desirable. EEOC is currently considering creating such a position as one option to help reduce administrative burdens. EEOC, should survey the OFP program analysts and district office directors to determine the extent to which administrative burdens are a problem.

Recommendation 3 EEOC should rely on the strengths of the FEPAs in their outreach and education efforts. FEPAs have close relationships with local employers or organizations. These relationships likely expand on the relationships that program analysts have at the local level. A limited investment in FEPA partner's outreach and education efforts is likely to have significant returns. EEOC's recent \$1,000 grants should be a starting point for the expansion of the relationship between FEPAs and EEOC district offices that enables stronger collaboration on outreach and education efforts. More funding or changing enforcement contracts to include outreach and education funding would expand EEOC's outreach and education reach.

External Communication

Respondents in OCLA suggested the lack of a strategic communications plan has resulted in mixed-messages for EEOC's external communication. Some district offices are better or uniquely equipped to effectively get the message out about successful litigation (e.g., having more background in working with the media) while some rely on the assistance of OCLA to a greater degree.

EEOC's current content is heavy on punishment and enforcement. It might be beneficial to emphasize the benefits of fair and inclusive work environments. Additionally, EEOC doesn't have a well-recognized human face, unlike other government agencies such as the US Department of Justice and HUD. The heads of these other agencies are generally known among the public and can help communicate content and important points of emphasis. It is harder for the public to connect with an organization without a public face. After specific questions about the agency's strategic communications and how key audiences view the agency, respondents had educated guesses about the success of strategic communications, but did not note specific efforts to systematically gauge perceptions that key audiences have of EEOC's work.

Parts of EEOC's website need to be updated. Our examination of the website revealed areas with outdated information. For example, our initial review found past Training Institute events, still listed on the website months after they had occurred. Respondents suggested this is an area of priority. Indeed, subsequent visits to the Training Institute website have shown updated information.

Some respondents criticized the website as being difficult to navigate. After reviewing the website, we came to the same conclusion. Unfortunately, EEOC has many audiences it must consider when determining the content that is placed on the website. What is helpful for advocates and lawyers will certainly be

different from what is helpful for the general public. This makes it difficult to easily disseminate information on EEO laws. Some partners, however, were complimentary about the content, suggesting it is a great resource to look up information on federal laws. This further emphasizes the need to strategically consider all audiences when EEOC reviews the website.

Recommendation 4 EEOC should also consider an initiative that would provide regular opportunities to evoke news stories, also known as "earned media" opportunities, that would support its outreach goals. For instance, a regular "state of employment discrimination" report would give EEOC one such opportunity to shape news around this issue. Examples of similar initiatives include the Department of Labor's regular reports on the Unemployment rates, HUD's decennial housing discrimination studies, and Transparency International's annual Corruption Perceptions Index.

An annual or semi-annual report would strengthen EEOC's position as a watchdog, but balance is needed. One of EEOC's jobs is to educate and empower workers in protected classes. However, the public might overlook this positive, affirming role when so much of the agency's communications focus on punishment (of unlawful activity). It may be beneficial, then, to create opportunities to highlight EEOC's role as an empowering agency by emphasizing the benefits of fair and inclusive work environments. The agency could also design and implement a campaign that communicates the value of workers knowing their rights and employers understanding their responsibilities. EEOC should use every available opportunity to draw attention to work that assists the vulnerable, affirms their rights, and facilitates constructive dialogue.

There is also a need for more direct and personal communication. EEOC's message of fairness and equality under the law is vital, but it is often delivered through impersonal means. Disseminating information via a website (that can be difficult to navigate) and press releases keeps EEOC at an arm's length from the audience it intends to reach. By contrast, at the local and district level, the program analysts put a human face on EEOC's mission. This may be part of why their efforts are considered effective. It might be possible to replicate this type of success at the national level by positioning a spokesperson or spokespeople who can embody EEOC for the public. The chair may be the natural choice, and a public relations firm could work with the agency to position such a spokesperson with national media outlets and other key audiences. The scope of work for such a project would include helping a primary spokesperson place op-eds in national newspapers, secure speaking engagements at relevant conferences, and being a go-to resource for informed commentary on equality and employment among major digital, print, radio, and TV outlets.

Recommendation 5 EEOC's website needs to be updated when important events occur, perhaps in accordance with guidelines OCLA sets for itself. Additionally, the navigation should also be improved. The website represents one of the primary places audiences seek information on EEO laws. Updating the website will require investment and care in thinking about the different ways EEOC interacts with their

audiences. The website should provide easily accessible portals for different audiences, with content tailored to communicate EEO laws to each audience. In their efforts to update the website, OCLA should consider seeking input from various audiences about how each audience searches and uses EEOC's information.

Recommendation 6 EEOC needs some process where they get feedback about what key constituents think regarding their outreach and education effort. A brand evaluation is one way to solicit and act on systematic feedback. The goal of outreach and education is to influence and support key external audiences. EEOC needs to learn what those audiences think of its outreach and education efforts and then adopt practices that can help it communicate more effectively. This evaluation did not examine outside perceptions of EEOC's outreach and education or EEOC's brand.

It may not be instinctive for a government entity to think of itself as having a brand, but it does, and it is clear that other federal organizations recognize this. The joined, block letters of the Food and Drug Administration's logo convey strength and authority. The National Aeronautic and Space Administration's (NASA) insignia, with its red chevron swooping through a system of stars, is iconic. And two years ago, the United States Department of Agriculture consolidated dozens of graphic identifiers for different offices with one image: bold, blue letters above a field of green.

These agencies invested time and thought into how they want to be seen. But a brand evaluation is about more than a logo and may not even include a logo redesign. It is, more importantly, a multi-step process that helps an organization think through and take greater charge over how it operates and how the public sees it. Some of the steps can include auditing communications materials for the types of messages they utilize; comparing the organization in question to others that do similar work; identifying audiences; surveying audience opinion on the organization's image and the quality of its communications; and using findings from some of the steps above to improve the way the organization presents itself through all of its own channels and materials, the media, and face-to-face interactions. Often, one byproduct of evaluating how outsiders perceive an organization is a rich, internal dialogue about mission and the role different groups within the organization play in achieving it. This internal consensus-building would be especially valuable for an organization as decentralized as EEOC.

A brand evaluation can help an organization be much more deliberate about whom it engages and how. The benefits of this process are numerous, but there are instances when the time involved, typically many months, and the cost, hundreds of thousands of dollars or more, can be prohibitive. If cost is an obstacle, we recommend that at a minimum, EEOC commission a survey of its key audiences, which can then inform the organization on how to best reach those audiences.

Internal Communication

Many respondents suggested that internal communication could be improved. One respondent in OFP suggested improving the structures for sharing information and presentations, both between program analysts and between OFP and OFO. Another respondent proposed creating a “clearinghouse” so that individuals doing outreach and education (whether program analysts or other EEOC staff) can find necessary materials that could be tailored for specific future presentations. The clearinghouse would also provide information on best practices.

As mentioned in recommendation 1, some of the complications with internal communication might be solved with a more centralized approach to outreach and education. HUD has a structure that is somewhat more centralized with a director of outreach and education leading its efforts. HUD delegates their outreach and education activities to its Fair Housing grantees. This is distinct from EEOC’s approach of using district office program analysts as their primary mechanism for outreach and education.

Recommendation 7 EEOC should consider creating a “clearinghouse” for outreach and education materials. Our interviews revealed that EEOC’s internal website is being updated to help improve communications for program analysts. EEOC should use the update as an opportunity to create an outreach and education clearinghouse, for program analysts and other employees involved in outreach and education. The clearinghouse would be a place where information and past presentations are stored so they can be adapted for future use.

Priority Setting (Targeting) by District and Field Offices

The district offices annually prepare DCPs. The individual field offices also have their own separate DCPs that expand on the district DCPs. Respondents reported using the Strategic Enforcement Plan’s six priorities as their starting point. The wording of those priorities leaves considerable room for the district and field offices to identify needs within their own jurisdictions. Priorities can be altered throughout the year, perhaps in the form of requests from headquarters or new circumstances that can arise at any time. The major basis for deciding where the district offices and the program analysts focus is (1) the staffs’ own judgments on where outreach and education is needed; and (2) requests throughout the year for outreach and education, such as from advocacy groups and particular businesses. Nevertheless, periodic systematic priority setting is important for addressing known demands.

What appears to be missing from outreach and education is another potentially useful tool for priority setting: analysis of data. There did not appear to be any focus on using charge data to help target outreach and education audiences. The district and field office respondents we talked to largely reported doing it ad

hoc. It did not appear to have been done systematically. Respondents, both at EEOC headquarters and in district and field offices, indicated that they did not know how the charge data could be helpful. One program analyst and one field director mentioned using charge data to identifying outreach and education opportunities.

The district and field offices have little, if any, analytical support for outreach and education. Some, limited, IT support seems available. Some interviewees indicated they could obtain data if they needed it through EEOC's IMS. (The individual offices submit information on their activities into the central EEOC IMS.) One FEPA respondent reported that IMS is hard to navigate.

Recommendation 8 EEOC should provide analytical help to each district office to examine charge data related to its own geographical area in order to identify potential trends, opportunities, and priorities.

As pointed out by the EEOC staff who reviewed our draft report, charge data is likely to be most helpful when examined in context with other information such as charge resolutions and input from the community. Analyses could be done by charge category, type of organizations being charged, size of organization being charged, location (e.g., state, city and county), and/or an examination of time trends. The type of discrimination is only one characteristic used to decide where to apply outreach and education. Other important characteristics include the various employee demographic groups (e.g., race and ethnicity, gender, age group, national origin, undocumented status, limited English proficiency); employer industry; employer size (especially small versus large employers); and particular geographical areas within the jurisdiction of the district or field office. Charge data, of course, has the limitation that it does not include workers who for a variety of reasons do not report discrimination events.

Analyses should be conducted as part of EEOC's on-going priority setting efforts, providing insights that the district offices can use to determine where best to allocate their scarce and valuable time. These reviews should be done at least twice a year and preferably quarterly since priority setting in the field is an ongoing task. To make full use of such efforts, EEOC's Information Technology office and/or Office of Research, Information and Planning (ORIP) would need to review its ability to provide disaggregated charge data by the listed categories above. It is our understanding that OFO does some analyses of data for priority setting. A representative in one the FEPAs we interviewed indicated that it annually tracks charges by type of discrimination, employer type, and county. The respondent gave an example of tabulating charges by legislative district when asked by a legislator.

The problem here is the potential cost of staff to do the analyses. We are *not* suggesting reducing the number of the current program analysts, nor changing their activities. The program analysts are a major strength of EEOC's outreach and education efforts. However, the SEP calls for technical studies to help EEOC make its work more effective. It does not appear that EEOC fulfills this call. An alternative to adding

staff is to centralize this service in ORIP or seek analytical help from community colleges, colleges or universities. Another option (the do-it-yourself option) is to make IMS more accessible to staff so they can personally extract detailed tabulations and cross-tabulations for various charges and demographic characteristics.

Measuring Success

Respondents involved in outreach and education agreed that EEOC is not conducting meaningful analysis of outreach and education outcomes. Respondents cited a number of reasons why it is difficult to measure success. Most commonly, respondents noted the difficulty of disentangling whether outreach and education played a part in changes in discrimination charges. For example, increases in the incidence of charges filed might be the result of increased outreach and education and thus more members of the general public become more familiar with their rights. As noted earlier, OFP has no quantitative analysts to examine charges to help establish priorities, to obtain clues for targeting outreach and education, or to measure the success of the efforts. We understand that OFO does undertake some analysis of complaints by federal employees in order to better tailor trainings. If so, OFP might be able to gain from OFO's methods and adapt them to fit the needs of the district and field offices.⁴

Measuring success, *the outcomes*, of outreach and education activities is inherently difficult. Most of what is being measured for outreach and education are outputs and activities, not whether the activities are successful. Most of those interviewed recognized this limitation, but did not believe much could be done. The only quantitative performance measure on outreach and education that EEOC includes in its strategic plan, its performance and accountability report, and its Congressional budget justification is the "number of significant partnerships" (2011). In figure 1 we provide an illustrative logic model that identifies the flow of inputs through outputs and intermediate outcomes to the end outcomes sought. This logic model helps clarify EEOC's outreach and education outcomes and inform ways to measure different activities.

SUCCESS OF EVENTS

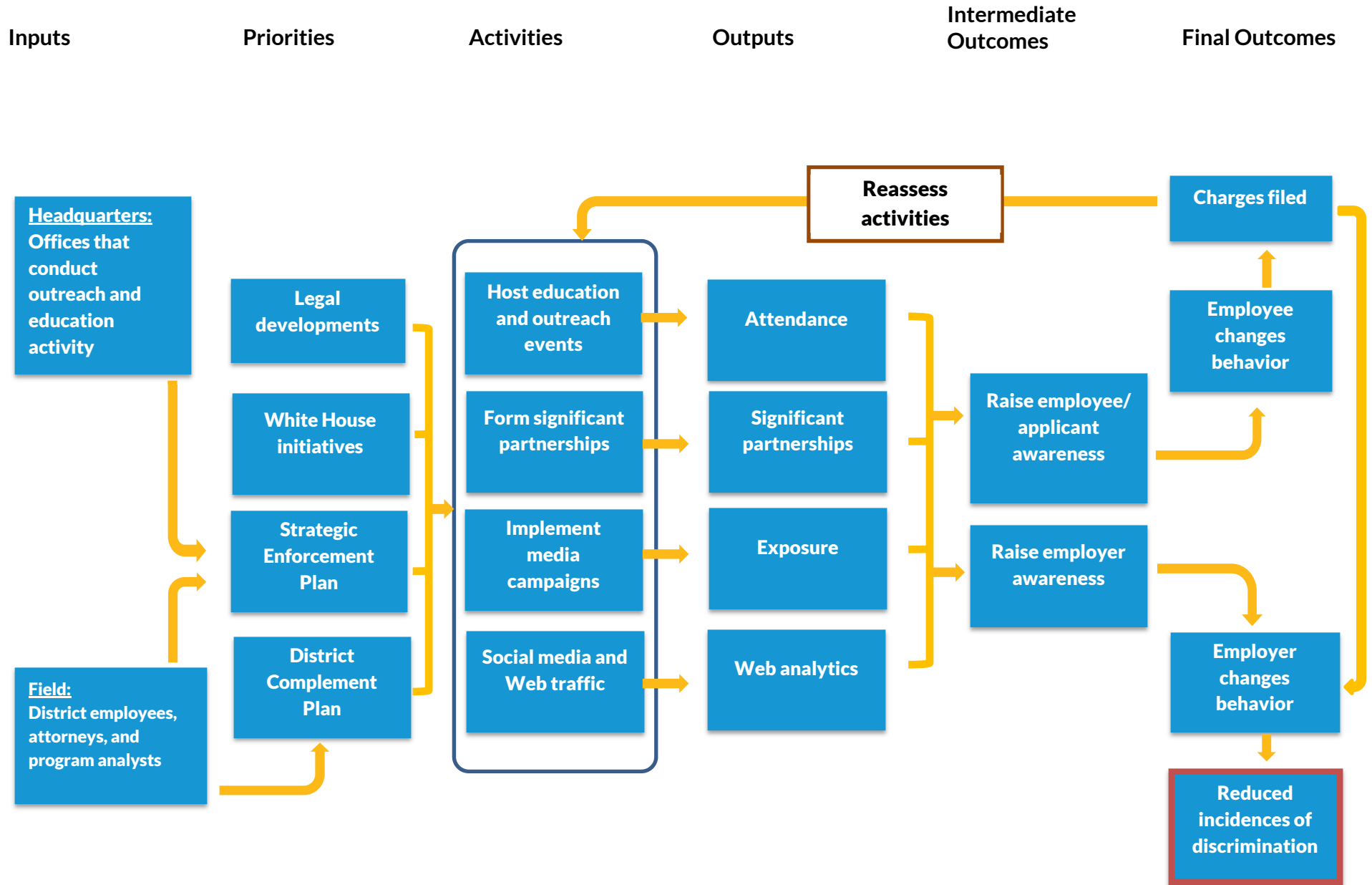
The Office of Federal Programs (OFP) maintains data on the number of outreach and education events and, when it can, the number of attendees/participants. The information management system (IMS) provides these numbers. Occasional reports are created with the information that is reported into IMS. The district and field office staff we interviewed did not use IMS to set goals for the number of presentations, trainings or outreach activities accomplished during a given time. Some offices did occasionally look at IMS data, but it was not analyzed in a rigorous manner.

In addition to counting the number of outreach and education activities, OFP, when feasible, seeks feedback at the end of events and presentations about the quality and helpfulness of the presentations. This is done for both the free and fee-based outreach and education. Our interviews suggested that follow-up on the feedback is restricted to those respondents with negative comments about an event. None of our respondents recall conducting follow-up with former participants after events (e.g., six months after a training) to find out whether the information had been useful or whether they remember what they learned at the event. This is one additional way to measure the effect of outreach and education events.

Recommendation 9 The Office of Field Programs (OFP) and OFO, should survey (by mail or electronically) all, or samples of former participants to assess the extent to which participants found the information provided to be useful – and if so, in what way, and if not, why not. Both employer and employee organizations should be surveyed. The survey might be done after, say, three or six months for participants. The same survey can be made even more useful by asking respondents for suggestions for improving EEO events.

EEOC staff that reviewed our draft report noted that EEOC already has been considering asking employers whether they have made changes in policies or practices after attending an EEOC outreach and education (such as seeking input about additional technical assistance, more in-depth trainings in a priority area, or more broadly disseminating the information within their workplaces).

FIGURE 1 EEOC OUTREACH AND EDUCATION LOGIC MODEL



ONLINE CONTENT AND USE

The Office of Communications and Legislative Affairs (OCLA) looks at *web traffic analytics* to try to determine which materials are frequently used, however this is only done occasionally and not systematically. Social media analytics are also viewed, but the respondents we talked to said that followers and hits on social media do not speak to whom is being reached.

Recommendation 10 EEOC should regularly, perhaps quarterly, review website analytics. Knowing how audiences are consuming EEOC's content will help to improve and tailor external messaging. Particular attention should be paid to new initiatives and guidance. This should not detract from examining long-standing guidance, where EEO issues are likely to be persistent.

SUCCESS OF PARTNERSHIPS

EEOC counts the number of significant partnerships. This is the performance measure EEOC includes in its external performance measurement reports (e.g., Strategic Plan and Performance and Accountability reports). However, our interviews did not reveal a systematic attempt to obtain feedback from partners as to what actions the partners have taken to encourage EEO outreach and education.

One respondent suggested surveying the EEOC's significant partnerships in an attempt to measure the impact of outreach and education activities. Our interviews from district and field offices revealed one program analyst who is tracking charge data in concurrence with referrals from significant partnerships to measure the impact of the partnership.

Recommendation 11 EEOC and its district and field offices should routinely conduct follow-up through surveys with their partners, perhaps three months after events. This follow-up should ask if, and how, partners used the information provided by EEOC, e.g., did respondents take any actions because of the information provided by EEOC. To increase the survey's usefulness to EEOC, respondents can also be asked for suggestions to improve the partnership. A side benefit of such follow-ups is that this routine might itself encourage partners to think about what actions they need to take.

Recommendation 12 As suggested by FEPA officials (see appendix D), district and field offices should consider asking complainants to identify how they had heard about the agency and who recommended the agency to them. The responses can be tabulated to identify partners, and other sources, that have helped identify discrimination. These are ways that EEOC could measure more than just the number of partnerships, but also the impact of those partnerships on outreach and education.

REDUCING DISCRIMINATION

The primary means EEOC uses to track success of its outreach and education activities to reduce discrimination are the following: (a) number of events; (b) number of persons attending events; and (c) the ratings of quality and helpfulness given at the end of events. We found wide recognition that such information is highly limited in terms of measuring the successfulness of the outreach and education activities. Most interviewees expressed belief that success cannot be measured. Indeed, difficulties exist in isolating the impact of EEOC's outreach and education activities. Perfect impact measurement is likely impossible; however, we believe that some small steps are promising without requiring large additional expenditures.

Recommendation 13 EEOC should provide resources for the regular analysis of OFP charge to provide evidence of outreach and education success—both for district and field offices and nationally. To accomplish this, EEOC needs to allocate resources for quantitative analysis, including data analysts, similar to that needed for recommendation 8. The data analysts would, for example, examine the timing of charges that follow significant nationwide, district, or field office outreach and education activities. Analysis would be directed at outreach and education for specific protected classes, particular demographic groups, or specific categories of employers. For example, an early substantial increase in charges for those attending *employee* trainings would provide imperfect, but useful, evidence that an event targeted to employees had an impact on employee knowledge of EEO laws.

This same method can be adapted to examine the effects of *employer* trainings, if examined over a longer period of time. For example, following major outreach and education activities focused on a particular protected class, in a specific geographical area, and for specific categories of businesses, charge data for the protected class might be examined to assess whether those training activities were associated with decreases in charges. Because it can take a number of months for changes in employer behavior to occur, the charges and analyses would need to reflect the expected delay time.

Recommendation 14 Change the position title of “program analyst” (only those doing outreach and education) to something like “outreach and education coordinator.” The title program analyst does not accurately reflect the activities and responsibilities of the position. As practitioners interacting with the public regularly, it is important that members of the public understand their role and the important service they provide. Changing the position title of program analysts to “outreach and education coordinator” is an easy way to signal what precisely the district office program analysts do.

Conclusions and Recommendations

This evaluation focused on offices across EEOC and how they conduct outreach and education. It was an inward-looking assessment and, given the complexity and fragmentation of EEOC's outreach and education, a necessary exercise. EEOC undertakes a significant amount of outreach and education. It is important to understand EEOC activity to better improve outreach and education.

The recommendations that resulted from our evaluation should help EEOC improve activities that are vital to the agencies mission, mainly preventing discrimination before it occurs. A full list of the recommendations that resulted from our evaluation is included below.

For EEOC, the goal of outreach and education is to influence and support key external audiences. EEOC should prioritize learning what those audiences think of its outreach and education efforts. Then EEOC can assess its work and adapt its practices to improve its communication.

Its legal mandate gives EEOC authority on equity in the workplace, an important topic that few institutions can match. If EEOC thinks about whom it would like to engage and executes the best means for doing so, the agency's already impressive reach could extend much further.

The following pages contain a summarized version of the recommendations provided in the previous sections.

List of Recommendations

Recommendation 1

EEOC should consider a more centralized operation for outreach and education. Centralizing outreach and education would help improve the efficiency of the agency's efforts. EEOC should be careful not to reduce the autonomy of program analysts when restructuring. A more centralized structure would require rethinking the location of the Training Institute. Our evaluation did not provide enough insight to support specific recommendations on restructuring beyond the need to reexamine the organization of activities to include more coordination. Any restructuring should focus on improving the effectiveness and efficiency of EEOC's outreach and education.

Recommendation 2

EEOC should consider ways to alleviate the administrative workload of program analysts, perhaps through some centralized help in making hotel accommodations and other administrative arrangements. We were told that EEOC had attempted to centralize administrative tasks through EEOC headquarters in the past. According to the program analysts we interviewed this attempt was unsuccessful and created more work for program analysts. According to them, a program analyst assistant position located within the district offices would be more desirable. EEOC is currently considering creating such a position as one option to help reduce administrative burdens. EEOC, should survey the OFP program analysts and district office directors to determine the extent to which administrative burdens are a problem.

Recommendation 3

EEOC should rely on the strengths of the FEPAs in their outreach and education efforts. FEPAs have close relationships with local employers or organizations. These relationships likely expand on the relationships that program analysts have at the local level. A limited investment in FEPA partner's outreach and education efforts is likely to have significant returns. EEOC's recent \$1,000 grants should be a starting point for the expansion of the relationship between FEPAs and EEOC district offices that enables stronger collaboration on outreach and education efforts. More funding or changing enforcement contracts to include outreach and education funding would expand EEOC's outreach and education reach.

Recommendation 4

EEOC should also consider an initiative that would provide regular opportunities to evoke news stories, also known as "earned media" opportunities, that would support its outreach goals. For instance, a regular "state of employment discrimination" report would give EEOC one such opportunity to shape news around this issue. Examples of similar initiatives include the Department of Labor's regular reports on the Unemployment rates, HUD's decennial housing discrimination studies, and Transparency International's annual Corruption Perceptions Index.

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Recommendation 12

As suggested by FEPA officials (see appendix D), district and field offices should consider asking complainants to identify how they had heard about the agency and who recommended the agency to them. The responses can be tabulated to identify partners, and other sources, that have helped identify discrimination. These are ways that EEOC could measure more than just the number of partnerships, but also the impact of those partnerships on outreach and education.

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Recommendation 14

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Appendix A: Documents Reviewed

TABLE A.1

Document List by Office

Document	Office
Congressional Budget Justification - FY 2015	EEOC
Law, Regulation & Guidance - Fact Sheets	EEOC
Performance and Accountability Report - FY2014	EEOC
Staff Lists and Organizational Chart	EEOC
Strategic Enforcement Plan - FY 2013-2016	EEOC
Strategic Plan - FY 2012-2016	EEOC
Weekly Update from Chair Yang	Office of the Chair
EEOC Guide to Official Use of Social Media	Office of Communications and Legislative Affairs
EEOC.gov website review	Office of Communications and Legislative Affairs
Social media presence review	Office of Communications and Legislative Affairs
Annual Federal Equal Employment Opportunity Statistical Report of Discrimination Complaints - FY 2014	Office of Federal Operations
Charge Statistics - FY 1997 through 2013	Office of Field Programs
Integrated Management System - education and outreach example activity review	Office of Field Programs
Headquarters Monthly Report	Office of General Counsel
Performance Audit of the EEOC's Education, Training and Technical Assistance Program revolving fund - FY 2007	Office of Inspector General
Semiannual Report to Congress (4/1/13 - 9/30/13)	Office of Inspector General
Urban Institute - Evaluation of EEOC's Performance Measurements	Office of Inspector General
Quarter Reports - FY 2014	Office of Legal Counsel

Appendix B: Interview Respondents

TABLE B.1

List of Interviewees by Position and Office

Position	Office
Chief operating officer	Office of the Chair
Deputy director	Office of Communications and Legislative Affairs
Director	Office of Communications and Legislative Affairs
General counsel	Office of the General Counsel
Legal counsel	Office of Legal Counsel
Assistant director for training and outreach	Office of Federal Operations
Acting program manager	Office of Field Programs
Director	Office of Field Programs
Director of the revolving fund	Office of Field Programs
National outreach coordinator	Office of Field Programs
Director	District Office
Program analyst	District Office
Program analyst	District Office
Director	Field Office
Director of Education and Outreach Division	Department of Housing and Urban Development
Deputy director	Illinois Department of Human Rights
Executive director	New Hampshire Human Rights Commission
Director	South Bend Department of Human Rights
Worker-focused outreach program lead	Department of Labor
Chief of functional affirmative action plan in the Office of Federal Contract Compliance and Programs	Department of Labor
Regional outreach coordinator	Department of Labor

Appendix C: Detailed Structure of Outreach and Education

Roles of Office of Field Programs

The Office of Field Programs (OFP) includes the 15 district offices and the approximately 38 other local offices. The Office of Field Programs (OFP) is responsible for the administration of Fair Employment Practices Agency (FEPA) agreements. The Training Institute is located within OFP and receives resources for its activities through the revolving fund. These offices play major roles in EEOC's outreach and education. Below we outline how the district offices, the Training Institute, and the FEPAs affect outreach and education.

The 15 district offices and other field offices do a significant amount of outreach and education within their districts. The primary individuals involved in coordinating outreach and education in the districts are the program analysts. OFP has 19 program analysts, spread over the 15 districts, whose sole responsibility is outreach and education. They provide free outreach and education, and they also provide training for the revolving fund's Training Institute, which is fee-based. The program analysts and the headquarters staff in OFP whom we interviewed identified their primary involvement with revolving fund activities as performing technical assistance program sessions (TAPS) in their districts and conducting presentations at special meetings paid for by particular industries, called customer specific trainings. The program analysts do *not* perform quantitative analysis in any systematic way. However, in some instances they use data to try to identify outreach populations. An example that was given was using census data to identify concentrations of immigrant populations. Additionally, some of the program analysts and district directors we talked to did occasionally look at charge data.

A national outreach coordinator is located in OFP at EEOC headquarters. The national outreach coordinator provides support to the program analysts and seeks new ways to provide outreach and education and build partnerships nationally that might influence local or district partnerships. The national outreach coordinator has monthly conference calls with the program analysts. These calls help facilitate discussions on outreach and education approaches. The program analysts report to the district office, not to the national outreach coordinator at EEOC headquarters.

Program analysts often ask attorneys and investigators from the district offices and EEOC headquarters to give presentations. The attorneys and investigators provide information on their ongoing

litigation, recently settled lawsuits, and/or recently issued guidance. Their participation helps inform audiences on EEO laws.

The respondents we talked to said that developing priorities for outreach and education is a joint effort between OFP staff, district and field office directors, and the program analysts. It includes using the SEP and White House initiatives as the starting point. Each field office also focuses on its district's own District Complement Plans (DCPs). The respondents in the field we talked to felt that the DCPs are also an important component of creating a strategy for outreach and education.

The Training Institute provides fee-based special training. It also provides training services for the Office of Federal Operations (OFO), EEOC's department charged with training staff in federal agencies. Agencies and organizations seeking specialized trainings through the Training Institute pay fees that cover the cost of the events. Program analysts organize most of the Training Institute material for special presentations.

The Office of Field Programs (OFP) is responsible for coordinating with FEPAs. The FEPA directors we spoke to said their staff conduct outreach and education; however, these activities are not financed through EEOC. EEOC's partnerships with FEPAs are primarily enforcement based. Sometimes FEPAs look to their federal partners (headquarters or district offices) to assist with outreach and education, for instance having someone from EEOC present on a panel. All the FEPAs we spoke to were pleased with the coordination with their district office and the EEOC programs that they attend. They all expressed interest in doing more education and outreach with EEOC, but all were constrained by resources.

Roles of the Office of General Counsel

The Office of General Counsel (OGC) manages all the enforcement litigation attorneys, including those in the field offices. While the primary activities of the regional attorneys are to litigate cases, the attorneys also speak at presentations and engagements. The results of OGC's litigation sometimes become the subject for the regional attorneys' and/or the program analysts' outreach and education efforts. The Office of General Counsel (OGC) also provides information to the field offices about ongoing and completed litigation. Our interviewees indicated considerable respect for the work of this office.

Office of Legal Counsel

According to respondents in OFP and the Office of Communications and Legislative Affairs (OCLA), the Office of Legal Counsel (OLC) serves as the liaison to help ensure that outreach and education materials

accurately reflect the EEO laws. OLC issues guidance on Equal Employment Opportunity (EEO) laws and initiatives derived from Commission priorities. Their efforts generally become the subject of outreach and education activities. Respondents cited the requirement to have OLC sign off on presentation materials and fact sheets distributed throughout district and field offices and electronically through the EEOC's website. The Office of Legal Counsel's legal counsel said that the office reviews most of the outreach and education materials, but is unable to review all outreach materials generated by the field. The materials that OLC reviews include TAPS materials, scripts, training modules, talking points and PowerPoints. Staff in OLC derive their guidance from Commission decisions. The Commission's policy positions are informed by OGC, OFP and OFO input.

Staff in OLC also perform outreach and education directly, much like OGC's staff. Our review of a limited number of OLC's quarterly reports indicates OLC staff do an extensive amount of outreach and education, presenting on SEP priorities and guidance on EEO laws throughout the country at various events and conferences.

Office of Communications and Legislative Affairs

According to respondents in OFP and OCLA, OCLA manages the external-facing communications of EEOC. In effect, the office serves as EEOC's public relations arm. As such, OCLA has considerable outreach and education responsibilities. Their responsibilities include managing social media, the website, organizing national press releases, and coordinating district press releases. In addition to the external-facing communications, OCLA also helps address congressional requests for information.

In the last two years, OCLA began managing EEOC's efforts to use social media, such as Facebook, YouTube, and Twitter, to reach various audiences. The Office of Communications and Legislative Affairs is using these platforms to help disseminate information pertinent to EEO laws to the listening public. They have recently developed a social media guide that helps outline EEOC's official presence on social media. Respondents whom we talked to were encouraged by EEOC's engagement on social media, but also thought that it needs to be further developed.

Staff in OCLA now manage EEOC's website. Previously, staff in EEOC's Office of Information Technology held the responsibility of managing the website. Because this development is new (within the last two years), OCLA is beginning to figure out how to manage the content of the website and make it more user-friendly. According to our interviews with OCLA staff, there are plans to update the website.

Another important responsibility related to outreach and education that OCLA staff hold is drafting press releases and coordinating stories for the national press. OCLA staff review district office draft press

releases before they can be released. This is part of their effort to create a cohesive message and brand for EEOC. As part of their messaging, OCLA staff must coordinate responses to both positive and negative news stories involving EEOC. Having one voice means strategically responding as an agency and helping ensure that all EEOCs responses flow through OCLA.

Staff in OCLA also serve as liaisons to Congress. This means helping address concerns or questions that lawmakers have about EEO laws and preparing written testimony to share with Congress. The relationship with Congress includes helping congressional staff when constituents want updates on their EEOC complaints. There is a website that legislative affairs staffers can use to interact with OCLA. Staff in OCLA then seek out answers from the appropriate sources internally. Part of OCLA's legislative affairs responsibilities include handling the Office of Budget and Management processes when it seeks input on legislative matters and providing feedback on the impact of EEO laws.

Office of Federal Operations

The Office of Federal Operations (OFO) staff provide outreach and education for federal government agencies. It oversees development of courses and course revisions for federal EEO-related training. Some of their audiences include human resources staff and relevant agency operations managers. The Office of Federal Operations (OFO) also frequently uses the Training Institute, because of the federal requirements for EEO training. The Office of Federal Operations use of the Training Institute includes mandated trainings for each agency's EEO specialists. Federal EEO investigators and EEO counselors are required to attend 32 hours of initial training. They are also required to take annual eight-hour refresher trainings following their initial training. Staff in OFO try to reach every federal office to ensure that it is complying with EEO laws and requirements for trainings. This constitutes a significant amount of outreach and education, which is much different from the typical training provided to the general public.

Resource constraints prevented a closer look at OFO activities other than those relating to the revolving fund's and the Training Institute.

Office of Research, Information, and Planning

The Office of Research, Information and Planning (ORIP) provides statistics relating to partnerships and charges. Charge reports that we saw provide tabulations by discrimination category, state, and fiscal year—a potential use in the identification of outreach and education needs and improvement. Moreover, ORIP

provides special analyses when requested, such as by a district office. It does not seem to play a large role in outreach and education, but it could be a useful resource to the agency going forward.

Appendix D: Findings from FEPAs

Ideas from State Government Fair Employment Practices Agencies

We interviewed officials from three state-government FEPAs. Each official was complimentary about their interactions with EEOC, particularly applauding EEOC's responsiveness. A number of points were suggested that might be of use to EEOC or other FEPAs:

- Ask people when they come in to make a complaint to fill out a form that asks how they heard about the agency and who recommended the agency to them.
- Use “study circles” or other local small events to bring in people of different backgrounds to discuss race and other EEO issues.
- Partner with community colleges.
- Work with FEPA partner organizations to create public service announcements. EEOC would discuss the law and then FEPAs would provide information on local contacts.
- Through local advertising, provide information on individuals' rights and include contact information for local EEOC and FEPA offices.
- Find out whether employers understand their responsibilities. A performance measurement could focus on the percent of businesses aware of their responsibilities.
- Advertise on movie screens, especially if it is close to when the movie starts.
- FEPA officials endorsed the EEOC's use of webinars. They said that they have been very helpful for training FEPA staff.

Appendix E: Findings from Other Federal Agencies

We interviewed officials in the US Department of Labor (DOL) and US Department of Housing and Urban Development (HUD) who have major responsibilities in outreach and education at their agencies. DOL focuses on employment discrimination issues involving organizations with active contracts from the federal government. HUD focuses on housing discrimination, but has similar outreach and education issues to EEOC's.

Each official in DOL that we spoke with was complimentary about the interactions between their department and EEOC. Interviewees from DOL agreed that coordination and cooperation had improved considerably in recent years.

A number of points arose during our interviews that might be useful to EEOC:

- HUD's outreach and education includes public service announcements, media and social media campaigns (coordinated with HUD's Public Affairs Office). Comparing notes with HUD on such approaches might help both agencies.
- Staff at HUD recently created a smartphone application that allows users to file a complaint and obtain information on the protected status coverage of fair housing laws. It serves as an additional portal that is an alternative to filing a complaint in-person at a fair housing office.
- Staff at HUD are currently developing a one-stop-shop that contains outreach and education materials.
- HUD has used complaint data to identify complaint trends. The respondent indicated a desire to have someone in the outreach and education office who could do analytics "to see if what it is doing is effective."
- HUD recently surveyed its staff to obtain information on the staff's understanding with regard to HUD's work with the Limited English Proficiency community. This information will be used to develop materials that will help HUD's staff better engage this community.
- Having little staff dedicated to outreach and education, HUD, as part of its Fair Housing Assistance Program, holds competitions among its state and local partners for outreach and education contracts. HUD also offers funding to private fair-housing organizations through its

Fair Housing Initiative Programs, to non-profit organizations to help HUD's fair housing outreach work.

- An interesting quote, somewhat paraphrased, was -- We have 600 staff throughout the field that work on fair housing, but we have only four people devoted to outreach and education.
- DOL respondents reported that they work closely with EEOC. Both at the headquarters and field levels. Staff at DOL's six regional offices work closely with the EEOC district/field offices. However, the geographic differences mean that DOL's offices often encompass multiple EEOC district and field offices. Respondents noted that, in some instances, co-location (being located in the same building) with EEOC staff has helped develop the relationship between the two agencies.
- DOL's outreach and education's communications strategy includes a web presence, e-mail blasts, eye-catching and informative graphics with limited text. DOL staff have found that when they hosts events, people like to leave with paper materials.
- DOL interviewees stated they would like copies of EEOC outreach and education materials such as PowerPoints and other materials from trainings. Respondents said that DOL sometimes uses EEOC materials and sometimes it uses its own. Sharing information and materials between EEOC and DOL might be desirable, especially if the materials can be "cataloged" by such characteristics as discrimination category/protected class.
- It is not clear the extent to which DOL personnel who deal with outreach and education are aware of, or have access to, EEOC materials, whether materials coming from EEOC headquarters or from its field offices. EEOC might explore this issue to determine whether there are gaps.
- DOL has done only one public service announcement (PSA) but would like to do more, particularly PSA's focusing on large cases. For example, it put together a Spanish language PSA based on a poultry case in Arkansas that affected Hispanic female workers.
- Those we spoke with at DOL would like to have an electronic survey instrument to track people after the event, but this is not an active piece of business. Some concerns with this approach include the Paper Work Reduction Act, the cost of developing the questionnaire, and the timing of when to survey the event participants (given that sometimes outcomes take a while to materialize). DOL does regular compliance evaluations ones, not related to complaints. Measuring the outcomes for these would likely require other, special, outcome indicators.

Appendix F: EEOC Comments on the Outreach and Education Draft Report

We would like to thank all the staff that reviewed our draft report and provided comments. The final draft of the report has been strengthened by their input and comments. We have addressed the concerns of the reviewers and attempted to clarify areas of ambiguity. Thank you, particularly for your help clarifying position titles, strengthening the legal sufficiency of the report and clarifying terminology. Any remaining errors or omissions that remain are our own.

Below are specific comments received from EEOC reviewers on our recommendations and one additional comment that we felt was important to address. We then provide our response with additional information and clarification on particular comments.

Comments Related to Specific Recommendations

- #2 The draft report recommends that EEOC consider creating methods to alleviate the administrative workload of the Program Analysts. We agree that this is an important consideration, and OFP has previously discussed the issue with the Program Analysts. As a result, a Program Analyst Assistant position is currently being developed by OFP with plans to initially pilot the position in some of the larger Districts. Currently, the Program Analysts receive some administrative support from Revolving Fund Division staff.
- #3 The draft report indicates that EEOC should rely on the strengths of the FEPAs in their outreach and education efforts. It recommends that a limited investment in our FEPA partners' outreach and education efforts is likely to have significant returns. We agree that supporting the FEPAs' outreach and education efforts is beneficial. We would like to point out that during FY 2014, contracts between the EEOC District Offices and their respective FEPAs included a unique funding provision by which FEPAs were eligible to receive \$1,000 upon submission and approval of a written proposal detailing a joint outreach, joint training or joint enforcement activity in support of an EEOC Strategic Enforcement Priority. By the conclusion of FY 2014, our records indicated that 82 out of 92 FEPAs had qualified to receive this funding based on either a proposed joint outreach, training or enforcement activity or because they had already conducted such an activity during the Fiscal Year. Overall, OFP received positive feedback from

our FEPA partners regarding this funding opportunity, and we are looking into the possibility of providing this again to our FEPA partners in their FY 2015 contracts with the EEOC.

- #8 The report recommends that EEOC “prioritize audiences and subject matter based on a thorough examination of charge data.” See page ES-IV, Recommendation 8. EEOC considers a number of factors when determining how to use limited outreach and education resources. Although charge data may be one relevant factor, the issues on which individuals file charges and the industries where they work may reflect areas of the law where there is broader awareness of legal protections and greater awareness of how to enforce the law than other issues or industries. Charge data may be most helpful when examined in context, along with charge resolution data, litigation data, EEO-1 survey data and other relevant statistics. It has been our experience that the hardest groups to reach are those who do not turn to the EEOC or other governmental agencies for assistance due to a number of factors such as mistrust of the government, geographic distance from an EEOC Office, lack of knowledge about their civil rights protections and language barriers.

The EEOC has identified assisting immigrant, migrant, and other vulnerable workers “who are often unaware of their rights under the equal employment laws, or reluctant or unable to exercise them” as an SEP priority. The EEOC established the Immigrant Worker Team (IWT) in July 2011. The goal of the team, which is still in existence, is to develop and implement a comprehensive plan for the EEOC to address the intersection of national origin, race, gender, age, disability and/or religious discrimination issues affecting workers of foreign national origin, including issues related to human trafficking, migrant workers, and immigrant workers. The IWT used a collaborative model to bring together staff with expertise and interest in these issues to enhance EEOC’s enforcement, litigation, as well as outreach related to these cross-cutting workplace discrimination issues affecting people who are, or are perceived to be of foreign national origin. As part of this effort, the Asian Americans and Pacific Islander Vulnerable Workers Project was launched in 2014 by the EEOC, DOL and DOJ in conjunction with the White House Initiative on Asian Americans and Pacific Islanders (WHIAPPI). As part of the project, we are conducting a series of listening sessions throughout the country to hear from workers about the challenges they encounter in the workplace.

In FY 2013, each field office appointed a Language Access Officer as part of the implementation of EEOC’s language access plan which was designed to extend our enforcement, education and outreach to limited English proficient (LEP) communities throughout the nation. Since the appointment of Language Access Officers, headquarters and field offices have engaged in various activities such as outreach and education to LEP communities; providing technical

assistance to employers, including both employers with LEP employees and employer who are LEP; approving new bilingual position descriptions, training field staff on provision of language assistance services and developing and maintaining relationships with LEP stakeholders.

- #12 & #13 The report recommends that the EEOC “[u]se charge data to estimate the effects of the EEOC’s outreach activities on employment discrimination” and “[u]se charge data to provide evidence of the outreach and education outcomes.” See page ES-IV, Recommendation 12 and 13. While it is possible that EEOC outreach and education may impact charge data, it may be difficult to measure that impact. For example, such outreach and education may make applicants and employees more aware of their rights and potential avenues of complaint, including EEOC. This may result in an increase in EEOC charges. Alternatively, or in addition, applicants and employees may take advantage of internal complaint procedures in their workplaces. EEOC does not have access to employers’ internal complaint data, and is thus unable to measure the impact of EEOC outreach and education on internal complaint filing. Outreach and education may also make supervisors, co-workers, and employers more aware of their responsibilities. As a result, if they refrain from unlawful conduct or may readily resolve internal complaints, we may receive fewer charges than we otherwise would have. It is unclear whether or how we could determine the number of charges that we did not receive, or discrimination that did not occur, due to behavioral or organizational changes resulting from EEOC outreach and education.

We are considering other measures of impact for our outreach and education program such as surveys asking employers whether they have made changes in policies or practices after attending an EEOC outreach, technical assistance or educational event, sought additional/more in-depth training in an area, or broadly disseminated the information within their workplaces.

Other Comments

- On pages 4, 15, and 16, the report discusses ORIP’s role and suggests how ORIP can assist with priority setting and measuring success. ORIP is able to provide more than assistance with charge analysis. In addition to analyzing charge data, ORIP also collects workforce data from nearly every major employer in the country and conducts programmatic research such as evaluation studies. The list of interviewees in table B.1 does not include anyone from ORIP.

The Authors' Responses to Comments Related to the Recommendations

- #2. We reported on EEOC's current consideration of adding a "program analyst assistant" position.
- #3. We included additional information on EEOC's past efforts to fund FEPAs. It is our belief that this work is valuable and helps contribute to EEOC's partnership with FEPAs and to building effective outreach and education locally. We recommend continuing to fund FEPAs outreach and education efforts and believe that further increasing their capacity is an important strategy that EEOC should use.
- #8. We have made changes to reflect the comments. We appreciate receiving added information on EEOC's current efforts relating to prioritizing audiences. Some of the detail provided while interesting we believe is not needed for this report.
- #12/13. We added the caveats noted by the reviewers. We continue to believe that with modern technology and available analytic tools that some small steps to obtain evidence, imperfect as it would provide EEOC useful evidence, though limited, of progress made by outreach and education activities.

The Authors' Response to Other Comments

We have included recommended changes from EEOC's comments related to both legal sufficiency and terminology and corrected inaccurate statements from the draft report. Below we address one comment from these sections which stood out.

Specifically related to ORIP, we did not interview ORIP officials--who do not directly conduct outreach and education, although we would have liked to. Given our limited resources and time we thought it was important to prioritize interviews with offices and staff that directly conduct outreach and education. Despite not interviewing them, we have recommended an important role for ORIP: assisting in the analysis of charge filings both to support prioritizing populations for outreach and education, and to measuring the outcomes of outreach and education.

Notes

1. The office of federal operations provides outreach and education to federal employees and EEO officers in the federal government. We were unable to examine in detail all of OFO's outreach and education activities due to the limited scope of the project and resources.
2. Conciliation is an informal method EEOC uses to attempt to resolve findings of discrimination required by 42 U.S.C. 2000e-5. During conciliation EEOC investigators work with both parties to attempt to find an appropriate resolution to the discrimination claim.
3. The term "program analyst" is commonly used throughout the government for persons who examine numerical data. At EEO, the outreach and education program analysts role is different and better suited for individuals who are at their best when interacting with others.
4. The Office of Federal Operations has a more captive audience than the Office of Federal Programs since its audience consists of federal employees who are required to participate in EEO trainings and seminars. Any approach should account for that.

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