



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

Office of the Chair

October 27, 2020

MEMORANDUM

TO: Milton A. Mayo Jr.
Inspector General

FROM: Janet Dhillon
Chair

SUBJECT: OIG's Management Challenges Report

Thank you for the opportunity to respond to the Office of Inspector General's October 15, 2020 report. This response is in accordance with the Reports Consolidation Act of 2000. I look forward to continued positive interactions between our offices and any recommendations your office provides in support of the agency's mission. Overall, I concur with the recommendations in your letter. I offer the following comments on two matters.

Mission-Critical Data System Modernization

I concur that "agency leadership must continue to provide OIT with necessary resources" to modernize EEOC's data systems. While EEOC still faces challenges in modernizing our technology, the agency has made significant progress on multiple strategic efforts, including modernizing the agency's technology infrastructure, delivering digital services, and migrating to cloud services. Through the Technology Modernization fund, we have been able to supplement agency resources targeted at technology. During fiscal year 2020, the Commission received its first disbursement from the General Services Administration and we are committed to this project and its changes to our core technology systems.

The agency's modernization effort is not only focused on providing the resources to upgrade our systems, but also investing in the talent to enable successful OIT design and implementation. To this end, in fiscal year 2020 the agency hired several new key staff, including:

- Chief Technology Officer – the Agency's first CTO occupies a critical strategic and tactical role whose responsibilities had been largely tasked to the Chief Information Officer (CIO).
- Special Assistant to the CIO – the individual who filled this position joined OIT from the Office of General Counsel and immediately assisted with the significant increase in requests for video conferencing assistance and OIT's eDiscovery case

load.

- Quality Assurance/Release Management Lead – this position provided the Enterprise Applications Innovation Division (EAID) a vital second line of management and adds a renewed focus on quality and testing to the development process.

In addition, OIT has three authorizations to hire in progress for a Lead Developer, Cloud Engineer, and an AV Support Specialist, along with an internal promotion opportunity for a GS-9.

To ensure continued advancement, in fiscal year 2021 management across the agency will focus on implementing and supporting OIT's technological initiatives. Fiscal year 2021 will be the "Year of TMF" and all components within the agency will be expected to be involved in and champion its implementation.

Digital Records Management

The FOIA program has been entirely digital for several years and is now implementing a new and improved software system. However, not all of the agency's records are digital. This causes delays in responding to FOIA requests, as staff must sometimes physically locate and scan paper records. In fiscal year 2020, this challenge was exacerbated by COVID-19 and the agency's telework status. The agency is taking steps to reduce its FOIA inventory, and have instituted inventory reduction goals in appropriate performance plans to drive accountability.

In addition, a detailed analysis of the FOIA backlog is underway. The purpose of the assessment is to identify unused capacity in offices with minimal backlog. New FOIA requests from offices where a backlog exists and the files are electronic will be reassigned to an office with excess capacity, preempting further bottlenecks. In the offices with a backlog, focus will be on the oldest requests, thereby working both ends of the problem simultaneously.

Additionally, assessment of FOIA personnel staffing in EEOC field offices is underway. Management will also focus attention on the FOIA backlog in its monthly district director calls and will message that FOIA – a statutory construct – remains a mission-essential task.

Thank you again for your insight and providing me the opportunity to respond to your report.



Janet Dhillon
Chair