

OFFICE OF INSPECTOR GENERAL

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

FY 2021 Management Challenges

As this report highlights, the EEOC tracks progress toward successful completion of the agency's strategic objectives. Many of the performance measures identified in the agency's Strategic Plan and discussed throughout this report address the agency's efforts to prevent and remedy employment discrimination.

Additionally, each year, the Office of Inspector General (OIG) reports on what it has determined are the most serious management and performance challenges facing the EEOC. For a full description of the challenges identified by the OIG, see the agency's [Fiscal Year 2021 Agency Financial Report](#).

OIG's fiscal year 2021 Management Challenges Report identified three challenges facing the agency: Coronavirus 2019 (COVID-19); Mission-Critical Data System Modernization; and Digital Records Management. The EEOC implements remedial actions in response to the recommendations of the OIG. Described below is the progress the agency has made in addressing the major management challenges identified by the OIG.

Coronavirus 2019 (COVID-19)

As the Inspector General noted, the EEOC made significant efforts to move the agency to a virtual environment during the pandemic, communicate regularly and be transparent, and continue to successfully provide services to the public. Additionally, the agency has continued planning for the eventual return to our office space across the country. The agency conducted multiple listening sessions for staff and outside stakeholders to gather information about what was working and what challenges were created by the virtual environment. The plan will be fundamentally based on keeping our staff, and the public we serve, safe and healthy, while ensuring that our critical mission is not diminished.

Mission-Critical Data System Modernization

Over the past seven years, the EEOC has been moving its paper-based processes to online transactions and digital systems. Importantly, these efforts enabled the agency to carry out its mission during the COVID-19 pandemic. The legacy technology and data structure of the agency's now 20-year-old Integrated Mission System (IMS) slowed our efforts to transition to fully digital charge/case processing, however. The agency also suffered from a lack of resources to address the myriad needs and opportunities for process and technology improvements our staff and the public deserve.

In its current Strategic Plan, the EEOC committed to "complete a shared vision and develop high-level plans with resource requirements for modernizing [our] charge/case management systems." As previously discussed, the agency secured \$4 million in funding for this effort from

the Technology Modernization Fund (TMF) – in two \$2 million tranches – providing the EEOC with the resources needed to modernize IMS. Over the last 20 months, the modernization team defined and developed an end-to-end charge management solution to enable the agency’s private sector processes and the accompanying processes for its FEPA partners. Over 200 requirements workgroup meetings, requirement reviews, and demonstrations have been conducted to date in support of this program. At the end of fiscal year 2021, the modernized system – now branded as the Agency Records Center (ARC) – was in the User Acceptance Testing phase. The EEOC deployed the ARC system on January 18, 2022. EEOC prepared for this large-scale deployment – to 145 EEOC and FEPA offices – with significant reporting and training development efforts. Now that ARC has been deployed, development is shifting to modernizing the federal sector and litigation services components of the agency's charge management system, proposed for delivery late in calendar year 2022.

In addition to the significant work on TMF-related efforts, the agency implemented numerous enhancements to the legacy IMS, Public and Respondent Portals, and FEDSEP applications during fiscal year 2021. Many of these enhancements were in response to the COVID-19 pandemic and enabled the agency to meet its mission goals while working remotely.

For the first time in years, the agency has the necessary resources to systematically undertake a complete overhaul of our internal digital systems. Removing the considerable barriers of old technology, transforming the EEOC to support fully digital services, and providing staff and partners with a modern system has better enabled the agency to carry out its critical mission.

Digital Records Management

In fiscal year 2021, the agency continued its efforts to transition to electronic records and develop internal guidance for records management, despite the challenges associated with largely remote work during the pandemic. In fiscal year 2022, management anticipates hiring additional Records Information Management staff and continuing to support the agency’s records management program, including but not limited to updating the agency’s records control schedules, developing updated records management guidance based on the revised records control schedules, and continuing to work collaboratively with agency executives and internal stakeholders to provide guidance regarding records management issues and processes.

The transition to electronic records also benefits the EEOC’s FOIA program, which manages agency records disclosure pursuant to FOIA’s statutory mandate. Although the EEOC’s FOIA program has itself been entirely digital for several years and in fiscal year 2021 successfully implemented a new and improved software system, not all of the agency’s records are digital. In a few EEOC offices, this still causes delays in responding to FOIA requests, as staff must sometimes physically locate and scan paper records.

EEOC received approximately 16,000 FOIA requests nationwide during fiscal year 2021. Collaboration between headquarters and district office FOIA professionals throughout fiscal year 2021 resulted in EEOC’s FOIA program ending the fiscal year with only 283 FOIA requests nationwide that were overdue—less than 2% of the number of FOIAs received this year. FOIA staffing also stabilized nationwide in fiscal year 2021, which was a significant factor in the

program's success. For fiscal year 2022, the goal is to maintain and improve upon this progress by further reducing the number of overdue FOIAs.