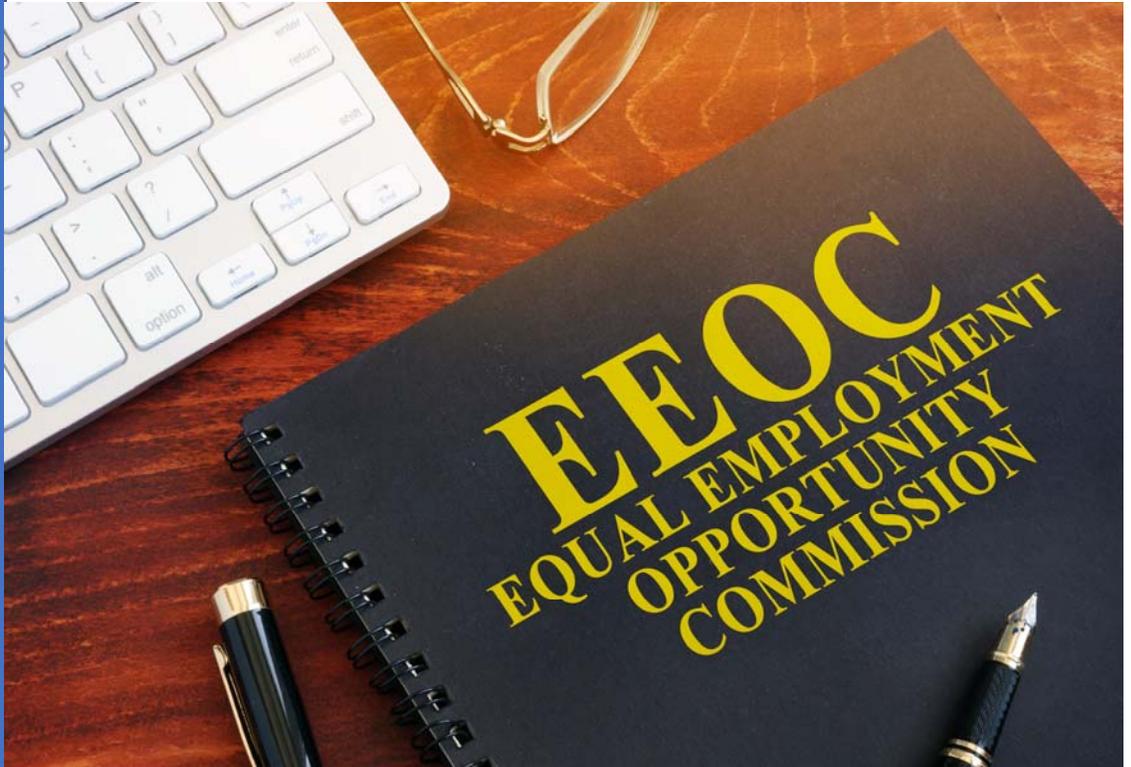


**SEMIANNUAL REPORT TO THE U.S. CONGRESS**

**OCTOBER 1, 2020 - MARCH 31, 2021**



**OFFICE  
OF  
INSPECTOR GENERAL**





## **OIG VISION**

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

## **OIG MISSION**

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



## ACRONYMS

AJ / SAJ	Administrative Judge/Supervisory Administrative Judge
CCD	Compliance and Control Division
CFO	Chief Financial Officer
COR	Contracting Officer Representative
CSD	Central Services Division
DATA Act	Data Accountability and Transparency Act
EEOC	Equal Employment Opportunity Commission
FISMA	Federal Information Security Modernization Act
FMFIA	Federal Managers' Financial Integrity Act
FSA	Financial Statement Audit
GAO	Government Accountability Office
HRK	Harper, Rains, Knight & Company
IG	Inspector General
IMS	Integrated Mission System
IPA	Independent Public Accountant
IPERA	Improper Payments Elimination and Recovery Act
OCFO	Office of Chief Financial Officer
OCHCO	Office of Chief Human Capital Officer
OEDA	Office of Enterprise Data and Analytics
OFO	Office of Federal Operations
OFP	Office of Field Programs
OIG	Office of Inspector General
OIT	Office of Information Technology
OMB	Office of Management and Budget



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## MESSAGE FROM THE INSPECTOR GENERAL

The Inspector General Act, of 1978, as amended, requires that I prepare and submit semiannual reports to the United States Congress that summarize the oversight activities of this office which occurred during the preceding six-month period. I am pleased to present our report for the period March 31, 2021.

During this reporting period the U.S. Equal Employment Opportunity Commission (EEOC) experienced a transition in leadership. Commissioner Charlotte A. Burrows, was appointed Chair of the EEOC, and Commissioner Jocelyn Samuels was appointed to the position of Vice Chair by President Joseph R. Biden Jr. We congratulate them on their appointments, and we look forward to working with their administration as we perform our oversight responsibilities. We wish to express our thanks to former Chair Janet Dhillon for her support during her tenure as the EEOC Chair.

As America emerges from the grips of the COVID-19 pandemic, our office remains committed to redoubling our efforts to deliver the kind of high-quality products that are designed to provide value-driven data, objective findings and thoughtful recommendations that are useful to EEOC management and staff in their pursuit of the agency's prime objectives: to "Prevent and remedy unlawful employment discrimination and advance equal opportunity for all in the workplace," and to foster "Respectful and inclusive workplaces, with equal employment opportunity for all."

In 2020, the Council of the Inspectors General on Integrity and Efficiency (CIGIE) voted to embrace Diversity, Equity, and Inclusion (DE&I) as a fundamental principle in our collective approach to providing oversight for the agencies and entities to which we have been assigned. Consistent with the CIGIE's adoption of DE&I principles we will work to ensure that we promote the tenets of DE&I in every aspect of our operations both internally and externally.

We appreciate the opportunity and privilege to serve the American people, and we pledge to continue to pursue our mission in the spirit of integrity, transparency and with accountability.

Milton A. Mayo, Jr.

Inspector General



## EXECUTIVE SUMMARY

This semiannual report summarizes the OIG's activities and accomplishments for October 1, 2020, through March 31, 2021.

The OIG issued three audit and evaluation reports, one management letter, one written advisory, and one review of compliance. The OIG resolved 373 investigative inquiries.

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

During the reporting period the OIG issued the following reports:

- A written advisory to the Chair validating the Agency's compliance with the Federal Managers' Financial Integrity Act of 1982 (FMFIA).
- Audit reports of the EEOC charge card program for FY 2019 and 2020; and for the EEOC's financial statements for FY 2020.
- A management letter identifying internal control deficiencies over undelivered orders.
- A performance audit report on the Federal Information Security Modernization Act of 2014 (FISMA) for FY 2020.
- On its review of the EEOC's compliance with Executive Order 13950, "Combating Race and Sex Stereotyping."

Ongoing Audits, Evaluations, and Other Projects

- The OIG has contracted with the public relations and communications firm Hager Sharp to evaluate the EEOC's social media program.
- The OIG is evaluating EEOC's management of private sector customer service.
- The OIG has contracted with the public accounting firm Harper, Rains, Knight & Company, P.A. (HRK) to perform the following:
  - FY 2021 financial statement audit.
  - FY 2021 Digital Accountability and Transparency Act of 2014 performance audit.
  - FY 2021 performance audit of the Agency's compliance with the Federal Information Security Modernization Act of 2014 for FY 2021
- The OIG is reviewing the agency's compliance with the Payment Integrity Information Act of 2019.

Planned Audit and Evaluation

- The OIG plans to conduct a performance audit of the EEOC's enterprise risk management practices.
- The OIG plans to conduct a program evaluation of EEOC's Digital Process Transformation and Automation (DPTA) strategy and activities at EEOC.

Ongoing Investigative Activity

- An investigation into the alleged ethical violations by an EEOC office director.
- An investigation regarding an EEOC employee allegedly engaging in obtaining information on individuals through Agency information systems.
- An investigation regarding an allegation of misuse of position by an EEOC employee allegedly working outside of the EEOC without authorization.
- An investigation into ethical violations and misuse of government position, time, and resources by an EEOC employee who is allegedly participating in personal activities.



## **INTRODUCTION**

### **The Equal Employment Opportunity Commission**

The Equal Employment Opportunity Commission (EEOC) is the Federal agency responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), disability or genetic information. The EEOC is a bipartisan commission comprised of five presidentially appointed members, including the Chair, Vice-Chair, and three Commissioners. The Chair is responsible for administering and implementing policy and the Commission's financial management and organizational development. The Vice-Chair and the Commissioners participate equally in the development and approval of Commission policies, issue charges of discrimination where appropriate, and authorize the filing of some lawsuits. In addition to the Commissioners, the President appoints a General Counsel to support the Commission and provide direction, coordination, and supervision to the EEOC's litigation program.

### **The EEOC Office of Inspector General**

The U.S. Congress established the Office of Inspector General (OIG) at the EEOC through the 1988 amendments to the Inspector General Act of 1978.

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

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

The Counsel to the Inspector General is the official legal advisor to the Inspector General, providing day-to-day oversight of the OIG's investigative work and is the primary liaison with Agency legal components and the U. S. Department of Justice. Since January 2010, the Counsel to the Inspector General has served as the Acting Deputy Inspector General. The Assistant Inspector General for Audit has oversight of the audit program. The Supervisory Evaluator has oversight of the evaluation program. The OIG's staff positions include a chief technology officer, a staff auditor, one senior evaluator, two criminal investigators, a confidential support assistant, and an administrative specialist.



## **THE AUDIT AND EVALUATION PROGRAMS**

*These programs support the OIG’s mission of improving the economy, efficiency, and effectiveness of EEOC programs, operations, and activities.*

## **COMPLETED AUDITS, EVALUATIONS, AND OTHER PROJECTS**

### **FY 2020 Agency Compliance with the Federal Managers’ Financial Integrity Act of 1982**

On November 6, 2020, the OIG issued a written advisory to the Chair validating the Agency’s compliance with the Federal Managers’ Financial Integrity Act of 1982 (FMFIA), as well as the Office of Management and Budget’s (OMB) Circular A-123, Management’s Responsibility for Enterprise Risk Management and Internal Controls.

OMB Circular A-123, as implemented by EEOC Order 195.001, Management Accountability and Controls, requires the OIG to annually provide a written advisory to the Chair that the Agency’s management control evaluation complied with OMB requirements.

The OIG advised the Chair that the Agency’s management control evaluation complied with applicable guidelines.

### **U.S. Equal Employment Opportunity Commission Charge Card Program**

On March 24, 2021, the OIG issued an audit of the U.S. Equal Employment Opportunity Commission Charge Card Program for FY 2019 and 2020. The OIG contracted with the public accounting firm Harper, Rains, Knight & Company, P.A. (HRK) to perform the audit.

Overall, HRK found that the EEOC had properly designed its internal controls over its charge card program to detect and prevent fraud, waste, abuse, and misuse. HRK also determined that the program is in substantial compliance with laws and regulations, specifically Office of Management and Budget (OMB) Circular A-123, Appendix B, A Risk Management Framework for Government Charge Card Programs.

HRK concluded EEOC’s overall charge card program risk, including travel, purchase, and convenience checks, were moderate during the period under audit. However, HRK did issue four recommendations regarding:

- Enhancing the documentation, monitoring, and enforcement of its controls over the closure of charge card accounts.
- Ensuring emailed policy memos are promptly updated in the appropriate EEOC Directives Transmittal Order.
- Enhancing the documentation and monitoring of controls over the validation process of charge card transactions.
- Updating its policies and procedures to include all required safeguards and internal controls to be compliant with the Government Charge Card Abuse Prevention Act of 2012.



## **Audit of the U.S. Equal Employment Opportunity Commission’s Fiscal Year 2020 Financial Statements**

On November 12, 2020, the OIG issued an audit of the EEOC’s financial statements for FY 2020. The OIG contracted with the public accounting firm Harper, Rains, Knight & Company, P.A. (HRK) to perform the audit. HRK reported that the EEOC’s financial statements present fairly, in all material respects, EEOC’s financial position as of September 30, 2020, and 2019, and its net cost of operations, changes in net position, and budgetary resources for the fiscal years then ended, in accordance with accounting principles generally accepted in the United States of America.

### **Management Letter Report for FY 2020 Financial Statement Audit**

On December 16, 2020, the OIG issued a management letter prepared by the public accounting firm Harper, Rains, Knight & Company, P.A. (HRK), identifying internal control deficiencies over undelivered orders.

HRK recommended the following in its Management Letter:

- EEOC management creates an internal control where management reviews, on a sample basis, at least quarterly, the approved monthly purchase card statements for conformity to EEOC Order 360.003.
- EEOC management should create a control where management reviews, on a sample basis, at least quarterly, the approved property, plant, and equipment (PP&E) disposals/retirements for conformity to EEOC standard operating procedures (SOP) for OIT excess property. and
- EEOC should ensure the existing undelivered orders policy is followed, and documentation of the process is reviewed by the Chief Financial Officer or their designee on a quarterly basis.

## **Federal Information Security Modernization Act of 2014 (FISMA) FY 2020 Performance Audit**

On March 24, 2021, the OIG issued a performance audit report on the Federal Information Security Modernization Act of 2014 (FISMA) FY 2020 Performance Audit. The OIG contracted with the public accounting firm Harper, Rains, Knight & Company, P.A. (HRK) to perform the audit of EEOC’s information security program and practices in accordance with the Federal Information Security Modernization Act of 2014 (FISMA). The contract required HRK conduct the audit in accordance with generally accepted government auditing standards (GAGAS) contained in Government Auditing Standards, issued by the Comptroller General of the United States.

HRK determined that the EEOC established and maintained an effective information security program and practices consistent with applicable FISMA requirements, OMB policy and guidance, DHS guidance, and National Institute of Standards and Technology standards and guidelines. However, HRK did recommend that the Agency’s information security program could better protect the confidentiality, integrity, and availability of EEOC’s information and information systems by remediating internal vulnerabilities on its network.



## **Review of EEOC’s Compliance with Executive Order 13950**

On December 30, 2020, the OIG issued its review of EEOC compliance with Executive Order 13950, “Combating Race and Sex Stereotyping.” The Executive Order requires federal agencies, federal grantees, federal contractors, and the Uniformed Services to address trainings that include divisive concepts, race or sex stereotyping, and race and sex scapegoating and that each agency head shall request the agency’s Inspector General to thoroughly review and assess by the end of the calendar year, and not less than annually thereafter, agency compliance with the requirements of this Order. OIG’s review determined that the Agency was compliant with all requirements specified in the Order.

## **ONGOING AUDITS, EVALUATIONS, AND OTHER PROJECTS**

### **Evaluation of EEOC’s Social Media Program**

During the third quarter of FY 2021, the OIG plans to issue an evaluation report of EEOC’s social media program. The OIG contracted with the public relations and communications firm Hager Sharp, Inc. to evaluate and identify opportunities for improving the effectiveness and efficiency of the social media program and activities.

### **Audit of the U.S. Equal Employment Opportunity Commission’s Fiscal Year 2021 Financial Statements**

During the first quarter of FY 2022, the OIG plans to issue a performance audit regarding the FY 2020 financial statement audit of the EEOC as required by the Accountability of Tax Dollars Act of 2002. The OIG has contracted with the public accounting firm Harper, Rains, Knight & Company, P.A. (HRK) to complete the performance audit and render an opinion regarding EEOC’s financial statements.

### **FY 2021 Digital Accountability and Transparency Act of 2014 Performance Audit**

During the first quarter of FY 2022, the OIG plans to issue a performance audit report regarding the EEOC’s compliance with the Digital Accountability and Transparency Act of 2014 (DATA Act) for FY 2021. The OIG has contracted with the public accounting firm Harper, Rains, Knight & Company, P.A. (HRK) to complete the performance audit.

### **U.S. Equal Employment Opportunity Commission's Compliance Payment Integrity Information Act of 2019**

During the third quarter of FY 2021, the OIG plans to issue a memorandum concerning the Agency’s compliance with the Payment Integrity Information Act of 2019.



## **EEOC’s Compliance with Provisions of the Federal Information Security Modernization Act of 2014 FY 2021 Performance Audit**

During the first quarter of FY 2022, the OIG plans to issue its cyberscope security metrics and final report regarding the Agency's compliance with the Federal Information Security Modernization Act for FY 2021. The OIG has contracted with the public accounting firm Harper, Rains, Knight & Company, P.A. (HRK) to complete the performance audit and cyberscope security metrics evaluation.

## **Evaluation of EEOC’s Management of Private Sector Customer Service**

During the second quarter of FY 2022, the OIG plans to issue its final report regarding the evaluation of EEOC’s management of private sector customer service. The evaluation will examine selected customer service management activities as they apply to private sector potential charging parties, charging parties, and respondents who interact with staff at EEOC headquarters.

## **PLANNED AUDITS AND EVALUATIONS**

### **FY 2021 Enterprise Risk Management**

The OIG plans to perform a performance audit of the Agency's enterprise risk management program.

### **Evaluation of EEOC’s Digital Process Transformation and Automation Activities**

The OIG plans to conduct a program evaluation of EEOC's Digital Process Transformation and Automation (DPTA) strategy and activities at EEOC.



### Audit and Evaluation Reports Issued During This Reporting Period

Section 5(a)(1) of the Inspector General Act of 1978, as amended, requires that semiannual reports include a summary description of significant problems, abuses, and deficiencies relating to the agency’s administration of programs and operations disclosed by the OIG during the reporting period. The OIG issued three audit and evaluation reports, and one management letter.

Fiscal Year	Report Number	Report Title	Date Issued	Recommendations
2021	2020-001-AOIG	Audit of the Equal Employment Opportunity Commission's Fiscal Year 2020 Financial Statements	11/12/2020	No
2021	2020-002-AOIG	Management Letter Report for FY 2020 Financial Statement Audit	12/16/2020	Yes
2021	2020-003-AOIG	Federal Information Security Modernization Act of 2014 (FISMA) FY 2020 Performance Audit	3/24/2021	Yes
2021	2020-004-AOIG	U.S. Equal Employment Opportunity Commission Charge Card Program	3/24/2021	Yes



### AUDIT AND EVALUATION FOLLOW-UP

*Audit and Evaluation Follow-up is an integral part of effective management and is a shared responsibility of agency management officials, auditors, and evaluators. Corrective action taken by management to resolve findings and recommendations is essential to improving agency operations' effectiveness and efficiency.*

### Recommendations for Which Corrective Actions Have Not Been Completed

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

Fiscal Year	Report Number	Report Name	Date Issued
2019	2019-004-AOIG	U.S. Equal Employment Opportunity Commission Federal Information Security Modernization Act of 2014 (FISMA) FY 2019 Performance Audit.	2/20/2020
<ol style="list-style-type: none"> <li>1. EEOC OIT should conduct a privacy impact assessment of the SharePoint system to identify privacy issues and risks associated with the security settings; and to provide recommendations to mitigate potential privacy risk.</li> <li>2. EEOC OIT should provide specialized training for SharePoint administrators and users to reduce the risk of exposing sensitive information and PII.</li> <li>3. EEOC OIT should review and remediate critical-risk, high-risk, and medium-risk vulnerabilities in accordance with EEOC OIT's assessment of risk. If the risk is not remediated then we recommend EEOC OIT document the acceptance of the risk.</li> <li>4. EEOC OIT should enforce its mobile device management compliance policies for all enrolled mobile devices and report noncompliance to the user and OIT senior management for corrective action.</li> <li>5. EEOC OIT should develop an action plan to address related policy and procedural requirements of the SECURE Technology Act.</li> </ol>			



Fiscal Year	Report Number	Report Name	Date Issued
2019	2019-003-AOIG	EEOC Compliance with DATA Act Submission Requirements	11/8/2019
<p>1. EEOC should enhance their current DATA Act internal control procedures over the reliability and validity of their DATA Act submission by ensuring they meet all aspects of OMB M-17-04, including documentation of all work performed to ensure the alignment of data in Files C and D1. The enhanced internal control policy and procedure developed should include categorical explanations for misalignments, including legitimate differences between files C and D1.</p>			

Fiscal Year	Report Number	Report Name	Date Issued
2019	2019-002-AOIG	FY 2019 Financial Statements Audit	11/19/2019
<p>1. EEOC should ensure the existing policy in place is followed and documentation of the process is reviewed by the CFO or their designee on a quarterly basis.</p>			

Fiscal Year	Report Number	Report Name	Date Issued
2019	2019-001-AOIG	Evaluation of EEOC's Contract Administration Activities	11/19/2019
<p>1. OCFO should review and update the Contract File Content Checklist to reflect current documents maintained in the file.</p> <p>2. ASD should establish a mechanism to provide oversight of CORs to ensure compliance with documentation requirements consistent with the FAR and agency policy.</p> <p>3. ASD should review and update the COR Appointment Letter as needed and specifically address the maintenance of electronic contract files.</p> <p>4. OCFO should revise EEOC Order 360.001 as needed to assist CORs in performing their duties. Include implementation guidance for contract administration activities, such as submitting contract modifications.</p> <p>5. OCFO should develop a mechanism to ensure that CORs are notified when invoices are ready for their review, including reminder notifications when invoices remain in the system longer than five days.</p>			



Fiscal Year	Report Number	Report Name
2019	2018-007-AOIG	FY 2017 and FY 2018 Performance Audit of the U.S. Equal Employment Opportunity Commission Commercial Charge Card Program
<p>1. The Office of the Chief Financial Officer should enhance the documentation, monitoring, and enforcement of its controls over the closure of charge card accounts.</p>		

Fiscal Year	Report Number	Report Name	Date Issued
2019	2018-001-EOIG	Evaluation of EEOC's Federal Hearings and Appeals Processes	3/27/2020
<p>1. Standardize on-boarding activities and training programs required for new AJs and other staff working at the District and Field offices, so that the Federal hearings experience is consistent for both complainants and agencies across offices.</p> <p>2. Ensure future process changes are implemented according to change management best practices noted by GAO.</p> <p>3. Standardize organizational structures used in the District and Field offices to include all resources required for major tasks. OFP should create a guideline that describes the desired standard organizational structure of District and Field offices.</p> <p>4. Standardize the role of the administrative support for all District and Field offices. A position review should be conducted to determine the job title held by support staff, as well as their pay level and their level of responsibility (e.g., determine if legal techs should be assigning cases). Any additional administrative support should be supported by data analysis of caseloads and inventory.</p> <p>5. Evaluate availability of resources dedicated to Alternative Dispute Resolution (ADR) per office and determine if the agreement between EEOC and the Federal Mediation and Conciliation Service (FMCS) would provide enough mediation support for the District and Field offices. OFP should also analyze the impact of ADR pilot programs implemented in certain Districts, such as WISE, the Washington Field Office Initiative to Settle Equal Employment Opportunity (EEO) Complaints, to determine if these programs can also be replicated in other districts. In addition, OFP could record and replicate best ADR practices from offices that report a higher percentage of cases resolved through mediation.</p> <p>6. The Office of Information Technology (OIT), in partnership with OFP and OFO, should re-evaluate IMS requirements, and requirements for the framework of its successor system, to determine what additional reporting functionalities are needed in order to analyze data about staff and office productivity. A Voice of the Customer exercise or a user requirement meeting could serve as starting point to gather current requirements from IMS main users (OFP and OFO) and to determine what other current systems need to be integrated to make them function in alignment with IMS (Power BI, Complainant Portal).</p>			



7. OIT developers should meet directly with software users, such as OFO attorneys and supervisory attorneys and OFP AJs and Supervisory AJs (SAJ) to determine additional requirements.
8. OFO and OFP, in partnership with OIT, should consider development of an IMS training guide or document that is consistently updated and reviewed following upgrades, enhancements or modifications of the software. This guide should include all necessary codes for every action item in the process and should be available for all product users. This guide should ensure that product users track all mandated steps in IMS. Given that each office’s staff has their own needs within IMS: One guide should be made for OFP legal techs, AJs, and SAJs. A separate guide should be available for OFO CCD staff, attorneys and supervisory attorneys.
9. Examine the staffing model of the appeals intake process to determine if the dedicated resources are sufficient for ensuring processes are completed in a timely manner.
10. Assign a target amount of days for intake so that management can determine if changes implemented impact the efficiency of the process.
11. Evaluate and assess timeline improvement after the use of the new contractors. If significant improvements are verified by data, consider improvements to the ongoing staffing model and the possible addition of these contractor positions as permanent roles. OFO should determine and monitor metrics, such as improvement of targeted timelines from one step to another (data can be gathered from IMS).

Fiscal Year	Report Number	Report Name	Date Issued
2019	2018-004-AOIG	U.S. Equal Employment Opportunity Commission Federal Information Security Modernization Act of 2014 (FISMA FY 2018 Independent Evaluation	3/6/2019

1. The EEOC OIT should review and remediate critical-risk, high-risk and moderate-risk vulnerabilities. These vulnerabilities should be resolved to avoid compromise to EEOC’s systems; or the Agency should document acceptance of the risk or reclassification of the risk.
2. The EEOC OCHCO and OIT should conduct a baseline assessment of the EEOC’s cybersecurity workforce that includes (1) the percentage of personnel with IT, cybersecurity, or other cyber-related job functions who hold certifications; (2) the level of preparedness of other cyber personnel without existing credentials to take certification exams; and (3) a strategy for mitigating any gaps identified with appropriate training and certification for existing personnel.



Fiscal Year	Report Number	Report Name	Date Issued
2018	2017-007-AOIG	Independent Evaluation of the U.S. Equal Employment Opportunity Commission’s Compliance with Provisions of the Federal Information Security Modernization Act of 2014 (FISMA)	12/18/2017
<ol style="list-style-type: none"> <li>1. The EEOC OIT should implement an automated solution to provide a centralized enterprise-wide view of risk across the Agency.</li> <li>2. The EEOC should develop and implement a Trusted Internet Connection (TIC) program in accordance with Office of Management and Budget (OMB) requirements to assist in protecting the agency’s network from cyber threats.</li> <li>3. The EEOC OIT should conduct an e-authentication risk assessment based on NIST SP800-63-3 Digital Identity Guidelines suite, for EEOC's digital services, and fully implement multifactor authentication for logical and remote access enterprise-wide. (Repeat finding since FY 2008)</li> </ol>			

Fiscal Year	Report Number	Report Name	Date Issued
2017	2016-008-EOIG	Independent Evaluation of the U.S. Equal Employment Opportunity Commission’s Compliance with Provisions of the Federal Information Security Modernization Act of 2014 (FISMA)	1/4/2017
<ol style="list-style-type: none"> <li>1. The EEOC OIT should review and analyze critical, high, and medium vulnerabilities. These vulnerabilities should be resolved to avoid compromise of EEOC’s systems; or the agency should document acceptance of the risk or reclassification of the risk.</li> </ol>			

Fiscal Year	Report Number	Report Name	Date Issued
2014	2013-008-PSA	Performance Audit of the Agency’s Personnel Security Program	9/15/14
<ol style="list-style-type: none"> <li>1. Immediately correct any known weaknesses. If EEOC determines not to correct a noted weakness, EEOC should document this analysis and their acceptance of the associated risk.</li> <li>2. Implement a formalized training program for individuals who use classified information as a part of their duties. If an external agency is to assume the responsibility of training these individuals, this agreement should be documented in an MOU.</li> <li>3. Develop and implement policies and procedures to address the safeguarding, transfer, storage, or disposal of classified information. The policy should include the requirements for Memorandums of Understanding between agencies.</li> </ol>			



**Audit and Evaluation Reports Which no Management Decision has been Made by the End of the Reporting Period**

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

The OIG has no audit or evaluation reports issued before the reporting period began, for which no management decision was made.

Fiscal Year	Number of Reports with Unimplemented Recommendations (such as report title, report number, hyperlink to report, etc.)	Number of Unimplemented Recommendations	Dollar Value of Aggregate Potential Cost Savings	For which no establishment comment was returned within 60 days of providing the report to the establishment
2021	0	0	0	N/A



## THE INVESTIGATION PROGRAM

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

The Office of Inspector General received 377 calls on the OIG Hotline, received 786 emails and received 23 written inquiries for a total of 1186 investigative contacts through October 1, 2020, and March 31, 2021. The OIG resolved 373 investigative inquiries.

<b>Investigative Inquiries Received October 1, 2020 – March 31, 2021</b>	
<b>Allegations</b>	<b>Number</b>
Charge Processing	286
Other Statutes	72
Title VII	21
Mismanagement	42
Ethics Violations	49
Backgrounds	14
Theft	2
Threats	16
Fraud	125
Other Criminal Allegations	559
<b>Total</b>	<b>1186</b>



## **OIG HOTLINE**

The OIG Hotline exists to enable EEOC employees, EEOC contractors, and the public to have direct and confidential contact with the OIG. We do not investigate every hotline complaint we receive. OIG policy requires that hotline complaints be evaluated on specific criteria, including the merits of the allegation, the availability of evidence, and the priorities, commitments, and resources of the OIG.

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

## **ONGOING INVESTIGATIVE ACTIVITY**

The OIG has ongoing investigative activity in several field offices involving the following:

- An investigation into the alleged ethical violations by an EEOC office director.
- An investigation regarding an EEOC employee allegedly engaging in obtaining information on individuals through Agency information systems.
- An investigation regarding an allegation of misuse of position by an EEOC employee allegedly working outside of the EEOC without authorization.
- An investigation into ethical violations and misuse of government position, time, and resources by an EEOC employee who is allegedly participating in personal activities.



## APPENDICES

### Appendix I.

Final OIG Audit and Evaluation Reports

Report Title	Date Issued	Questioned Costs	Funds Put to Better Use	Unsupported Costs
Audit of the Equal Employment Opportunity Commission's Fiscal Year 2020 Financial Statements	11/12/2020	-0-	-0-	-0-
Management Letter Report for FY 2020 Financial Statement Audit	12/16/2020	-0-	-0-	-0-
Federal Information Security Modernization Act of 2014 (FISMA) FY 2020 Performance Audit	3/24/2021	-0-	-0-	-0-
U.S. Equal Employment Opportunity Commission Charge Card Program .	3/24/2021	-0-	-0-	-0-

### Appendix II.

Investigative Statistical Report

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



**Appendix III.**

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

Report Name: N/A	Report Number	N/A	Date Issued	N/A
<b>Facts and circumstances of the investigation</b>		<b>(B) the status and disposition of the matter, including-</b> <b>(i) if the matter was referred to the Department of Justice, the date of the referral; and</b> <b>(ii) if the Department of Justice declined the referral, the date of the declination</b>		
No		N/A		

**Appendix IV.**

A Detailed Description of Any Instance of Whistleblower Retaliation.

<b>Information about the official found to have engaged in retaliation.</b>	<b>Consequences the establishment imposed to hold that official accountable.</b>
No	N/A

**Appendix V.**

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

<b>Issue</b>	<b>Description</b>
With budget constraints designed to limit the capabilities of the Office	No
Incidents where the establishment has resisted or objected to oversight activities of the Office or restricted or significantly delayed access to information, including the justification of the establishment for such action	No



### Appendix VI.

Detailed Descriptions of the Particular Circumstances.

Issue	Description
Inspection, evaluation, and audit conducted by the Office that is closed and was not disclosed to the public	No
Investigation conducted by the Office involving a senior Government employee that is closed and was not disclosed to the public	No

### Appendix VII.

Significant Management Decisions

Issue	Description
Significant Management Decisions that were revised during the reporting period	N/A
Significant Management Decisions with which the Office of Inspector General is in disagreement	N/A

### Appendix VIII.

Index of Reporting Requirements

Inspector General Act Citation	Reporting Requirements	Page
Section 4(a)(2)	Review of Legislation and Regulations	N/A
Section 5(a)(1)	Significant Problems, Abuses, and Deficiencies	6-8
Section 5(a)(2)	Recommendations with Respect to Significant Problems, Abuses, and Deficiencies	6-8
Section 5(a)(3)	Significant Recommendations Included in Previous Reports on Which Corrective Action Has Not Been Completed	11-15
Section 5(a)(4)	Matters Referred to Prosecutorial Authorities	19



Section 5(a)(5)	Summary of Instances Where Information Was Refused	20
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Section 5(a)(7)	Summary of Significant Reports	6-8
Section 5(a)(8)	Questioned and Unsupported Costs	19
Section 5(a)(9)	Recommendations That Funds Be Put to Better Use	19
Section 5(a)(10)	Summary of each audit report, inspection, evaluation report(s) issued before the commencement of the reporting period:  (A) for which no management decision has been made by the end of the reporting period (including the date and title of each such report), an explanation of the reasons such management decision has not been made, and a statement concerning the desired timetable for achieving a management decision on each such report;  (B) for which no establishment comment was returned within 60 days of providing the report to the establishment; and  (C) for which there are any outstanding unimplemented recommendations, including the aggregate potential cost savings of those recommendations.	16
Section 5(a)(11)	Significant Management Decisions That Were Revised During the Reporting Period	21
Section 5(a)(12)	Significant Management Decisions with Which the Office of Inspector General is in disagreement	21
Section 5(a)(17)	Statistical tables showing: (A) the total number of investigative reports issued during the reporting period; (B) the total number of persons referred to the Department of Justice for criminal prosecution during the reporting period;	19



	(C) the total number of persons referred to State and local prosecuting authorities for criminal prosecution during the reporting period; and (D) the total number of indictments and criminal information during the reporting period that resulted from any prior referral to prosecuting authorities.	
Section 5(a)(19)	A report on each investigation conducted by the Office involving a senior Government employee where allegations of misconduct were substantiated, including a detailed description of: (A) the facts and circumstances of the investigation; and (B) the status and disposition of the matter, including: (i) if the matter was referred to the Department of Justice, the date of the referral; and (ii) if the Department of Justice declined the referral, the date of the declination.	20
Section 5(a)(20)	A detailed description of any instance of whistleblower retaliation, including information about the official found to have engaged in retaliation and what, if any, consequences the establishment imposed to hold that official accountable.	20
Section 5(a)(21)	A detailed description of any attempt by the establishment to interfere with the independence of the Office, including: (A) with budget constraints designed to limit the capabilities of the Office; and (B) incidents where the establishment has resisted or objected to oversight activities of the Office or restricted or significantly delayed access to information, including the justification of the establishment for such action.	20
Section 5(a)(22)	Detailed descriptions of the particular circumstances of each: (A) inspection, evaluation, and audit conducted by the Office that is closed and was not disclosed to the public; and (B) investigation conducted by the Office involving a senior Government employee that is closed and was not disclosed to the public.	21



## **Appendix IX. Single Audit Act Reporting**

The Single Audit Act, as amended, establishes requirements for audits of states, local governments, Indian tribes, institutions of higher education (public or private nonprofit colleges and universities), and nonprofit organizations that expend a certain amount in Federal awards during its fiscal year (currently set at \$750,000). The Single Audit Act amendments are implemented through Subpart F—Audit Requirements of Title 2 of C.F.R., Chapter II, Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR part 200).

Single audits are performed by independent auditors and encompass both financial and compliance components. The compliance supplement is based on the requirements of the 1996 Single Audit Act Amendments and 2 CFR part 200, subpart F, which provide for the issuance of a compliance supplement to assist auditors in performing the required audits.

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

## **Appendix X. Peer Review Reporting**

As required by Section 5(a)(16) of the Inspector General Act of 1978, as amended, semiannual reports are to include a list of any peer reviews conducted by the Inspector General of another Office of the Inspector General during the reporting period, including a list of any outstanding recommendations made from any previous peer review (including any peer review conducted before the reporting period) that remain outstanding or have not been fully implemented.

The OIG is responsible for designing a system of quality controls and complying with it to provide the OIG with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The OIG's responsibility is to express an opinion on the design of the system of quality control and EEOC OIG's compliance therewith based on our review. The OIG's Audit and Evaluation sections are required to have a peer review of its system of quality controls every three years.

- On September 8, 2020, the Appalachian Regional Commission, Office of Inspector General, issued its peer review report on the OIG Audit program to determine if established policies and procedures were current and consistent with applicable professional standards. The peer review team determined that the OIG audit section's established policies and procedures for the audit function at March 31, 2020, were current and consistent with applicable professional standards as stated and conforming with Generally Accepted Government Auditing Standards (Yellow Book).



- On December 3, 2020, the Export-Import Bank of the United States, Office of Inspector General, issued its peer review report of the OIG Evaluation program. The peer review team determined that the OIG’s evaluation policies and procedures, as presented in its manual, generally met the seven Council of Inspector General for Integrity and Efficiency's, Inspection and Evaluation (Blue Book) standards addressed in the modified external peer review.

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