



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



**Semiannual Report to Congress**

**April 1, 2020 through September 30, 2020**





## **OIG VISION**

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

## **OIG MISSION**

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

## **Contents**

<a href="#">Message from the Inspector General</a> .....	1
<a href="#">Executive Summary</a> .....	2
<a href="#">Introduction</a> .....	3
<a href="#">The Audit and Evaluation Programs</a> .....	5
➤ Completed Other Project	
➤ Ongoing Audit, and Other Projects	
➤ Newly Initiated Evaluation	
➤ Planned Audit, Evaluation, and Other Projects	
<a href="#">Audit and Evaluation Follow-Up</a> .....	7
➤ Audit and Evaluation Reports Issued This Period	
➤ Recommendations for Which Corrective Actions Have Not Been Completed	
<a href="#">The Investigation Program</a> .....	14
➤ The OIG Hotline	
➤ Investigative Inquiries Resolved	
➤ Closed Investigative Matters	
➤ Ongoing Investigative Activities	
<a href="#">Appendices</a> .....	17
Appendix I.	Final OIG Audit, Evaluation, and Review Reports
Appendix II.	Investigative Statistical Report
Appendix III.	A Report on Each Investigation Conducted by the Office Involving a Senior Government Employee Where Allegations of Misconduct Were Substantiated
Appendix IV.	A Detailed Description of Any Instance of Whistleblower Retaliation
Appendix V.	A Detailed Description of Any Attempt by the Establishment to Interfere with the Independence of the Office
Appendix VI.	Detailed Descriptions of the Particular Circumstances
Appendix VII.	Index of Reporting Requirements
Appendix VIII.	Single Audit Act Reporting
Appendix IX.	Peer Review Reporting

---

## Message from the Inspector General

As required by the Inspector General Act, of 1978, as amended, I am honored to present our Semiannual Report to the U.S. Congress for the period April 1, 2020 through September 30, 2020.

During this reporting period the U.S. Equal Employment Opportunity Commission (EEOC), its Office of Inspector General, and the American people in general, have endured the months-long impact of the COVID-19 Pandemic. While the world has changed dramatically since March 2020, we remain steadfast in our efforts to ensure that our oversight of the EEOC's operations, programs, and personnel provides value-driven data and insight and recommendations that assist the agency in meeting its management goals and objectives.

As I noted in my transmittal of our previous semiannual report, "I am proud of our office's ability to maintain the highest state of mission readiness while enduring the pressures associated with this pandemic. As we performed our work during the second half of FY 2020, we will continue to focus our efforts on the goal of providing findings, observations, recommendations, and various types of data to the EEOC to help inform the Agency's planning and execution of programs and operations."

In this connection, as we continued to work productively in a virtual environment, we have initiated and are executing all of the legislatively required audits, as well as discretionary reviews we determined are valuable in assisting the EEOC in pursuing its mission to "Prevent and remedy unlawful employment discrimination and advance equal opportunity for all in the workplace."

We continue to convey our appreciation to Chair Janet Dhillon, her leadership team and to the committed employees of the agency for their cooperation with us as we pursue our work. We look forward to continuing our efforts to provide the type of oversight initiatives which deter waste, fraud, and abuse, while promoting efficiency and economy in the operations and programs of the EEOC.

Respectfully submitted,



Milton A. Mayo, Jr.  
Inspector General



---

## Executive Summary

This semiannual report summarizes the OIG's activities and accomplishments for April 1, 2020 through September 30, 2020.

The OIG issued no audit or evaluation reports for the reporting period and resolved 372 investigative inquiries.

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

### Completed Other Project

- The OIG issued a memorandum concerning EEOC's compliance with improper payments requirements for FY 2019.

### Ongoing Audits and Other Projects

- The OIG contracted with the public accounting firm Harper, Rains, Knight & Company, P.A., to audit the EEOC's FY 2020 financial statements.
- The OIG contracted with the public accounting firm Harper, Rains, Knight & Company, P.A., to audit the FY 2018 and FY 2019 commercial purchase card program.
- The OIG contracted with the public accounting firm Harper, Rains, Knight & Company, P.A., to audit the EEOC's compliance with the Federal Information Security Modernization Act of 2014.

### Newly Initiated Evaluation

- The OIG contracted with the public relations and communications firm Hager Sharp to evaluate the EEOC's social media program.

### Planned Audits and Other Projects

- The OIG plans to issue an advisory concerning the EEOC's compliance with the Federal Managers' Financial Integrity Act of 1982 for FY 2020.
- The OIG contracted with the public accounting firm Harper, Rains, Knight & Company, P.A., and plans to audit the EEOC's compliance with the Digital Accountability and Transparency Act of 2014 for FY 2021.
- The OIG plans to audit the EEOC'S enterprise risk management program.
- The OIG plans to evaluate the management of EEOC's customer service channels related to private sector charge processing.

### Closed Investigative Matters

- The OIG closed an allegation regarding an EEOC employee harassing, intimidating, and stalking an individual.
- The OIG closed an allegation regarding the unauthorized disclosure and dissemination of confidential Agency information.

### Ongoing Investigations

- Conflicts of interest involving Agency employees.
- The investigation of possible misuse of position by EEOC employees engaged in obtaining information on individuals from one of the Agency's information systems.
- The investigation of the possible misuse of the Agency's official seal.



---

## **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 the administration and implementation of policy and the financial management and organizational development of the Commission. The Commissioners participate equally in the development and approval of Commission policies, issue charges of discrimination where appropriate, and authorize the filing of some lawsuits. In addition to the Commissioners, the President appoints a General Counsel to support the Commission and provide direction, coordination, and supervision to the EEOC's litigation program.

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

The U.S. Congress established the Office of Inspector General (OIG) at the EEOC through the 1988 amendments to the Inspector General Act of 1978. These amendments expand the authority of designated Federal entities to create independent and objective OIGs.

Under the Inspector General's direction, the OIG meets this statutory responsibility by conducting and supervising audits, evaluations, and investigations relating to the Agency's programs and operations.

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 and Evaluations has oversight of the audit and evaluation programs.



---

The OIG's non-supervisory staff positions included a chief technology officer, a staff auditor, one senior and one staff evaluator, two criminal investigators, a confidential support assistant, and an administrative specialist. In March 2020, the staff auditor resigned from federal service for an opportunity in the private sector. In September, OIG management filled the vacant auditor position.

During the reporting period, the OIG conducted an open-market solicitation for audit services. The public accounting firm Harper, Rains, Knight & Company won the five-year contract to conduct the following four audits: 1). Audit of the EEOC's Financial Statements; 2). Performance Audit of EEOC's Charge Card Program; 3). Audit of the EEOC's Compliance with Provisions of the Federal Information Security Modernization Act of 2014; and 4). Audit of EEOC's Compliance with the Digital Accountability and Transparency Act of 2014 (DATA Act). Combining these audits under one contract promotes efficiencies since the OIG will not have to solicit and award multiple contracts and the contracted staff will be able to leverage their knowledge and expertise in concurrently conducting several audits with overlapping deadlines. Finally, the OIG was able to achieve cost savings by using one contractor.



---

## **The Audit and Evaluation Programs**

*These programs support the OIG's strategic goal of improving the economy, efficiency, and effectiveness of EEOC programs, operations, and activities.*

### **COMPLETED OTHER PROJECT**

#### **Compliance with Improper Payments Requirements for FY 2019**

On May 14, 2020, the OIG issued a memorandum detailing its review results concerning the Agency's compliance with the Improper Payments Information Act of 2002, as amended by the Improper Payments Elimination and Recovery Act of 2012 (IPERA) for FY 2019. The OIG determined that the Agency satisfied each of the applicable IPERA requirements and is therefore in compliance.

### **ONGOING AUDITS AND OTHER PROJECTS**

#### **Audit of the EEOC's FY 2020 Financial Statements**

The OIG has contracted with the public accounting firm Harper, Rains, Knight & Company, P.A., to audit the EEOC's financial statements for FY 2020, as required by the Accountability of Tax Dollars Act of 2002.

The audit's objective is to provide EEOC management, including those charged with governance, and other financial statement users, with an independent certified public accountant's opinion as to whether the financial statements present fairly the entity's financial position. The OIG will issue its audit opinion no later than November 16, 2020.

#### **Performance Audit of EEOC's Charge Card Program**

The OIG has contracted with the public accounting firm Harper, Rains, Knight & Company, P.A., to audit the EEOC's charge card program for FY 2018 and FY 2019.

The audit's objective is to perform an annual risk assessment as required by the Charge Card Act of 2012 of the Agency's purchase cards (including convenience checks), combined integrated card programs, and travel card programs to analyze the risks of illegal, improper, or erroneous purchases. The OIG will issue a report during the second quarter of FY 2021.

#### **Audit of the EEOC's Compliance with Provisions of the Federal Information Security Modernization Act of 2014**

The OIG has contracted with the public accounting firm of Harper, Rains, Knight & Company, P.A., to audit the Agency's compliance with the Federal Information Security Modernization Act for FY 2020. In keeping with a Department of Homeland Security's requirement, Harper, Rains, Knight & Company, P.A., will complete the OIG's cyberscope metrics and submit them through the Office of Management and Budget's Max Portal.

The audit's objective is to determine whether the Agency's information security program is effective and efficient. The OIG's cyberscope security metrics will be submitted no later than November 2, 2020. The OIG will issue its final report during the first quarter of FY 2021.



---

## **NEWLY INITIATED EVALUATION**

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

The OIG has contracted with the public relations and communications firm Hager Sharp to evaluate the EEOC's social media program. The evaluation's objective is to assess the EEOC's management of its social media activities. The OIG plans to issue its final report during the third quarter of FY 2021.

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

### **EEOC's Compliance with the Federal Managers' Financial Integrity Act of 1982 for FY 2020**

The OIG plans to review the Agency's compliance with the Federal Managers' Financial Integrity Act (FMFIA) of 1982 for FY 2020. OIG will issue an advisory, as required by EEOC Order 195.001 Management Accountability and Controls, to the Chair concerning the Agency's compliance with EEOC's management control evaluation process. The advisory will report to the Chair whether EEOC conducted its management control evaluation process according to applicable guidelines. The OIG will issue its advisory no later than November 6, 2020.

### **Audit of EEOC'S Enterprise Risk Management Program**

The OIG plans to audit the Agency's enterprise risk management program.

The audit's objective is to review the Agency's enterprise risk management practices and procedures, ensuring that they strategically align and address the full spectrum of EEOC's significant risks. The OIG plans to issue its final report during the fourth quarter of FY 2021.

### **Audit of 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., and plans to audit the Agency's DATA requirement for FY 2021. The DATA Act requires OIGs to review a statistically valid sampling of its agency's spending data and submit a report to Congress regarding its findings. The audit's objectives are to assess the sampled data's completeness, timeliness, quality, and accuracy. The audit will also evaluate the Agency's implementation and use of Government-wide financial data standards. OIG plans to issue its final report no later than the first quarter of FY 2022.

### **Evaluation of Customer Service**

The OIG plans to evaluate the management of EEOC's customer service channels related to private sector charge processing. We will examine selected customer service management activities as they apply to private sector potential charging parties, charging parties, and respondents. The scope of the evaluation will focus on EEOC's customer service goals, performance measures, results, and customer feedback. This evaluation is expected to begin in the 2<sup>nd</sup> quarter of FY 2021.



---

## Audit and Evaluation Follow-Up

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

## 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 No audit or evaluation reports for the semiannual reporting period.

## 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 **eleven** audit and evaluation reports with a total of **thirty-six** 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. We recommend EEOC OIT 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. We recommend EEOC OIT provide specialized training for SharePoint administrators and users to reduce the risk of exposing sensitive information and PII.</li><li>3. We recommend EEOC OIT 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. We recommend EEOC OIT 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. We recommend EEOC OIT develop an action plan to address related policy and procedural requirements of the SECURE Technology Act.</li></ol>			



<b>Fiscal Year</b>	<b>Report Number</b>	<b>Report Name</b>	<b>Date Issued</b>
<b>2019</b>	<b>2019-003-AOIG</b>	<b>EEOC Compliance with DATA Act Submission Requirements</b>	<b>11/8/2019</b>
<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>			

<b>Fiscal Year</b>	<b>Report Number</b>	<b>Report Name</b>	<b>Date Issued</b>
<b>2019</b>	<b>2019-002-AOIG</b>	<b>FY 2019 Financial Statements Audit</b>	<b>11/19/2019</b>
<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>			

<b>Fiscal Year</b>	<b>Report Number</b>	<b>Report Name</b>	<b>Date Issued</b>
<b>2019</b>	<b>2019-001-EOIG</b>	<b>Evaluation of EEOC's Contract Administration Activities</b>	<b>3/11/2020</b>
<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>			



<b>Fiscal Year</b>	<b>Report Number</b>	<b>Report Name</b>	<b>Date Issued</b>
<b>2019</b>	<b>2018-007-AOIG</b>	<b>FY 2017 and FY 2018 Performance Audit of the U.S. Equal Employment Opportunity Commission Commercial Charge Card Program (OIG Report No. 2018-007-AOIG)</b>	<b>5/31/2019</b>

1. We recommend that the Office of the Chief Financial Officer of the U.S. Equal Employment Opportunity Commission enhance the documentation, monitoring, and enforcement of its controls over the closure of charge card accounts.

<b>Fiscal Year</b>	<b>Report Number</b>	<b>Report Name</b>	<b>Date Issued</b>
<b>2019</b>	<b>2018-001-EOIG</b>	<b>Evaluation of EEOC's Federal Hearings and Appeals Processes</b>	<b>3/27/2020</b>

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.
2. Ensure future process changes are implemented according to change management best practices noted by GAO.
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.
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.
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.
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).

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
<ol style="list-style-type: none"> <li>1. We recommend the OIT review and remediate critical-risk, high-risk and moderate-risk vulnerabilities. These vulnerabilities should be resolved to avoid compromise to EEOC's systems; or the Agency should document acceptance of the risk or reclassification of the risk.</li> <li>2. We recommend the OIT employ an automated mechanism that ensures sensitive PII is encrypted on removable mobile media.</li> <li>3. We recommend the OCHCO and OIT conduct a baseline assessment of the EEOC's cybersecurity workforce that includes (1) the percentage of personnel with IT, cybersecurity, or other cyber-related job functions who hold certifications; (2) the level of preparedness of other cyber personnel without existing credentials to take certification exams; and (3) a strategy for mitigating any gaps identified with appropriate training and certification for existing personnel.</li> </ol>			



<b>Fiscal Year</b>	<b>Report Number</b>	<b>Report Name</b>	<b>Date Issued</b>
<b>2018</b>	<b>2017-007-AOIG</b>	<b>Independent Evaluation of the U.S. Equal Employment Opportunity Commission's Compliance with Provisions of the Federal Information Security Modernization Act of 2014 (FISMA)</b>	<b>12/18/2017</b>
<ol style="list-style-type: none"> <li>1. We recommend the OIT implement an automated solution to provide a centralized enterprise-wide view of risk across the agency</li> <li>2. EEOC should develop 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. EEOC OIT 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>			

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



Fiscal Year	Report Number	Report Name	Date Issued
2015	2014-008-EOIG	Independent Evaluation of U. S. Equal Employment Opportunity Commission Compliance with Provisions of the Federal Information Security Management Act of 2002	12/16/2014
<ol style="list-style-type: none"> <li>1. Development of policies and procedures to properly manage physical security access cards.</li> <li>2. EEOC update its personnel policy and procedures requiring screening and background checks for all individuals having access to information systems and information as defined by NIST SP 800-53, Rev. 4, <i>Security and Privacy Controls for Federal Information Systems and Organizations</i>, PS-3 Personnel Screening. The agency should ensure all individuals are processed through the E-Verify program, and no exception exists for those who have previously been verified by a third-party.</li> </ol>			

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



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
2020	0	0	0	N/A



---

## The Investigation Program

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

### Investigative Inquiries Resolved

Investigative Inquiries Resolved April 1, 2020 through September 30, 2020	
Allegations	Number
Charge Processing	158
Other Statutes	39
Title VII	47
Mismanagement	4
Ethics Violations	12
Backgrounds	8
Theft	11
Threats	14
Fraud	20
Other Criminal Allegations	59
<b>Total</b>	<b>372</b>



---

## **The OIG Hotline**

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

Some complaints received by the OIG are outside of its jurisdiction. The OIG frequently receives reports and allegations of misdirected complaints/inquiries that belong 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, the 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.

## **Closed Investigative Matters**

### **Harassing, Intimidating, and Stalking Behavior**

The OIG closed an allegation of misuse of government equipment and resources by an Agency employee who used their Agency issued computer to harass a former domestic partner. The allegation alleged that the EEOC employee used Agency resources to create a website, utilizing GoDaddy.com, to post private information, defamatory photographs, and documents to harass the employee's former domestic partner.

The OIG presented the matter to the Assistant United States Attorney (AUSA); however, the AUSA declined to prosecute. The OIG forwarded the matter to the EEOC Office of Chief Human Capital Officer for administrative processing.

### **Unauthorized Disclosure and Dissemination of Confidential Agency Information**

The OIG closed an allegation of unauthorized disclosure and dissemination of confidential Agency information by a group of EEOC employees, without approval from Agency management.

The OIG conducted numerous interviews, reviewed voluminous records, and analyzed email accounts and data to identify the source of the unauthorized disclosure and dissemination. The OIG was unable to determine the source of the unauthorized disclosure and concluded that no further investigative activity was warranted. The matter was closed.



---

## Ongoing Investigative Activities

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

- Conflicts of interest by Agency employees.
- The investigation of possible misuse of position by EEOC employees engaged in obtaining information on individuals from one of the Agency's information systems.
- The investigation of the possible misuse of the Agency's official seal.



---

## Appendices

### Appendix I.

Final OIG Audit and Evaluation Reports

Report Title	Date Issued	Questioned Costs	Funds Put to Better Use	Unsupported Costs
None	N/A	N/A	N/A	N/A

### 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.

Issue	Description
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.

### 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	N/A
Section 5(a)(2)	Recommendations with Respect to Significant Problems, Abuses, and Deficiencies	N/A
Section 5(a)(3)	Significant Recommendations Included in Previous Reports on Which Corrective Action Has Not Been Completed	7-12
Section 5(a)(4)	Matters Referred to Prosecutorial Authorities	N/A
Section 5(a)(5)	Summary of Instances Where Information Was Refused	N/A
Section 5(a)(6)	List of Audit Reports	N/A
Section 5(a)(7)	Summary of Significant Reports	5
Section 5(a)(8)	Questioned and Unsupported Costs	17
Section 5(a)(9)	Recommendations That Funds Be Put to Better Use	17
Section 5(a)(10)	<p>Summary of each audit report, inspection, evaluation report(s) issued before the commencement of the reporting period:</p> <p>(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;</p>	13



	<p>(B) for which no establishment comment was returned within 60 days of providing the report to the establishment; and</p> <p>(C) for which there are any outstanding unimplemented recommendations, including the aggregate potential cost savings of those recommendations.</p>	
Section 5(a)(11)	Significant Management Decisions That Were Revised During the Reporting Period	N/A
Section 5(a)(12)	Significant Management Decisions with Which the Office of Inspector General Disagreed	N/A
Section 5(a)(17)	<p>Statistical tables showing:</p> <p>(A) the total number of investigative reports issued during the reporting period;</p> <p>(B) the total number of persons referred to the Department of Justice for criminal prosecution during the reporting period;</p> <p>(C) the total number of persons referred to State and local prosecuting authorities for criminal prosecution during the reporting period; and</p> <p>(D) the total number of indictments and criminal information during the reporting period that resulted from any prior referral to prosecuting authorities.</p>	17
Section 5(a)(19)	<p>A report on each investigation conducted by the Office involving a senior Government employee where allegations of misconduct were substantiated, including a detailed description of:</p> <p>(A) the facts and circumstances of the investigation; and</p> <p>(B) the status and disposition of the matter, including:</p> <p>(i) if the matter was referred to the Department of Justice, the date of the referral; and</p> <p>(ii) if the Department of Justice declined the referral, the date of the declination.</p>	18
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	18



	establishment imposed to hold that official accountable.	
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.	18
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.	19



---

## **Appendix VIII.**

### **Single Audit Act Reporting**

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

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

## **Appendix IX.**

### **Peer Review Reporting**

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

On September 8, 2020, the Appalachian Regional Commission (ARC), Office of Inspector General, issued its peer review report on the OIG Audit program to determine if established policies and procedures for it were current and consistent with applicable professional standards. The ARC's peer review determined that EEOC's established policies and procedures for its audit function are current and consistent with applicable professional standards at March 31, 2020.

The peer review was conducted in accordance with the Council of the Inspectors General on Integrity and Efficiency, Guide for Conducting Peer Reviews of Audit Organizations of Federal Offices of Inspector General.



# Contact Us

The Office of Inspector General is at the forefront of the Nation's efforts to fight waste, fraud and abuse in EEOC programs and operations. If your question refers to programs that are not part of EEOC you can find contacts for all Federal agencies on the USA.gov website's <https://www.usa.gov/federal-agencies>



For general inquiries, please visit:

<https://oig.eeoc.gov/contact>

To electronically report fraud, waste, abuse, and potential wrong-doing please visit:

<https://oig.eeoc.gov/hotline>



**Toll-free Number:**

**1-800-849-4230**



**Fax Number**

**202-221-7781**



For written inquiries, please send mail to:

**Equal Employment Opportunity Commission**

**Office of Inspector General**

**PO Box 77067**

**Washington, DC 20013-7067**



**Office of  
Inspector General**

Equal Employment Opportunity Commission



Your identity when contacting the OIG is fully protected and confidential