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Office of Inspector General  
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# **Status of the Accountability Goal in the Department of State's Diversity, Equity, Inclusion, and Accessibility Strategic Plan**

INFORMATION REPORT

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## Summary of Review

On June 25, 2021, the White House issued Executive Order 14035 “to strengthen the Federal workforce by promoting diversity, equity, inclusion, and accessibility.”<sup>1</sup> The Executive Order called for the development of a government-wide diversity, equity, inclusion, and accessibility (DEIA) strategic plan, which the White House published in November 2021,<sup>2</sup> and directed agencies to develop DEIA strategic plans. In September 2022, the Department of State (Department) published its DEIA strategic plan.<sup>3</sup>

The Office of Inspector General (OIG) conducted this review to assess the status of the Department’s efforts to implement its DEIA goal to “strengthen accountability policies and processes to prevent and eliminate discrimination, harassment, bullying, and toxic management” (the accountability goal). OIG focused its review on the accountability goal because OIG’s past inspection work, as well as a recent Department-wide climate survey, indicated that the Department’s workforce generally perceived it as not holding employees accountable for conduct and behavior issues. Furthermore, because the Department’s DEIA strategic plan had been in effect only since September 2022,<sup>4</sup> OIG focused this review on determining the initial status of the Department’s efforts—led primarily by the Office of Diversity and Inclusion (S/ODI), the Office of Civil Rights (S/OCR),<sup>5</sup> and the Bureau of Global Talent Management (GTM)—toward implementing the accountability goal. Although it was too soon to fully evaluate the Department’s effectiveness in implementing the accountability goal, OIG conducted this review to establish baseline information and spotlight this important Department effort.

Specifically, OIG evaluated the status of the Department’s implementation of the following four strategies related to the accountability goal:

- Strengthen candidate vetting for senior leadership positions.
- Increase transparency in Department accountability mechanisms.
- Expand and strengthen mechanisms for employees to report problematic behavior and avoid retaliation or reprisal.
- Shorten timelines for Department investigations related to discrimination, harassment, and other misconduct.

Overall, OIG found the Department was making progress toward the strategies and corresponding milestones related to the accountability goal, although some milestones are taking longer to achieve than originally estimated and continue to be in progress. OIG also

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<sup>1</sup> Executive Order 14035, Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce, June 25, 2021.

<sup>2</sup> White House, *Government-wide Strategic Plan to Advance Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce*, November 23, 2021.

<sup>3</sup> Department of State, *Diversity, Equity, Inclusion and Accessibility (DEIA) Strategic Plan 2022–2026*.

<sup>4</sup> OIG began its review in January 2023. As noted in Appendix A, OIG concluded its review in April 2023.

<sup>5</sup> The Office of Diversity and Inclusion (S/ODI) and the Office of Civil Rights (S/OCR) are within the Office of the Secretary of State.

found GTM was unaware of at least some of the milestones and told OIG the current vetting process for senior leadership positions was robust and questioned the need to alter the current system. Other Department stakeholders told OIG they did not know which office was responsible for advising individuals when there was a vetting issue with an assignment, promotion, award, or participation in a selection board.<sup>6</sup> Some staff told OIG that cables summarizing types of misconduct, part of the Department's efforts to increase transparency in its accountability mechanisms, could be more effective if they were more widely available, publicized, or discussed within the Department. Lastly, to expand and strengthen mechanisms for employees to report problematic behavior and avoid retaliation or reprisal, the Department notified Congress in December 2022 of its intent to create a new Office of Harassment and Bullying Intervention in GTM, which would be staffed initially with 15 people.

Tables 1 through 4, in the body of the report, provide the status and action office(s) for each individual milestone under the Department's four strategies related to the accountability goal.<sup>7</sup> Finally, OIG notes the Department's 2022 completion of its inaugural agency-wide climate survey on DEIA and recent publication of its FY21 and FY22 demographics baseline reports will be helpful in evaluations of Department DEIA efforts, including its efforts to strengthen accountability.

This report does not contain any recommendations.<sup>8</sup>

## **BACKGROUND**

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On April 12, 2021, citing the need to recruit and retain a workforce that truly reflects the American people, as well as the President's prioritization of DEIA as a national security imperative, the Secretary of State announced the appointment of the Department's first Chief Diversity and Inclusion Officer (CDIO). In the same announcement, the Secretary stated the CDIO will:

- Report directly to the Secretary of State.
- Be empowered to develop a robust framework for fostering diversity and inclusion in the workforce.
- Be entrusted with aligning and advancing diversity and inclusion efforts across the Department.

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<sup>6</sup> Selection boards, which are normally composed of members of the Foreign Service and public members, recommend members of the Foreign Service for promotion. To serve on a selection board, members of the Foreign Service must meet certain qualification requirements. See 3 FAM 2326.1-2a, 3 FAM 2326.1-3, and 3 FAM 2326.1-1a.

<sup>7</sup> OIG generated the information in these tables from the Department's implementation plan dashboard, as of March 1, 2023.

<sup>8</sup> Although this report does not contain any recommendations, OIG provided a draft of this report to Department stakeholders for their review and comment on the findings. The Department provided technical comments that were incorporated into the report, as appropriate.

- Do these tasks transparently “in a way that holds all of us accountable, including senior leadership.”<sup>9</sup>

On June 25, 2021, the White House issued Executive Order 14035, Executive Order on Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce, “to strengthen the Federal workforce by promoting diversity, equity, inclusion, and accessibility.”<sup>10</sup> The Executive Order called for the development of a government-wide DEIA strategic plan and required agencies to submit an agency DEIA strategic plan.

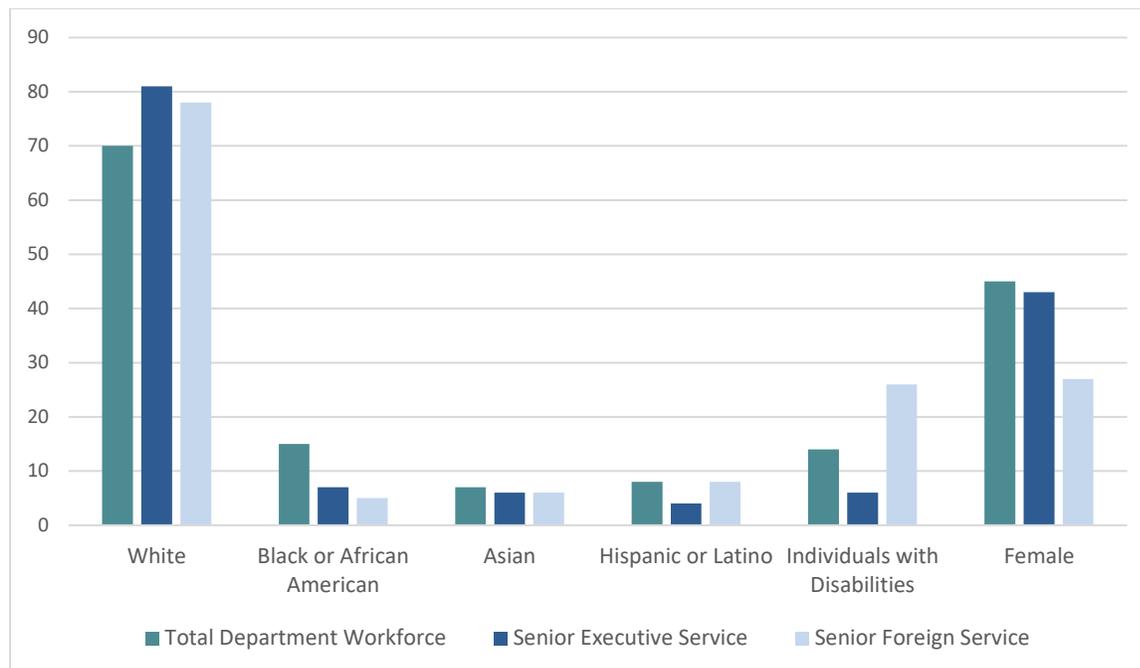
Additionally, the Executive Order called for a data-driven approach to advancing DEIA efforts. The order required agencies, within 100 days of the order, to “submit...a preliminary assessment of the current state of diversity, equity, inclusion, and accessibility in the agency’s human resources practices and workforce composition.” In June 2023, the Department released its first-ever demographic baseline report<sup>11</sup> providing workforce data by race, ethnicity, sex, disability, grade/rank, and job series/skill codes for FY 2021 and FY 2022. Figure 1, below, summarizes some key Department baseline demographics information for FY 2021. Furthermore, as described later in this report, in 2022, the Department conducted a DEIA climate survey and released the survey results to the workforce.

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<sup>9</sup> Department of State, *Announcement of Ambassador Gina Abercrombie-Winstanley as Chief Diversity and Inclusion Officer*, Remarks by Secretary Antony J. Blinken, April 12, 2021.

<sup>10</sup> The Executive Order established that “it is the policy of [the Biden] Administration to cultivate a workforce that draws from the full diversity of the Nation.”

<sup>11</sup> U.S. Department of State, “U.S. Department of State Releases First-Ever Demographic Baseline Report,” June 23, 2023, <https://www.state.gov/u-s-department-of-state-releases-first-ever-demographic-baseline-report/>.

**Figure 1: Department Demographic Baseline Data for FY 2021**

Notes: The Department's DEIA Demographic Report for FY 2021 showed that 0 percent of the total work force identified as Native Hawaiian or other Pacific Islander, 1 percent identified as American Indian or Alaska Native, and 3 percent identified as two or more races. Senior Foreign Service reflects both Senior Foreign Service generalists and Senior Foreign Service specialists. For demographic information on the broader U.S. population see: <https://www.census.gov/quickfacts/fact/table/US/POP010220>.

Source: OIG generated from Department data.

In November 2021, the White House issued the *Government-wide Strategic Plan to Advance Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce* as a roadmap for agencies to strengthen DEIA principles in workforce policies, practices, and cultures. It included a framework on how to foster safe and inclusive workplaces and how to address workplace harassment.

## The Department's Diversity, Equity, Inclusion, and Accessibility Strategic Plan

The Department submitted its DEIA strategic plan to the Office of Personnel Management<sup>12</sup> in March 2022. The plan built on prior efforts from several offices, bureaus, DEIA councils, and employee organizations that historically were responsible for the Department's DEIA efforts prior to the creation of the Chief Diversity and Inclusion Officer position and the Office of Diversity and Inclusion on April 12, 2021, and June 14, 2021, respectively. In accordance with Office of Personnel Management guidance, the strategic plan lists the Department's goals

<sup>12</sup> Executive Order 14305 requires agencies to develop and submit their DEIA plans to the Assistant to the President for Domestic Policy, the Director of Office of Personnel Management, and the Deputy Director for Management of the Office of Management and Budget within 120 days of the issuance of the government-wide DEIA plan, and annually thereafter. The Office of Personnel Management does not approve or disapprove DEIA plans; rather, it ensures they are completed and submitted as required.

within the areas of diversity, equity, inclusion, and accessibility. Included in the DEIA strategic plan under accessibility, the Department established as its first goal to “strengthen accountability policies and processes to prevent and eliminate discrimination, harassment, bullying, and toxic management,” with the following four strategies:

- Strategy 1: Strengthen candidate vetting for senior leadership positions.
- Strategy 2: Increase transparency in Department accountability mechanisms.
- Strategy 3: Expand and strengthen mechanisms for employees to report problematic behavior and avoid retaliation or reprisal.
- Strategy 4: Shorten timelines for Department investigations related to discrimination, harassment, and other misconduct.

On September 13, 2022, the Department published<sup>13</sup> its *Diversity, Equity, Inclusion, and Accessibility Strategic Plan 2022-2026*. At the same time, it internally released an implementation plan dashboard that detailed the milestones the Department aims to complete from 2022 through 2026. As of February 2023, the Department’s dashboard contained 199 milestones across all DEIA goals, 20 of which related to the accountability goal.

## **Previous OIG Work and Department Climate Survey**

Past OIG work identified issues with the Department’s accountability policies and processes. In its 2020 report, *Evaluation of the Department’s Handling of Sexual Harassment Reports*,<sup>14</sup> OIG found that sexual harassment was likely underreported in the Department. OIG noted that the Department took steps to address sexual harassment but lacked coordination and guidance on the investigative and disciplinary process for sexual harassment reports. Furthermore, OIG found that the Department lacked data on the consistency of the investigative and disciplinary process.

Several recent OIG inspections also identified issues related to accountability. For example, in its inspection of the Bureau of Legislative Affairs, OIG found that bureau leadership did not effectively address complaints of threatening behavior in the workplace and did not consistently hold employees accountable for misconduct.<sup>15</sup> Additionally, in its inspection of Embassy Pretoria, South Africa, U.S. direct-hire staff informed OIG about patterns of misconduct that included perceptions of discrimination, the use of insensitive language, and bullying.<sup>16</sup> In another example, OIG received complaints from the National Passport Center alleging misconduct, harassment, and retaliation.<sup>17</sup>

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<sup>13</sup> Department of State, *Announcement of the Finalization of the State Department’s Five-year Diversity, Equity, Inclusion, and Accessibility (DEIA) Strategic Plan*, Office of the Spokesperson, September 13, 2022.

<sup>14</sup> OIG, *Evaluation of the Department’s Handling of Sexual Harassment Reports* (ESP-20-6, September 2020).

<sup>15</sup> OIG, *Inspection of the Bureau of Legislative Affairs* (ISP-I-21-20, June 2021).

<sup>16</sup> OIG, *Inspection of Embassy Pretoria and Constituent Posts, South Africa* (ISP-I-20-09, January 2020).

<sup>17</sup> OIG, *Targeted Review of Leadership and Management at the National Passport Center* (ISP-I-19-13, November 2018).

In April and May 2022, the Department conducted an inaugural agency-wide climate survey on DEIA.<sup>18</sup> Over 8,600 Department employees, representing approximately one-third of the workforce, responded to the survey. Key takeaways include the following:

- General support and awareness for DEIA efforts was inconsistent across bureaus.
- Senior Department leaders believed they were strongly supportive of DEIA efforts; however, the general workforce did not view senior leaders to be supportive.
- Employees experiencing discrimination were unlikely to report the situation, compared to those experiencing bullying and harassment.
- Foreign Service employees perceived a lack of fairness and objectivity in the promotions process, and concerns with the selection process for most senior Foreign Service positions and mid-level Foreign Service bidding.

The survey results also noted that the majority of respondents believed that instances of discrimination, harassment, and bullying are underreported and when reported, feel there is little accountability. Furthermore, the top reason stated by staff who responded that they had experienced discrimination, harassment, and bullying, but did not report it was, “I doubted the person responsible would be held accountable.”<sup>19</sup>

## **Key Organizations Leading the Diversity, Equity, Inclusion, and Accessibility Strategic Plan**

As described below, S/ODI oversees the overall implementation of the DEIA strategic plan while S/OCR and GTM primarily are responsible for implementing the strategies and meeting the milestones related to the accountability goal.

- S/ODI works to advance national security by building a more diverse, equitable, inclusive, and accessible Department. The CDIO leads S/ODI and reports directly to the Secretary. In addition to overseeing the overall implementation of the DEIA strategic plan, the office manages the DEIA implementation plan dashboard.
- S/OCR manages the Department’s equal employment opportunity (EEO) and anti-harassment programs, educates employees about unlawful employment discrimination, facilitates resolution, and advocates change to overcome barriers that restrict EEO. The S/OCR Director serves as the primary advisor to the Secretary and the Department’s senior leadership team on EEO issues.
- GTM is responsible for recruiting, hiring, developing, assigning, retaining, engaging, and supporting the Department’s workforce to advance U.S. foreign policy goals. GTM’s four priorities are to: (1) promote an agile workforce; (2) retain high quality talent; (3) cultivate DEIA; and (4) transform the customer experience. The Director General leads

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<sup>18</sup> Cable 22 STATE 46506, “Department-wide DEIA Climate Survey Now Open,” April 29, 2022.

<sup>19</sup> Department of State PowerPoint presentation, “2022 DEIA Climate Survey Results and Trends.” Asked whether Department policies adequately hold accountable employees who engage in discrimination and harassment, 47 percent of respondents disagreed. Asked whether the Department adequately assesses past involvement in bullying, discrimination, or harassment when determining senior jobs, 51 percent disagreed.

the bureau and reports to the Under Secretary for Management. Key offices in GTM responsible for implementing DEIA strategies include:

- The Office of Employee Relations' Conduct, Suitability, and Discipline Division develops, implements, and administers conduct and discipline policies for the Department's Foreign Service and Civil Service employees, advising leadership on specific cases and supporting disciplinary actions by authorized management officials.
- The Office of Career Development and Assignments' Senior Level Division seeks to support the Department's mission by transparently and equitably connecting employees in the senior levels with the right skills to the right positions at the right time. The Senior Level Division serves Foreign Service generalists and specialists at the FS-01 level and above. The division also administers the bidding for senior positions such as chiefs of mission, deputy chiefs of mission, and principal officers for overseas posts, and serves on selection committees for these senior leadership positions.
- The Office of Performance Evaluation facilitates boards and panels to determine tenure, promotion, and performance pay for the Foreign Service. The office coordinates with five Department offices—OIG, the Bureau of Diplomatic Security, S/OCR, the Office of the Legal Adviser, and GTM's Office of Employee Relations—to vet names prior to announcement or submission to Congress.

## STATUS OF THE ACCOUNTABILITY GOAL, STRATEGIES, AND MILESTONES

### **Strategy 1: Strengthen Candidate Vetting for Senior Leadership Positions**

The S/ODI implementation dashboard contained four action items for strategy 1. At the time of OIG's review, each of these milestones were "in progress," as noted in Table 1, below. Although two of the milestones were listed as "late" because the expected completion date had passed, they were still in progress and OIG did not find any specific issues that would prevent the Department from completing the milestones.<sup>20</sup>

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<sup>20</sup> OIG did not review the milestones for this strategy that had an expected completion date after the time of this review.

**Table 1: Status of Milestones Related to Strategy 1**

<b>Milestones</b>	<b>Expected Completion (calendar year quarter)</b>	<b>Status as of March 1, 2023</b>	<b>Action Office(s)</b>
<b>Strategy 1: Strengthen candidate vetting for senior leadership positions</b>			
1. Develop mechanism whereby deputy chief of mission, principal officer, and chief of mission candidates will be re-vetted 120 days before arrival at post and update the Foreign Affairs Manual (FAM) accordingly	2022 Q4	In Progress	S/ODI
2. Clarify via a memorandum of understanding the procedures that lay out which offices play what role in vetting for assignments, promotions, awards, and participation in selection boards	2022 Q4	In Progress	GTM
3. Identify potential gaps in the process of vetting employees applying for chief of mission, deputy assistant secretary, deputy chief of mission, and principal officer positions including for past behavior related to bullying, harassment, discrimination, or mismanagement	2023 Q3	In Progress	S/ODI, S/OCR, GTM
4. Review current training on prohibited personnel practices and develop an enhanced program on prohibited personnel practices with a focus on discriminatory, bullying, and toxic behavior; add locally employed staff to any policy updates	2024 Q4	In Progress	GTM, S/OCR

Note: The expected completion targets are estimates and are revised if the action offices require more time.

Source: Generated by OIG from S/ODI's implementation plan dashboard, as of March 1, 2023.

For the first milestone, S/ODI initially projected completing development of a mechanism to re-vet deputy chief of mission, principal officer, and chief of mission candidates 120 days before arrival at an overseas post and update the Foreign Affairs Manual (FAM) accordingly by the fourth quarter of 2022. Re-vetting would apply to candidates who were vetted in the 12 months prior to arriving at their overseas posts. S/ODI told OIG it sought to identify any candidates who engaged in any harassment, discrimination, or toxic behaviors in the interim period of 1 year or more following their selection to a senior leadership position and their actual arrival at an overseas post. However, in OIG's review of the S/ODI implementation dashboard, OIG found that GTM commented in October 2022 that it was unaware of this milestone and that it required additional discussion. GTM told OIG that it believed the current vetting process was robust and questioned the need to re-vet candidates. GTM noted that it had not collected enough data to understand whether there had been conduct incidents warranting re-vetting of senior leaders. At the time of this review, OIG found that Department stakeholders and the action office had not reached an agreement on how to implement the mechanism to re-vet candidates.

For the second milestone—i.e., issuing a memorandum of understanding (MOU) outlining the roles of offices in vetting assignments, promotions, awards, and participation in selection boards—S/ODI initially marked the milestone as complete in the fourth quarter of 2022 based on a GTM-developed standard operating procedure (SOP), which S/ODI considered an acceptable alternative format to an MOU. However, S/ODI told OIG it determined that not all stakeholders had cleared the SOP, so S/ODI revised the status to “in progress.” At the time of OIG’s review, the SOP developed by GTM’s Office of Performance Evaluation was under review by all action offices. S/OCR told OIG it wanted the final product for this milestone to clarify which office—S/OCR or GTM—will be responsible for advising candidates for assignments and promotions in those cases where adverse information from GTM was the cause of any denials of assignments, promotions, awards, or participation in a selection board. The SOP was still under development and this milestone remained “in progress” as of February 2023.

## Strategy 2: Increase Transparency in Department Accountability Mechanisms

S/ODI’s implementation tracker contained eight<sup>21</sup> milestones for strategy 2. At the time of OIG’s review, four of the milestones were completed. OIG did not identify any specific issues that would prevent the Department from completing the remaining milestones, all of which were “in progress.”<sup>22</sup>

**Table 2: Status of Milestones Related to Strategy 2**

Milestones	Expected Completion (calendar year quarter)	Status as of March 1, 2023	Action Office(s)
<b>Strategy 2: Increase transparency in Department accountability mechanisms.</b>			
1. Issue annual public reports on actions to rectify systems and practices enabling discrimination, including harassment	2021 Q4	Completed	S/OCR
2. Share the Equal Employment Opportunity Commission 462 report with the workforce that contains more granular EEO complaint data with the workforce	2022 Q2	Completed	S/OCR
3. Update guidance on confidentiality provisions to allow employees to share final terms of settlement agreements	2022 Q3	Completed	S/ODI, GTM
4. Share with the workforce how the Department’s discipline program holds accountable employees who engage in bullying, harassment, and discrimination	2023 Q2	In Progress	GTM

<sup>21</sup> On February 24, 2023, S/ODI split milestone 7 into two strategies, one to “annually publish number of substantiated harassment cases by bureau” and another to “annually publish findings of discrimination by bureau.”

<sup>22</sup> OIG did not review the milestones for this strategy that had an expected completion date after the time of this review.

<b>Milestones</b>	<b>Expected Completion (calendar year quarter)</b>	<b>Status as of March 1, 2023</b>	<b>Action Office(s)</b>
5. Inform harassment victims whether their complaints were substantiated, referred for consideration of discipline, or both.	2023 Q2	Completed	S/OCR, GTM
6. Publish yearly statistics on number of EEO complaints that end in settlement and the types of remedies	2023 Q2	In Progress	S/OCR, GTM
7. Annually publish substantiated acts of discrimination and harassment by bureau.	2023 Q4	In Progress	S/OCR
8. Convene a working group to review all harassment policies and FAM guidance and extend protections to eligible family members to the maximum extent under the law, update if needed	2024 Q1	In Progress	GTM

Note: The expected completion targets are estimates and are revised if the action offices require more time.

Source: Generated by OIG from S/ODI's implementation plan dashboard, as of March 1, 2023.

GTM has the lead on milestone 4, "Share with the workforce how the Department's discipline program holds accountable employees who engage in bullying, harassment, and discrimination." GTM told OIG it viewed the work of sharing information and educating the workforce as part of its ongoing responsibility. To meet this responsibility prior to the current DEIA strategic plan, GTM began sending Department cables summarizing types of misconduct referred for disciplinary action and types of disciplinary actions taken. GTM also said that its responsibility to inform and educate the workforce will remain after the relevant milestones are "completed." However, some employee organizations told OIG that the cables summarizing types of misconduct referred for disciplinary action and types of disciplinary actions taken had limited effectiveness because they were not widely available, publicized, or discussed within the Department. Additionally, a few employee organizations noted that the lack of details and specificity in the cables, due to privacy considerations, made it hard for employees to see that individuals were held accountable. Some Department bureaus and offices also expressed concerns to OIG about how to balance the perceived competing conditions of privacy and transparency.

### **Strategy 3: Expand and Strengthen Mechanisms for Employees to Report Problematic Behavior and Avoid Retaliation or Reprisal**

The S/ODI implementation dashboard contained seven milestones for strategy 3, with one milestone completed in 2021. OIG did not find any specific issues that would prevent the Department from completing its milestones that were "in progress"<sup>23</sup> and expected to be completed in 2023.

<sup>23</sup> OIG did not review the last 4 milestones for this strategy since the expected completion dates were after the time of this review.

**Table 3: Status of Milestones Related to Strategy 3**

<b>Milestones</b>	<b>Expected Completion (calendar year quarter)</b>	<b>Status as of March 1, 2023</b>	<b>Action Office(s)</b>
<b>Strategy 3: Expand and strengthen mechanisms for employees to report problematic behavior and avoid retaliation or reprisal.</b>			
1. Ensure all embassy medical services units have sexual assault training and kits	2021 Q4	Completed	MED
2. Identify barriers to expanding the Department's Family Advocacy Program to provide on-site victim advocacy support to domestic violence survivors in the location where they or their spouse or partner are assigned	2023 Q1	In Progress	GTM
3. Develop an anti-bullying program by which employees can report bullying and other toxic management practices that do not have an EEO basis	2023 Q2	In Progress	D-MR, S/OCR, GTM, S/ODI
4. Propose methods to mitigate the risk of retaliation against employees involved in an EEO complaint during the performance management cycle	2023 Q4	In Progress	GTM, S/OCR, Bureaus
5. Develop a process to investigate and take appropriate action with respect to EEO complaints filed by non-U.S. citizen locally employed staff that are not resolved by the informal EEO process	2024 Q2	In Progress	GTM
6. Pilot a channel employees can use to report management issues to their bureau front offices without fear of reprisal	2025 Q2	In Progress	Bureaus, S/ODI, S/OCR
7. Pilot conversion of collateral duty EEO Counselors into full-time EEO Counselor positions within S/OCR	2026 Q2	In Progress	S/OCR

Note: The expected completion targets are estimates and are revised if the action offices require more time.

Source: Generated by OIG from S/ODI's implementation plan dashboard, as of March 1, 2023.

For the second milestone, "Identify barriers to expanding State's Family Advocacy Program to provide on-site victim advocacy support to domestic violence survivors in the location where they or their spouse/partner are assigned," GTM told OIG that community liaison offices at each overseas post already provide information on locally available victim advocacy support and that it had not identified any barriers to completing the milestone.

For the third milestone, "Develop an anti-bullying program by which employees can report bullying and other toxic management practices that do not have an EEO basis," the Department notified Congress in December 2022 of its intent to create a new Office of Harassment and Bullying Intervention in GTM. This office would be responsible for establishing an anti-bullying policy and program for the Department and would assume primary responsibility for the Department's anti-harassment program. The Department planned to staff the new office with

15 positions realigned from S/OCR, 8 of which would be existing positions and 7 of which would be new Department-approved positions. At the time of OIG’s review, the Department was carrying out the congressional notification process and the office had not yet been created. The Department told OIG that key stakeholders continue to discuss how to enhance awareness and accountability in this area.

### **Strategy 4: Shorten Timelines for Department Investigations Related to Discrimination, Harassment, and Other Misconduct**

S/ODI’s implementation dashboard contained one milestone for strategy 4. This milestone was “in progress” at the time of OIG’s review. OIG did not find any specific issues that would prevent the Department from completing the milestone.

**Table 4: Status of Milestones Related to Strategy 4**

<b>Milestone</b>	<b>Expected Completion (calendar year quarter)</b>	<b>Status as of March 1, 2023</b>	<b>Action Office(s)</b>
<b>Strategy 4: Shorten timelines for Department investigations related to discrimination, harassment, and other misconduct.</b>			
Explore options to increase number of Department-employed investigators for the Department’s EEO and anti-harassment programs	2023 Q1	In Progress	S/OCR, GTM

Note: The expected completion target is an estimate and is revised if the action offices require more time.

Source: Generated by OIG from S/ODI’s implementation plan dashboard, as of March 1, 2023.

OIG found the Department generally complied with the investigation timelines<sup>24</sup> in Equal Employment Opportunity Commission regulations contained in 29 Code of Federal Regulations (CFR) Part 1614. For example, in FY 2022, the Department completed 83 investigations, with 79 cases completed within 180 days after the filing of the last complaint. During this period, none of the investigations exceeded the required maximum of 360 days.

OIG found the Department explored increasing staffing and other options to shorten timelines for Department investigations. According to S/OCR, with the expected transition of the anti-harassment program from S/OCR to GTM’s new Office of Harassment and Bullying Intervention and the addition of staff in the new office, timelines may improve for anti-harassment investigations. For EEO investigations, S/OCR considered adding an additional full-time employee investigator. However, S/OCR staff told OIG they anticipated the position would be added to the new Office of Harassment and Bullying Intervention. S/OCR told OIG it plans to

<sup>24</sup> 29 CFR Parts 1614.108(e) – (h) require federal agencies to complete investigations within the earlier of 180 days after the filing of the last complaint or 360 days after the filing of the original complaint. Regardless of amendment of or consolidation of complaints, the investigation should be completed in not more than 360 days, unless there is a written extension of not more than 90 days.

conduct a benchmarking exercise with other federal agencies to learn what factors contribute to compliance with required timeframes.

With respect to strategy 4 and the Department's efforts to address issues related to discipline, the GTM Office of Employee Relations, Conduct, Suitability, and Discipline Division (CSD) had 15 positions at the time of OIG's review. As described earlier in this report, CSD handles disciplinary actions for Foreign Service staff, a workforce of 14,000 employees. CSD also handles disciplinary actions for Civil Service staff when cases are referred by the Bureau of Diplomatic Security, OIG, S/OCR, or other Department bureaus. According to GTM, it conducted initial research with other large federal agencies and identified a ratio of approximately one HR specialist for every 500 employees in other large federal agencies. In total, the Department's workforce is approximately 24,000 Foreign Service and Civil Service employees. GTM/ER's current ratio is one HR specialist for every 2,000 employees. According to GTM, another 48 positions would be needed to be on par with other large federal agencies. At the time of the inspection, due to space and supervisory limitations, GTM requested 9 additional positions, which would increase its staff from 15 to 24.

## CONCLUSION

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OIG acknowledges the Department's DEIA strategic plan had been in effect only 3 months when OIG began this review in January 2023, and many of the plan's accountability strategies and milestones were not yet fully implemented when OIG completed its review. Overall, OIG determined the Department was making progress toward the accountability goal and the corresponding strategies and milestones; however, several individual milestones had not been completed by the Department's established completion dates. Generally, OIG did not find any issues that would prevent the Department from completing its "in progress" milestones, even those that had already missed their expected completion dates. Furthermore, OIG acknowledges the Department's 2022 completion of its inaugural agency-wide climate survey on DEIA and recent publication of the Department's demographics baseline report as steps towards measuring progress of the Department's DEIA efforts, including its efforts to strengthen accountability.

## APPENDIX A: OBJECTIVES, SCOPE, AND METHODOLOGY

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This review was conducted from January 3 to April 10, 2023, in accordance with the Quality Standards for Inspection and Evaluation, as issued in 2020 by the Council of the Inspectors General on Integrity and Efficiency, and the Inspections Handbook, as issued by the Office of Inspector General (OIG) for the Department and the U.S. Agency for Global Media (USAGM).

The Office of Inspections provides the Secretary of State, the Chief Executive Officer of USAGM, and Congress with systematic and independent evaluations of the operations of the Department and USAGM. Consistent with Section 209 of the Foreign Service Act of 1980, this review focused on the Department's goal to "strengthen accountability policies and processes to prevent and eliminate discrimination, harassment, bullying, and toxic management" and its related strategies and milestones, as detailed in the *Diversity, Equity, Inclusion and Accessibility (DEIA) Strategic Plan 2022–2026*.<sup>1</sup> OIG's specific objectives for this review were to assess the status of the Department's efforts to implement the following strategies related to the accountability goal:

- Strategy 1: Strengthen candidate vetting for senior leadership positions.
- Strategy 2: Increase transparency in Department accountability mechanisms.
- Strategy 3: Expand and strengthen mechanisms for employees to report problematic behavior and avoid retaliation or reprisal.
- Strategy 4: Shorten timelines for Department investigations related to discrimination, harassment, and other misconduct.

OIG reviewed the policies, procedures, and internal guidelines related to these four strategies and conducted interviews with staff from the Office of Diversity and Inclusion, the Office of Civil Rights, the Bureau of Diplomatic Security, the Bureau of Global Talent Management, and regional bureaus to assess the implementation status of these strategies, milestones, and any potential challenges. For additional context, OIG reviewed documentation from other U.S. government agencies, specifically the Office of Personnel Management and the Government Accountability Office. OIG also surveyed staff from a selection of functional bureaus, overseas posts, and employee organizations to garner their views of the effects of the DEIA strategic plan.

OIG used a risk-based approach to prepare for this inspection. OIG conducted portions of the inspection remotely and relied on audio- and video-conferencing tools in addition to in-person interviews with Department and other personnel. OIG also reviewed pertinent records; circulated surveys and compiled the results; and reviewed the substance of this report and its findings with offices, individuals, and organizations affected by the review. OIG used professional judgment and analyzed physical, documentary, and testimonial evidence to develop its findings and conclusions.

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<sup>1</sup> Department of State, *Diversity, Equity, Inclusion and Accessibility (DEIA) Strategic Plan 2022–2026*, September 2022.

Dan Chen (Team Leader), Daniel Vergamini (Team Manager), Steve Begin, Lisa Derrickson, and John Hardman conducted this review. Other report contributors included Dolores Adams, Caroline Mangelsdorf, and Rebecca Sawyer.



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