

GAO Highlights

Highlights of [GAO-24-105874](#), a report to the Ranking Member, Committee on Oversight and Accountability, House of Representatives

Why GAO Did This Study

Effective EEO complaint programs help ensure a workplace free of unlawful employment discrimination. Federal agencies are required to maintain EEO programs to promote equal opportunity and eliminate discriminatory practices and policies. EEOC has government-wide responsibility for guiding and overseeing these programs.

GAO was asked to review EEOC's oversight of federal EEO complaint processes. This report examines the extent to which EEOC supports and oversees federal EEO complaint programs, among other objectives.

GAO reviewed federal EEO laws and regulations and EEOC policies, processes, and management directives. GAO analyzed EEOC Technical Assistance letters to agencies and interviewed EEOC officials.

What GAO Recommends

GAO is making four recommendations to EEOC to improve its processes for overseeing agencies' compliance with timely reporting, compiling and analyzing agency EEO information; ensuring consistent use of tools to record agency information; and invoking public notification procedures on agency noncompliance. EEOC agreed with all four recommendations.

View [GAO-24-105874](#). For more information, contact Dawn G. Locke at (202) 512-6806 or locked@gao.gov.

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EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Improved Oversight Processes Needed to Help Agencies Address Program Deficiencies

What GAO Found

The Equal Employment Opportunity Commission (EEOC) supports federal Equal Employment Opportunity (EEO) laws through directives and training for agency EEO programs. EEOC also monitors EEO programs through Technical Assistance reviews of executive branch agencies every 3 years. These reviews provide feedback and guidance to agencies on their progress toward attaining a model EEO program. EEOC has reported actions to help address common EEO program deficiencies identified at a number of agencies (see table).

Selected Common Deficiencies Identified in Equal Employment Opportunity Commission (EEOC) Technical Assistance Letters to 24 Agencies and Examples of Related Commission Actions (2020-2021)

Identified Deficiency	Number of Agencies	EEOC Reported Actions
Did not issue final agency decisions for complaints within required timeframes	16	Shared promising practices on strategies to improve final agency decision timeliness
Did not have an anti-harassment policy	16	Shared promising practices on strategies for preventing harassment
Equal employment opportunity (EEO) Director did not directly report to the head of the agency	11	Issued report to encourage agency heads to embrace direct reporting structures
Did not complete EEO investigations within required timeframe	8	Enhanced training and issued report

Source: GAO analysis of EEOC Technical Assistance letters. | GAO-24-105874

Note: The 24 agencies are those listed at 31 U.S.C. § 901(b). These Technical Assistance feedback letters analyzed were the most recently available at the time of this review.

While EEOC supports and oversees federal EEO programs, GAO found that EEOC's oversight processes could be improved. Agencies must assess their own EEO programs, identify deficiencies, and develop plans to address them. Agencies do this by completing an annual report that includes a checklist based on EEOC criteria for operating a model EEO program. However, GAO has found that EEOC's current system for tracking submission of these reports does not ensure timely submissions or facilitate the identification of deficiencies across agencies. This affects EEOC's ability to do analysis and compile government-wide information on compliance with EEO requirements.

GAO found that EEOC routinely identifies agency deficiencies during Technical Assistance reviews but does not require that EEOC staff use its standardized tool to record them. Also, this does not facilitate the identification of deficiencies across agencies. Use of a standardized tool would help ensure that staff are recording deficiencies consistently to support analysis. With regard to enforcement, EEOC has established procedures for public notification of when an agency has not responded timely or in good faith with a compliance plan to address deficiencies. However, EEOC does not outline criteria for when to invoke public notification, which could be used as an enforcement tool.