

March 30, 1999

CHARLES K. KERNAN
VICE PRESIDENT, SOUTHWEST AREA OPERATIONS

SUBJECT: San Antonio District – Delays in Processing of Equal Employment
Opportunity Complaints (Audit Report Number LR-AR-99-010)

This report presents the results of our review of the timeliness of claims processing by the San Antonio District (Project Number 99-EA-001-LM-000). The report is in response to a significant number of equal employment opportunity-related complaints from employees in the San Antonio District.

The audit revealed that the San Antonio District has experienced varying rates of success in meeting the pre-complaint and formal complaint processing timeframes. However, we believe the processing delays are due to insufficient staffing and turnover in key positions. Management agreed to our recommendations and has initiatives planned and in progress addressing the issues in this report.

We appreciate the cooperation and courtesies provided by your staff during the audit. If you have any questions, please contact me at (703) 248-2300.

//Signed//

Billy Sauls
Assistant Inspector General
for Employee

Attachments

cc: Anthony J. Vegliante
Lawrence K. James
Peter Garwood
John R. Gunnels
Alan B. Kiel

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EXECUTIVE SUMMARY

Introduction

This report is the first of a series of reports in an ongoing review of the equal employment opportunity process in the United States Postal Service (USPS). In response to a significant number of equal employment opportunity-related complaints from employees in the San Antonio District, we focused first on equal employment opportunity processing in that district. This report is limited to our examination of the timeliness of equal employment opportunity complaint processing in the San Antonio District.

Results in Brief

The San Antonio District has experienced varying rates of success in meeting the pre-complaint and formal complaint processing timeframes. We based this observation upon a total analysis of 1,515 cases. We found that for 152 open pre-complaints:

- 34 percent (51 of 152) were already past the 30-day timeframe and had not been assigned;
- 30 percent (45 of 152) had been assigned but pre-complaint counseling was not completed within the 30-day timeframe;
- 20 percent (31 of 152) were awaiting submission of Postal Service Form 2564-A, *Information for Pre-Complaint Counseling*, to initiate the pre-complaint counseling process; and
- 16 percent (25 of 152) were within the 30-day timeframe.

We found for 998 closed pre-complaint cases that it took an average of 78 days to complete inquiries, more than double the time allowed by law.

We reviewed 365 formal complaints and found that generally the San Antonio District completes investigations within the 180-day timeframe.

Specifically:

- 17 percent (20 of 117) of open cases reviewed on January 13, 1999, were past the 180-day timeframe;

- 18 percent (44 of 248) of cases initiated and completed since October 1, 1996 were completed past the 180-day timeframe.

We believe the following has impacted the district's ability to meet mandatory processing timeframes:

- The district generally has operated with only half (3 of 6) of its authorized equal employment opportunity counselor/investigator positions.
- Frequent turnover in three key positions including the human resources manager and district manager has contributed to a lack of focus on issues concerning equal employment opportunity complaint processing.

Further officials at USPS Headquarters and in the San Antonio District stated that the equal employment opportunity complaint process is often used as a vehicle to complain about tension and stressful working relationships. In addition, they believe that some of the complaints are frivolous. As a result, the equal employment opportunity staff is overburdened.

Recommendations

We recommend that the Vice President, Southwest Area Operations, and the Manager, San Antonio District, initiate the following actions:

1. Monitor the resources and volume of Equal Employment Opportunity complaints in the district and adjust staffing to meet required timeframes.

We recommend that the Vice President, Labor Relations initiate the following actions:

2. Explore requesting from the Equal Employment Opportunity Commission a waiver that would allow USPS to use the date documentation is received as the starting point for the prescribed 30-day pre-complaint processing.
3. Ensure that technical support is provided to the District on how to place time extensions into the USPS Equal Employment Opportunity Tracking System.

**Summary of
Management
Response**

1. The Vice-President, Southwest Area Operations, provided a plan of action to ensure the timely processing of equal employment opportunity complaints. The Southwest Area Vice-President and San Antonio District Manager have expressed a strong interest in resolving the workload backlog.
2. The Vice-President for Labor Relations responded that the Equal Employment Opportunity Commission has chosen the date of initial contact as the most important date for agencies to track and that the Commission has been reluctant to make changes or grant waivers.
3. The Vice President for Labor Relations stated that the Southeast/Southwest Appeals Processing Center would provide assistance to the San Antonio District to ensure that extensions granted by complainants are recorded in the database and used to better manage the workload.

We included the full text of management's comments in the Appendix.

**Evaluation of
Management
Response**

Management's comments are generally responsive to our recommendations. However, while we agree that the Equal Employment Opportunity Commission may be reluctant to grant any waivers, we believe that the Commission would consider a written request supported by factual statistics on actual delays and how the delays adversely impact the USPS' ability to comply with prescribed timeframes.

While management's response concerning providing assistance to the San Antonio District on how to record extensions granted by complainants into the national database is responsive to the situation in San Antonio, it does not recognize that the problem also exists in other districts.

INTRODUCTION

Background

USPS equal employment opportunity complaints are to be processed in accordance with federal regulations (*29 C.F.R. part 1614*) promulgated by Equal Employment Opportunity Commission. These regulations establish time requirements for each stage of the complaint process.

A current or former USPS employee or an applicant for a USPS position who believes he or she has been discriminated against is required to contact an equal employment opportunity counselor within 45 calendar days of the alleged discriminatory action. The aggrieved person must consult an equal employment opportunity counselor for pre-complaint counseling in an effort to resolve the matter informally. Within 30 calendar days of initial contact, the aggrieved person must receive written notification of his or her right to file a formal discrimination complaint within 15 calendar days. The aggrieved person may agree to extend the counseling period for an additional 60 calendar days.

Employees unable to resolve their concerns through counseling may file a formal complaint with USPS, which may be dismissed or accepted. If the complaint is accepted, an investigation is conducted. USPS is required to (1) decide whether to dismiss or accept the complaint for investigation, and (2) issue a report within 180 calendar days from the complaint's filing. In some cases, the complainant may agree in writing to allow USPS an additional 90 calendar days to complete the investigation. The USPS Southeast/Southwest Appeals Processing Center makes the decision to either dismiss or accept a complaint in the San Antonio District. If the complaint is accepted, the center instructs the district to conduct an investigation.

USPS employees who are covered under collective bargaining agreements and who allege discrimination have more redress opportunities than other federal workers. USPS employees can pursue two courses of action concurrently: (1) file a discrimination complaint under the federal employee discrimination complaint process, and (2) file a grievance through procedures under the collective bargaining agreement.

The Equal Employment Opportunity Commission states in its Equal Employment Opportunity MD – 110 (*Management Directive for 20 C.F.R. – Part 1614*) that:

- Counseling is an essential part of the federal system for processing and resolving employee concerns;
- The opportunity for informal resolution at an early stage of the complaint processing is an important feature of the counseling stage; and
- Agencies are obligated to investigate complaints of discrimination in a timely manner.

Equal Employment Opportunity Commission's pre-complaint procedures are designed to determine the issues and basis of the potential complaint, conduct a limited inquiry for the purpose of furnishing information for settlement efforts, and seek a resolution of the matter at the lowest possible level.

The guidance also states that agencies are obligated to investigate complaints of discrimination in a timely manner. The guidance emphasizes the importance of a fair and impartial investigation in processing and resolving complaints of discrimination.

**Objectives, Scope
and Methodology**

The objectives of our ongoing audit are to evaluate:

- the success of the USPS Equal Employment Opportunity Program in providing equal opportunity to all persons in hiring, training, rewarding, promoting, and the disciplining process;
- the Diversity Development Program by reviewing the representation of women, minorities, disabled, and older persons at all levels of the organization; and
- the equal employment opportunity claims processing system to determine if complaints are being handled professionally, objectively, and timely.

This audit will produce several reports; this report is limited to the timeliness of equal employment opportunity processing in the San Antonio District.

In addressing our overall audit objectives, we analyzed hotline complaints and congressional inquiries made to the

OIG concerning equal employment opportunity complaint processing, and subsequently categorized complaints by geographic area. Our analytical review process considered geographic area, number and nature of complaints, and potential systemic issues. Since the complaints from the San Antonio District indicated systemic problems such as timeliness, we focused our initial fieldwork in San Antonio.

We met with officials located at USPS Headquarters to gain an understanding of equal employment opportunity complaint processing procedures. We also met with officials at the Equal Employment Opportunity Commission's Office of Federal Operations to gain an overall understanding of equal employment opportunity complaint processing and to identify issues specific to the USPS.

We then met with officials in the Southwest Area Office in Dallas and the San Antonio District to gain an understanding of the process and their concerns. At the area office, we interviewed the Area Vice President, the Human Resources Manager, the Resolve Employment Disputes Reach Equitable Solutions Swiftly (REDRESS) Coordinator, the Hispanic Program Coordinator, and a consultant responsible for succession planning. At the District Office, we interviewed the District Manager, the Acting Human Resources Manager, the Senior Equal Employment Opportunity Complaint Specialist, Equal Employment Opportunity Counselor/ Investigators, the Diversity Specialist, and support personnel.

We obtained district equal employment opportunity staffing figures and complaint statistics. We analyzed data from the Equal Employment Opportunity Complaint Tracking System to determine if complaints were processed timely. We determined the status of 1,515 complaints chosen for review. During our fieldwork in San Antonio, we reviewed all open cases, including:

- 152 open pre-complaint cases; and
- 117 open formal complaint cases.

We also analyzed data on all but 30 cases opened and closed in the San Antonio District between October 1, 1996 and January 13, 1999, from the USPS Equal Employment

Opportunity Complaint Tracking System. We did not audit the database to determine the accuracy of the data. We believed that this time period was sufficient to examine processing trends over a longer period. We excluded 30 cases due to unrecorded processing dates or conflicting dates.¹ We reviewed:

- 998 closed pre-complaint cases; and
- 248 closed formal complaint cases.

Further, we discussed our findings with officials in the San Antonio District and USPS Headquarters to ascertain reasons for processing delays.

Our fieldwork was conducted between December 1998 and January 1999 in accordance with generally accepted government auditing standards.

¹ The dates recorded were not in the logical processing sequence.

AUDIT RESULTS

Timeliness of Processing Equal Employment Opportunity Complaints	The pre-complaint counseling process must be completed within 30 days of the initial contact. Initial contact occurs when an equal employment opportunity official is first made aware that an employee has a complaint. This initial contact may be verbal. Pre-complaint counseling cannot begin, however, until the complainant submits Postal Service Form 2564-A, <i>Information for Pre-complaint Counseling</i> .
Open Pre-Complaint Processing Timeframes and Backlogs	<p>The pre-complaint process requires USPS to assign the complaint to a counselor/investigator, who then completes pre-complaint counseling. We found that:</p> <ul style="list-style-type: none">• 34 percent (51 of 152) open pre-complaint cases were already past that timeframe and had not been assigned;• 30 percent (45 of 152) had been assigned but pre-complaint counseling had not been completed within the 30-day timeframe;• 20 percent (31 of 152) were awaiting submission of Postal Service Form 2564-A to initiate the process; and• 16 percent (25 of 152) were still within the 30-day timeframe. <p>The 30-day processing timeframe starts when an individual first contacts the equal employment opportunity office by telephone, mail, or in-person. Of the 152 cases reviewed, 31 could not be processed because the equal employment opportunity staff had not received the Postal Service Form 2564-A. In the other 121 cases, we found that claimants took an average of 13 days to return the Postal Service Form 2564-A with a range of 0 to 98 days. Delays in receiving the Postal Service Form 2564-A affected the equal employment opportunity staff's ability to meet prescribed timeframes. The Headquarters Manager for Equal Employment Opportunity Compliance and Appeals was aware of the delays in submitting Postal Service Form 2564-A and noted that similar delays also affect other districts. We asked if he had requested authority from the Equal Employment Opportunity Commission to begin the 30-day timeframe when the documentation was received</p>

and he responded that such a request had not been made. We suggested that such a request might be reasonable based on the number of postal facilities and dispersed geographical locations of these facilities.

Twenty-seven of the 121 pre-complaint cases were granted extensions by the complainants. The San Antonio District had not entered any extensions into the Equal Employment Opportunity Complaint Tracking System. We inquired about this practice, and were advised that the district had a policy of not recording extensions in the system. During our fieldwork, district staff attempted to enter extensions into the system, but encountered technical problems. We discussed this problem with the Headquarters Manager for Equal Employment Opportunity Compliance and Appeals, who responded that the San Antonio district staff would be provided with technical assistance.

USPS is required to submit an annual report to the Equal Employment Opportunity Commission. The report submitted to the Equal Employment Opportunity Commission for Fiscal Year (FY) 1996 and 1997 indicate that all pre-complaints were resolved during the prescribed timeframes. The Headquarters Manager for Equal Employment Opportunity Compliance and Appeals indicated that the form did not include a section to report resolutions achieved after the prescribed timeframes. The Equal Employment Opportunity Commission Form 462, *Annual Federal Equal Employment Opportunity Statistical Report of Discrimination Complaints*, does not provide for recording resolutions achieved past the prescribed timeframes. Therefore, USPS is forced to record all pre-complaints as completed within 30 or 90 days. We discussed the shortcomings of this form with Equal Employment Opportunity Commission officials, who stated that efforts are being made to revise the form for all federal agencies.

Closed Pre-Complaint
Processing
Timeframes and
Backlogs

We analyzed data from the USPS Equal Employment Opportunity Complaint Tracking System on all but 30 cases opened and closed in the San Antonio District between October 1, 1996 and January 13, 1999. We believed that this time period was sufficient to examine processing trends over a longer period. We excluded 30 cases due to

unrecorded processing dates or conflicting dates.² Of the 998 closed pre-complaint cases we reviewed, we found it took an average of 78 days to complete inquiries, more than double the time allowed by law.

Further analysis showed it took an average of 47 days to assign the cases, 27 days before the counselor/investigator conducted the initial interview, and 5 days to either settle the case or issue the Right to File a Formal Complaint. We were unable to consider extensions granted by complainants because San Antonio had not recorded this information in the database. Also, we could not consider delays caused by complainants not returning completed documentation in a timely manner because that information also is not recorded in the database. We informed the Headquarters Manager for Equal Employment Opportunity Compliance and Appeals that documenting this information would support a request to the Equal Employment Opportunity Commission to allow USPS to use the date documentation is received as the starting point for the prescribed timeframes.

Formal Complaint
Processing
Timeframes and
Backlogs

When issues are not resolved during the pre-complaint process, the counselor/investigator provides the claimant with a *Notice of Right to File Individual Complaint* (Postal Service Form 2579). The claimant has 15 days to decide whether to file a formal complaint. USPS is required to review the formal complaint and determine if it merits an investigation. Complaints submitted by San Antonio District employees are reviewed by the USPS Southeast/Southwest Appeals Processing Center. If the Center accepts the complaint, it instructs the San Antonio District to conduct an investigation and prepare a report within 180-days.

We reviewed 365 formal complaints and found that generally the San Antonio District completes investigations within the 180-days. Specifically:

- Seventeen percent (20 of 117) of open cases reviewed on January 13, 1999, were past the 180-day timeframe. The average age was 113 days, with a range of 9 to 244 days.

² The dates recorded were not in the logical processing sequence.

- Eighteen percent (44 of 248) of the cases initiated and completed since October 1, 1996 were completed in more than 180-days.

Of the 248 cases initiated and completed since October 1, 1996, it took an average of 151 days to complete the investigations:

- 45 days for the Southeast/Southwest Appeals Processing Center to accept the complaints for investigations;
- 39 days for the San Antonio Equal Employment Opportunity Office to assign the cases to counsel/investigators; and
- 67 days for counsel/investigators to complete the investigations.

**Factors Contributing
To Processing Delays
And Backlogs**

Processing delays and backlogs are attributed to a lack of stating of Equal Employment Opportunity Counselor/Investigators, turnover in key management positions, and processing the burden of cases that are unrelated to discrimination.

Staffing of Equal
Employment
Opportunity Counselor/
Investigators

Analysis of staffing and training assignments from 1994 to 1998 indicates that the San Antonio District generally has operated with only half (3 of 6) of its authorized equal employment opportunity counselor/investigator positions.

District officials stated that they relied on ad hoc³ staffing as a means to meet statutory complaint processing requirements. The Senior Equal Employment Opportunity Specialist noted that ad hoc staffing provided some relief in processing cases, but the effectiveness of this solution was limited by the time needed to train ad hoc personnel. Additionally, Headquarters officials noted that ad hoc staffing was used mainly in the pre-complaint processing phase.

According to San Antonio District statistics, 494 counseling requests were received during FY 1997 and 574 were received during FY 1998, a 16 percent increase. Formal complaints have increased 35 percent during this same period, while the authorized staffing for processing equal employment opportunity complaints has remained constant.

During our initial visit to the San Antonio District, we discussed processing delays with the Acting Human Resources Manager and District Manager. As a result of these discussions, the District Manager authorized the announcement of two additional ad hoc positions.

Resolve Employment Disputes Reach Equitable Solutions Swiftly (REDRESS is an alternative dispute resolution process that has been successful in other districts. REDRESS relies upon outside mediators to resolve pre-complaints and lower the number of formal complaints. The San Antonio District was scheduled to implement REDRESS in January 1999, but implementation has been postponed until March 31, 1999. District officials hope to

³ Ad hoc personnel are defined as individuals assigned for a limited period of time such as two years.

use REDRESS to reduce the existing backlog by giving complainants the option of working with outside mediators.

Management Turnover

Headquarters and District officials stated that a lack of continuity in leadership has contributed to the processing delays and backlogs. The district experienced turnover in three key management positions. The District had seven Human Resource Managers between 1996 and 1998, and five District Managers or Acting District Managers since 1992. There have been five changes in the Equal Employment Opportunity Specialist positions since 1994. We believe that the frequent turnover in staff has contributed significantly to a lack of focus on staffing concerns and on the growth in equal employment opportunity complaint volumes.

Processing Burden of
Cases that are
Unrelated to
Discrimination

Officials at USPS Headquarters and in the San Antonio District also stated that the equal employment opportunity complaint process is often used as a vehicle to complain about tension and stressful working relationships. They attribute the stressful relationships to conditions that arose during the previous District Manager's tenure. In addition, they believe that some of the complaints are frivolous but could not estimate the number of cases that fall into this category. Federal statutes and regulations do not provide allowances for distinctions between frivolous and non-frivolous complaints. All complaints, regardless of perceived merit, must be processed.

The San Antonio District performed an analysis of equal employment opportunity complaints filed during FY 1998 showed that non-sexual harassment and working conditions were predominate reasons employees alleged discrimination.

**Effects Of Processing
Delays And Backlogs**

District officials believe that failure to meet time requirements fosters the perception that the equal employment opportunity process is unfair and unresponsive to issues being raised by complainants. USPS Headquarters and District officials believe that not meeting processing timeframes contributes to poor working relationships and often leads to additional complaints on same or similar problems. District officials provided examples of employees who have filed multiple complaints. One individual filed 60 complaints. Further, officials noted that a lack of timeliness in processing complaints may hinder informal resolutions. Resolving complaints at the lowest possible level saves time, money, and resources.

Recommendations

We recommend that the Vice President, Southwest Area Operations, and the Manager, San Antonio District, initiate the following actions:

1. Monitor the resources and volume of Equal Employment Opportunity complaints in the district and adjust staffing to meet required timeframes.

We recommend that the Vice President, Labor Relations initiate the following actions:

2. Explore requesting from the Equal Employment Opportunity Commission a waiver that would allow USPS to use the date documentation is received as the starting point for the prescribed 30-day pre-complaint processing.
3. Ensure that technical support is provided to the District on how to place time extensions in the USPS Equal Employment Opportunity Tracking System.

**Management
Response**

The Vice-President, Southwest Area Operations, provided a plan of action to ensure the timely processing of equal employment opportunity complaints. The Southwest Area Vice-President and San Antonio District Manager have expressed a strong interest in resolving the workload backlog.

1. The Vice-President for Labor Relations responded that the Equal Employment Opportunity Commission has chosen the date of initial contact as the most important date for agencies to track and that the Commission has been reluctant to make changes or grant waivers.
2. The Vice President for Labor Relations stated that the Southeast/Southwest Appeals Processing Center would provide assistance to the San Antonio District to ensure that extensions granted by complainants are recorded in the database and used to better manage the workload.

**Evaluation of
Management
Response**

Management's comments are generally responsive to our recommendations. However, while we agree that the Equal Employment Opportunity Commission may be reluctant to grant any waivers, we believe that the Commission would consider a written request supported by factual statistics on actual delays and how the delays adversely impact the USPS' ability to comply with prescribed timeframes.

**Major Contributors to
this Report**

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
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[REDACTED]
[REDACTED]

ANTHONY J. VEGLIANTE
VICE PRESIDENT, LABOR RELATIONS



March 26, 1999

Mr. Billy Sauls
Assistant Inspector General
Office of Inspector General
1735 N Lynn Street
Arlington VA 22209-2020

Dear Mr. Sauls:

This is in reference to your February 26, 1999, report concerning the processing of complaints of employment discrimination by the Rio Grande District of the Postal Service. You addressed a copy of your report to me and to the Vice President, Area Operations for the Southwest Area for comment. You indicated that your staff had reviewed complaint data for the District for the last year and one half with a view to determining the timeliness of complaint processing by the District's EEO staff. I have some general comments on the subject matter and then will address your recommendations.

I agree with the comments by District and Headquarters officials that the EEO complaint process in the Postal Service has become a general forum in which employees raise a wide variety of issues unrelated to employment discrimination. This fact of current life is not limited to the Rio Grande District. Part of this occurs because, as you note, postal employees may pursue both a grievance and an EEO complaint on the same matter. They will thus take advantage of any available forum to make their particular point. This volume of claims not reasonably related to employment discrimination clogs the complaint processing system and taxes the available EEO staff. I also share the optimism of District officials that the implementation of REDRESS in the Rio Grande District will produce the same beneficial results that have been achieved elsewhere. It appears that the open forum provided by mediation with a neutral person assisting the parties addresses a particular need of certain of our employees.

You have recommended that the Manager, EEO Compliance and Appeals here at Headquarters look into asking the Equal Employment Opportunity Commission for a change in the way time periods are calculated in the EEO complaint process. As you pointed out, the time period imposed by EEOC regulations now starts from the date on which the employee makes initial contact with the agency not when the request form is actually received. This makes the agency's ability to remain timely in its

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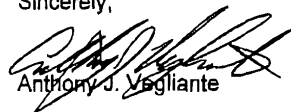
- 2 -

processing of requests for counseling dependent, in part, on the speed with which the complainant furnishes the required form. Unfortunately, this problem recurs at other stages of the complaint process. Sometimes, Counselor/Investigators have trouble obtaining affidavits from complainants at the formal stage of the process thus attenuating that stage and possibly contributing to investigations taking more than 180 days. In the past, the EEO office at Headquarters has had informal discussions with staff persons at the Commission concerning administrative issues related to complaint processing. With respect to the time periods set by the Commission's regulations and tracking issues, the Commission is most reluctant to make changes or grant waivers since they are most concerned with adjudicating the timeliness of requests for counseling or formal complaints. To assist them in this responsibility, they have chosen the date of initial contact as the most important date for agencies to track and record. While we could again broach this subject with the Commission staff, I suspect that the previous position remains unchanged.

You have also recommended that the EEO staff at the Rio Grande District be given technical assistance in connection with the EEO complaint tracking system. We agree with this recommendation and will instruct the Appeals Processing Center in Memphis, Tennessee, which serves the Southwest Area, to contact the Senior EEO Complaint Processing Specialist for the District to arrange for and provide the assistance which is required. From time to time, as necessary, either the EEO Compliance and Appeals unit here at Headquarters or the Appeals Processing Centers offer training on how to use the tracking system or how to write queries to obtain customized EEO reports.

For your information, the EEO Compliance and Appeals unit at Headquarters is in the midst of a review of the way the Postal Service now processes requests for counseling and formal complaints with a view to making possible improvements in our internal complaint-processing procedures. This review may suggest changes in organizational structure, staffing, and information systems. We anticipate reaching some preliminary conclusions very soon.

Sincerely,


Anthony J. Vigilante

San Antonio District - Delays in Processing of Equal Employment Opportunity Complaints

LR-AR-99-010

RECEIVED

MAR 25 1999

CHARLES K. KERNAN
VICE PRESIDENT, SOUTHWEST AREA OPERATIONS

Mgr. Human Resources
Southwest Area



March 26, 1999

MANAGER, HUMAN RESOURCES SOUTHWEST AREA			
SUSPENSE:	DUE DATE		
	Action	RTG	Info
V. Watson			
Dr. Bradley			
C. Denise			
J. Gentry			
C. Gonzalez			
C. Lowry			
A. Thomas			
R. S. Hernandez			
T. Paulsen			
K. Eley			
T. Miller			
District HR Mgrs			
Area OIC Mgrs			
FILE			

Office of Inspector General
Attention: Assistant Inspector General for Employee
1735 N. Lynn St.
Arlington, VA 22209-2020

Subject: San Antonio District Review
(LR-AR-99-XXXX)

Enclosed is the Rio Grande District Plan of action developed to address the recommendation outlined in the draft audit report dated February 26, 1999.

The action planned will enable management to adjust staffing to ensure timely processing of EEO complaints.

Charles K. Kernan

Enclosure

cc: District Manager, Rio Grande
Mr. Walters

San Antonio District - Delays in Processing of Equal Employment Opportunity Complaints

LR-AR-99-010



RECEIVED

MAR 22 1999

Mgr. Human Resources
Southwest Area

March 19, 1999

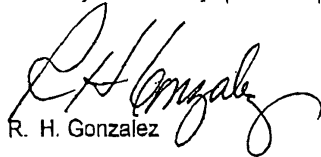
Robert E. Walters
Manager Human Resources
SW Area

SUBJECT: EEO Complaint Processing
Plan of Action

MANAGER, HUMAN RESOURCES SOUTHWEST AREA			
SUSPENSE:	DUE DATE:		
	Action	RTE	Info
V. Watson			
Dr. Bradford			
G. Deane			
J. Gorman			
C. Gonzalez			
C. Lavery			
A. Rhoaden			
R. Steinwald			
T. Feather			
K. Eley			
T. Miller			
Director HR Mgrs			
Area Dir Mgrs			
FILE			

The enclosed EEO Complaint Processing Plan of Action is forwarded to you per your request of March 2, 1999. The Plan of Action addresses adjustments to the present EEO staff and a reporting procedure for apprising your office of our EEO volume and the needs for additional resources.

Should you have any questions please contact Robert Hernandez at (210) 368-1287.


R. H. Gonzalez

Enclosures

FAX:

RIO GRANDE DISTRICT
PLAN OF ACTION
EEO COMPLAINTS VOLUME

Based on the OIG recommendation, two Ad-Hoc EEO Counselor/Investigation positions, one in Austin and the other in San Antonio were posted for bid. Interviews for these positions have been conducted and selections are pending final approval.

The following is the Rio Grande District plan of action for determining needed resources for processing EEO complaints in accordance with EEOC regulations.

Assuming that the Counselor/Investigator will remain in a dual capacity each C/I will have the following goals:

1. Per AP each C/I will process a minimum of 10 Pre-complaints counseling and 4 Investigations; or
2. 20 Pre-complaint counseling within 30 days of request for counseling; or
3. 8 Investigation within 180 days of formal complaint.

To insure compliance with EEOC regulations the Sr. EEO Specialist will initial the following steps:

1. Upon receipt of appropriate EEO complaint forms (2564-A) all request for counseling which include mediation will be immediately forwarded to the EEO/ADR Coordinator.
2. Request for counseling where the complainant rejects mediation will be immediately assigned to a C/I for counseling. Initial contact will be made with the complainant within 30 days of the request for counseling. If counseling can not be completed within the 30 days, an extension will be requested from the complainant. If an extension is denied, the complainant will be provided with appeal rights to file a formal complaint with 30 days of the initial contact with the EEO Office.
3. All EEO complaints accepted for investigation will be assigned to a C/I immediately upon receipt from the Service Center.
4. C/Is will complete all cases assigned for investigations within 180 days of formal complaint or less.

To routinely determine the status and the processing of EEO complaints received, the District Manager Human Resources will be provided the following three report on an AP bases.

1. EEO Complaint Tracking Report Open Case Summary
2. Rio Grande District AP EEO Complaints Status
3. Rio Grande District EEO Complaints Status by Function

The EEO Complaint Tracking Report Open Case Summary, which is a National tracking system, provides information on the number of EEO complaints in the various stages of the complaint processing procedure. This report includes the number of days and the number of cases in each stage of the processing procedures. It also provides that total number of case in each stage of the EEO process.

The Rio Grande District AP EEO Complaint Status is a 2 part report. In the upper part of the report will provide the following information for the current AP:

Pre-Complaints

1. Total pre-complaints completed during the AP.
2. Total pre-complaint counseling pending assignment.
3. Total pre-complaint counseling assigned.
4. Total pre-complaints on hand.
5. Number of EEO counselor report reports pending
6. Number of cases at Service Center pending acceptance/rejection.

Investigations

1. Total investigations completed during the AP.
2. Total investigations pending assignment.
3. Total investigation assigned.
4. Total investigation on hand.

The lower part of this report will provide information on the EEO staff and the processing of assignments, as well as request for EEOC hearings. The following information is provided;

Counselor/Investigators Performance & Hearings

1. Number of Pre- Complaints each C/I has on hand at end of the AP.
2. Number Of Pre-Complaints each C/I completed during the AP.
3. Number of Pre-Complaints each C/I completed YTD.
4. Number of Investigation each C/I has on hand at the end of the AP.
5. Number of Investigations each C/I completed during the AP
6. Number of Investigations each C/I completed YTD.
7. Number of EEOC Hearing request received during the AP.
8. Number of EEOC Hearing request received YTD.

The Rio Grande District EEO Complaints Status by Function will provide information on EEO activity at the District office and at each of the 7 largest installations in the Performance Cluster. The report will include EEO activity in Customer Service and Processing & Distribution at the 7 largest installation as well as in Post Office Operations. The following information will be provided on each of the above;

Request for Pre-Complaint Counseling

1. Number of requests for pre-complaints received during the AP.
2. Number of requests for pre-complaints receive SPLY.
3. Number of requests for pre-complaints received YTD.
4. Number of requests for pre-complaints received SPLY.
5. Number of formal complaints received during the AP.
6. Number of formal complaints received YTD.
7. Number of formal complaints received SPLY.
8. Flow through of pre-complaints to formal complaints.

From the above reports we should be able to readily determine if we have a need for additional resources or if there is flaw in our processing procedures. The attachments are examples of the mentioned reports.

21. BELL UNIVERSITY PROCESSING SERVICES

