

September 1999

**EQUAL
EMPLOYMENT
OPPORTUNITY**

**The Postal Service
Needs to Better
Ensure the Quality of
EEO Complaint Data**



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United States General Accounting Office
Washington, D.C. 20548

General Government Division

B-283618

September 28, 1999

William J. Henderson
Postmaster General
U.S. Postal Service

Dear Mr. Henderson:

During the course of our work examining trends in federal employees' discrimination complaints, we analyzed equal employment opportunity (EEO) complaint data that the Postal Service and other federal agencies reported to the Equal Employment Opportunity Commission (EEOC).¹ The purpose of this report is to bring to your attention certain discrepancies in the complaint data that the Postal Service reported and the need for the Service to take additional steps to ensure that such data are complete, accurate, and reliable.

Results in Brief

In our limited analyses of the data the Postal Service reported to EEOC, we found errors in statistics on the underlying bases for EEO complaints and on the length of time complaints had been in inventory. We also found that required data on the issues raised in complaints were not completely reported. These discrepancies were generally linked to statistical reports generated by the Service's automated complaint information system. After we brought these discrepancies to the attention of Postal Service staff, they promptly corrected them and appeared to correct the underlying causes for the errors, with one exception. That situation need not be resolved until EEOC revises its reporting form.

Because we examined only a limited portion of the reported data for obvious discrepancies and because the errors we identified were related to data generated by an automated complaint information system put in place in 1995, we have concerns about the completeness, accuracy, and reliability of the data that we did not examine. Therefore, we are recommending that the Postal Service review its controls over the recording and reporting of the data that it submits to EEOC.

¹Equal Employment Opportunity: Rising Trends in EEO Complaint Caseloads in the Federal Sector (GAO/GGD-98-157BR, July 24, 1998) and Equal Employment Opportunity: Data Shortcomings Hinder Assessment of Conflicts in the Federal Workplace (GAO/GGD-99-75, May 4, 1999).

Background

Federal regulations and EEOC policy require federal agencies to report certain EEO complaint-related data annually to EEOC. Agencies report these data on EEOC form 462, Annual Federal Equal Employment Opportunity Statistical Report of Discrimination Complaints. EEOC compiles the data from the agencies for publication in the annual Federal Sector Report on EEO Complaints Processing and Appeals. According to EEOC Management Directive 110, agencies should make every effort to ensure accurate recordkeeping and reporting of these data. In our recent report, we said that reliable data are important to program managers, decisionmakers, and EEOC in identifying the nature and extent of workplace conflicts.²

Scope and Methodology

We analyzed the data contained in EEOC's annual federal sector reports to prepare our reports dealing with employment discrimination complaint trends. Because the Postal Service accounts for a large share of complaints filed by federal employees with their agencies, we analyzed forms 462 submitted by the Service for fiscal year 1991 through fiscal year 1998, as well as other complaint data provided at our request.³ Because our studies generally focused on trends in the number and age of unresolved complaints in inventory, the number of complaints filed, the bases and issues cited in complaints, and complaint processing times, we did not examine the full scope of data reported on form 462. Although we did not examine the Service's controls for ensuring accurate recordkeeping and reporting or validate the data the Service reported, we examined the data for obvious inconsistencies or irregularities.

We requested comments on a draft of this report from the Postmaster General. The Postal Service's oral comments are discussed near the end of this letter. We performed our work in July and August 1999 in accordance with generally accepted government auditing standards.

Discrepancies in the Postal Service's EEO Complaint Data

The most significant error that we identified in Postal Service data involved the number of race-based complaints filed by white postal workers. EEOC requires agencies to report the bases (e.g., race, sex, disability) for complaints that employees file. For fiscal year 1996, the Postal Service had reported that 9,044 (about 68 percent) of the 13,252 complaints filed contained allegations by white postal workers of race discrimination. For fiscal year 1997, the Service had reported that 10,040 (70 percent) of the 14,326 complaints filed contained such allegations.

²GAO/GGD-99-75, May 4, 1999.

³In fiscal year 1998, postal workers accounted for about half of the discrimination complaints filed by federal employees.

These figures represented significant increases over the figures reported for previous fiscal years. For example, in fiscal year 1995, the Service reported to EEOC that 1,534 of the complaints filed contained allegations by white postal workers of race discrimination. In fiscal year 1994, the figure reported was 2,688.

We questioned Postal Service officials about the sudden increase in the number of complaints containing allegations by white postal workers of race discrimination. The officials said that they also had been concerned about these data, and had discussed the data with EEOC officials. After we raised this issue, the officials intensified their efforts to identify the true magnitude and source of the increase and subsequently found that a computer programming error had resulted in a significant overcounting of these complaints. They said that the corrected figures were 1,505 for fiscal year 1996 (or 11.4 percent of the 13,252 complaints filed) and 1,654 for fiscal year 1997 (or 11.5 percent of the 14,326 complaints filed). They also provided these figures to EEOC.

In explaining how the error occurred, the officials said that each automated case record in the complaint information system contains a data field for race, which is to be filled in with a code for the applicable racial category when an employee alleges racial discrimination. If an employee alleges discrimination on a basis or bases other than race, this data field is to remain blank. According to the officials, the faulty computer program counted each blank racial data field as indicating an allegation by a white employee of racial discrimination. These results were then tallied with complaints in which the data field was properly coded as an allegation by a white employee of racial discrimination. The officials advised us that the programming error had been corrected. Although we did not examine the computer program, our review of the data reported on the Postal Service's form 462 for fiscal year 1998 appeared to confirm that the correction had been made.

Other errors that we found in data that the Service reported on form 462 related to the age of cases in the inventory of unresolved complaints. EEOC requires agencies to report statistics on the length of time that cases have been in the agencies' inventories of unresolved complaints, from the date of complaint filing. These data are broken out by each stage of the complaint process—acceptance/dismissal, investigation, hearing, and final decision. We questioned figures for fiscal year 1997 about the age of (1) cases pending acceptance/dismissal, because the reported total number of days such cases had been in inventory seemed unusually high, and (2) cases pending a hearing before an EEOC administrative judge, because the

reported average age of such cases seemed unusually low. After we brought the questionable figures to the attention of the Postal Service EEO Compliance and Appeals Manager, he provided corrected figures and said that the errors, like the problem with the reporting of complaint bases described previously, were due to a computer programming error. He said that the faulty computer program had been corrected. In addition, the Service provided the corrected figures to EEOC.

We also found that the Postal Service has not been reporting all issues—the specific conditions or events that are the subjects of complaints—as EEOC requires. Because some complaints involve more than one basis or more than one issue, EEOC’s instructions for completing part IV of form 462 require agencies to include all bases and issues raised in complaints. While the Postal Service’s complaint information system allows more than one complaint basis (like racial and sexual discrimination) to be recorded, the system’s data field allows only one “primary” issue (like an adverse personnel action) to be recorded for each complaint, regardless of the number of issues that a complainant raises. Although this practice results in underreporting complainants’ issues to EEOC, the EEO Compliance and Appeals Manager said that the Postal Service adopted this approach to give the data more focus by identifying the primary issues driving postal workers’ complaints.

This matter has not been resolved. In order to report more than one issue for each complaint, the Service would have to modify the automated complaint information system to allow for the recording of more than one issue for a complaint. However, we have reported that part IV of form 462 for reporting statistics on bases and issues is methodologically flawed and results in an overcounting of bases and issues.⁴ We have made a recommendation to EEOC that it correct this problem, and the agency said that it would address our concerns.⁵ Therefore, we believe that it would be prudent for the Postal Service to wait for EEOC to resolve this issue before modifying its data recording and reporting practices.

In addition to the discrepancies already noted, we found that the Postal Service’s statistical reports to EEOC for fiscal years 1996 and 1997 did not include data for complaints involving certain categories of primary issues.

⁴GAO/GGD-99-75, May 4, 1999.

⁵EEOC, with the National Partnership for Reinventing Government, is cosponsoring the Interagency Federal EEO Task Force. One task force team of representatives from federal agencies and departments, in response to recommendations made in GAO/GGD-99-75, is to review and recommend approaches to improve the type and quantity of data, the method of collection, the accuracy and reliability of the data, and the timeliness and availability of the data.

The form 462, which EEOC requires agencies to complete, contains a list of issues. For its own management needs, the Service supplemented EEOC's list with three additional categories of specific issues: (1) denial of worker's compensation, (2) leave, and (3) other pay. However, we found that in completing part IV of EEOC form 462 for fiscal years 1996 and 1997, the Service omitted the data about complaints in which these additional issues were cited. After we brought our observations to the attention of Service officials, they provided the omitted data to EEOC. The officials explained that, for fiscal year 1998, in lieu of including data about complaints involving the three additional issues on part IV of form 462, they provided these data separately to EEOC. The EEO Compliance and Appeals Manager explained that he did not want to "force fit" the data about the three issues into one of the categories listed on the form 462, such as "other," because the issues thereby would lose their identity and significance. He added that part IV of form 462 needs to be revised because the categories of issues listed are too broad and do not recognize emerging issues.

Further, we found certain underreportings of the bases and issues cited in complaints for fiscal year 1995. After we brought the underreporting to the attention of the Postal Service officials, they provided corrected data to EEOC and us. Service officials attributed this underreporting to difficulties associated with implementing a new complaint information system in fiscal year 1995.

Conclusions

Both Postal Service management and EEOC need complete, accurate, and reliable information to deal with EEO-related workplace conflicts. Discrepancies that we found in our limited review of the Postal Service's EEO complaint data raised questions about the completeness, accuracy, and reliability of the reported data, particularly data generated through the automated complaint information system. All but one of the reporting problems we found and their underlying causes appear to have been corrected. However, because we examined only a limited portion of the reported data for obvious discrepancies and because the errors we identified were related to data generated by an automated complaint information system put in place in 1995, we have concerns about the completeness, accuracy, and reliability of the data that we did not examine.

Recommendation to the Postmaster General

To help ensure that the EEO complaint data submitted to EEOC are complete, accurate, and reliable, we recommend that you review the Postal Service's controls over the recording and reporting of these data, including evaluating the computer programs that generate data to prepare

the EEOC form 462, Annual Federal Equal Employment Opportunity Statistical Report of Discrimination Complaints. We recognize that recording and reporting issues raised in complaints are matters that cannot be completely addressed until EEOC resolves the methodological flaws in part IV of form 462.

Agency Comments and Our Evaluation

In oral comments on a draft of this report made on August 20, 1999, the Postal Service Manager, EEO Compliance and Appeals, generally concurred with our observations and offered comments of a clarifying nature. In response to our recommendation that the Service's controls over the recording and reporting of EEO complaint data to EEOC be reviewed, this official said that the Postal Service plans to adopt more comprehensive management controls to ensure that the data submitted are complete, accurate, and reliable. The official further said that these controls would involve (1) an analysis of trend data to identify anomalies and (2) an examination of data categories in which discrepancies have previously been found. He also said that complaint information system controls would be examined to determine whether they ensure that data recorded and reported are complete, accurate, and reliable. He said, however, that because the complaint information system has been certified for year 2000 compatibility and because the Service has decided not to modify any computer systems until March 2000, any modifications to improve the complaint system will not be made until then. We believe that the actions the Postal Service proposes, if carried out, will address the substance of our recommendation.

We are sending copies of this report to Senators Daniel K. Akaka, Thad Cochran, Joseph I. Lieberman, and Fred Thompson and Representatives Robert E. Andrews, John A. Boehner, Dan Burton, William L. Clay, Elijah E. Cummings, Chaka Fattah, William F. Goodling, Steny H. Hoyer, Jim Kolbe, John M. McHugh, David Obey, Harold Rogers, Joe Scarborough, Jose E. Serrano, Henry A. Waxman, and C. W. Bill Young in their capacities as Chair or Ranking Minority Member of Senate and House Committees and Subcommittees. In addition, we will send a copy to Representative Albert R. Wynn. We will also send copies to the Honorable Ida L. Castro, Chairwoman, EEOC; the Honorable Janice R. Lachance, Director, Office of Personnel Management; the Honorable Jacob Lew, Director, Office of Management and Budget; and other interested parties. We will make copies of this report available to others on request.

Because this report contains a recommendation to you, you are required by 31 U.S.C. 720 to submit a written statement on actions taken on this recommendation to the Senate Committee on Governmental Affairs and

the House Committee on Government Reform not later than 60 days after the date of this report and to the House and Senate Committees on Appropriations with the agency's first request for appropriations made more than 60 days after the date of this report.

If you or your staff have any questions concerning this report, please contact me or Stephen Altman on (202) 512-8676. Other major contributors to this report were Anthony P. Lofaro, Gary V. Lawson, and Sharon T. Hogan.

Sincerely yours,



Michael Brostek
Associate Director, Federal Management
and Workforce Issues

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