

# EEOC STRATEGIC PLAN 2022–2026



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

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## Message from the Commission

The United States Equal Employment Opportunity Commission (“EEOC,” “agency,” or “Commission”) is pleased to release the agency’s Strategic Plan for Fiscal Years 2022–2026. This Strategic Plan will guide the agency as we fulfill our mission of preventing and remedying unlawful employment discrimination and advancing equal employment opportunity for all. The work of the Commission depends on the daily efforts of over 2,100 dedicated personnel, located in its headquarters and 53 field offices across the nation, along with our federal, state, local and Tribal partners. In creating the Strategic Plan, we sought input from the EEOC’s workforce in addition to the agency’s leadership. We also solicited and received comments from a wide range of stakeholders and the public. As a result, the plan is a true reflection of the agency and all those who have a stake in our mission.

The Strategic Plan is guided by three values that form the basis of our agency culture and guide our daily work:

- Commitment to Equal Employment Opportunity
- Accountability
- Integrity

**Commitment to Equal Employment Opportunity:** Congress entrusted the Commission with the responsibility of enforcing the nation’s employment anti-discrimination laws. These laws reflect Congress’ vision of equal opportunity in our nation’s workplaces. To honor the trust that has been given us, we must have an unwavering commitment to carrying out that vision.

**Accountability:** Like all federal agencies, the EEOC is accountable to the public it serves. We must therefore continue to demand excellence in ourselves and have systems in place to hold us accountable. To this end, the Commission must ensure that the resources entrusted to us are used to advance the agency’s mission, that the EEOC workforce has adequate training, and that the agency consistently implements effective processes that are periodically evaluated and updated, as appropriate.

**Integrity:** The Commission has an obligation to be impartial as it investigates charges in the private sector and adjudicates cases in the federal sector. If we conclude that unlawful discrimination has occurred, we have an obligation to advance the public interest and work to remedy the harm caused by discrimination. Moreover, every person we serve or with whom we interact in the performance of our duties and every member of the EEOC workforce is entitled to be treated with respect, courtesy, and professionalism.

In keeping with these values, the Strategic Plan builds on the Commission’s successes and challenges us to do more. It requires us to take a critical look at what we have accomplished and explore where there is room to improve. The plan prioritizes a coordinated, holistic approach to preventing discrimination and enforcing the law, recognizing that while external factors outside of the agency’s control may impact the EEOC’s yearly progress, we must continue to steadfastly pursue our mission in service to the American public.

## Introduction

Equal opportunity for all is one of our nation's most cherished and hard-fought values. Since 1965, the United States Equal Employment Opportunity Commission ("EEOC," "agency," or "Commission") has been the leading federal law enforcement agency dedicated to preventing and remedying employment discrimination and advancing equal opportunity for all in the workplace. The Strategic Plan for Fiscal Years 2022–2026 ("Strategic Plan") establishes a framework for achieving the EEOC's mission to "prevent and remedy unlawful employment discrimination and advance equal employment opportunity for all," so that the nation might realize the Commission's vision of "fair and inclusive workplaces with equal opportunity for all."

To accomplish this mission and realize this vision, the EEOC will pursue the following strategic goals and objectives:

- 1. Combat and prevent employment discrimination through the strategic application of the EEOC's law enforcement authorities.** The corresponding objectives are: 1) The agency has a broad impact on preventing and remedying employment discrimination while providing meaningful relief for victims of discrimination; and 2) The agency exercises its enforcement authority fairly, efficiently, and based on the circumstances of each charge or complaint.
- 2. Prevent employment discrimination and advance equal employment opportunities through education and outreach.** The corresponding objectives are: 1) Members of the public are aware of employment anti-discrimination laws, EEOC enforcement actions, and know their rights and responsibilities under these laws; and 2) Employers, federal agencies, unions, and staffing agencies have the information and guidance necessary to advance equal employment opportunity, prevent discrimination, and effectively resolve EEO issues.
- 3. Strive for organizational excellence through our people, practices, and technology.** The corresponding objectives are: 1) The EEOC achieves a culture of accountability, inclusivity, and accessibility; and 2) Resources align with priorities to strengthen intake, outreach, education, enforcement, and service to the public to protect and advance civil rights in the workplace.

The plan also presents clear and realistic strategies for achieving each of the three strategic goals and identifies 15 performance measures (with appropriate interim targets<sup>1</sup>) to track the EEOC's progress as it approaches FY 2026.

<sup>1</sup> OMB Circular No. A-11, Section 230.5 (2022), requires federal agencies to establish performance goals, measures, and targets aligned to the agency's objectives in the strategic plan, among other requirements.

## The Strategic Planning Process

The Government Performance and Results Act Modernization Act requires executive departments, government corporations, and independent agencies to develop and post a Strategic Plan on their public websites every four fiscal years. The plan must include at least the following:

- A mission statement covering the major functions and operations of the agency;
- General goals and objectives to achieve those goals;
- A description of how these goals and objectives are to be achieved; and
- An identification of key factors external to the agency and beyond its control that could significantly affect the achievement of its general goals and objectives.

The head of each agency is also required to issue an annual performance plan covering each program activity set forth in the agency's budget. This performance plan is a complement to the agency's strategic plan and establishes performance goals that define the level of performance that will be achieved during the year in which the plan is submitted and the next fiscal year; expresses such goals in an objective, quantifiable, and measurable form; describes how the performance goals will contribute to the general goals and objectives established in the agency's strategic plan; and describes how the performance goals will be achieved. In addition, the performance plan must establish a balanced set of performance indicators to be used in measuring or assessing progress toward each performance goal; provide a basis for comparing actual program results with the established performance goals; describe how the agency will ensure the accuracy and reliability of the data used to measure progress toward its performance goals; and describe major management challenges the agency faces and identify how the agency plans to address them.

The development of a strategic plan and annual performance plans require an agency's leadership to reflect upon the agency's statutory mission, reassess prior goals and objectives, and identify any new goals and objectives that will enable the agency to meet its statutory mission. The plans also inform Congress and the public of key factors external to the agency that may affect the agency's ability to carry out its mandate.

## About the EEOC

The EEOC was created in direct response to the historic 1963 March on Washington for Jobs and Freedom. The agency first opened its doors on July 2, 1965. The mandate and authority of the EEOC was set forth in Title VII of the Civil Rights Act of 1964 and expanded in later laws enacted by Congress. Over nearly six decades, our jurisdiction has grown and now includes the following statutes:

- **Title VII of the Civil Rights Act of 1964 (Title VII)**, as amended, prohibits employment discrimination based on race, color, religion, sex (including pregnancy, sexual orientation, and gender identity), and national origin.
- **The Age Discrimination in Employment Act of 1967 (ADEA)**, as amended, prohibits employment discrimination against workers age 40 and older.
- **The Pregnancy Discrimination Act of 1978 (PDA)** amended Title VII to clarify that discrimination based on pregnancy, childbirth, or related medical conditions constitutes sex discrimination and requires employers to treat women affected by pregnancy, childbirth, or related medical conditions the same as any other employees with temporary disabilities with respect to terms and conditions of employment, including health benefits.
- **The Equal Pay Act of 1963 (EPA)** (included in the Fair Labor Standards Act), as amended, prohibits sex discrimination in the payment of wages to men and women performing substantially equal work in the same establishment.
- **Titles I and V of the Americans with Disabilities Act of 1990 (ADA)**, as amended, prohibit employment discrimination based on disability by private and state and local government employers. **Sections 501 and 505 of the Rehabilitation Act of 1973** provide the same protections for federal employees and applicants for federal employment.
- **Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA)** prohibits employment discrimination based on an applicant's or employee's genetic information (including family medical history).
- **The Pregnant Workers Fairness Act (PWFA)** requires covered employers to provide reasonable accommodations to a qualified applicant's or employee's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an undue hardship.

Together, these laws protect individuals from employment discrimination (including unlawful harassment) based on race, color, religion, sex (including pregnancy, sexual orientation, and gender identity), national origin, age, disability, and genetic information. They also make it illegal to retaliate against a person for opposing employment discrimination, filing a charge of discrimination, or participating in an employment discrimination proceeding. Finally, provisions in the ADA, the Rehabilitation Act, and GINA strictly limit covered entities from obtaining health-related information from applicants and employees and require that any genetic or medical information a covered entity has about an applicant or employee be kept confidential.

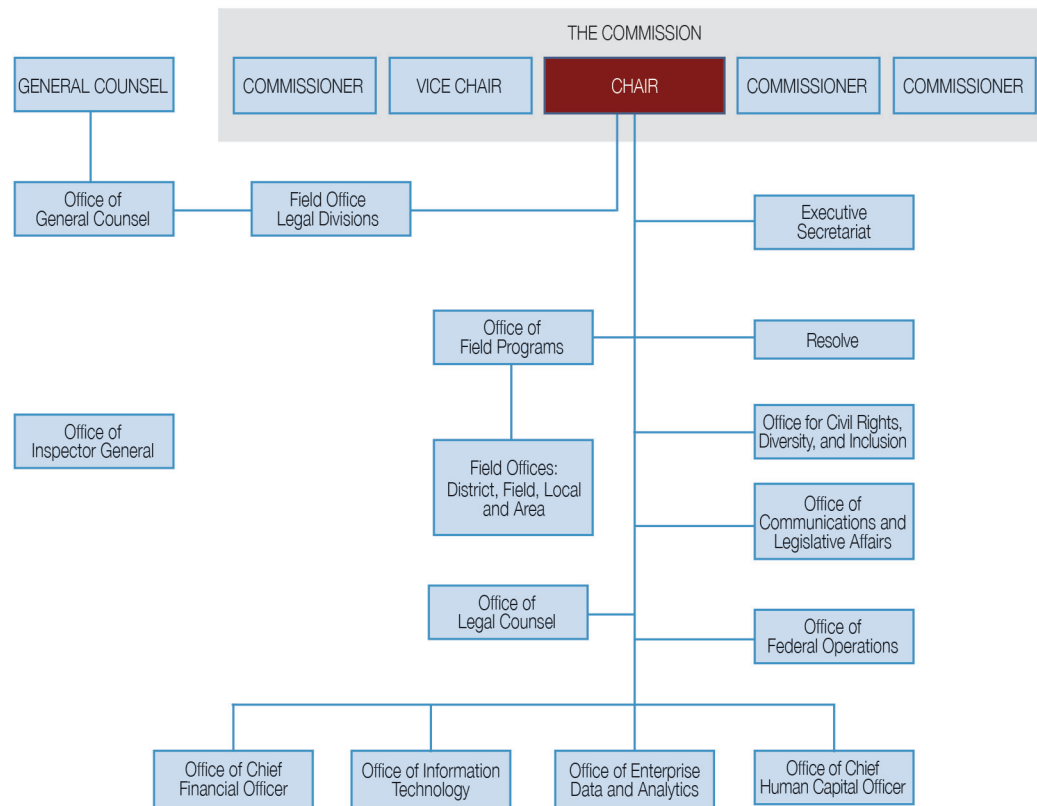
Most of these laws apply to private and state and local government employers with 15 or more employees, labor organizations, employment agencies, and the federal government (“covered entities”). (The ADEA applies to state and local governments and to private employers with 20 or more employees; there is no minimum employee requirement under the EPA.) Title VII and Executive Order 12067 also authorize the EEOC to coordinate and lead the federal government’s efforts to combat workplace discrimination.

## Leadership and Organization

The Commission is composed of five members, not more than three of whom may be members of the same political party. Members of the bipartisan Commission are appointed by the President and confirmed by the Senate for a set term of five years. The President designates one member of the Commission to serve as Chair. The President also may designate a Vice Chair. The Chair is responsible, on behalf of the Commission, for the administrative operations of the agency.

The EEOC's General Counsel is also appointed by the President and confirmed by the Senate for a term of four years. The General Counsel is responsible for the conduct of litigation pursuant to the agency's statutory authorities.

## EEOC Organizational Structure





## *Enforcement*

**Private and State and Local Government Sectors.** There are two major enforcement mechanisms available to the EEOC in the private and state and local government sectors. The first is the investigation and conciliation (also called the “administrative process”) of charges brought by an individual or by a Commissioner alleging discrimination. The second is the litigation process — the bringing of individual, class, and systemic, including pattern or practice, cases, in federal court against a covered entity that the agency believes has violated one or more of the laws the EEOC enforces.

An individual may file a private discrimination lawsuit against a covered entity under the laws enforced by the EEOC; however, the individual must first file a charge of discrimination with the agency. (The person filing a charge is generally known as a “charging party” and the organization against whom the charge is filed is known as a “respondent.”) Congress created this administrative exhaustion requirement to provide the EEOC with the opportunity to determine if there is reasonable cause to believe discrimination has occurred and to provide an opportunity for voluntary resolution where possible. A member of the Commission may also file a charge alleging discrimination under Title VII, the ADA, the PWFA, or GINA, known as a Commissioner Charge. In addition, the EEOC may initiate directed investigations under the EPA and the ADEA. No charging party is required for a Commissioner Charge or an agency-initiated directed investigation; however, both are filed on behalf of aggrieved individuals.

Since 1995, the EEOC has offered an alternative dispute resolution (“ADR”) process to resolve certain charges prior to the initiation of investigation. The respondent and charging party are invited to voluntarily mediate these charges. During mediation, the focus is not on whether the law has been violated, but rather whether the issue can be resolved to the parties’ mutual satisfaction. Following a pilot conducted from July 2020 through January 2021, the EEOC adopted procedures that increase flexibility in the process, including the expanded use of virtual mediations, the effectiveness of which was confirmed both during the pilot and through later research.

Charges not resolved in mediation are investigated to determine if there is reasonable cause to believe discrimination has occurred. The EEOC is authorized to issue administrative subpoenas in aid of its investigations. If reasonable cause is found, the agency provides the respondent an opportunity to remedy the discriminatory practice(s) through conciliation.

If the matter is not successfully conciliated, the EEOC generally is authorized to bring a civil action against the respondent in federal court. If, however, the respondent is a state or local employer and the case is under Title VII, the ADA, the PWFA, or GINA, only the U.S. Attorney General is authorized to sue. Thus, if the EEOC’s investigation of a charge against a state or local government employer concludes that there is reasonable cause to believe discrimination occurred, the EEOC refers the matter to the Department of Justice. A charging party may also intervene in cases under Title VII, the ADA, the PWFA or GINA where the government pursues litigation. The agency and the Attorney General are also authorized to issue Notices of Right to Sue to charging parties who wish to institute private litigation under Title VII, the ADA, the PWFA, or GINA. Notices of Right to Sue are not necessary for a charging party to file suit under the ADEA or EPA.

Congress also has authorized the agency to cooperate with state and local Fair Employment Practices Agencies (FEPAs), which are responsible for administering state or local fair employment laws, and to enter into agreements with these agencies to undertake investigation and conciliation of charges that would otherwise be investigated and conciliated by the EEOC. The EEOC currently has work sharing agreements with 91 state and local FEPAs.

The agency also partners annually with more than 60 Tribal Employment Rights Offices (TEROs) to promote equal employment opportunity on or near Native American/Alaska Native reservations or tribal lands. In FY 2021, pursuant to Executive Order 13175, for the first time, the EEOC engaged in consultations with Tribal leaders to develop an agency-wide process for consultation and to expand outreach to people on tribal lands to ensure they know their rights under the federal laws EEOC enforces. This outreach goes beyond the contracted TEROs to include all federally recognized tribes.

**Federal Government Sector.** Title VII and other employment anti-discrimination laws guarantee that personnel actions affecting federal employees or applicants for employment by federal agencies “shall be made free from any discrimination” based on race, color, religion, sex, national origin, age, disability, or genetic information. Federal employees also are protected against retaliation for complaining about discrimination, filing a complaint of discrimination, or participating in an employment discrimination proceeding. The restrictions on the acquisition and disclosure of genetic and other medical information that apply to private and state and local government employers under the ADA and GINA also apply to federal agencies. The EEOC is charged with both adjudicatory and oversight responsibilities regarding this guarantee.

Federal employees or applicants (“complainants”) who believe they have been subjected to unlawful employment discrimination must first contact their agency’s equal employment opportunity (“EEO”) counselor, who will provide them with the choice of participating either in EEO counseling or in a federal alternative dispute resolution program. If the matter is not settled during counseling or through ADR, the complainant may file a formal complaint with their agency’s EEO office, and the agency must investigate if it determines the complaint meets jurisdictional and other requirements. While the investigatory processes of an agency are governed by procedural regulations issued by the EEOC, an agency has full control over the investigation itself.

After the investigation, the complainant is given the option of requesting a hearing with an EEOC administrative judge (AJ) or receiving a final decision from the agency. If the complainant chooses a hearing, the AJ will review the claim and issue a decision. The agency must then take final action on the complaint by issuing a Final Order implementing the AJ’s decision or, if it disagrees with the AJ’s decision, appealing the decision to the EEOC’s Office of Federal Operations.

If the complainant chooses not to request a hearing, the agency, not the EEOC, will issue a Final Agency Decision (“FAD”) on the merits of the complaint. If the complainant is dissatisfied with either the AJ’s decision or the FAD issued by the agency, the complainant may file an appeal with EEOC’s Office of Federal Operations. If either party files an appeal, the EEOC Office of Federal Operations will review the AJ or agency decision, make a formal determination, and issue a final decision. Complainants may pursue their claims in federal court if a final decision is not issued within 180 days of the date their complaint or the EEOC appeal was filed.

The EEOC is authorized to provide appropriate remedies to a federal complainant, including reinstatement, back pay, and damages. Relief ordered by the EEOC is binding on an agency, except in limited circumstances, and an agency may not appeal an adverse decision in federal court. A federal complainant may file a lawsuit in federal court if the complainant receives an adverse decision from the EEOC.

The EEOC also has oversight responsibilities in the federal sector, with the authority to review, approve, and evaluate federal agency EEO plans and affirmative action programs and to review and evaluate the operation of all federal agency EEO programs. The EEOC conducts comprehensive reviews of federal agencies' EEO programs and their progress toward attaining model EEO status under Management Directive 715. Each review is tailored to the individual agency's situation and may include a written workforce analysis by race, sex, national origin, and disability. A review also aids in identifying barriers to equal opportunity at an agency and helps formulate plans to eliminate such barriers. The program evaluations may be conducted on site and may result in remedial recommendations and a schedule of compliance reports.

### ***Education and Outreach***

In addition to administrative and legal enforcement, the EEOC is required to provide technical assistance and training regarding the laws and regulations it enforces. The EEOC fulfills this mandate in the private, state and local government, and federal sectors by conducting no-cost and fee-based outreach and technical assistance education programs. The EEOC also issues a range of resources, including guidance approved by the Commission, technical assistance documents, and digital media that explain existing legal requirements in non-technical language.



# Mission and Vision Statements

**The EEOC'S Mission is to:**

**Prevent and remedy unlawful employment discrimination and advance equal employment opportunity for all.**

**The EEOC'S Vision is:**

**Fair and inclusive workplaces with equal opportunity for all.**

## The EEOC FY 2022–26 Strategic Plan Crosswalk

	OBJECTIVE	STRATEGY	PM <sup>2</sup>
Strategic Goal I	I.A.: The agency has a broad impact on preventing and remedying employment discrimination while providing meaningful relief for victims of discrimination.	I.A.1: Rigorously and consistently implement the Strategic Enforcement Plan (SEP) to focus resources on EEOC priorities, integrating agency responsibilities and activities.	3, 3a, 3b, 3c
		I.A.2: Use administrative and litigation mechanisms to identify and eradicate discriminatory policies and practices, including systemic practices.	1, 2
		I.A.3: Use the EEOC’s decisions and oversight activities to eradicate discriminatory policies and practices in federal agencies.	4, 5
		I.A.4: Seek effective remedies to end discriminatory practices and deter future discrimination.	4, 4a
		I.A.5: Seek remedies that provide meaningful relief to individual victims of discrimination.	1, 4
	I.B.: The agency exercises its enforcement authority fairly, efficiently, and based on the circumstances of each charge or complaint.	I.B.1: Rigorously and consistently implement charge management for private sector and state and local government charges, aligned with the SEP.	6, 6b, 7, 7a, 7b
I.B.2: Rigorously and consistently implement case management for federal sector hearings and appeals aligned with the SEP.		6, 6a	
Strategic Goal III	II.A.: Members of the public are aware of employment discrimination laws and EEOC enforcement actions and know their rights and responsibilities under these laws.	II.A.1: Leverage technology and use innovative strategies to expand EEOC’s reach to diverse populations.	8, 10
		II.A.2: Target outreach to vulnerable workers and underserved communities.	8, 9, 10
	II.B.: Employers, federal agencies, unions, and staffing agencies have the information and guidance necessary to advance equal employment opportunity, prevent discrimination, and effectively resolve EEO issues.	II.B.1: Leverage technology and media to expand EEOC’s reach to employers and other covered entities and to ensure broad awareness of EEOC’s litigation and other enforcement efforts, to the extent they may be made public.	8, 11
		II.B.2: Promote promising practices that employers can adopt to prevent discrimination in the workplace.	9
		II.B.3: Target outreach to small, new, and disadvantaged/underserved employers.	9
		II.B.4: Foster partnerships linking federal agencies to shared EEO resources and services.	11
Strategic Goal II	Correlated Strategies	II.A.3/II.B.5: Provide up-to-date, accessible guidance and training on the requirements of employment discrimination laws.	10
		II.A.4/II.B.6: Increase the knowledge of targeted audiences through focused, innovative collaborations with internal and external stakeholders.	8, 9
		II.A.5/II.B.7: Provide the infrastructure needed to support the development and delivery of online outreach and education.	8, 10
		II.A.6/II.B.8: Ensure support services that promote the accessible delivery of outreach and education.	8, 10

<sup>2</sup> The Performance Measures are discussed in the Strategic Goal sections and in [Appendix B](#).

## The EEOC FY 2022–26 Strategic Plan Crosswalk *continued*

	<b>OBJECTIVE</b>	<b>STRATEGY</b>	<b>PM</b>
<b>Strategic Goal III</b>	<i>III.A.</i> : The EEOC achieves a culture of accountability, inclusivity, and accessibility.	<i>III.A.1.</i> : Recruit, develop, and retain talented employees.	12
		<i>III.A.2.</i> : Advance performance management to maximize organizational improvement.	13
		<i>III.A.3.</i> : Enhance diversity, equity, inclusion, and accessibility in the workplace.	12
		<i>III.A.4.</i> : Develop and support innovation and collaboration to advance employee engagement and morale.	12
		<i>III.A.5.</i> : Promote a culture of continuous improvement.	12, 13
		<i>III.A.6.</i> : Foster constructive employee and labor management relations.	12
		<i>III.A.7.</i> : Strive to be a model employer and to promote equal employment opportunity.	12
		<i>III.A.8.</i> : Develop and implement a robust leadership and succession plan.	12
	<i>III.B.</i> : Resources align with priorities to strengthen intake, outreach, education, enforcement, and service to the public to protect and advance civil rights in the workplace.	<i>III.B.1.</i> : Expand the use of technology to better serve the public and improve productivity.	13
		<i>III.B.2.</i> : Leverage the use of data, analytics, and information management to support, evaluate, and improve the agency's programs and processes.	13, 14
		<i>III.B.3.</i> : Prioritize and actively manage available fiscal resources to best achieve the agency's mission.	15

## Strategic Goal I

### COMBAT AND PREVENT EMPLOYMENT DISCRIMINATION THROUGH THE STRATEGIC APPLICATION OF EEOC'S LAW ENFORCEMENT AUTHORITIES

Strategic Goal I, to combat and prevent employment discrimination through the strategic application of the EEOC's law enforcement authorities, reflects the EEOC's primary mission of preventing unlawful employment discrimination through: 1) the administrative (investigation and conciliation) and litigation enforcement mechanisms applicable to private employers, labor organizations, employment agencies, and state and local government employers, that Congress entrusted to the EEOC; and 2) the adjudicatory and oversight mechanisms for federal employers that Congress entrusted to the EEOC.

There are two objectives for Strategic Goal I:

**Strategic Objective I.A.:** The agency has a broad impact on preventing and remedying employment discrimination while providing meaningful relief for victims of discrimination.

**Strategic Objective I.B.:** The agency exercises its enforcement authority fairly, efficiently, and based on the circumstances of each charge or complaint.

### Strengthening the Capacity of the Agency in the Private, Public, and Federal Sectors

In the past three years, the EEOC has received an annual average of approximately 67,400 private sector charges of discrimination,<sup>3</sup> more than 8,300 requests for federal sector hearings, and 4,300 requests for federal sector appeals.<sup>4</sup> The large number of individual charges of discrimination and federal sector requests for hearings and appeals that the EEOC receives requires the EEOC to think strategically about how to allocate its resources to ensure the strongest impact possible in its efforts to stop unlawful employment discrimination.

Since at least 1995, the Commission has categorized charges for priority handling based on the likelihood of an investigation resulting in a finding of reasonable cause to believe that discrimination has occurred. Charge prioritization is a continuous process that occurs throughout the life of a charge; in each case, the investigation should be appropriate to the charge, considering the EEOC's resources. In 1996, the Commission adopted a National Enforcement Plan ("NEP") and required District Offices to develop Local Enforcement Plans. The NEP worked in tandem with Priority Charge Handling Procedures (PCHP) so that agency investigators and litigators could focus their resources strategically.

<sup>3</sup> U.S. Equal Employment Opportunity Commission, EEOC Enforcement and Litigation Statistics, All Statutes (Charges filed with EEOC), FY 1997-FY 2022, <https://www.eeoc.gov/data/charge-statistics-charges-filed-eeoc-fy-1997-through-fy-2022>

<sup>4</sup> U.S. Equal Employment Opportunity Commission, FY 2023 Congressional Budget Justification Report, [Fiscal Year 2023 Congressional Budget Justification](https://www.eeoc.gov/budget-justification) | U.S. Equal Employment Opportunity Commission (eeoc.gov).

Building on the NEP, in 2000, the Commission developed a Comprehensive Enforcement Program that created best practices for the internal administrative processing of the agency. In December 2012, the NEP was replaced by the Commission's Strategic Enforcement Plan for Fiscal Years 2013-2016, which established the Commission's substantive area priorities and strategies and integrated these priorities into PCHP.

## The Commission's Systemic Program

In 2006, the Commission adopted its Systemic Initiative, now known as its Systemic Program<sup>5</sup>. This initiative made the identification, investigation, and litigation of systemic discrimination cases (pattern or practice, policy, and/or class cases where the alleged discrimination has a broad impact on an industry, profession, company, or geographic area) a top priority. The Systemic Initiative also ensured that the EEOC had a coordinated, strategic, and effective approach to such cases. The Initiative required the agency to effectively use its administrative and litigation tools — including Commissioner Charges, directed investigations, and the strategic use of empirical data — to identify and stop discriminatory policies and other instances of systemic discrimination. After conducting a review of the EEOC's systemic work over a ten-year period, on July 7, 2016, the Commission issued a report on its assessment of that work, "Advancing Opportunity: A Review of the Systemic Program of the U.S. Equal Employment Opportunity Commission."<sup>6</sup> The report reviewed the highlights and lessons learned from the agency's successes and challenges following the 2006 Systemic Task Force Report.

## Establishing Substantive Area Priorities Using the Strategic Enforcement Plan

In December 2012, the Commission issued a Strategic Enforcement plan ("SEP") for Fiscal Years 2013-2016 as a successor to the 1996 NEP. The SEP established substantive area priorities and set forth strategies to integrate the EEOC's private, public, and federal sector activities to have a sustained impact in advancing equal employment opportunity. The Commission reaffirmed its substantive area priorities with some modifications in the Fiscal Year 2017-2021 SEP.<sup>7</sup> The EEOC is in the process of updating the SEP for Fiscal Years 2023-2027.

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<sup>5</sup> See [Systemic Enforcement at the EEOC | U.S. Equal Employment Opportunity Commission](#)

<sup>6</sup> See [Advancing Opportunity A Review of the Systemic Program of the U.S. Equal Employment Opportunity Commission | U.S. Equal Employment Opportunity Commission \(eoc.gov\)](#)

<sup>7</sup> Although the original term of the FY 2017-2021 SEP has expired, that SEP remains in effect until superseded, modified or withdrawn by vote of a majority of members of the Commission. See <https://www.eeoc.gov/us-equal-employment-opportunity-commission-strategic-enforcement-plan-fiscal-years-2017-2021>.



The EEOC's strategies for achieving Strategic Objective I.A. are:

**Strategy I.A.1:** Rigorously and consistently implement the SEP to focus resources on EEOC priorities, integrating agency responsibilities and activities.

**Strategy I.A.2:** Use administrative and litigation mechanisms to identify and eradicate discriminatory policies and practices, including systemic practices.

**Strategy I.A.3:** Use the EEOC's decisions and oversight activities to eradicate discriminatory policies and practices in federal agencies.

**Strategy I.A.4:** Seek effective remedies to end discriminatory practices and deter future discrimination.

**Strategy I.A.5:** Seek remedies that provide meaningful relief to individual victims of discrimination.

The strategies for achieving Strategic Objective I.B. are:

**Strategy I.B.1:** Rigorously and consistently implement charge management for private sector and state and local government charges, aligned with the SEP.

**Strategy I.B.2:** Rigorously and consistently implement case management for federal sector hearings and appeals aligned with the SEP.

### Performance Measures for Strategic Goal 1, Strategic Objectives I.A. and I.B.

The EEOC developed seven performance measures, four of which have corresponding sub-measures, to track its progress in achieving its strategic objectives for Strategic Goal I.

**Performance Measure 1 for Strategic Objective I.A.:** By FY 2025, 90% of EEOC conciliations and litigation resolutions contain targeted, equitable relief and that level is maintained through FY 2026.

<b>FY 2022</b>	86–88%.
<b>FY 2023</b>	Increase target to 87–89%.
<b>FY 2024</b>	Increase target to 88–90%.
<b>FY 2025</b>	Maintain target of 90%.
<b>FY 2026</b>	Maintain target of 90%.

An important activity undertaken by the EEOC is negotiating resolutions of charges after an investigation has determined there is reasonable cause to believe that unlawful employment discrimination has occurred. It is neither appropriate nor feasible to set a target for the number of reasonable cause determinations the agency makes, because every investigation is dependent on the facts of the case. However, it is appropriate to set an objective for the type of relief that should be sought in case resolutions once reasonable cause has been found.

Performance Measure 1 is designed to encourage the EEOC to seek relief that goes beyond monetary damages for individual victims of discrimination. While it is vital that the EEOC seeks meaningful relief for individuals, the Commission’s ultimate goal must be to protect all employees and jobseekers from unlawful discriminatory practices.

Targeted, equitable relief includes any non-monetary and non-generic relief that explicitly addresses the discriminatory employment practices at issue in the case, and which provides remedies to the aggrieved individuals or prevents similar violations in the future. Such relief may include customized training for supervisors and employees, development of policies and practices to deter future discrimination, and external monitoring of employer actions, as appropriate.

**Performance Measure 2 for Strategic Objective I.A.:** In each year through FY 2026, the EEOC continues to favorably resolve at least 90% of enforcement lawsuits.

<b>FY 2022</b>	Maintain target of 90%.
<b>FY 2023</b>	Maintain target of 90%.
<b>FY 2024</b>	Maintain target of 90%.
<b>FY 2025</b>	Maintain target of 90%.
<b>FY 2026</b>	Maintain target of 90%.

Performance Measure 2 places a premium on maintaining the high level of successful resolutions in the EEOC’s litigation program. Successful resolutions include cases decided by favorable court order and those concluded through a consent decree or a settlement agreement in litigation. Achieving success on this measure will ensure that the EEOC continues to exercise its prosecutorial discretion responsibly, while allowing the agency to take on challenging issues and litigate complex cases, including cases of systemic discrimination. This measure is significant because the achievement of success in cases raising priority issues under the SEP is often challenging and resource-intensive, especially in cases involving emerging or developing issues and systemic cases. The EEOC seeks to reach and, when possible, exceed these ambitious targets through FY 2026.

**Performance Measure 3 for Strategic Objective I.A.:** In each year through FY 2026, the EEOC increases its capacity to conduct investigations of systemic discrimination through training and other resources.

**Sub-Measure 3a.:** In each year through FY 2026, the EEOC will provide training to all field staff on identifying and investigating systemic discrimination, and at least 90% of investigators and trial attorneys will participate in systemic training each year.

**Sub-Measure 3b.:** By FY 2026, 90% of systemic cause investigations reviewed meet or exceed criteria established in the Quality Enforcement Practices Plan.

<b>FY 2022</b>	88%.
<b>FY 2023</b>	Increase target to 88.5%.
<b>FY 2024</b>	Increase target to 89%.
<b>FY 2025</b>	Increase target to 89.5%.
<b>FY 2026</b>	Increase target to 90%.

**Sub-Measure 3c.:** By 2026, every District will have at least two dedicated Enforcement Unit systemic staff members.

Performance Measure 3 emphasizes expanding the EEOC’s capacity to conduct systemic investigations, resulting in a coordinated, strategic, and effective approach to systemic enforcement. Refocusing efforts on cases that have a broad impact on an industry, profession, company, or geographic region will allow the EEOC to increase its impact on dismantling discriminatory patterns, practices, or policies. The Commission is committed to tackling systemic employment discrimination in all forms and on all bases. Eliminating systemic barriers to equal opportunity in the workplace will allow the EEOC to leverage its work to achieve the greatest impact. Providing training to EEOC staff on identification and investigation of systemic cases is critical to the success of these efforts.

The EEOC has numerous tools to combat systemic discrimination and harassment, including outreach and education, technical assistance, and enforcement, and will use all of them to achieve change on a broad scale. A robust systemic program is an important part of these efforts and will allow the EEOC to advance equal employment opportunity on a national, regional or industry level while helping substantial numbers of employees at the same time.

**Performance Measure 4 for Strategic Objective I.A.:** By FY 2026, the EEOC will make significant progress toward enhanced monitoring of conciliation agreements, leading to a more robust compliance program.

**Sub-Measure 4a.:** Each year, the EEOC will report on enhancements to its compliance monitoring program for conciliation agreements.

<b>FY 2022</b>	Report issued.
<b>FY 2023</b>	Report issued.
<b>FY 2024</b>	Report issued.
<b>FY 2025</b>	Report issued.
<b>FY 2026</b>	Report issued.

Performance Measure 4 recognizes that compliance reviews are critical to ensuring full satisfaction of the EEOC’s conciliation agreements. When the EEOC finds reasonable cause to believe discrimination has occurred, the agency issues a determination and invites the parties to engage in informal efforts to resolve the charge, known as conciliation. Successful conciliation agreements routinely include relief for the aggrieved individuals, as well as targeted, equitable relief that explicitly addresses the discriminatory employment practices at issue in the case and is designed to prevent similar violations in the future. Effective compliance monitoring is critical to the EEOC’s ability to ensure workplaces are free from discrimination after the EEOC makes a finding of discrimination.

With an emphasis on progress, Performance Measure 4 will lead to enhanced compliance monitoring, including streamlined and standardized procedures, improved tracking and internal reporting mechanisms, and related training for EEOC field staff. Collaboration, evaluation, and system improvements are critical to this performance measure, and reporting on enhancements will ensure meaningful progress.

**Performance Measure 5 for Strategic Objective I.A.:** By FY 2026, 74% of federal agencies subject to oversight activities or compliance reviews change their employment practices based on EEOC recommendations.

<b>FY 2022</b>	70%
<b>FY 2023</b>	Increase target to 71%.
<b>FY 2024</b>	Increase target to 72%.
<b>FY 2025</b>	Increase target to 73%.
<b>FY 2026</b>	Increase target to 74%.

Performance Measure 5 recognizes that because the federal government is the largest employer in the United States, reducing unlawful employment discrimination in the federal sector is an integral part of combatting employment discrimination in the nation’s workplaces. Moreover, as the largest employer in the United States, the federal government has tremendous influence over the employment practices of private and public employers across the nation and around the world. Thus, the promotion of equal employment opportunity in the federal government can positively impact all employees and jobseekers.

Each year, the EEOC conducts program evaluations of a sample of federal agencies, focused on an array of issues relevant to the agency. The evaluations are summarized, with EEOC recommending changes in the agency’s employment practices, if needed. These recommendations include steps federal agencies can take to correct any discriminatory practice identified by the evaluation. Agencies provide the EEOC with their Compliance Plans in response to the reports. For the baseline year of FY 2022, the EEOC reviewed the Compliance Plans issued in FY 2020 and determined whether they were implemented successfully and, if not, what corrective action was appropriate. Based on the EEOC’s assessment of compliance, a baseline for the number or percent of agencies successfully changing practices was established for subsequent years.

**Performance Measure 6 for Strategic Objective I.B.:** For each year through FY 2026, a significant proportion of completed investigations, conciliations, hearings, and federal appeals meet or exceed established quality criteria.

**Sub-Measure 6a.:** By FY 2026, at least 90% of the EEOC’s charge investigations and conciliations meet or exceed criteria established in the Quality Enforcement Practices Plan.

<b>FY 2022</b>	88%.
<b>FY 2023</b>	Increase target to 88.5%.
<b>FY 2024</b>	Increase target to 89%.
<b>FY 2025</b>	Increase target to 89.5%.
<b>FY 2026</b>	Increase target to 90%.

**Sub-Measure 6b.:** Each year through FY 2026, at least 90% of the EEOC’s federal sector hearings and appeals meet criteria established in the Federal Sector Quality Practices Plan.

Performance Measure 6 builds on the EEOC’s previous Strategic Plan with a metric focused on quality in both the private and federal sector programs. In September 2015, the Commission approved a plan for Quality Enforcement Practices for Effective Investigations and Conciliations, known as the QEP. The QEP promotes the rigorous implementation of quality investigations and conciliations with progress goals established for each year of the Plan. In FY 2016, the EEOC applied the criteria established under the QEP to a sample of investigations and conciliations to establish benchmarks for offices to use in fiscal year 2017. In FY 2018, the EEOC used those benchmarks to begin projecting future targets. The EEOC continues to use the FY 2018 baseline for its target projections through FY 2026. The increased goals for quality reviews in this plan will strengthen opportunities to constructively resolve cases for workers and employers through investigation and conciliation.

Performance Measure 6 also provides targets for quality work in the federal sector. The Federal Sector Quality Practices Plan (FSQP) was approved by the Commission on January 10, 2017, and includes quality components for hearings and appeals. The FSQP also includes quality criteria for the Commission’s oversight of federal agencies when reviewing affirmative employment and barrier analysis plans, evaluating federal agency complaint processes, and offering technical assistance to federal agencies. During FY 2018, the agency collected baseline data on the quality criteria set forth in the FSQP, in a manner similar to what was done to implement the QEP. Following the collection of baseline data based on hearings and appeals file reviews and federal agency compliance reviews, the agency established benchmarks for FY 2019 and subsequent years, continuing through FY 2026.

**Performance Measure 7 for Strategic Objective I.B.:** By FY 2026, EEOC will enhance its intake services to potential Charging Parties, Respondents, and Representatives.

**Sub-Measure 7a.:** By FY 2023, the EEOC will evaluate its intake services, determine baseline levels of service, and identify technological solutions and other resources to improve and expand accessibility to those services.

**Sub-Measure 7b.:** From FY 2024–2026, the EEOC will make yearly progress in improving availability of intake interview appointments.

Performance Measure 7 recognizes the importance of intake to the EEOC charge filing process. Intake is the first step in the investigative process. On November 1, 2017, the EEOC’s digital charge system was launched nationwide, and the EEOC Public Portal became available to individuals to file inquiries online and schedule an intake appointment with an EEOC representative. The EEOC’s online intake and appointment system standardized and modernized the intake process, resulting in improved efficiencies and access for the public. Sub-Measures 7a. and 7b. also are in line with the Government Accountability Office’s October 2022 report on the EEOC’s enforcement and outreach efforts, which recommended that the agency track intake timeframes to help assess service to the public.

In FY 2022, the EEOC received more than 218,000 inquiries in field offices, including over 160,900 through the online intake and appointment system, which resulted in the filing of 73,485 charges of discrimination. In addition, the EEOC’s Intake Information Group (IIG) received over 475,000 phone calls and more than 68,700 emails in FY 2022. The EEOC is committed to improving intake services to the public as new challenges emerge, including a continued high demand for intake information and appointments. The EEOC will continue to re-evaluate intake processes to innovate, increase intake appointment availability and accessibility, and improve overall service to the public.

## Strategic Goal II

### PREVENT EMPLOYMENT DISCRIMINATION AND ADVANCE EQUAL EMPLOYMENT OPPORTUNITIES THROUGH EDUCATION AND OUTREACH

Investigations, mediations, conciliations, and litigation are only some of the means that the EEOC uses to fulfill its mission and vision. Title VII expressly requires the agency to engage in education and outreach activities, including providing training and technical assistance, on the laws enforced by the EEOC. Strategic Objective II, to prevent employment discrimination and advance equal employment opportunities through education and outreach, reflects the EEOC's obligation to deter employment discrimination before it occurs. Educational and outreach programs, projects, and events are also cost-effective law enforcement tools because they promote understanding of the law and voluntary compliance. All parties benefit when the workplace is free of discrimination, and everyone has access to equal employment opportunity.

There are two objectives for Strategic Goal II:

**Strategic Objective II.A.:** Members of the public are aware of employment discrimination laws and know their rights and responsibilities under these laws; and

**Strategic Objective II.B.:** Employers, federal agencies, unions, and staffing agencies have the information and guidance necessary to advance equal employment opportunity, prevent discrimination, and effectively resolve EEO issues.

The EEOC aims its education and outreach program primarily toward individuals who historically have been subjected to employment discrimination. The Commission also provides outreach and education to particularly vulnerable communities that may be unfamiliar with EEO laws, or unwilling or unable to exercise their rights under these laws, such as individuals who are new to the workforce, immigrants, or migrant workers. Moreover, it is important for the agency to provide technical assistance to underserved segments of the employer community, including small, new and disadvantaged businesses. Given their size and limited resources, such businesses are often less able to take advantage of the EEOC's training programs and are less likely to have in-house human resources professionals to assist them with compliance. In FY 2017, the agency's Small Business Task Force launched a comprehensive website and published numerous resource documents for small employers. It is clear, however, that additional efforts are needed to reach small and new businesses.

The EEOC has a robust education and outreach program that provides both free and fee-based opportunities for stakeholders and the public. In FY 2022, the EEOC provided free training on rights and responsibilities under its statutes to more than 218,000 individuals at more than 3,000 events. In the same year, the EEOC provided fee-based training to nearly 12,000 individuals at more than 280 events.

The EEOC often cooperates with other agencies in the performance of educational and outreach activities. The EEOC's 91 State and local FEPAs and the approximately 62 TEROs, discussed above,

are important partners in this regard, as are the Department of Labor’s Office of Federal Contract Compliance Programs and the Department of Justice’s Civil Rights Division.

The EEOC’s efforts to strengthen and focus its education and outreach activities have included increasing its use of technology and expanding the EEOC’s social media presence. The EEOC’s website provides critical educational materials, including information on the laws the agency enforces, the private sector charge and federal sector complaint processes, data, and research. The agency has continued to make progress toward making its website more user-friendly and accessible. This Plan emphasizes the need to leverage technology to directly reach the agency’s varied and wide-ranging audiences—including employees, jobseekers, employers, unions, employment agencies, attorneys, judges, issue advocates, and policymakers. In addition, the EEOC will continue to enhance its use of social media to promote its education and outreach activities and to encourage greater use of the website.

With a continued focus on providing clear, easy-to-understand materials for a diverse array of audiences, this Plan also provides that the EEOC will review its sub-regulatory documents and update or augment them as appropriate with accessible and plain language materials.

Finally, continued emphasis on outreach and education in the federal sector is equally important to the EEOC’s efforts to promote broad compliance with federal workplace anti-discrimination laws. In FY 2022, the EEOC built upon its robust education and outreach program that focuses on both free and fee-based education and training opportunities in the federal sector and leveraged the use of technology to strengthen and expand the impact of its education and outreach activities. In total, the EEOC delivered nearly 200 federal sector outreach, education, and training events, and provided more than 18,000 federal sector employees and EEO professionals with information about employment discrimination and their rights and responsibilities in the workplace. This Plan leverages these activities and relationships to drive the creation of a government-wide network to provide information about leading practices in the Federal Sector.

The agency will employ ten strategies for achieving the goals of Strategic Goal II, including four correlated strategies designed to support both strategic objectives under this goal:

The EEOC’s strategies for achieving Strategic Objective II.A. are:

**Strategy II.A.1:** Leverage technology and use innovative strategies to expand EEOC’s reach to diverse populations.

**Strategy II.A.2:** Target outreach to vulnerable workers and underserved communities.

The strategies for achieving Strategic Objective II.B. are:

**Strategy II.B.1:** Leverage technology and media to expand EEOC’s reach to employers and other covered entities and to ensure broad awareness of EEOC’s litigation and other enforcement efforts, to the extent they may be made public.

**Strategy II.B.2:** Promote promising practices that employers can adopt to prevent discrimination in the workplace.



**Strategy II.B.3:** Target outreach to small, new, and disadvantaged/underserved employers.

**Strategy II.B.4:** Foster partnerships linking federal agencies to shared EEO resources and services.

Correlated strategies under Strategic Goal II include:

**Strategy II.A.3/II.B.5:** Provide up-to-date, accessible guidance and training on the requirements of employment discrimination laws.

**Strategy II.A.4/II.B.6:** Increase the knowledge of targeted audiences through focused, innovative collaborations with internal and external stakeholders.

**Strategy II.A.5/II.B.7:** Provide the infrastructure needed to support the development and delivery of online outreach and education.

**Strategy II.A.6/II.B.8:** Ensure support services that promote the accessible delivery of outreach and education.

The EEOC developed four performance measures to track its progress in achieving its objectives for Strategic Goal II.

**Performance Measure 8 for Strategic Objectives II.A. and II.B.:** By FY 2026, the EEOC leverages technology, analytics, and innovative outreach strategies to provide members of the public greater access to information about their rights and responsibilities.

<b>FY 2022</b>	The agency will implement and report on at least four projects in which it has leveraged technology, analytics, and innovative outreach strategies to increase access to information to vulnerable communities consistent with the Strategic Enforcement Plan (SEP).
<b>FY 2023</b>	The agency will implement and report on at least four projects in which it has leveraged technology, analytics and innovative outreach strategies to increase access to information to vulnerable communities consistent with the SEP.
<b>FY 2024</b>	The agency will implement and report on at least four projects in which it has leveraged technology, analytics and innovative outreach strategies to increase access to information to vulnerable communities consistent with the SEP, as well as how the findings from FY 2023 have been utilized to increase access to information.
<b>FY 2025</b>	The agency will implement and report on at least four projects in which it has leveraged technology, analytics and innovative outreach strategies to increase access to information to vulnerable communities consistent with the SEP, as well as how the findings from FY 2024 have been utilized to increase access to information.
<b>FY 2026</b>	The agency will implement and report on at least four projects in which it has leveraged technology, analytics and innovative outreach strategies to increase access to information to vulnerable communities consistent with the SEP, as well as how the findings from FY 2025 have been utilized to increase access to information.

Performance Measure 8 focuses on using technology, analytics and innovative outreach strategies to strengthen and expand the impact of the EEOC’s education and outreach activities in reaching vulnerable communities consistent with the EEOC’s SEP. This will be accomplished by utilizing analytics and metrics to directly measure the impact of each effort to reach communities. If the effort is successful, it should be incorporated into the EEOC’s efforts moving forward. If the effort does not reach the intended audience—balancing the level of effort with results—then the technology or strategy should be modified. By using this process, the EEOC can continue to grow and expand its ability to reach vulnerable communities with information critical to expanding equal employment opportunity.

**Performance Measure 9 for Strategic Objectives II.A. and II.B.:** By FY 2026, participants in outreach, training, and technical assistance programs indicate either an improvement in an employment policy, practice, or procedure (employer representatives), or an increased knowledge of the laws the EEOC enforces (individuals) as a result of their participation.

<b>FY 2022</b>	Begin development of mechanism for reporting on agency-wide outreach events and feedback.
<b>FY 2023</b>	Develop mechanism for gathering participant feedback.
<b>FY 2024</b>	Pilot the gathering of participant feedback, make necessary adjustments, and set baseline metrics for the measure.
<b>FY 2025</b>	Report on information gathered and how this information has been used to facilitate positive changes to outreach programs.
<b>FY 2026</b>	Report on information gathered and how this information has been used to facilitate positive changes to outreach programs.

Under the prior Strategic Plan, the Commission’s outreach and education efforts were in part measured by the number of sustained partnerships established and maintained with organizations that represented (1) vulnerable or underserved communities and (2) small and new businesses. This Plan is focusing on the qualitative impact of the outreach provided to the EEOC’s partners and the public. While not all participants will make a change to a policy or increase their knowledge of the laws the EEOC enforces, this measure can provide the agency with information about common gaps in knowledge as well as effective ways to communicate with audiences. By using this information in planning and implementing outreach efforts, the agency can have a positive impact on preventing discrimination and advancing equal employment opportunity.

**Performance Measure 10 for Strategic Objectives II.A. and II.B.:** By FY 2026, the EEOC updates existing guidance and training materials, and creates new, user-friendly resource tools to address and prevent workplace discrimination.

<b>FY 2022</b>	Begin development of priority lists of existing guidance and training materials for review and development.
<b>FY 2023</b>	Create cross functional group and begin review and update of at least two resource or guidance documents on priority list.
<b>FY 2024</b>	Create or review and update at least two resource or guidance documents on priority list.
<b>FY 2025</b>	Create or review and update at least two resource or guidance documents on priority list.
<b>FY 2026</b>	Create or review and update at least two resource or guidance documents on priority list.

Performance Measure 10 will ensure that the EEOC’s sub-regulatory guidance documents and resource materials are updated to use plain language. The target for FY 2022 is to establish a cross-functional group representing offices that develop and utilize outreach and public materials to assess the status of current resources, identify necessary updates, and establish a schedule that prioritizes those most critical for action. The agency’s enforcement work in the private and public sectors, its adjudicatory and oversight work in the federal sector, and its outreach and education work all depend on the availability of up-to-date and accessible materials explaining the laws the EEOC enforces and how to comply with them. While the regulations issued by the Commission set the basic legal framework for the implementation of those laws, sub-regulatory materials, including the EEOC’s Compliance Manual, provide more tangible assistance to those with rights and responsibilities under such laws. These materials may require a vote of the Commission and may include a range of guidance material, best practices, Q&A’s, website resources, outreach materials, and fact sheets.

**Performance Measure 11 for Strategic Objective II.A.:** Develop a federal government-wide network and repository to share EEO resources and leading practices that are occurring across the federal government.

<b>FY 2022</b>	Develop framework for plan for network and repository.
<b>FY 2023</b>	Complete plan for network and repository, including stakeholder input.
<b>FY 2024</b>	Implement the network and repository. Develop baselines and goals for FY 2025 and FY 2026 to measure the number of users and impact of system.
<b>FY 2025</b>	Report on the goals and any adjustments made to increase users and impact.
<b>FY 2026</b>	Report on the goals and any adjustments made to increase users and impact.

Performance Measure 11 builds on the leadership and guidance the EEOC provides to federal agencies on all aspects of their EEO programs. As part of this role, the EEOC ensures federal agency compliance with federal sector regulations; provides technical assistance to federal agencies concerning EEO complaint adjudication; monitors and evaluates federal agencies' affirmative employment programs; produces an annual report on federal sector complaint processing, appellate case processing, and compliance; produces reports on significant issues and government-wide trends in the federal sector; develops and distributes federal sector educational material; and conducts training for stakeholders. The EEOC embraces and recognizes the value of proactive prevention. Thus, in addition to taking remedial actions when agencies fail to comply with the EEOC's appellate orders, regulations, or directives, the EEOC continues and enhances its practice of providing technical assistance to agencies on a routine basis, before problems arise.

This Plan leverages EEOC's existing work and partnerships to develop a government-wide network and repository for EEO resources and leading practices. The goal of the new network and repository is to facilitate better communication across agencies and create a space for the sharing of practices that will positively impact equal employment opportunity in the federal workplace.

## Strategic Goal III

### STRIVE FOR ORGANIZATIONAL EXCELLENCE THROUGH OUR PEOPLE, PRACTICES AND TECHNOLOGY

Strategic Goal III, achieving organizational excellence, seeks to improve management functions with a focus on people, service to the public, information technology, infrastructure enhancement, and accountable financial stewardship. These areas are cross-cutting and require integration and coordination to promote organizational excellence from internal and external perspectives.

For the EEOC to accomplish Strategic Goals I and II, it must ensure excellence in its people and the service it provides to the public, as well as its effective management of financial and technological resources. Strategic Goal III is both stewardship-focused and operational. In recognition of this, and to ensure the agency is held accountable for improving its operations where necessary, the Commission is including Organizational Excellence as a goal in its Strategic Plan.

There are two objectives for Strategic Goal III:

**Strategic Objective III.A.:** The EEOC achieves a culture of accountability, inclusivity, and accessibility.

**Strategic Objective III.B.:** Resources align with priorities to strengthen intake, outreach, education, enforcement, and service to the public to protect and advance civil rights in the workplace.

The EEOC's strategies for achieving Strategic Objective III.A. are:

**Strategy III.A.1:** Recruit, develop, and retain talented employees.

**Strategy III.A.2:** Advance performance management to maximize organizational improvement.

**Strategy III.A.3:** Enhance diversity, equity, inclusion, and accessibility in the workplace.

**Strategy III.A.4:** Develop and support innovation and collaboration to advance employee engagement and morale.

**Strategy III.A.5:** Promote a culture of continuous improvement.

**Strategy III.A.6:** Foster constructive employee and labor management relations.

**Strategy III.A.7:** Strive to be a model employer and to promote equal employment opportunity.

**Strategy III.A.8:** Develop and implement a robust leadership and succession plan.

The strategies for achieving Strategic Objective III.B. are:

**Strategy III.B.1:** Expand the use of technology to better serve the public and improve productivity.

**Strategy III.B.2:** Leverage the use of data, analytics, and information management to support, evaluate, and improve the agency’s programs and processes.

**Strategy III.B.3:** Prioritize and actively manage available fiscal resources to best achieve the agency’s mission.

**Performance Measure 12 for Strategic Objective III.A.:** Effectively allocate people and resources to accomplish agency mission goals, within budgetary limitations.

The EEOC developed four performance measures to track its progress in achieving its objectives for Strategic Goal III.

FY 2022	Staff the agency at its authorized Full Time Equivalent (FTE) levels and increase the total number of employees to effectively enforce EEOC laws and achieve the Agency’s mission. Enhance efforts to recruit, hire, train, develop and retain a broadly diverse workforce, including veterans, members of underrepresented groups, and individuals with disabilities, that is as effective as possible in serving America’s racially, ethnically, and culturally diverse population of workers.
FY 2023	Maintain the EEOC’s authorized FTE levels through hiring and retention and the use of nontraditional talent pools and ensure the hiring process is accessible to underrepresented groups. Promote the EEOC as a model of diversity, equity, inclusion, workplace flexibility, accessibility, and excellence.
FY 2024	Increase the EEOC’s workforce based on authorized budget levels. Expand the use of hiring reform programs and appointments (e.g., Pathways Programs, Law Clerk, Schedule A and other hiring authorities) to recruit, develop, and retain skilled workers for the agency.
FY 2025	Maintain the EEOC’s authorized FTE levels. Use skills gap analysis to guide future training and development efforts to close any identified gaps and ensure the EEOC’s mission-critical occupations (i.e., EEO Investigator, Trial Attorney, General Attorney, Attorney Examiner/AJ, Mediator, and EEO Specialist) have the core competencies to perform successfully and achieve the EEOC’s mission.
FY 2026	Maintain the EEOC’s authorized FTE levels. Provide a variety of professional development opportunities for all employees at all grade levels.

Performance Measure 12 focuses on recruiting, developing, and retaining a diverse and talented workforce with a goal of reaching and maintaining authorized FTE levels by 2026 (subject to budget availability) with an emphasis on front-line staff. This performance measure takes a holistic approach, using various workforce strategies to return to (and maintain) staffing levels comparable to a decade ago, recognizing that the ability to add staff is contingent on final fiscal year spending bills.

Additionally, the EEOC recognizes the importance of continued diversity efforts and execution of Executive Order 14035 — *Diversity, Equity, Inclusion, and Accessibility (DEIA) in the Federal Workforce*. Performance Measure 12’s allocation of resources and workforce planning efforts will also focus on deploying a variety of DEIA initiatives and continually monitoring the EEOC’s progress toward its principal organizational goal of becoming a model employer that promotes equal employment opportunity.

**Performance Measure 13 for Strategic Objectives III.A. and III.B.:** Feedback surveys and other mechanisms provide measures of satisfaction for EEOC stakeholder experiences.

<b>FY 2022</b>	Improve eeoc.gov feedback surveys, adjusting the measures and targets, as necessary. Utilize additional feedback surveys and other mechanisms to obtain data regarding process changes that were adopted in response to the pandemic.
<b>FY 2023</b>	Expand feedback surveys and other mechanisms to obtain data and to provide measures of satisfaction for additional services, such as the charge filing experience and digital services. Review the results at the end of the fiscal year to set targets for next year.
<b>FY 2024</b>	With new services baselines developed in FY 2023, set goals for improvement at the beginning of the fiscal year and review results at the end.
<b>FY 2025</b>	Set goals for improvement at the beginning of the fiscal year, review/revise existing goals as necessary, and expand customer satisfaction surveys/baselines to encompass additional services.
<b>FY 2026</b>	With the baselines developed in FY 2025, set goals for improvement at the beginning of the fiscal year and review results at the end.

Performance Measure 13 focuses on obtaining feedback on services provided to the EEOC’s stakeholders. It supports Strategic Objective III.B., to align resources with agency priorities by strengthening intake, outreach, education, enforcement, and service to the public, by obtaining and evaluating feedback from the targeted audiences the Commission serves. This feedback then provides measurement of the agency’s delivery of services and allows improvements to be targeted to areas identified by stakeholders. The EEOC recognizes the importance of examining the effectiveness of the Commission’s work, particularly the efficacy of intake, outreach, education, guidance, and technical assistance documents, to constantly improve the agency’s ability to serve the public and prevent and remedy discrimination.

**Performance Measure 14 for Strategic Objective III.B.:** Build and deploy charge/case management systems for Litigation and Federal Sector program offices. Complete deployment, monitor and improve effectiveness of digital charge/case management system for program offices.

<b>FY 2022</b>	Complete the deployment of the agency’s modernized charge/case management system (ARC) for the private sector and state and local programs.
<b>FY 2023</b>	Complete the deployment of the agency’s modernized charge/case management system (ARC). Develop baselines and measure the effectiveness of the modernized charge/case management system.
<b>FY 2024</b>	Based on the stakeholder feedback gathered in Performance Measure 13 for Strategic Objective III.A., link the modernized charge/case management system (ARC) to new and redesigned digital services for the agency’s multiple external constituencies, including for charging party attorney representatives.
<b>FY 2025</b>	To improve the effectiveness of the program, develop a plan of actions and milestones for the agency’s modernized charge/case management system (ARC). Report on progress annually and adjust the plans, as necessary.
<b>FY 2026</b>	To improve the effectiveness of the program, develop a plan of actions and milestones for the agency’s modernized charge/case management system (ARC). Report on progress annually and adjust the plans, as necessary.

With the first portion of the Technology Modernization Fund (TMF) award, the agency developed modernized charge management services for EEOC private sector enforcement staff and its 92 State and Local Government FEPAs. On January 18, 2022, the new Agency Records Center (ARC) system went live for 145 EEOC and FEPA offices and more than 2,000 users. This deployment was the culmination of 22 months of work, during which the EEOC charge management modernization team defined and developed a charge management solution to enable private sector charge management processes.

The second, and final, portion of TMF funding was received in mid-2022, supporting the remaining two domains that will be serviced by ARC. The present effort is the development and deployment of services to support the agency’s Litigation and Litigation Appeals processes. As this effort heads into its testing phases, the agency will begin work on the development and deployment of services to support the agency’s Federal Sector Hearing and Appeals processes.

As the EEOC completes the modernization of its charge/case management systems, the agency will seek to maximize its investment in ARC and to provide improved constituent services by re-platforming and modernizing its ARC-linked public-facing portals. Performance Measure 14 seeks to track and assess progress on completing the modernization of and fully utilizing the agency’s charge/case management system and related constituent services.



**Performance Measure 15 for Strategic Objective III.B.:** The budget process prioritizes funding for the EEOC’s strategic goals.

<b>FY 2022</b>	As part of an overall increase in budget development transparency, produce an annual congressional budget justification and operating plan that reflects strategic enforcement, outreach and education, and management priorities. Meet all submission deadlines.
<b>FY 2023</b>	As part of an overall increase in budget development transparency, produce an annual congressional budget justification and operating plan that reflects strategic enforcement, outreach and education, and management priorities. Meet all submission deadlines.
<b>FY 2024</b>	As part of an overall increase in budget development transparency, produce an annual congressional budget justification and operating plan that reflects strategic enforcement, outreach and education, and management priorities. Meet all submission deadlines.
<b>FY 2025</b>	As part of an overall increase in budget development transparency, produce an annual congressional budget justification and operating plan that reflects strategic enforcement, outreach and education, and management priorities. Meet all submission deadlines.
<b>FY 2026</b>	As part of an overall increase in budget development transparency, produce an annual congressional budget justification and operating plan that reflects strategic enforcement, outreach and education, and management priorities. Meet all submission deadlines.

By developing a strong and clear message for use in budget documents and other publications, the EEOC demonstrates the nexus between its budget requests, allocations and operating plans and the achievement of its mission and vision. A universal understanding of how the strategic goals and objectives direct the work of the agency is necessary for success. The EEOC will achieve this common understanding in various ways, including integrating Strategic Plan objectives with performance standards and ensuring that budget submissions from each component office explain how the agency’s resources implement the goals and objectives of the Strategic Plan.

## External Factors Affecting the Achievement of the Strategic Plan

Many factors outside the EEOC's control will affect its ability to achieve the objectives set forth in the Strategic Plan. These factors include upcoming budgetary appropriations, demographic changes in the country, court decisions, passage of new laws, and technological advances. The Commission contemplated the following external factors in drafting this plan.

- **Budgetary Factors.** The Strategic Plan assumes no significant funding fluctuations. Therefore, while budgetary decreases would not change the overall structure of the plan, they would impact how quickly or completely the agency could achieve some of the plan's objectives. Regardless of budgetary changes, the Commission will continue to review available resources and priorities to ensure the appropriate allocation of funds across program areas.
- **Demographic Factors.** Demographic changes in the country, including migration patterns, educational levels of the population, the aging of the population, and the size of the population, as well as economic factors will necessarily impact the EEOC's work. For example, large-scale industry layoffs or other changes such as the COVID-19 pandemic or other public health threats may trigger a significant influx of charges, straining staff capacity to timely process or resolve them. Population shifts may result in increased charge receipts at some field offices, but budget constraints may not allow for hiring additional staff or shifting workloads among offices. Moreover, as populations shift, the agency may need to reassess the size and location of its offices.
- **Legal Factors.** All federal agencies are impacted by legal changes, but this is particularly true of law enforcement agencies. Interpretation of the laws the EEOC enforces by the U.S. Supreme Court may require the agency to issue updated guidance and regulations. Moreover, these rulings may impact the substantive priorities adopted by the Commission and/or may result in additional charges being filed with the agency. Also, if new laws related to the EEOC's jurisdiction are passed, the implementation of those laws will necessarily affect the substantive priorities of the agency.
- **Technological Factors.** Changes in technology use and requirements will impact how the EEOC interacts with the public. Increased requirements to combat cybersecurity threats and the need to communicate with a public that increasingly uses mobile and mobile-responsive technology will impact plans for technology infrastructure development.

Given the above factors, the EEOC will continually assess and prioritize its resources to successfully accomplish its mission over the next four years.

## Program Evaluations

Program evaluation is an important component of the EEOC's effort to assure that its programs are operating as intended and achieving results. A program evaluation is a thorough examination of program design or operational effectiveness that uses rigorous methodologies and statistical and analytical tools. Evaluations also use expertise internal and external to the agency and the program under review to enhance the analytical perspectives and lend credence to the methodologies employed, the evaluation processes and findings, and any subsequent recommendations.

Independent program evaluations have played an important role in formulating the strategic objectives and performance goals for the new FY 2022–2026 Strategic Plan. They have helped to shape some of the program issues and key focus areas for improvement, thereby increasing the plan's value as a management tool to guide the agency's strategic efforts in attaining overall productivity and program efficiency, effectiveness, and accountability. To that end, the EEOC has undertaken the following program evaluations to advance its performance-based management initiatives under the *Government Performance and Results Management Act*, and to improve the effectiveness of key agency programs. The findings and recommendations in these independent assessments of the agency's programs were used to guide development of its new strategic direction and goals for the next four to five years.

*Evaluation of the EEOC's Social Media Program*, Hager Sharp, Office of Inspector General, July 2021.

*Evaluation of EEOC's Contracts Administration Activities*, Office of Inspector General, March 2020.

*EEOC Federal Hearings and Appeals Processes*, The Center for Organizational Excellence, Inc. and CohnReznick LLP, Office of Inspector General, March 2020.

*Evaluation of the EEOC's Data Analytics Activities*, Elder Research, Office of Inspector General, September 2018.

*Evaluation of EEOC's Strategic Enforcement Plan FY 2013–2016*, U.S. Equal Employment Opportunity Commission (EEOC) Office of Research, Information and Planning, July 2016.

*An Exploratory Evaluation of EEOC's Litigation Activities*, The Urban Institute for the U.S. Equal Employment Opportunity Commission (EEOC) Office of Inspector General, June 2016.

*Evaluation of EEOC's Outreach and Education*, The Urban Institute for the U.S. Equal Employment Opportunity Commission (EEOC) Office of Inspector General, May 2015.

*Urban Institute Evaluation of EEOC's Performance Measures*, The Urban Institute for the U.S. Equal Employment Opportunity Commission (EEOC) Office of Inspector General, March 2013.

Consistent with the Commission's focus on improving the effectiveness of government through rigorous evaluation and evidence-based policy initiatives, the EEOC will continue to identify appropriate program areas for evaluation during the reporting period of the agency's Strategic Plan for Fiscal Years 2022–2026. This will ensure that its efforts align with the agency's budget and other programmatic priorities. The EEOC will assess its progress on an ongoing basis to reaffirm its commitment to fulfilling the agency's mission.

## Acknowledgments

The process used to develop this update of the EEOC's Strategic Plan was a truly collaborative effort, involving a broad cross-section of EEOC employees and incorporating comments from our stakeholders and the public. The Commission extends a very special appreciation to the leaders and members of the Strategic Plan 2022–2026 National Workgroup (Appendix A) and the support of key staff from the Office of Enterprise Data and Analytics (Jiashen You, Lindsay Simon, Debra Anthony, Dona Bland and Joshua Book) and would like to acknowledge their extraordinary achievement in completing this plan. We thank them for their thorough engagement with this project and dedication to the agency's mission and vision.

## Appendix A — Strategic Plan National Workgroup

### Leadership

Chair — Cynthia G. Pierre, Ph.D., *Chief Operating Officer and Chief Performance Improvement Officer*

Co-Chair — Elizabeth Fox-Solomon, *Chief of Staff, Office of the Chair*

### Members

Bradley Anderson, *District Director, Birmingham District Office*

Julianne Bowman, *District Director, Chicago District Office*

Bryan Burnett, *Chief Information Officer*

Brett Brenner, *Acting Deputy Chief Operations Officer, Office of the Chair*

Robert Canino, *Regional Attorney, Dallas District Office*

Sheila Clark, *Deputy Director, Office of the Chief Human Capital Officer*

Thomas Colclough, *Director, Field Management Programs, Office of Field Programs*

Antoinette Eates, *Chief of Staff, Office of the Vice Chair*

Kimberly Essary, *Deputy Director, Office of Enterprise Data and Analytics*

Teresa Gimbrere, *Assistant Director for Intake, Communications and Enforcement, Office of Federal Operations*

Carlton Hadden, *Director, Office of Federal Operations*

Colleen Hampton-Lyster, *Director, Advice, Audits, and External Reports Division, Office of Communications and Legislative Affairs*

Bradford Kelley, *Chief Counsel, Office of Commissioner Sonderling*

Elisa Krobot, *Chief Financial Officer*

Donnie Landon, *Director, Central Facilities Division, Office of the Chief Financial Officer*

Louis Marino, *Investigator, Philadelphia District Office, Office of Field Programs-AFGE representative*

Savannah Marion-Felton, *Attorney Advisor, Office of Legal Counsel*

## Appendix A — Strategic Plan National Workgroup *continued*

### **Members** *(continued)*

Mandana Massjouni, *Director, Enterprise Application and Innovation Division, Office of the Chief Information Officer*

Suzanne Nyfeler, *Attorney Advisor, Office of Field Programs*

Stephanie Perkins, *Mediator, Detroit Field Office, Office of Field Programs-AFGE representative*

Stan Petrusiak, *Acting Director, Office of Civil Rights, Diversity and Inclusion*

Kevin Richardson, *Chief Human Capital Officer*

Andrew Rogers, *Chief Counsel, Office of Commissioner Lucas*

Lucila Rosas, *Special Assistant/Attorney Advisor, Office of the Chair*

Jerome Scanlon, *Assistant General Counsel, Office of General Counsel*

Lisa Schnall, *Senior Attorney-Advisor, Office of Legal Counsel*

Susan Snare, *Special Assistant/Attorney Advisor, Office of Commissioner Dhillon*

Patricia St. Clair, *Assistant Director for Training and Outreach, Office of Federal Operations*

Nicole Thompson, *Statistician, Office of Enterprise Data and Analytics*

Yofi Weinberg, *Operations and Policy Specialist, Office of Field Programs*

## Appendix B — Performance Measures

### STRATEGIC GOAL I:

Combat and prevent employment discrimination through the strategic application of the EEOC's law enforcement authorities.

**Performance Measure 1 for Strategic Objective I.A.:** By FY 2025, 90% of EEOC conciliations and litigation resolutions contain targeted, equitable relief and that level is maintained in FY 2026.

**Performance Measure 2 for Strategic Objective I.A.:** In each year through FY 2026, the EEOC continues to favorably resolve at least 90% of enforcement lawsuits.

**Performance Measure 3 for Strategic Objective I.A.:** In each year through FY 2026, the EEOC increases its capacity to conduct investigation of systemic discrimination through training and other resources.

**Sub-Measure 3a.:** In each year through FY 2026, the EEOC will provide training to all field staff on identifying and investigating systemic discrimination, and at least 90% of investigators and trial attorneys will participate in systemic training each year.

**Sub-Measure 3b.:** By FY 2026, 90% of systemic cause investigations meet or exceed criteria established in the Quality Enforcement Practices Plan.

**Sub-Measure 3c.:** By FY 2026, every District will have at least two dedicated Enforcement Unit systemic staff members.

**Performance Measure 4 for Strategic Objective I.A.:** By FY 2026, the EEOC will make significant progress toward enhanced compliance monitoring, leading to a robust compliance program for conciliation agreements.

**Sub-Measure 4a.:** Each year, the EEOC will report on enhancements to its compliance monitoring program.

**Performance Measure 5 for Strategic Objective I.A.:** By FY 2026, 74% of federal agencies subject to oversight activities or compliance reviews change their employment practices based on EEOC recommendations.

**Performance Measure 6 for Strategic Objective I.B.:** For each year through FY 2026, a significant proportion of investigations, conciliations, hearings, and federal appeals meet or exceed established quality criteria.

**Sub-Measure 6a.:** By FY 2026, at least 90% of the EEOC's charge investigations and conciliations meet or exceed criteria established in the Quality Enforcement Practices Plan.

**Sub-Measure 6b.:** Each year through FY 2026, at least 90% of the EEOC's federal sector hearings and appeals meet criteria established in the Federal Sector Quality Practices Plan.

**Performance Measure 7 for Strategic Objective I.B.:** By FY 2026, the EEOC will enhance its intake services to potential Charging Parties, Respondents, and Representatives.

**Sub-Measure 7a.:** By FY 2023, the EEOC will evaluate its intake services, determine baseline levels of service, and identify technological solutions and other resources to improve those services.

**Sub-Measure 7b.:** From FY 2024-26, the EEOC will make yearly progress in improving availability of intake interview appointments.

## Appendix B — Performance Measures *continued*

<b>STRATEGIC GOAL II:</b> Prevent employment discrimination and advance equal employment opportunity through education and outreach.
<p><b>Performance Measure 8 for Strategic Objectives II.A. and II.B.:</b> By FY 2026, the EEOC leverages technology, analytics, and innovative outreach strategies to provide members of the public greater access to information about their rights and responsibilities.</p> <p><b>Performance Measure 9 for Strategic Objective II.A.:</b> By FY 2026 private and federal participants in outreach training and technical assistance programs indicate either an improvement in an employment policy, practice, or procedure (employer representatives), or an increased knowledge of the laws the EEOC enforces (individuals) as a result of their participation.</p> <p><b>Performance Measure 10 for Strategic Objective II.A.:</b> By FY 2026, the EEOC updates existing guidance and training materials, and creates new, user-friendly resource tools to address and prevent workplace discrimination.</p> <p><b>Performance Measure 11 for Strategic Objective II.A.:</b> Develop a federal government-wide network and repository to share EEO resources and leading practices that are occurring across the federal government.</p>
<b>STRATEGIC GOAL III:</b> Strive for organizational excellence through our people, practices, and technology.
<p><b>Performance Measure 12 for Strategic Objective III.A.:</b> Effectively allocate people and resources to accomplish agency mission goals, within budgetary limitations.</p> <p><b>Performance Measure 13 for Strategic Objective III.A.:</b> Feedback surveys and other mechanisms provide baseline measures of satisfaction for EEOC stakeholder experiences.</p> <p><b>Performance Measure 14 for Strategic Objective III.B.:</b> Build and deploy charge/case management system until completed in approximately 2023. Continue to monitor and improve effectiveness of digital charge/case management system for program offices.</p> <p><b>Performance Measure 15 for Strategic Objective III.B.:</b> The budget process prioritizes funding for the EEOC's strategic goals.</p>





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