

**NATIONAL COUNCIL OF EEOC LOCALS, NO. 216
COUNCIL AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL/CIO**

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Maintaining a tradition of educating both sides of the aisle about EEOC concerns impacting workers and employers.



DISCRIMINATION NEVER GOES ON FURLOUGH - EVEN IF EEOC DOES

Sequestration Will Allow Discrimination to Cost Jobs: Sequestration cuts will slash EEOC's budget by \$23M - \$30M. EEOC Chair Berrien, in an e-mail to staff, confirmed: "Should we have to operate under reduced funding levels for an extended period of time, we may have to consider furloughs . . ." Furloughs, likely to be 4-6 weeks, will drive up delays for workers who cannot wait, e.g., a diabetic employee not permitted insulin breaks, "young and energetic" want ads that deter seniors, retaliation for going to EEOC, firing a pregnant worker, and sexual and racial harassment (nooses at work).

EEOC Fails to Prioritize Frontline Staffing Levels Causing the Public to Suffer: EEOC's budget was cut for the first time in its history from \$367M in FY11 to \$360M in FY12. The FY13 CR keeps the cut. EEOC's workload is still at record highs (FY12 charges: 99,412). Nevertheless, EEOC allowed staffing to plummet 9%, with losses in virtually every frontline job category and office. So the public faces 9 month average delays and 70,312 backlog. OPM takes the opposite approach by backfilling/adding frontline staff as a pillar of its successful plan to reduce its backlog, now at 20,402.

EEOC Should Implement Efficiencies To Save Money, Avoid Furloughs, and Improve Service:

- **Council 216's Cost Efficient Full Service Intake Plan** creates dedicated intake units in each office to free-up investigators to reduce the backlog. EEOC's new Strategic Plan ignores the plan, leaving 23 in-house call center staff (down from 64) to answer 25,000+ calls/month, making callers wait 28 minutes.
- **Flatten supervisor to employee ratio to 1:10**, a budget neutral way to redeploy staff to the frontline.
- **Save on space/rental costs by using voluntary telework**, per Telework Enhancement Act of 2010.
- **Eliminate Contracts** on work that can be performed in-house, e.g., evaluations of work practices, tracking service of EEOC related legislation, conference space, mediations within 75 miles of offices.
- **Cut travel for EEOC managers**, who make office visits that should be done by video-conference.

Preserve Federal Employees' Rights: Arbitrary designations resulting from a new case management system (f/k/a "Fast Track") must not undermine regulatory authority granting administrative judges (AJs) independence and control over hearings/discovery. AJs need subpoena authority. EEOC should only approve newly permitted agency pilots that call for complete, timely, and impartial investigations.

Job Creation is the Priority: EEOC's Mission is All About Jobs: Congress Can Help:

- Monitor EEOC's sequestration plan so that it avoids or limits mass furloughs of frontline staff, through efficiencies, e.g., cutting unnecessary contracts and travel, space saving through telework.
- For FY14 restore \$7M cut and return EEOC's budget to at least \$367M, i.e., FY10/FY11 level. House and Senate Appropriators approved increasing EEOC's FY13 budget, but CR continues cut.
- For FY14 maintain bill language requiring oversight of any EEOC reorganization. (H.R. 2112).
- Ensure EEOC compliance with Appropriations Committee's oversight and EEO regulation before changing Federal Sector process, i.e., agency pilots & case management system. (S.R. 112-158)
- Direct EEOC to quickly implement Council 216's Cost-Efficient Intake Plan to help the public.
- Make EEOC backfill frontline (not supervisor) slots & flatten supervisor to employee ratio to 1:10.
- Require EEOC to pay out claims for willful overtime violations, per Arbitrator decision of 3/23/09.
- Oversee EEOC Quality Control Plans to make sure the focus is on the public, not on numbers.
- Stop across-the-board cuts to Federal agencies that damage vital services to the public.



Pres. Kennedy signing EPA



Pres. Johnson signing Title VII



Pres. G.H.W. Bush signing ADA

CONTINUE BIPARTISAN SUPPORT OF EEOC'S CIVIL RIGHTS MISSION

EEOC ensures equal opportunity by upholding laws against discrimination at work based on race, color, religion, sex, pregnancy, national origin, age, disability and genetics.

Workers Cannot Afford for Discrimination to Cost Them Jobs

“EEOC warned that it is understaffed and -- with only four full-time evaluation unit employees, in addition to other priorities -- may not be able to get begin its investigation until later in the year.”

Alleged TSA Favoritism and Hostile Work Environment Under Probe, Govexec.com, 1/30/13

EEOC Bias Complaints Near Record High in 2012, Business Management Daily, 1/23/13

Why Many Women Delay Revealing Pregnancies, Boston Globe, 1/9/13

Dire Unemployment Picture for Disabled Milwaukeeans: What are the Solutions, WVUM.com, 1/3/13

Job Applicants' Cultural Fit Can Trump Qualifications, Businessweek.com, 1/3/13

Discriminatory Job Practices Working Against Older Workers, Pittsburgh Post-Gazette.com, 12/23/12

Advice for Women Seeking Equal Pay: Smile, Slate.com, 12/17/12

Both Parties Have Supported Restoring EEOC's Funding- In the Past and as recently as FY13

“The Committee recommends \$366,568,000 for the Equal Employment Opportunity Commission (EEOC), which is \$6,568,000 above fiscal year 2012 . . .” *House Report 112-463*

“The Committee's recommendation provides \$373,711,000 for EEOC salaries and expenses. This is \$13,711,000 above the fiscal year 2012 enacted level, and equal to the request.”

Senate Report 112-158

“The Bush administration has requested \$341.9 million for EEOC in fiscal 2009, a \$12.6 million increase . . .” *Daily Labor Report, 4/11/08*

Senate Committee Stops EEOC Budget Cut, C216 Release 7/14/06

Budget Boost Helps EEOC Avoid Furloughs, Govexec.com 4/22/03

EEOC Needs Help Now So That Enforcement of Civil Rights Laws Does Not Shut Down

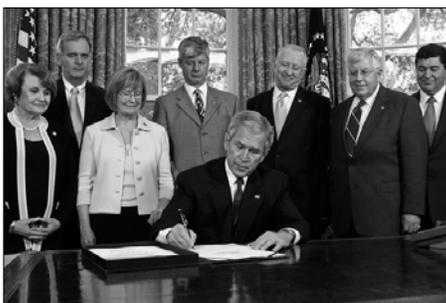
Sequestration Would Slash EEOC's Ability To Enforce Laws, Employee Union Warns,

Daily Labor Report, 1/15/13

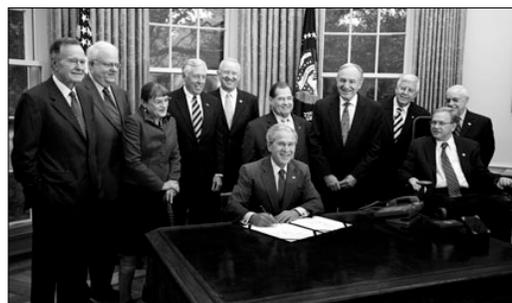
Budget Cuts Jeopardize Job Discrimination Protection, Hispanicbusiness.com, 1/15/13

“Particularly hard-hit could be agencies in which payroll and benefits make up a high percentage of the budget, such as . . . Equal Employment Opportunity Commission . . .”

Sequestration would mean thousands of furloughs,” Federal Times 9/24/12



Pres. G.W. Bush signing GINA



Pres. G.W. Bush signing ADAAA



Pres. Obama signing Ledbetter Act