

**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*

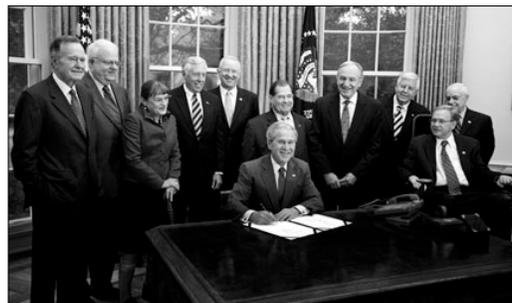
*Budget Cuts Jeopardize Job Discrimination Protection, Hispanicbusiness.com, 1/15/13*

“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