

ASSESSING THE RELATIONSHIP OF THE FEDERAL EMPLOYEE VIEWPOINT SURVEY (FEVS) NEW IQ SCORES WITH THE NUMBER OF EEOC EQUAL EMPLOYEE OPPORTUNITY COMPLAINTS COUNSELING SESSIONS

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Abstract

Per Executive Order 14035, the Director of Office of Personnel Management (OPM), Deputy Director for the Office of Management and Budget (OMB), and Chair of the Equal Employment Opportunity Commission (EEOC) established a government-wide initiative to promote diversity and inclusion in the Federal workplace. In response to the government-wide initiative to: “promote a data-driven approach to increase transparency and accountability,” and integrate data to advance Diversity, Equity, Inclusion and Accessibility (DEIA) goals the research study sought to characterize the nature of the relationship between the Federal Employee Viewpoint Survey (FEVS) New IQ index (a measure of workplace inclusivity, as assessed by the five habits of inclusion: fair, open, cooperative, supportive, and empowering) and Federal Sector Equal Employment Opportunity Administrative pre-counseling complaint contacts across all federal agencies between the years 2017 to 2021.¹ The study found a statistically significant negative correlation between the FEVS New IQ Index and the lower number [or volume] of EEO pre-complaint counseling (number of alleged discrimination incidents initiating an EEOC process per 1,000 employees). The findings indicate that agencies, regardless of size, with higher New IQ Index Scores (indicating a higher number of employees responding positively to inclusion sentiment questions) are more likely to have a lower rate of counseling (number of alleged discrimination incidents initiating an EEO pre-complaint counseling event per 1,000 employees).

Keywords

Equal employment opportunity, Discrimination, Diversity, Equity, Inclusion, Accessibility, Engagement, Counseling, Complaints

¹ <https://www.publicportal.eeoc.gov/Portal/Login.aspx>

Executive Summary

In response to the 2021 Executive Order (EO) 14035, “Executive Order on Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce” and the Biden-Harris 2022 President’s Management Agenda, federal agencies are seeking enhanced capabilities to advance Diversity, Equity, Inclusion, and Accessibility (DEIA) goals that improve workforce benefits and prioritize investments. EO 14035 establishes a government-wide initiative to advance diversity, equity, inclusion, and accessibility in all parts of the Federal workforce. It charges all agencies with assessing the current state of DEIA within their workforces, and developing strategic plans to eliminate any barriers, including expanding training, addressing workplace harassment, including sexual harassment, and improving the collection of demographic data.² Per EO 14035, the Director of OPM, Deputy Director for the OMB, and Chair of the EEOC established a government-wide initiative to promote diversity and inclusion in the Federal workplace. This government-wide initiative calls for federal agencies to: “promote a data-driven approach to increase transparency and accountability,” to integrate data to advance DEIA goals and “to stop and remedy unlawful employment discrimination in the workplace”. The order encourages more sharing of data, information, and guidance on the “collection of demographic data about Federal employees” to “facilitate intersectional analysis”³ that enhance DEIA programs. This research study adopts an intersectional approach that uses both objective and subjective data, publicly available data sources from the OPM’s FEVS, a self-report survey of employee sentiments and attitudes workplace inclusivity, and the EEOC’s federal sector administrative complaints records (documentation of number of employee discrimination and harassment complaint counseling sessions).⁴ Conducted in 2022, this research study specifically focuses on the relationship between federal agency workplace inclusivity (as measured by the Federal Employee Viewpoint Survey [FEVS] New Inclusion Quotient [IQ] index and EEOC’s federal agency complaints records [documentation of number of complaint counseling sessions per 1000 employees). A better understanding of the relationship between perceptions of workplace inclusivity and number of initial contacts with agency EEO complaint processes alleging workplace discrimination and harassment informs and advance the capability of federal agencies to fulfill these Executive Orders described above and improve understanding of the benefits and possible costs associated with investments in DEIA.

The MITRE team sought to characterize the nature of the relationship between the FEVS New IQ index (a measure of workplace inclusivity, as assessed by the five

² FACT SHEET: President Biden Signs Executive Order Advancing Diversity, Equity, Inclusion, and Accessibility in the Federal Government - The White House

³ White House (2021). Executive Order on Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce- The White House). [Executive Order on Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce - The White House](#)

⁴ Complaint records were obtained from the EEOC’s Annual Report Dashboards on agency-level federal sector complaints <https://www.eeoc.gov/federal-sector/annual-report-dashboard>

habits of inclusion: fair, open, cooperative, supportive, and empowering) and EEO pre-complaint counseling incidents across all federal agencies between the years 2017 to 2021. Previous studies on the benefits of workplace inclusion explored the relationship between employee perceptions of inclusivity and discrimination in the workplace but were much smaller in scope (Stewart, 2019). Given the recent and urgent need for more intersectionality and integration in policy and data collection and sharing between OPM and EEOC directives, this research study seeks to better understand the benefits associated with workplace inclusivity, especially those that reduce costs in employee complaints of discrimination and harassment. EEO programs are designed to assist federal leaders with “maintaining fair and inclusive workforce practices and provide an “independent assessment of employee opportunity within the organization” and “real-time consultation to senior leadership on important workplace issues,” including reporting of EEOC Management Directive 715.⁵

The study found a statistically significant negative correlation between the FEVS New IQ Index and the lower number [or volume] of EEOC counseling (number of alleged discrimination incidents initiating an EEOC process per 1,000 employees). The findings indicate that agencies, regardless of size, with higher New IQ Index Scores (indicating a higher number of employees responding positively to inclusion sentiment questions) are more likely to have a lower rate of counseling (number of alleged discrimination incidents initiating an EEO pre-complaint counseling event per 1,000 employees). The research study introduces opportunities for further exploration and practice, and examination of benefits associated with the cost of fostering more inclusive workplaces, including those associated with administering counseling and alternative dispute resolution services. The relationship between the perceptions of workforce inclusivity and number of employee discrimination complaints justifies further exploration and intersectionality between these and other federal data sources to support advancing DEIA benefits, strategies, and investments.

⁵ Equal Employment Opportunity Commission (EEOC) (2021). Status and Impact of Direct Reporting Structures for Federal Agencies. Status and Impact of Direct Reporting Structures for Federal Agencies | U.S. Equal Employment Opportunity Commission (eoc.gov)

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Statement of the Problem

Since 2011, multiple Executive Orders established government-wide initiatives to advance DEIA in all parts of the Federal workforce, as well as leveraged data to conduct robust equity assessments of federal programs to identify areas for improvement. While the importance of DEIA is emphasized in these Executive Orders, there is limited guidance for agencies on how to evaluate their current programs, effectively and efficiently allocate resources, and measure progress and outcomes. Currently, agencies collect data on employee engagement, satisfaction, and workplace inclusivity, including perceptions of fairness, openness, and supportiveness. In addition, they record and analyze data on well-being program participation, attrition, and absenteeism (Deloitte, 2013, RAND, 2014, Global Wellness Institute, 2016, McKinsey (2018), Aldana, 2020, CEB 2021). Yet DEIA measures are not always measured consistently nor applied effectively to inform workforce investments. In a recent Government Accountability Office (GAO) report, GAO found that agencies have not always had “performance measures” or “taken sufficient actions to enhance accountability for ... workplace DEIA goals” (GAO, 2022). For example, GAO’s survey of one agency found that 70% of agency managers and supervisors were “not accountable for their progress toward achieving diversity and inclusion goals.” (GAO, 2022.) GAO highlighted that agencies need “ways to measure progress and enhance accountability” to foster diverse and inclusive workplaces.⁶ Agencies are seeking new ways of looking at the value of DEIA outcomes to justify long-term investments and sustain enduring cultural change. The goal of this research study is to find insights using both subjective and objective data to inform agency-wide DEIA strategies and prioritize workforce investments that benefit employees and reduce costs.

Purpose of the Research

The research study examines the intersectionality of federal data sources to improve effective execution of the EOs and advancement of agency DEIA strategies and plans. The research study introduces opportunities for further exploration and practice that justify investment in inclusive workplaces and further study of both the social and financial return on investment of DEIA strategies and plans.

Literature Review

According to the Corporate Executive Board (CEB, 2021) “organizations with DEI budgets of \$500,000 and above are slightly more likely to measure inclusion than those with lower or no DEI budget [whereby] consistent inclusion measurements, data, and usage can help drive strategic alignment and improve the focus of many DEI programs.” Furthermore, there are gaps in how data is tracked and applied, and organizations need to move beyond just descriptive metrics to address barriers to implementation and

⁶ Government Accountability Office (GAO) (2021). [State Department: Additional Actions Needed to Improve Workplace Diversity and Inclusion | U.S. GAO](#)

alignment of DEIA with business results that inform investment strategies and evaluate performance.

Two primary data sources were considered in this study: the Federal Employee Viewpoint Survey (FEVS, employee viewpoints) and employee discrimination complaint data. The FEVS captures subjective self-reported employee sentiment data. The EEOC reports are comprised of objective data tables documenting the volume, associated costs, and outcomes of discrimination complaints from public employers. The EEOC data tables used in the analysis explored only the informal stages of the complaints process, including complaints and costs of alleged incidents and any counseling and Alternative Dispute Resolution (ADR) services offered before any formal action.

These data used to measure DEIA are objective and subjective output metrics (e.g., number of discrimination complaints) and outcomes measures (improved attitudes of inclusion and belonging). The use of both subjective and objective data increases the strength and validity of the measurement of variables such as inclusion which are typically evaluated through self-report and other more subjective measures. When objective and subjective measures yield the same conclusions, the validity of the findings increases the opportunity to generate insights for diagnostics and application.

Federal workforce employee sentiment is assessed by the United States Office of Personnel Management's (OPM) annual opt-in FEVS, an organizational climate questionnaire with questions on a 5-point Likert Scale. The FEVS assesses participating employees' perceptions and experiences with their agencies' workplace climate, policies, practices, and procedures. The FEVS was selected as a data source for this study due to availability of sufficient data across years and agencies since 2006 and ease of data translation (there are few measures of inclusion across the federal government other than the FEVS, and the goal is to establish FEVS as a primary measure for DEIA outcomes) (President's Management Agenda -PMA, 2021). The PMA spotlights OPM's FEVS as a strategic metric for gauging performance of priority 1. Strengthening the Federal Workforce. OPM designed several indices (satisfaction, engagement, and the New Inclusion Quotient) within the FEVS, to synthesize raw question data into a composite index score for each agency. The FEVS continues to have minor improvements on question phrasing, and prior to 2020, many survey items were consistent across years. There are discrepancies between the FEVS 2017-2019 versus 2020-2021, in response to the COVID-19 pandemic of March 2020, whereby the core survey was reduced from 73 items in 2019 to 38 items in 2020.⁷ These known date ranges enabled the research team to consider the anomalies from the recent pandemic

⁷ Office of Personnel Management (OPM) (2020). Governmentwide Management Report: Results from the 2020 OPM Federal Employee Viewpoint Survey. Available: <https://www.opm.gov/fevs/reports/governmentwide-reports/governmentwide-management-report/governmentwide-report/2020/2020-governmentwide-management-report.pdf>

years while comparing results with pre-pandemic years to ensure results were not confounded by stressors from the pandemic.

The primary three indices measured in the FEVS are the Employee Engagement Index (EEI), the Global Satisfaction Index (GSI), and the New Inclusion Quotient (New IQ). This research study focused on the New Inclusion Quotient (New IQ) Index because it is the most effective measure of workplace inclusivity to-date for federal agencies and will be adapted to also measure DEIA outcomes. The FEVS measures the FOCSE habits or “five habits of inclusion” of fair, open, cooperative, supportive, and empowering that foster “workplace inclusion,” “employee engagement,” and “organizational performance.” OPM calculates the subindex scores by averaging the unrounded percent positive of each of the items in the subindex. Averaging the five unrounded subindex scores creates the FEVS New IQ Overall Index Score.⁸

For the data analysis, the FEVS New IQ Overall Index Score is compared to number of EEO informal complaints per 1000 employees. To gather this data, the study accessed annual reports and other detailed data sources released by EEOC, including data tables which document the volume, associated costs, and outcomes of discrimination complaints from public agencies. EEOC has a mandatory participation model whereby employers with over 100 employees are legally required to annually report discrimination complaint data to the EEOC.

The EEO complaints process has two stages whereby complaints move from an informal stage to a formal stage. During the informal stage, alleged incidents of discrimination reported by an aggrieved individual are first addressed with counseling sessions and potentially an Alternative Dispute Resolution. According to the EEOC’s MD-110, pre-complaint data is not indicative of findings of discrimination or harassment but instead of individuals potentially looking for redress for a workplace concern. No determination about the merits of the allegation is made and it is not determined whether the allegation belongs in the process of jurisdiction. Rather, the inquiry is whether the allegation is one that the EEO complaint process may address assuming that the allegation is true, and whether the aggrieved individual is interested in resolving the complaint informally. If no resolution is obtained during the ADR, an individual can file a formal complaint and enter the formal stage. The complaint data examined for this study pertained to the informal stage of the complaints process, which includes contacts to an EEO Counselor within 45 days from the alleged discrimination incident. The individual has the choice of participating in EEOC counseling or in an ADR program such as a mediation program. If the individual is unable to settle during their dispute with counseling or ADR, they can file a formal discrimination complaint against the agency with the agency’s EEO office. Figure 1 depicts the two EEO stages and the steps individuals take to process their complaints.

⁸ Office of Personnel Management (OPM) (2019). FEVS Technical Reports [Data Reports \(opm.gov\)](#)



Figure 1. EEOC Complaints Process

Research Findings

The goal of the study was to better understand the nature of the relationship between the federal government New IQ Index and the rate of informal employee discrimination complaints, measured through the EEOC records of the number of informal discrimination complaint counseling sessions, which itself represents the number of alleged discrimination incidents initiating the start of the EEOC process. The New IQ Index scores and the rate of EEOC informal discrimination complaint counseling sessions (normalized per 1,000 employees, to control for agency size), was calculated for every agency using data from the years 2015-2019. The New IQ Index score was the independent, or predictive, variable in the analysis. It was used to predict the dependent variable, which was the rate of EEOC complaint counseling sessions per 1,000 employees.

For each agency, the average value for the FEVS New IQ Index scores and the rate of EEOC informal discrimination complaint counselings per 1,000 employees was used as the data points in the regression analysis to prevent variation between years from overwhelming the variation between agencies. This was done because it was the variation between agencies that was of interest in this analysis.

The research study found a statistically significant negative correlation between the New IQ Index and the number of EEOC counseling sessions (per informal complaints process for 1,000 employees). This correlation with a Spearman's r coefficient of -0.33 ($p=0.01$) indicates that agencies with higher New IQ Index Scores (indicating a higher number of employees responding positively to inclusion sentiment questions) are associated with lower rates of EEOC counselings per 1,000 employees). The correlation is depicted in the initial scatter plot analysis (Figure 2). There was no apparent pattern to the relationship specific to agency size (Figure 3).

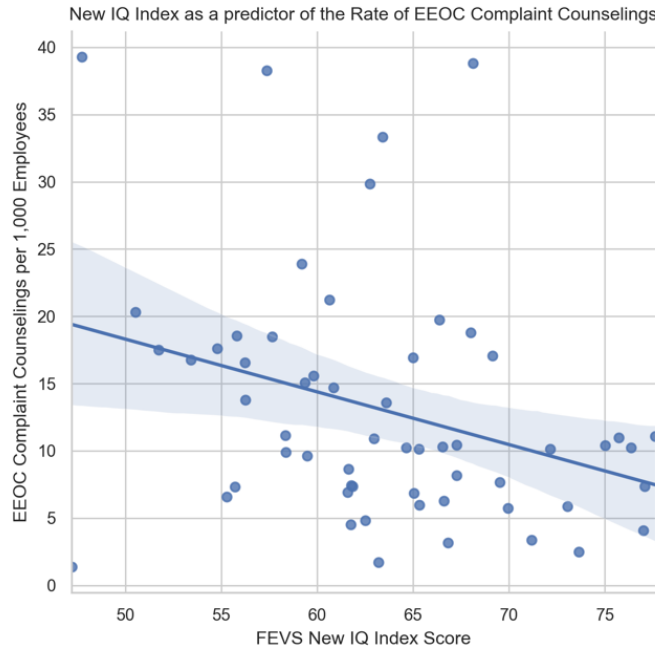


Figure 2. Plot of Agency's Average New IQ Overall Index

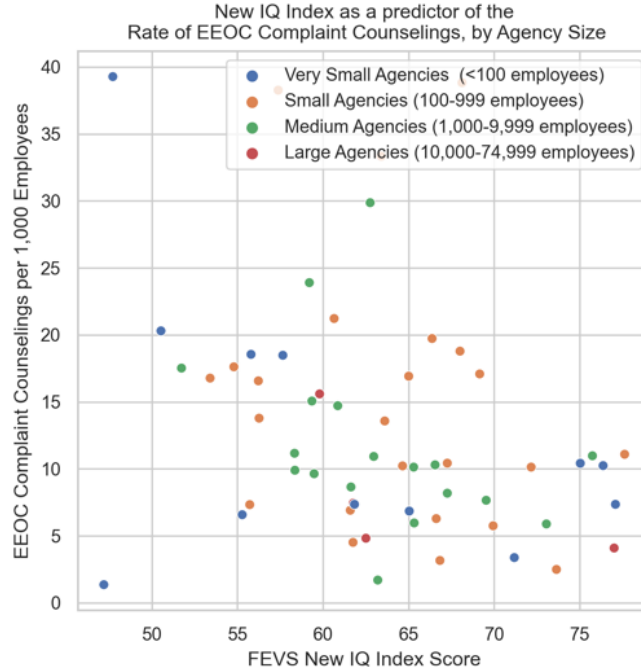


Figure 3. Plot of Agency's Average New IQ Overall Index

Discussion / Conclusion Steps

The purpose of the study was to understand the nature of the relationship between the FEVS New IQ index (a measure of workplace inclusivity) and the volume of EEO pre-complaint counseling sessions of informal complaints (first two stages in the EEO complaints process). The research study identified a significant relationship between scores on the New IQ index and the volume of informal complaints counseling session per 1,000 employees), whereby increased perceptions of workforce inclusivity (as measured by the New IQ index) had a significant correlation to fewer employee discrimination complaints during the informal complaints phase.

The EEOC found evidence there is a positive correlation with the effectiveness of an EEO program when agencies' EEOC directors reported directly to the agency head.⁹ Further, when there was limited reporting from the agency program, the EEO impacts were more adverse and significant, resulting in an increase in the volume of employee complaints. The EEOC found that this resulted in part, from a lack of training, awareness, and understanding of EEO rules, regulations, and processes. This study provides evidence that the more inclusive an agency is perceived to be (defined as fair, open, cooperative, supporting, and empowering environment), the fewer reports of employee discrimination complaints. This evidence reinforces the need to explore the relationship between inclusive leadership competencies and the number of EEO pre-complaint contacts. Leaders and supervisors influence an organization's climate, and inclusive leadership competencies help to foster more inclusive climates, resulting in fewer harassment and discrimination complaints. In summary, this study supports the hypothesis that the more inclusive the organization is perceived to be, the less likely that individuals are inclined to perceive that they are subjected to discrimination or harassment, and therefore less likely to reach out to initiate the EEO complaint process. more an organization can resolve discrimination complaints through counseling sessions at the informal stage of the EEOC discriminations complaints process.¹⁰ At the same time, it is important to remember that people also do not contact the EEO process when the fear of retaliation is high, when they have no faith in the EEO process, and/or when they don't know that the EEO process exists. While more study is needed to determine exactly why people are not making initial EEO contact, these results suggest that people do not make contact when they feel that the workplace is inclusive.

The study provides insights for research and action. Future studies merit examining the relationship between perception of leaders and supervisors and workforce inclusivity and should include additional data sources and years. Additionally, studies examining

⁹ Equal Employee Opportunity Commission (EEOC) (2021). Status and Impact of Direct Reporting Structures for Federal Agencies. Status and Impact of Direct Reporting Structures for Federal Agencies | U.S. Equal Employment Opportunity Commission (eoc.gov)

¹⁰ Equal Employee Opportunity Commission (EEOC) (2021). Status and Impact of Direct Reporting Structures for Federal Agencies. Status and Impact of Direct Reporting Structures for Federal Agencies | U.S. Equal Employment Opportunity Commission (eoc.gov)

the costs and benefits associated with workforce inclusivity and employee discrimination complaints, also offers future insights for agencies' DEIA strategies and investments.

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