




MAKING YOUR AGENCY'S ROIS PROVIDE A RETURN ON YOUR INVESTMENT

Presented at EEOC'S EXCEL CONFERENCE
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10:30am to 12:00pm

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WHY A RETURN ON INVESTMENT?

- ✦ ROIs are **critical** to determining whether or not unlawful discrimination occurred.
- ✦ A poor quality and/or untimely ROI causes delay and creates problems for everyone involved: the complainant, the agency, the EEOC, and beyond.
- ✦ Whether in-house or contracted out, the U.S. government is paying for our agencies' EEO investigations and should have an expectation that they are completed timely and are of high quality.

SO WHO ARE WE AND WHY ARE WE TALKING TO YOU ABOUT THIS?

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ROIS: GENERAL PRINCIPLES OF QUALITY AND TIMELY INVESTIGATIONS

- ✦ Investigators must have the necessary knowledge, skills, and abilities to effectively investigate the claims (training is essential)
- ✦ Communicate quality and timeliness expectations
- ✦ Establish incentives for timely processing and consequences for untimely completion
- ✦ Monitor quality and timeliness of the investigation
- ✦ Require the submission and approval of a Plan of Investigation within seven days of assignment (avoid cookie-cutter plans)
- ✦ Request documentary evidence from the Agency by a specified date
- ✦ Review witness list closely to avoid duplication
- ✦ Schedule interviews promptly (telephone interviews are generally cost and time efficient)
- ✦ Prepare outline of interview questions but remember to exercise flexibility
- ✦ Concise interview with focus on facts surrounding the claim (no fishing expeditions); listen and remain neutral
- ✦ Review documentary evidence and ask appropriate follow-up questions including those relating to remedies sought
- ✦ Prepare and have witness sign affidavit; however, do not prepare a summary of the testimony
- ✦ Remind witness of confidentiality and the possible need for additional information
- ✦ Redact privacy and genetic information if not applicable
- ✦ Prepare Summary of Investigation remaining unbiased and objective

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ROIS: CONTRACTING OUT

- ✦ Ensure the agency end-user and the person managing the contract work closely together.
- ✦ Ensure the appropriate contracting vehicle is used (GSA's Schedule vs. Blanket Purchase Agreement)

For more information on using Blanket Purchase Agreements go to:
http://www.gsa.gov/Portal/gsa/ep/contentView.do?contentType=GSA_BASIC&contentId=21336

For more information on using the GSA schedule go:
http://www.gsa.gov/Portal/gsa/ep/contentView.do?contentType=GSA_OVERVIEW&contentId=5106

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ROIS: CONTRACTING OUT

- ✦ Contract management is KEY!
 - ▶ Have a good solid statement of work specifying timeliness and quality expectations.
 - ▶ Require submission of an investigative plan—REVIEW IT!
 - ▶ Closely monitor the investigation as it progresses. Course correct as needed.
 - ▶ As appropriate, assist with securing agency documents and timely witness cooperation.
 - ▶ Consider using "Draft ROIs."
 - ▶ Thoroughly review the draft ROI (not just the summary) to ensure quality **before** paying the bill! If deficient, send it back.

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ROIS: IN-HOUSE

- ✘ Establish organizational and individual performance goals which exceed regulatory processing time periods
- ✘ Establish potential incentives if goals are exceeded and consequences for untimely processing
- ✘ Eliminate unnecessary and time consuming internal procedures
- ✘ Develop internal tracking system which reflects time spent on each investigation
- ✘ Monthly updates regarding status of each investigation
- ✘ Ensure agency's EEO policy requires all parties involved in EEO process to fully and timely cooperate
- ✘ Adhere to established deadlines for receipt of information

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WHAT ARE SOME OF THE CHALLENGES YOU FACE?

✘ Exercise

► Break into small groups and discuss the following questions:

- (1) What is my agency's greatest challenge with ROI timeliness?
- (2) What is my agency's greatest challenge with ROI quality?

Then we'll come back as a group to discuss.

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A FINAL THOUGHT...

"The greater danger for most of us is not in setting our aim too high and falling short; but in setting our aim too low, and achieving our mark."

Michelangelo, Italian Sculptor, Painter, Architect & Poet

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