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Satisfaction with Equal Employment Opportunity (EEO) Complaint Reports and Investigations

Stephanie Booth-Kewley
Paul Rosenfeld

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**Satisfaction with Equal Employment Opportunity (EEO)
Complaint Reports and Investigations**

**Stephanie Booth-Kewley
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**Navy Personnel Research and Development Center
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13. ABSTRACT (Maximum 200 words) This study developed and pilot tested a paper-and-pencil survey designed to assess the quality of Equal Employment Opportunity discrimination complaint investigations and reports. The study also examined: (1) the extent to which activity officials are satisfied with investigative reports, (2) whether satisfaction is greater for investigations and reports handled by in-house staff investigators than with those handled by contractor investigators, (3) the strengths and weakness of the reports and investigations, and (4) ways in which reports and investigations could be improved. Surveys were mailed out with every investigative report completed between December 1990 and May 1991; 117 completed surveys were returned. Analysis of survey responses revealed that: (1) satisfaction with investigative reports was generally high--75 percent of the respondents were satisfied with the report as a whole, (2) the potential problem areas identified in the reports related to organization/presentation and analysis of evidence, and (3) satisfaction was higher for reports prepared by in-house staff investigators than for reports prepared by contractors. It is recommended that the Navy could raise the overall quality of reports by using more staff investigators and fewer contractors, and that further research efforts be aimed at increasing resolution of complaints during the informal stage.			
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FOREWORD

This report details the results of an Equal Employment Opportunity (EEO) complaint investigations survey sponsored by the Chief of Naval Operations (OP-14) and performed under Program Element 0603720N (Advanced Development), Work Unit R1772. OP-14 expressed interest in developing a survey that could be used to assess the quality of EEO complaint investigations and reports. The development of this survey is the focus of this report.

This project was carried out for OP-14, now the Office of Civilian Personnel Management (OCPM) under the "Quick-Response" research program. Because of the limited scope of quick-response projects, this is the only report generated by this effort. The sponsors of this effort in OCPM have been briefed on the findings and recommendations contained in this report.

The authors wish to thank Ann Oliver, Jim Sharratt, Nancy McGlothlin, Bernice Goode, Luis Joseph, and Raymond Andrade for their support and assistance.

RICHARD C. SORENSON
Technical Director (Acting)



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SUMMARY

Problem

The Navy spends over 18 million dollars annually to process civilian Equal Employment Opportunity (EEO) discrimination complaints. An important part of the complaint process is the investigation, which results in an investigative report. The report plays an important role in the complaint process, as it is the basic body of data relied on by authorities who must render a decision on the case.

No mechanism currently exists for assessing the degree to which activity officials are satisfied with complaint investigations and reports. Given the substantial costs and time associated with the investigative phase of the discrimination complaint process, and the fact that any significant number of poor quality reports is expensive for the Navy, it is clear that a mechanism for assessing the quality of reports is needed.

Navy discrimination complaints are investigated and reports are written either by "in-house" staff investigators or by contractor investigators. An important issue is whether reports prepared by staff investigators are of higher quality than those prepared by contractors. An increasing number of investigations are being contracted out. If the reports prepared by contractor investigators are inadequate, the result will be an increase in activity officials' dissatisfaction with investigative reports, and, potentially, an increase in costs due to the need to acquire additional information after a report has been received.

Objectives

The study's main objective was to develop and pilot test a paper-and-pencil survey designed to assess the perceptions of activity officials (e.g., deputy EEO officers [DEEOOs]) regarding the quality of complaint investigations and reports. The second objective was to answer the following questions: (1) To what extent are activity officials satisfied with investigative reports?, (2) Are activity officials more or less satisfied with the investigations and reports handled by in-house staff investigators than with those handled by contractor investigators?, (3) On what aspects of the reports and investigations is satisfaction lowest and highest?, and (4) In what ways could the reports and investigations be improved?

Method

Individuals with expert knowledge of the EEO complaint process were interviewed to determine the issues that the survey should cover. A survey--the Navy EEO Investigations Feedback Form (NIFF)--was then developed. The NIFF contained four sections. The first three sections assessed: (1) background information, (2) satisfaction with specific aspects of the report, and (3) global satisfaction with the report and investigation. The fourth section contained open-ended questions, such as "What characteristic(s) of the report caused you the most difficulty in reaching a conclusion?" Surveys were mailed out with every investigative report completed between December 1990 and May 1991. One hundred and fifty survey packets were mailed out; 117 completed surveys were returned.

Results and Conclusions

1. Satisfaction with investigative reports was generally high--75 percent of the respondents were satisfied with the report as a whole.
2. The potential problem areas identified in the reports related to organization/presentation and analysis of the evidence.
3. Satisfaction was higher for reports prepared by in-house staff investigators than for reports prepared by contractor investigators.
4. The survey developed for this project, the NIFF, was found to be a useful instrument for assessing the quality of complaint investigations and reports.
5. Many EEO personnel believe that a large number of the discrimination complaints filed formally could have been resolved at an earlier (informal) stage.

Recommendations

1. The Navy could raise the overall quality of reports by using more staff investigators and fewer contractors.
2. It is recommended that the NIFF be used on an ongoing basis to assess the quality of complaint investigations and reports and to identify potential problem areas.
3. To achieve the Secretary of the Navy's goal of 90 percent resolution of complaints at the informal stage, further research aimed at achieving a greater number of early complaint resolutions should be conducted.

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INTRODUCTION

Background and Problem

The Department of the Navy spends over 18 million dollars annually on processing Equal Employment Opportunity (EEO) discrimination complaints in its civilian work force.¹ A key part of the complaint process is the investigation, which begins after a formal discrimination complaint is filed and results in an investigative report. The report contains the information gathered in the investigation and all relevant documentation. It also provides an analysis of the information gathered and offers a recommended finding of either "discrimination" or "no discrimination." The investigative report plays an important role in the complaint process because it contains the basic body of data relied on by authorities who must render a decision on the case.

No mechanism currently exists for assessing the degree to which activity officials, such as deputy EEO officers (DEEOOs), are satisfied with complaint investigations and reports. Given the substantial costs and time associated with the investigative phase of the complaint process and recent acknowledgments that the discrimination complaint process is in need of improvement,² it is clear that a mechanism for evaluating satisfaction with reports is needed.

Obtaining accurate and timely feedback on the strengths and weaknesses of investigative reports should result in better quality reports. Currently, the Navy is incurring significant costs because of inadequate reports that require supplemental investigations. Also, poor quality investigative reports are more likely than good reports to result in cases that reach higher levels of the complaint process (e.g., an Equal Employment Opportunity Commission [EEOC] hearing or filing of civil action in a U.S. District Court). Any significant number of poor quality reports is expensive for the Navy.

Currently, Navy discrimination complaints are investigated and reports are written either by "in-house" staff investigators or by outside contractor investigators. Recent reductions in the number of Navy in-house staff investigators have led to an increased reliance on contractor investigators. The latter are paid per investigation and are often less knowledgeable about Navy policies and procedures than staff investigators. Presently, the majority of complaints are investigated by contractors.

Once an employee files an EEO complaint formally, an investigation of the complaint is initiated by the employee's activity. The complaint is investigated or contracted out for investigation by the regional Discrimination Complaint Investigation Component (DCIC), a division of the Office of Civilian Personnel Management (OCPM). If the DCIC director decides to conduct the investigation "in-house," the case is assigned to a DCIC staff investigator who conducts the investigation and writes the investigative report. If the DCIC director assigns the case to a contractor, the contractor investigator conducts the investigation and writes all but one section of the report. The contractor does not write the report's Conclusions section, in which a recommendation of either "discrimination" or "no discrimination" is made. The conclusions are always written by a DCIC official. Also, after the contractor-prepared report is completed, the

¹Personal communication with Sandra East, Navy Civilian Personnel Center (NCPC), 22 January 1990.

²Secretary of the Navy, memorandum of 18 March 1988.

report is reviewed by a DCIC official, who either may accept it or return it to the contractor for revisions.

An important issue that has not yet been addressed in a systematic way is whether reports produced by staff investigators are of higher quality than reports produced by contractor investigators. This is important because there are indications that reports prepared by contractor investigators are inadequate³ and because the trend is for an increasing number of the investigations to be contracted out. Besides allowing contractor- and staff-prepared reports to be compared overall, a systematic mechanism for evaluating reports would allow the main deficiencies of contractor- and staff-prepared reports to be pinpointed and corrected and their quality improved.

Objectives

An economical and unobtrusive way to obtain systematic feedback on investigations and reports is to have report recipients complete a survey or feedback form assessing the quality of the reports. Accordingly, the first purpose of this study was to develop and pilot test a paper-and-pencil survey designed to assess the quality of complaint investigations and reports. The second objective was to provide answers to the following questions: (1) To what extent are activity officials (e.g., DEEOOs) satisfied with investigative reports?, (2) Are activity officials more or less satisfied with the investigations and reports handled by in-house staff investigators than with those handled by contractor investigators?, (3) On which aspects of the reports and investigations is satisfaction lowest and highest?, and (4) In what ways could the reports and the investigations be improved?

METHOD

Interviews

As part of the process of developing the survey, interviews were conducted with 15 individuals who have expert knowledge of the EEO complaint process. Those interviewed included two individuals from NCPC,⁴ five from OCPM headquarters, four activity DEEOOs, two complaints managers, and the directors of the four DCICs. Also, two individuals who had been involved in multiple complaints as responsible management officials (RMOs) were interviewed. The interviews provided an orientation to the range of possible issues to be covered by the survey.

The interviews indicated that a substantial proportion of complaint investigations and reports were of poor quality, and that the investigations and reports took too long. Other points made by a substantial number of the interviewees were that (1) the investigations were not thorough enough--the reports did not contain sufficient information and documentation, and (2) reports prepared by contractor investigators were generally of poorer quality than those prepared by staff. The interviews also revealed other problems with the reports, such as illegibility of documents, faulty

³U.S. Equal Employment Opportunity Commission (1990). *On-site program review of EEO/IAE programs*. Washington, DC. Author.

⁴The project was originally sponsored by the Navy Civilian Personnel Center (NCPC), OP-14. However, as a result of reorganization in January 1991, OP-14 became part of the Office of Civilian Personnel Management (OCPM) after this project started.

analysis, and failure to verify information. In addition to the interviews described above, key documents, policy statements, and analyses of the Navy's EEO complaint process were reviewed to determine potential issues that should be covered by the survey.

Survey Development

Based on the information from the interviews and documents, the Navy EEO Investigations Feedback Form (NIFF) was developed. The first version of the NIFF was shown to NCPC policy-makers and to one DCIC director; these individuals were asked for suggestions and feedback. Based on their suggestions, the measure was revised: the revised, final version, made up of four sections, is contained in the Appendix and is described below.

Background Information

The first section of the NIFF asked for the ID number of the report, the name, activity, and organizational position of the respondent, the number of complaint reports read by the respondent in the past 2 years, the amount of time the respondent spent reading and reviewing the report, and the complexity of the case that the report was about.

Specific Aspects of the Reports

Section 2 contained 17 items assessing specific aspects of the report, such as whether exhibits were referenced correctly, and whether information obtained from interviews was verified. These specific items were presented under the following headings: (1) Organization and Presentation of the Report (five items), (2) Quality and Quantity of Evidence (seven items), and (3) Analysis/Evaluation of Evidence (five items). The items were presented with a 5-point response scale, ranging from (1) strongly disagree to (5) strongly agree.

Global Ratings

Section 3 asked the respondent to give ratings of satisfaction or dissatisfaction on the following five global dimensions: (1) overall thoroughness of the report, (2) quality of the analysis of the evidence, (3) the report's conclusions, (4) the report as a whole, and (5) the investigation as a whole. These items were presented with a 5-point response scale, ranging from (1) very dissatisfied to (5) very satisfied.

Open-ended Questions

The last section contained open-ended questions: (1) What characteristic(s) of the report were most helpful in allowing you to reach a conclusion?, (2) What characteristic(s) of the report caused you the most difficulty in reaching a conclusion?, and (3) List ways in which the reports in general (not just this particular report) could be improved. A final item asked the respondents for additional comments.

With the exception of the third open-ended question, respondents were asked to respond to all items of the survey with regard to a specific investigation and report, not investigations and reports in general.

Survey Administration

The surveys (with a cover letter assuring respondents their responses would be kept confidential) were mailed out during the time period of December 1990 through May 1991. A point of contact (POC) at each of the four DCIC offices (northwest, northeast, southwest, and southeast) was instructed to attach a packet of surveys (three surveys and three envelopes) to each investigative report at the time the newly completed report was mailed to the activity. One hundred and fifty survey packets--a total of 450 surveys--were mailed out.

The POCs were responsible for providing the researchers with the following information on each case: (1) whether it had been handled by a staff or contractor investigator, and (2) whether "discrimination" or "no discrimination" was the recommended finding.

Survey Respondents

One hundred and seventeen completed surveys were received from 46 Navy and Marine Corps activities. Thus, 26 percent of the 450 surveys mailed out were returned. While this response rate seems low, it can be explained by the fact that although a packet containing three surveys went out with each report, the entire packet was sent to the DEEOO. The DEEOO was instructed to fill out one survey and forward the other copies to other individuals at the activity responsible for reading and reviewing the report. It is likely that at most activities there were no more than two such individuals. Thus, the actual response rate is estimated to be approximately 39 percent (117 divided by 300).

Most of the returned surveys came from the southwest (50%) and the southeast (30%) DCIC regions. Ten percent of the surveys came from the northeast; an equal percentage (10%) were from the northwest.⁵

Fifty-two percent of the surveys were completed by DEEOOs, and 21 percent by complaints managers. A small fraction of the surveys were completed by commanding officers (2%) or executive officers (3%). Three percent of the surveys were completed by legal counsel representatives; the same percentage (3%) were completed by employee relations specialists. The remainder of the surveys (16%) were completed by "other" (mostly labor relations officers and EEO specialists).

⁵The sample composition was compared to the regional composition for the "population" of completed investigative reports. For FY89, this breakdown was 25 percent for northeast, 29 percent for southeast, 32 percent for southwest, and 14 percent for northwest (Lawhorn, R., personal communication, April 5 1990). Based on these statistics, the proportions of the surveys from each region in the present study were about the same as expected (based on the population figures) for the southeast and northwest, but higher than expected for the southwest, and lower than expected for the northeast. The researchers' location in the southwest might account for the southwest's high representation in the sample. The low representation for the northeast region was likely due to changes in management that were taking place at the northeast DCIC during the course of this project.

RESULTS

Background Information

For 32 percent of the surveys received, in-house staff investigators conducted the investigation; for 61 percent, contractors conducted the investigation. For the remaining 7 percent of the surveys, information on who conducted the investigation was unavailable.

Respondents were asked to indicate "About how many completed EEO complaint reports have you read in the last 2 years?" The average number of reports read in the past 2 years was 19. The number of reports respondents had read in the past 2 years ranged widely--some respondents (9%) had read only one report, whereas others (10%) had read 50 or more.

Respondents were asked to indicate the complexity of the case for which the survey was completed. Forty-five percent of the cases were "simple," involving a single basis and a single issue. Eleven percent of the cases involved a single basis but multiple issues, and 25 percent involved multiple bases but a single issue. The remaining 19 percent of the cases were complex, involving multiple bases and multiple issues.

Eighty-seven percent of the reports for which surveys were received had a recommended finding of no discrimination; 13 percent found discrimination.

Survey Responses--Overall Analyses

To simplify the presentation, some response categories have been combined. "Very dissatisfied" and "dissatisfied" were combined, as were "very satisfied" and "satisfied." "Strongly disagree" and "disagree," and "strongly agree" and "agree."

Global Ratings

As Table 1 shows, satisfaction with the reports was generally high. Overall, 75 percent of the respondents were satisfied with "the report as a whole," and only 16 percent were dissatisfied. Nearly identical levels of satisfaction were found for "the investigation as a whole": 74 percent of the respondents were satisfied, and 17 percent were dissatisfied. Over 80 percent of those surveyed were satisfied with the "overall thoroughness of the report" (82%) and "the report's conclusions" (81%). Slightly fewer respondents, 74 percent, were satisfied with the "quality of the analysis of the evidence."

Table 1
Global Satisfaction

Global Ratings	Satisfied (%)	Neutral (%)	Dissatisfied (%)
Overall thoroughness of the report	82	6	12
Quality of the analysis of the evidence	74	10	16
The report's conclusions	81	7	12
The report as a whole	75	9	16
The investigation as a whole	74	9	17

Specific Aspects of the Reports

The quality of specific aspects of the reports can be determined by examining responses to the individual survey items, shown in Table 2. A potential problem area was defined as occurring when 15 percent or more of the respondents *agreed* with a *negatively worded item* (e.g. "The report failed to link facts with their source") or *disagreed* with a *positively worded item* (e.g. "The report was written clearly."). Responses reflecting potential problem areas are underlined in the tables. Note that even for the "potential problem areas" most of the responses (usually 75% or more) were positive.

Table 2
Satisfaction With Specific Aspects of the Reports

	Agree (%)	Neutral (%)	Disagree (%)
Organization and Presentation of the Report			
One or more key documents were illegible.	14	2	84
The report was assembled correctly.	80	2	<u>18</u>
The report was written clearly.	78	6	<u>16</u>
The report failed to link facts with their source.	<u>20</u>	6	74
Exhibits were not referenced or were referenced incorrectly.	<u>16</u>	4	80
Quality and Quantity of Evidence			
Not enough information was provided to fully answer all the issues accepted in the complaint.	9	7	84
One or more key documents were omitted.	9	3	88
The affidavits(s) taken from the complainant were sufficient.	82	5	13
The affidavit(s) taken from the responsible management official (RMO) were sufficient.	84	6	10
The report did not verify (cross-check) information obtained from the interviews.	12	10	78
The report contained all the needed affidavits.	81	8	11
Data about how the complainant was treated compared with other workers in the unit were insufficient. (Answered <u>only</u> for disparate treatment cases.)	<u>22</u>	11	67
Analysis/Evaluation of Evidence			
The conclusions were adequately supported by the information in the report.	79	7	14
The report lacked objectivity.	5	12	83
The report contained inconsistencies not acknowledged by the investigator.	<u>21</u>	4	75
The report contained statements not supported by evidence.	14	7	79
The report provided a full analysis comparing the RMO's testimony with the complainant's testimony.	67	14	<u>19</u>

Note. Results are underlined whenever there was 15 percent or greater agreement with a negatively worded item or 15 percent or greater disagreement with a positively worded item. These results are defined as indicating potential problem areas.

The main area of concern with reports was for "Organization and Presentation of the Report" (see Table 2). Potential problem areas were indicated for four of the five items relating to "organization and presentation." These items were: "The report was assembled correctly" (18% disagreed), "The report was written clearly" (16% disagreed), "The report failed to link facts with their source" (20% agreed), and "Exhibits were not referenced or were referenced incorrectly" (16% agreed).

Potential problem areas also were found for several of the items that assess "Analysis/Evaluation of Evidence": "The report contained inconsistencies not acknowledged by the investigator" (21% agreed) and "The report provided a full analysis comparing the RMO's testimony with the complainant's testimony" (19% disagreed). Concern was also expressed on the item: "Data about how the complainant was treated compared with other workers in the unit were insufficient" (22% agreed). This item appears in the survey under the "Quality and Quantity of Evidence" heading, but its content relates both to this topic and to that of analysis and evaluation of evidence.

Staff vs. Contractor

Survey responses for cases handled by staff investigators (37 surveys) were compared with responses for cases handled by contractor investigators (71 surveys). These results are presented in Table 3 (global satisfaction) and Table 4 (satisfaction with specific aspects of the reports).

Table 3

Global Satisfaction--Staff vs. Contractor

Global Ratings	Satisfied (%)	Neutral (%)	Dissatisfied (%)
Overall thoroughness of the report			
Staff	84	8	8
Contractor	79	6	15
Quality of the analysis of the evidence			
Staff	83	11	6
Contractor	65	10	25
The report's conclusions			
Staff	83	11	6
Contractor	79	3	18
The report as a whole			
Staff	83	11	6
Contractor	71	7	22
The investigation as a whole			
Staff	34	8	8
Contractor	68	9	23

Table 4

Satisfaction With Specific Aspects of the Reports--Staff vs. Contractor

	Agree (%)	Neutral (%)	Disagree (%)
Organization and Presentation of the Report			
One or more key documents were illegible.			
Staff	<u>25</u>	3	72
Contractor	<u>6</u>	2	92
The report was assembled correctly.			
Staff	86	3	11
Contractor	81	1	<u>18</u>
The report was written clearly.			
Staff	83	8	9
Contractor	73	6	<u>21</u>
The report failed to link facts with their source.			
Staff	<u>17</u>	9	74
Contractor	<u>22</u>	4	74
Exhibits were not referenced or were referenced incorrectly.			
Staff	11	8	81
Contractor	<u>16</u>	3	81
Quality and Quantity of Evidence			
Not enough information was provided to fully answer all the issues accepted in the complaint.			
Staff	8	6	86
Contractor	12	6	82
One or more key documents were omitted.			
Staff	11	8	81
Contractor	<u>6</u>	1	93
The affidavit(s) taken from the complainant were sufficient.			
Staff	78	11	11
Contractor	84	3	13
The affidavit(s) taken from the responsible management official (RMO) were sufficient.			
Staff	84	8	8
Contractor	84	6	10
The report did not verify (cross-check) information obtained from the interviews.			
Staff	14	11	75
Contractor	13	9	78
The report contained all the needed affidavits.			
Staff	78	8	14
Contractor	<u>66</u>	8	6
Data about how the complainant was treated compared with other workers in the unit were insufficient. (Answered <u>only</u> for disparate treatment cases.)			
Staff	12	12	76
Contractor	<u>29</u>	12	59

Note. Results are underlined whenever there was 15 percent or greater agreement with a negatively worded item or 15 percent or greater disagreement with a positively worded item. These results are defined as indicating potential problem areas.

Table 4 (Continued)

Satisfaction With Specific Aspects of the Reports--Staff vs. Contractor

	Agree (%)	Neutral (%)	Disagree (%)
Analysis/Evaluation of Evidence			
The conclusions were adequately supported by the information in the report.			
Staff	83	6	11
Contractor	75	6	<u>19</u>
The report lacked objectivity.			
Staff	6	8	86
Contractor	6	15	79
The report contained inconsistencies not acknowledged by the investigator.			
Staff	<u>19</u>	6	75
Contractor	<u>23</u>	3	74
The report contained statements not supported by evidence.			
Staff	11	8	81
Contractor	<u>16</u>	6	78
The report provided a full analysis comparing the RMP's testimony with the complainant's testimony.			
Staff	74	14	12
Contractor	61	14	<u>25</u>

Note. Results are underlined whenever there was 15 percent or greater agreement with a negatively worded item or 15 percent or greater disagreement with a positively worded item. These results are defined as indicating potential problem areas.

Global Ratings

Table 3 compares global satisfaction ratings for staff versus contractor-prepared reports. It is clear that satisfaction on the global items was higher for staff- than for contractor-handled cases. For example, satisfaction with "the report as a whole" was 83 percent for cases handled by staff investigators, compared to 71 percent for cases handled by contractors. Satisfaction with "the investigation as a whole" was 84 percent for cases handled by staff investigators and 68 percent for cases handled by contractors. The largest difference between staff- and contractor-handled cases was found for "quality of the analysis of the evidence." For cases handled by staff investigators, 83 percent were satisfied with the analysis. For cases handled by contractors, only 65 percent were satisfied. In contrast, satisfaction with "overall thoroughness of the report" and with "the report's conclusions"⁶ was only slightly higher for staff- versus contractor-handled cases (see Table 3).

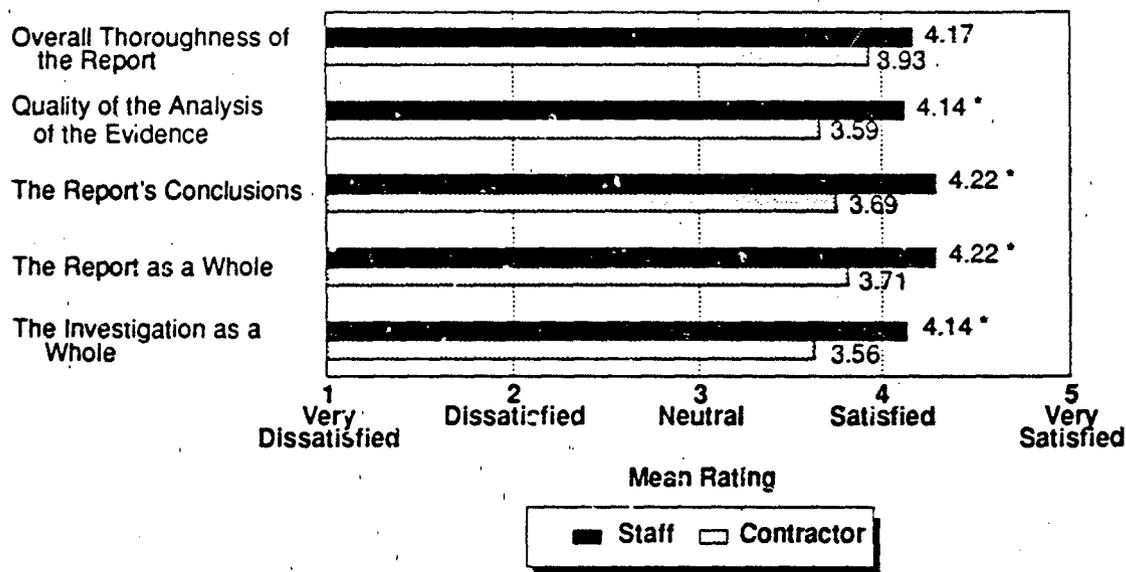
Specific Aspects of the Reports

Responses to the specific survey items for contractor- versus staff-handled cases were compared (see Table 4). On most of the specific survey items, more potential problem areas were found for contractor- than for staff-investigated cases. For staff-handled cases, only three items reflecting potential problem areas (according to the criteria described above) were identified. For cases handled by contractors, however, nine items reflecting potential problem areas were identified.

For staff-investigated cases, potential problem areas were revealed for the following items: "One or more key documents were illegible" (25% agreed), "The report contained inconsistencies not acknowledged by the investigator" (19% agreed), and "The report failed to link facts with their source" (17% agreed). For cases investigated by contractors, potential problems were indicated for the following nine items: "Data about how the complainant was treated compared with other workers in the unit were insufficient" (29% agreed), "The report provided a full analysis comparing the RMO's testimony with the complainant's testimony" (25% disagreed), "The report failed to link facts with their source" (22% agreed), "The report contained inconsistencies not acknowledged by the investigator" (23% agreed), "The report was written clearly" (21% disagreed), "The conclusions were adequately supported by the information in the report" (19% disagreed), "The report contained statements not supported by evidence" (16% agreed), and "The report was assembled correctly" (18% disagreed).

The average or mean responses for the five global ratings for staff-versus contractor-investigators are shown in Figure 1. On all five of the global items, the mean ratings for the staff-prepared reports indicated a "satisfied" response; whereas, for the contractor-prepared reports, all five mean ratings were between "neutral" and "satisfied." A set of *t*-tests performed to compare staff and contractor means on each item revealed significant differences in satisfaction levels ($p < .05$) for four of the items. "Overall thoroughness of the report" was the only item for which the staff/contractor difference was not statistically significant.

⁶One might question the justifiability of comparing contractor- and staff-prepared reports on satisfaction with "The report's conclusions" given that a DCIC official, and not the contractor investigator, writes the conclusions. Because the DCIC official uses the information collected and presented in the report by the contractor investigator to formulate the conclusions, satisfaction with the conclusions reflects on both the DCIC official and the contractor.



*Denotes these items were significantly different.

Figure 1. Means for global ratings--Staff vs. Contractor.

Clearly, these results indicate that satisfaction was higher for staff than for contractor-handled cases. This was true for the global ratings of satisfaction as well as for the items assessing specific aspects of the reports. In the two areas found to be somewhat deficient for reports in general--"Organization and Presentation of the Report" and "Analysis/Evaluation of Evidence," there were more problems with contractor-prepared reports than with staff-prepared reports.

Survey Items in Relation to Global Satisfaction Ratings

Correlation coefficients⁷ were computed between the specific survey items and the global ratings of satisfaction with "the report as a whole" and "the investigation as a whole." This was done to determine the specific aspects of the reports that contributed most heavily to overall satisfaction. Each survey item correlated significantly ($p < .05$) with both global satisfaction ratings. The 10 items that were most highly associated with the "report as a whole" and "investigation as a whole" ratings are shown in Table 5. The 10 items correlating the most highly with satisfaction with the report as a whole were the same as the 10 most correlated with satisfaction with the investigation as a whole. The rank-order and magnitude of the associations

⁷A correlation coefficient reflects the degree of association between two variables. A correlation coefficient may vary between -1.00 and 1.00. A correlation of 1.00 indicates a perfect positive association between two variables. A correlation of -1.00 indicates a perfect negative association: as scores on one variable increase, scores on the other variable decrease. A correlation of zero indicates no association between the variables. A correlation between two variables does not necessarily imply a causal relationship between them.

were also similar, which is not surprising given that the correlation between the two global satisfaction ratings was .93.⁸

Table 5
Items Most Highly Correlated With Satisfaction With
"The Report as a Whole" and "The Investigation as a Whole"

Item	Report	Investigation
13. The conclusions were adequately supported by the information in the report.	.74	.73
15. The report contained inconsistencies not acknowledged by the investigator.	-.73	-.66
16. The report contained statements not supported by evidence.	-.71	-.72
3. The report was written clearly.	.67	.66
4. The report failed to link facts with their source.	-.67	-.64
14. The report lacked objectivity.	-.67	-.66
17. The report provided a full analysis comparing the responsible management official's (RMO's) testimony with the complainant's testimony.	.67	.62
2. The report was assembled correctly.	.60	.53
6. Not enough information was provided to fully answer all the issues accepted in the complaint.	-.56	-.51
12. Data about how the complainant was treated compared with other workers in the unit were insufficient.	-.55	-.56

Overall satisfaction with the reports and investigations was most strongly related to responses on: "The conclusions were adequately supported by the information in the report," "The report contained inconsistencies not acknowledged by the investigator," "The report contained statements not supported by evidence," and "The report was written clearly." Thus, it appears that analysis of evidence and writing style played a key role in influencing overall satisfaction.

Responses to Open-ended Questions

As described in the Method section, respondents were asked the following three open-ended questions: (1) What characteristic(s) of the report were the most helpful in allowing you to reach a conclusion?, (2) What characteristics(s) of the report caused you the most difficulty in reaching a conclusion, and (3) List ways in which the reports *in general* (not just this particular report) could be improved.

⁸It should be pointed out that assessments of "The report as a whole" and "The investigation as a whole" were not completely independent. A respondent's assessment of an investigation would, in most cases, have been based both on the report and on their memory of the investigation itself. (DEEOs and complaint managers typically serve as the investigator's point of contact.)

As is typical for surveys of this type, some respondents skipped the open-ended section of the survey entirely. For 87 percent of the surveys, at least one of the three open-ended questions was completed; for 52 percent, all three of the questions were completed. For each of these questions, the three answers or categories of answers given most frequently are reported here

Most Helpful Characteristics of Reports

The analysis of the evidence was mentioned most frequently as a characteristic of the report that helped respondents to reach a conclusion (e.g., "analysis of presence or absence of *prima facie*" and "analysis of the facts"). The next most frequently given answer related to testimony/affidavits (e.g., "The report included management's specific reasons for the termination of the complainant;" or "Inclusion of complainant's affidavit with supporting documentation"). The third most frequently mentioned characteristic pertained to overall thoroughness of the investigation (e.g., "The investigator was very complete" and "Enough information was gathered").

Characteristics of Reports Causing the Most Difficulty

Incomplete or faulty analysis of evidence was mentioned most frequently as a characteristic of reports causing difficulty for the respondent (e.g., "The logic of the Title VII analysis was poorly developed"). The second most frequently mentioned characteristic was overall lack of thoroughness of the investigation (e.g., "The issue was not fully investigated" and "The individual who actually made the selection was not interviewed"). The third most frequently mentioned characteristic was illegibility of the report. Some respondents stated that the binding of the reports made parts of each page impossible to read; others claimed that documents were illegible because of hard-to-read handwriting, or because of poor photocopying.

Ways in Which Reports Could be Improved

The most frequently given suggestion on how reports could be improved related to timeliness: respondents stated that the investigations should be conducted and the reports written within a much shorter time frame. The second most frequently given suggestion for improvement was greater thoroughness of the investigation, especially with regard to interviews and testimonial evidence (e.g., "Reports could address complainants' specific issues more thoroughly" and "More thorough testimony is needed"). The third most frequently given suggestion was to improve the analysis of evidence (e.g., "Facts brought up during the investigation need to be taken into consideration in the final analysis").

Many other suggestions for improvements were given by respondents. Some of these related to cosmetic features of the reports, such as: "Make sure all documents are legible," "It would be easier to follow if exhibits were in order," "Have someone check the content of the exhibits for consistency with the index," and "Type all affidavits--often, the handwriting is illegible." Other suggestions related to the way the reports are written, such as "list actions in chronological order as much as possible," and "Use more ordinary English and less 'legalese'." Several of the respondents recommended better training of investigators, such as "Ensure that all investigators are properly trained in collecting and analyzing facts," "More competent investigators," and "Better Title VII training of investigators."

The responses given to the final item of the survey asking for respondents' comments varied widely. Two ideas, however, expressed by a substantial number of the respondents are in line with responses to the main portions of the survey: (1) complaint investigations and reports take much too long to complete, and (2) reports prepared by staff investigators are better than those prepared by contractor investigators.

Complaint Resolution Opportunities

One additional result of this study, which was not part of the survey but emerged clearly from the interviews, was that many of the complaints could probably have been resolved during the informal part of the complaint process (i.e., before being filed formally). Several of the individuals interviewed expressed this belief, often giving examples of specific cases in which resolution opportunities apparently existed, but were left unexplored. This result, although peripheral to the stated goals of this study, was one of the study's most important and surprising findings.

DISCUSSION

The study's main objective, to develop and pilot test a survey for assessing the quality of complaint reports and investigations, was successfully fulfilled. The NIFF was found to be a useful instrument both for determining overall quality of reports and investigations and for identifying specific problem areas.

Overall, the results of the study indicate that satisfaction with the investigative reports generally was high. This is surprising and contradicts evidence gathered during the interview phase indicating that a substantial proportion of reports are of inadequate quality. It may be that the few poor reports were remembered much more vividly than the many good ones. This seems plausible, given that poor quality reports are likely to be much more salient than good ones since poor reports cause problems and extra work.

The reports' main problem areas related to the issues of organization/presentation and analysis of evidence. Even for these areas, however, satisfaction was fairly high.

This study clearly showed that respondents were more satisfied with reports prepared by staff investigators than those prepared by contractor investigators. This finding confirms an issue raised by many of the presurvey interviewees. During those interviews, the issue of why reports prepared by contractors are of lower quality than reports prepared by investigators was also raised. One suggestion for the lower quality of contractor-generated reports was that contractors, unlike in-house staff, are paid per report completed. Contractors, therefore, may be motivated to complete reports as quickly as possible, with less regard for quality and thoroughness. Another possibility is that contractor investigators may be less experienced than staff with the Navy's EEO complaint process and less familiar with the Navy's current policies and procedures. It is also possible that the respondents who completed the surveys were negatively biased against reports prepared by contractors, even before they reviewed the reports; this bias may have affected their satisfaction ratings.

The Navy's heavy reliance on contractor investigators and its method of paying contractors (per investigation, even if quality is low) may end up costing the Navy more in the long-term, due to the poorer quality of the contractors' investigations and reports. Thus, the short-term contractor

solution to Navy's lack of sufficient numbers of in-house investigators may result in long-term problems, as inadequate investigations and reports lead to a snowballing of processing costs for cases that could have and should have been resolved earlier. This study's results suggest that the Navy could raise the overall quality of reports by using more staff investigators and fewer contractors.

Several limitations of this study should be acknowledged. First, the number of surveys on which the results were based was fairly small; this means that caution should be exerted when drawing conclusions based on these results. A related point is that the sample for the present study was not random, but was instead a "convenience sample," drawn from a fairly short time frame (6 months). A final limitation is that the basis for evaluation of reports may not have been consistent across respondents. The results of the present study should therefore be interpreted with a degree of caution.

This study provides initial data on the quality of complaint reports that can be used as a baseline against which the future performance of investigators, both staff and contractors, can be tracked. It also provides the Navy with a brief, convenient instrument (the NIFF) for use in evaluating complaint investigations and reports on a continuous basis. Routine use of the NIFF would allow the performance of investigators to be assessed over time, the performance of different contractor organizations or different investigators to be compared, and would allow systematic weaknesses in the investigative process and reports to be identified. Routine use of this feedback instrument should help Navy managers and policy-makers to improve the EEO complaints processing system.

Additional research on the EEO complaint process is needed. Although the Navy stands to benefit from improved complaint investigation reports, it would benefit to a greater degree if more complaints were resolved before they became formal. It is important that resolution is achieved for all complaints that can reasonably be resolved (without infringing upon the rights of the parties involved) before they enter the costly and time-consuming formal stage of the complaint process. Several of the individuals interviewed for this study stated that a substantial proportion of the formal complaints that they were familiar with could probably have been resolved at an earlier stage. The reasons for failure to achieve a greater number of informal resolutions are presently unknown, but should be studied. In keeping with this point, the Secretary of the Navy set a goal in 1988 requiring that 90 percent of Navy's complaints be resolved during the informal counseling stage (see footnote 2); there are no indications that this goal will be achieved in the near future. During 1987, 1988, and 1989, between 15 and 20 percent of all complaints that resulted in a contact between an employee and an EEO counselor were filed formally.⁹ Determining the degree to which activities attempt to resolve complaints at the informal stage, and assessing the success or failure of the resolution strategies used could lead to a reduction in that percentage. Research is also needed on the types of complaints that typically do and do not get resolved at the informal stage. In addition, research is needed to determine the crucial differences that may exist between activities with high resolution rates and those with low rates of complaint resolution.

It is clear that much more can be done to improve the Navy's EEO complaint process. It is important that the Navy's EEO complaint process be of the highest quality so that instances of actual discrimination can be identified and remedied in a timely and accurate fashion. Doing so

⁹Personal communication with Ruth Lawhorn, Navy Civilian Personnel Center (NCPC), 5 April 1990.

should help ensure that the productivity and morale of the work force be maintained while fulfilling Navy's stated goal of providing an environment of equal opportunity for all of its employees.

CONCLUSIONS

1. Satisfaction with investigative reports was generally high--75 percent of the respondents were satisfied with the report as a whole.
2. The potential problem areas identified in the reports related to organization/presentation and analysis of the evidence.
3. Satisfaction was higher for reports prepared by in-house staff investigators than for reports prepared by contractor investigators.
4. The survey developed for this project, the NIFF, was found to be a useful instrument for assessing the quality of complaint investigations and reports.
5. Many EEO personnel believe that a large number of the discrimination complaints filed formally could have been resolved at an earlier (informal) stage.

RECOMMENDATIONS

1. The Navy could raise the overall quality of reports by using more staff investigators and fewer contractors.
2. It is recommended that the NIFF be used on an ongoing basis to assess the quality of complaint investigations and reports and to identify potential problem areas.
3. To achieve the Secretary of the Navy's goal of 90 percent resolution of complaints at the informal stage, further research aimed at achieving a greater number of early complaint resolutions should be conducted.

APPENDIX

NAVY EEO INVESTIGATIONS FEEDBACK FORM (NIFF)

EEO Investigations Feedback Form

Instructions: Answer the following questions by filling in the appropriate blanks.

SECTION 1

1. What is the ID number of this report? _____
2. What is your name? _____
3. What activity/command do you work for? (Give name and location.)

4. What is your current position? (Check all that apply.)

<input type="checkbox"/> Commanding Officer	<input type="checkbox"/> Employee relations specialist
<input type="checkbox"/> Executive Officer	<input type="checkbox"/> Legal counsel representative
<input type="checkbox"/> Deputy EEO officer	<input type="checkbox"/> Management official
<input type="checkbox"/> Complaints manager	<input type="checkbox"/> Other (specify) _____
5. Including this one, about how many completed EEO complaint reports have you read in the last 2 years?

6. About how much time (e.g. hours, minutes) did you spend reading or reviewing this report?

7. Which of the following describes the number of bases and issues for this complaint?
 - Single Basis, Single Issue
 - Single Basis, Multiple Issues
 - Multiple Bases, Single Issue
 - Multiple Bases, Multiple Issues

SECTION 2

Instructions: For each item below, indicate the degree to which you agree or disagree with each statement as it applies to this particular investigation and report by circling the appropriate number. Circle DK if you know very little about that aspect of the investigation/report.

Organization and Presentation of the Report	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Don't Know
1. One or more key documents were illegible.	1	2	3	4	5	DK
2. The report was assembled correctly.	1	2	3	4	5	DK
3. The report was written clearly.	1	2	3	4	5	DK
4. The report failed to link facts with their source.	1	2	3	4	5	DK
5. Exhibits were not referenced or were referenced incorrectly.	1	2	3	4	5	DK

Quality and Quantity of Evidence	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Don't Know
6. Not enough information was provided to fully answer all the issues accepted in the complaint.	1	2	3	4	5	DK
7. One or more key documents were omitted.	1	2	3	4	5	DK
8. The affidavit(s) taken from the complainant were sufficient.	1	2	3	4	5	DK
9. The affidavit(s) taken from the responsible management official (RMO) were sufficient.	1	2	3	4	5	DK
10. The report did not verify (cross-check) information obtained from the interviews.	1	2	3	4	5	DK
11. The report contained all the needed affidavits.	1	2	3	4	5	DK
12. Data about how the complainant was treated compared with other workers in the unit were insufficient. (Answer this question <u>only</u> if it was a disparate treatment case.)	1	2	3	4	5	DK

Analysis/Evaluation of Evidence

13. The conclusions were adequately supported by the information in the report.	1	2	3	4	5	DK
14. The report lacked objectivity.	1	2	3	4	5	DK
15. The report contained inconsistencies not acknowledged by the investigator.	1	2	3	4	5	DK
16. The report contained statements not supported by evidence.	1	2	3	4	5	DK
17. The report provided a full analysis comparing the RMO's testimony with the complainant's testimony.	1	2	3	4	5	DK

SECTION 3.

Instructions: For each item below, indicate the degree to which you are satisfied or dissatisfied with that aspect of *this particular investigation and report* by circling the appropriate number. Circle DK if you know very little about that aspect of the investigation/report.

	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Don't Know
1. Overall thoroughness of the report	1	2	3	4	5	DK
2. Quality of the analysis of the evidence	1	2	3	4	5	DK
3. The report's conclusion(s)	1	2	3	4	5	DK
4. The report as a whole	1	2	3	4	5	DK
5. The investigation as a whole (for this complaint)	1	2	3	4	5	DK

SECTION 4

1. What characteristic(s) of the report were the most helpful in allowing you to reach a conclusion?

a.

b.

c.

2. What characteristic(s) of the report caused you the most difficulty in reaching a conclusion?

a.

b.

c.

3. List ways in which the reports in general (not just this particular report) could be improved. (Try to list at least three.)

a.

b.

c.

4. Please use the space below to write any additional comments you may have, or attach them on a separate sheet.

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