

FOR WHOM THE BELL TOLLS

[Published in the August 15, 2004 issue of *Government Executive*, p. 8]

Shawn Zeller indicated in his article “Justice Delayed” (June 15) that in order for the federal sector discrimination process to improve, civil rights groups, federal agencies, unions and Congress all have to put aside their parochial concerns.

In order to improve the civil rights programs in the federal sector, Equal Employment Opportunity Commission Chairwoman Cari Dominguez has to collaborate with other stakeholders. Since getting to the EEOC, she has adopted a “my way or no way” attitude that has alienated civil rights champions.

On March 25, 2003, a coalition of civil rights and EEO executives, employee advocates, and other stakeholder groups submitted a letter to the commission on improving the federal EEO process. If Dominguez was serious about reforms, she had what she needed in this document.

Lately, Dominguez has resorted to indirect measures when she is unable to get what she wants through normal channels. For example, she asked contractors to submit plans for developing a national customer service center before securing designated funding from Congress. In addition, she has sanctioned a triage system for processing complaints in the EEOC’s Washington field office as of June 1. This will result in some complaints being dismissed without giving complainants an opportunity to supplement investigation reports through the discovery process. This system was implemented even though EEOC’s fiscal 2002 annual report indicated that the commission would use the Notice of Proposed Rulemaking system to announce reforms.

In addition, under her leadership, the EEOC has allowed its San Antonio district office to conduct telephone hearings, which can only harm complainants and agencies, since it is impossible for EEOC administrative judges to make credible determinations by phone.

This spring, without allowing agencies the opportunity to review or comment, the chairwoman hastily issued the Instructions to Federal Agencies for Equal Employment Opportunity Directive (MD-715). These instructions place agencies’ data collection at odds with that of the Office of Personnel Management, the Census Bureau and the Office of Management and Budget.

Dominguez tries to justify her proposals with sayings such as, “Justice Delayed is justice denied.” Civil rights stakeholders are against this philosophy and any reform that will expedite the processing of discrimination complaints while decreasing complainants’ rights (i.e., the ability to get a thorough investigation report from a federal agency, augment an investigation report through the discovery process and get an EEOC hearing).

It is ironic, when the nation is celebrating the 50th anniversary of the Supreme Court's historic decision on *Brown v. Board of Education* and the 40th anniversary of Title VII of the 1964 Civil Rights Act, that Dominguez seems to have engaged in a full-time campaign to decrease the civil rights of federal employees.

The NAACP Federal Sector Task Force is prepared to conduct demonstrations against the EEOC chairwoman's policies. We believe she is on the wrong track.

Someone should remind Dominguez of the famous saying from English poet John Donne: No man is an island, entire of itself; every man is a piece of a continent, a part of the main. We urge Dominguez to set aside her parochial views and join the civil rights struggle in America.

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