



U.S. Commodity Futures Trading Commission
OFFICE OF INSPECTOR GENERAL



Evaluation of CFTC's Anti-Harassment Program

Report No. 25-E-01

AUGUST 25, 2025



U.S. Commodity Futures Trading Commission
OFFICE OF INSPECTOR GENERAL

MEMORANDUM



TO: Caroline Pham, Acting Chairman
Kristin Johnson, Commissioner

FROM: Christopher Skinner, Inspector General

DATE: August 25, 2025

A handwritten signature in black ink, appearing to read "C. Skinner".

SUBJECT: OIG Evaluation of CFTC's Anti-Harassment Program (*CFTC 25-E-01*)

Enclosed is the evaluation report into CFTC's Anti-Harassment Program. The OIG evaluated whether the agency's anti-harassment procedures are following the standards established by the U.S. Equal Employment Opportunity Commission (EEOC). We used the Equal Employment Opportunity Management Directive 715 (MD-715) Part G Agency Self-Assessment Checklist to measure and assess the agency's efforts in preventing harassment.

CFTC has made significant efforts to meet federal compliance requirements for anti-harassment; however, opportunities exist to improve agency compliance. Accordingly, we identified three recommendations for the agency to improve program operations. Management concurred with the recommendations, and we have included its response in Appendix E.

The OIG requests that the agency work with the OIG liaison to complete a detailed plan of action and milestones (POA&M) for implementing the recommendations no later than September 25, 2025. The POA&M will provide the basis for quarterly follow-ups, which the OIG will track through closure.

We appreciate the cooperation and support received from CFTC personnel during the evaluation. If you have any further questions, please contact the OIG Assistant IG for Evaluations.



RESULTS IN BRIEF: Evaluation of the Anti-Harassment Program

Why the OIG Conducted this Evaluation

The effectiveness of federal agencies' policies and procedures regarding harassment or harassing conduct has permeated the media and resulted in multiple reviews conducted by the U.S. Government Accountability Office (GAO) and oversight committees. Specifically, congressional oversight committees and OIGs have identified numerous findings and recommendations that indicate significant deficiencies with anti-harassment and sexual harassment prevention policies and procedures including but not limited to lack of or quality of training, inconsistent or incomplete documentation for tracking complaints, and fear of formal or informal retaliation.

What the OIG Did

The OIG evaluated whether the agency's anti-harassment policies and procedures meet the standards established by the U.S. Equal Employment Opportunity Commission (EEOC). We used the Equal Employment Opportunity (EEO) Management Directive 715 (MD-715) Part G Agency Self-Assessment Checklist to measure and assess the agency's efforts in preventing harassment. During the evaluation, we found that the EEOC was concurrently reviewing the CFTC's anti-harassment policy for compliance, so we limited our review to evaluating the agency procedures for operation of the anti-harassment program.

What the OIG Found

CFTC has made significant efforts to meet federal compliance requirements for anti-harassment; however, opportunities exist to improve agency compliance. Specifically, the agency has not:

- Issued an explicit statement since 2023 reinforcing that all forms of harassment will not be tolerated.
- Offered periodic and mandatory anti-harassment training.
- Created a confidential reporting mechanism for individuals to submit complaints of harassment.
- Adhered to the MD-715-mandated timelines for starting investigations; additionally, complaint

response documentation lacks consistent data elements that could be used to assess trends.

In accordance with EEOC guidance, agencies must involve the highest level of leadership and provide sufficient program resources for agencies to be successful in establishing an effective program. Lack of compliance with MD-715 leaves the agency open to reputational damage and/or risk of potential litigation.

What the OIG Recommends

To improve compliance with EEOC standards, we identified the following three recommendations for the agency to address:

Recommendation 1: Issue and distribute to all employees, and prominently post an annual anti-harassment policy statement signed by the Chairman reinforcing:

- Harassment will not be tolerated,
- Certain conduct is prohibited,
- How to report harassment, and
- Consequences of engaging in harassment and retaliation.

Recommendation 2: Develop a plan to ensure a culture of accountability and commitment to the CFTC anti-harassment effort. The plan should:

- Include a schedule for training employees and supervisors and a consistent and repeatable mechanism to monitor attendance.
- Create a reporting mechanism to receive harassment complaints that ensures confidentiality.
 - Notify the workforce of this reporting mechanism.
- Develop procedures to ensure consistency in tracking complaints and documenting delays to EEOC-mandated timelines for sexual and non-sexual harassment claims.

Recommendations 3: Devote sufficient independent support to harassment prevention efforts to reinforce the credibility of leadership's commitment to creating a workplace free of harassment.

Management concurred with the recommendations.

Table of Contents

INTRODUCTION	4
Objective.....	4
Background.....	4
EVALUATION RESULTS	6
Opportunities to Improve Compliance	6
Leadership and Accountability	7
Periodic, Mandatory Training.....	8
Confidentiality of Complainants/Trust in the Process.....	8
10-Day Response Requirement	10
Commitment from Leadership.....	10
Reputational Damage and/or Risk of Litigation.....	11
RECOMMENDATION 1.....	12
RECOMMENDATION 2.....	12
RECOMMENDATION 3.....	13
APPENDIX A. Table of Recommendations	14
APPENDIX B. Scope and Methodology	15
Scope.....	15
Methodology.....	15
APPENDIX C. Criteria	16
APPENDIX D. Prior Audit and Evaluation Coverage.....	17
APPENDIX E. Management Comments	19

INTRODUCTION

Objective

The Office of Inspector General (OIG) Evaluations Division conducted this evaluation to assess whether the agency's anti-harassment policies and procedures between 2023 to the present meet the standards and guidance established by the U.S. Equal Employment Opportunity Commission (EEOC).

Background

The effectiveness of federal agencies' policies and procedures regarding harassment or harassing conduct has permeated the media and resulted in multiple reviews conducted by the U.S. Government Accountability Office (GAO) and several oversight committees. Specifically, congressional oversight committees and OIGs have identified numerous findings and recommendations that indicate significant deficiencies with anti-harassment and sexual harassment prevention policies and procedures including but not limited to lack of or quality of training, inconsistent or incomplete documentation for tracking complaints, and fear of formal or informal retaliation.

In Fiscal Year (FY) 2003, the EEOC issued EEO Management Directive 715 (MD-715), which establishes management practices for model EEO programs, including the requirement for issuing policies and procedures to address all forms of harassment.¹ Thus, federal agencies are tasked to create a work environment that is free from sexual and non-sexual harassment.²

Harassment is a form of employment discrimination that violates Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, and the Americans with Disabilities Act of 1990. EEOC defines harassment as unwelcome conduct that is based on race, color, religion, sex (including sexual orientation, transgender status, or pregnancy), national origin, older age (beginning at age 40), disability, or genetic information (including family medical history).³

It is also illegal to harass someone because they have complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.⁴ Harassment can take the form of verbal slurs, graffiti, offensive or derogatory comments, or other verbal or physical conduct.⁵ Sexual harassment (including unwelcome sexual advances, requests for sexual favors, and other conduct of a sexual nature) is also unlawful. Although the law does not prohibit simple teasing, offhand comments, or isolated incidents that are not very serious, harassment is illegal if it becomes so frequent or severe that it creates a hostile or offensive work environment or if it results in an adverse employment decision (such as the victim being terminated or demoted).

¹ See [Section 717 of Title VII, Management Directive 715, October 1, 2003](#).

² *Id.*

³ [EEOC on Harassment](#).

⁴ See [42 USC § 2000e-3](#).

⁵ See [U.S. EEOC Enforcement Guidance on Harassment in the Workplace; EEOC-CVG-2024-1, April 29, 2024](#).

It is important to note that the Equal Employment Opportunity (EEO) and anti-harassment programs do not exist for the same purpose. The EEO process is designed to repair individuals that have experienced discrimination and to prevent the recurrence of unlawful discriminatory conduct. Repair efforts may include monetary awards and court-ordered actions that seek to resolve a legal dispute through other means (such as injunctions, specific performance, etc.).⁶

However, the EEO process cannot require an agency to discipline its employees. The anti-harassment program is intended to take immediate and appropriate corrective action, including the use of disciplinary actions, to eliminate harassing conduct regardless of whether the conduct violated the law. Ultimately, according to the EEOC, the key objective of the anti-harassment program is to prevent harassing conduct before it can become “severe or pervasive.”⁷

The MD-715 requires agencies to manage an effective anti-harassment program, and states that agencies should develop a comprehensive policy to prevent and address harassment on all protected bases. This policy should:

- Establish separate procedures outside of the EEO complaint process;
- Require prompt inquiry of all harassment allegations to prevent or eliminate conduct before it rises to the level of unlawful harassment;
- Establish a firewall between the EEO Director and the Anti-Harassment Coordinator to avoid conflicts of interest, and;
- Ensure EEO office informs the Anti-Harassment Coordinator of all EEO counseling activity alleging harassment.

Agencies must also have an effective and accurate data collection system in place to evaluate its program. This system must have the ability to accurately collect, monitor, and analyze complaint data, employee demographic data, applicant flow data, recruitment activities, reasonable accommodation requests, and allegations of harassment.⁸

The CFTC anti-harassment program was established in 2023 with the CFTC Policy and Procedure signed in 2023. Prior to 2023, all harassment complaints were processed through the EEO Office or Employee Relations (ER). When considering the scope and methodology for this evaluation, the OIG used the MD-715’s Part G Agency Self-Assessment Checklist to measure the agency’s efforts to prevent harassment and address offensive conduct before it becomes severe or pervasive. The checklist is a series of questions designed to provide federal agencies with an effective means for conducting the annual self-assessment required by MD-715, annually submitted to the EEOC.

To address the objective, we considered the roles and responsibilities of the anti-harassment team within the Division of Administration, Human Resources Branch, Workforce Relations (DA-HRB (WRS)). Additionally, we evaluated connections between this team and other components of the agency that play a key role in harassment policy decision-making, processing of cases, and responding to EEOC requirements.

⁶ [Model EEO Programs Must Have an Effective Anti-Harassment Program.](#)

⁷ *Id*

⁸ See E.4.a, [MD-715, Part G Agency Self-Assessment Checklist.](#)

We declined to evaluate whether the policy meets EEOC requirements, since at the time of this evaluation, EEOC was concurrently conducting their technical review of the policy. Thus, we evaluated the procedures of the anti-harassment program from 2023 to present to ensure it met policy requirements.

We also benchmarked with the Department of Defense (DoD) Office of the Inspector General and the Federal Election Commission (FEC) to compare functionally where the program resides within the organizational structure and what specific procedures were used to enforce EEOC requirements.⁹ For additional information on the scope and methodology for this evaluation, please see Appendix B.

EVALUATION RESULTS

Opportunities to Improve Compliance

CFTC has made significant efforts to meet federal EEOC requirements for anti-harassment; however, opportunities exist to improve compliance. Agency leadership has not consistently demonstrated commitment to, or accountability for, the anti-harassment effort—evidenced by no recent statement from senior leadership affirming the commitment to a harassment-free workplace, no recent training to educate the workforce on prohibited conduct, no reporting mechanism for complainants to ensure confidentiality, no oversight of the program to ensure EEOC-mandated timelines are met, and no independent support to the anti-harassment effort. Lack of compliance with the law leaves the agency open to reputational damage and/or risk of litigation.

After publication of the policy and procedure for anti-harassment efforts and assigning two human resource specialists to the program, CFTC leadership also obtained contracted services to support harassment investigations and received budgetary approval for an additional full time equivalent (FTE) to provide support to the anti-harassment program. However, the assigned contractor supports other non-harassment efforts in addition to the harassment efforts, and the FTE position has been advertised, but not hired.

Despite the positive efforts to establish an effective anti-harassment program, opportunities exist to improve agency compliance with EEOC requirements. Specifically, we identified the following during the evaluation. The agency has not:

- Issued an explicit statement reinforcing that all forms of harassment will not be tolerated since 2023.
- Offered periodic and mandatory anti-harassment training.
- Created a confidential reporting mechanism for individuals to submit complaints of harassment.
- Adhered to the MD-715-mandated timelines for starting investigations; additionally, complaint response documentation lacks consistent data elements that would normally be used to assess trends.

⁹ While each federal agency is subject to its own unique regulations, OIGs sometimes benchmark with other organizations to understand similar challenges faced by the program under evaluation and to identify best practices.

Leadership and Accountability

The MD-715 mandates responsibilities for federal agencies with respect to establishing and maintaining model EEO programs (which includes an agency's anti-harassment effort). MD-715 states that demonstrated commitment and accountability from agency leadership are essential to a model federal agency EEO program.

Further, the MD-715 requires agency heads to issue at the beginning of their tenure and thereafter annually, a policy statement expressing their commitment to equal employment opportunity and a workplace free of discriminatory harassment. EEOC recommends that federal agency heads and senior agency leadership issue and distribute to all employees an annual anti-harassment policy statement signed by the agency head stating that:

- Harassment will not be tolerated,
- Type of conduct that is prohibited,
- How to report harassment, and
- Consequences of engaging in harassment and retaliation.

The statement should be posted in an electronic, accessible form readily available to all employees (including those with disabilities) at all component and sub-component levels.

The CFTC incorporated this best practice when the program was first established in 2023; issuance of a statement for 2025 could serve to highlight the agency's re-established commitment to the program and update the workforce on any updates to the program since its inception.

Connections in Oversight

Multiple agencies, including National Institute of Health (NIH), Department of Justice (DOJ), Architect of the Capitol, and the Federal Reserve reported issues with fear of retaliation or confirmed retaliation from 2015-2023.

- NIH Workplace Climate and Harassment Survey Summary Findings Report; Preparer: ICF Next; September 2020. *(Last accessed online December 3, 2024.)*
- Department of Justice (DOJ), ["Report and Recommendations of the Sexual Harassment Steering Committee Concerning the Department of Justice's Sexual Misconduct Policies and Procedures,"](#) January 20, 2023.
- Architect of the Capitol, Office of the Inspector General, ["Follow-Up Evaluation of the Congressional Request for Architect of the Capitol's Response to Sexual Harassment,"](#) OIG-FLD-2022-01, June 1, 2023.
- The Federal Reserve Office of the Inspector General, ["The Board can Enhance its Diversity and Inclusion Efforts,"](#) 2015-MO-B-006, March 31, 2015.

Periodic, Mandatory Training

The MD-715 requires employees and management to understand what conduct is prohibited and how to prevent and correct it to help prevent and properly address harassment. The EEOC Select Task Force¹⁰ noted that effective training can reduce workplace harassment and that ineffective training can be counterproductive. The CFTC has not offered training since 2023 to the workforce, including supervisors and managers. During the evaluation, we identified that a CFTC contractor developed content for the training, but the agency has not scheduled formal training for the workforce.

According to the agency’s policy, it is the role and responsibility of the DA-HRB (WRS) to work with the EEO Office to ensure that all individuals receive periodic training concerning the prevention of harassment or offensive conduct, and that managers are separately trained to address complaints of alleged harassment or offensive conduct.

Confidentiality of Complainants/Trust in the Process

The MD-715 requires agencies to designate multiple channels to report allegations of harassment and to provide assurance that agency representatives will keep the identity of individuals who report harassment, alleged victims, witnesses, and alleged harassers confidential to the extent possible.

The agency-published procedure provides that individuals may report allegations of harassment to:

- The supervisor of the employee engaging in the alleged harassment or offensive conduct;
- Any supervisor or other management official;
- DA-HRB (WRS) staff or by emailing the human resources email account;
- Office of Equal Employment Opportunity (OEEO);
- OIG.

¹⁰ The Select Task Force on the Study of Harassment in the Workplace was established by the EEOC in 2015. The Select Task Force consisted of a select group of outside experts including management and plaintiffs’ attorneys, representatives of employee and employer advocacy groups, labor representatives, sociologists, psychologists, and experts in organizational behavior. These experts were impaneled to examine harassment in the workplace—its causes, effects, and what can be better done to prevent it. The [report](#) from the Select Task Force was published in June 2016.

Connections in Oversight

Securities Exchange Commission (SEC)

Oversight findings from an SEC review indicated a failure to provide timely training due to ‘employee turnover and other competing priorities.

SEC OIG, “[Opportunities Exist to Strengthen the SEC’s Office of Equal Employment Opportunity Programs and Operations](#)”; Report No. 581; January 29, 2024.

National Institute of Health (NIH)

Findings from the NIH underscore the EEOC requirement for training of supervisors—NIH survey responses to sexual harassment indicated employees were aware of NIH policies and procedures on harassment, however, many respondents indicated their supervisors do not consistently respond appropriately in cases of harassment and do not universally implement recommended anti-harassment activities.

NIH, “[NIH Workplace Climate and Harassment Survey Summary Findings Report](#),” September 2020. (Last accessed online December 3, 2024.)

During the evaluation, the team obtained evidence indicating that at least five individuals mistakenly had access to the human resources email account that was being used for intake of harassment complaints.

Those individuals consisted of employees that had departed from the agency, that were no longer assigned to address harassment inquiries, and employees that had other responsibilities besides harassment. This email inbox was used as an all-inclusive resource for workforce relation issues such as telework applications, work schedules and reasonable accommodation requests. The OIG notified the agency of the access rights concerns and DA-HRB (WRS) immediately corrected the issue.

To ensure this does not impede any future reporting of harassment or offensive behavior, the agency should create a reporting mechanism such as a separate email account dedicated only for reporting claims of harassment or offensive conduct.

Alternatively, the agency could explore options to implement an electronic portal, separate from the agency email server, to receive claims of harassment or offensive conduct.

One related best practice that we identified during benchmarking efforts was that employees (and contractors) may create a generic commercial email such as ‘concernedemployee_29@yahoo.com’ to submit complaints anonymously when agencies do not have a mechanism for reporting anonymously, or in this case, to further ensure their confidentiality.

Connections in Oversight

Government Accountability Office (GAO)

GAO reported on the Department of Defense (DoD)’s tracking, response, and training for DoD Civilians on sexual harassment and assault that DoD was providing limited guidance on tracking reported sexual assaults involving DOD civilians. GAO noted this hinders DOD’s visibility across the department.

Without guidance on specific data elements to be collected, such as the status of the victim, alleged offender, actions taken by DoD in response, and common definitions for those elements, GAO noted DoD will continue to have limited visibility over such assaults and the impact on the workforce.

Further, DoD will continue to lack comparable data from which to identify and assess trends involving its civilian workforce, recommend sexual assault policy and program efforts, and inform civilian-specific prevention efforts across all components.

GAO, “[Sexual Harassment and Assault, Guidance Needed to Ensure Consistent Tracking, Response, and Training for DoD Civilians](#),” February 2021.

10-Day Response Requirement

The EEOC requires agencies to conduct a prompt inquiry (beginning within 10-days of notification) of all harassment allegations, including those initially raised in the EEO complaint process and then passed to the anti-harassment program. The agency is currently not meeting the 10-day requirement for initiating investigations; additionally, complaint response documentation lacks consistent data elements that could be used to assess trends, which would allow the agency to periodically assess harassment risk factors and enable the agency to take appropriate preemptive steps to address and eliminate those factors.

Both the agency policy and procedure require a prompt inquiry, noting specifically that upon receiving the report of the alleged harassment or offensive conduct, DA-HRB (WRS) staff will schedule an intake call within two business days. According to the metrics provided by the agency through the use of an Excel spreadsheet, neither the two-day requirement for scheduling intake calls nor the EEOC 10-day requirement for initiating an investigation are consistently being met.

Oversight procedures should be developed to ensure EEOC-mandated timelines for anti-harassment complaints are met. The agency could explore options to implement an electronic portal, separate from the agency email server, to receive claims of harassment or offensive conduct and set deadlines to ensure compliance.

Commitment from Leadership

Leadership has not consistently demonstrated commitment to, or accountability for, the anti-harassment effort—evidenced by no recent statement from senior leadership affirming the commitment to a harassment-free workplace, no recent training to educate the workforce on prohibited conduct, no reporting mechanism for complainants to ensure confidentiality, no oversight of the program to ensure EEOC-mandated timelines are met, and no independent support to the anti-harassment effort.

The MD-715 specifies that agency heads are responsible for ensuring compliance with MD-715 and other guidance issued by EEOC. The CFTC Policy on Anti-Harassment further reiterates the Chairman's role and responsibility is to provide necessary support and leadership to ensure accountability for taking action to prevent and eliminate harassment or offensive conduct in the workplace.

Currently, there is no independent support to the anti-harassment effort. Specifically, the evaluation identified that two Human Resources Branch specialists support the anti-harassment program and other human resource matters including but not limited to reasonable accommodations, bargaining unit determinations, workers' compensation claims, employee leave administration, approvals of emails that alert the workforce to agency operations and changes, and policy and procedure drafting and staffing. Additionally, the contractor that assists with anti-harassment investigations is also responsible for assisting with reasonable accommodation requests.

The lack of independent support to the anti-harassment effort coupled with the comingling of other DA-HRB (WRS) matters creates inherent timeline and prioritization conflicts.¹¹

The EEOC Select Task Force recommended that employers should devote sufficient resources to harassment prevention efforts, both to ensure that such efforts are effective, and to reinforce the credibility of leadership's commitment to creating a workplace free of harassment.¹² Further, the EEOC Select Task Force noted that workplace culture has the greatest impact on allowing harassment to flourish, or conversely, in preventing harassment. The importance of leadership cannot be overstated—effective harassment prevention efforts, and workplace culture in which harassment is not tolerated, must start with and involve the highest level of management.

Observation

The EEOC Select Task Force identified that several large companies had begun to hold their employees accountable by establishing and enforcing an enterprise code of conduct, and when employees violated the code of conduct, they were no longer permitted to do business with the enterprise. This may be interesting to consider as a best practice since many federal agencies have established a code of conduct for their employees.

Reputational Damage and/or Risk of Litigation

Lack of compliance with the MD-715 leaves the agency open to reputational damage and/or risk of litigation. Harassment cases may create additional legal costs to employers including time, energy and resources that are diverted from employment to legal representation, settlements, litigation, court awards, and damages.

For example, in July 2024, a staffing services company was ordered to pay \$500,000 and furnish injunctive relief to settle an EEOC sexual harassment and retaliation lawsuit.¹³ The suit also charged that the business failed to take appropriate corrective measures after receiving complaints about the harassment. The judge in this case required the business to undergo direct monitoring by the EEOC, educate temporary workers on their Title VII rights, train management and human resources representatives on how to prevent and correct harassment, and required the business to track complaints and communicate with complainants as harassment complaints arise to ensure appropriate corrective action is taken.

¹¹ According to research, multitasking can impair cognitive abilities such as memory, focus, and decision-making. For example, Rubinstein, Meyer, and Evans discovered that task-switching might cost up to 40% of a person's productive time due to the cognitive load of moving between tasks. Hasan, Md., *Digital multitasking and hyperactivity: unveiling the hidden costs to brain health*, Ann. Med. Surg. (Lond.) 2024; 86(11):6371-6373, citing Rubinstein JS, Meyer DE, Evans JE. *Executive control of cognitive processes in task switching*. J Exp Psychol Hum Percept Perform 2001; 27:763–797. [Digital multitasking and hyperactivity: unveiling the hidden costs to brain health - PMC](#)

¹² See [Select Task Force on the Study of Harassment in the Workplace | U.S. Equal Employment Opportunity Commission](#).

¹³ EEOC Press Release, March 12, 2024.

Harassment cases also involve high costs to its victims as they can experience mental, physical, and economic harm. Workplace harassment can decrease productivity, increase turnover, and cause reputational harm.¹⁴ Additionally, personal damage may come from employees who endure but never report harassment, as well as coworkers and anyone else who witnesses or perceives harassment in the workplace.

Studies have also linked sexual harassment specifically to negative effects on a firm's ability to attract employees.¹⁵ Whereas fostering an organization's image through internal brand strategies aimed at alleviating workplace sexual harassment may lead to the attraction and retention of qualified employees.

RECOMMENDATION 1

For the Director, Office of Equal Employment Opportunity in coordination with the Chief Human Capital Officer:

Issue and distribute to all employees, and prominently post an annual anti-harassment policy statement signed by the Chairman reinforcing:

- Harassment will not be tolerated,
- Certain conduct is prohibited,
- How to report harassment, and
- Consequences of engaging in harassment and retaliation.

Management Comments

Management concurred with the recommendation. As a part of their response, management indicated they will undertake a policy review that includes benchmarking existing policy with similar agencies as well as incorporating recommendations from the EEOC. Once this update is completed, the Chairman will issue an anti-harassment policy statement to the workforce.

OIG Response

Management comments were responsive to the recommendation. OIG will close the recommendation once the updated statement has been issued to the workforce.

RECOMMENDATION 2

For the Chief Human Capital Officer:

Develop a plan to ensure a culture of accountability and commitment to the CFTC Anti-Harassment effort. The plan should:

- Include a schedule for training employees and specific training for supervisors and develop a consistent and repeatable mechanism to monitor attendance.
- Create a reporting mechanism to receive harassment complaints that ensures confidentiality of employees who choose that path of reporting.

¹⁴ [Select Task Force on the Study of Harassment in the Workplace](#); Report of Co-Chairs Chai R Feldblum and Victoria A. Lipnic; June 2016.

¹⁵ See, e.g., [Jeremy Sierra et al., Brand Response-Effects of Perceived Sexual Harassment in the Workplace, 14 J. of Bus. & Mgmt. 157, 2008](#) and [John Sullivan, Measuring Employment Brand, 2 Strategic Hum. Res. Rev. 7 2003](#).

- The workforce should be notified of the confidentiality provided by the establishment of this reporting mechanism.
- Develop procedures to ensure consistency in tracking complaints and documenting delays to EEOC-mandated timelines for sexual and non-sexual harassment claims processed by the CFTC Anti-Harassment team.

Management Comments

Management concurred with the recommendation. Management indicated that starting in the fall of 2025, the agency will provide annual, mandatory anti-harassment training for employees and supervisors and will track attendance through the Commission Learning Academy. Additionally, the agency will incorporate anti-harassment training into the new employee orientation curriculum.

Management has established a new mailbox that is accessible only to those who handle harassment investigations. This mailbox update has been added to the anti-harassment policy and procedure on CFTC.net and will also be advertised in the statement issued as part of Recommendation 1.

Additionally, management stated they are evaluating how to leverage an automated workflow process to support their ability to meet investigative timelines and better track complaints and document delays.

OIG Response

Management was responsive to the recommendation. OIG will close this recommendation once mandatory attendance has been confirmed for the training in the fall of 2025 and once material for the new employee orientation curriculum is included. Additionally, OIG should receive a copy of the statement issued for Recommendation 1 with the mailbox update. Lastly, to close this recommendation, OIG must receive or view the new, automated workflow process to confirm investigative timelines are being met and/or properly documented.

RECOMMENDATION 3

For the Chief Human Capital Officer:

Devote sufficient independent support to harassment prevention efforts to reinforce the credibility of leadership's commitment to creating a workplace free of harassment.

Management Comments

Management concurred with the recommendation and stated they will conduct an assessment of resources and ensure that roles and responsibilities are clear and that work is performed in a timely manner. Additionally, management will use existing resources to develop an automated workflow solution to enhance case tracking and streamline program administration.

OIG Response

Management was responsive to the recommendation. OIG will close this recommendation once the assessment is submitted and clearly shows that the intent of the recommendation has been achieved.

APPENDIX A. Table of Recommendations

Recommendations	Management Response	Status	Description of Benefits
<p>For the Director, Office of Equal Employment Opportunity in coordination with the Chief Human Capital Officer:</p> <p>Issue and distribute to all employees, and prominently post an annual anti-harassment policy statement signed by the Chairman reinforcing:</p> <ul style="list-style-type: none"> • Harassment will not be tolerated, • Certain conduct is prohibited, • How to report harassment, and • The consequences of engaging in harassment and retaliation. 	Management was responsive to the recommendation.	Open	Nonmonetary. Should decrease probability of reputational damage and risk of litigation.
<p>For the Chief Human Capital Officer:</p> <p>Develop a plan to ensure a culture of accountability and commitment to the CFTC anti-harassment effort. Plan should:</p> <ul style="list-style-type: none"> • Include a schedule for training employees and specific training for supervisors and management and develop a mechanism to monitor attendance. • Create a reporting mechanism to receive harassment complaints that ensures confidentiality of employees who choose that path of reporting. <ul style="list-style-type: none"> ○ The workforce should be notified of the confidentiality provided by the establishment of this reporting mechanism. • Develop procedures to ensure consistency in tracking complaints and documenting delays to EEOC-mandated timelines. 	Management was responsive to the recommendation.	Open	Nonmonetary. Should decrease probability of reputational damage and risk of litigation.
<p>For the Chief Human Capital Officer:</p> <p>Devote sufficient independent support to harassment prevention efforts to reinforce the credibility of leadership's commitment to creating a workplace free of harassment.</p>	Management was responsive to the recommendation.	Open	Nonmonetary. Increases commitment by leadership and alleviates need for reprioritization.

APPENDIX B. Scope and Methodology

Scope

- *Topical Scope.* This evaluation assessed the agency's Anti-Harassment Program's policies and procedures, resourcing, the Anti-Harassment Program's breadth of responsibility and authorities, and oversight measures.
- *Organizational Scope.* The organizational scope of this inspection included the agency's Anti-Harassment Program and organizations that interact with or provide support to the Anti-Harassment Program including the Office of Equal Employment Opportunity (OEEO).

Methodology

- The evaluation team reviewed all related Federal and agency policies and laws governing anti-harassment policy and programs related to the objective of this inspection from the inception of the program in 2023 to the present.
- The evaluation team interviewed key CFTC OEEO and DA-HRB (WRS) personnel.
- The evaluation team benchmarked with the Federal Elections Committee (FEC) and Department of Defense Office of Inspector General (DoD OIG). One best practice for training was identified and is noted in the report.
- The evaluation team also reviewed previous oversight findings from various government agencies.
- The evaluation team coordinated with EEOC for their technical review of the CFTC EEO program.

This evaluation was conducted in accordance with the Quality Standards for Inspections and Evaluations of the Council of the Inspectors General for Integrity and Efficiency, December 2020.

APPENDIX C. Criteria

Federal Requirements on Anti-Harassment

- 29 C.F.R. Part 1614, Federal Sector Equal Employment Opportunity, April 10, 1992.
- Equal Employment Opportunity Commission (EEOC) Management Directive 715, Effective October 1, 2003.
- 5 CFR Part 2635, Standards of Ethical Conduct for Employees of the Executive Branch, February 28, 2025.
- EEOC-CVG-2024-1, Enforcement Guidance on Harassment in the Workplace, April 29, 2024.
- Instructions to Federal Agencies for MD-715 Section I: The Model EEO Program.

Agency Standards

- APP-250.1-POL, CFTC Policy: Anti-Harassment, July 24, 2023.
- APP-250.1-PRO, CFTC Procedure: Anti-Harassment, July 24, 2023.
- CFTC Procedure: Alternative Dispute Resolution, March 13, 2015.

APPENDIX D. Prior Audit and Evaluation Coverage

- U.S. Senate Letter to IG Christopher Skinner from Ranking Member for the Committee on the Budget, Charles E. Grassley; via electronic transmission; November 5, 2024.
- National Science Foundation (NSF) OIG, “Review of NSF’s U.S. Antarctic Program Sexual Harassment Prevention and Response,” OIG 24-3-002, September 24, 2024.
- U.S. Senate Committee on Homeland Security and Government Affairs, Coast Guard, August 7, 2024.
- Federal Deposit Insurance Corporation (FDIC) Office of the Inspector General, “The FDIC’s Sexual Harassment Prevention Program,” EVAL-24-05, July 2024.
- US Government Accountability Office (GAO), “U.S. Equal Employment Opportunity Commission (EEOC): Improved Oversight Processes Needed to Help Agencies Address Program Deficiencies,” Report to the Ranking Member, Committee on Oversight and Accountability, House of Representatives; GAO-24-105874, June 13, 2024.
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¹⁶ Last accessed online December 3, 2024.

APPENDIX E. Management Comments



U.S. COMMODITY FUTURES TRADING COMMISSION
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MEMORANDUM

TO: Christopher Skinner
Inspector General

FROM: Jeffrey Sutton
Executive Director

DATE: August 22, 2025

SUBJECT: Management Comments to the OIG Evaluation of the CFTC's Anti-Harassment Program

The Commodity Futures Trading Commission (CFTC) management appreciates the opportunity to review and comment on the *Evaluation of the CFTC's Anti-Harassment Program (Evaluation)* prepared by the CFTC's Office of the Inspector General (OIG). The following comments respond to the recommendations in the *Evaluation*.

RECOMMENDATION 1: Issue and distribute to all employees, and prominently post an annual anti-harassment policy statement signed by the Chairman reinforcing:

- Harassment will not be tolerated,
- Certain conduct is prohibited,
- How to report harassment, and
- Consequences of engaging in harassment and retaliation

Management's Response: The CFTC is committed to promoting a workplace culture rooted in respect and integrity and free from harassment. An important part of this effort is ensuring the agency's anti-harassment policy remains effective and aligns with current best practices. As such, the CFTC will undertake a policy review that includes benchmarking existing policy with comparator agencies as well as incorporating recommendations from the Equal Employment Opportunity Commission (EEOC). The goal is to identify any gaps and incorporate evolving standards. Once the policy update is completed, the Chairman will issue an anti-harassment policy statement to the workforce.

RECOMMENDATION 2: Develop a plan to ensure a culture of accountability and commitment to the CFTC Anti-Harassment effort. The plan should:

- Include a schedule for training employees and specific training for supervisors and management and develop a mechanism to track attendance.
- Create a reporting mechanism to receive harassment complaints that ensures confidentiality of employees who choose that path of reporting.
 - The workforce should be notified of the confidentiality provided by the establishment of this reporting mechanism.
- Develop procedures to ensure consistency in tracking complaints and documenting delays to EEOC-mandated timelines.

Management's Response: The CFTC is committed to maintaining an effective and timely anti-harassment program that fully complies with EEOC-mandated requirements. As noted in OIG's report, the CFTC offered anti-harassment training on a voluntary basis for employees and supervisors, via Teams, on December 12, 2023, and December 13, 2023, respectively. While the CFTC did not track attendance at the time of the event, the agency was able to pull the attendance information through Teams.

Starting in the fall of 2025, the agency plans to provide an annual, mandatory anti-harassment training for employees and supervisors and will track attendance through the Commission Learning Academy. In addition, the agency will incorporate anti-harassment training into the new employee orientation curriculum. Furthermore, HRB is evaluating how best to leverage an automated workflow process to support their ability to meet investigative timelines and better track complaints and document delays.

To keep harassment complaints confidential, the CFTC has established a new mailbox that is accessible only to those who handle harassment investigations. The anti-harassment policy and procedures documents on CFTCnet has been updated to reflect this new mailbox. Also, this mailbox will be advertised as part of the Chairman's anti-harassment statement referenced in recommendation #1 response.

RECOMMENDATION 3: Devote sufficient independent support to harassment prevention efforts to reinforce the credibility of leadership's commitment to creating a workplace free of harassment.

Management's Response: Management is going to conduct an assessment of resources and ensure that roles and responsibilities are clear and that work is performed in a timely manner. In addition, to strengthen implementation of the program, the CFTC is using existing resources to

Christopher Skinner, Inspector General

August 22, 2025

Page 3

develop an automated workflow solution to enhance case tracking and streamline program administration.

In closing, the CFTC sincerely appreciates the opportunity to comment on this *Evaluation* and looks forward to working with the OIG in the future. Please let me know if you have any questions about these comments.

