

U.S. Postal Service's Response to Sexual Harassment Complaints

AUDIT REPORT

Report Number 21-173-R23 | January 9, 2023

A photograph of a desk with a "Sexual Harassment Complaint Form" in the foreground. A blue pen with a textured grip lies across the bottom of the form. A silver stapler is positioned at the top of the form. The background is a wooden desk surface.

Sexual Harassment Complaint Form

By signing and submitting this Sexual Harassment Complaint Form, I certify that the information provided is true and accurate and contains no false or misleading representations, or omissions of material facts. I understand that this information may be used for verification, conduct a background check, and for all information for consideration to this position. I understand that this information may be used for verification, conduct a background check, and for all information for consideration to this position. I understand that this information may be used for verification, conduct a background check, and for all information for consideration to this position.

First

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Highlights

Background

The mission of the U.S. Postal Service is to provide the American public with trusted, affordable, and universal mail service. The Postal Service employs 653,167 career and noncareer employees to carry out its mission. To ensure its employees are working in safe conditions and are compliant with applicable laws and regulations, the Postal Service has policies in place to promote safety and a workplace free of all harassment, including sexual harassment.

Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964. The Postal Service has established several methods for employees to report sexual harassment complaints. The offices responsible for accepting and responding to employee sexual harassment complaints include Human Resources, Labor Relations, and Equal Employment Opportunity Compliance and Appeals.

What We Did

Our objective was to evaluate the Postal Service's response to sexual harassment complaints involving Postal Service employees. Specifically, we assessed policies and procedures related to handling sexual harassment complaints and the quality of sexual harassment data and identified trends in the data for cases closed between fiscal year (FY) 2019 and FY 2021.

What We Found

We found that the Postal Service may not have a complete picture of the extent to which sexual harassment goes unreported to management or through the Equal Employment Opportunity process. We also found that data related to certain sexual harassment complaints is unreliable. Additionally, we found that while the Postal Service has made significant efforts to meet federal Equal Employment Opportunity Commission requirements for responding to sexual harassment, opportunities for improvement exist in how the agency reviews complaints submitted through its Equal Employment Opportunity complaint process. Further, we found that an overwhelming majority of managers who conducted the Initial Management Inquiry Process, used to respond to harassment complaints, had not completed required training. The same was true for personnel responsible for recording harassment data into the Workplace Environment Tracking System.

Recommendations

We made six recommendations, including that management periodically conduct an employee-wide survey to assess the extent to which sexual harassment is not reported to the Postal Service and evaluate the effectiveness of the Postal Service's anti-harassment policies and procedures.

Transmittal Letter



OFFICE OF INSPECTOR GENERAL
UNITED STATES POSTAL SERVICE

January 9, 2023

MEMORANDUM FOR: DOUGLAS TULINO
DEPUTY POSTMASTER GENERAL & CHIEF HUMAN RESOURCE
OFFICER

THOMAS BLUM
VICE PRESIDENT, ACTING, LABOR RELATIONS

SIMON STOREY
VICE PRESIDENT, HUMAN RESOURCES

THOMAS MARSHALL
GENERAL COUNSEL AND EXECUTIVE VICE PREIDENT

A handwritten signature in black ink, reading "W Espinoza", is centered below the list of recipients.

FROM: Wilvia Espinoza
Deputy Assistant Inspector General
for Inspection Service, Technology, and Services

SUBJECT: Audit Report – U.S. Postal Service's Response to Sexual Harassment
Complaints (Report Number 21-173-R23)

This report presents the results of our audit of the U.S. Postal Service's Response to Sexual Harassment Complaints.

We appreciate the cooperation and courtesies provided by your staff. If you have any questions or need additional information, please contact Elizabeth Kowalewski, Director, Inspection Service, or me at 703-248-2100.

Attachment

cc: Postmaster General
Corporate Audit Response Management
Postmaster General

Results

Introduction/Objective

This report presents the results of our self-initiated audit of the U.S. Postal Service's Response to Sexual Harassment Complaints (Project Number 21-173). Our objective was to evaluate the Postal Service's response to sexual harassment complaints involving Postal Service employees. See [Appendix A](#) for additional information about this audit.

Background

The mission of the Postal Service is to provide the American public with trusted, affordable, and universal mail service. To fulfill this mission, the Postal Service employs 653,167¹ career and noncareer employees. To ensure its employees are working in safe conditions that are compliant with applicable laws and regulations, the Postal Service has policies in place to promote a safe workplace free of all harassment, including sexual harassment. The Postal Service defines sexual harassment as unwelcomed sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature. Sexual harassment that violates Title VII of the Civil Rights Act of 1964 includes behavior that creates a sustained hostile or abusive work environment so severe or pervasive that it unreasonably interferes with or changes the conditions of one's employment.

Postal Service employees have the option to report sexual harassment occurring within the organization through the agency's internal anti-harassment program or the Equal Employment Opportunity (EEO) complaint process.

Anti-Harassment Program

The purpose of the anti-harassment program is to deter and combat all forms of sexual harassment in the workplace before they rise to the level of unlawful harassment. The Postal Service's anti-harassment program provides employees the opportunity to report sexual harassment to various officials including their manager, any supervisor, a Human

Resources manager, or a union official. The offices that manage the anti-harassment program and applicable policies include Human Resources and Labor Relations. These offices are responsible for responding to sexual harassment complaints through the Initial Management Inquiry Process (IMIP) and the grievance and arbitration process.

When an employee alleges harassment, a supervisor or manager assesses the general nature and scope of the employee's alleged harassment within 24 hours to determine if the complaint is a minor, single incident requiring no formal documentation, or if it requires an inquiry.² If management determines that an inquiry of the complaint is warranted, policy requires management to initiate the IMIP. Authorized management personnel will gather forms required per policy and conduct interviews with the alleged harasser, the alleged harassee, and any witnesses. If the results of the IMIP are inconclusive or show that

harassment has not occurred, no further action will be taken. If the IMIP determines harassment did occur, policy requires management to implement corrective actions, including any appropriate disciplinary actions.

Bargaining unit employees may also make their complaints through the grievance and arbitration process, which allows management to resolve complaints with a settlement at

any time throughout the process. Settlements may be monetary in nature or may include actions such as additional days of leave granted for the employee, a letter of warning issued, or suspension for the harasser.

The Postal Service uses two data systems to maintain records of sexual harassment complaints under the anti-harassment program:

- Workplace Environment Tracking System (WETS) – maintains information regarding the findings, plans of action, and outcomes from reports, inquiries, and investigations of workplace harassment. This system is managed

“The Postal Service has policies in place to promote a safe workplace free of all harassment, including sexual harassment.”

¹ Annual Report to Congress – U.S. Postal Service FY 2021.

² *Manager's Guide to Understanding, and Preventing Harassment*, dated November 2018.

by EEO Compliance and Appeals with primary responsibility held by Human Resources.³

- **Grievance and Arbitration Tracking System (GATS)** – maintains bargaining unit employee grievances and complaints in response to violations of the collective bargaining agreements through the grievance and arbitration process. This system is managed by Labor Relations.

According to Postal Service policy, WETS is the Postal Service’s central, nationwide repository of records for workplace environment issues, including data related to sexual harassment.⁴ From fiscal year (FY) 2019 and FY 2021, the Postal Service recorded 715⁵ sexual harassment complaints in WETS.

During our review of the WETS data, we found that users were unable to obtain new access or change existing access in WETS for approximately 8 months from May 2021 through December 2021. We issued a management alert⁶ recommending the Postal Service 1) create an after-action report of the WETS access issue, 2) ensure all cases of workplace harassment that had occurred during the system failure are recorded in WETS, and 3) implement monitoring controls to ensure the password for the WETS Oracle database account is changed when personnel with access leave or transfer. The Postal Service subsequently provided documentation to close all three recommendations.

Equal Employment Opportunity Complaint Process

The U.S. Equal Employment Opportunity Commission (EEOC) is a federal agency established as a part of the Civil Rights Act of 1964⁷ to administer and enforce civil rights laws against workplace discrimination. The Postal Service’s EEO Compliance and Appeals Office investigates sexual harassment complaints based on illegal discrimination under Title VII through the EEO complaint process. When a Postal Service employee files an EEO complaint of sexual harassment, the initial submission is considered an informal complaint that is assessed by the EEO specialist through counseling to determine if the complaint can be resolved between the employee and the Postal Service prior to the filing of a formal complaint. If the employee files a formal complaint, it is then reviewed by the Postal Service to determine if it meets the requirements to be accepted into the EEO complaint process. The formal complaint includes a claim basis, which is the reason alleged for discrimination under the law, and a claim type, which identifies the behavior associated with the alleged discrimination. If accepted for investigation, a contracted National Equal Employment Opportunity Investigative Services Office (NEEOISO)⁸ investigator completes a comprehensive investigation. NEEOISO issues the final investigative report to the employee and Human Resources. For the EEO complaint process, the Postal Service uses the [REDACTED] system to maintain all complaints filed by employees

The Postal Service uses two data systems to maintain records of sexual harassment complaints under the anti-harassment program:



³ For our audit scope, Human Resources held the primary responsibility for maintaining WETS. As of March 31, 2022, responsibility for WETS had been transferred to Labor Relations.

⁴ WETS memo, July 2013.

⁵ Total closed (691) and open (24) IMIP sexual harassment cases in WETS.

⁶ *Workplace Environment Tracking System User Access* (Report Number 22-099-R22, dated May 10, 2022).

⁷ Title VII of the Civil Rights Act of 1964, pub.l.88-352, prohibits discrimination based on race, color, religion, sex, and national origin.

⁸ Employees can also report complaints to the Office of Inspector General and the Postal Inspection Service. However, their processes for handling sexual harassment complaints are not in the scope of this audit.

from the initial complaint submission until the final resolution of the case.

Findings Summary

We found that the Postal Service does not have reliable information about the incidence of sexual harassment complaints. Further, while we found that the Postal Service’s EEO complaint process generally complies with EEOC requirements, the Postal Service has opportunities to improve its complaint dismissal procedures. Finally, we determined that pertinent Postal Service management did not complete required training for conducting IMIPs or recording data into WETS.

Finding #1: Sexual Harassment at the Postal Service

We found that the Postal Service may not have a complete picture of the extent to which sexual harassment goes unreported to management or through the Equal Employment Opportunity process. Further, we found that data related to certain formal sexual harassment complaints is unreliable.

Climate Assessments

We found that while the Postal Service has conducted organizational-wide annual surveys⁹ since 2015 that meet EEOC’s recommendation to conduct climate assessments,¹⁰ these surveys do not include an assessment of sexual harassment behaviors or the organization’s prevention efforts.

As reported by the EEOC,¹¹ the least common response to harassment is to take some formal action — either to report the harassment internally or file a formal complaint. To address this issue, the EEOC has recommended that employers conduct climate surveys to assess the extent to which harassment is a problem in their organization. However, Postal Service management stated that they believe an analysis of EEO complaints would provide a more accurate analysis of the incidence of sexual harassment than an employee survey.

Recent studies of other federal agencies have also identified employee surveys as a best practice for

understanding the prevalence of sexual harassment. For instance, a 2022 survey of [REDACTED]

[REDACTED] found that fewer than half of survey respondents who experienced harassment or discrimination reported it to a supervisor, manager, or through another official channel.¹² Further, in response to a congressional request, the U.S. Department of Agriculture’s Office of Inspector General reported that oversight work throughout the government found that

it is a best practice for agencies to routinely measure outcomes of sexual harassment prevention efforts through focus groups and organizational climate assessments.¹³

In addition, we reviewed Postal Service employees’ comments related to their experience with sexual harassment in the Postal Service¹⁴, the Office of the Inspector General’s Office of Investigation’s case information related to sexual harassment,¹⁵ and recent media reports.¹⁶ This anecdotal information identified challenges the Postal Service has in managing complaints of sexual harassment, including indications that employees are unwilling to report incidents. Without regularly surveying the workforce to obtain data on employee experiences of sexual harassment that are not reported through formal channels, the Postal Service cannot have a true and complete understanding of how often sexual harassment occurs or the effectiveness of its anti-harassment program. Though the sample

“It is a best practice for agencies to routinely measure outcomes of sexual harassment prevention efforts through focus groups and organizational climate assessments.”

⁹ Postal Pulse annual survey allows employees to share observations about their work environment, providing the organization with feedback to make positive changes and improvements.

¹⁰ *Instructions to Federal Agencies for EEO MD-715*, dated 2003.

¹¹ *EEOC Select Task Force on the Study of Harassment in the Workplace*, June 2016.

¹² [REDACTED]

¹³ United States Department of Agriculture Office of Inspector General’s report, *Assessment of the State of Oversight Work in the Area of Sexual Harassment and Misconduct in the Federal Government*, July 2019.

¹⁴ We solicited comments from the public on their experience with sexual harassment at the Postal Service and received 36 comments. Twenty of the comments were submitted by Postal Service employees and related to management’s lack of response to reported complaints of sexual harassment and management or workplace retaliation.

¹⁵ Seven of 19 cases reviewed identified challenges with how the Postal Service handles reported sexual harassment.

¹⁶ Sexual harassment culture exists within Cedar Rapids Post Office, April 2022 and *The Secret Inside the Postal Service*, dated November 2014.

of anecdotal information is small, the Postal Service has implemented a “Zero Tolerance” policy for sexual harassment, where no instances are acceptable.

Workplace Environment Tracking System

We found issues related to the completeness and accuracy of the sexual harassment complaint data maintained in WETS. As previously noted, WETS is a system used to track sexual harassment complaints reported to management to enable the Postal Service to identify trends and develop preventative measures against workplace harassment. The other systems containing sexual harassment complaint data— [REDACTED] and GATS—include complaints made through processes other than the Postal Service’s anti-harassment program.

We compared sexual harassment complaints in [REDACTED] and GATS to those in WETS. We manually reviewed [REDACTED] and WETS case data and determined that 41 out of 1,126 (4 percent) of sexual harassment complaints in [REDACTED] were present in WETS during FY 2019 through FY 2021. Because GATS data is incomplete, as described later in this report, we could not determine whether WETS contained any of the sexual harassment complaints from GATS.

Further, we determined that 95 of 1,791 (5 percent) of complaints recorded by WETS users under categories such as Hostile Work Environment/Harassment and Protection of Harasser met the Postal Service’s criteria for sexual harassment but had been incorrectly categorized in WETS. We also identified 51 of 691

“The Postal Service cannot accurately analyze complaints submitted across all processes.”

(7 percent) of closed complaints that were categorized as sexual harassment but did not meet the Postal Service’s definition of sexual harassment.

The EEOC requires agencies to have data collection systems in place to accurately collect, monitor, and analyze complaint data.¹⁷ While the [REDACTED] system allows the Postal Service to meet its EEO complaint reporting requirements, the Postal Service cannot accurately analyze complaints submitted across all processes. This occurs because sexual

harassment complaints do not contain a common identifier across all three data systems and may exist in more than one system. Further, while the Postal Service conducts quarterly compliance audits of WETS to assess whether all complaints were entered and closed timely, these audits do not ensure the accuracy of the harassment data entered in WETS.

Grievance and Arbitration Tracking System

We could not determine how many sexual harassment complaints were handled through the grievance and arbitration process because of incomplete data in GATS. We reviewed a sample of 153 out of 295 GATS grievance cases that were potentially related to sexual harassment¹⁸ from FY 2019 to FY 2021. We identified four cases that were specifically categorized as sexual harassment. However, data for 104 cases (68 percent) were incomplete, preventing us from determining whether the grievance was related to sexual harassment. Specifically, 55 of the 104 cases we reviewed did not have a GATS issue code. The remaining 49 cases did not have a decision letter in GATS that clearly identified the reason for the grievance payment. Additionally, for 52 of the total 153 GATS cases (34 percent) we reviewed from FY 2019 through FY 2021, to include two of the four specifically categorized as sexual harassment, the approving managers could not provide the required hard copy case files.

According to Postal Service policy, Postal Service management is required to enter a detailed statement of the issue, an issue description, and an issue code in GATS to clearly identify the reason for issuing a grievance payment.¹⁹ Also, grievance justification letters must provide sufficient information to explain the reason for payments and be maintained locally for a three-year retention period.

We determined that these issues occurred because GATS lacks controls to ensure enforcement of Postal Service policies. Specifically, GATS allows users to finalize a grievance payment without entering an issue code to identify the type of complaint, and Postal Service management is approving grievance payments in GATS without a detailed statement of the grievance issue in the justification letters. Further, the Postal Service’s current process for record retention of grievance cases does not ensure that

¹⁷ *Instructions to Federal Agencies for EEO MD-715*, dated 2003.

¹⁸ To identify any closed grievance cases potentially related to sexual harassment, we identified all grievance cases with issue codes of ‘sexual harassment’ (4), ‘sex’ (1), and ‘supervisory harassment’ (186). We also included 104 grievance cases that did not have an issue code identified.

¹⁹ *USPS GATS Informal Payment Educational User Guide*.

case files are readily available and maintained for the applicable retention period.

Without a verifiable process to ensure sexual harassment complaint data is collected in accordance with EEOC requirements, the Postal Service cannot rely on the data to identify trends and assess the effectiveness of preventive measures relevant to workplace harassment.

Recommendation #1

We recommend the **Chief Human Resources Officer** periodically conduct an employee-wide survey to assess the extent to which sexual harassment is not reported to the Postal Service and evaluate the effectiveness of the Postal Service's anti-harassment policies and procedures.

Recommendation #2

We recommend the **Vice President, Labor Relations**, develop a verifiable process for all sexual harassment complaints from multiple systems to be accurately collected, monitored, and analyzed in accordance with Equal Employment Opportunity Commission requirements.

Recommendation #3

We recommend the **Vice President, Labor Relations**, implement system controls to require an issue code and issue description for cases processed in the Grievance and Arbitration Tracking System and issue guidance to staff to reiterate grievance case file retention requirements.

Finding #2: Equal Employment Opportunity Complaint Dismissal Procedures

Although the Postal Service's EEO complaint process generally aligns with EEOC requirements, we identified opportunities to improve the process for dismissing EEO complaints. According to EEOC requirements, if EEO complaints do not include a claim basis, they may be procedurally dismissed. We reviewed 24 sexual harassment cases dismissed from the EEO process from FY 2019 to FY 2021 and found that 23 of the 24 (96 percent) cases did not exist in WETS, indicating that the complaint was not investigated through other Postal Service processes.

“97% of managers who conducted IMIPs between 2019 and 2021 had not completed required training.”

This occurred because the Postal Service's EEO complaint process does not refer dismissed sexual harassment complaints back to management for further investigation. The EEOC has advised agencies that they have a duty to exercise due care by addressing harassment allegations, regardless of whether an EEO complaint is filed.

Without referring dismissed EEO complaints for further investigation, the Postal Service lacks assurance that all sexual harassment complaints reported to EEO are properly addressed.

Recommendation #4

We recommend the **Vice President, Labor Relations**, establish a process to refer sexual harassment complaints that are dismissed from the Equal Employment Opportunity complaint process for procedural reasons to Human Resources for management investigation.

Finding #3: Mandatory Training for Investigating and Recording Sexual Harassment Complaints

We found that an overwhelming majority of managers who conducted IMIPs and personnel responsible for recording data into WETS had not completed required training. Specifically, we identified a total of 740²⁰ managers who conducted IMIPs between FY 2019 and FY 2021 and found that 717 of them (97 percent) had not completed required training. However, 430 of the managers who had not completed the required IMIP course (60 percent) had taken an optional training course that covered some aspects of conducting an IMIP.²¹ We also determined that of 210 approved WETS users, 138 (66 percent) had not completed the required system user training.

According to Postal Service policy, individuals must complete required training before conducting IMIPs for sexual harassment complaints. Additionally, Postal Service policy requires WETS users to complete training before system access is approved.²² However, the Postal Service provided no evidence of a process to validate whether a manager has completed the required training before

20 There was a total of 691 complaints reviewed and some cases identified more than one manager performing IMIP.

21 EEO Rapid Response to Sexual Harassment Complaints.

22 New HERO Workplace Environment Tracking System Course memo dated April 2019.

conducting an IMIP. Additionally, to certify whether personnel have completed WETS user training before approving system access, WETS application managers rely on verbal confirmations from field managers.

When the Postal Service does not verify that supervisors and managers have properly completed the required IMIP training, there is an increased risk that responses to sexual harassment complaints will be mismanaged or delayed. In addition, the lack of proper system user training could contribute to the accuracy issues we discuss in finding 2, placing the integrity of the WETS data at risk.

Recommendation #5

We recommend the **Vice President, Labor Relations**, update Publication 552 to require validation that managers and supervisors have completed required training before they initiate an Initial Management Inquiry Process.

Recommendation #6

We recommend the **Vice President, Labor Relations**, require all users who have access to Workplace Environment Tracking System to provide documentation they completed the required training and implement a process to validate the training has been completed before granting access to new users.

Management's Comments

Management disagreed with recommendations 1, 2, and 4, and agreed with recommendations 3, 5, and 6. See [Appendix B](#) for management's comments in their entirety.

Regarding recommendation 1, management stated that they did not believe a survey would offer data to improve the Postal Service's anti-harassment programs. Management further stated concerns that survey responses would provide a skewed picture of the prevalence of sexual harassment because of employee misunderstanding of what legally constitutes harassment.

Regarding recommendation 2, management stated that each system serves a unique role and that sharing information from ██████████ raises privacy concerns and potential claims of retaliation under the EEOC's regulations.

Regarding recommendation 3, management agreed to investigate and abate any system issues in GATS causing problems with data in the issue code and issue description fields. Further, management

stated that they would reissue a memo related to grievance file retention requirements. The target implementation date is December 14, 2023.

Regarding recommendation 4, management did not agree to establish a process to refer sexual harassment complaints that are dismissed from the EEO complaint process, stating that this process would be duplicative of an existing process which occurs when a new informal EEO complaint is made.

Regarding recommendation 5, management agreed to update Publication 552 to indicate a requirement that managers and supervisors complete IMIP training and that the completion of the training be reflected in their training record before they initiate an IMIP. The target implementation date is September 30, 2023.

Regarding recommendation 6, management agreed to require all active WETS users to take the required training. The target implementation date is July 30, 2023.

Evaluation of Management's Comments

The U.S. Postal Service Office of Inspector General (OIG) considers management's comments responsive to recommendations 3, 5, and 6. The action plans to address these recommendations should resolve the issues identified in the report. We consider management comments nonresponsive for recommendations 1, 2, and 4 and will pursue them through the audit resolution process.

Regarding recommendation 1, management stated there was no evidence that an employee survey related to sexual harassment would provide data to improve the Postal Service's anti-harassment program, and instead would provide a skewed picture due to employee reports of harassment that do not rise to the legal standard. However, as stated in the report, the purpose of the anti-harassment program is to deter and combat all forms of sexual harassment in the workplace before they rise to the level of unlawful harassment. Further, as we note in our report, the EEOC has recommended that employers conduct climate surveys to assess the extent to which harassment is a problem in their organization.

Management also stated that data on reported incidents that met the legal definition of sexual harassment is sufficient. However, without regularly surveying the workforce to obtain data on employee experiences of sexual harassment that are not

reported through formal channels, the Postal Service risks not having a true and complete understanding of how often sexual harassment occurs or the effectiveness of its anti-harassment program.

Regarding recommendation 2, management stated that each of the systems identified by the audit serve a unique role and information should not be shared across the systems. The intent of our recommendation is not to share information across the systems, but rather to establish a process, such as a common identifier, that would allow the Postal Service to determine when a single incident is captured by more than one system. Without such a process, it is not possible to accurately capture the number of incidents that are formally reported. Further, the recommendation also refers to developing a process to improve the accuracy of the data in the systems, in particular WETS. As noted in the report, we found that 146 complaints had been incorrectly categorized in WETS.

Regarding recommendation 4, management stated that a formal referral process already exists. During our audit, EEO management stated that if an informal EEO complaint is received and the EEO official determines that the complaint warrants immediate action, such as threats of violence, EEO management will send an email notifying the relevant Human Resources or Labor Relations manager. This process was described by EEO management as “very informal”, and no subsequent documentation related to the process was provided at any point during the audit. Without a formalized process that is not dependent on management discretion, the Postal Service lacks assurance that all sexual harassment complaints are properly addressed.

All recommendations require OIG concurrence before closure. Consequently, the OIG requests written confirmation when corrective actions are completed. Recommendations 3, 5, and 6 should not be closed in the Postal Service’s follow-up tracking system until the OIG provides written confirmation that the recommendations can be closed.

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Sexual Harassment
Complaint Form

Sexual Harassment Complaint Form, I certify that the information provided is true and accurate and contains no false or misleading representations.

Signature, Title, Date

First

Appendix A: Additional Information

Scope and Methodology

The scope of our audit included a review of policies and procedures followed by the Postal Service to investigate claims of sexual harassment. In addition, our audit work included a review of system data from WETS, ██████████ HERO, Enterprise Data Warehouse (EDW) and GATS for the period of October 1, 2018, to September 30, 2021.

To accomplish our objective, we:

- Reviewed WETS, ██████████, and GATS data for policy compliance, trends, and data accuracy.
- Verified whether WETS contained sexual harassment complaints recorded in ██████████ and GATS.
- Reviewed the Postal Service’s annual Postal Pulse surveys.
- Reviewed policies and procedures related to reporting, investigating, and resolving sexual harassment complaints.
- Interviewed Postal Service personnel responsible for sexual harassment policies and procedures and processing complaints.
- Reviewed required IMIP and WETS user training records in HERO²³ and the EDW.

We conducted this performance audit from November 2021 through January 2023 in accordance with generally accepted government auditing standards and included such tests of internal controls as we considered necessary under the circumstances. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective. We discussed our observations and conclusions with management on November 22, 2022, and included their comments where appropriate.

We assessed the reliability of the Postal Service’s WETS, GATS, HERO, and EDW data by independently retrieving the data from the systems; analyzing the validity, accuracy, and completeness of the raw data; and interviewing personnel knowledgeable about the data. In addition, we assessed the reliability of ██████████ by coordinating with the system’s data analyst to review and discuss the system’s structure and controls and retrieve the system data. We independently reviewed the validity, accuracy, and completeness of the ██████████ raw data. We determined the data reviewed for this audit were sufficiently reliable for the purposes of this report unless otherwise noted in the findings.

Prior Audit Coverage

Report Title	Objective	Report Number	Final Report Date	Monetary Impact
<i>Accuracy of Grievances in the Grievance and Arbitration Tracking System – Houston District</i>	Assess the accuracy of the GATS system in the Houston District	HR-AR-18-009	9/11/2018	\$71,385
<i>Informal Grievance Oversight</i>	Assess the effectiveness of the Postal Service’s informal grievance oversight.	19SMG007HR000-R20	7/14/2020	None

²³ Postal Service training and development platform.

Appendix B: Management's Comments

THOMAS J. BLUM
VICE PRESIDENT, LABOR RELATIONS (A)



December 30, 2022

JOHN CIHOTA
DIRECTOR, AUDIT SERVICE

SUBJECT: U.S. Postal Service's Response to Sexual Harassment Complaints
(Projec Number 21-173 DRAFT)

Thank you for the opportunity to review and respond to the *Audit Report – U.S. Postal Service's Response to Sexual Harassment Complaint*. As more thoroughly discussed below, the Postal Service agrees in part and disagrees in part with the Office of the Inspector General's (OIG's) recommendations in the audit report. While the OIG addressed many of the Postal Service's points and concerns raised throughout this audit, the final report did not capture a fully accurate picture of the Postal Service's response to sexual harassment complaints.

With respect to the OIG's recommendations, while the Grievance and Arbitration Tracking System (GATS) currently has administrative controls that make both issue code and issue description fields a requirement, the Postal Service will investigate and abate any potential system issues in which reports may not capture the content in these fields. The Postal Service will reissue guidance related to file retention requirements. Additionally, the Postal Service will update Publication 552, *Manager's Guide to Understanding, Investigating, and Preventing Harassment* "to require validation that managers and supervisors have completed training before they initiate an Initial Management Inquiry Process." Additionally, the Postal Service agrees to require validation of Workplace Environment Tracking System (WETS) training before granting access to new users, a process that is already in place, and to train or retrain current WETS users.

While the Postal Service fully agrees that a referral process for sexual harassment allegations raised in the Equal Employment Opportunity (EEO) complaint process is necessary, we disagree with the OIG's recommendation on this point solely because the Postal Service already has a formal referral process that occurs earlier in the complaint process and ensures complaints that may potentially be sexual harassment are properly addressed. This process and the more recent development of formalized tracking of these referrals was shared with the OIG, but it is not reflected in the audit report.

The Postal Service disagrees with the OIG's other two recommendations to conduct an employee-wide survey on sexual harassment and to develop a process to track sexual harassment complaints across [REDACTED] GATS, and the WETS. Regarding the survey, the Postal Service does not see any evidence that it would offer data to improve the Postal Service's anti-harassment programs, and we have concerns that it may have the opposite effect, such as if employees choose to provide information about sexual harassment only through an anonymous survey rather than through the various complaint methods available to postal employees that

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WWW.USPS.COM

enable the Postal Service to respond to the complaints. The Postal Service also believes the recommendation regarding the three systems does not reflect the unique purposes for which each system exists or the existing methods of ensuring complaints that require an Initial Management Inquiry Process (IMIP) or Fact-Finding Investigation are recorded in WETS even if initially raised in the EEO or grievance processes.

Additionally, the Postal Service disagrees with the audit report's assertion that Recommendations 1 and 2 from the May 10, 2022, management alert (*Workplace Environment Tracking System User Access – Report Number 22-099-R22*) remain open. After receiving additional documentation from the Postal Service, by memorandum dated November 22, 2022, Director John Cihota agreed to close those recommendations.

Following, please find the Postal Service's response in reference to the OIG's specific recommendations:

Recommendation #1:

"We recommend the Chief Human Resources Officer periodically conduct an employee-wide survey to assess the extent to which sexual harassment is not reported to the Postal Service and evaluate the effectiveness of the Postal Service's anti-harassment policies and procedures."

Management Response:

Management disagrees with this recommendation.

The audit report provides no empirical support that surveying employees will allow the Postal Service to improve our anti-harassment program, which already meets and exceeds the Equal Employment Opportunity Commission (EEOC) requirements. The report focuses instead on the fact that a survey may give the Postal Service a fuller picture of the prevalence of sexual harassment in its workforce. However, we are concerned such a survey would more likely provide a skewed picture of that prevalence due to employee misunderstandings of what legally constitutes sexual harassment. That such misunderstandings are prevalent has been consistently demonstrated through the existing reporting processes in which employees often report conduct as harassment—including sexual harassment—that does not rise to the legal standard.

Moreover, as noted in the audit report, the Postal Service already has a zero-tolerance policy with respect to sexual harassment, and under our anti-harassment program, employees are empowered to report incidents of alleged harassment to any postal manager as well as union officials. While prevention is one goal of the anti-harassment program, the EEOC requires that all federal anti-harassment programs must also have a response prong for how they respond to claims of harassment because no organization can prevent all bad actors from engaging in prohibited conduct. However, an organization's ability to respond to incidents is tied to whether they are reported, which is why the Postal Service's anti-harassment program maximizes the avenues for reporting available to its employees. Even if employees indicated on a survey that they believed they had experienced sexual harassment, because of the demonstrated need to maintain anonymity in such surveys to encourage frank responses, the Postal Service would be unable to respond to individual employee concerns expressed on the survey. The option to anonymously express concerns through a survey may even dissuade employees from using the reporting avenues available to them, which could decrease reports that the Postal Service is able to respond to and ultimately leave incidents unaddressed.

As indicated in the sources cited by the OIG in support, employee surveys specific to sexual harassment are only one possible tool an organization may employ, but they are not always the best tool or a needed one. Even without the prevalence data that the OIG believes the recommended survey will offer, consistent with our obligations under EEOC regulations, the Postal Service already takes a continuous improvement mindset to our anti-harassment program regardless of how prevalent harassment may be. We have data on reported incidents that met the

legal definition of sexual harassment that demonstrate for us this subject is still a necessary focus area for the Postal Service, and we have continued to prioritize it. And, as the audit report acknowledges, the Postal Service fulfills its legal obligation to regularly survey its workforce. Although we acknowledge that not all employees may feel comfortable reporting harassment, the Postal Service takes significant steps to ensure employees are familiar with the anti-harassment program and processes, have the necessary assurances to encourage reporting, and are protected if they choose to report.

Because there is no empirical evidence to support that the OIG's recommended employee-wide survey would offer data that could meaningfully drive improvements to the Postal Service's anti-harassment program without adding potential harm, the Postal Service disagrees with this recommendation.

Recommendation #2:

"We recommend the Vice President, Labor Relations, develop a verifiable process for all sexual harassment complaints from multiple systems to be accurately collected, monitored, and analyzed in accordance with Equal Employment Opportunity Commission requirements."

Management Response:

Management disagrees with this recommendation.

The Postal Service meets the EEOC's system data requirements with respect to collecting, monitoring, and analyzing data. As stated in the EEOC's guidance, those requirements are to have data sufficient to populate Form 462 and the MD-715, which the Postal Service has.

The databases identified by the audit (WETS, GATS, and [REDACTED]) are independent, purpose-built applications, and their unique roles in driving the Postal Service's various compliance efforts do not align with the recommendation to share information across the systems. Indeed, it would not make sense to do so because just because a matter is labeled as sexual harassment in [REDACTED] or GATS does not mean it was a sexual harassment complaint as legally defined or requiring an IMIP or Fact-Finding to warrant inclusion in WETS. Allegations made by employees in their EEO complaint filings, captured in [REDACTED] are identified by the employee, often without sufficient knowledge of the laws and regulations. Often, "sexual harassment" is indicated by the employee in the complaint submission, but the facts do not support that it is really a sexual harassment claim (or even harassment). The same is true for grievances captured in GATS. Moreover, if a complaint made through the EEO or grievance process warrants an IMIP or Fact-Finding, it will be captured in WETS when the inquiry or investigation is conducted. The Postal Service is better served by using our systems for their intended purposes, and to the extent there can be crossover between the systems, we have processes in place to ensure necessary referrals occur. This allows the Postal Service to rely on the data produced by each system for its intended purpose.

Finally, [REDACTED] houses confidential and protected EEO information. Sharing information regarding [REDACTED] data for purposes of monitoring it against WETS or GATS data raises privacy concerns and potential claims of retaliation under the EEOC's regulations. The Postal Service takes seriously its obligation to protect this sensitive employee information.

For these reasons, the Postal Service disagrees with this recommendation.

Recommendation #3:

"We recommend the Vice President, Labor Relations, implement system controls to require an issue code and issue description for cases processed in the Grievance and Arbitration Tracking System and issue guidance to staff to reiterate grievance case file retention requirements."

Management Response:

Management agrees with this recommendation.

The Grievance and Arbitration Tracking System (GATS) currently has administrative controls that make both issue code and issue description fields as required. An entry into GATS cannot be saved without entries into these fields. However, the Postal Service will investigate and abate any potential system issues in which reports may not capture the content in these fields. Additionally, while the GATS Internal Control Memo was issued to employees on February 26, 2021, and provided the grievance file retention requirements, the Postal Service will reissue this memo.

Target Date: December 14, 2023

Responsible Official: Director, Labor Relations Systems

Recommendation #4:

"We recommend the Vice President, Labor Relations, establish a process to refer sexual harassment complaints that are dismissed from the Equal Employment Opportunity complaint process for procedural reasons to Human Resources for management investigation."

Management Response:

Management disagrees with this recommendation but only because the Postal Service has a formal referral process in place that occurs earlier in the process to ensure sexual harassment allegations raised in the EEO complaint process are properly addressed.

The Postal Service agrees it is important that allegations with underlying facts that could support a sexual harassment complaint be referred for possible inquiry or investigation. For this reason, EEO Compliance and Appeals (C&A) has a process by which new informal EEO complaints that contain allegations of harassment (including sexual harassment) are referred to Labor Relations (or Human Resources for Headquarters matters) for potential IMIPs. C&A recently implemented a formal tracking system for these referrals, although the referral process itself has existed for many years.

As written, this recommendation would mean that referrals must happen based on a procedural dismissal of a formal complaint, which is too late in the process and would be redundant of the existing referral process implemented by C&A. Additionally, this recommendation assumes that all procedural dismissals are made prior to the EEO investigation, when many procedural dismissals are made after the EEO investigation (e.g., after a complainant's failure to cooperate in the investigation).

It is also not accurate to say that complaints captured in [REDACTED] were not in WETS because there was not a referral process at the formal complaint dismissal stage. Rather, it is more likely that, although the employees in those cases may have selected "sexual harassment," the alleged underlying facts did not support a sexual harassment claim or otherwise necessitate a referral. In fact, several of the cases identified by the OIG were dismissed at least in part for failure to state a claim, which would generally mean referral for IMIP is unnecessary. The existing referral process is sufficient to provide assurance that all sexual harassment complaints raised in the EEO process are properly addressed.

Because the Postal Service already has a formal referral process that occurs earlier in the EEO complaint process, we disagree with this recommendation.

Recommendation #5:

"We recommend the Vice President, Labor Relations, update Publication 552 to require validation that managers and supervisors have completed required training before they initiate an Initial Management Inquiry Process."

Management Response/Plan of Action:

Management agrees with this recommendation.

The Postal Service determined that many of the managers identified by the OIG as not having completed IMIP training had received such training. However, we agree it is important to have the assurance that postal managers completed the training in a readily accessible way. Therefore, the Postal Service will update Publication 552 to indicate a requirement that managers and supervisors complete IMIP training and that the completion of the training be reflected in their training record before they initiate an IMIP.

Target Date: September 30, 2023

Responsible Official: Director, EEO Compliance and Appeals

Recommendation #6:

"We recommend the Vice President, Labor Relations, require all users who have access to Workplace Environment Tracking System to provide documentation they completed the required training and implement a process to validate the training has been completed before granting access to new users."

Management Response:

Management agrees with this recommendation.

The Postal Service has a process in place by which a record of training is required before access to WETS is granted except for those users who have read-only access, which does not require training. Under the current process, requests for WETS access are reviewed by the WETS Functional System Coordinator (FSC). The FSC, or designee, confirms a record of training before approving the access. Requests for WETS access from individuals with no record of training are denied.

In addition, to capture WETS users who were trained but may no longer have a training record, the Postal Service will require all active users to take the required training.

Target Date: July 30, 2023

Responsible Official: Director, EEO Compliance and Appeals



Thomas J. Blum

cc: Simon Storey
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