

RELEASED

Not to be released outside the Accounting Office except on the order of the Director by the Chief of Staff

110450

REPORT BY THE

# Comptroller General

WBS/af  
RELEASED

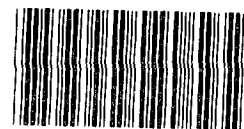
OF THE UNITED STATES

## Evaluation Of The Discrimination Complaint System At The Fort Worth, Texas, Post Office

While millions of dollars were not being spent annually to investigate frivolous discrimination complaints at the Fort Worth Post Office, GAO found that a small number of people were abusing the complaint system. This small number of people appeared to be using the system to harass supervisors and to sustain their employment. GAO believes that local officials are successfully keeping this problem to a minimum.



~~506728~~ 110450



110450

FPCD-79-82

SEPTEMBER 6, 1979



COMPTROLLER GENERAL OF THE UNITED STATES

WASHINGTON, D.C. 20548

B-114874

The Honorable James C. Wright, Jr.  
Office of the Majority Leader  
House of Representatives

Dear Mr. Wright:

This report responds to your March 29, 1979, request that we investigate alleged abuses of the equal employment opportunity (EEO) complaint processing system at the Fort Worth, Texas, Post Office. Those reports charged that millions of dollars were being spent annually on frivolous EEO complaints, and that most complaints were filed because of discussions with employees regarding work habits, excessive absenteeism, and other matters not involving discrimination. As you requested, we limited our investigation to alleged abuses occurring at locations under the jurisdiction of the Fort Worth Post Office. The Fort Worth Postmaster is responsible for about 4,000 employees located in 158 offices serving all or parts of 32 North Texas counties.

Our investigation did not show that millions of dollars were being spent annually on frivolous EEO complaints at the Fort Worth Post Office, and although some people seemed to be abusing the system, we found no gross abuse. The Postal Service accounting system does not record actual EEO complaint processing cost data, but we estimate that for fiscal year 1978, the Fort Worth Post Office spent from \$100,000 to \$130,000 processing EEO complaints. These estimates include processing costs for all EEO complaints; legitimate and frivolous or unfounded.

While the cost of processing EEO complaints was less than alleged, the detrimental effects of petty or unfounded EEO complaints could nevertheless be serious. If the EEO discrimination complaint system is used to harass and intimidate supervisors or management officials, full commitment to the EEO program could rapidly decline. If unfit employees use the system to maintain their employment, postal System efficiency will suffer. Furthermore, processing complaints that should not be in the system can delay the processing of legitimate complaints and hamper affirmative action efforts.

We found that a small number of Fort Worth Post Office employees were apparently abusing the EEO complaint process by using it to harass supervisors or to avoid being fired. However, most complaints which appeared to be trivial or petty were either resolved informally or were not pursued by the complainant beyond the informal stage. In addition, some EEO complaints that were also the subject of contract grievances were withdrawn because settlements were obtained through the grievance procedure. Consequently, it appears that the problem of complaint system abuse is being successfully managed at the local level.

Between October 1, 1978, and April 20, 1979, the Fort Worth Post Office received 232 requests for EEO counseling; 48 allegations were subsequently filed as formal discrimination complaints. Our analysis of this activity showed that

- the EEO complaint processing system workload is generated by a relatively small number of employees and applicants--147 individuals--with an even smaller number responsible for a majority of that workload,
- many discrimination allegations--47 percent informal and 67 percent formal--result from management actions to correct poor work habits and excessive or unapproved absences, and
- employees are simultaneously filing grievances and EEO complaints on the same issues--67 percent of formal EEO complaints were also filed as a contract grievance.

As indicated above, the filing of frivolous or unfounded complaints of discrimination did not appear to be a widespread problem at Fort Worth. Nevertheless, the use of the complaints system even by a small number of people, for purposes other than obtaining redress for discrimination is a practice with which management officials are concerned. If similar practices are occurring at postal facilities throughout the Nation, the cumulative cost could indeed be great.

We were advised that on August 1, 1979, the Equal Employment Opportunity Commission (EEOC) began a pilot project known as the rapid charge processing system involving the Postal Service and several other Federal agencies. This project is intended to streamline the Federal EEO complaint processing system to shorten the overall time frame for resolving discrimination complaints after they have been accepted by the agency. Part of this process will involve the early identification and expeditious disposition of formal

complaints which have no substance. It appears that this new processing system being tested holds considerable promise for curing many of the problems individuals and agencies have experienced with the current system.

The Fort Worth Post Office is not participating in the pilot project. We believe, however, that the information in this report will be beneficial to EEOC with its evaluation of the results of the pilot project. Also, EEOC may find the information useful in developing revised regulations concerning the discrimination complaint system.

The simultaneous filing of an EEO complaint and a contract grievance on the same matter was not specifically alleged as an abuse of the complaint system at Fort Worth, but we noted that the duplicate filing of complaints using both systems was occurring. Neither the Federal EEO regulations nor the Postal Service's labor contract with the unions--the National Agreement--specifically prohibit this practice. However, in 1976 the Supreme Court held in Brown v. GSA (425 U.S. 820 (1976)) that the Equal Employment Opportunity Act of 1972 created an exclusive judicial remedy for the redress of Federal employment discrimination.

Although the issue was not before it, the Supreme Court also mentioned that by enacting the Equal Employment Opportunity Act of 1972 the Congress intended to create an exclusive preemptive administrative as well as judicial scheme for the redress of Federal employment discrimination. While no cases have been decided which would prohibit a Federal employee from filing a contract grievance concerning discrimination, it is possible that Postal Service management, in light of the discussion in Brown, could refuse to consider a grievance filed under the nondiscrimination clause of the National Agreement and force the employee to file those charges as an EEO complaint.

If the employee in the contract grievance alleges a violation of any other contract article related to wages, hours, or employment conditions, the Postal Service would have to decide the grievance on the merits even if the same set of circumstances are used as the basis for the EEO complaint. Since, according to the Postal Service, very few contract grievances are filed which rely solely on the contract article forbidding discrimination, most of the duplicate filing problem would not be resolved by refusing to hear the contract grievances alleging discrimination.

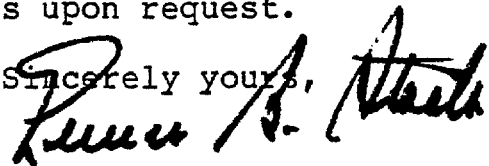
Based on our investigation at Fort Worth, we believe that the duplicate filing of a contract grievance and an EEO complaint on the same matter may be occurring at other Postal Service facilities. This could result in the unnecessary expenditure of funds by handling two cases on the same matter under separate systems. While refusing to hear a contract grievance charging discrimination may not be the best management approach to resolving this problem, we believe that the problem is serious enough to warrant top management attention. Therefore, as soon as this report is available for general distribution, we plan to send a copy to the Postmaster General to bring this matter to his attention. We also plan to send a copy to the Chair, EEOC.

We have recently completed a nationwide evaluation of the Postal Service grievance arbitration system, and are currently preparing a report addressing the effectiveness and efficiency of the system. Because this forthcoming report will address some of the concerns raised in your March 29, 1979, letter, we will be pleased to send you a copy when it is issued later this year.

A detailed discussion of our investigation at Fort Worth is included in appendix I. We did not obtain written comments from the Fort Worth Postmaster, but we did discuss the results of our review with him and he generally agreed with our findings.

As arranged with your office, unless you publicly announce its contents earlier, we plan no further distribution of this report until 10 days from the date of the report. At that time we will send copies to interested parties and make copies available to others upon request.

Sincerely yours,



Comptroller General  
of the United States

C o n t e n t s

		<u>Page</u>
APPENDIX		
I	EVALUATION OF THE DISCRIMINATION COMPLAINTS PROCESSING SYSTEM AT THE FORT WORTH, TEXAS, POST OFFICE	1
	Background	1
	The EEO complaint processing system	1
	Fort Worth EEO complaint activity	3
	Cost of EEO complaint processing	3
	Potential for abuse of the complaint processing system	4
	Duplicate filing of grievances and EEO complaints	7
II	RATIO OF COMPLAINANTS TO COMPLAINTS	9
III	MATTERS GIVING RISE TO EEO COMPLAINTS	10
IV	LETTER DATED MARCH 29, 1979, FROM THE OFFICE OF THE MAJORITY LEADER, HOUSE OF REPRESENTATIVES	11

ABBREVIATIONS

EEO	Equal Employment Opportunity
EEOC	Equal Employment Opportunity Commission

EVALUATION OF THE DISCRIMINATION COMPLAINTSPROCESSING SYSTEM AT THE FORT WORTH,TEXAS, POST OFFICEBACKGROUND

The U.S. Postal Service is required by the Federal equal employment opportunity (EEO) policy, law, and regulations to insure freedom from discrimination for all Postal Service employees and applicants. Its discrimination complaint processing system is the same as that prescribed for all Federal departments and agencies and is required by title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunity Act of 1972. On January 1, 1979, pursuant to the President's Reorganization Plan No. 1 of 1978, responsibility for coordinating the Federal EEO program and for prescribing and enforcing rules and regulations governing nondiscrimination in Federal employment was transferred from the Civil Service Commission to the Equal Employment Opportunity Commission (EEOC). As an interim measure, EEOC has adopted with only minor revisions, previous Civil Service Commission regulations.

THE EEO COMPLAINT PROCESSING SYSTEM

The EEO complaint processing system as prescribed by Federal regulation (5 C.F.R. 713) gives the complainant a number of rights and provides several levels of review and appeal when the complainant is dissatisfied with a proposed resolution or decision. Specific time limits are prescribed for each step throughout the process. The Postal Service EEO complaint processing system operates as follows.

If a Postal Service employee or applicant believes he or she has been discriminated against because of race, color, religion, sex, national origin, age, or handicap, he or she must first discuss the situation with an EEO counselor within 30 days of the event. During this precomplaint counseling process, the individual's allegation is made and the desired relief or resolution is specified. If the counselor is unable to resolve the matter informally within 21 days, the complainant is informed in writing at that time of his or her right to file a formal complaint within 15 days with the appropriate Postal Service Regional Headquarters. A formal investigation is arranged by the regional headquarters if it accepts the formal complaint. The investigation is performed by an individual not associated with the facility where the complaint originated. When the investigation is completed, another

attempt is made to resolve the complaint informally through discussions with the parties involved. If that effort fails, the complainant may request (or waive) a hearing before an EEOC complaints examiner, who recommends a decision to the regional headquarters. The regional office then issues the Postal Service's final decision on the complaint. At that point, if the complainant is still dissatisfied, he or she may either file an appeal with the EEOC Office of Appeals and Review or file a civil action in a U.S. District Court. If the complainant files an appeal with EEOC and is dissatisfied with its decision, he or she may still appeal the matter in a U.S. District Court.

Complainants have the right to be accompanied, represented, and advised by a representative of their choosing at any stage of the processing system, including precomplaint counseling. Both the complainant and the representative are allowed a reasonable amount of official time for counseling and for preparing, presenting, and pursuing an EEO complaint. The complainant is provided with copies of the investigative file and other complaint-related documents. The complainant has the right to accept or reject proposed resolutions, or withdraw the complaint, at any stage of the process.

The regional office may reject a formal complaint when it is initially filed for the following limited number of reasons:

- If it is not filed within specified time limits.
- If it duplicates a pending or previously adjudicated complaint.
- If it is outside the purview of EEO law and regulations. For example, if the complainant is not a Postal Service employee or applicant, or the alleged discriminatory act did not involve an employment matter it would be outside the purview of EEO law.
- If it contains allegations which are so vague or general that no specific issues can be defined and the complainant is unable or unwilling to furnish necessary additional information within a reasonable time.

If the Postal Service does not accept a formal complaint for investigation, the complainant may appeal directly to EEOC or file a civil action in a U.S. District Court.



FORT WORTH EEO COMPLAINT ACTIVITY

Our investigation was limited to those alleged discriminatory actions which occurred between October 1, 1978, and April 20, 1979, and the formal complaints resulting from actions occurring during that period. During that period, the Fort Worth Post Office received 232 requests for pre-complaint counseling, and out of that number 48 allegations were subsequently filed as formal discrimination complaints. The regional office rejected three formal complaints. All the complaints filed during our sample time period were filed on time.

Southern regional office EEO officials stated the formal complaint screening practices in effect before February 1979 may have resulted in accepting and processing some complaints that should have been rejected. However, they believe that improved procedures initiated at that time have remedied the problem. Nevertheless, we found that two formal complaints were accepted in May 1979 which should have been rejected.

One alleged problem at the Fort Worth Post Office was that discrimination complaints filed in an untimely manner were accepted by regional headquarters officials and investigated. The case of an individual fired from his job in November 1974 and permitted to file a discrimination complaint in March 1976, was cited as an example of the problem. Our investigation indicated that the acceptance of untimely filed complaints is not a pervasive problem. Regional officials told us that in some instances complaints with technical deficiencies were accepted because of other overriding considerations. Regarding the individual fired in 1974, we were told that his complaint was accepted for investigation in March 1976 because regional officials found no proof that he had been advised in writing during precomplaint counseling in 1974 of his right to file a formal discrimination complaint. As previously stated, EEO regulations require such a written notification.

COST OF EEO COMPLAINT PROCESSING

The Postal Service accounting system does not record actual EEO complaint processing costs, and we found no reliable means to precisely estimate the cost. However, the Postal Service has estimated that it costs about \$5,000 to process a formal complaint from acceptance through the hearing stage to a final agency decision. The Postal Service had not developed cost estimates for precomplaint counseling.

The Postal Service's cost estimate for formal complaint processing was developed in 1976, however, we found that it omitted some direct cost factors such as the complainant's time away from the job and precomplaint counseling costs. Thus, the \$5,000 estimate would appear low under current conditions. In attempting to update the cost estimate, taking into consideration conditions at Fort Worth, we found that although some costs had gone up, the estimated cost for conducting hearings substantially exceeded recent Fort Worth Post Office experience. The estimate of \$5,000 a case would appear reasonable where hearings are held and the case is processed to completion with a final agency decision. However, applying an average estimated cost to each case may be misleading because actual costs for processing an individual complaint vary widely, depending on the case and the persons involved. We found that few formal complaints at the Fort Worth Post Office proceed through the hearing stage. Most complaints were withdrawn by complainants at various steps in the processing cycle. Postal Service summary data did not show at which step in the complaint processing cycle each case was terminated. This could be determined only by reviewing each individual case file which was beyond the scope of our examination.

Precomplaint counseling costs also vary widely, depending on the persons involved, the complexity of the issues, and the methods and techniques the EEO counselor uses. Recognizing these variables, we developed a cost estimate of \$130 a case for precomplaint counseling at the Fort Worth Post Office. This estimate was based on the average time spent by the EEO counselors, the complainant, the complainant's representative, and others involved, such as witnesses. Using the \$130 estimate for precomplaint counseling and the Postal Service's \$5,000 cost estimate for formal complaints, we estimated that the Fort Worth Post Office spent from \$100,000 to \$130,000 during fiscal year 1978 processing discrimination complaints.

#### POTENTIAL FOR ABUSE OF THE COMPLAINT PROCESSING SYSTEM

The cost of abusing the discrimination complaint processing system becomes secondary to the negative effect such abuse has on EEO program credibility. If the system is used to harass and intimidate supervisors or management, support for the EEO program will decline. If unfit employees use the system to maintain their employment, Postal System efficiency will suffer. Furthermore, processing complaints that should not be in the system can delay processing legitimate complaints and hamper affirmative action efforts. Based

on our investigation, it appears that a small number of employees may be using the discrimination complaint system to harass their supervisors or as a means of sustaining their employment.

An analysis of the precomplaint counseling sessions and the formal complaints filed during our sample period showed that most of the EEO complaint workload at Fort Worth was generated by a small number of employees and applicants. (See app. II.)

--Of the 232 requests received for precomplaint counseling between October 1, 1978, and April 20, 1979, 126 came from 41 employees.

--One employee requested EEO counseling on 11 separate occasions; another contacted the counselor 8 times; 3 employees each made 5 visits.

--Six employees accounted for 14 of the 48 formal complaints subsequently filed.

We found that 24 of the 48 formal complaints were attempts by employees to have letters of reprimand concerning unauthorized or excessive absenteeism or poor work habits removed from their personnel files. Eight other formal complaints concerned suspensions or discharges for the same reasons. In most of these cases, the complainants did not dispute the facts leading to management action, but they alleged that the action was taken because of their race, color, sex, religion, national origin, or age, or that the action was retaliatory for a prior EEO complaint. However, in almost no cases did the individuals specify why they believed they were discriminated against or how they were treated differently than other employees. The remedy sought by the complainants was to have the evidence of disciplinary action removed from their personnel files or to obtain reinstatement. Thus, it is clear that a few employees--who generally do not dispute the facts leading to management action--are using the discrimination complaint system to avoid a documented history of disciplinary problems that could ultimately lead to suspension or termination.

EEO regulations provide no means to reject or expedite processing of petty, unfounded, or frivolous complaints. Consequently, employees have the opportunity to use the system to retaliate against or harass supervisors or management. Although we cannot say for sure that such motives were behind any particular complaint, we found instances where employees demanded unreasonable resolutions

or made allegations based on trivial incidents. For example, three employees were told by their supervisor to stop loud, excessive talking while working at a letter-sorting machine. One of the employees, a black female, sought pre-complaint counseling, alleging the incident constituted racial discrimination and reprisal by the white male supervisor. To resolve the matter, she demanded (1) removal of the supervisor, (2) removal of any record of admonishment, and (3) to be addressed by her surname. Management agreed to address her by her surname but noted there was no record of the admonishment and therefore nothing to remove. Her first stipulation was unacceptable. Twelve days later, the complainant filed a formal complaint listing the same three demands. The complaint was accepted and investigated, but no evidence of disparate treatment was found. However, the final informal settlement attempt failed since management again rejected the demand to remove the supervisor. The case was finally closed with a finding of no discrimination. The complainant did not pursue the matter further.

Few obviously petty cases are filed as formal complaints, due at least in part to management's considerable efforts to resolve matters at the informal stage. For example:

- It is a standard operating procedure for employees who work on letter-sorting machines to ask for a replacement before leaving the machine. A black female machine operator alleged discrimination by her black female supervisor because she was reprimanded for leaving her position without permission. As a resolution for a complaint, she requested a copy of the Postal Service policy on machine operation. The case was settled during the informal stage when she was provided a copy of the standard operating procedure.
- It is Postal Service policy to grant administrative leave to employees who donate blood. A Mexican/American male employee alleged racial discrimination by his Mexican/American female supervisor when he was not allowed leave to donate blood. To resolve his complaint, he requested that he be given the same privilege to perform his civic duty as everyone else in his unit. The case was settled informally; the supervisor acknowledged his privilege to perform his civic duty but explained that the number of employees allowed to donate blood at any given time is determined by business conditions.

Although some Fort Worth Post Office employees seem to be abusing the EEO complaint process, most cases which appear

trivial or petty are either resolved informally or are not pursued by the complainant beyond the informal stage. EEO regulations do not require that counselors retain official documentation on cases resolved informally, therefore, we do not know how all the cases were resolved during the informal stage. Nevertheless, it appears that the problem of abuse is being successfully managed to a large extent at the local level.

#### DUPLICATE FILING OF GRIEVANCES AND EEO COMPLAINTS

In addition to the discrimination complaint process, Postal Service employees have another avenue for resolving employment-related problems or seeking reconsideration of unfavorable management actions and decisions. Since 1971, the Postal Service has entered into a series of negotiated agreements with its craft employees, each containing detailed grievance procedures. Article XV of the 1978 National Agreement outlines steps and time frames for filing and appealing grievances, holding hearings, rendering decisions, and arbitrating disputes. Article II prohibits discrimination on the basis of race, color, creed, religion, national origin, sex, age, marital status, or physical handicap. Complaints of discrimination filed under contract grievance procedures would be processed as specified in Article XV.

Our analysis of the Fort Worth Post Office's October 1, 1978, through April 20, 1979, EEO complaint processing activity showed that 32 of the 48 formal EEO complaints (67 percent) were also the subject of contract grievances. The issues in 66 of the 184 precomplaint counselings that did not reach the formal EEO complaint stage were also the subject of contract grievances.

A review of formal complaint allegations shows that most complaints stem from management actions to correct poor work habits and excessive or unapproved absences. (See app. III.) We did not attempt to assess the appropriateness of those actions or to otherwise judge the merits of the resulting complaints. However, the facts leading to management action in these cases were rarely in dispute.

All but one of the EEO complaints relating to poor work habits and attendance problems were also the subject of contract grievances. In each case the EEO complaints and related grievances sought to remove evidence of disciplinary actions from personnel files or to obtain reinstatement after termination. It is clear that some Fort Worth Postal Service employees are using both the EEO complaint processing system and the grievance-arbitration procedures to avoid a documented history

of disciplinary problems that could ultimately lead to suspension or termination. Employees were sometimes successful at having the evidence of disciplinary action removed from their personnel file.

Usually, the only distinction between a contract grievance and an EEO complaint is the employee's perception as to the cause or basis for the complaint. If the employee believes that the basis is race, color, religion, sex, national origin, age, or handicap condition, the matter is clearly an EEO complaint. Neither the National Agreement nor Federal regulations specifically prohibit the concurrent filing of an EEO complaint and a contract grievance based on the same occurrence and factual issues. However, in 1976 the Supreme Court held that section 11 of the Equal Employment Opportunity Act of 1972 (42 U.S.C. 2000e-16 (1976)) created an exclusive judicial remedy for the redress of Federal employment discrimination (Brown v. GSA, 425 U.S. 820 (1976)).

Although the issue was not directly before it, the Supreme Court also mentioned that by enacting the Equal Employment Opportunity Act of 1972 it was the intent of the Congress to create an exclusive preemptive administrative as well as judicial scheme for the redress of Federal employment discrimination. While no cases have been decided which prohibit a Federal employee from filing a contract grievance concerning discrimination, it is possible that Postal Service management, in light of the discussion in Brown, could refuse to consider a grievance filed under the nondiscrimination clause of the National Agreement and instead force the employee to file those charges as an EEO complaint. If the employee in the contract grievance alleged a violation of any other article of the contract, the Postal Service would have to decide the grievance on the merits under the article even if the same set of circumstances are used as the basis for the EEO complaint.

According to Postal Service officials, very few contract grievances are filed which rely solely on the contract article forbidding discrimination. Therefore, much of the duplicate filing problems would not be solved by refusing to hear a contract grievance alleging discrimination. They also pointed out that resolving a contract grievance concerning discrimination could result in the reduction of duplicate hearings on the same issue since some EEO complaints are withdrawn because settlements are obtained through the grievance procedure.

RATIO OF COMPLAINANTS TO COMPLAINTS (note a)

<u>Informal</u>		<u>Formal</u>	
<u>Number of</u> <u>complainants</u>	<u>Number of</u> <u>complaints</u>	<u>Number of</u> <u>complainants</u>	<u>Number of</u> <u>complaints</u>
1	11	2 (3 ea.)	6
1	8	4 (2 ea.)	8
3 (5 ea.)	15	<u>34</u> (1 ea.)	<u>34</u>
6 (4 ea.)	24		
8 (3 ea.)	24	Total <u>40</u>	<u>48</u>
22 (2 ea.)	44		
<u>106</u> (1 ea.)	<u>106</u>		
Total <u>147</u>	<u>232</u>		

a/232 requests for precomplaint (informal) counselings from October 1, 1978, through April 20, 1979, resulted in 48 formal complaints.

<u>Number of</u> <u>complainants</u>	<u>Percent of</u> <u>complaints</u>	<u>Number of</u> <u>complainants</u>	<u>Percent of</u> <u>complaints</u>
1	5	2	13
2	8	6	29
5	15		
11	25		
19	35		
41	54		

MATTERS GIVING RISE TO EEO COMPLAINTS (note a)

	<u>Informal</u>	<u>Formal</u>
Initial appointments	6	2
Promotions	12	5
Detail/temporary reassignments	11	2
Attendance related	73	28
Work habit related	36	4
Work rules/job requirements	21	5
Unknown/records inadequate (note b)	56	-
Other	<u>17</u>	<u>2</u>
Total	<u>232</u>	<u>48</u>

a/ 232 requests for precomplaint counseling from October 1, 1978, through April 20, 1979, resulted in 48 formal complaints.

b/ Regulations do not require counselors to retain official documentation on cases resolved informally. In many cases, counselors' notes were nonexistent or very brief.

Complaints Stemming from Unauthorized or Excessive Absenteeism and Poor Work Habits

	<u>Informal</u>			<u>Formal</u>		
	<u>Attend- ance</u>	<u>Work habits</u>	<u>Total</u>	<u>Attend- ance</u>	<u>Work habits</u>	<u>Total</u>
Suspensions	8	2	10	3	-	3
Reprimands	63	29	92	23	1	24
Separations	<u>2</u>	<u>5</u>	<u>7</u>	<u>2</u>	<u>3</u>	<u>5</u>
Total	<u>73</u>	<u>36</u>	<u>109</u>	<u>28</u>	<u>4</u>	<u>32</u>
Percent of complaints	31	16	47	58	8	67



JIM WRIGHT  
TEXAS  
MAJORITY LEADER

Congress of the United States

House of Representatives

Office of the Majority Leader

Washington, D.C. 20515

March 29, 1979

Honorable Elmer Staats  
Comptroller General of the United States  
General Accounting Office  
441 G Street  
Washington, D. C. 20548

Dear Mr. Staats:

The purpose of this letter is to request an immediate and thorough investigation of reports I have received of abuses growing out of the Equal Employment Opportunity Program at the Fort Worth Post Office.

According to Jack D. Watson, who has been recognized as one of the nation's most effective and efficient postmasters, millions of dollars are being spent annually on frivolous complaints. Most of the complaints in Fort Worth seem to be filed because of discussions with employees regarding work habits, excessive absenteeism, and other matters not relating in any way to race, religion or age.

One aspect of the problem is the untimely manner in which some complaints have been filed. For example, a man fired in November, 1974, is allowed to reopen his case in March, 1976.


These problems have hindered the efficient operation of the Post Office and have had a demoralizing effect on management and on those employees who do not engage in such behavior. Undoubtedly the volume of frivolous complaints has also hindered the legitimate complaint mechanism of the Equal Employment Opportunity Program in carrying out its intended mission.

I have discussed this situation with the House Subcommittee on Postal Personnel and Modernization, and have been assured of full cooperation in your investigation.

If you have any questions on this, please contact George B. Gould, the subcommittee staff director, at 225-3718.

Please keep Barbara Sinclair in my office (225-8040) posted on what we hope will be a speedy investigation.

Sincerely,

  
Jim Wright

cc: Hon. Charles H. Wilson  
Mr. George B. Gould

(964146)

Single copies of GAO reports are available free of charge. Requests (except by Members of Congress) for additional quantities should be accompanied by payment of \$1.00 per copy.

Requests for single copies (without charge) should be sent to:

U.S. General Accounting Office  
Distribution Section, Room 1518  
441 G Street, NW.  
Washington, DC 20548

Requests for multiple copies should be sent with checks or money orders to:

U.S. General Accounting Office  
Distribution Section  
P.O. Box 1020  
Washington, DC 20013

Checks or money orders should be made payable to the U.S. General Accounting Office. NOTE: Stamps or Superintendent of Documents coupons will not be accepted.

**PLEASE DO NOT SEND CASH**

To expedite filling your order, use the report number and date in the lower right corner of the front cover.

GAO reports are now available on microfiche. If such copies will meet your needs, be sure to specify that you want microfiche copies.