

# GAO Highlights

Highlights of [GAO-20-387](#), a report to congressional requesters

## Why GAO Did This Study

According to estimates from a recent federal survey, 18 to 27 percent of VA employees experienced some form of sexual harassment at work from mid-2014 through mid-2016. Sexual harassment negatively affects employees and employers and, if severe or pervasive, can constitute unlawful employment discrimination prohibited by Title VII of the Civil Rights Act of 1964.

GAO was asked to review VA's efforts to prevent and address sexual harassment of its employees. This report examines (1) the extent to which VA has policies to prevent and address sexual harassment, (2) how available data inform VA about sexual harassment, and (3) the extent to which VA provides training to employees on preventing and addressing sexual harassment. GAO reviewed relevant federal laws, regulations, and policy and program documents; analyzed VA complaint data for fiscal years 2014 through 2019 and data from a 2016 federal survey; and interviewed VA officials at headquarters and select facilities across VA, two union officials, and EEOC officials.

## What GAO Recommends

GAO is making seven recommendations, including that VA ensure that its EEO Director position is not responsible for personnel functions; require managers to report sexual harassment centrally; and require additional employee training. VA concurred with all but the EEO Director position recommendation, which GAO continues to believe is warranted.

View [GAO-20-387](#). For more information, contact Cindy S. Brown Barnes at (202) 512-7215 or [brownbarnesc@gao.gov](mailto:brownbarnesc@gao.gov).

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## SEXUAL HARASSMENT

### Inconsistent and Incomplete Policies and Information Hinder VA's Efforts to Protect Employees

## What GAO Found

The Department of Veterans Affairs (VA) has policies to prevent and address sexual harassment in the workplace, but some aspects of the policies and of the complaint processes may hinder those efforts.

- **Misalignment of Equal Employment Opportunity (EEO) Director position:** VA's EEO Director oversees both the EEO complaint process, which includes addressing sexual harassment complaints, and general personnel functions. According to the Equal Employment Opportunity Commission (EEOC), this dual role does not adhere to one of its key directives and creates a potential conflict of interest when handling EEO issues because the EEO process often scrutinizes and challenges the impacts of personnel decisions.
- **Incomplete or outdated policies and information:** VA has an overarching policy that outlines its efforts to prevent and address sexual harassment of its employees. However, some additional policies and information documents at the agency and administration levels are not consistent with VA's overarching policy, and are outdated or are missing information. For example, they may not include all options employees have for reporting sexual harassment, which could result in confusion among employees and managers.
- **Delayed finalization of Harassment Prevention Program (HPP):** VA has not formally approved the directive or the implementing guidance for the 4-year-old HPP, which is intended to prevent harassment and address it before it becomes unlawful; lack of formal approval could limit the program's effectiveness.

VA uses complaint data to understand the extent of sexual harassment and target resources to prevent and address it. However, such data are incomplete. For example, VA compiles information on allegations made through the EEO process and HPP (e.g., 180 sexual harassment cases were filed through the EEO process and HPP in fiscal year 2019), but does not require managers who receive complaints to report them to VA centrally. As a result, VA is not aware of all sexual harassment allegations across the agency. Without these data, VA may miss opportunities to better target its resources and to prevent and address sexual harassment.

VA provides training to its employees, but the required training does not have in-depth information on identifying and addressing sexual harassment. These trainings have one or no sexual harassment scenarios to help employees understand prohibited behaviors and do not mention HPP. Some facilities within VA's administrations—which include the Veterans Health Administration, Veterans Benefits Administration, and National Cemetery Administration—supplement the training, but providing additional information is not mandatory. Requiring broader training material, such as with more examples of sexual harassment and information on HPP, could improve VA employees' knowledge of the agency's sexual harassment policies and could help to prevent sexual harassment or ensure that it is properly handled when it does occur.