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## **EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

### **Summary**

AFGE's National Council of EEOC Locals, No. 216, is proud to represent Equal Employment Opportunity Commission (EEOC) staff who enforce civil rights laws in the private and federal sectors, which protect against discrimination on the job based on race, religion, color, national origin, sex, pregnancy, age, disability and genetics. EEOC's workers, including 30% of whom are veterans, serve from 53 offices located throughout the country.

EEOC employees have been on the frontlines of civil rights enforcement for over sixty years, since the agency, which was created by the Civil Rights Act of 1964, opened its doors in 1965. Congress and Presidents of both parties have charged EEOC with enforcing laws to protect American workers from discrimination: Equal Pay Act (Kennedy); Civil Rights Act (Johnson); Rehabilitation Act of 1973 (Nixon); Americans with Disabilities Act (G.H.W. Bush); Genetics Information Nondiscrimination Act (G.W. Bush); ADA Amendments Act (G.W. Bush); Lilly Ledbetter Act (Obama); and the bipartisan sponsored and passed Pregnant Workers Fairness Act (Biden).

Despite the public's high demand for help with the workplace discrimination laws it enforces, EEOC's FY26 budget has been slashed \$20M, which is the biggest cut in its history. The FY26 budget justification demonstrates that the cut will come primarily from drastic staff reductions. However, EEOC needs adequate frontline staff to do the work of enforcing its laws.

EEOC receives hundreds of thousands of inquiries, which increase year after year. Appointment calendars are booked. Yet, EEOC ended FY25 with a record low 1,814 Full Time Equivalents (FTE's) nationwide, estimating a further decline to 1,767 FTEs in FY26. This drastic 25% drop from 2,246 FTE's in FY24, was spurred by the Deferred Resignation Program, attrition, hiring freezes, attacks on workplace flexibilities and cratering morale. Short staffing results in the public experiencing delays in getting help. More frontline staff is needed to handle the volume of public demand.

### **Summary of Priorities**

For FY27, AFGE Council 216 will urge Congress to restore EEOC's budget to at least \$455M and certainly not to impose more cuts that harm civil rights enforcement. EEOC should restore staffing to at least the FY24 level of 2,246 FTE's but certainly not lower than the 2,012 average staffing during President Trump's first term. Any available hiring should focus on frontline staff, especially positions to meet the demand for intake appointments. The Union will advocate for efficiencies that help the public and foster working conditions that prevent costly turnover.

The Union will continue to press EEOC to focus on promoting equal opportunity across all workplaces.

## **Discussion:**

### **1. Congress should support EEOC restoring EEOC's funding in FY27**

- *AFGE Council 216 will urge Congress to restore EEOC's budget to \$455M*

EEOC operated at level funding with a budget of \$455M for the past three fiscal years. But for FY26, EEOC's budget has been slashed to \$435M, an unprecedented \$20M cut. When EEOC is starved of resources historically it has relied on "do more with less" strategies, which centered on perfunctory case closures rather than providing substantive help to the public. EEOC needs adequate resources to handle rising inquiries and to enforce the recently enacted Pregnant Workers Fairness Act. Restoring EEOC's budget is needed to ensure adequate frontline staff to provide effective help when workers face discrimination on the job. AFGE Council 216 will urge Congress to restore EEOC's FY27 budget to \$455M, but in no event cut funding.

### **2. EEOC Needs Frontline Staff to Meet the High Public Demand**

- *AFGE Council 216 will urge Congress for resources for EEOC frontline staff*

Historically, EEOC is small understaffed and underfunded agency, despite the huge mission of ensuring a fair shot in the workplace. The OIG statement in the EEOC's FY25 Agency Financial Report cites to the Agency's shrinking staff as a top challenge: "The EEOC began FY 2025 with around 2,170 employees and projects the number to drop below 1,700 in FY 2026, which reduces the workforce by almost a quarter. Many offices are impacted from staffing reductions." The report goes on to say, "Such a significant reduction in staffing and turnover in management will likely hamper the Agency from achieving the same levels of outputs in private and public sector activities as it had in previous years."

Yet, according to EEOC's FY26 budget justification, workload volume will increase, while resolutions will decrease. According to EEOC, the agency received 644,200 contacts from the public in FY24, which represents "significant year-over-year increases" resulting in an anticipated 700,000 calls to its 1-800 number and 100,000 emails in FY26. The budget justification also anticipates fewer complaint resolutions. Loss of frontline staff accounts for the estimated drop in resolutions.

For FY27, AFGE Council 216 will urge Congress to direct EEOC to restore frontline staff to the FY24 level of 2,246 FTE's, but certainly not lower than the 2,012 average staffing during President Trump's first term.

### **3. Congress Should Direct EEOC to Hire Key Frontline Positions**

- *AFGE Council 216 will urge Congress to direct EEOC to hire staff who serve the public*

Any available hiring should be targeted on frontline staff, who directly serve the public. Staffing shortages have a direct impact on the public's ability to get real help. Adequate frontline staff is

needed to receive inquiries, conduct intake interview appointments, and process charges from workers asserting employment discrimination. Shortstaffing raises wait times and delays.

For example, there continues to not be enough investigative staff to cover appointment demand. AFGE Council 216 has long promoted the smart staffing efficiency of hiring dedicated intake staff. Trained paraprofessionals, Senior Investigator Support Assistants (SISA), can advance the intake process from pre-charge counseling through charge filing. Yet EEOC has fewer than a dozen SISAs nationwide. With more SISAs, investigators, who now must stop investigating their cases to regularly rotate into intake, could focus on processing their caseload. EEOC should hire 100 SISAs, at least one for each of the 53 offices and more for larger offices with higher intake.

Likewise, EEOC's in-house call center is staffed by approximately 30 intake information representatives (IIRs), providing live assistance to thousands of callers, with the huge volume of inquiries rising. A small increase in the number of IIRs would reduce wait times of up to an hour. Additionally, it would be more efficient if these IIRs could be trained up to ISAs and SISAs, so they could not only answer or forward inquiries, but also be able to advance the intake process.

Investigators are the backbone of EEOC. But much of the staffing losses occurred in the Office of Field Programs, according to the FY25 Financial Report. EEOC lost about a hundred investigators in FY25, with only approximately 450 remaining and spread across 53 offices. Hiring more investigators would alleviate the unfortunate practice of transferring cases, which is bad for workers, employers, and EEOC staff. EEOC will transfer up to thousands of charges from short-staffed offices to those with a few more personnel. This drives up the caseloads and overwhelms the investigators in receiving offices. For the public, this means new staff learning their cases and managing them away from the geographic location of the workers and employers. Rather than using a band aid, the cure is for all EEOC offices to be fully staffed, so they can manage their own caseloads.

Additional support staff such as Investigative Support Assistants (ISA) and Office Automation Assistants (OAA) would allow EEOC to handle calls, mail, data input, and email more efficiently and relieve professional staff of clerical work that detracts from their primary duties.

EEOC's mediation program has a 25-year history of success. Mediators reduce office caseloads and processing times. However, in FY26 EEOC will be below 75 mediators nationwide.

For FY27, AFGE Council 216 will urge Congress for EEOC to prioritize hiring these and other frontline positions that directly serve the public.

#### **4. Ensure Model Work Practices to Avoid Costly Turnover**

- *AFGE Council 216 will fight for a good workplace for EEOC's own employees*

Fostering good morale and working conditions promotes retention. Turnover costs the Agency in recruitment and training. Attrition and hiring freezes are bad for the public and inefficient because they create staffing and knowledge gaps that negatively impact services. Maintaining civil service protections is critical to maintaining a fair workplace. Fear of reprisal for protected activity at EEOC is historically above the government average, based on prior years' FEVS

surveys. Workplace flexibilities are important to keeping EEOC competitive in recruiting and retaining talent in the modern employment market.

**AFGE will urge Congress for FY27:**

- To restore EEOC's \$455M budget, but in no event further cut funding.
- To restore staffing to the FY24 level of 2,246 FTE's, but at least not lower than the 2,012 average FTE's in President Trump's first term.
- To foster retention and avoid costly turnover through civil service protections, workplace flexibilities, and addressing fear of reprisal.
- To direct EEOC to prioritize hiring frontline staff, including at least 100 Senior Investigator Support Assistants to support appointment demand.