

Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by the U.S. Equal Employment Opportunity Commission.

- I. **Scope and Applicability of the Guidelines.** *The Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by the U.S. Equal Employment Opportunity Commission (EEOC's Guidelines for Ensuring Information Quality)* establish an approach to ensure that EEOC achieves quality in the information it disseminates to the public on or after October 1, 2002. The information quality standards described in the Office of Management and Budget's final guidelines (issued February 22, 2002, 67 FR 8452) are incorporated by reference.
 1. There are several important concepts in the guidelines that address the type of products covered and the mechanisms for providing these products to the public. Two of those parameters are:
 - A. **Information** means any communication or representation of knowledge such as facts or data, in any medium or form, including textual, numerical, graphic, cartographic, narrative, or audiovisual forms.
 - B. **Dissemination** means agency initiated or sponsored distribution of information to the public.
 2. These guidelines apply to certain information disseminated by the EEOC on or after October 1, 2002, regardless of when the information was first disseminated. Also, these guidelines apply to information EEOC generates, and to information that other parties provide to the EEOC that the EEOC relies upon or disseminates. Information provided by other parties and relied upon or disseminated by the EEOC are subject to these guidelines.
 3. Examples of information prepared by or for the EEOC subject to the *EEOC's Guidelines for Ensuring Information Quality* include:
 - A. Information prepared for public dissemination.
 - B. Reports, studies and summaries prepared to inform the public about the impact of the EEOC's programs or, to use in formulating broad program policy.
 - C. Aggregated information on administrative and litigation processes.
 4. These guidelines do not apply to all information disseminated by the EEOC. The fact that an information product disseminated by EEOC before October 1, 2002, is still maintained by the EEOC as an archival record in files, distributed publications and in other ways does not make the information automatically subject to these guidelines or to the request- for-correction process.
 5. Examples of information generally NOT covered by these guidelines include:
 - A. Information collected or developed by the EEOC that is not disseminated to the public, including documents intended only for inter-agency or intra-agency communications.
 - B. Information collected in or relating to the EEOC's administrative and adjudicative processing of charges in the private sector and of complaints in hearings and appeals in the federal sector. This includes information provided for subpoenas, findings,

decisions, settlements, orders, opinions, or amicus and other briefs. These are excluded because there are well-established procedural safeguards and rights in the statutes and regulations enforced by the EEOC.

- C. Information pertaining to basic agency operations, such as procedural, operational, policy, and internal manuals prepared for the management and operations of EEOC that are not intended for public dissemination.
- D. Management information that is produced and intended primarily for internal use.
- E. Internal information limited to government employees or agency contractors.
- F. Responses to requests for information under the Freedom of Information Act, the Privacy Act, the Federal Advisory Committee Act or other similar law.
- G. Research reports or studies prepared by other individuals, groups or organizations, unless the EEOC has directed an individual, group or organization to disseminate the information or the EEOC retains the authority to review and approve the information before release.
- H. Correspondence with individuals or persons.
 - I. Archival records.
- J. Public filings by non-EEOC parties, unless the information is used or disseminated by the EEOC.
- K. Press releases announcing or describing recent events or EEOC enforcement actions; and press releases, fact sheets, press conferences or similar communications in any medium that announce, support the announcement or give public notice of information EEOC has disseminated elsewhere.
- L. Information presented to Congress and included under item #2, above, and other information presented to Congress, unless it is new, substantive information not previously disseminated to the public by the EEOC.
- M. Hyperlinks to information that the EEOC itself does not disseminate.
- N. Views or opinions by others, as long as the EEOC makes it clear that the opinion is not the agency's point of view.
- O. Program publications that explain how to file an EEO complaint, such as that contained in pamphlets.

II. **Standards for Information Quality.** "Quality" is a statutory term that collectively comprises the terms of utility, objectivity, and integrity. Each aspect of quality is set forth in the definitions of these three terms. The EEOC will ensure and establish a basic standard of quality for all EEOC information prior to dissemination to the public. Also, the EEOC will review the quality of information before it is disseminated to the public, and treat information quality as integral to every step of its development of information, including creation, collection, maintenance and dissemination.

1. **Utility.** Utility refers to the usefulness of the information to its intended users, including the public. The EEOC will consider the use of its information from the user's perspective to produce useful, policy-relevant information.

A. **The EEOC will keep informed of information needs through active and ongoing contact with the user community and will provide vehicles for user input.**

The EEOC keeps abreast of information needs with respect to the analysis of its programs in a variety of ways. It performs internal analyses of information requirements; convenes and attends conferences; works with advisory committees,

community-based organizations and stakeholder groups; and seeks input through a variety of outreach activities it sponsors. In addition, contact information is now included with some of the EEOC's information products, and will be made more available in the future on a variety of information products, where appropriate, to allow for questions, comments, and suggestions from users.

B. The EEOC's analytical and statistical publications and other information products will be reviewed to ensure that they remain relevant and timely to address current information needs.

The content of ongoing information products is changed, new products are introduced, and some products are discontinued based on internal product reviews, information from users, and the changing needs and emphasis from proposed changes in the law and related policy debates. The EEOC identifies requirements to support the preparation of analytical reports and policy studies and modifies its current information products accordingly.

C. The EEOC's information dissemination process will make information products widely available and broadly accessible.

Most public reports and other data products are available in print, and more are becoming electronically available. All documents posted on our Web site are in compliance with Sections 504 and 508 of the Rehabilitation Act of 1973, as amended, to ensure the accessibility to individuals with disabilities, specifically an audience that includes persons who have a visual impairment and read on-line using assistive technology.

D. The EEOC will demonstrate, in any clearance requests submitted under the Paperwork Reduction Act, the utility for collecting information from the public that the agency plans to disseminate.

The EEOC provides, in its clearance packages under the Paperwork Reduction Act, information on the utility of equal employment opportunity data gathered from private employers, unions, state and local entities and schools. This information will be collected, maintained, and used in a way consistent with the agency's guidelines.

2. **Objectivity.** Objectivity involves two specific elements: presentation and substance. Disseminated information should be presented in an accurate, clear, complete and unbiased way. This involves presenting information in the proper context. In addition to the presentation of information, objectivity ensures the substance of products is accurate, reliable and unbiased. Basically, objectivity is ensured if reliable data sources and sound analytical techniques are used; methods exist to carefully review the contents of all information products; and information is prepared by qualified people using proven methods.

A. Information products disseminated by the EEOC will be based on reliable, accurate data.

Much of the information disseminated by the EEOC is based on its enforcement data files. Those files contain information used to manage programs. The EEOC conducts on-going quality assurance reviews of employment discrimination charges and settlement information in its data systems to ensure their accuracy. EEOC has a comprehensive data verification process in place involving coordinated efforts between headquarters, field office staff and managers to detect and correct data anomalies, outliers and missing information in its charge and complaint databases. This process combines direct staff review of data with computer programs and automated edit checks that generate data integrity reports. Also, statistical reports are validated on an on-going basis and quality assurance assessments of the reports are prepared for

management on a quarterly basis. Headquarters program offices conduct reviews of files, including onsite reviews, and check for the quality and accuracy of database information, where appropriate.

The EEOC has deployed new personnel, payroll, and financial management systems. The financial system conforms to high standards of financial accountability to provide complete, reliable, consistent, timely, and useful management information to enable the agency to carry out its fiduciary responsibilities.

The EEOC also uses data from external sources for some of its information products. Equal Employment Opportunity (EEO) data is collected by the EEOC from private sector employers, labor organizations, state and local governments, and elementary and secondary public schools. The Department of Education collects information from institutions of higher learning and share this data with the EEOC. The information is collected on a regular, recurring schedule using a magnetic medium for example, interactive diskettes or computer tapes or on paper forms that are converted to a magnetic medium. EEO data is also collected from federal agencies. A web-based data collection mechanism, implemented in fiscal year 2002, allows government agencies to electronically transmit their aggregate EEO data to EEOC.

Data on paper forms are manually edited before keying onto a magnetic medium. The collection of data using magnetic or electronic media increases its accuracy by eliminating any potential errors that could result from manual re-keying. All of the information on magnetic or electronic media goes through various data checks to ensure consistency and accuracy. As one example, employer information is compared year-to-year for data anomalies or outliers.

B. *All data used in the preparation of information products will be compiled using statistically sound procedures implemented by qualified professional staff.*

Enforcement data files used to prepare disseminated information products are compiled and analyzed by qualified professional staff. Data verification checks are conducted using manual and automatic procedures to assist in validating the accuracy and the internal consistency of the information. Professional staff peruse the information manually for anomalies and outlier data and make corrections to further ensure the accuracy of the information.

C. *Analytic reports will be prepared using sound statistical and analytic methods and by staff knowledgeable about the data sources and models used.*

Reports are prepared by staff using a variety of analytical techniques ranging from simple tabulations and descriptive summary statistics to other statistical methods and models. Staff preparing analytic reports and policy studies are expert in their use of relevant enforcement data files, external data sources, and the statistical approaches used to provide the data and analysis

D. *Analytical techniques will be reviewed to ensure that they are appropriate for the data and the analysis to which they are applied.*

All analytical reports and policy studies are reviewed by qualified staff to ensure that the analysis is valid, complete, unbiased, objective, and relevant. Analytic techniques are clearly described in relevant reports and data sources are identified in publications. When analyses are based on projections, the assumptions used to produce the projections are identified.

E. *Data sources and other relevant disclosure information will be documented in*

publications, either for the publication as a whole or for individual tables.

Documentation in publications contains information on data sources, including definitions and specifications of variables. Report documentation also includes, where appropriate, information on sampling and any disclosure rules or techniques.

F. *All information products will be edited and proofread before release to ensure clarity and coherence of the final report, or Website posting.*

Text is edited to ensure that a report is easy to read and grammatically correct; thoughts and arguments flow logically; and, information is worded concisely and lucidly. Tables and charts are edited to ensure that they clearly and accurately illustrate and support points made in the text and include concise and descriptive titles. Tables and charts indicate the unit of measure and the universe being examined, and all internal labels (column headings, row stubs, and panel headings) accurately describe the information they contain.

G. *Influential Information and Reproducibility.* An enhanced level of objectivity is required for "influential scientific, financial or statistical information." "Influential" information means that the agency can reasonably determine that dissemination of the information will have or does have a clear and substantial impact on important public policies or important private sector decisions. Information defined as "influential" has an added level of scrutiny afforded it, to include the need to ensure it is reproducible.

The EEOC will first determine whether or not the information is influential to determine whether it is covered under this portion of the guidelines. The "influential" designation will be applied to information disseminated by EEOC sparingly, if at all. Several aspects will be considered:

- i. To the degree that any of EEOC's information may be covered by this aspect of the guidelines, "influential" information only pertains to statistical information.
- ii. For EEOC, influential statistical information is only that information expected to have a clear and substantial impact on the national level and on major public and private policy decisions related to federal equal employment opportunity issues.
- iii. A clear and substantial impact is one that EEOC is firmly convinced is at a greater level than would ordinarily be the case; that the impact has a high probability of occurring. If it is merely speculative or arguable that an impact will occur, or if it is a close judgement call, then the impact is probably not clear and substantial.
- iv. The impact must be on important public policy or private sector decisions that are expected to occur. Even if information has a clear and substantial impact, it is not influential if the impact is not on a public or private decision that is important to policy or other decisions.
- v. It should be noted, however, that the influential definition applies to the "information" itself. Information may support a very important decision or action taken by EEOC. It can not be inferred, however, that the information automatically can be assumed to be "influential" and covered under this section of the guidelines.
- vi. Only if the information is determined to be "influential" will EEOC address several other aspects for dissemination of the information to the public:

(1) If the statistical information is influential, the EEOC generally will ensure that

the information contains a high degree of transparency about the data and methods used in order to facilitate the reproducibility of this information by qualified individuals or groups.

(2) Influential statistical information can include original and supporting data or analytic results.

(3) With regard to original and supporting data, EEOC guidelines do not require that all disseminated data be subjected to a reproducibility and transparency requirement, because some information may not be publically accessible due to confidentiality protections or other compelling reasons.

(4) With regard to analytic results, if the data is identified as influential and can be made available publically, EEOC will provide sufficient transparency about the data and the methods used to analyze it to enable an independent analysis by a qualified individual or group. Where the data can not be publically disclosed, the EEOC will use rigorous statistical checks on its analytic results, document the checks undertaken, and disclose the specific data sources, quantitative methods, and assumptions used.

(5) The EEOC does not have "influential" information that involves risks to human health, safety and the environment, based on the Safe Drinking Water Act Amendments of 1996 (42 U.S.C. 300g-1(b)(3)(A) & (B)). Consequently, the quality principles articulated in the Act for "risk" information do not apply to the EEOC.

3. **Integrity.** Integrity refers to the security of information protection of the information from unauthorized access or revision, to ensure that the information is not compromised through corruption or falsification.

A. ***The EEOC will employ rigorous controls that represent sound security practices to ensure the integrity of the information it disseminates.***

The EEOC has programs and policies for securing its resources as required by the Computer Security Act of 1987 (P.L.100-235), Office of Management and Budget Circular A-130, and the Government Information Security Reform Act (P.L. 106-398, title X, subtitle G). These security procedures address all major components of information security and apply to all operating components. In addition, the EEOC is subject to statutory requirements to protect the sensitive information it gathers and maintains on individuals. Requirements regarding that information are contained in the following statutes or guidance documents:

- i. Privacy Act of 1974
- ii. Computer Security Act of 1987
- iii. Office of Management and Budget (OMB) Circulars A-123, A-127, and A-130
- iv. Government Information Security Reform Act
- v. Federal Managers' Financial Integrity Act (FMFIA) of 1982
- vi. Sections 706(b) and 709(e) of Title VII of the Civil Rights Act of 1964, 42 U.S.C. ..2000e-5(b) and 8(e).

In addition to adhering to these requirements, access to information and the underlying data bases are restricted in the system to ensure the integrity of the information and its appropriate utilization.

- III. **Procedure to Seek Correction of Information Covered Under the *EEOC's Guidelines for Ensuring Information Quality*.** The EEOC has created an area on its Web site at www.eeoc.gov containing *EEOC's Guidelines for Ensuring Information Quality* and other relevant information, including the procedures for requesting correction to agency information subject to these guidelines.

Using the following procedures, persons affected by the EEOC's disseminated information can request correction of the information that does not comport with EEOC's or OMB's information quality guidelines. Affected persons can request correction of information first disseminated on or after October 1, 2002, and information previously created by the EEOC which is newly disseminated on or after October 1, 2002. The EEOC's information disseminated only before October 1, 2002, is not covered by the *EEOC's Guidelines for Ensuring Information Quality*.

Also, there are some circumstances in which there is an existing process to respond to concerns expressed about EEOC's information. The OMB guidelines encourage agencies to make use of existing processes in a flexible way, tailored to their programs. When there is a sound existing process, such as a process that provides opportunities for public participation in making an agency decision, the EEOC will not duplicate the process with a separate request-response mechanism. The substantive standards of quality, the information quality standards provided in the OMB and EEOC guidelines, remain applicable to any such dissemination of information.

In addition, the EEOC may disseminate a study, analysis, or other information prior to taking a final action based on this material or prior to releasing a complete information product. The EEOC will consider requests for correction of the study, analysis or other information product before it takes its final action or releases the final informational product if it determines that an earlier response will not unduly delay the issuance of the final action or the information product; and, the person requesting the correction shows that there is a reasonable likelihood that he/she will suffer actual harm from the disseminated information if the request is not resolved before the final action is taken or the final product disseminated.

Important Note: Do not submit any information, comments or data relating to a charge of discrimination that may have been filed with the agency. This is not a procedure for processing any charge-specific information in the private sector or hearings or appeals in the federal sector. Anything submitted for that purpose will not be considered for the purposes of these guidelines. If you want to discuss charge, hearings or appeals information, please contact the appropriate field office nearest you. Our offices are listed on the agency's web site (www.eeoc.gov). You can also call 1-800-669-4000 (TTY: 1-800-669-6820) to be automatically connected to the closest EEOC office.

1. **What you must do.** The U.S. Equal Employment Opportunity Commission has developed a procedure to allow you to seek correction of information disseminated by the EEOC. Submit your request in any of the following ways:

- A. U.S. Postal Service or Other Delivery Service

Send your request to:

Request to Correct EEOC Published Information
U.S. Equal Employment Opportunity Commission
Office of Research, Information and Planning
Room 8219
1801 L Street, N.W.
Washington, D.C. 20507

- B. Facsimile

Use a cover sheet on top of your request, and indicate the fax is for:

Request to Correct EEOC Published Information
U.S. Equal Employment Opportunity Commission
Office of Research, Information and Planning
Room 8219

Fax to: (202)663-4093

C. E-Mail

Send requests by e-mail to:
requestcorrectioninformation@eoc.gov

- D. If you have any questions, please mail, fax or e-mail your name, telephone number, and hours you can be reached (including the time zone). An EEOC representative will contact you.
- E. What information to include in your request for a correction in EEOC information:
- i. Provide your name, mailing address, fax number, e-mail address, telephone number and organizational affiliation, if appropriate. We need this information to respond to your request and contact you, if necessary.
 - ii. Indicate that your request for correction of EEOC disseminated information is submitted under the procedures of the *Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies*.
 - iii. Clearly describe the information you believe needs to be corrected. Include the name of the report or data product where the information is located, the date of issuance, and a detailed description of the information to be corrected. State specifically why the information should be corrected; that is, describe in what way and why the information is incorrect. If possible, recommend specifically how the information should be corrected. Provide supporting documentary evidence, such as comparable data or research results on the same topic, to help in the EEOC's review of your request.
 - iv. Describe how you are affected, or harmed, by the information error in the report or data product.
- F. It is important to be specific in your request for a correction. Also, it is critical to provide all of the information requested. Without all of the items of information, the EEOC may be unable to process your request in a timely manner, or provide a response to the issue(s) you raise.

2. What we will do.

- A. We will review your request and determine whether a correction is warranted, and, if so, what action to take. Some of the factors in that determination are the nature, influence, and timeliness of the information involved; the significance of the correction on the use of the information; and, the magnitude of the correction needed.
- B. We will respond to you by letter, e-mail, or fax usually within 60 calendar days from the date we receive your request. Some situations may require additional time or information from you. Our response will explain the findings of our review and the actions the EEOC will take. If the EEOC agrees with the correction, it will take steps to notify the public of its decision by withdrawing the information in question from the public domain.
- C. EEOC may choose not to respond to requests for corrections that are frivolous or

unlikely to have substantial future impact. In addition, it may not be in the public interest for the EEOC to devote significant resources to correcting information where the expenditure of the resources is not, in EEOC's view, cost effective in light of the significance of the asserted error, the benefits that are likely to be derived from any correction, the costs of the correction, and the EEOC's more pressing priorities and obligations.

3. **Your right to appeal our decision.** If we deny your request for a correction of the information, you can administratively appeal our decision.
 - A. You will be told at the time of a denial how to appeal.
 - B. If an appeal is requested, the office who handled the original request for correction will not have the responsibility for resolving the appeal.
 - C. We will respond to you by letter, e-mail, or fax usually within 60 calendar days from the date we receive your appeal. Some situations may require additional time. Our response will explain the findings of our review and the actions the EEOC will take. If the EEOC agrees with the correction, it will take steps to notify the public of its decision by withdrawing the information in question from the public domain.
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