

UNITED STATES GOVERNMENT

Memorandum

TO : Chairman Richard Wiley

DATE: June 6, 1975

FROM : Commissioner Quello

SUBJECT: EEO Policy

The following are some of the matters which I believe should be considered and/or reconsidered before issuing any document relating to the Commission's EEO policy and rules:

- 1) More carefully define the purpose of the document. If it is to clarify the licensee's responsibility in the EEO area, Alternative 2 appears to do that only indirectly since its main concern seems to be the form in which material should be submitted to the Commission in order for the Commission to make a determination as to whether or not licensees have complied with an imprecise standard. It isn't at all clear that the licensee will be better informed about his EEO responsibilities under the proposal than he is now. The only clear-cut result of the proposal would be administrative convenience for the Commission in making a preliminary determination of the licensee's compliance upon receipt of a complaint.
- 2) What standard is to be used by the Commission? Is there a means whereby the licensee might be informed as to the standard to be applied? Should examples be given relating to the "zone of reasonableness"?
- 3) In the event "on site" investigations are deemed necessary, why shouldn't they be conducted by existing investigatory entities such as Complaints and Compliance or FOB?
- 4) A major deficiency, in my opinion, of the Commission's EEO policy is that it provides no satisfactory complaint procedure. By merely referring discrimination complaints to EEOC or state or local agencies, we often frustrate complaining parties who have legitimate concerns. Further, this approach effectively postpones remedial action by the Commission until renewal time.

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It seems to me that an expeditious response to complaints by the Commission might significantly reduce the flood of complaints at renewal time and, thereby, reduce the processing backlog. It is my understanding that some 30% of existing petitions to deny are EEO related.

- 5) Licensees with 15 or fewer employees should be exempt from the additional reporting requirements contemplated by Alternative 2 except when warranted in specific instances.
- 6) Consideration should be given to examining Section VI of the various forms for deficiencies. It may be that a lack of specificity in the questions prompts a similar lack in the response.

James H. Quello

cc: Lawrence Secrest