

Application of Strategic Management in Nonprofit Organizations: A Case Study of the U.S. EEOC

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Abstract

Recognizing the importance of the nonprofit sector to the implementation of public policies, this article presents the experiences of the U.S. Equal Employment Opportunity Commission's (EEOC) application of strategic planning management. In light of the largely private sector experience with strategic planning, this study concludes that the EEOC seems to be well along in the strategic management program. This article also summarizes five main reasons that account for the EEOC's success.

Key words: EEOC, Strategic Management, Nonprofit Organizations, NEP

1. Preface

Although the concept of strategy has been employed by policy and management researchers for more than two decades,¹ the strategy literature has

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¹ e.g., Russell L. Ackoff, *A Concept of Corporate Planning* (New York : John Wiley and Sons, 1970); Alfred D. Chandler, Jr., *Strategy and Structure* (Cambridge : M.I.T. Press, 1962); Charles W. Hofer, and Dan E. Schendel, *Strategy Formulation : Analytical Concepts* (St. Paul : West Publishing Company, 1978); Raymond E. Miles, and Charles C. Snow, *Organizational Strategy : Structure and Process* (New York : McGraw-Hill, 1980); Danny Miller, and Peter Friesen, "Archetypes of Strategy Formulation," *Management Science*, vol. 24(May 1978), pp.921-933; Henry Mintzberg, "Patterns of Strategy Formulation," *Management Science*, vol. 24 (May 1978), pp.934-948; Dan Schendel, and Charles W. Hofer (eds.), *Strategy*

largely focused on business organization (Young, 1998). During the last thirty years, strategic planning has gained wide acceptance in the American corporate community as a powerful management tool. Graduate schools of business increasingly offer courses in strategic planning, and there is a great deal of literature on the theory and practice of strategic planning in the private sector. Strategic planning reflects the actual pattern of choices and action made in guiding organizations through time.

Strategic planning is relatively new to the nonprofit sector and recent research suggests that the best nonprofit sector managers have been creating strategic management processes to address the unique features of nonprofit organizations (Rainey, 1991; Bozeman and Straussman, 1990; Denhardt, 1993; Bryson, 1995; Salamon, 1997). In fact, many managers have been moving away from traditional, hierarchically managed agencies towards a management style that highlights responsiveness to citizens and an ongoing strategic planning process emphasizing the organization's mission and values. Given the importance of the nonprofit sector to the implementation of public policies (Weisbrod, 1998), the primary purpose of this article is to bring the experience of the United States Equal Employment Opportunity Commission (EEOC) to the attention of nonprofit or public sector executives and managers, so as to aid in the application of strategic management programs in their organizations.

2. EEOC : An Overview

The EEOC was established by Title VII of the Civil Rights Act of 1964 and began operating on July 2, 1965. The EEOC was charged with the investigation and conciliation of all claims of discrimination brought under Title VII of the Civil Rights Act, the Title which prohibits employment discrimination on the basis of race, color, national origin, sex and religion. The EEOC enforces the following federal statutes:

Management (Boston : Little, Brown and Company, 1979); Arthur A. Thompson, Jr., and A. J. Strickland, *Strategy Formulation and Implementation* (Plano, TX : Business Publications Inc., 1980).

- (1) The Age Discrimination in Employment Act of 1967, as amended (ADEA), which prohibits employment discrimination against individuals 40 years of age and older.
- (2) The Equal Pay Act of 1963 (EPA), which prohibits discrimination on the basis of gender in compensation for substantially similar work under similar conditions.
- (3) Title I of the Americans with Disabilities Act of 1990 (ADA), which prohibits employment discrimination on the basis of disability in both the public and private sector, excluding the federal government.
- (4) The Civil Rights Act of 1991, which includes provisions for monetary damages in cases of intentional discrimination and clarifies provisions regarding disparate impact actions.
- (5) Section 501 of the Rehabilitation Act of 1973, as amended, which prohibits employment discrimination against federal employees with disabilities.

The EEOC carries out its work at headquarters and in 50 field offices throughout the United States. The EEOC has five commissioners and a general counsel appointed by the President and confirmed by the Senate. Commissioners are appointed for five-year, staggered terms. The term of the General Counsel is four years. The President designates a chair and a vice-chair. The chair is the chief executive officer of the Commission. The five-member Commission makes equal employment opportunity policy and approves most litigation.

The primary tasks of the EEOC are to investigate, conciliate, and litigate charges of employment discrimination. Individuals who believe they have been discriminated against by an employer, employment agency, or union, either when applying for a job or while employed, because of race, color, religion, sex, national origin, age or disability, may file a charge of discrimination at any of the 50 EEOC field offices nationwide. Commission staff receive and investigate employment discrimination charges against private employers and state and local governments. If an investigation concludes that there is reason to believe a violation of the law occurred, remedy may follow through a process of

conciliation or litigation.²

The EEOC's Enforcement Policy provides that the commissioners review for litigation consideration all reasonable cause determinations and letters of violations where conciliation has failed. The Commission's policy is to seek to defend every victim of employment discrimination, initially through conciliation efforts or, if necessary, through litigation, and to provide remedies designed to correct the discrimination and prevent its recurrence. The EEOC has the authority to sue private employers for violations under Title VII, and all employers, including state and local governments, under the Equal Pay Act of 1963 (EPA) and the Age Discrimination in Employment Act of 1967(ADEA).

3. The Need for Strategic Management

President Bush named Gilbert Casellas Chairman of the EEOC in the fall of 1994. The new chairman recognized that the record-breaking number of charges received by the Commission during the fiscal years 1992 and 1993, without a concomitant increase in the number of investigators, contributed to a rise in the number of charges awaiting resolution at the end of fiscal years 1992 and 1993. Facing an agency with decreased staff levels and increased work load, Gilbert Casellas found his term to be a time of both opportunity and challenge for the EEOC. Statistical tables depicting EEOC staff and litigation statistics for fiscal years 1980 to 1992 are shown in Tables 1 to 4.

Table 1 : EEOC Staff Statistics (Fiscal Year 1980 Through Fiscal Year 1992)

Yr.	Chair	Staff
1980	Eleanor H. Norton	3,470
1981	Eleanor H. Norton	3,336
1982	J. Clay Smith	3,189
1983	Cathie Shattuck	3,178
1984	Clarence Thomas	3,168
1985	Clarence Thomas	3,222

² If the EEOC determines there is "reasonable cause" to believe that discrimination has occurred, the Commission will begin conciliation efforts. If conciliation fails, the charge can then be considered for litigation.

1986	Clarence Thomas	2,987
1987	Clarence Thomas	3,187
1988	Clarence Thomas	3,069
1989	Clarence Thomas	2,748
1990	Clarence Thomas	2,850
1991	Clarence Thomas	2,889
1992	Evan Kemp Jr.	2,899

Sources: Senate Hearings before the Committee on Appropriations. State, Justice, Commerce, the Judiciary, and Related Agencies Appropriations. *Fiscal Years 1980-1993*.

Note: Full Time Employees as of November of each year. Federal Civilian Workforce Statistics, Employment and Trends. GOP, 1980-1993.

Table 1 contains the number of full-time staff, by year, employed by the EEOC for the years 1980-1992. Table 1 indicates that the number of EEOC full time employees fell from a high of 3,470 in 1980, to 2,899 at the end of fiscal year 1992. The pattern shows a general decline in this agency's employment level, providing some support for the notion that the EEOC's resources have dwindled since 1980. This provides evidence to suggest that under the Reagan and Bush administrations, the EEOC's resources were significantly reduced. The EEOC has been among the government agencies most affected by these Republican administrations' general policies of reducing the Federal government's role in the private sector (Eads and Fix, 1982; Bawden and Palmer, 1984; Wood, 1990³).

Table 2 EEOC Litigation Statistics(Fiscal Year 1980 Through Fiscal Year 1992)

Yr.	Recommendations Received in OGC ¹		Recommendations to the Commission		Suits Approved
	To litigate	Not to litigate	To litigate ²	Not to litigate or Return to D. O.	
1980	393		325		322
1981	469		375		364
1982	401		119		112

³ Wood (1990), in particular, has found significant cleavage in the operational style of this agency as changes have occurred in presidential administrations. His research discusses channels by which politicians can influence EEOC policy, and documents the various measures through which the EEOC administration was weakened by the Reagan and Bush administrations.

Yr.	Recommendations Received in OGC ¹		Recommendations to the Commission		Suits Approved	
	To litigate	Not to litigate	To litigate ²	Not to litigate or Return to D. O.		
1983	338		235		192	
1984	276		217		204	
1985	708	641	517	419	98	277
1986	701	636	581	444	137	440
1987	557	501	661	498	163	436
1988	764	696	693	465	228	486
1989	904	808	934	714	220	572
1990	998	862	1003	779	224	689
1991	849	733	868	672	196	595
1992	665	555	714	513	201	471

Source: Equal Employment Opportunity Commission. *Combined Annual Report, 1980-1993*.

Notes: 1. Recommendations received, litigation recommendations submitted and suits approved include Title VII charges against state and local government for which EEOC has no litigation authority.

2. Prior to 1985, only recommendations to litigate were submitted to the Commission.

The decline in resources⁴ came at the same time that the agency's enforcement obligations substantially expanded due to new statutory responsibilities. Obviously, charge filings increased following the enactment of the Civil Rights Act of 1991. In fiscal year 1992, the EEOC filed 447 suits, as compared with 358 in 1980 (Table 3). In the recommendations area, recommendations to the Commission rose from 325 to 714 over the same period (Table 2). With respect to resolutions, the increase has been particularly dramatic. Overall, resolutions jumped from 192 in fiscal year 1980 to around 626 in fiscal year 1992 (Table 4).

In spite of the increase in workload and decrease in funds, about 90% of the EEOC's budget is allocated to fixed costs such as salaries, benefits, and rent. This is due to the highly personnel intensive nature of the EEOC's work in investigating, resolving, and litigating charges. It implies that only 10% of the agency's budget is available for such critically important functions as litigation

⁴ Please refer to Wood (1990) for a more detailed elaboration on the decline of resources experienced by the EEOC during this period.

support, technology, and staff training. In order to achieve the EEOC's mission, it would be necessary to conduct a strategic planning program.

Table 3 : EEOC Litigation Statistics (Fiscal Year 1980 Through Fiscal Year 1992)

Yr.	All Suits Filed								
		Direct suits ¹	Title VII	ADEA	EPA	Concurrent ²	ADEA / Title VII ³	EPA / Title VII	Subpoena Actions ⁴
1980	358	326	200	47	79				32
1981	444	368	229	89	50				76
1982	241	164	101	28	35				77
1983	195	136	82	33	21				59
1984	310	222	130	66	9	17			88
1985	411	286	172	96	10	8			125
1986	526	427	289	109	12	17			99
1987	527	430	320	69	12	29			97
1988	555	438	299	106	6	27	14	13	117
1989	598	484	312	134	4	34	17	17	114
1990	643	524	351	140	8	25	14	11	119
1991	593	495	352	102	6	35	19	16	98
1992	447	347	242	84	2	19	10	9	100

Source: Equal Employment Opportunity Commission. *Combined Annual Report, 1980-1993*.

Notes: 1. Includes interventions.

2. Prior to 1988, concurrent actions are included with Title VII, ADEA or EPA.

3. Includes one suit filed under Title VII, ADEA and EPA.

4. Includes reporting and record keeping violations.

Table 4 : EEOC Litigation Statistics (Fiscal Year 1980 Through Fiscal Year 1992)

Yr.	All Resolutions								
		Direct suits ¹	Title VII	ADEA	EPA	Concurrent ²	ADEA / Title VII ³	EPA / Title VII	Subpoena Actions ⁴
1980	192	192	141	42	9				
1981	237	237	172	22	43				
1982	323	323	190	59	74				
1983	282	234	139	48	47				48
1984	243	195	123	36	36				48
1985	289	199	125	44	30				90
1986	386	310	196	86	28				76
1987	460	357	221	109	27				103
1988	540	430	306	85	16	23	8	15	110
1989	536	435	303	99	6	27	12	15	101

Yr.		All Resolutions							
		Direct suits ¹	Title VII	ADEA	EPA	Concurrent ²	ADEA / Title VII ³	EPA / Title VII	Subpoena Actions ⁴
1990	549	458	297	124	8	29	16	13	91
1991	640	546	384	123	2	37	20	17	94
1992	626	532	360	130	11	31	18	13	94

Source: Equal Employment Opportunity Commission. *Combined Annual Report, 1980-1993*.

Note: 1. Includes interventions.

2. Prior to 1988, concurrent actions are included with Title VII, ADEA or EPA.

3. Includes one suit filed under Title VII, ADEA and EPA.

4. Includes reporting and record keeping violations.

4. The Substance of the Strategic Planning Process

Within a month of his arrival, Caselles found an agency overwhelmed by its workload and lacking in focus and vision. He thus took an unprecedented step by setting up three task forces to initiate a strategic management process. Led by vice chairman Paul Igasaki, the three task forces work on the basis of the understanding that the basic purpose of a strategy is the determination of the basic long-term goals and objectives of the EEOC, and the adoption of courses of action and the allocation of resources necessary for carrying out these goals (Chandler, 1962:13). With this in mind, the task forces proceeded with the following steps in a strategic planning process:

- (1) The foundation step in a strategic planning process (see Hambrick, 1983a, 1983b; Hitt, Ireland, & Palia, 1982; Jauch, Osborn, & Glueck, 1980; Kim, & Lim, 1988; Miller, 1988; Rockart, 1979; White, 1986) is called environmental scanning. This activity involves identifying the scope of the scan (international, national, regional, state, and local), the demographic, economic, technological, cultural, political, and other factors to be scanned, and their implications for the EEOC's mission and goals.
- (2) Based on this scan, the task forces identifies the EEOC's strengths and weaknesses vis-à-vis particular potential courses of action (strategies).
- (3) Potential strategic targets are compared to the EEOC's resource base in order to determine as fully as possible the costs of implementing a particular strategic target. Strategic objectives are selected on the basis of a rough cost/benefit analysis.

- (4) Strategies are formulated to achieve the selected targets. Task forces shall be thought of as implementation plans, setting forth the major steps, accountabilities, deadlines, and resource requirements involved in achieving the target.

4.1 Values and Vision

In recognition of the need for additions to the EEOC's planning portfolio, and in order to capitalize on a changing environment, the task forces formally applied a strategic planning process in developing and exploring the agency's values and vision, examining environmental conditions, identifying agency strengths and weaknesses, and reviewing potential operational planning.

Six working panels, involving over 60 of the executive and senior managers in the work session, were charged by the chair with formulating recommendations as to the mission, strategic goals, and organizational structure of the area. After several meetings over months, panelists reached a consensus on following core beliefs:

- (1) The strength of US democracy rests on a foundation of equal employment opportunity that allows women and men to realize their full potential in their work.
- (2) The identification and elimination of discriminatory practices in employment is of paramount importance to the preservation of the US democratic society.
- (3) The opportunity to compete for jobs in an atmosphere free of bias is a basic right of all persons in our society.
- (4) The public interest as defined by Congress and the courts fundamentally defines the EEOC's role as a law enforcement agency.
- (5) The public is entitled to high quality, timely service.

Shortly after the core beliefs were reached, the panelists devoted themselves to reviewing and fleshing out a detailed environmental scan, which included the continuing population shift westward and southward, growing representation of women and minorities in the civilian labor force, specifically the Hispanic participation, and above-average participation of women and minorities in the fastest growing industries.

4.2 Strategic Challenges

In addition to formulating a list of core beliefs, heads of the working panels spent almost one month analyzing the information generated at the working sessions and preparing a comprehensive report for the chairman. Based on this report, chairman Caselles identified the following five strategic challenges facing an agency overwhelmed by workload and lacking in focus and vision:

- (1) Building an internal culture throughout the agency that reinforces and supports the agency's values, vision, and strategic directions.
- (2) Strengthening the headquarters-field working relationship.
- (3) Developing and implementing a comprehensive information resources management (IRM) plan and an integrated computer system for the agency.
- (4) Implementing an improved operational planning/budget process that ensures greater manager participation in the planning, development and execution of the agency's operations and budget.
- (5) Ensuring that the demands of ADA implementation are fully met, while at the same time vigorously enforcing the other laws for which the Commission is responsible.

In addition, resource analysis also conducted by panelists. The resource picture was painted in somber hues. For example, the gap between the number of full-time equivalent employees required and requested, based on workload projections, and the actual number authorized was dramatic. Agency discretionary funds declined significantly from 1987 to 1992, and the number of staff declined by 16.53 percent from 1987 to 1992. Meanwhile, growing service demands -- most notably the Americans with Disabilities Act -- were expected to lead to a 36.1 percentage growth in pending inventory by 1993 if agency resources were not expanded.

4.3 Strategy Formulation

Due to the limited resources, the panelists realized that the time was ripe

for reviewing the resource allocation which reflects EEOC's mission.⁵ As Sawyerr (1993) and Pearson (1989) have suggested, one of the important contributions leaders make to their organizations is to identify the interrelationships between environment and strategy. The task forces, meeting weekly for two months, developed detailed scans of the environment and dealt with each of the strategic issues. Their charge was to formulate strategic objectives and implementation strategies which would make the fullest feasible use of EEOC resources in addressing each issue.

Accordingly, the panelists then turned to consider the mission of the agency: how best to eliminate employment discrimination in order to assure equal employment opportunity. The strategies of earlier Commissions, including rapid charge processing, goals, and timetables, was examined. The duality of the EEOC's mission to vindicate the rights of individuals and to cure broad-based societal discrimination proved most confounding.

At this point, as Siciliano (1997) suggests, a variety of other activities come into play, including the determination of how much time and other resources to invest in the ongoing intelligence gathering and what technologies to employ. Strategies also become much narrower, serving as implementation plans to achieve specific change targets, or objectives, within a program area. In this instance, the target and strategy, taken together, might best be described as a strategic project, as Kushner & Poole (1996), Sawyerr (1993), and Pearson (1989) suggest.

5. Commission Reforms and Results

As a direct result of the task force recommendation, the Commission took dramatic steps to articulate the vision and chart the course that will take EEOC

⁵ For example, in 1984 the Systemic program spent .5 million dollars with only six cases in litigation, when the General Counsel's entire litigation budget was only 3.6 million dollars (Office of General Counsel, EEOC(a), 1985). Of the top seven monetary settlements that year, only the seventh was litigated by the headquarters' Systemic unit (Office of General Counsel, EEOC (a), 1985). The Systemic program was clearly an unconscionable drain on EEOC resources.

into the 21st century. First of all, the Commission recognized that it intended to file suit in every case in which “reasonable cause” was found and efforts at conciliation had failed. Also, the Commission questioned whether the EEOC had the capacity to litigate each and every case.

The Commission recognized that achieving its fundamental mission – the eradication of employment discrimination – requires not only enforcement of the law, but also prevention of the problem through public outreach and education. Actually, criticism of the Commission came from all sides. Employers and unions argued that the Commission provoked confrontation and was biased in favor of employees. Minority group members and women, on the other hand, asserted that it took so long to process charges that the victims often lost patience and dropped their complaints. The EEOC was also accused of encouraging preferential hiring and using a discriminatory quota system. Thus, the Commission recognized that its stated policy seemed too rigid and would discourage conciliation of charges and settlement of cases.

As a result of its strategic planning process, the Commission is already well along in the process of implementing the following new policies: upgrading the quality of its manpower; increasing public education and access to the EEOC; adoption of a charge prioritization policy; and, adoption of a National Enforcement Plan.

5.1 Upgrading Manpower Quality

Enforcement involves a coordinated effort by field investigators, district office personnel, and central offices. Field investigators try to resolve discrimination charges personally through conciliation procedures. Their credibility depends on the support received from district and central offices. Similarly, district office legal units develop EEOC litigation. Litigation depends on field investigators conducting quality investigations. It also depends on central offices, since all cases require approval by the Commission. Likewise, central offices depend on both field investigators and district office administrative staff for implementation success. Hence, the quality of its employees is crucial to the EEOC’s enforcement.

Recognizing the importance of manpower quality, the EEOC spent five times the amount of money on employee training in Fiscal Year 1997 than it spent just four years earlier. In addition, in Fiscal Year 1997, the EEOC reached a ratio of one computer for each employee for the first time (EEOC Combined Annual Report, 1997-1998). However, the agency's funding levels made it difficult to offer this training and technology to employees and the EEOC had the lowest authorized staffing level in twenty years.

5.2 Increasing Public Education and Access to the EEOC

Recognizing that voluntary compliance is essential to achieving the agency's mission, the Commission conducted a nationwide needs assessment for the development of a comprehensive communications plan to provide the necessary educational and technical assistance activities through printed materials, speeches, workshops, and technical assistance programs nationwide, free of charge.

Additionally, the National Enforcement Plan (NEP) required that each of the twenty-five districts develop and implement an education and outreach plan tailored to the needs of its communities. The Commission also offered more specialized and in-depth training and technical assistance through the Education, Technical Assistance and Training Revolving Fund. In addition, the Commission began to issue a variety of policy guidance documents that play a key role in assisting both employers and employees to understand their rights and obligations under the often complex provisions of the law.

The agency's education and outreach efforts have also been an important factor in promoting equal employment opportunity. During fiscal year 1996 alone, nearly 6,800 people representing public and private sector employers attended technical assistance seminars held by field offices in their areas. In fiscal year 1997, the EEOC launched a home page on the Internet to provide the public with greater access to an array of agency information materials and resources. Early in fiscal year 1998, the EEOC also added a small business information fact sheet to its web site, highlighting select issues of particular interest to small businesses. During fiscal year 1997, the EEOC almost

doubled the number of annual Technical Assistance Program Seminars (TAPS), offering 65 educational seminars about EEOC enforced laws to over 8,000 individuals in the private sector and state and local government. During fiscal year 1998, the EEOC conducted 58 TAPS , reaching 7,100 participants. Agency staff made over 2,100 public presentations, reaching over 87,000 people during fiscal year 1998 (EEOC Combined Annual Report, 1997-1998).

5.3 Adoption of Charge Prioritization Policy

The task forces recognized that the Commission's effectiveness as a law enforcement agency had been reduced by the overwhelming increase in its inventory of individual charges of discrimination, by the lack of financial resources necessary to address the increased workload, and by a failure to strategically utilize its resources to pursue its mission through vigorous investigation, conciliation, and litigation. In April of 1995, the Commission adopted a model of priority charge processing in order to focus its limited resources on the most meritorious charges and to conclude the processing of non-meritorious charges expeditiously. Charges are now prioritized into one of three categories: those with clear merit which receive principal investigative and settlement efforts; those that appear to have some merit but need more investigation; and those subject to immediate closure. This system replaced previous standards under which Commission staff were required to fully investigate every charge regardless of merit.

As a direct result of these efforts, in fiscal year 1998, the Commission resolved charges at a faster pace than they were being filed, further reducing the inventory. By the end of fiscal year 1998, the EEOC's pending inventory was 52,011 charges, a decline of 53 percent from an all-time high of 111,345 in the third quarter of fiscal year 1995. In addition, the EEOC has made substantial progress in the implementation of its mediation program. From the inception of the program in fiscal year 1996, through the end of fiscal year 1998, the EEOC resolved over 2,400 charges through mediation. Meanwhile, in fiscal year 1998, the agency obtained \$169.2 million in monetary benefits (EEOC Combined Annual Report, 1997-1998) for charging parties (excluding

litigation awards) through settlement and conciliation.

5.4 Adoption of a National Enforcement Plan

The task forces concluded that the policies and practices now prevented the agency from using its limited resources strategically to pursue its mission of eradicating workplace discrimination. To address this problem, the Commission consulted with a broad range of external and internal stakeholders. Through this process, the Commission sought and received recommendations from dozens of representatives of the employer, employee, labor, and civil rights communities at both the national and local levels.

Based upon this extensive consultative process, and after its own careful consideration of the issues, in February of 1996, the Commission adopted a NEP, through which the Commission articulated its vision of a three-pronged approach to the enforcement of the laws entrusted to its care: (1) promotion of equal opportunity and prevention of discrimination through education and outreach; (2) the voluntary resolution of disputes where appropriate and possible; and (3) where voluntary resolution fails, strong and fair enforcement, including litigation. The NEP forthrightly acknowledged the resource limitations facing the Commission and directed a carefully prioritized and coordinated enforcement strategy, setting out the substantive priorities the Commission would pursue. Also, the NEP required that each of twenty-five districts adopt a Local Enforcement Plan, adopting the national standards to the needs of their particular communities.

The EEOC's litigation program has achieved significant results in the past few years under the NEP. In fiscal year 1996, the EEOC obtained over \$50 million in monetary benefits for discrimination victims. In fiscal year 1997, the amount rose to \$111 million in benefits, which represents the largest annual recovery in EEOC history. In fiscal year 1998, the EEOC's litigation program recovered nearly \$90 million for victims of discrimination. The EEOC also files *amicus curiae*, or "friend of the court," briefs in trial and appellate courts in support of the Commission's position. In fiscal year 1998, the Commission filed 70 such briefs (EEOC Combined Annual Report, 1997-

1998). A \$5.5 million jury verdict for an employee who was discharged from his job because he has epilepsy, and a \$3.5 million jury verdict for a paraplegic job applicant denied a job at Wal-Mart after being told the store had “no openings for a person in a wheelchair,” were among the EEOC’s recent litigation achievements.

6. Conclusions

The strategic management task for the EEOC involves not only the development of strategies for implementing policy and for the internal and external management of the agency, but also for the establishment of organizational purpose and character. The available strategies and forms of action are restricted at the EEOC level by various factors, including constitutional arrangements, legislative and judicial mandates (Heimovics, Herman & Jurkiewicz, 1995), government-wide rules and regulations, jurisdictional boundaries, resource constraints, and client and constitutional interests.

The EEOC seems to be well along in the strategic management program so far. What accounts for the apparent success? In retrospect, this article summarizes the following explanations:

- (1) The EEOC has a clear statement of the organization’s mission.
- (2) The EEOC has a firm grasp of those aspects of its environment identified as pertinent to its mission.
- (3) If the EEOC continues to identify the agency’s stakeholders, it will bring opportunities for new approaches to service delivering within a given service area.
- (4) The EEOC has a good sense of itself financially, operationally, and in the human resource dimension.
- (5) Finally, the EEOC has delineated the agency’s strategic goals and objectives, and developed strategies to achieve them.

In short, in a time of constant, rapid environmental change, environmental scanning and strategy formulation must be ongoing activities if an organization is

to respond effectively to both threats and opportunities. Based on the success of the original task forces, the chairman recently asked his fellow commissioners to undertake three additional task forces, using the same successful model of extensive staff and stakeholder consultation, in order to formulate recommendations for Commission action. The EEOC seems to be actively continuing to move ahead.

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