

BUREAU OF CONSUMER FINANCIAL PROTECTION

**REQUEST FOR APPROVAL UNDER THE
“GENERIC INFORMATION COLLECTION PLAN FOR THE COLLECTION OF
QUALITATIVE FEEDBACK ON THE SERVICE DELIVERY OF THE CONSUMER
FINANCIAL PROTECTION BUREAU”**

(OMB Control Number: 3170-0024)

1. TITLE OF INFORMATION COLLECTION: Alternative Dispute Resolution (ADR) Program Survey.

2. PURPOSE:

The OCR within the CFPB (or Bureau) carries out the agency’s equal employment opportunity program. As part of this program, per Equal Employment Opportunity Commission regulations at 29 C.F.R. Part 1614, OCR oversees the EEO Complaint Process. This EEO process allows both current Bureau employees and applicants for Bureau employment to raise and pursue complaints alleging violations of the federal employment anti-discrimination laws (such as Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, and the Rehabilitation Act of 1973). The EEO process consists of two phases – the informal (or “EEO counseling”) phase and the formal complaint phase.

In addition, OCR maintains a workplace ADR program. Under this program, the Bureau uses licensed contract mediators to help Bureau employees and (in appropriate cases) applicants for Bureau employment resolve workplace-related conflicts. ADR gives parties a chance for an early, more informal resolution of workplaces disputes in a mutually satisfactory way. ADR may be used to attempt to resolve EEO complaints and non-EEO workplace matters.

OCR’s EEO Complaints Program sends out voluntary web-based surveys to individuals who have completed EEO counseling and to individuals who have filed a formal EEO complaint. OCR’s ADR Program also sends out voluntary web-based surveys to individuals who have participated in mediations. These survey responses help OCR better understand participant perspectives and experiences. The survey feedback is used to evaluate the efficiency and effectiveness of OCR operations, and to drive improvements or enhancements.

3. DESCRIPTION OF RESPONDENTS: Survey respondents typically consist of current Bureau employees who have sought EEO counseling, filed a formal EEO complaint, or used ADR to resolve a workplace dispute. On occasion, individuals who are not current Bureau employees may also be asked to complete these voluntary surveys. For instance, non-employees who apply for Bureau employment and are not hired may sometimes allege that the Bureau refused to select them for discriminatory reasons in violation of federal law. These non-Bureau employees may seek EEO Counseling and file a formal EEO complaint with OCR. In appropriate occasions, these individuals may also be invited to participate in ADR to resolve the matter through mediation. Thus, non-Bureau employees who have completed EEO counseling, filed a formal EEO complaint, and/or

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participated in ADR at the Bureau may be asked to complete a voluntary web-based survey

describing their experiences with these activities and providing suggestions for program improvements.

4. TYPE OF COLLECTION (ADMINISTRATION OF THE COLLECTION INSTRUMENT):

a. How will you collect the information? Check all that apply.

- | | |
|--|--------------------------------------|
| <input checked="" type="checkbox"/> Web-based or other forms of Social Media | <input type="checkbox"/> Telephone |
| <input type="checkbox"/> In-person | <input type="checkbox"/> Mail |
| <input type="checkbox"/> Small Discussion Group | <input type="checkbox"/> Focus Group |
| <input type="checkbox"/> Other (please explain): Using WebEx for individual interviews | |

b. Will interviewers or facilitators be used?

- Yes No Not Applicable

5. FOCUS GROUP OR SURVEY:

If you plan to conduct a focus group or survey, please provide answers to the following questions:

a. Do you have a customer list or something similar that defines the universe of potential respondents and do you have a sampling plan for selecting from this universe?

- Yes No Not Applicable

b. If **yes**, please provide a description below. If **no**, please provide a description of how you plan to identify your potential group of respondents and how you will select them.

The surveys are sent to participants in the ADR process (e.g., the aggrieved individual, the relevant management official(s), and to relevant representatives of these parties). Surveys are to be sent in all cases in which ADR has been used.

6. INFORMATION COLLECTION PROCEDURES:

A survey invitation will be sent to an individual who engaged in the informal EEO process, formal EEO process, or ADR process at the end of these processes. If this individual is represented by an attorney, the survey invitation will be sent to the attorney first requesting permission to send the survey directly to the individual. If the individual is not represented by an attorney, the survey invitation will be sent directly to the individual.

Staff will check back in a week and, if no response was received, they will send a reminder email. No more than one reminder will be sent.

All surveys are web-based. CFPB's Office of Civil Rights will email a link to the appropriate web-based survey to identified respondents (as described in responses to Questions/Sections (2) and (3) above).

7. PERSONALLY IDENTIFIABLE INFORMATION:

- a. Is personally identifiable information (PII) collected? Yes No
- b. If yes, is the information that will be collected included in records that are subject to the Privacy Act of 1974?
- Yes No Not Applicable
- c. Has a System or Records Notice (SORN) been published?
 Yes No Not Applicable
 If yes, list the SORN title and the *Federal Register* (FR) citation:
 Title:
- d. If applicable, please provide a link to the Privacy Impact Assessment. N/A

8. INCENTIVES:

- a. Is an incentive provided to participants? Yes No
- b. If yes, provide a statement justifying the use and amount of the incentive *and* the amount or value of the incentive:

9. ASSURANCES OF CONFIDENTIALITY:

- a. Will a pledge of confidentiality be made to respondents? Yes No
- b. If yes, please cite the statute, regulation, or contractual terms supporting the pledge.

Two of the surveys relate to participation in ADR. The Alternative Dispute Resolution Act, at 5 U.S.C. § 574, requires neutrals and parties to ADR proceedings to keep dispute resolution communications confidential (with limited exceptions). Consistent with this core component of ADR, CFPB assures ADR survey respondents that their survey responses will be kept confidential to the extent feasible, and cautions survey respondents not to provide information in response to surveys that would reveal specifics about matters discussed during relevant ADR proceedings.

Two of the surveys deal with the federal-sector EEO process, at 29 C.F.R. Part 1614. Under rules governing this Part 1614 process, information regarding an individual's EEO complaint and related proceedings also must be kept confidential and cannot be shared with anyone who does not have a need to know the information. Accordingly, survey respondents are informed that their responses and/or comments will remain anonymous, that OCR will not try and identify the respondent or distribute individual responses or comments to anyone else (unless required to do so by law).

The survey reminds respondents that confidentiality is critical to the integrity and success of the EEO Complaints Program and the ADR Program. However, while the feedback surveys do not provide an explicate pledge of confidentiality, they do let the respondents know that responses are anonymous.

10. JUSTIFICATION OF SENSITIVE QUESTIONS (if applicable): N/A

11. BURDEN HOURS:

Collection of Information	Number of Annual Respondents	Frequency	Number of Annual Responses	Average Response Time (hours)	Annual Burden (hours)
EEO Counseling Survey	3	1 ¹	3	0.16	1
EEO Formal Complaint Survey	3	1 ¹	3	0.16	1
EEO ADR Survey	1	1	1	0.16	1
Non-EEO ADR Survey	1	1	1	0.16	1
Totals:	8		8		4

12. FEDERAL COST: The estimated annual cost to the Federal government is \$0.

13. CERTIFICATION:

CERTIFICATION PURSUANT TO 5 CFR 1320.9, AND THE RELATED PROVISIONS OF 5 CFR 1320.8(b)(3):

By submitting this document, the Bureau certifies the following to be true:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It uses plain, coherent, and unambiguous terminology that is understandable to respondents;
- (d) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (e) It indicates the retention period for recordkeeping requirements;
- (f) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - (i) Why the information is being collected;
 - (ii) Use of information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (g) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected;

¹ Both categories of interviews are one-time information collections (not recurring).

- (h) It uses effective and efficient statistical survey methodology; and
- (i) It makes appropriate use of information technology.

CERTIFICATION FOR INFORMATION COLLECTIONS SUBMITTED UNDER A GENERIC INFORMATION COLLECTION PLAN

By submitting this document, the Bureau certifies the following to be true:

- The collection is voluntary.
- The collection is low-burden for respondents.
- The collection is non-controversial and does not raise issues of concern to other Federal agencies.
- Information gathered will not be used for the purpose of substantially informing influential policy decisions.
- The collection is not statistically significant; the results are not intended to be generalizable beyond the survey population.
- The results will not be used to measure regulatory compliance or for program evaluation.