

OPENING STATEMENT OF KEVIN A. WILLIAMS

Good afternoon Mr. Chairman and committee members. It is without any joy that I appear before you today. My name is Kevin A. Williams. In the fall of 2011 I enthusiastically applied to help build and launch the Consumer Financial Protection Bureau, the financial regulatory agency that was dubbed a 21st century organization. I served as the CFPB Office of Consumer Response's first Quality Assurance (QA) Monitor from July 2011 to February 2014. The terms of my employment were a year to year term contract. Understanding the provisions of my contract I made it paramount that I would work hard and secure permanent employment as soon as possible. At various times I approached management about my status and at every turn they lied. Whether I inquired or the National Treasury Employees Union on my behalf inquired we both consistently were lied to.

Sadly, instead of the positive, modern government agency I had expected, my experience at the CFPB was reminiscent of past eras of injustice, cronyism, discrimination, and retaliation. The events that transpired at the Bureau occurred because basic measures were not in place to properly supervise its untested management. In particular, the managers in the Office of Consumer Response (CR) ran the unit as their own personal fiefdom, unfettered by any oversight they inadvertently might receive. The divisiveness and disharmony in CR did not occur because of unruly employees, underperformers, or disenchanted team players. It occurred because CR's unproven management team was not properly prepared for the big job they faced. No policies or procedures were implemented to ensure that they abided by applicable laws and followed accepted management practices.

I was the only member of the implementation team who was not offered permanent employment or a promotion. Yet, some of the people I worked with now lead CR. My treatment was especially notable because I was the lone team member who performed most of the QA functions for the CFPB's contact center. My statement is not long enough to respond to all of the aspersions that were

directed at me. But I ask you to question how a person responsible for the entire customer interaction quality assurance function for a new federal agency could be excluded from meetings, and branded as lazy and unproductive. I am proud of my principles and my work, which is my best response to any management disparagement of my job performance. CR continuously touted the results I produced, and CR's management team continuously received bonuses based in part on my work.

I worked on the QA team, supervised by two black women managers. One of my managers was a manager in name only. For over two years, she did little more than discredit my work, disparage my character, and downplay my achievements. I was attacked, maligned, and humiliated on a daily basis. For example, I was rated as an average employee despite being either the primary or the only QA monitor for the entire agency's contact center vendor. I listened to more calls, talked to more consumers, and read more correspondence than anyone in the agency, and yet I received absolutely no credit for my extra work. Make no mistake about it. It was clear that I was treated this way and allowed to be treated this way by my few black managers at the Bureau because of the "Plantation" mentality that exists there. If my managers had been white, instead of black managers allowed to mistreat a black male, every civil rights organization in America would have protested my treatment, and the treatment of others in my unit.

For example, I told CR's management team that the scorecard used to evaluate consumer interactions with contact center personnel was ineffective. Consumer interactions were randomly selected and evaluated either by myself primarily or - later when the team expanded - by others. The scorecard was ineffective because it was weighted so that the vendor was not heavily penalized. This had two results: (1) it would appear that the vendor was providing superb service because their score was in the 90's, and (2) it would appear that CR was effectively managing the contract, even though it was not. When I expressed the problems with the way the scoring was weighted and the results utilized, my African-American manager's response was to inform her bosses that I was incapable of doing anything, of even doing the basics. And this wasn't because I was incorrect, but because she was offended that I, notwithstanding that I'm a black male, questioned the scoring methodology. My black managers - and, thus, the Bureau - treated me as a pariah

because as a black male I was not qualified to question the information provided by consultants precisely and merely because most of them were young white men.

Another example stems from the vendors being very concerned about receiving high QA scores so as not to get penalized in Bureau contracting decisions. Thus, when we would evaluate an agent more than once in a short amount of time, the vendor would call and complain to my manager that we were singling out an individual. However, we would have no idea who the agent was when we decided to evaluate a function. The way we selected items to evaluate was random. Consequently, in response, one of my former co-workers who is an African-American male told the QA manager that it does not matter who we evaluate because we are not looking at the interaction of any particular agent. The QA manager did not agree with this statement from the male African-American QA monitor. However, she agreed with the same statement from a white male consultant.

Yet another example of how black managers at the Bureau were allowed to mistreat Black employees as part of misguidedly “defending” the Bureau is when I did a presentation and told the my QA manager that the QA scoring system was out of line, distorting Bureau assessments of vendor performance. In response, my QA manager spoke to her superiors about *my* performance. The Bureaus leadership allowed my manager and section chief to undermine me, and even my career, by not allowing me to make the same insightful observation that the managers would accept from white male consultants who patronized them by cluing them in about the distorted evaluation system. This is discrimination, too. The frequency and duration of these occurrences created a hostile work environment for all blacks at the Bureau, whether they were unwitting, manipulated black managers or mistreated, hard-working black employees. It’s just that we – the latter – suffered the objectively adverse consequences.

Despite establishing the Quality Assurance team, my efforts generally were discounted. The exception proving this rule, however, was when CR’s managers themselves would be rated based on the contact center being presented as being successful. In this regard, while I was there the managers I reported to were rated at the 4 or 5 level based on the center’s success, yet the person doing the work, me,

was rated as average or a 3. That it was a Bureau-wide problem is confirmed by this result, since the managers were in effect being rewarded for discriminating against me, and for believing they were retaliating against a black male whistleblower (since criticisms like mine apparently were being reported to overseers by unknown persons, leaving my managers to guess it had been me). That it was both discrimination and retaliation became evident after awhile through the intensity of it. My few errors continued to be raised two or three years after their occurrence, yet the errors that my managers continued to make every month, week, or even daily were overlooked, excused, and ignored by others eager for them to continue to perform “field hand control functions”.

Unfortunately, I was a charter member in the Intake unit, which, indeed, came to be referred to as the “Plantation,” There, I personally witnessed and was the victim of racial discrimination perpetrated by black as well as white managers. The unit was dubbed the Plantation because when we started, the majority of black employees were assigned to Intake, which was basically data entry. The one Caucasian man in the Intake unit who demonstrated an interest in software testing was offered a permanent detail to another group, which led to the creation of a new position for him. Someone then remarked that this looked like “a damn plantation,” and the nickname stuck.

Thereafter, one of my former co-workers went to CR’s management and asked why they recruited him for an investigator’s position, but when he arrived he was given a data entry job. Management responded by calling him into a room to berate him, curse him out, and denigrate his character. I witnessed this first hand – black managers denigrating a black worker for, in effect, complaining about discrimination, and it deeply reinforced the “Plantation” imagery.

In fact, the extent of adherence to this imagery became ludicrous. During Plantation team meetings, management often volunteered to feed the team. But one day one of my team members remarked that this not only looked like a plantation, but they kept feeding us greasy fried chicken or pizza. He said that if they were going to feed us, they should offer us some healthy food at least once in a while. I initially defended management until someone pointed out that we were a unit comprised entirely of black employees standing around eating low caste food

like fried chicken, doing low caste grunt work, and – the key attribute of being low caste - not receiving any respect. In addition, we did not have a career path, there wasn't a route we could take that would lead to a managerial position. If you were a black employee on the Plantation, you were either a team lead or in the field. Not one team lead from my unit was ever promoted to a manager.

Rather than allow the Plantation workers to compete for vacant leadership positions, my managers hired two white males to oversee us, one directly from the contact center vendor, and the other from Booz Allen Hamilton, the consulting firm that has been well compensated by the CFPB. The issue is not *their* character. It is the process whereby they became managers. It perpetuates the narrative of CR Intake being the "Plantation."

The Plantation is where black women and white men oversee a unit of black employees who are never considered or groomed for management despite their competitive qualifications. Bureau management excluded them from the outset as part of a strategy of domination, and completely deprives them of any meaningful opportunity for advancement. And if one exhibits too much merit or insight, one gets beaten down. The recognition of merit or insight, even when they are in the Bureau's interest – remain reserved for a few others to the injury of all of us depending on the Bureau to perform.

In responding to your questions today while under subpoena, I am prepared to amplify upon the instances related above and furnish additional testimony to the Committee upon its request