

United States General Accounting Office **Report to Congressional Committees** and the Director, Office of Personnel Management

August 1994

THD PUBLIC SDRVICE Issues Confronting the **Federal** Civilian Workforce



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General Government Division

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August 25, 1994

The Honorable John Glenn Chairman, Committee on Governmental Affairs United States Senate

The Honorable William L. Clay Chairman, Committee on Post Office and Civil Service House of Representatives

The Honorable James B. King Director, Office of Personnel Management

A quality workforce is essential if Americans are to have an efficient and responsive federal government. We have pointed to problems affecting the quality and effectiveness of the federal workforce on many occasions, which include our 1988 and 1992 Transition Series reports entitled <u>The Public Service</u>, various High Risk Series reports, many other reports, and testimonies before Congress.

In the years to come, traditional approaches to recruiting, hiring, training, and managing the federal workforce will grow increasingly outmoded. Major economic, demographic, and political changes are occurring that could significantly reshape the environment in which the workforce operates.

These changes include (1) a significant downsizing of the federal workforce, both in defense and civilian agencies; (2) the "reinvention" of the public service with an eye toward greater responsiveness and customer orientation; (3) the movement toward a more culturally diverse workforce that better reflects national demographic trends; (4) a flattening and streamlining of organizational structures in federal agencies; (5) a reemphasis on the importance of ethics and integrity in government; and (6) a search for innovative ways to recruit and retain the highest quality participants for the public service.

This report is submitted in response to Title I of the Civil Service Reform Act of 1978, which requires us to report annually on the significant activities of the Office of Personnel Management (OPM). It summarizes some significant improvements in federal human resource management

	that have occurred since 1991 and key open recommendations (by which we mean ones that have not been fully implemented) that we made to Congress, OPM, and other agencies. Appendix I contains a bibliography of our calendar year 1992 and fiscal year 1993 reports and testimonies that have some bearing on federal workforce issues, generally at the individual agency or program level. The issues covered in the listed reports involve the federal civilian workforce; they exclude military personnel and income security issues, such as private pensions and social security.
Improvements in Federal Human Resource Management	Since 1991, several significant actions have been taken on the basis of our recommendations. The following examples cover actions that were taken by OPM as a result of our reports being directed specifically at OPM or having governmentwide implications.
Propriety of Conversions	In our February 1992 report, ¹ we noted that OPM had a review process in Washington, D.C., where most conversions occur, to ensure that conversions of appointments from political to career status were carried out in accordance with merit system principles. However, not all of OPM's field examining offices had a similar process in place. As a result, some conversions whose propriety was questionable had not been reviewed by OPM. We recommended that the OPM Director ensure (1) that procedures be established in all OPM examining offices to identify and review conversions made within their jurisdictions and (2) that the review process be revised to include the preappointment review of conversions at agencies to which OPM had delegated examining authority. On February 21, 1992, OPM adopted our recommendations, providing greater assurance that career appointments granted political appointees would be on the basis of merit principles.
Health Benefits Program	In July 1991 and February 1992, we reported that stronger controls were needed to reduce the risk of fraud and abuse and administrative costs in the Federal Employees Health Benefits Program (FEHBP). ² Program funds paid to fee-for-service health insurance plans are highly vulnerable to fraud and abuse. Also, in 1988, the FEHBP benefits paid to operational cost
	 ¹Personnel Practices: Propriety of Career Appointments Granted Former Political Appointees (GAO/GGD-92-51, Feb. 12, 1992). ²Fraud and Abuse: Stronger Controls Needed in Federal Employees Health Benefits Program (GAO/GGD-91-95, July 16, 1991) and Federal Health Benefits Program: Stronger Controls Needed to Reduce Administrative Costs (GAO/GGD-92-37, Feb. 12, 1992).

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ratio for such plans was 51 percent higher than the average cost ratio for	
other large insured nonfederal health benefits programs we reviewed and	
89 percent higher than the average cost ratio for self-insured nonfederal	
programs.	

We have made many recommendations to help OPM strengthen controls over FEHBP. For example, to help FEHBP achieve the objectives of the Federal Managers Financial Integrity Act, we recommended that OPM (1) require carriers to evaluate their plans' internal controls and provide their findings to OPM for review, (2) address the problem of limited carrier oversight by performing program analyses and on-site visits, and (3) develop and implement an aggressive program for preventing and detecting enrollee and provider fraud and abuse. In addition, we recommended that OPM require fee-for-service carriers to report expense information and workload indicators in uniform formats so that carriers' expenses could be negotiated on the basis of carriers' operations rather than on the basis of historical costs.

To strengthen controls against fraud and abuse, OPM developed minimum internal control and quality assurance standards for financial claims and processing controls. OPM is continuing to do program analyses and on-site visits and has stated that it will increase the number of such visits to the maximum extent its resources will allow. Moreover, it is working with the Office of Management and Budget (OMB) on procedures to implement cost accounting standards in the program and has stated that it intends to make them effective with the 1995 contracts. In addition, OPM now requires carriers to submit semiannual reports on the number and status of fraud and abuse cases pursued and is continuing to work with carriers and its Inspector General to implement a sanctions program. In February 1993, OPM inaugurated a new procedure to prevent payments or contracts between debarred providers and carriers.

Also, as a result of our recommendations, OPM negotiated administrative expense cuts with FEHBP fee-for-service carriers for 1993 and the ensuing 2 contract years. Over these 3 years, the administrative expense reductions will save FEHBP about \$43.3 million.

Service at Federal Job Information Centers

In a July 1992 report,³ we recommended several steps OPM should take to provide better service to job seekers at OPM's Federal Job Information

³Federal Employment: Poor Service Found at Federal Job Information Centers (GAO/GGD-92-116, July 28, 1992).

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	Centers. On September 14, 1992, OPM reported to the chairmen of the cognizant congressional subcommittees that several steps had been taken in response to our recommendations. These included (1) expanding center hours to coincide with the hours of the buildings in which they are located, (2) ensuring the presence of a number of tables and chairs to better accommodate job seekers, (3) improving telephone access, and (4) creating an Employment Information Task Force to examine the staffing situation and other issues addressed in our report.
Drug Testing Program Costs	In our November 1992 report discussing opportunities to reduce drug testing program costs, ⁴ we recommended that the Department of Health and Human Services (HHS) reduce the required rate of blind proficiency testing performed by agencies. HHS agreed with this recommendation; in January 1993, it published proposed mandatory guideline revisions that would reduce the percentage of blind samples that agencies must maintain, from 10 percent to 3 percent. According to HHS officials, this change could significantly reduce the costs of maintaining a blind sample program without affecting agencies' ability to monitor a laboratory's performance. The revised guidelines were finalized and published in <u>The Federal Register</u> on June 9, 1994.
Experts and Consultants	In a broad-based review of government-appointed experts and consultants 35 percent of those appointments we randomly sampled and examined were inconsistent with OPM guidelines. ⁵ To improve compliance with federal requirements governing the authority to appoint experts and consultants, we recommended in 1991 that OPM revise Federal Personnel Manual (FPM) guidance to (1) define the meaning of operating duties, (2) give examples of those nonoperating duties that experts and consultants may perform, and (3) specify that experts and consultants cannot perform routine and continuous duties that are the responsibility of regular employees. OPM agreed with those recommendations and, on January 4, 1993, revised its guidance through FPM Letter 304-4, which will be retained through December 1994.

⁴Employee Drug Testing: Opportunities Exist to Lower Drug-Testing Program Costs (GAO/GGD-93-13, Nov. 23, 1992).

⁵Federal Workforce: Inappropriate Use of Experts and Consultants at Selected Civilian Agencies (GAO/GGD-91-99, July 17, 1991).

Improving federal human resource management can yield substantial Open improvements to government programs. We have found many areas of **Recommendations:** concern and made numerous recommendations to Congress, as well as to Further Action or OPM and other agencies, to improve the functioning of the federal workforce. We believe that, in some cases, further action or additional Additional Attention attention is needed to respond to our findings and recommendations; the Is Needed following examples are of open recommendations and areas of concern with direct impact on OPM or substantial governmentwide implications. Performance Management Although federal agencies differ widely in their missions and organizational characteristics, they have been required to use the same general performance management system. Although a general framework for their systems seems appropriate, agency managers believe they should be given more authority to tailor their performance management systems to their agencies' specific characteristics. The lack of sufficient flexibility for agencies to custom-design their performance management systems has impeded progress in managing and improving employee performance. As suggested in our February 1993 report, we believe that when Congress considers legislation on such matters as the Performance Management and Recognition System and the extension of "pay for performance" to General Schedule employees, it should consider granting agencies the flexibility needed to tailor their performance management systems to their specific work environments.6 Under the Government Performance and Results Act (GPRA) of 1993, all covered federal agencies are to eventually tailor performance management systems to their own organizational missions. GPRA requires that agencies develop mission-focused strategic plans; identify, use, and report on outcome-oriented performance measures; and implement improvement plans when targets are not met. As part of the phase-in of GPRA provisions, OMB has named 52 pilot agencies and programs—with more to be designated in the coming year-to provide lessons for the rest of the federal government in making management more results-oriented. Our statutory role in supporting GPRA is to report to Congress on the implementation of the act. Because the act will have wide-ranging implications for the entire federal workforce, oversight will be crucial to its successful implementation. Among the pilot programs identified by OMB is the Merit System Protection Board's effort to use alternative dispute resolution methods in adjudicating federal employee appeals.

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⁶Federal Performance Management: Agencies Need Greater Flexibility in Designing Their Systems (GAO/GGD-93-57, Feb. 24, 1993).

Equal Employment Opportunity	Data on the gender, race, and ethnic origin of applicants for federal employment are not adequately collected. During the early 1980s, OPM and the Equal Employment Opportunity Commission (EEOC) required agencies to collect the data using an OPM form. However, authorization for the form expired, and OPM did not seek reauthorization from OMB. In 1989, EEOC proposed a directive that would have required agencies to collect equal employment opportunity (EEO) data, but, at OPM's request, did not issue the proposed directive. In October 1991 testimony, ⁷ we recommended that OPM, in cooperation with EEOC, examine options for collecting and analyzing applicant EEO data and take prompt and appropriate action. The question of whether and how data will be collected was still open as of July 1994. As of that time, OPM was involved in ongoing discussions with
Recruiting and Retention	other agencies, including EEOC, to develop options for collecting the data. Notwithstanding current efforts to reduce the overall size of the federal workforce, the government will continue to need to fill vacant positions with qualified individuals. A spring 1993 survey we did of placement officials at 13 universities and new graduates of 4 other universities, however, showed that federal employment was not the career choice of many of the schools' new graduates. Many of the graduates believed nonfederal employment offered more of the job attributes they felt were important. The graduates also frequently cited a lack of information on federal employment opportunities along with recruiting shortcomings as reasons for their lack of interest in federal careers. ⁸ Previously, in 1991, we surveyed college placement officials to get their views on campus outreach efforts. ⁹ We found that although students were interested in learning about federal employment, the federal government's presence on campus did not match that of active private companies. Moreover, nearly a third of college placement officials surveyed said that they had not heard of the Administrative Careers With America (ACWA) examinations, a means by which new college graduates may qualify for entry-level positions. In another 1991 survey of individuals who applied for entry-level professional and administrative positions but later asked not to be considered for job
	⁷ Federal Affirmative Employment: Status of Women and Minority Representation in the Federal Workforce (GAO/T-GGD-92-2, Oct. 23, 1991).

 $^8 \text{Our report, in which we discuss the results of this survey in greater detail, is expected to be issued in the summer of 1994.$

⁹Federal Recruiting: College Placement Officials' Views of the Government's Campus Outreach Efforts (GAO/GGD-92-48BR, Jan. 31, 1992).

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	openings, ¹⁰ we found that two-thirds or more said that low federal pay or the high cost of living in the federal job locations caused them to lose interest in federal employment. Two-thirds of the 61 persons who had declined federal employment while already in permanent jobs or self-employed said that they would have suffered pay cuts if they had joined the government. In general, the persons who accepted the federal jobs had been out of school for many years and were often unemployed.
	Finally, in a 1991 broad-based survey of federal employees, we found that about one-third said either that they would not accept or that they did not know if they would accept a federal job again if they were making the decision today. The employment factors with which respondents expressed the most disappointment were the opportunities for promotion and the prestige level of federal employment. ¹¹
	In June 1994, OPM officials told us our work confirmed the need for actions they were taking to make the government a more attractive employer. They described a number of changes in federal recruiting, hiring, and information dissemination practices that had been made, and others that were in process or planned, to improve the government's competitive posture. We have not reviewed these actions, but they appear to be worthwhile steps making it easier for prospective employees to learn about and obtain federal jobs.
Personnel Management Evaluations	We reported in December 1992 that the condition of agency personnel management evaluation (PME) programs varied, and that OPM should not have relied on these programs to shoulder much of the responsibility for overseeing the civil service system. ¹² Passage of the Civil Service Reform Act of 1978 allowed the government's personnel system to become less centralized and increased the ability of personnel officers to respond more quickly and efficiently to line managers. However, it also increased the risk that persons responsible for carrying out federal personnel requirements would misinterpret, ignore, or be unaware of them. This could result in legal or merit system violations, inadequate agency mission support, or miscalculation of payments.
	 ¹⁰Federal Recruiting: Comparison of Applicants Who Accepted or Declined Federal Job Offers (GAO/GGD-92-61BR, Mar. 20, 1992). ¹¹Federal Employment: How Federal Employees View the Government as a Place to Work
	 ¹²Federal Personnel Management: OPM Reliance on Agency Oversight of Personnel System Not Fully Justified (GAO/GGD-93-24, Dec. 8, 1992).

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Although OPM is responsible for administering and protecting the federal personnel system, reductions in staffing and funding have forced it to depend on the agencies to assume much of the burden for monitoring performance through PME programs. This would be reasonable if appropriate PME standards existed and were followed and if all agencies did PMEs regularly. However, we found in our December 1992 report that 35 of the largest federal agencies varied in their degree of PME activity, and that OPM had not issued standards by which to adequately judge the quality of PMEs. To improve oversight of the federal personnel system, we recommended that OPM issue regulations requiring agencies to establish and implement PME programs; follow OPM standards in structuring PME programs and doing PMEs; publish program and operational PME standards; and provide guidance to agencies on the relationship among PME programs, personnel programs, and internal control programs. OPM is currently developing a new framework for merit system accountability that may address many of our recommendations.

Given that the National Performance Review has made recommendations that may lead to further increases in the flexibility provided the agencies, we continue to believe that the need for agency accountability and OPM oversight of the merit system will become even more important than in the past.

We did not obtain agency comments on a draft of this report because it is based on previously issued products.

We are sending copies of this report to interested Members of Congress and other parties interested in the federal public service. We will also make copies available to others on request.

Carol Henn, Project Manager, was the principal contributor to this report. Please contact me on (202) 512-5074 if you have any questions.

Nancy R. Kungsbury

Nancy Kingsbury Director Federal Human Resource Management Issues

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Appendix I GAO Products Bearing on the Federal Workforce Issued During Calendar Year 1992 and Fiscal Year 1993

Abbreviations

ACWA	Administrative Careers With America
EEO	Equal Employment Opportunity
EEOC	Equal Employment Opportunity Commission
FEHBP	Federal Employees Health Benefits Program
FPM	Federal Personnel Manual
GPRA	Government Performance and Results Act
HHS	Department of Health and Human Services
OMB	Office of Management and Budget
OPM	Office of Personnel Management
PME	Personnel Management Evaluation

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Computer Security: DEA Is Not Adequately Protecting National Security Information (GAO/IMTEC-92-31, Feb. 19, 1992).

Defense Force Management: DOD Management of Civilian Force Reductions (GAO/T-NSIAD-92-10, Feb. 20, 1992).

International Trade Commission: Administrative Authority Is Ambiguous (GAO/NSIAD-92-45, Feb. 25, 1992).

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Tax Administration: IRS' Progress on Integrity and Ethics Issues (GAO/T-GGD-92-62, July 22, 1992).

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