

PERSONNEL APPEALS BOARD



GAO

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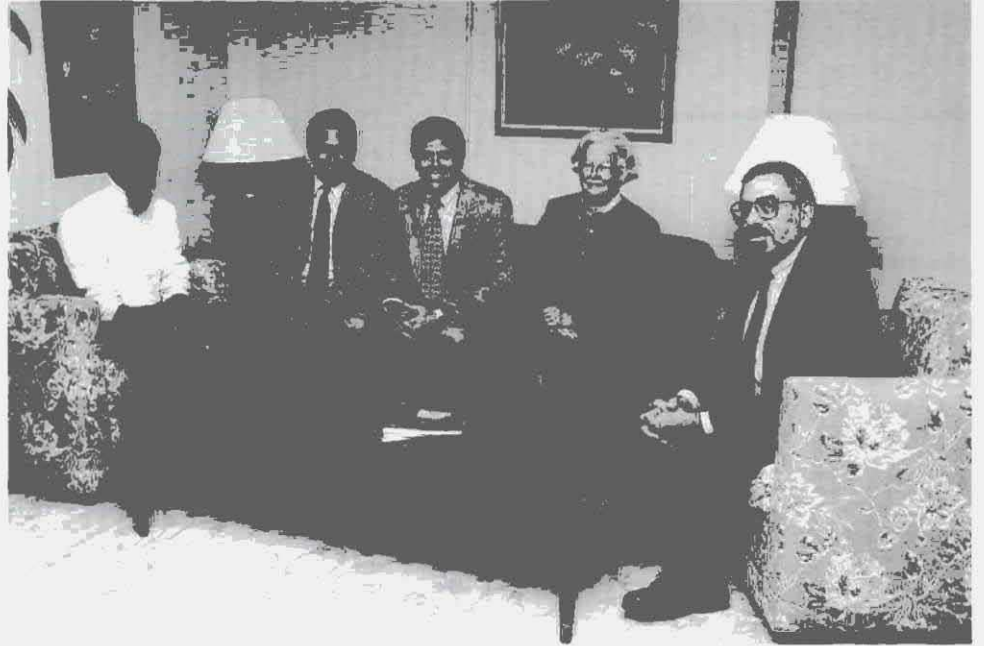
ANNUAL REPORT 1990-91

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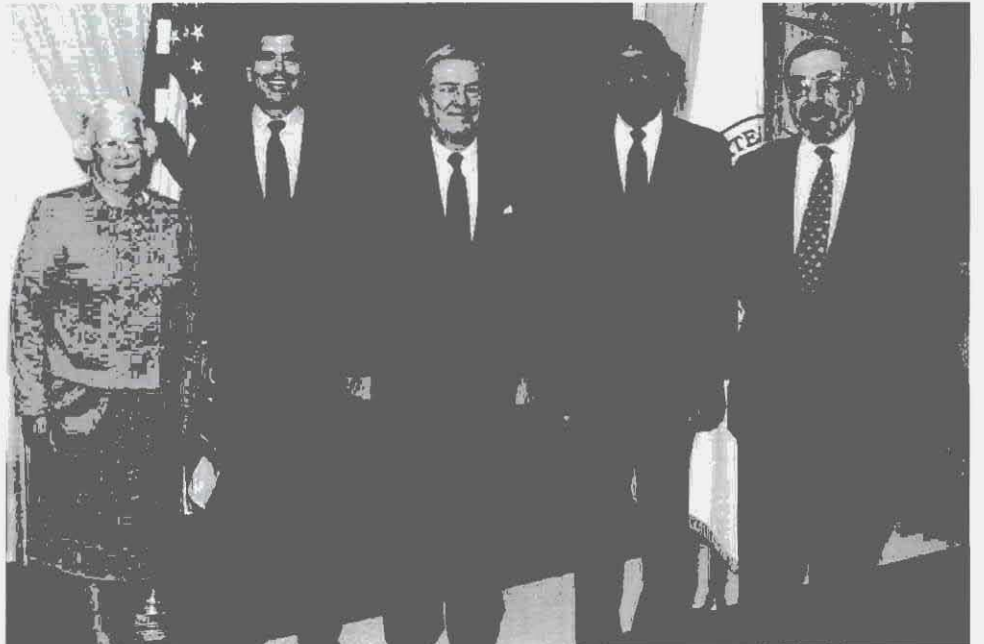
## Personnel Appeals Board 1990



Jessie James, Jr., Jonathan E. Kaufmann, Roger P. Kaplan, Isabelle R. Cappello, and Paul A. Weinstein

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## Personnel Appeals Board 1991



Isabelle R. Cappello, Roger P. Kaplan, Alan S. Rosenthal, Jessie James, Jr., and Paul A. Weinstein

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Abbreviations

CRO	Civil Rights Office
EEO	equal employment opportunity
EEOC	Equal Employment Opportunity Commission
FLRA	Federal Labor Relations Authority
GAO	General Accounting Office
MSPB	Merit Systems Protection Board
OAAP	Office of Affirmative Action Plans
OPM	Office of Personnel Management
OR	Office of Recruitment
OGC/PAB	Office of General Counsel of the Personnel Appeals Board
PAB	Personnel Appeals Board
NSIAD	National Security and International Affairs Division

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# Biographical Backgrounds

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Jessie James, Jr., was appointed to the Board in 1985. He was Chair from 1987-1990. A former Merit Systems Protection Board, Office of Special Counsel, and Department of Justice attorney, Mr. James is in practice in Virginia. In addition to his practice, which includes employment cases, he is owner and president of a company that conducts EEO investigations. Mr. James also teaches courses on EEO law for the government. Mr. James' term expired on September 30, 1991.



Appointed to the Board in 1986, Roger P. Kaplan is a labor arbitrator from Washington, D.C. He was elected Chair in 1990. A graduate of the University of Maryland, College Park, Mr. Kaplan received his Juris Doctor degree from the George Washington University Law Center in 1968. He is a member of the National Academy of Arbitrators. In addition, Mr. Kaplan is on the National Labor Panels of the American Arbitration Association, the Federal Mediation and Conciliation Service, and the National Mediation Board. Mr. Kaplan also serves on numerous permanent arbitration panels between unions and employers.



Isabelle R. Cappello was appointed to the Board in 1986. She is retired after 30 years of Federal service, which included service as an officer in the U.S. Navy; an attorney at the U.S. Departments of Justice and Labor; an assistant general counsel at the Equal Employment Opportunity Commission; and an administrative law judge at the Interstate Commerce Commission and the Federal Labor Relations Authority. Ms. Cappello is a Labor Arbitrator listed by the American Arbitration Association.



Jonathan E. Kaufmann is a partner in the law firm of Kaufmann and Brick. In private practice since 1981, Mr. Kaufmann specializes in labor arbitration and mediation as well as EEO mediation and decision writing. He has been a member of the Personnel Appeals Board since 1985. Mr. Kaufmann was the Chair from 1986-1987 and the Vice Chair from 1987-1989. Mr. Kaufmann's term expired in April 1991.



Appointed to the Board in 1987 and elected Vice-Chair in 1990, Professor Paul A. Weinstein directed the Industrial Relations and Labor Studies Center from 1980-91 and is a member of the Department of Economics at the University of Maryland, College Park. An Arbitrator listed by the American Arbitration Association and the Federal Mediation and Conciliation Service, and a Panel Arbitrator between the U.S. Postal Service and the American Postal Workers Union, AFL-CIO, Eastern Region, he specializes in public sector issues. He chairs the Statistics Committee of the Industrial Relations Research Association and the Public Sector Labor Relations Conference Board and is a member of the Board of Directors of the Council of Professional Associations on Federal Statistics (COPAFS).



Alan S. Rosenthal was appointed to the Board in April 1991. A graduate of the University of Pennsylvania and the Yale Law School, he spent almost 40 years in the Federal service prior to his retirement in 1988. Following a clerkship with a judge on the United States Court of Appeals for the District of Columbia Circuit, Mr. Rosenthal served for 20 years in the Appellate Section of the Civil Division of the Department of Justice (for 14 years as Assistant Section Chief). In 1972, he became Chair and Chief Administrative Judge of the Atomic Safety and Licensing Appeal Panel of the Atomic Energy Commission (later Nuclear Regulatory Commission) and held that position until his retirement. Mr. Rosenthal has taught at the University of Pennsylvania Law School and the Washington College of Law of the American University.

# Introduction

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The Personnel Appeals Board (PAB) of the General Accounting Office (GAO) is an independent agency established under the 1980 GAO Personnel Act (P.L. 96-191), as amended. Pursuant to this statute, GAO was allowed to create its own personnel system, independent of administrative, adjudicatory, and oversight agencies. The Personnel Appeals Board was created as an independent organization designed to afford GAO employees the same rights as their executive branch counterparts.

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## Protection of Employees in the Executive Branch

In the executive branch of government, several agencies are responsible for protecting employee rights: the Merit Systems Protection Board (MSPB); the Federal Labor Relations Authority (FLRA); the Equal Employment Opportunity Commission (EEOC); the Office of Special Counsel, MSPB; and the FLRA General Counsel. Three of these agencies (MSPB, FLRA, and EEOC) adjudicate employment disputes, and the other two agencies (the Special Counsel and the FLRA General Counsel) investigate and prosecute alleged violations of the law.

The MSPB adjudicates appeals involving personnel actions including

- prohibited personnel practices,
- termination of employment,
- reduction-in-grade,
- reduction-in-force,
- suspension of more than 14 days, and
- denial of within-grade salary increases.

The MSPB also

- reviews regulations issued by the Office of Personnel Management (OPM),
- conducts special studies of the civil service and other merit systems of the executive branch, and
- issues reports to the President and the Congress on adequacy of protection against political abuses and prohibited personnel practices afforded Federal employees.

The FLRA is responsible for resolving a wide range of issues involved in the labor-management relations program in the executive branch, including

- unfair labor practices,
- negotiability determinations,
- appropriate bargaining unit determinations,



- representative labor organization elections,
- arbitration award reviews, and
- impasse resolution negotiations.

The EEOC is responsible for adjudicating agency decisions on equal employment opportunity (EEO) complaints and for overseeing EEO programs.

The Special Counsel litigates cases before the MSPB. The primary responsibilities of the Special Counsel include investigating and prosecuting prohibited personnel practices and prohibited political activity (often referred to as Hatch Act violations).

The FLRA General Counsel investigates and prosecutes unfair labor practices before the FLRA.

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## GAO Personnel Appeals Board

The GAO Personnel Act consolidates the above-mentioned functions into the GAO Personnel Appeals Board and its Office of General Counsel. The Board has substantially the same authority at GAO as that of the MSPB, the FLRA, and the EEOC combined, to adjudicate disputes concerning personnel actions, unfair labor practices, and discrimination matters. It also has similar EEO oversight authority over GAO. The PAB General Counsel has authority to investigate and prosecute alleged violations of the law for which the Board has jurisdiction.

# Organization and Functions

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## Personnel Appeals Board

The PAB is composed of five members with expertise in the fields of EEO, labor law, arbitration, mediation, and adjudication. The Board members select their own Chair and Vice Chair for 1 year renewable terms. The Board hears appeals arising from: (1) a removal, a suspension for more than 14 days, a reduction in grade or pay, or a furlough of not more than 30 days; (2) a prohibited personnel practice; (3) an unfair labor practice or other labor relations issue; (4) an action involving prohibited discrimination, including class action appeals; (5) prohibited political activity; and (6) any other issue that the Comptroller General by regulation decides the Board will resolve, including appeals of Veterans' Preference decisions and reduction-in-force decisions. As part of its oversight function, the Board reviews GAO's practices and programs with regard to their EEO implications.

As shown in figure 2.1, the Personnel Appeals Board Office of General Counsel (OGC/PAB), the Office of EEO Oversight, and the following staff positions assist Board members:

- The Executive Director manages the Board's staff and daily office operations.
- The Solicitor is the principal aide to the Chair and to members concerning legal matters.
- Two secretaries/receptionists/paralegals provide clerical and administrative support to the Executive Director, Solicitor, and Director of EEO Oversight.
- A law clerk (or law clerks, as necessary) assists the staff with legal research and drafting and with administrative matters.

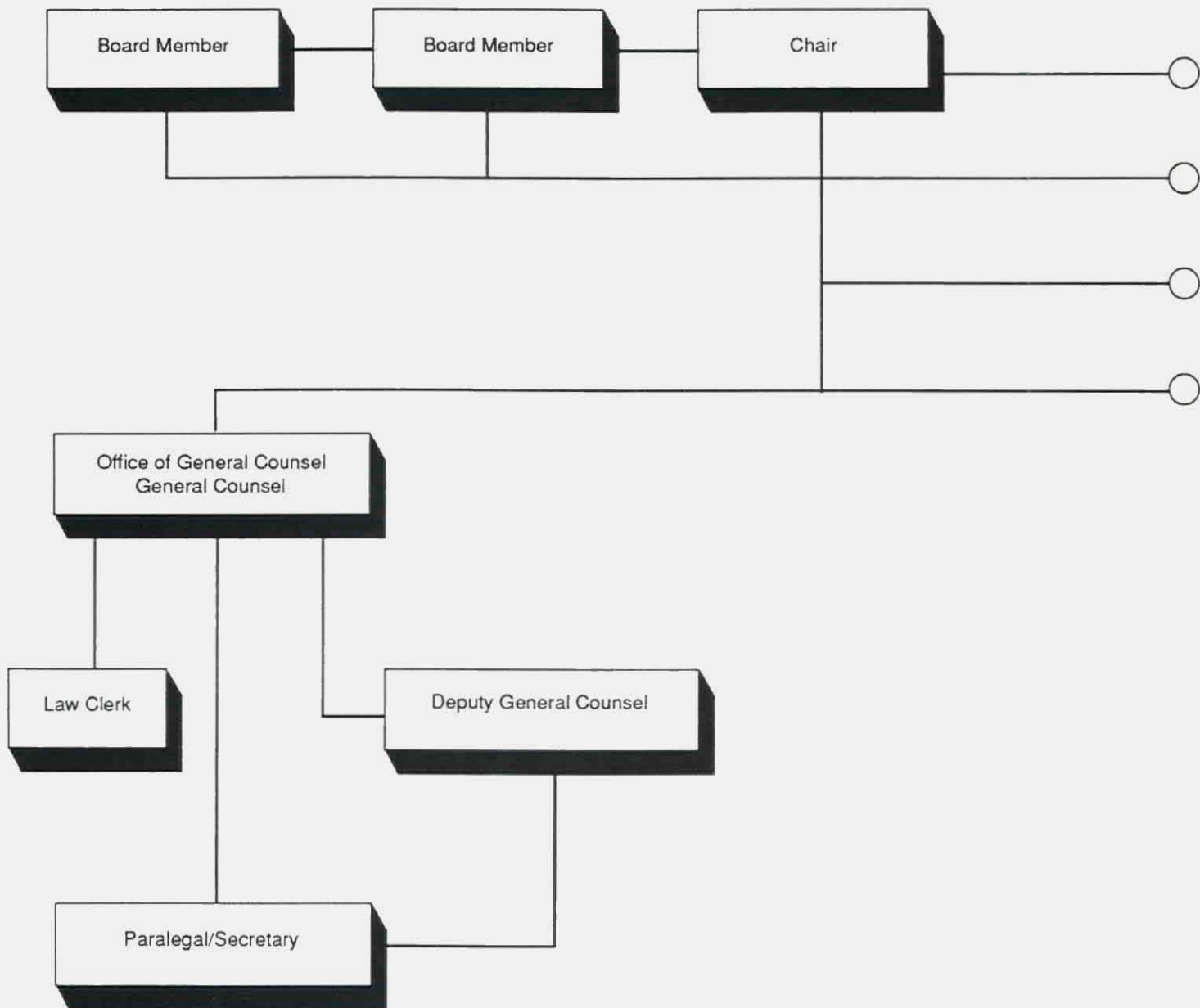
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## Office of General Counsel

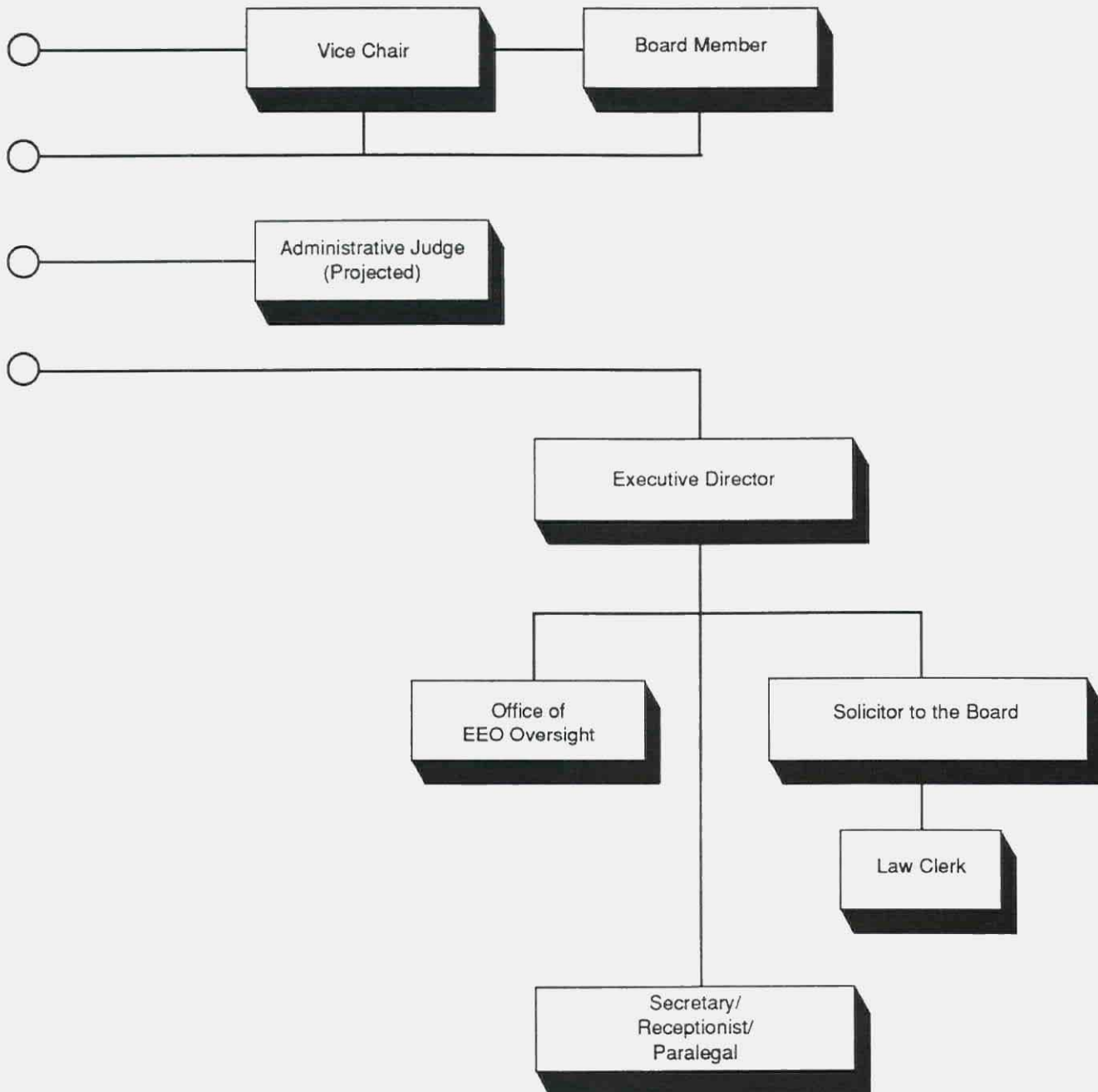
The Board Chair selects the General Counsel, who serves at the pleasure of the Chair. The Office also has a Deputy General Counsel, a paralegal/secretary and a law clerk. The Office of General Counsel represents the interests of GAO employees in litigation before the Board and in court.



Figure 2.1: Organization of the Personnel Appeals Board



**Chapter 2  
Organization and Functions**



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## **Office of EEO Oversight**

The Office is responsible for proposing areas for review as well as conducting studies approved by the Board. The studies of the Office focus on discrete areas of GAO's employment practices and its implementation of federal laws. The Office is also responsible for overseeing and operating the Board's reporting and retrieval system, which receives EEO-related GAO documents and reports.

# Appeals to and Adjudication by the Personnel Appeals Board

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## The Appeals Process

A GAO employee, a group of employees, a labor organization, or an applicant for GAO employment may bring appeals to the Board. In addition to hearing individual complaints, the Board also has jurisdiction to hear class actions.

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## Individual Appeals

OGC/PAB investigates an individual complaint. After this investigation, OGC/PAB may encourage settlement of the dispute. If no settlement occurs, a right-to-appeal letter notifies the employee, GAO management, and the Board that the investigative phase is completed. The employee also receives, along with the letter, OGC/PAB's report and recommendations, which discuss the legal and factual basis of the appeal. As privileged communications between OGC/PAB and the employee, the report and recommendations advise the employee whether OGC/PAB has found reasonable evidence to believe that the employee's rights under the GAO Personnel Act have been violated. If OGC/PAB determines that such evidence exists, it offers to represent the employee before the Board at no expense to the employee. If OGC/PAB determines that such reasonable evidence does not exist, it advises the employee that he or she may personally present a petition to the Board or arrange for representation in further processing the appeal.

Regardless of OGC/PAB's findings, the employee may elect representation by private counsel or represent him or herself. When an employee accepts OGC/PAB's offer of representation, however, OGC/PAB must be the lead counsel on the case.

If an employee chooses to pursue an appeal, he or she must file a petition for review with the Board within 20 calendar days after receiving the right-to-appeal letter. After receiving a petition, the Chair appoints a Board member to hear and decide the case. The Board member serves as an Administrative Judge, whose decision becomes final unless the PAB or either party requests that the full Board reconsider the decision. Almost all final decisions are appealable to the federal courts except certain labor-relations cases.

OGC/PAB may also be involved in an employee's appeal in another circumstance; it may intervene in an employee's case before the Board to represent the public interest. Ordinarily, this would occur when the interpretation of a civil service law, rule, or regulation is at issue.

The following lists the steps followed by OGC/PAB to process charges filed with that office.

- Charge received.
- Charge acknowledged.
- Charge entered in case tracking system.
- Case file requested from GAO.
- Charge assigned for investigation.
- Agency response and case file received.
- Agency response and case file reviewed.
- Charging party's claim investigated.
- Relevant legal issues researched.
- Relevant witnesses interviewed.
- Results of investigation discussed with charging party.
- Report and recommendations prepared for charging party.
- Report and recommendations delivered to charging party.
- Petition for review filed with Board.

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## Individual Cases Filed

The Board has jurisdiction for the personnel appeals from approximately 5,000 GAO employees and from applicants for GAO employment. Under the Board's regulations, most appeals begin with the Board's Office of General Counsel.

During fiscal year 1990, the largest number of individual cases in history was filed with OGC/PAB, a total of 31 cases. During the same time period, the investigative case load for the OGC/PAB increased almost 100 percent. In the years past, OGC/PAB opened approximately 20 new investigations each year. For example, in fiscal year 1988, 15 new cases were filed and in fiscal year 1989, 22 new cases were filed. In fiscal year 1990, however, 37 new cases were opened. Thirty-one of these new cases were filed by individual employees, and six were Information Investigations opened by the OGC/PAB.<sup>1</sup>

During fiscal year 1991, the investigative case load for OGC/PAB continued at record levels with 34 new investigations being opened. Of these 34 new investigations, 26 were charges filed by individuals. The remaining eight cases were Information Investigations. At the close of fiscal year 1991, 32 investigations had been completed, leaving 23 cases under investigation. Of the 32 completed investigations, 9 cases were settled, 14 were dropped after the investigation, and 9 were filed with the Board.

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<sup>1</sup>The Information Investigations are discussed in chapter 4.



In addition to the 37 new cases opened in fiscal year 1990, the OGC/PAB continued investigations in 6 cases begun in fiscal year 1989 resulting in 43 investigations underway during fiscal year 1990. At the close of fiscal year 1990, 25 investigations (6 from fiscal year 1989 and 19 from fiscal year 1990) had been completed, leaving 18 cases still under investigation. Of these 25 completed investigations, 9 of the cases were settled, 11 were dropped following the investigation, and 5 were filed with the Board.

The distribution of matters at issue in charges filed with OGC/PAB since 1980 follows. Since cases are sometimes based on more than one issue, the total number of issues exceeds the number of cases.

- EEO issues (75 cases),
- prohibited personnel practices (68 cases),
- removal or suspension of 14 days or more (29 cases),
- denial of within-grade increases (9 cases).

EEO cases have perennially represented the largest single category of cases filed with OGC/PAB. Although the number of EEO cases filed in fiscal year 1990 remained high, these cases were, for the first time, surpassed by another category of cases, prohibited personnel practices. Fourteen of the new cases filed in fiscal year 1990 raised EEO issues, and seventeen alleged prohibited personnel practices. Some of the EEO cases and most of the prohibited personnel practice cases challenged employee performance appraisals. GAO's implementation of a new pay-for-performance (PFP) system, which relies heavily on performance appraisals, was a primary factor in the increased case load of the OGC/PAB.

In fiscal year 1991, more than one-half of the new charges filed raised EEO issues; the next largest category of issues was prohibited personnel practices. However, a common thread existed in most of these cases: almost all of the EEO and prohibited personnel practice cases challenged performance ratings given to employees who were subject to the PFP system. Performance ratings are an important factor in determining an employee's eligibility for bonuses and permanent pay increases under PFP. Thus, approximately 70 percent of the new cases in fiscal year 1991 came about because of an employee's dissatisfaction with that employee's PFP ranking.

Additionally, during fiscal year 1990, there were a total of 10 appeals processed by the Board. Three of the appeals were settled prior to hearing and one appeal was dismissed by order of the Board prior to being heard.

Five appeals were pending at the close of fiscal year 1990, including one awaiting a decision by an Administrative Judge. The Board issued a decision on one appeal during fiscal year 1990, and one appeal to the full Board was pending review at the close of fiscal year 1990. The Board ruled on four dispositive motions during fiscal year 1990, and issued two stays of personnel actions.

In fiscal year 1991, the Board processed 13 cases appealed to it. Five of the cases were settled prior to hearing, and two cases were withdrawn by the employees prior to being heard by the Board. The Board conducted a total of six hearings in fiscal year 1991 (one *en banc*), and decisions on two appeals were issued by the Board in fiscal year 1991 (two *en banc*). Four appeals were pending Board decision at the end of fiscal year 1991, one of which was an appeal to the full Board.

The following lists the steps to process cases at the Board level.

- Notice of petition for review sent out (with service list).
- GAO responds to the petition for review.
- Administrative Judge assigned.
- Discovery.
- Prehearing matters and motion practice.
- Administrative Judge responds to motions by orders served to the parties.
- Final prehearing briefs filed.
- Final prehearing conference (status conference) held.
- Hearing held.
- Transcript of hearing received and distributed by the PAB.
- Posthearing briefs filed 30 days after transcript received by the PAB.
- Parties may request an opportunity to respond to posthearing briefs.
- Decision issued by Administrative Judge.
- Motions to reopen and reconsider made.
- Final decision issued by the Full Board.
- Most cases, except those involving discrimination, are appealable to the U.S. Court of Appeals for the Federal Circuit.
- In discrimination cases, petitioner may file in the U.S. Court of Appeals for the Federal Circuit or may file *de novo* in U.S. District Court.

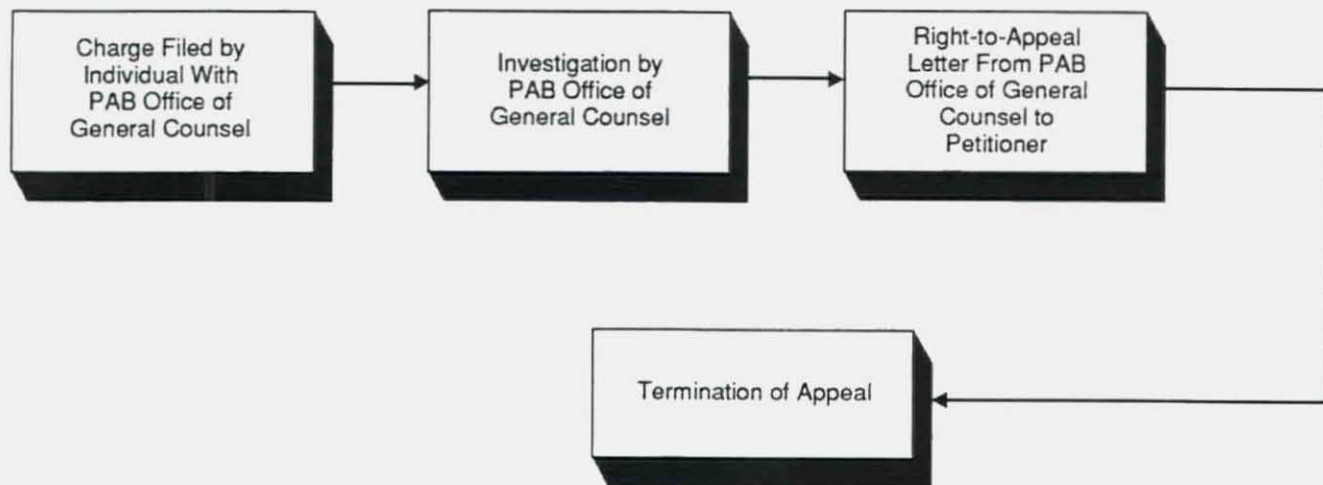
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## EEO Class Action Appeals

Unlike individual EEO cases, EEO class action appeals go through an administrative hearing in the GAO complaints process. One requirement of that process is that legal counsel represent the class. Thus, when an EEO class appeals to the Board, the case bypasses OGC/PAB's investigative

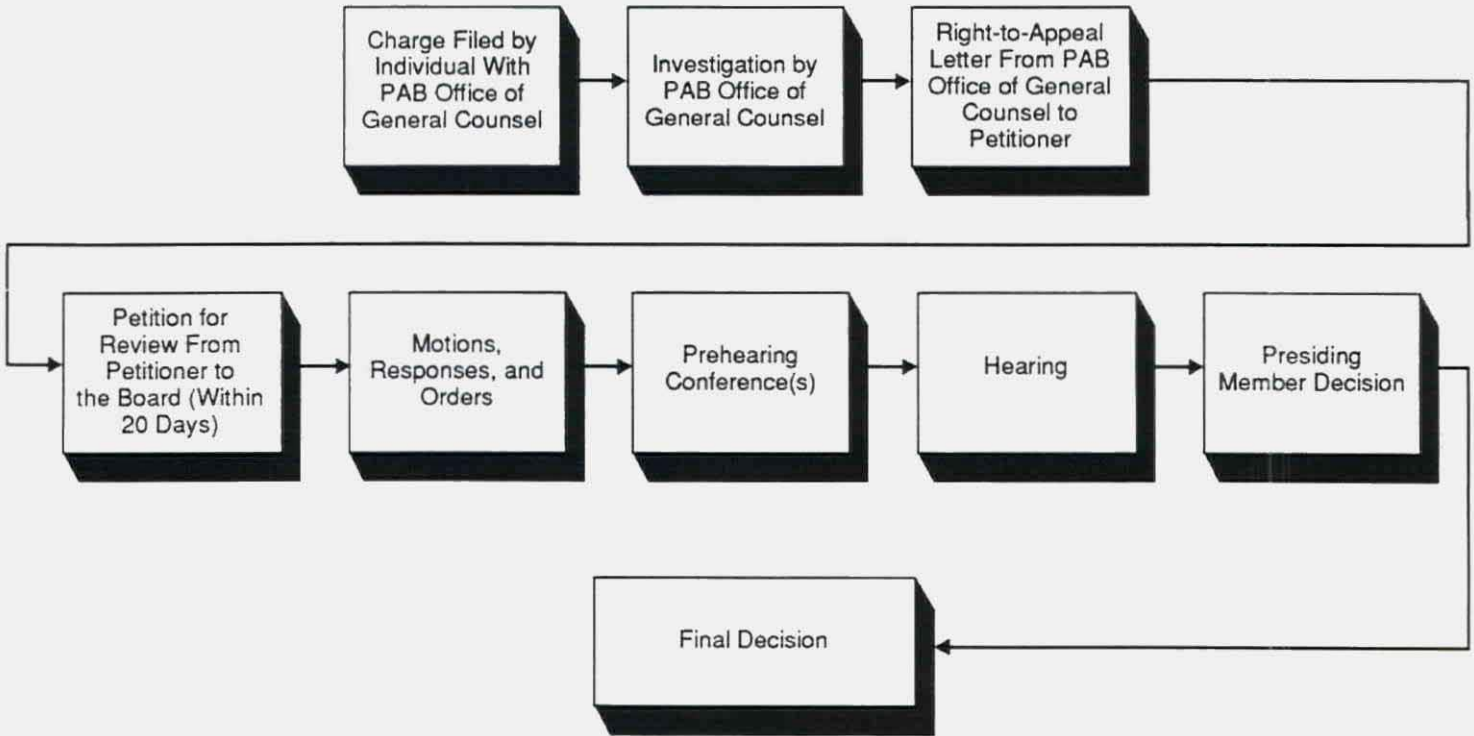
process and goes directly to the Board for review. No class action appeals were filed in fiscal year 1990. One class action appeal was filed in fiscal year 1991, and was awaiting a hearing before the Board at the close of the fiscal year.

Figure 3.1: Process of Case From Charge to Termination of Appeal



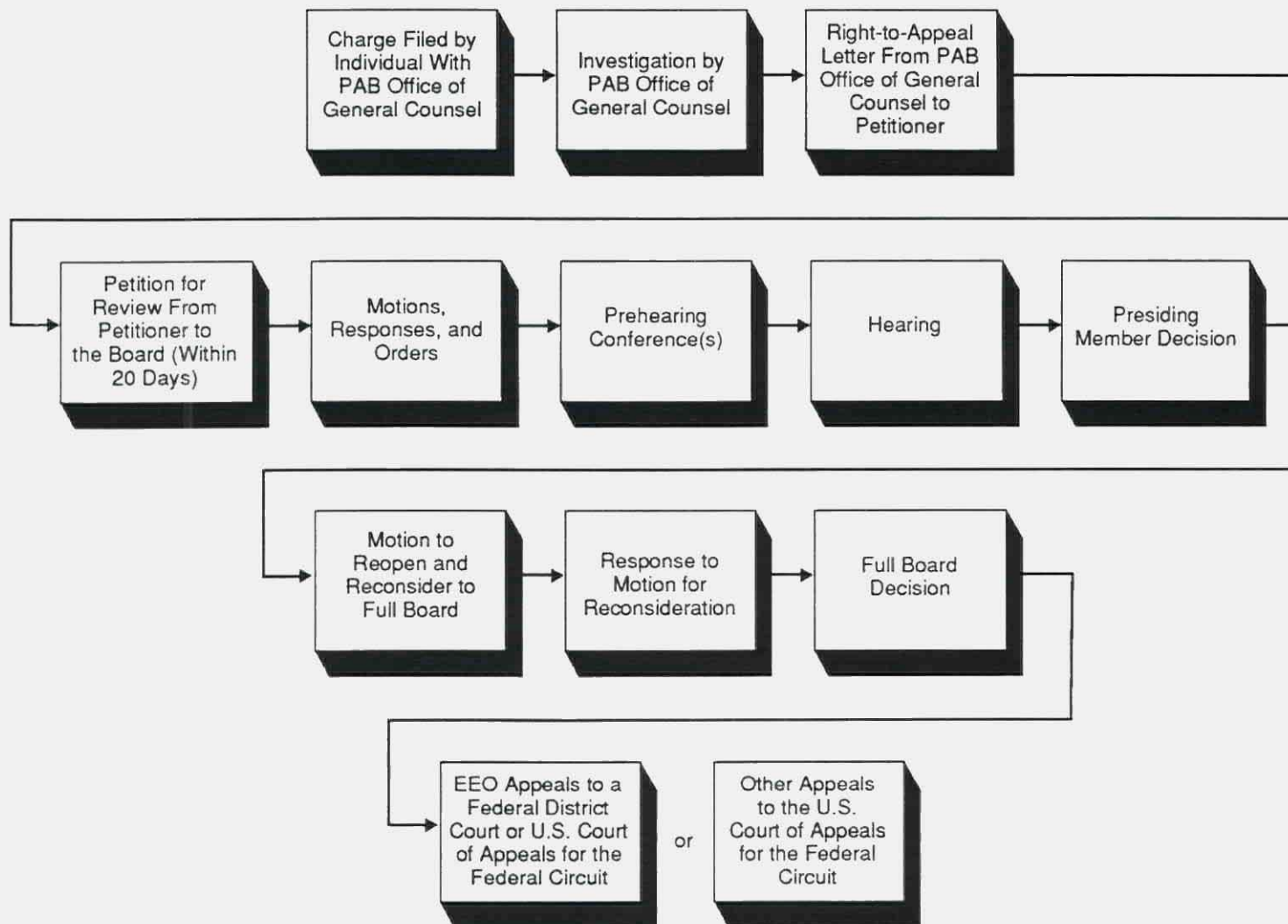
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Figure 3.2: Process of Case to Final Board Member's Decision With No Appeal



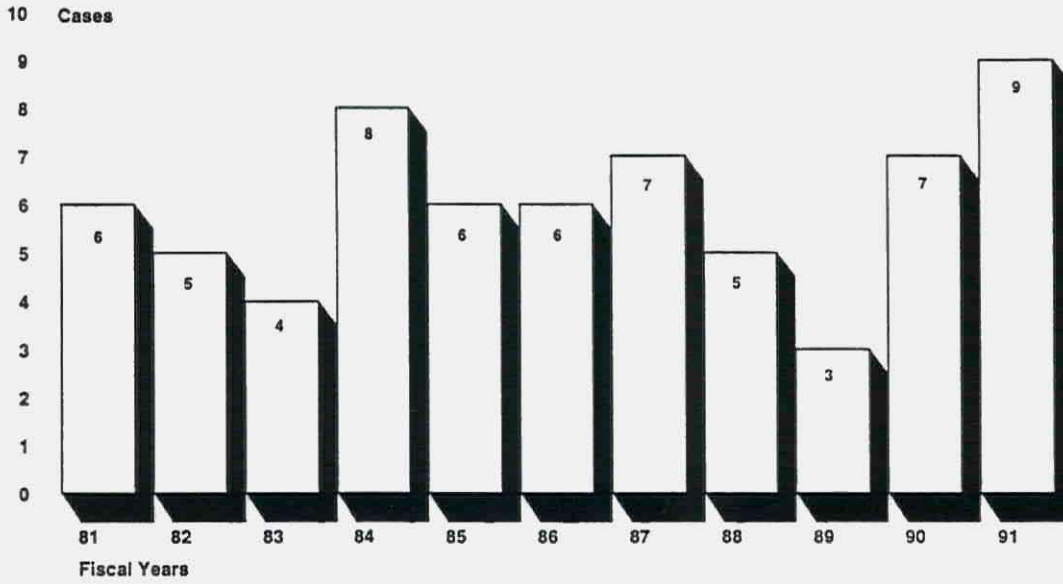
**Chapter 3**  
**Appeals to and Adjudication by the**  
**Personnel Appeals Board**

**Figure 3.3: Process of Case From Charge to Judicial Review**



**Chapter 3**  
**Appeals to and Adjudication by the**  
**Personnel Appeals Board**

**Figure 3.4: Cases Filed With PAB From FY 1981-FY 1991**



# Information Investigations by the PAB Office of General Counsel

As discussed in chapter 3, OGC/PAB investigates almost all employee cases before they are appealed to the Board. In addition, OGC/PAB conducts self-initiated information investigations. Six of the 37 new investigations initiated in fiscal year 1990 were information investigations. Eight of the 34 new investigations initiated in fiscal year 1991 were information investigations.

When information comes to OGC/PAB's attention suggesting that a prohibited personnel practice has occurred, is occurring, or will occur, it may investigate the matter regardless of whether an employee appeal or complaint is filed. In most cases in which an individual raises the allegation, the individual remains anonymous. If OGC/PAB finds insufficient evidence of a prohibited personnel practice, it prepares a report to close the investigation. The report is sent to the individual who brought the issue to OGC/PAB's attention and to GAO management. If, on the other hand, OGC/PAB finds evidence of a prohibited personnel practice, three courses of action or a combination thereof are available: seeking a stay of the personnel action, proposing corrective action, and/or proposing disciplinary action.

## Stay Proceedings

When an employee requests that OGC/PAB seek a stay of a personnel action, OGC/PAB conducts an investigation into the allegations. If it finds reasonable grounds to believe that the personnel action was taken, or will be taken, as a result of a prohibited personnel practice, OGC/PAB may request that the Board stay the personnel action. If a stay is granted, it may remain in effect pending further investigation by OGC/PAB or until the matter is litigated before the Board. If OGC/PAB finds no reasonable grounds to believe that a prohibited personnel practice is involved in the personnel action, the Board may not entertain a stay request. However, the employee may pursue an appeal to the Board, as described in chapter 3.

During fiscal year 1990, one employee requested that OGC/PAB seek a stay of a personnel action. At the request of the OGC/PAB, the Board granted a temporary stay in that case, which was subsequently settled to the employee's satisfaction.

During September of fiscal year 1991, two employees requested that OGC/PAB seek a stay of a personnel action. Both cases were pending investigation at the close of the fiscal year.

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## Corrective Action Proceedings

When OGC/PAB finds reasonable evidence to believe that a prohibited personnel practice exists, it may prepare a report for GAO management recommending corrective action. If GAO does not take the recommended corrective action, OGC/PAB may petition the Board to order corrective action.

Six corrective action investigations were initiated in fiscal year 1991. The allegations raised in these six cases covered a wide range of the Board's jurisdiction. They addressed alleged sexual harassment, violation of performance appraisal rules, and a variety of allegations of prohibited discrimination. Two of these cases were closed for lack of evidence to support the allegations. One case was closed because the agency took appropriate disciplinary action while the OGC/PAB investigation was pending. The remaining three cases were still pending investigation at the close of the fiscal year.

Finally, during fiscal year 1989, a case was filed with OGC/PAB by two employee councils. Though not technically a corrective action investigation, it resembled such an investigation. The case challenged certain restrictions imposed by GAO on the formation of collective bargaining units by GAO evaluators and attorneys. OGC/PAB completed this investigation and filed the case with the Board in fiscal year 1990. A hearing was held on the case by the full Board during fiscal year 1991. Before a decision was issued by the Board, a partial settlement agreement was reached by the parties. As the fiscal year ended, the Board issued a decision on the remaining issue. The Board ordered the agency to delete the provision at issue from its Order on labor-management relations as being inconsistent with the law in the executive branch.

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## Disciplinary Proceedings

When OGC/PAB finds reasonable evidence to believe that a prohibited personnel practice exists, it may propose disciplinary action against the employee responsible for the practice. Also, it may propose discipline for any GAO employee engaging in prohibited political activity. In either case, OGC/PAB's proposal for discipline is presented to the Board and to the employee. After hearing the case, the Board decides whether discipline is warranted and what discipline is appropriate.

No disciplinary proceedings were instituted during fiscal years 1990 or 1991.



# Personnel Appeals Board Administrative Activities

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During fiscal years 1990 and 1991, the Board continued its activities designed to increase GAO employees' awareness of their employment rights and the Board's role in protecting those rights.

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## Publication of Board Practice Guide

During fiscal year 1990, the Board published a booklet titled "Guide to Practice Before the Personnel Appeals Board." The booklet summarizes the basic rules and regulations of the Board and was issued to provide administrative information and procedural guidance to parties appearing before the Board. The booklet emphasizes the procedures for filing briefs, motions, and other pleadings in Board matters.

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## Meetings With GAO Offices

The Board continued its practice of meeting with GAO offices. During fiscal year 1990, the Board held meetings in Boston, New York, Denver, Detroit, Kansas City, Atlanta, San Francisco, and the National Security and International Affairs Division (NSIAD).

The Board's meeting format follows:

1. Employees initially view a videotape describing the Board's functions and procedures.
2. Board members make a presentation to the office staff on PAB's organization and functions and answer questions about its mission.
3. Board members meet with the management team.
4. Board members meet with employee group representatives.

The Board found that these outreach programs provide a useful vehicle for employees and management to learn of Board functions as well as a forum for answering questions. This kind of discourse also affords the Board an opportunity to learn what materials are most useful to GAO and its employees with regard to future Board publications.

# EEO Oversight Activities

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The GAO Personnel Act gives the Board oversight responsibilities for GAO's equal employment opportunity program.

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## New Directions for Oversight

The Oversight program continued to proceed on two fronts: establishing a routine reporting system and conducting in-depth studies on particular topics. In addition, Oversight was represented before employee council group meetings at regional offices and national headquarters units, where presentations were made about the directions of the program.

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## Study of GAO's Employment of Persons With Disabilities

The FY 1990 Oversight study of GAO's program to employ and advance persons with disabilities was completed with the publication of "EEO Oversight Study of GAO's Employment of Persons with Disabilities."

This study addressed:

- accessibility of GAO building facilities and services,
- provision of reasonable accommodation and the existence of program initiatives,
- the existence of training for supervisors regarding the employment of persons with disabilities,
- hiring and recruitment practices, and
- affirmative action plans.

The Office of EEO Oversight reviewed GAO records and sent questionnaires to GAO employees who had identified themselves as disabled. Regional Managers were questioned about building and services accessibility and efforts to carry out a program for persons with disabilities. A questionnaire was sent to organizations identified by GAO as recruiting sources for the disabled to ascertain the effectiveness of GAO affirmative action recruitment efforts. Further, with GAO's concurrence, the Board invited a representative of the Architectural and Transportation Barriers Compliance Board to inspect GAO headquarters for the presence of physical barriers.

The Board compared EEO profile data of GAO's employment of persons with disabilities with that of executive branch agencies. In addition, it analyzed trends in the employment of individuals with disabilities at GAO from fiscal years 1985-1989, and compared pay-for-performance bonus data.

Interviews were conducted and meetings held with GAO officials and GAO employees who work or have worked in offices with EEO or EEO-related responsibilities. The offices contacted included: the Office of Affirmative Action Plans (OAAP), the Civil Rights Office (CRO), and the Office of Recruitment (OR). The Office of EEO Oversight asked each office about its organizational structure, EEO responsibilities, and/or its service to employees and applicants with disabilities.

The Oversight report covered GAO's program from 1985 through the end of calendar year 1989, focusing on years 1988 and 1989. The study noted that in 1985 GAO had a persons-with-disabilities program. This program set policy, collected data, developed an affirmative action plan, and began program initiatives. The study found that in 1986, when the affirmative action plan responsibilities for women and minorities were transferred from the CRO to the newly created OAAP, a hiatus in GAO efforts to foster the employment of persons with disabilities began. The last affirmative action plan addressing persons with disabilities was developed for 1985. The study reported that GAO's hiring of persons with disabilities to 1986 trailed behind that of the executive branch, but gains in 1987 hiring activity narrowed the gap.

The report set forth specific areas requiring additional attention. For example, GAO needed to give immediate attention to data collection, preparing and implementing an affirmative action plan, internal monitoring and publicizing resources and services. Initiatives begun in fiscal year 1990 after the report was completed show positive directions on the part of GAO.

The report was distributed to the divisions of GAO including the regional offices. It was also made available on audio cassette tape.

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FY 1991

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## Reporting System

The design of the Board's reporting system was completed and scheduled to become operational at the start of Fiscal Year 1992. The purpose of the reporting system is to assist the Board and GAO in tracking discrete personnel activities, such as hires, promotions and separations as they relate to equal employment opportunity issues. The reporting system is distinguishable from that used in the executive branch because of the uniqueness of GAO's personnel system. Given that the majority of GAO's

employees is in a limited number of job series and pay categories, the reporting systems developed and used by the executive branch, which rely heavily on job series and General Schedule pay grades, were not applicable to GAO. The Board devised a reporting system to reflect GAO's employment patterns by pay category and reflects the breakdown within these categories by a variety of employee characteristics. Through these reports the reader can ascertain both the number and percentage of women and minorities, persons with disabilities, and age groupings of GAO's employees within each pay classification. The reporting system amplifies these "snapshots" by generating a sub-set of reports that show, by the same employee characteristics and pay classifications, activity in hiring, promotion and separations.

These reports provide the Board with detailed insights to GAO's employment patterns in an orderly and consistent manner and further the Board's goal of enhancing its oversight responsibility. During its initial year of operation, the reports will be generated on a quarterly basis to assess areas for design reconsideration and to determine the appropriate cycle for the reports.

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## Study of GAO'S Affirmative Action Program

The Office of EEO Oversight began a review of GAO's affirmative action program. At the Board's request, GAO submitted reporting unit submissions as well as guidance and instructional materials relating to affirmative action at GAO. The report will cover Fiscal Years 1987 through 1990. It is anticipated that the report will be published in Fiscal Year 1993.

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U.S. General Accounting Office



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