United States Government Accountability Office

Report to Congressional Requesters

February 2017

FEDERAL TELEWORK

Additional Controls Could Strengthen Telework Program Compliance and Data Reporting

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Why GAO Did This Study

The Telework Enhancement Act of 2010 required agencies to develop telework policies and OPM to provide guidance and report on telework use, among other things. GAO was asked to review agency telework programs.

This report examines (1) how selected agencies comply with the act's requirements, (2) the internal controls affecting federal supervisors' ability to hold teleworkers accountable for achieving results, and (3) the challenges selected agencies and OPM face in collecting and reporting telework data. GAO selected four case study agencies for review—Education, General Services Administration, Labor, and Securities and Exchange Commission—based on agency size and telework participation rates. GAO reviewed OPM guidance and reports, and policies and data at case study agencies. GAO also interviewed OPM and case study agency officials and held focus groups with case study agency supervisors and teleworkers.

What GAO Recommends

GAO makes recommendations to each of the case study agencies, including ensuring supervisors complete telework training in a timely manner and improving telework data. GAO also recommends that OPM develop tools to help agencies assess telework barriers, and to improve telework data reported to Congress. Three agencies agreed with the recommendations. One did not comment. OPM disagreed with GAO's recommendations citing limited resources to expend on efforts not specifically required under the act. GAO maintains that OPM should implement these actions as discussed in the report.

What GAO Found

The telework policies at four selected case study agencies GAO reviewed met select requirements of the Telework Enhancement Act of 2010 (the act) for telework eligibility and agreements. These agencies followed similar processes for approving telework agreements. Office of Personnel Management (OPM) guidance recommends managers complete telework training prior to approving telework agreements, but three of the four agencies did not have a mechanism to help ensure managers have completed this training before approving employee telework agreements. Because managers in these agencies may not have completed the training before entering into agreements, they may not be familiar with telework policies. Further, three of the four agencies did not require a periodic documented review of telework agreements. By not requiring regular review of telework agreements, these agencies cannot be assured that the agreements reflect and support their current business needs. Consistent with the act, all four agencies described efforts to encourage telework participation and provide for the technology to enable it. However, GAO's focus groups with teleworkers provided some examples of how supervisors may discourage telework participation and reported that some level of managerial resistance to telework remains. Managerial resistance to telework can undermine reviewed agencies' ability to meet telework participation goals. In its leadership role for telework matters, OPM can assist agencies with tools to assess and resolve these types of concerns.

Consistent with the act, all four case study agencies have controls to help ensure that telework does not diminish employee and organizational performance. These four agencies' policies followed the act's requirement that teleworkers be treated the same as nonteleworkers for the purposes of work requirements, performance appraisals, and other managerial decisions. Agency officials and focus groups reported that telework status did not impact performance expectations. Focus groups with supervisors described numerous strategies and resources they use to supervise and stay connected with teleworking employees.

The four agencies used varied methods to collect and report telework data to be included in OPM's annual telework reports, but all cited challenges to ensuring that employee-reported telework data were accurate because employees may not know or follow policies for recording telework. While three of these agencies use electronic systems to track telework agreements, the Department of Labor (Labor) uses a manual system which limits its ability to access accurate, real-time telework agreement data that management uses to assess compliance and for resource allocation decisions. Further, GAO found that the Department of Education (Education) had not been reporting telework eligibility data compliant with the act. OPM also faced challenges in reporting accurate agency telework data and GAO identified errors in OPM's annual reports to Congress. For example, OPM's report cited Education's fiscal year 2016 telework participation goal as 5 percent, reflecting Education's goal for increasing its participation rate, instead of its overall participation goal of 90 percent. OPM may be missing opportunities to improve its data because it does not always follow up with agencies on significant data differences or outliers. The errors and invalid data in OPM's annual reports to Congress reduce the usefulness of these reports.

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Abbreviations

the act	Telework Enhancement Act of 2010
CHCO	Chief Human Capital Officers
COOP	continuity of operations
Education	Department of Education
EHRI	Employee Human Resources Integration
FEVS	Federal Employee Viewpoint Survey
GSA	General Services Administration
IT	information technology
Labor	Department of Labor
OPM	Office of Personnel Management
POC	point of contact
SEC	Securities and Exchange Commission
TMO	Telework Managing Officer

GAO U.S. GOVERNMENT ACCOUNTABILITY OFFICE

441 G St. N.W.
Washington, DC 20548

February 17, 2017

The Honorable Jason Chaffetz
Chairman
Committee on Oversight and Government Reform
House of Representatives

The Honorable Darrell Issa
House of Representatives

Congress has encouraged federal agencies to expand staff participation in telework, most recently in 2010 by passing the Telework Enhancement Act of 2010 (the act)[1] which requires executive agencies to establish telework policies, incorporate those policies into their respective continuity of operations plans, and provide interactive telework training to employees eligible to telework and managers of teleworkers. The act describes the Office of Personnel Management's (OPM) responsibilities and agencies' telework program responsibilities. As telework participation expands, agencies must address how to develop and institute internal controls to ensure they are managing for results in a telework environment. Also, in accordance with the act, agencies must establish policies to ensure that telework does not diminish employee performance or agency operations.

You asked for us to review agency internal controls for telework, performance management in a telework environment, and how often employees are teleworking. This report identifies and examines (1) how selected agencies establish and monitor telework eligibility and participation, and comply with the requirements of and expectations included in telework agreements; (2) the internal controls and practices at selected agencies that affect supervisors' abilities to manage for results in the telework environment, and hold employees who routinely telework accountable for achieving results; and (3) the challenges selected agencies and OPM face in collecting and reporting telework data.

To address these objectives, we reviewed and used as criteria the act, *Standards for Internal Control in the Federal Government*, OPM's

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[1]Pub. L. No. 111-292, 124 Stat. 3165 (Dec. 9, 2010), codified primarily at chapter 65 of title 5, United States Code.

guidance and training on telework and performance management, and our prior work on agency telework programs. We also interviewed key OPM officials from Employee Services and Senior Executive Service and Performance Management as well as the Executive Director of the Chief Human Capital Officers (CHCO) Council. We also selected four agencies as case studies, including the Department of Education (Education), the General Services Administration (GSA), the Department of Labor (Labor), and the Securities and Exchange Commission (SEC) for our review. We selected these agencies using size and telework participation rates as criteria. We also conducted a series of focus groups at the four case study agencies with groups of supervisors of teleworkers and groups of teleworkers. When discussing these focus groups throughout the report, we use the word some to mean more than two but fewer than six focus groups.

To determine how the four case study agencies establish and monitor telework eligibility and compliance with requirements and expectations of telework agreements, we reviewed the act, OPM guidance, telework policies, telework training materials, blank telework agreements, and collective bargaining agreements. We interviewed agency officials responsible for telework policy and program implementation, including the Telework Managing Officer (TMO) or the telework coordinator, to discuss telework policy, program implementation, internal controls, and OPM guidance on telework. We then compared these four agencies' policies to the act's requirements, OPM guidance, and *Standards for Internal Control in the Federal Government* to assess compliance. We discussed telework eligibility and notification at our focus groups with teleworkers, and interviewed OPM officials about OPM's role in providing telework guidance to federal agencies.

To determine how supervisors at the four case study agencies manage for results in a telework environment and hold employees who routinely telework accountable for achieving results, we reviewed requirements of the act and agency policies, reviewed OPM and agency-specific training materials on telework and performance management, and discussed agency performance management policy with case study agency officials. We also asked supervisors participating in our focus groups what strategies and resources they use to manage their teleworking employees, and what steps they take to help ensure telework does not diminish their employees' performance. We asked participants at our teleworkers focus groups about how telework has affected their ability to meet performance goals, how their supervisor holds them accountable

for achieving results, and how the agency supports telework.

To identify and assess the challenges the four case study agencies and OPM face in collecting and reporting telework data, we reviewed our prior work on OPM telework data reporting as well as OPM's *Status of Telework in the Federal Government Report to Congress (Fiscal Year 2013)* and OPM's *Status of Telework in the Federal Government Report to Congress (Fiscal Years 2014 and 2015)*. We compared agency telework data to data in OPM's reports to Congress to identify any discrepancies. To report data on numbers of teleworkers and the average number of hours employees telework per pay period, we analyzed telework data from each of the case study agencies. We reviewed documentation of data sources, tested the data for outliers, and interviewed case study agency officials about data reliability and determined these data to be reliable for the purposes of our report. We interviewed OPM and case study agency officials, teleworkers, and supervisors about the steps they take to collect, validate, and report telework data, and any challenges they may face in doing so. For more detailed information on our objectives, scope, and methodology, please see appendix I.

We conducted this performance audit from November 2015 to February 2017 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Background

Increasingly, agencies are using telework to diminish the disruption that severe weather events and other events may have on agencies' abilities to accomplish their missions. For example, OPM encouraged agencies to use telework in the Washington, D.C. metropolitan area in response to the potential for disruptions caused by the papal visit in September 2015, the unplanned 1-day shutdown of the metropolitan area's subway system in the spring of 2016, and ongoing subway track safety work begun in 2016.

Telework Enhancement Act of 2010

In 2010, Congress passed the act to specify the requirements for executive agency telework programs and define OPM's role in providing leadership over telework to agencies. In drafting the act, Congress acknowledged telework as an important human capital tool for agencies, as well as the need for legislation to overcome resistance to telework. We have previously reported on federal telework programs and recommended improving the reliability of agency-reported data, the extent to which agencies have implemented telework as a tool for continuity and emergency planning, and the information available on costs and benefits of telework programs.[2]

As required in the act, executive agencies are to designate a TMO. According to OPM guidance, the TMO develops telework policy, serves as a resource for teleworkers and their managers, and advises the CHCO on the agency's telework matters. OPM guidance stresses that the TMO position encompasses more than administrative responsibilities. The TMO is the single agency official accountable for that agency's telework program and its compliance with the act. Agencies may also designate a telework coordinator to implement the day-to-day operations of the telework program.

The act requires OPM to work with agencies to implement the act's requirements. This includes assisting agencies in establishing appropriate qualitative and quantitative measures and teleworking goals. Additionally, the act charges OPM with providing telework guidance on pay and leave, agency closure, performance management, official worksite information, recruitment and retention, accommodations for employees with disabilities, and maintaining a central telework website, www.telework.gov.

The act also requires OPM to issue an annual report to Congress on the status of telework in the federal government.[3] OPM has surveyed

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[2]See GAO, *Federal Telework: Better Guidance Could Help Agencies Calculate Benefits and Costs,* GAO-16-551 (Washington, D.C.: July 15, 2016); *Federal Telework: Program Measurement Continues to Confront Data Reliability Issues,* GAO-12-519 (Washington, D.C.: Apr. 19, 2012); *Emergency Preparedness: Agencies Need Coordinated Guidance on Incorporating Telework into Emergency and Continuity Planning,* GAO-11-628 (Washington, D.C.: July 22, 2011); and *Human Capital: Telework Programs Need Clear Goals and Reliable Data,* GAO-08-261T (Washington, D.C.: Nov. 6, 2007).

[3]Specifically, OPM, in consultation with the CHCO Council, is to report to House and Senate oversight committees on the telework programs of each executive agency.

executive agencies with an annual data call to fulfill its role in reporting on progress towards telework related goals to Congress.[4] While there are many ways to assess telework program success, the act requires OPM to report on agencies' goals related to increasing participation rates in their telework programs, whether or not the agencies met their goals, and if not, what actions agencies are taking to identify and eliminate barriers to maximizing telework opportunities.[5] The information collected by OPM can shed light on the barriers agencies may face in implementation, such as managerial resistance or technology limitations. While we have previously reported on data limitations related to OPM's annual telework reports, the reports do provide useful context about the status of telework in the federal government and are comprehensive sources of information on telework in the executive branch.[6] OPM reports that the number of federal employees teleworking has increased more than 40 percent since fiscal year 2012. Table 1 shows the number of teleworkers in the federal government, as reported in OPM's annual *Status of Telework in the Federal Government* reports to Congress.

Table 1: Reported Number of Federal Employees Participating in Telework, Fiscal Years 2012-2015

	FY 2012	FY 2013	FY 2014	FY 2015
Federal employees participating in telework	301,372	364,779	383,924	427,450

Source: GAO analysis of the Office of Personnel Management's (OPM) *Status of Telework in the Federal Government* reports, FY 2012 - FY 2015. | GAO-17-247

Note: Not all agencies provided OPM with data on teleworkers each fiscal year for inclusion in the annual *Status of Telework in the Federal Government* reports. The total number of federal employees teleworking may be higher than the totals reported.

Types of Telework Arrangements

OPM has identified two general types of telework: routine telework and situational telework. Routine telework is telework that occurs as part of an ongoing, regular schedule. Routine telework may be part time or full time.[7] The key feature of routine telework—also referred to as continuing,

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[4]OPM did not conduct a data call in 2014; instead OPM requested data for both fiscal years 2014 and 2015 in the 2015 data call.

[5]The act requires agencies to establish goals to increase participation, to the extent practicable or necessary. The act also requires OPM to report on other telework goals agencies may have established.

[6]In 2012, we reported that OPM had been concerned about the reliability of telework data it received from executive agencies over the prior decade. GAO-12-519.

[7]Full-time telework is also referred to as remote work and may require additional authorization or changes to the employee's personnel records.

regular, fixed, or recurring—is that it occurs on a predictable schedule. In contrast, situational telework is approved on a case-by-case basis, and occurs outside of a routine telework schedule. Situational telework often occurs in response to a specific event such as inclement weather. Situational telework is also referred to as ad hoc, episodic, intermittent, and unscheduled telework.[8] Situational telework may be approved for 1 day or a number of days. For example, short-term telework is situational telework that occurs continuously for a finite number of days. Employees participating in short-term arrangements (e.g., because recuperating from surgery, maternity reasons, etc.) typically do not have in-office days; they work a full or part-time schedule from their homes. Before an employee can participate in any telework arrangement he or she must be approved to telework.

History of Telework at Four Case Study Agencies

The act requires OPM to report agencies' progress towards meeting telework goals, such as telework participation rates; however, telework had existed at federal agencies before the act's passage. As previously mentioned, for this review we included Education, GSA, Labor, and SEC as our case study agencies based on telework participation rates and agency size. Table 2 shows the average number of individuals teleworking for the pay periods that include September 30, 2015 through May 31, 2016.

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[8]Unscheduled telework is a specific form of telework associated with OPM's dismissal and closure policy that allows employees in the Washington, D.C. area to work from home or a nearby alternative location when OPM announces a modified operating status due to inclement weather or special events that severely affect commuting.

Table 2: Average Number of Teleworkers and Hours Teleworked per Pay Period at Four Agencies, September 30, 2015—May 31, 2016

	Department of Education	General Services Administration	Department of Labor	Securities and Exchange Commission
Total employees (as of May 31, 2016)	4,350	11,255	15,738	4,657
Total number of telework agreements (as of May 31, 2016)	4,271	10,057	9,851	4,077
Average number of individuals teleworking per pay period	2,572	7,358	6,656	2,617
Average hours teleworked in a pay period per teleworker	28.1	32.3	24.1	25.9

Education

According to Education officials, Education's telework program began in 1994 and became permanent in 2000. After the act was enacted, Education drafted a telework policy and notified all employees of their eligibility to participate in telework, officials stated. Education finalized its official telework policy in 2015. Education's telework policy is set at the department level. The department's components have some discretion in applying the rules set in the policy. Education has a negotiated collective bargaining agreement covering telework with one union that represents Education employees.

GSA

According to GSA officials, GSA began allowing informal telework in the early 1990s and developed its first telework policy in the mid-1990s. In 2008, GSA developed and updated its official telework policy. The policy applied general criteria to eligibility and participation that, according to GSA, were later mandated by the act. In October 2011, GSA further updated its telework policies to fully comply with the act, officials said. GSA allows for telework up to and including full-time telework. GSA has a negotiated collective bargaining agreement that covers telework with each of the two unions that represent GSA employees nationwide.

Labor	According to Labor officials, Labor's telework program dates back to the 1990s. Labor officials stated that when the act passed, Labor officials reviewed its telework program to ensure it complied with the act's provisions. Labor has not changed its telework policy significantly since 2010. While its telework policy is set at the department level, subagencies within Labor have discretion in interpreting and applying the policy, so long as it aligns with the department's policy. Labor has negotiated collective bargaining agreements covering telework with three unions that represent its employees.
SEC	According to SEC officials, SEC launched its first official telework program in 2002, but had allowed telework more informally since the mid-1990s. In 2007, SEC negotiated a new collective bargaining agreement with the one union that represents SEC employees. SEC officials said this agreement included an expanded telework pilot program that allowed for telework up to 5 days per week for certain employees. In 2013, SEC made the expanded telework pilot program permanent and expanded telework to others within the agency. SEC sets telework policy at the commission level.

Federal Standards for Internal Control

Standards for Internal Control in the Federal Government provides guidance for establishing and maintaining an effective internal control system in federal agencies.[9] Internal control comprises the plans, methods, policies, and procedures used to fulfill the mission, strategic plan, goals, and objectives of an agency. Internal control is a process affected by the agency's oversight body, management, and other personnel who provide reasonable assurance that the objectives of the agency will be achieved. These objectives and related risks can be broadly classified into one or more of the following three categories:

- Operations – Effectiveness and efficiency of operations
- Reporting – Reliability of reporting for internal and external use
- Compliance – Compliance with applicable laws and regulations

To be effective, an agency's internal control system must incorporate a series of actions and activities that occur throughout its operations and on

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[9]GAO, *Standards for Internal Control in the Federal Government,* GAO-14-704G (Washington, D.C.: Sept. 10, 2014).

an ongoing basis. Once in place, internal control provides a reasonable, but not absolute, assurance of meeting those objectives.

As related to telework, management is responsible for adapting the internal control standards to develop activities and processes that allow the agency to achieve its telework policy goals. The activities adapted by the agency should help staff carry out specific program activities according to its telework policies and procedures. For this report, we limited our examination of internal controls to specific activities, processes, and policies that help the four case study agencies comply with the act. We also examined specific internal controls designed to help the four case study agencies achieve their telework goals as expressed in case study agencies' individual telework policies.

Selected Agency Telework Programs Reflect Requirements of the Act, but Some Controls Are Not Documented and Agencies Face Some Barriers to Increasing Participation

Case Study Agencies' Telework Eligibility Processes Were Consistent with Legal Requirements, but Some Agencies Lack Controls for Timing of Manager Training

The act sets out basic requirements for agencies for (1) telework eligibility, participation, and notification; (2) telework agreements; and (3) training. Furthermore, OPM also provides guidance on notifying newly hired employees of their eligibility to telework. We reviewed the controls and processes that our four case study agencies had in place to help ensure they comply with the act and adhere to OPM guidance and other agency telework policies. While controls and policies varied for each agency, the agencies all met the act's requirements and followed the same general process for approving telework agreements.

Telework Eligibility Determination and Notification

The telework policies of all four case study agencies comply with the eligibility and participation requirements noted in the act. The act required agencies to determine all employees' eligibility for telework and notify employees of their eligibility no later than 180 days after enactment. In keeping with the recognized importance of telework, the act describes the limited situations in which employees are ineligible to telework instead of prescribing eligibility.[10] The act also describes situations in which participation in telework may be limited or not authorized. Beyond these exceptions, the act authorizes agencies to determine specific employees' eligibility to participate.

Education, Labor, and SEC designed additional policies to clarify when employees were either ineligible or could not participate in telework. GSA's policies did not have additional eligibility or participation requirements. As noted in its telework policy, GSA supports the broadest possible use of telework. For example, GSA required all employees to have a telework agreement. Even if GSA employees choose not to telework, they may be required to have an agreement authorizing telework in the event of an unexpected need to telework.[11] Figure 1 shows the 4 case study agencies' policy compliance with the act's eligibility and participation requirements, as well as additional related policies.

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[10]The act identifies 2 categories of employees who are ineligible for telework: employees who have been officially disciplined for absences without permission for more than 5 days in any calendar year or employees officially disciplined for viewing, downloading, or exchanging pornography on a government computer, or while performing official duties in violation of executive branch standards of conduct.

[11]GSA's telework agreement application includes the option of declining to telework. However, employees declining to telework may still be required to telework during an emergency situation if they are designated as emergency employees.

Figure 1: Telework Eligibility and Participation Criteria for Four Agencies

Requirements of the Telework Enhancement Act of 2010	Department of Education	General Services Administration	Department of Labor	Securities and Exchange Commision
Employee ineligible if officially disciplined for being absent without permission for more than 5 days in any calendar year.	●	●	●	●
Employee ineligible if officially disciplined for viewing, downloading, or exchanging pornography on a government computer or while performing official duties in violation of executive branch standards of ethical conduct.	●	●	●	●
Employee not authorized to telework if performance does not comply with the terms of the written agreement.	●	●	●	●
Except in emergency situations, employee not authorized to telework if official duties require on a daily basis (1) direct handling of secure materials determined inappropriate for telework, or	●	●	●	●
(2) on-site activities that cannot be handled remotely.	●	●	●	●
Employee ineligible to participate in telework if participation diminishes employee performance or agency operations.	●	●	●	●
Additional agency requirements	**Department of Education**	**General Services Administration**	**Department of Labor**	**Securities and Exchange Commision**
Position is ineligible if the department/agency cannot provide equipment necessary to perform the job at the remote location.	●		●	●
Employee may not participate if performance level does not meet designated ratings standard.	●		●	
Employee may not participate if employee is on a performance improvement plan.	●			●
Employee may not participate if received any disciplinary or adverse action, including documented time and attendance issues.	●		●	●
Employee may not participate or have participation limited if recently hired or falls within a probationary period.	●		●	●

Source: GAO analysis of agency telework policies. | GAO-17-247

Note: Blank cells in the figure indicate additional telework eligibility or participation criteria not included in an agency's telework policies.

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The act required agencies to notify all employees of their eligibility to telework within 180 days of enactment.[12] OPM reported in 2012 that most agencies required to make this notification did so within the given time frame. While the act does not specify when newly hired employees must be notified of their eligibility to participate, OPM guidance provides that agency policies should provide for notification of newly hired employees within a reasonable time frame. Officials at Education, GSA, and Labor said they include information on telework eligibility in employment announcements.[13] According to agency officials at the four case study agencies, newly hired employees are informed of their eligibility in new employee orientation or during the onboarding process.[14] SEC officials said all new employees are required to take telework training at which time employees are again informed of their eligibility. We heard in all of our focus groups with teleworkers that employees were notified through a variety of methods including agency-wide notices, union notifications, discussions with a supervisor, newsletters, intranet sites, and direct e-mail notification.

Telework Approval Process

The act requires agencies' employees to enter into a written telework agreement with an agency manager before they can telework.[15] The telework agreement is to outline the specific work arrangement agreed upon between employee and supervisor. With slight variations, the 4 case study agencies generally follow the same telework approval process, as shown in figure 2.
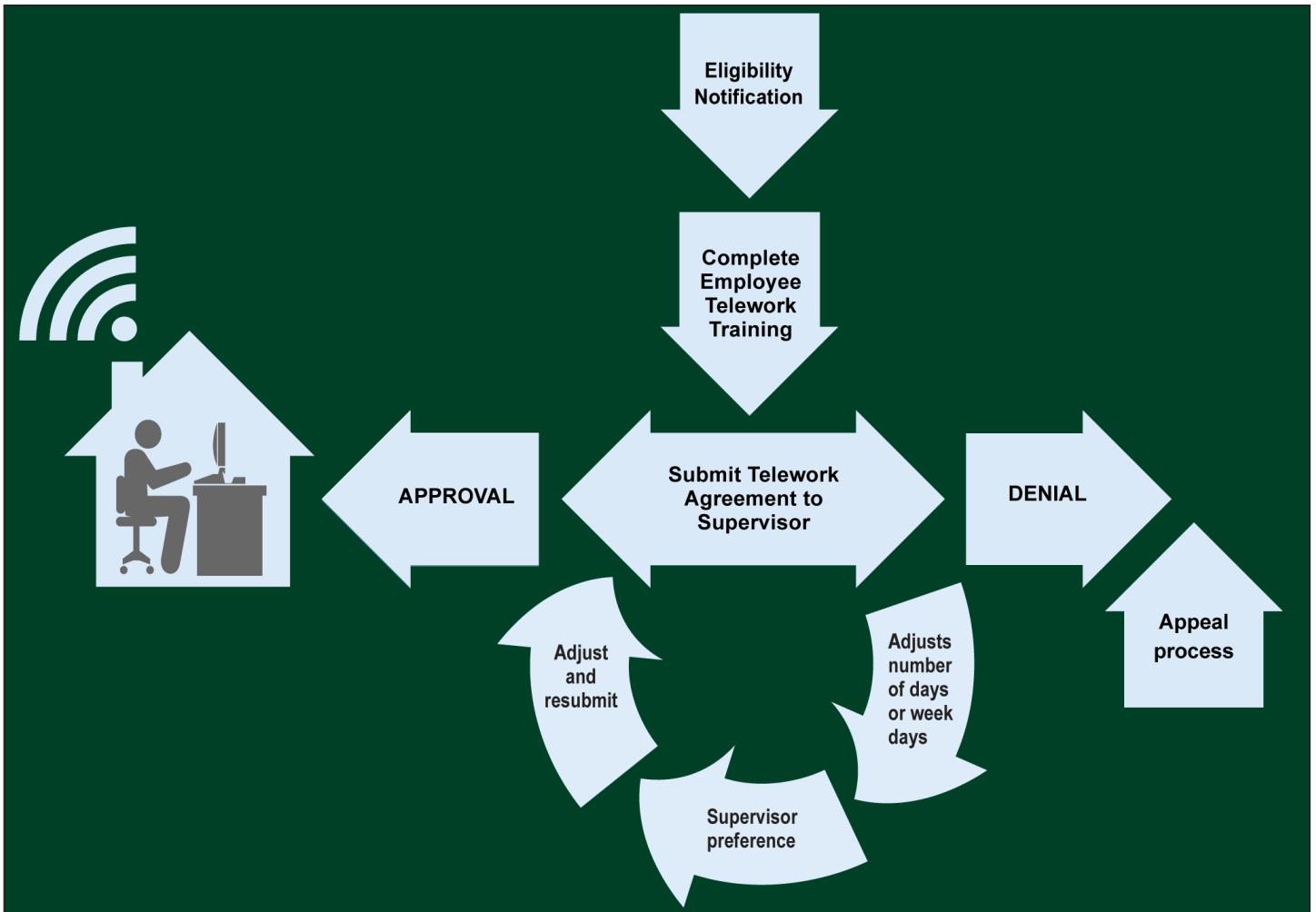
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[12]Our review did not include whether or not our case study agencies took these initial actions within the time period prescribed in the act.

[13]Employment announcements give information on the eligibility of the position not the employee. GSA officials said they conducted a mass review of all positions and notified employees of the results in 2008 when the agency updated its telework policy. Education and Labor officials also said they conducted a mass review after passage of the act, and notified all employees of their eligibility.

[14]Officially, new Labor employees are to be notified within 60 days of being hired.

[15]5 U.S.C. § 6502(b).

Figure 2: Telework Agreement Approval Process Example Flow Chart

Source: GAO analysis of the Telework Enhancement Act of 2010, Office of Personnel Management guidance, and agency telework policies. | GAO-17-247

Executive management at all four case study agencies require supervisors and, in one case, managers, to approve or deny telework applications. At GSA, Labor, and SEC, first-line supervisors are responsible for approving or denying agreements. At Education, first-level supervisors recommend approval or denial to second-level managers, who make the final decisions. Employees at Education, GSA, and SEC submit agreements to their direct supervisors or managers through

electronic approval systems.[16] Conversely, Labor's telework application system is largely paper based. Labor employees submit paper agreements or electronic versions of paper applications to their direct supervisor for approval. Finalized telework agreements are then maintained either by supervisors or centrally within the agencies, by reporting to a telework program official or in an electronic telework agreement system.

The four case study agencies provide supervisors and managers guidance on making telework agreement decisions through telework policies. Telework policy at all four case study agencies allows supervisors to use their professional judgment or discretion within the parameters of the official policy. According to these policies, decisions to approve or deny telework agreements should be based on sound business and performance management principles. For example, to help managers determine the eligibility of both positions and employees, Labor has developed a decision tree that includes a series of yes or no questions that help managers and supervisors determine whether or not to approve an agreement. Supervisors are also encouraged to discuss telework with their employees before formal requests are made.

Telework policies at each case study agency include procedures for employees to appeal the denial of a telework agreement. In all four of our focus groups with supervisors we heard that telework denials due to performance or conduct issues are rare. In addition, collective bargaining agreements at each agency afford bargaining-unit employees the ability to file a grievance if denied telework. Agency or union officials at each case study agency also told us that grievances are rare.

Telework Training

The act requires that agencies provide interactive telework training to employees eligible to telework and to managers of teleworkers. The act also requires that employees successfully complete the training before entering into a telework agreement.[17] Consistent with this requirement, all 4 case study agencies require employees to complete and document telework training before signing a telework agreement. To verify completion, Education, Labor, and SEC require employees to include a

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[16]According to Education officials, Education completed its transition from a paper-based system to an electronic system in July 2016.

[17]5 U.S.C. § 6503(a).

certificate of telework training when they submit a telework agreement for approval. At GSA, employees are not granted access to the online telework agreement system until they have successfully completed telework training. Figure 3 shows the training requirements for both employees and managers at the 4 case study agencies.

Figure 3: Telework Training Requirements at Four Agencies

	Agency			
	Department of Education	General Services Administration	Department of Labor	Securities and Exchange Commission
Employees successfully complete telework training before entering into a telework agreement. Requirement of Telework Enhancement Act of 2010	●	●	●	●
Certificate of telework training completion required in application to telework.	●		●	●
All employees are required to complete telework training.		●		■
Access to online telework agreement system enabled only after successful completion of telework training.		●		
Agency makes telework training available to managers. Requirement of Telework Enhancement Act of 2010	●	●	●	●
Agency requires managers to complete telework training focused on managing in a virtual environment.	●	●	●	●
Agency requires managers to complete training within a certain time frame.	●		●	●
Agency requires managers to complete manager telework training before entering into a telework agreement.	◆	●		◆

■ Although not in its telework policy, Securities and Exchange Commission officials told us that all new employees are required to take telework training.

◆ Although their policies require managers to complete training before entering into agreements, Department of Education and Securities and Exchange Commission officials told us that managers do not have to complete the training before entering into agreements with employees.

Source: GAO analysis of agency telework policies and agreements. | GAO-17-247

The act also requires agencies to provide training to managers of teleworkers. OPM provides tools and policy guidance intended to improve agency telework programs. In its guidance to managers and supervisors, OPM defines 13 basic steps managers should follow to help them effectively implement a telework program. This guidance sequences training completion (step 3) before entering into telework agreements (step 6). See table 3 for the key steps for managing teleworkers as sequenced by OPM.

Table 3: Office of Personnel Management's Key Steps for Managers of Teleworkers

Step 1	Know the agency's Telework Managing Officer and telework coordinator
Step 2	Know the agency's policies and procedures
Step 3	Successfully complete training
Step 4	Determine employee eligibility
Step 5	Understand and assess the workgroup needs
Step 6	Enter into signed, written telework agreements
Step 7	Communicate expectations
Step 8	Base denials on business reasons
Step 9	Use good performance management
Step 10	Make good decisions about equipment
Step 11	Be fair and equitable
Step 12	Address safety and security responsibilities
Step 13	Participate in telework and lead by example

Source: Office of Personnel Management's telework guidance for telework managers. | GAO-17-247

Consistent with federal internal control standards, persons in the key role of approving or denying telework agreements need to possess and maintain a level of competence that allows them to accomplish their assigned task in accordance with established policies. To achieve this competency, management provides training to help staff develop the knowledge, skills, and abilities needed to accomplish assigned tasks. If an agency ineffectively times training for managers or supervisors or lacks controls for ensuring the training is complete before entering into telework agreements, then managers or supervisors might make telework decisions before having completed the training.

All four case study agencies require managers and supervisors to complete telework training, but not all require it before signing telework agreements. Education's and SEC's telework policies stipulate that

managers and supervisors are to complete telework training before entering into telework agreements. However, officials at Education and SEC told us that managers and supervisors are required to take training within a specific timeframe, but not necessarily before entering into telework agreements.[18] Telework policies at GSA and Labor do not mention the timing of training for managers or supervisors. However, because GSA's automated telework application system requires personnel to successfully complete telework training before granting access to either the employee or the supervisor, GSA supervisors and managers must complete telework training before approving telework agreements.[19] Labor officials told us that new managers have 6 months to complete telework training.

Other than at GSA, case study agency training systems contain the mechanisms to track manager and supervisors' completion of training and are not directly linked to the telework program system. At these three agencies, the internal controls in place for training completion do not interface with the telework systems and therefore may affect the ability of telework program officials to readily track completion. SEC officials told us that after receiving a biannual report listing managers, supervisors, and employees who have not completed the training, the TMO will send a reminder to complete training. Education and Labor telework officials said they can request data from the learning divisions on telework training, but they do not have direct access to the information.

Managers and supervisors at Education, Labor, and SEC who do not undergo telework training prior to entering into telework agreements may not fully understand the agency's telework policy before approving or denying a telework request.[20] Without adequate knowledge of agency policy, these managers and supervisors may not be performing their assigned tasks in a manner that helps their respective agencies achieve telework program goals and objectives. Given the expectation that managers will apply professional judgment when approving or managing

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[18]New SEC managers have 60 days to complete telework training. New Education managers have 1 year to complete training.

[19]GSA officials told us that they conducted an agency-wide review of training completion in 2014, which showed that 99 percent of all GSA employees, including supervisors and managers, had completed training by the end of 2014.

[20]As required by the act, supervisors or managers who themselves telework must complete telework training before entering into an agreement to telework.

telework agreements, it is important that they have the appropriate training before entering into agreements.

Some Selected Agencies Do Not Review Telework Agreements Annually nor Document Annual Renewals

According to OPM's best practice guidance for managers and supervisors, telework agreements are living documents that should be regularly reviewed and re-signed by both the manager and teleworker. However, our four case study agencies were inconsistent in whether they review or document the review of ongoing telework agreements. As a result, the telework agreements on file may not accurately reflect current telework participation and may undermine the quality of the telework data the agency has. Federal internal control standards state that agencies should use quality information to achieve agency objectives. To help ensure that the information contained in telework agreements is accurate, management should design control activities to respond to the risk of having inaccurate data, including outdated information. In addition, according to federal internal control standards, documentation is a necessary part of an effective internal control system. Therefore, as applied to telework agreements, these standards suggest that agencies should document these reviews. Unless telework agreements are regularly reviewed and these reviews documented, the agencies face the increased risk of having inaccurate information.

The four case study agencies varied in how frequently they reviewed and documented their review of telework agreements.

- Education's telework policy requires telework agreements to be renewed annually. Telework agreements expire 1 year after their approval date. According to Education officials, Education's new telework agreement management system will require all telework agreements to be renewed annually during the same time period and for this review to be documented in the system.

- GSA's telework policy does not require telework agreements to be periodically reviewed once they are approved. Instead, GSA officials told us they remind supervisors to review agreements as part of the performance appraisal process. However, unless a change is made to the agreement in GSA's electronic system, the telework agreement review is not documented. GSA officials said the agency is considering a new policy to require a periodic, documented review of telework agreements.

- Labor's policy requires supervisors to annually review agreements to help ensure that agency and employee needs are being met, but documentation of the review is not required.

- SEC's telework policy notes that employees may be required to recertify agreements to help ensure the accuracy of the information in the agreement, but a periodic and documented review is not required. SEC officials said they anticipate updating SEC's telework agreement system sometime in 2017, including requiring that all telework agreements be renewed annually and the actions documented.

By not requiring telework agreements to be regularly reviewed, GSA, Labor, and SEC cannot be assured that the agreements reflect and support their current business needs. Of these agencies, Labor is most vulnerable to the risk of having inaccurate data on current telework agreements because it uses a largely paper-based manual system to manage its telework agreements. Given the likelihood of changes in work responsibilities and employee schedules over time, telework agreements not subject to a periodic and documented review may contain outdated information. In turn, that may result in management at these agencies using inaccurate data when making decisions that require telework data, such as for space planning, technology investments, or calculating the costs and benefits of telework.[21] Also, employees at these agencies may be teleworking more often than approved or on days not specified in their agreements. Without a documented periodic review, these agencies lack an important internal control to better help ensure the accuracy of reporting, and to reasonably assure that policy guidelines are being maintained.

Managerial Resistance and Technology Challenges Continue to Be Barriers to Telework Participation

Case study agency officials and some focus groups with supervisors and teleworkers report that while managerial resistance to telework has gone down, and telework technology has improved in the 6 years since the act's passage, they remain the key challenges to increasing telework participation. In its 2014 report to Congress, OPM reported that the top 2 reported barriers to employees' ability to telework were management resistance (22 percent) and information technology (IT)/infrastructure (20

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[21]We have previously reported on challenges with measuring the costs and benefits of telework, which rely in part on telework participation rates gleaned from telework agreement data. See GAO-16-551; *Federal Telework: Office of Personnel Management's 2012 Telework Report Shows Opportunities for Improvement,* GAO-13-298R (Washington, D.C.: June 28, 2013); and GAO-12-519.

percent). In its 2016 report, OPM continued to cite managerial resistance and technology limitations as barriers to telework.

According to the act, OPM shall assist agencies in establishing appropriate qualitative and quantitative measures and teleworking goals as well as consult with GSA on policy guidance for telework technology and equipment.[22] OPM asks each agency in its annual data call to report its goal for increasing telework participation to the extent practicable or necessary. OPM also asks agencies to explain whether or not they met the participation goal and, if not, what actions are being taken to identify and eliminate barriers to maximizing telework opportunities.[23] We previously identified 25 key practices that federal agencies should implement in developing successful telework programs. This includes 2 practices that demonstrate managerial support for telework and 5 practices related to technology.[24] OPM has previously identified managerial resistance and technology limitations as common challenges to agency telework programs, which is consistent with what we found at our four case study agencies, as discussed in detail below.

Managerial Resistance

All four of our case study agencies described agency-wide activities demonstrating the senior leadership's efforts to design and implement a successful telework program. However, in our focus groups with teleworkers and supervisors we heard a range of examples of how supervisors or managers discourage or support agency telework programs. Table 4 provides examples of how supervisors reportedly demonstrated this support and discouragement at our case study agencies. Officials at three of our four case study agencies and two focus groups with teleworkers and supervisors reported that some managers do

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[22]As the lead agency in the management of federal workplaces, GSA provides governmentwide workplace guidance related to telework, among other areas.

[23]OPM is required to include this information concerning participation goals and results in its annual report to Congress. 5 U.S.C. § 6506(b)(2).

[24]GAO, *Human Capital: Further Guidance, Assistance, and Coordination Can Improve Federal Telework Efforts,* GAO-03-679 (Washington, D.C.: July 18, 2003). The practices related to managerial support are to obtain support from top management for a telework program and to address managerial resistance to telework. The practices related to technology are: (1) assess teleworker and organization technology needs; (2) develop guidelines about whether organization or employee will provide necessary technology, equipment, and supplies for telework; (3) provide technical support for teleworkers; (4) address access and security issues related to telework; and (5) establish standards for equipment in the telework environment.

not support telework because they believe it contributes to poorer performance, as compared to the performance of in-office employees.

Table 4: Examples of How Supervisors and Managers Support and Discourage Telework Participation

Examples of Supporting Telework	Examples of Discouraging Telework
Hosting annual telework weeks promoting the program	Not allowing changes to agreed-upon telework schedules
Discussing the benefits of telework with new employees	Not approving situational telework requests
Setting the example by teleworking	Not allowing employees to call in to staff meetings
Allowing for flexibility with and changes to telework schedules	Limiting the number of telework days allowed

Source: GAO analysis of focus groups with case study agency teleworkers and supervisors. | GAO-17-247

Agency and union officials said the frequency of telework varied across the agencies and supervisors. All four agencies noted in their telework policies that some supervisor discretion should be used when approving and monitoring telework agreements, but some agency and union officials said the resulting variation in telework usage contributed to a perception that the agency was inconsistently implementing the telework program. We heard from some union officials and focus groups with teleworkers that employees sometimes assumed that supervisors were approving telework based on favoritism or other reasons not supported by agency policy. Agency and union officials did not characterize the extent to which supervisors or managers were discouraging telework, partly because none of our case study agencies had conducted any recent agency-wide surveys on telework. We also heard at one focus group with teleworkers that employees did not always feel comfortable voicing concerns publicly for fear of negative consequences for their careers. However, if employees are not provided an opportunity to voice their concerns without concern for negative consequences to their jobs, agencies may be missing an opportunity to better identify and address barriers to telework, including managerial resistance. Addressing managerial resistance could help increase telework participation rates by reducing inconsistencies in how agency telework policy is applied.

According to federal standards for internal control, management, along with oversight from the oversight body, should determine through an evaluation process the extent to which deviations are occurring that would prevent the organization from achieving its objectives. Although OPM is not in an oversight capacity, given the requirements the act has placed on OPM to assist agencies, OPM can help ensure that the agencies have the appropriate tools and processes to assess barriers to telework and

Technology

Case study agency officials said technology issues remain a challenge to their telework programs' success. We heard at ten of our eleven focus groups with supervisors and teleworkers that teleworkers have experienced challenges accessing needed equipment and applications. Sometimes this limits the type of work that could be done while teleworking. Seven of these focus groups discussed how network connectivity or access was a challenge, including having to repeatedly log on to the agency network after being disconnected and spending time getting assistance from their respective agencies' IT help desks. One focus group with supervisors reported that when IT challenges arose, supervisors may have to cover teleworking employees' daily tasks while the employee resolved the IT issues. We also heard at some of the focus groups that teleworkers and supervisors discussed what resources and tools the teleworker would need to perform work activities while teleworking, and how to address any telework technology-related problems. For example, we heard at one focus group that if a teleworker's phone or other telework-related technology was not working properly, the teleworker may be expected to return to the office to work until the issue could be corrected.

develop solutions to address them. OPM officials said organizations that are the most successful at telework are those that incorporate telework throughout agency operations and policies as opposed to simply having a written policy on telework.

Case study agency officials described a number of actions to address telework technology challenges. For example, these agencies provide dedicated help desk support to teleworkers; provide equipment, including webcams, to teleworkers; and have upgraded IT systems to support telework. GSA officials said they focus IT investments on mobile strategies that allow employees to work from anywhere. Labor officials said they have upgraded IT to expand the number of programs supported remotely. SEC officials said they provide employees who telework 3 days a week or more with laptops, monitors, and printers to use in their telework location. SEC officials also said that in 2015, they introduced new tools, including phones with integrated cameras and upgraded videoconference equipment, which have helped enable more collaboration, among both teleworkers and employees across their 11 field offices.

We heard at all seven focus groups with teleworkers that teleworkers do not always have access to, or were not aware of, the IT tools available to teleworkers. For example, one focus group reported that some newly

issued laptops at GSA did not have webcams. GSA officials confirmed that a recent order of laptops did not include webcams. Also, while external webcams were available to these employees, officials were unsure if the affected employees had been notified about how to request one.

GSA officials said they had recently surveyed teleworkers about technology issues to assess the user experience and determine if there was capacity for additional telework. Education officials said they have solicited feedback from employees during training, which identified IT challenges for the telework program, but had not conducted other surveys on telework IT. Labor and SEC officials said they have not surveyed their employees about their IT needs or experiences. However, these case study agency officials said they conduct IT tests to monitor their networks' abilities to handle telework needs and identify areas needing improvement.

Case Study Agencies Report Being Generally Satisfied with OPM's Telework Guidance

Case study agency officials told us that OPM telework guidance generally met their needs, although some agencies would like more clarity on OPM's guidance on unscheduled telework.[25] In accordance with the act, OPM provides telework guidance to agencies on its website, www.telework.gov. The website covers a number of areas including agency closure.[26] OPM officials said they also have had multiple meetings with TMOs and coordinators to clarify its meaning of unscheduled leave.[27] They added that agencies should treat unscheduled telework the same as unscheduled leave. Officials also stated that since OPM introduced the concept of being telework ready, employees are expected to telework when there is an adverse weather event. This has led to less confusion about what agencies should do.

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[25]Officials at one case study agency also noted the need for guidance on calculating costs and benefits of telework. We reported on this and made recommendations to OPM on providing such guidance in GAO-16-551.

[26]As required by the act, OPM also provides guidance on a number of topics, including pay and leave, performance management, official worksite, recruitment and retention, and accommodations for employees with disabilities. 5 U.S.C. § 6504(b)(1).

[27]Unscheduled leave is the ability for non-emergency employees to use leave, as appropriate, when OPM announces a modified operating status due to inclement weather or special events that severely impact employees' ability to report to or remain in the office. Office of Personnel Management, *Washington, D.C., Area Dismissal and Closure Procedures* (Washington, D.C.: Dec. 2015).

Education and Labor officials said that OPM's announcements of unscheduled telework and unscheduled leave have created difficulties for them. These agency officials told us that employees assume OPM's announcement allows them to telework even though agency policy requires employees to either request permission to telework or notify their supervisors of their intentions to telework. To decrease the confusion, Labor communicates with employees to remind them of the agency policy requiring them to notify their supervisors ahead of known continuity of operations (COOP) events, such as weather-related closures. Labor officials also encourage managers to speak with employees ahead of a known event to work out details of telework or leave in advance. In addition to sending notifications to all employees ahead of known COOP events, Education advises supervisors to have procedures and guidance in place beforehand when inclement weather or other possible closures are expected. Education officials said they would like OPM to more strongly emphasize the need for employees to follow their agency's policy in its announcements.

OPM officials said that when OPM receives multiple questions on a particular area, OPM usually issues clarifying guidance to all agencies. If a question comes up often enough, OPM officials said the topic is included on OPM's Frequently Asked Questions page at telework.gov. For example, in August 2016, OPM revamped the site to include answers to specific questions concerning unscheduled telework and unscheduled leave.

Selected Agency Telework Policies and Supervisors' Strategies Enable Agencies to Manage for Results

Policies Include Internal Controls Designed to Maintain Performance and Consistent Performance Expectations

Consistent with the act, all four case study agencies have developed internal controls designed to help ensure employee and organizational performance is maintained with telework. The act calls for agencies to establish performance related internal controls by making performance a criterion for continued program participation. Specifically, the act states that telework policies should ensure that telework does not diminish employee performance or agency operations.[28] It also requires agencies to ensure that teleworkers and nonteleworkers are treated the same for the purposes of performance appraisals, among other management activities.[29] In addition to the requirements of the act, three of the four case study agencies had additional performance management controls related to employee telework eligibility. For example, some agencies limited telework for new employees and those employees on a performance-improvement plan. Figure 4 shows performance-related controls included in each case study agency's telework policy.

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[28]The act also states that agencies' telework policies shall "provide that an employee may not be authorized to telework if the performance of that employee does not comply with the terms of the written agreement between the agency manager and that employee." 5 U.S.C. § 6502(b).

[29]Other areas where teleworkers and nonteleworkers are to be treated the same are training, rewarding, reassigning, promoting, reducing in grade, retaining, and removing employees; work requirements; and other acts involving managerial discretion. 5 U.S.C. § 6503(a)(3).

Figure 4: Internal Control Objectives for Performance Management at Four Agencies

	Agency			
	Department of Education	General Services Administration	Department of Labor	Securities and Exchange Commission
Internal controls specifically required by the Telework Enhancement Act of 2010				
Telework shall not diminish employee performance or agency operation.	●	●	●	●
Employee not authorized to telework if performance does not comply with the terms of the written agreement.	●	●	●	●
Teleworkers and nonteleworkers are to be treated the same for the purposes of appraising performance.	●	●	●	●
Additional internal controls NOT specifically required by the Telework Enhancement Act of 2010				
Limits on telework participation by probationary or new employees.	●		●	●
Designated performance rating required for telework eligibility.	●		●	
Denial of or limits on telework participation by employees on performance improvement plans.	●			●

Source: GAO analysis of telework policies. | GAO-17-247

Supervisors at all four case study agencies may reduce or revoke telework participation if an employee's performance declines.[30] We heard in all of our focus groups with supervisors that denying or limiting telework for performance reasons was rare. Many supervisors said they have never done so. We heard at some focus groups with supervisors that supervisors assess whether a teleworking employee's performance has declined through performance reviews and monitoring work flow. We have previously reported that day-to-day performance management

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[30]Agencies allow employees whose telework agreements have been revoked to apply for new telework agreements once performance has improved sufficiently.

activities like those discussed below can help marginal staff improve performance.[31]

The act requires that teleworkers and nonteleworkers be treated the same for the purposes of work requirements, performance appraisals, and promotions, among other managerial decisions.[32] We heard from agency officials and in ten of our eleven focus groups with teleworkers and supervisors that telework status did not affect performance expectations. Some agency officials, supervisors, and teleworkers also said that employee performance problems were generally not specific to telework status. For example, we heard at two of four focus groups with supervisors that teleworkers with performance problems typically have them when in the office as well. Further, teleworkers cited personal benefits that they believed improved their performance. For example, we heard at all of our focus groups with teleworkers that employees often felt more productive, were able to concentrate on their work better, and experienced fewer interruptions when they teleworked.
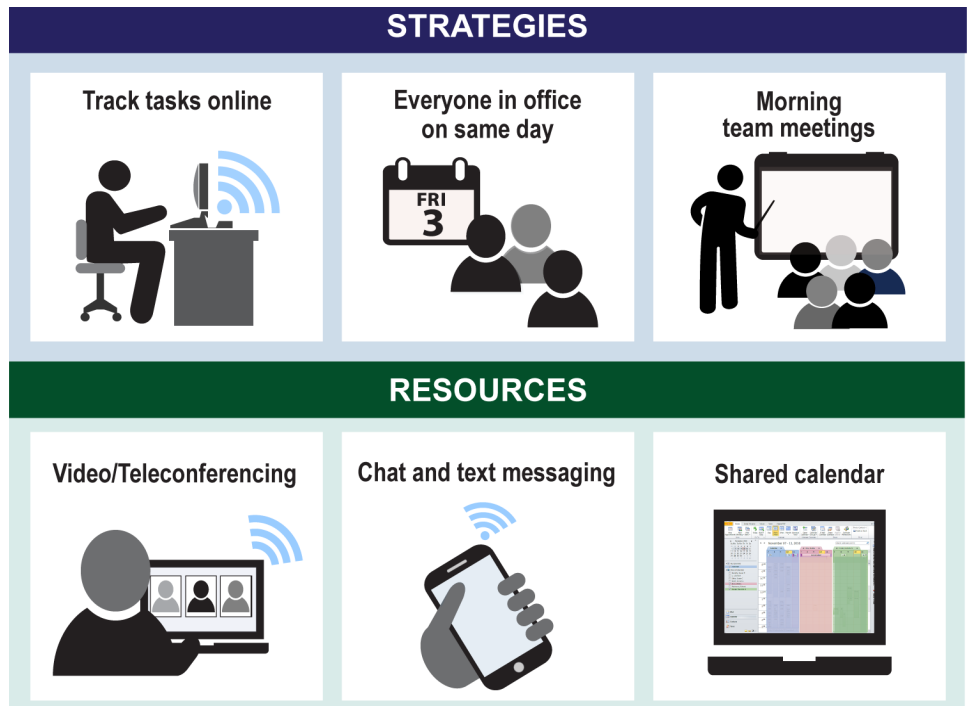
Supervisors Cited Several Strategies and Resources for Managing Teleworkers

Supervisors in our focus groups described numerous strategies and resources they use to supervise and stay connected with their employees, including teleworking employees. For example, some supervisors required all employees to work in the office on a certain day so everyone could participate at weekly staff meetings in person. Supervisors in one focus group said they monitor employees' work tasks online, regardless of telework status. Figure 5 shows the strategies and resources supervisors discussed using to manage teleworking employees. Because employees are not always collocated with their supervisors, these strategies can also be used for managing across locations, whether the employee is teleworking or not.

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[31]GAO, *Federal Workforce: Improved Supervision and Better Use of Probationary Periods Are Needed to Address Substandard Employee Performance,* GAO-15-191 (Washington, D.C.: Feb. 6, 2015).

[32]5 U.S.C. § 6503(a)(3)

Figure 5: Strategies and Resources Managers at Four Case Study Agencies Use to Manage Teleworkers

STRATEGIES		
Track tasks online	Everyone in office on same day	Morning team meetings

RESOURCES		
Video/Teleconferencing	Chat and text messaging	Shared calendar

Source: GAO analysis of focus groups with supervisors and teleworkers at four agencies. | GAO-17-247

Participants in our supervisor and teleworker focus groups spoke about the importance of discussing the expectations and preferences for communicating before beginning a telework arrangement. Supervisors and teleworkers in these focus groups also reported that they rely on phone calls, conference calls, e-mails, instant messaging, and, for some, videoconferencing to stay in contact when teleworking. In all of our focus groups with teleworkers we heard that telework status either had no effect on how often employees communicated with their supervisor or, in some cases, led to increased communication. For example, one focus group discussed that some teleworkers communicate with their supervisors almost exclusively through e-mail or phone calls, regardless of telework status. We also heard in some of our focus groups that sharing calendars allows other team members to see what individuals were working on and when they were available to collaborate.

OPM and Case Study Agencies Face Challenges in Collecting and Reporting Accurate and Consistent Telework Data

Agencies Faced Some Challenges in Collecting and Reporting Telework Data

Having robust telework data is important for managing and improving telework programs. Telework data can inform management decisions about investing resources, planning for COOP events, assessing compliance with the act, and managing physical space needs. For example, Education officials said they use telework data to support space-reduction efforts by informing work space allocation decisions. SEC uses telework data to ensure those teleworking full-time are assigned to their proper duty station.[33] Having reliable and timely data available to management for decision making and reporting is both important to managing agency telework programs and consistent with federal internal control standards.[34]

While our case study agencies varied in the methods used to collect, validate, and report telework data, all agreed that there are challenges to ensuring that telework data are accurate. Three of our case study agencies use an electronic telework agreement management system, but Labor's manual system creates challenges in tracking the number of telework agreements. GSA and SEC use electronic systems for storing and tracking telework agreements. Education transitioned to an electronic system in 2016. The electronic telework agreement systems allow

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[33]Generally, the official duty station (worksite) for an employee covered by a telework agreement is the location of the regular worksite for the employee's position (where the employee would normally work absent a telework agreement), as long as the employee is scheduled to report physically at least twice each biweekly pay period on a regular and recurring basis to that regular worksite. However, the official worksite for an employee under a full-time telework agreement (under which the employee is not scheduled to report physically to the regular worksite on such a regular and recurring basis) is the location of the telework site (e.g., home or other alternative worksite), except in certain temporary situations.

[34]GAO-14-704G.

Education, GSA, and SEC to integrate certain internal controls into the telework agreement and data collection process. For example, the electronic systems can prevent employees from applying for telework if they have not completed training. They can also show supervisors their employees' approved telework schedule when approving employee timesheets.

In 2016, Education transitioned from tracking telework agreements on paper to using an electronic system where employees request telework agreements electronically. As part of this conversion, Education employees created new telework agreements in the electronic system. Education officials said this process will serve two key functions: first, it will convert telework agreements from paper files to electronic agreements; second, it will require all agreements to be renewed annually to ensure they continue to fit the needs of the employee or the agency unit. The electronic system will generate annual reminders to employees to renew their telework agreements.

Unlike the three other case study agencies, Labor uses a manual, largely paper-based system. Labor officials said budget limitations had prevented them from procuring an electronic telework management system. Labor employees submit a written request for telework to their supervisor, either on paper or an electronic document. If approved and signed by the supervisor, the telework agreement is then forwarded to a telework point-of-contact (POC) in the employee's division or region. The POC then logs the agreement into a spreadsheet and scans the agreement if it is submitted on paper. POCs supply telework data for their respective divisions or regions to the TMO quarterly via a spreadsheet; the TMO aggregates the data for management reporting and for inclusion in OPM's annual reports.
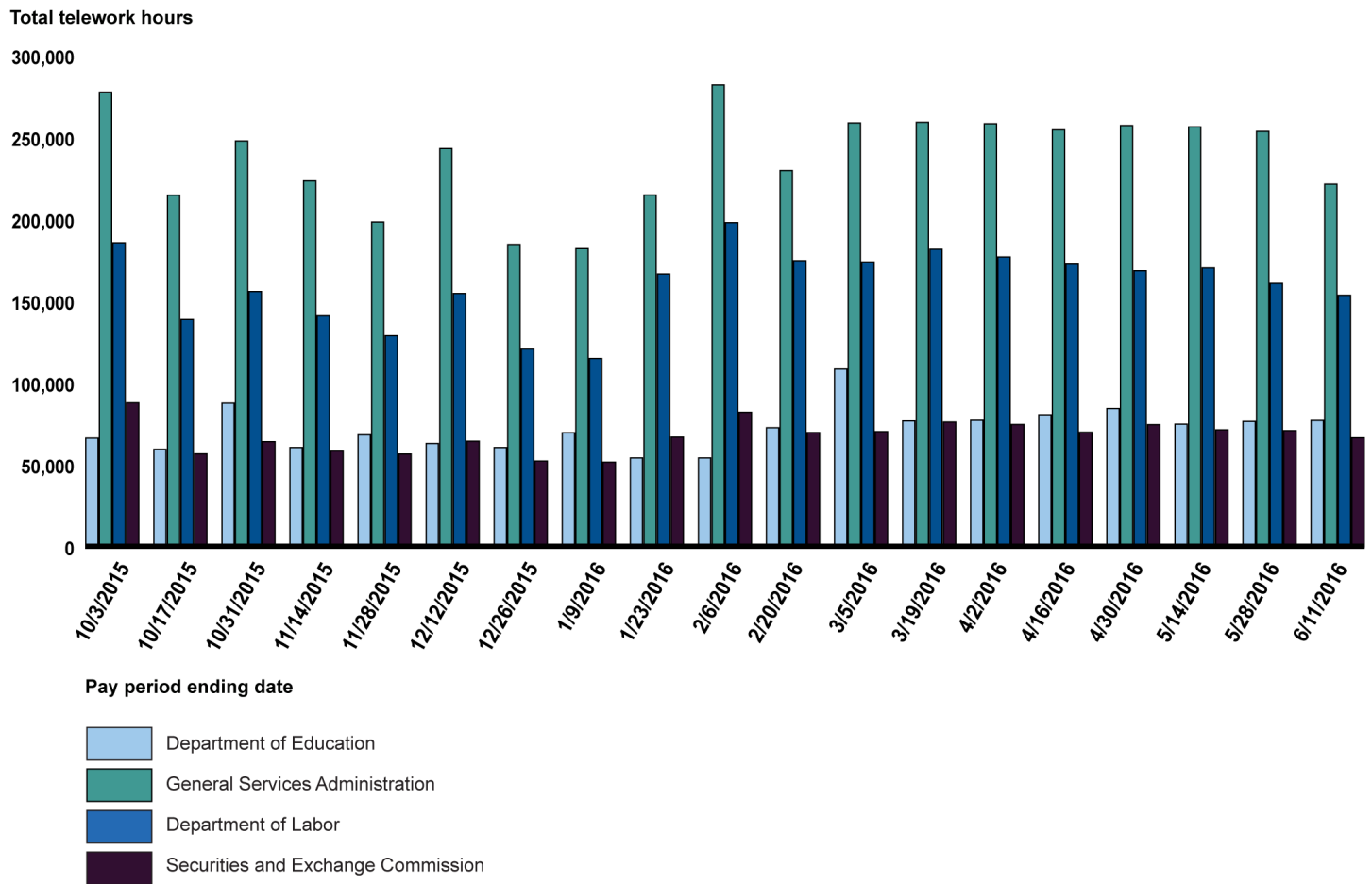
Labor officials said their data on telework agreements may be inaccurate due, in part, to this manual process and some individuals not following policy. For example, an employee is allowed to telework as soon as a supervisor signs the agreement. However, if the agreement is not forwarded on to the POC, it is not included in the telework data the POC transmits to the telework coordinator and TMO. Thus it may not be included in the telework data used by senior department leadership for decision-making and reporting purposes. Further, Labor officials said that they began collecting information on scheduled telework hours quarterly beginning in October 2015, but they did not yet routinely use the data because they are known to not reflect actual telework hours. Additionally, Labor officials said that many employees have situational telework

agreements and use them to telework fairly regularly. Such situational telework would not be part of the scheduled telework hours reported. These officials also said they are working towards improving telework data quality to use more data to manage and expand the telework program.

Because employees may adjust their telework agreement throughout the year, Labor's manual process may prevent the agency from being able to have accurate real-time data on the total number of employees authorized to telework or accurate expectations for levels of scheduled telework. Labor officials said senior leadership reviews telework data at least quarterly. It uses the data for such decision-making purposes as COOP planning and assessing compliance with the act. If these data are inaccurate, then any decisions or internal controls based on these data may be less effective.

All of our case study agencies reported actual telework hours through employee self-reported data in electronic time and attendance tools. All of our case study agencies have employees input their bi-weekly work hours into their electronic timesheet and code for the number of work hours that were spent teleworking. Supervisors review and certify these timesheets, and the data are sent to OPM's Enterprise Human Resources Integration (EHRI) system. Figure 6 shows the number of telework hours agencies reported for the pay periods ending October 3, 2015 through June 11, 2016.

Figure 6: Total Telework Hours at Four Agencies per Pay Period, for Pay Periods Ending October 3, 2015—June 11, 2016

Total telework hours

Pay period ending date

- Department of Education
- General Services Administration
- Department of Labor
- Securities and Exchange Commission

Source: GAO analysis of agency telework data. | GAO-17-247

Our case study agencies, as well as OPM, agreed that self-reported telework data may be inaccurate because employees may be unsure how to correctly report telework hours. Some case study agency officials said they continue to field questions from employees about how to properly code for telework hours. This shows that confusion remains about how to report telework hours correctly. Case study agency officials also said they sometimes identify instances of incorrect telework time coding in periodic reviews of telework data. The case study agencies may require timesheets be corrected when discrepancies are identified.

To address issues with improper recording of telework hours, telework officials at our case study agencies took a variety of training and communication approaches. For example, they said they stress the need for telework data accuracy in communications to supervisors, send frequent reminders to both teleworkers and supervisors on how to properly code for telework hours, and offer training and provide job aids to both teleworkers and supervisors on how to properly code telework time.

Supervisors in our focus groups identified some tools they use to help ensure their employees' timesheets properly reflect their telework hours. For example, supervisors in one focus group said they refer to shared calendars to verify telework hours before certifying timesheets. At SEC, electronic timesheets are pre-filled with an employee's telework schedule, so employees need only to change the telework time coding if there is a change to their telework schedule for the pay period, such as for situational telework. Supervisors at SEC can also run reports from their telework agreement system showing the telework schedule for all employees reporting to them.

All four of our case study agencies periodically reviewed telework data to identify and address trends and outliers, as well as to assess compliance. Officials at the four case study agencies said they compare lists of individuals charging telework codes against a list of individuals with valid telework agreements on file. This helps ensure that everyone who teleworks is authorized to do so. Agency officials said that when they identify discrepancies, they notify the individual charging telework and potentially others, such as the supervisor and local telework coordinator, of the need for a valid agreement. For example, SEC officials said they identified 66 individuals teleworking without an agreement in their most recent review. They then followed up with the individuals to get a telework agreement in place. SEC officials said they also review situational telework hours to determine if employees are teleworking routinely and need a continuing telework agreement. According to agency officials at our four case study agencies, incorrectly coding work time and teleworking without a valid agreement were the most common types of telework data errors.

The case study agencies varied in how they collect and report telework data. GSA and SEC's electronic telework management systems and electronic timesheets provide aggregated data reports. Officials at both agencies said they can readily collect and report the telework data required in OPM's annual telework data calls and for other internal needs. Officials at Education and Labor said they had some difficulty reporting

certain telework data. As previously discussed, Labor's telework management process relies on manual quarterly reporting from subagencies which does not allow for a real-time assessment of some telework data. Education officials also said they have had difficulty with reporting annualized numbers of telework days per employee, as originally requested by OPM. The process of generating such data includes comparing data across several systems which is difficult and time-consuming. For this reason, Education has instead reported to OPM biweekly telework data for a full year.

OPM's 2014 and 2016 Telework Reports to Congress Contained Some Incorrect Data

We identified errors in OPM's 2014 and 2016 *Status of Telework in the Federal Government* reports issued to Congress. The act requires the Director of OPM, in consultation with the Chief Human Capital Officers (CHCO) Council, to submit a report annually to Congress addressing telework at executive branch agencies.[35] This report is to include data on:

- telework participation and eligibility;

- methods for gathering telework data;

- explanations for changes in participation rates of 10 percent or more;

- agency goals for increasing telework participation;

- a discussion of whether agencies met prior year goals and, if not, what actions are being taken to identify and eliminate barriers to maximize telework opportunities;

- an assessment of agencies' progress towards meeting telework goals; and

- best practices in agency telework programs.[36]

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[35]5 U.S.C. § 6506(b). The CHCO Council is composed of the Director of OPM, who serves as chairman; the Deputy Director for Management of the Office of Management and Budget, who acts as vice chairman; the CHCOs of the 15 Executive departments; and the CHCOs of 12 additional agencies designated by the OPM Director. Additionally, the Council has an Executive Director who coordinates and oversees the activities of the Council. The CHCO Council advises and coordinates the activities of members' agencies on such matters as the modernization of human resources systems, improved quality of human resources information, and legislation affecting human resources operations and organizations.

[36]Agencies are to include goals for increasing telework participation to the extent practicable or necessary for the next reporting period.

OPM issued a *Status of Telework in the Federal Government* report for fiscal years 2012, 2013, and 2014, reporting on data from the prior fiscal year. However, OPM did not issue the 2014 report until November 2015. OPM did not issue a fiscal year 2015 report. Instead, it issued a fiscal year 2016 report in September 2016, using data from fiscal years 2014 and 2015.[37] For the purposes of this report, we refer to the two most recent reports as the 2014 report and the 2016 report.

To gather data for these annual reports, OPM requests that telework officials at executive branch agencies and subagencies complete a data call that includes a series of questions on participation rates and telework goals, among other topics. OPM updated data standards in March 2012 to assist agencies in reporting telework data properly. It aggregates and analyzes the data in a spreadsheet and compiles them into the annual report. OPM officials said that to issue the report, they work within a tight timeframe and with limited staff resources. They stated, however, that data accuracy in these reports is a priority. Consistent with federal internal control standards, OPM provides agencies with a chance to review their data to help ensure they are accurate before completing the report. Specifically, these internal control standards state that agency management should communicate with and obtain quality information from external parties, and also use quality information (data that are relevant and from reliable sources) to meet agency objectives. However, despite this step, we identified some instances of inaccurate agency data being included in both the 2014 and the 2016 reports. Examples include the following:

- In the 2016 report, Education's telework participation goals are listed as 5 percent (the lowest percentage goal for agencies reporting one). This sharply contrasts with prior fiscal year goals of 85 percent. Education officials said that they interpreted the question in the data call as asking for the increase in the telework participation rate goal, and provided 5 percent as the agency response. The overall participation goal for fiscal year 2016 should have been 90 percent. Education officials also said that the data call instructions for this item and others are not always clear.

- In the 2014 report, OPM erroneously reported Labor's participation goal. Labor officials said that when OPM provided them with a chance

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[37]OPM, *Status of Telework in the Federal Government Report to Congress, Fiscal Years 2014-2015* (Washington, D.C.: September 2016).

to review the data to be included in the 2014 report, Labor identified an error in its reported telework participation goal. Labor officials notified OPM of the error and supplied the corrected goal information. However, the published report did not include this corrected goal information.

- In the 2014 report, OPM highlighted the fact that Labor reported having varying telework eligibility criteria among its subagencies. However, Labor's actual telework eligibility criteria are uniform across the entire department, as had been reported in the prior annual report. Labor officials said that they had mistakenly supplied incorrect information to OPM on eligibility criteria for four subagencies. They added that they did not recognize the error until the final report was issued.

Education officials said that although OPM sometimes follows up on data supplied in the data call, they believe it would be helpful if OPM reviewed agencies' year-to-year data and followed up on any unexpected or large changes.[38] For example, OPM did not contact Education to clarify why its overall telework participation goal dropped from 85 percent to 5 percent. Had OPM done so, Education officials could have clarified their response. We have previously found that OPM may be missing opportunities to improve upon data it reports by not following up with agencies on data differences.[39]

OPM officials, however, said that they do some data verification, but that they rely on the agencies to submit the correct data compliant with OPM's data standards. OPM holds training sessions for each data call to answer questions telework officials may have about completing the data call. OPM officials also said that given the sheer volume of data that they receive, it is unrealistic for OPM to catch all reporting errors. However, given that OPM has aggregated data call responses into spreadsheets, it would be feasible to automate some comparisons of numeric data across these spreadsheets to identify changes in year-to-year data, and follow up with agencies on changes above a given threshold.

We also identified instances where the agencies failed to properly report data on telework eligibility. For example, in the 2014 report, Labor

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[38]Education officials said OPM has done such outreach to Education once since instituting the data call.

[39]GAO, *Labor Relations Activities: Actions Needed to Improve Tracking and Reporting of the Use and Cost of Official Time,* GAO-15-9 (Washington, D.C.: Oct. 23, 2014).

reported the number of individuals eligible to participate in telework as higher than the number of total employees for several subagencies, with the difference sometimes as high as 32 percent. Labor officials explained that at the time of the 2013 data call—which provided the data used in the 2014 report—they counted the number of positions eligible to telework, regardless of whether the positions were filled or not. This resulted in some subagencies reporting a higher number of eligible teleworkers than total employees. Labor officials said they have since changed the way they count the number of individuals eligible to telework. They included this adjusted methodology when providing data for the 2016 report.

In the 2014 report, Education also reported the number of individuals eligible to participate in telework as higher than the number of total employees for several of its offices. According to Education officials, they last determined telework eligibility by position in 2011 and have reported the same number of eligible positions for all data calls since, including in the 2016 report. Education officials said that they interpreted the instruction on the data call as allowing for such static data reporting. OPM officials said that for the 2016 report they systematically compared the reported number of employees, eligible employees, and teleworking employees to identify situations in which the number of eligible employees exceeded the number of employees or when the number of teleworkers exceeded the number of eligible employees. They then contacted every agency where they found inconsistent data, including Education. According to OPM officials, they discussed with Education officials OPM's expectation that agencies update their eligibility records regularly. However, OPM officials said they deferred to Education's decision regarding what eligibility information it wanted to provide and published Education's static eligibility data despite the accuracy issues identified.

Agencies reporting on position eligibility and not individual eligibility overstate telework eligibility. As a result, they also understate other data points calculated from eligibility data, such as total participation rates.[40] Further, the methodology of counting eligible positions does not take into account the additional telework eligibility requirements of the act at the individual level, such as personal conduct and performance history. Accounting for these requirements may further reduce the total number of

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[40]To calculate total participation rates, agencies divide the total number of teleworkers by the total number of eligible employees.

employees eligible for telework. The methodology Education officials described using for counting and reporting eligibility indicates that the data Education has been reporting to OPM do not comply with the act.

In the 2016 report, OPM recognized that some agencies have not revisited eligibility determinations since early implementation of telework. However, it concluded that this may result in agencies understating, not overstating, eligibility because more individuals may become eligible as agency telework policies and capacities expand. OPM officials said this is a reasonable conclusion because as agency telework programs mature, more individuals should become eligible. Furthermore, Federal Employee Viewpoint Survey data show that both self-reported eligibility and telework participation have been increasing over time. The version of the 2016 report issued to Congress in September 2016 did not explain why some agencies report a higher number of eligible employees than total employees. However, OPM included some discussion of this data discrepancy in an updated version of the report posted on www.telework.gov in November 2016.[41]

Agencies are responsible for providing OPM with telework data that comply with OPM's data standards, but OPM's responsibility for reporting telework data annually is not limited to aggregating and reporting data directly from agencies without verifying its reliability. Consistent with federal internal control standards, OPM is responsible for taking reasonable measures to help ensure the accuracy of the information it reports and, where necessary, indicating in the report where data may be of questionable accuracy.[42] Although OPM has taken some steps over the years to improve the accuracy of the telework data it reports, in reviewing OPM's two most recent telework reports we found that the report included some inaccurate data for two of our four case study agencies. Without clear and accurate data in these annual reports, Congress does not have all of the information necessary to conduct its oversight work and federal agencies and other users of the report do not

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[41]OPM officials also said that they made additional minor editorial corrections to this updated version of the report based on the result of our review.

[42]GAO-14-704G. To allow OPM to achieve its objective of reporting telework data annually to Congress, internal control standards provide for OPM to gather relevant and timely data from agencies to include in reports sent to oversight bodies. Further, OPM should help ensure these data are appropriate, current, complete, accurate, accessible, and provided on a timely basis.

have an accurate picture of how telework is working across the federal government.

OPM's Plans to Report Telework Data from the Enterprise Human Resources Integration System May Improve Data Consistency

In an August 11, 2016, memorandum, OPM announced to CHCOs and TMOs that it will begin using telework data in the EHRI system to automate the telework data collection process.[43] OPM plans to use these data to meet the act's annual reporting requirements to Congress, and to analyze cross-agency telework data to demonstrate links between telework and agency outcomes. While this will not eliminate the annual telework data call, according to the memorandum, it will reduce the manual reporting burden for agencies. OPM stated that it will continue to administer an annual data call to collect telework program information not available in EHRI, such as agency progress towards reaching telework goals and best practices for telework programs.

Although we have previously reported that EHRI data are sometimes incomplete or inaccurate, using these data could be helpful in identifying and addressing data quality issues.[44] Further, OPM officials told us there are known problems with some telework data because agencies vary in how they report them. To address these limitations and help ensure agencies are following data standards, OPM set a timeline for testing and assessing the accuracy of telework data in EHRI over the course of fiscal year 2017. This process includes as a first step having agency TMOs and human resources staff examine telework data pulled from EHRI for one pay period to assess the accuracy of the data and determine any

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[43]OPM developed EHRI, a data warehouse for human capital data, following the electronic government (e-Government) initiative, which was aimed at using IT to enhance access to and delivery of government information and service to citizens, business partners, and employees, and to improve the internal efficiency and effectiveness of the federal government. OPM designed EHRI to leverage its existing IT infrastructure, staff, and tools to integrate federal personnel, payroll, training, and retirement databases. OPM is tasked with supporting agencies' human capital management activities, which includes ensuring that agencies have the data needed to make staffing and resource decisions to support their missions.

[44]GAO, *Federal Human Resources Data: OPM Should Improve the Availability and Reliability of Payroll Data to Support Accountability and Workforce Analytics,* GAO-17-127 (Washington, D.C.: Oct. 7, 2016). We have also discussed challenges with other aspects of EHRI data in *Office of Personnel Management: Actions Are Needed to Help Ensure the Completeness of Political Conversion Data and Adherence to Policy,* GAO-16-859 (Washington, D.C.: Sept. 30, 2016), *Federal Workforce: Opportunities Exist to Improve Data on Selected Groups of Special Government Employees,* GAO-16-548 (Washington, D.C.: July 15, 2016), and GAO-15-9.

potential issues affecting data accuracy. OPM then plans to hold a series of meetings with agency TMOs, human resources directors, and payroll providers to discuss the steps and assistance needed to ensure telework data in EHRI are reported accurately. OPM officials said they plan to pursue an iterative process with agencies to verify the accuracy of telework data in EHRI.

OPM's plan to use EHRI data for future telework data reporting is a positive step toward improving the accuracy of telework data and OPM's ability to compare data year to year. For prior data calls, agencies supplied telework data from their own systems, which may have differed from data reported to EHRI. OPM officials told us they were unsure how much, if at all, agencies were adjusting their telework data across various data sources before responding to data calls. OPM did not compare these data to payroll data aggregated in EHRI because, according to OPM officials, doing so would have been inappropriate given the known limitations of the EHRI data at the time. According to OPM officials, reporting telework data directly from EHRI going forward will reinforce to agencies the importance of recording and certifying telework data regularly through payroll reporting. Further, reporting data consistently from one source for all agencies will allow the federal government to compare telework data more consistently across agencies and across years.

Conclusions

Telework is an important tool agencies can use to realize benefits for both themselves and their employees. As technology and the nature of work in the federal government evolve, incorporating telework into agency operations and expanding telework participation could help agencies continue normal operations during adverse weather or other COOP events, as well as attract and retain employees. But to have a telework program that can achieve these benefits and comply with the act's requirements, the four case study agencies we reviewed must ensure that their telework policies, procedures, and other controls are implemented appropriately, and that the technology needed for employees to telework functions as it should. Documenting that those responsible for implementing agency telework policy are trained before doing so and reviewing telework agreements regularly can help these agencies ensure that they are applying their telework policies consistently, and improve telework data accuracy. Identifying pain points for teleworkers can also help agencies prioritize ways to improve and investments in their programs.

Because telework data are used across the government, such as by Congress for oversight, and by agencies for decision-making purposes, the four agencies and OPM need to ensure that the data they report accurately reflect the status of telework at federal agencies. Reporting and using data that either do not comply with the act or are known to be of questionable quality compromises these agencies' abilities to effectively manage their telework programs, and limits the usefulness of OPM's annual reports to Congress. OPM's plans to use data in EHRI and a shorter data call instrument could improve telework data accuracy. However, OPM and agencies must also take steps to help ensure that these annual reports include only accurate data or clearly explain why this is not possible.

Recommendations for Executive Action

To support the consistent application of agency telework policy throughout the agency, the Secretaries of the Departments of Education and Labor and the Chair of the Securities and Exchange Commission should implement controls to verify that supervisors have completed telework training prior to entering into telework agreements with their employees and that completion of this training is documented.

To help ensure that telework agreements accurately reflect telework participation, and to further ensure the accuracy of telework data reported internally and externally, the Secretary of the Department of Labor, the Administrator of the General Services Administration, and the Chair of the Securities and Exchange Commission should require documentation of regular or periodic reviews of all telework agreements in agency telework policies.

To improve the accuracy of telework data transmitted to OPM, the Secretary of the Department of Labor should direct the Chief Human Capital Officer to work with the Telework Managing Officer to develop and implement a plan to modernize Labor's telework agreement tracking system to enable more timely access to accurate telework data.

To help ensure the employee eligibility data transmitted to OPM comport with what OPM is required to report under the Telework Enhancement Act of 2010 and accurately reflect the current number of employees eligible to telework, the Secretary of the Department of Education should direct the Telework Managing Officer to take the steps necessary to regularly update employees' eligibility status.

To provide additional guidance to agencies and encourage the elimination of barriers to increased telework opportunities consistent with the act, and to ensure the accuracy of telework information OPM annually reports to Congress, the Director of OPM should:

- develop tools to help agencies assess and analyze persistent barriers to telework, including managerial resistance, such as a survey or other feedback mechanism; and

- strengthen controls for reviewing, validating, and reporting telework data in annual *Status of Telework in the Federal Government* reports. Specifically, OPM should follow up with agency officials on data outliers, including significant changes in year-to-year data.

Agency Comments and Our Evaluation

We provided a draft of this report to Education, GSA, Labor, SEC, and OPM for review and comment. We received written comments from Education, GSA, SEC, and OPM which are reprinted in appendixes II, III, IV and V, respectively. Education, Labor, and OPM also provided technical comments, which we incorporated into the report as appropriate. Labor also commented on the recommendations addressed to it, which we summarize and discuss below.

Education, GSA, and SEC agreed with the recommendations in our report. GSA and SEC stated they are making changes to require a periodic and documented review of telework agreements. Education and SEC stated they will implement controls to help ensure supervisors complete telework training before entering into telework agreements with employees. Education also agreed to take steps necessary to regularly update employees' eligibility status and report data that meet the criteria in the act.

Labor neither agreed nor disagreed with our recommendations but provided comments on the report's recommendations. Labor stated that budgetary constraints have prevented it from employing an automated telework agreement system, as we noted in the report. We recognize this in our recommendation by stating Labor should modernize its telework agreement tracking system to allow for more timely access to accurate data, which can include changes other than implementing an automated system. Labor also stated that it has controls to monitor manager telework training and telework agreement review. We agree that Labor takes steps to monitor manager training and has a process for regularly reviewing telework agreements. However, these processes could be strengthened by requiring additional documentation.
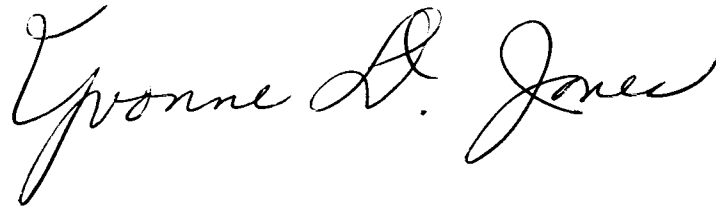
OPM did not concur with the two recommendations directed to it. For the first recommendation on creating tools to help agencies assess and analyze persistent barriers to telework, OPM agreed with our assessment of the value of such tools and their ability to help agencies increase participation rates. However, OPM stated it has fulfilled its responsibilities under the act through training, policy guidance, and tools for program evaluation and management, and that, given limited resources, it is not in a position to expand upon materials and tools for an area not required by the act. We agree that OPM has provided resources to agencies to help identify barriers to telework and are encouraged that it is developing additional tools. However, we disagree with OPM's assertion that developing tools to address persistent barriers is not related to internal controls. Federal internal control standards state that to help ensure an agency is meeting its objectives management should identify, analyze, and respond to risks related to achieving objectives, such as by addressing deviations from established policies. Barriers to telework reflect a risk to an agency's ability to meet the goals they have established for increasing telework participation, as directed in the act. And as noted in our report, some managers' decisions to limit or deny employees' ability to telework may be for reasons other than those outlined in the agencies' policies, suggesting deviations from established policy that should be addressed. Because agencies and OPM continue to identify persistent barriers to telework participation, as did responses in our focus groups and discussions with agency officials, we continue to believe that OPM should play a key role in aiding agencies in assessing and analyzing, not just identifying, barriers to telework participation.

For the second recommendation, OPM said it recognizes the importance of data accuracy and states it takes reasonable steps to follow up with agencies to resolve possible reporting errors, but that agencies are ultimately responsible for providing complete and accurate data. OPM further states that the act does not obligate OPM to spend significant resources to independently validate agency telework data. We agree that OPM should not independently validate agency data, but OPM should take the steps necessary to identify and explain data outliers and limitations. Because OPM is the agency responsible for reporting telework data, OPM should ensure its annual reports to Congress include a clear discussion of data reliability limitations, as we have previously recommended. Following up on data outliers and large year-to-year changes can help OPM identify data errors that could be corrected by agencies and provide OPM with the opportunity to discuss data limitations with agencies. Including such information clearly in the annual telework

reports to Congress can make them more useful to Congress and to others.

As agreed with your offices, unless you publicly announce the contents of this report earlier, we plan no further distribution until 30 days from the report date. At that time, we will send copies of this report to OPM, Education, GSA, Labor, and SEC as well as to interested congressional committees and other interested parties. In addition, this report is available at no charge on the GAO website at http://www.gao.gov.

If you or your staff have any questions about this report, please contact me at (202) 512-6806 or at jonesy@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made key contributions to this report are listed in appendix VI.

Yvonne D. Jones

Director,
Strategic Issues

Appendix I: Objectives, Scope, and Methodology

This report identifies and examines (1) how selected agencies establish and monitor telework eligibility and participation, and comply with the requirements of and expectations included in telework agreements; (2) the internal controls and practices at selected agencies that affect supervisors' abilities to manage for results in the telework environment, and hold employees who routinely telework accountable for achieving results; and (3) the challenges selected agencies and the Office of Personnel Management (OPM) face in collecting and reporting telework data.

To address these objectives, we reviewed and used as criteria the Telework Enhancement Act of 2010 (the act), *Standards for Internal Control in the Federal Government*, OPM's guidance and training on telework and performance management, and our prior work on agency telework programs. We also interviewed key OPM officials from Employee Services and Senior Executive Service and Performance Management as well as the Executive Director of the Chief Human Capital Officers (CHCO) Council.

To address all of our objectives, we selected the Department of Education (Education), General Services Administration (GSA), the Department of Labor (Labor), and the Securities and Exchange Commission (SEC) as case study agencies for our review. Because a case study approach does not allow for generalizable results, we limited our case study agencies to four to compare telework programs across agencies of varying sizes. We selected these agencies using size and telework participation rates as criteria. We reviewed OPM's *2014 Status of Telework in the Federal Government Report to Congress (Fiscal Year 2013)* and created a list of all of the agencies that reported telework data that year.[1] To ensure that our case study agencies would have a sufficient number of active teleworkers, we limited this list to agencies with more than 2,500 employees. Using data from OPM's report, the most recent available at the time of our analysis, we compiled a list containing data on each agency's number of employees, number of employees eligible to telework, number of employees with telework agreements, percentage of employees with telework agreements, and percentage of employees who teleworked in fiscal year 2013. We also reviewed data from the 2015 Federal Employee Viewpoint Survey (FEVS), the most recent data

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[1]At the time we were selecting agencies to include in our review, the 2014 report was the most recent report issued by OPM.

available at the time of our analysis, and incorporated data on telework frequency rates into our list of agencies.[2] After building this universe of agencies and their associated telework data, we applied 3 filters to the list:

- agencies where the percent of employees eligible to telework is greater than or equal to 50 percent;

- the percent of eligible employees with telework agreements is greater than or equal to 50 percent; and

- the percent of employees teleworking at least once per week is greater than or equal to 25 percent.

These filters produced a list of seven agencies. To compare and contrast telework programs of different sizes, we divided the remaining agencies into 2 groups: 1 of agencies with more than 10,000 employees and the other with fewer than 10,000 employees. We eliminated one large agency because it was negotiating its telework program with relevant labor unions, and had been the subject of recent reports on telework internal controls. For the smaller agencies, we rank ordered the agencies by the number of teleworkers as of February 2014, the most recent data available across the agencies. These filters produced GSA and Labor as the large agencies, and Education and SEC as the smaller agencies for inclusion as our case study agencies.

To address all of our objectives, we conducted a series of focus groups at our four case study agencies with groups of supervisors of teleworkers and groups of teleworkers. When discussing these focus groups throughout the report, we use the word some to mean more than two but fewer than six focus groups. To determine supervisor focus group participants, the agencies sent us lists of all supervisors and the agency, office, or division where they worked. We randomized the list using a random number generator and sorted the list in rank order. To avoid inviting individuals who work closely with each other to the focus groups, we chose from the list the first individual from each agency, office, or division, and created a list of alternates in the event the first individual could not participate. We then confirmed with the agencies that these

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[2]The FEVS is a tool that measures employees' perceptions of whether, and to what extent, conditions characterizing successful organizations are present in their agencies. Survey results provide valuable insight into the challenges agency leaders face in ensuring the federal government has an effective civilian workforce and how well they are responding. The FEVS includes questions on telework.

supervisors on our invite and alternates lists met the following criteria: (1)
they were not senior executives and (2) they supervised at least one
employee with a regular telework agreement. We sent invitations to
participate in the focus groups to the first 10 individuals who met our
criteria. We then invited alternates for individuals who could not attend.
Each focus group had between 6 and 8 participants.

To determine focus group participants for teleworkers, agencies sent us
lists of employees, which included, at a minimum, the employee's name,
location, and whether they had a telework agreement. To ensure we
could gather information from nonsupervisory employees, we removed
from the lists, as necessary, any individuals who were supervisors or
otherwise not covered by a collective bargaining unit. We also excluded
individuals from the Offices of Inspector General. We additionally
excluded individuals with only a situational telework agreement. We
randomized the list using a random number generator and sorted the lists
in rank order. Similar to supervisors, to avoid inviting individuals who work
closely together, we chose from the list the first individual from each
agency, office, or division. Also, to determine if employees similarly
experienced telework in the field as in headquarters, we created two lists
of potential focus group participants—one for employees who work in
Washington, D.C., and one for employees who work in a regional or field
office. For field employees, we chose the first individual from each
location from the ranked list to participate. Because telework experiences
can be influenced by an employee's supervisor, we then requested from
the agencies the name of the supervisor for those on our preliminary
invitation list, and eliminated individuals from the invitation list if someone
higher on the list worked for the same supervisor. For Education, Labor,
and SEC, we held two focus groups for teleworkers, each with between
four and six participants. For GSA, due to scheduling difficulties, we held
one combined focus group of seven teleworkers from headquarters and
the field.

To determine how case study agencies establish and monitor telework
eligibility and compliance with requirements and expectations of telework
agreements, we reviewed the act, OPM guidance, telework policies,
telework training materials, blank telework agreements, and collective
bargaining agreements. We interviewed agency officials responsible for
telework policy and program implementation, including the Telework
Managing Officer or the telework coordinator, to discuss telework policy,
program implementation, internal controls, and OPM guidance on
telework. We then compared agency policies to act requirements, OPM
guidance, and *Standards for Internal Control in the Federal Government*

to assess compliance. We discussed telework eligibility and notification at our focus groups with teleworkers and discussed reasons for denying telework agreement applications with supervisors. We also interviewed OPM officials about OPM's role in providing telework guidance to federal agencies.

To determine how supervisors at case study agencies manage for results in a telework environment and hold employees who routinely telework accountable for achieving results, we reviewed requirements of the act and agency policies, reviewed OPM and agency specific training materials on telework and performance management, and discussed agency performance management policy with case study agency officials. We also asked supervisors participating in our focus groups what strategies and resources they use to manage their teleworking employees, and what steps they take to help ensure telework does not diminish their employees' performance. We asked participants at our teleworkers focus groups about how telework has affected their ability to meet performance goals, how their supervisor holds them accountable for achieving results while teleworking, and how the agency supports telework. We also spoke with representatives from the unions that represent employees at the four case study agencies to discuss any concerns the unions have heard about telework.

To assess the challenges the four case study agencies and OPM face in collecting and reporting telework data, we reviewed our prior work on OPM telework data reporting. We also reviewed OPM's *Status of Telework in the Federal Government Report to Congress (Fiscal Year 2013)* and OPM's *Status of Telework in the Federal Government Report to Congress (Fiscal Years 2014 and 2015)*. We requested case study agencies' original telework data call submissions to OPM for fiscal years 2013, 2014, and 2015, and compared these data to what OPM included in the final reports to Congress to identify any discrepancies. To report data on numbers of teleworkers and the average number of hours employees telework per pay period, we analyzed telework data from each of the case study agencies. We reviewed the data for outliers, reviewed agency documentation on how the agencies enter and maintain telework data, and interviewed agency officials. We determined these data to be reliable for the purposes of reporting reported telework hours and the number of individuals teleworking for a 9-month period between September 2015 and June 2016. We interviewed OPM and case study agency officials about the steps they take to collect, validate, and report telework data, and any challenges they may face in doing so. We also asked teleworkers in our focus groups how they record their telework

hours. In addition, we asked supervisors what challenges they may face to ensuring these telework hours are recorded and reported accurately.

We conducted this performance audit from November 2015 to February 2017 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF MANAGEMENT

January 18, 2017

Ms. Yvonne D. Jones
Director, Strategic Issues
Government Accountability Office
441 G Street, NW
Washington, DC 20548

Dear Ms. Jones:

I am writing to respond to recommendations made in the Government Accountability Office (GAO) draft report entitled "Federal Telework: Additional Controls Could Strengthen Telework Program Compliance and Data Reporting (GAO-17-247)." The U.S. Department of Education (Department) appreciates the opportunity to respond to the GAO report. Below is our response to GAO's specific recommendations:

Recommendation 1: To support the consistent application of agency telework policy throughout the agency, the Secretaries of the Departments of Education and Labor and the Chair of the Securities and Exchange Commission should implement controls to verify that supervisors have completed telework training prior to entering into telework agreements with their employees and that completion of this training is documented.

Response: The Department concurs with GAO's recommendation and will implement controls no later than June 30, 2017, to verify that supervisors have completed telework training prior to entering into telework agreements with their employees and that completion of this training is documented. All employees, including managers, are required to complete telework training prior to teleworking.

Recommendation 2: To help ensure the employee eligibility data transmitted to OPM comport with what OPM is required to report under the Telework Enhancement Act of 2010 and accurately reflect the current number of employees eligible to telework, the Secretary of the Department of Education should direct the Telework Managing Officer to take the steps necessary to regularly update employees' eligibility status.

Response: The Department concurs with GAO's recommendation. The Telework Managing Officer will take the necessary steps to regularly update employees' eligibility status. In our most recent efforts, the Department has transmitted current, fiscal year 2017 data to OPM via the Telework Data Call in order to reflect the number of employees eligible to telework to improve telework reports and to ensure that the criteria according to the Telework Enhancement Act are accurately met.

400 MARYLAND AVE. S.W., WASHINGTON, DC 20202-4500
www.ed.gov

Our mission is to ensure equal access to education and to promote educational excellence throughout the nation.

Thank you for the opportunity to respond to the GAO report. If you or your staff members have any questions regarding our response, please contact me at (202) 205-8770 or by e-mail at Denise.Carter@ed.gov.

Sincerely,

Denise L. Carter
Acting Assistant Secretary for Management

GSA

The Administrator

January 18, 2017

The Honorable Gene L. Dodaro
Comptroller General of the United States
U.S. Government Accountability Office
Washington, DC 20548

Dear Mr. Dodaro:

The U.S. General Services Administration (GSA) appreciates the opportunity to review and comment on the U.S. Government Accountability Office's (GAO) draft report entitled *Federal Telework: Additional Controls Could Strengthen Telework Program Compliance and Data Reporting* (GAO-17-247).

GAO made specific recommendations to each of the case study agencies in the report. For GSA, GAO recommends the agency ensure that telework agreements accurately reflect telework participation. To further ensure the accuracy of telework data reported internally and externally, GAO recommends that the Administrator of GSA require documentation of regular or periodic reviews of all telework agreements in agency telework policies.

We have reviewed this report in depth, agree with the recommendation, and are developing a comprehensive plan to address the recommendations made to GSA. We are confident that these actions will satisfactorily remedy the concerns raised by GAO.

If you have any questions or concerns, please contact me at (202) 501-0800 or Ms. Lisa A. Austin, Associate Administrator, Office of Congressional and Intergovernmental Affairs, at (202) 501-0563.

Sincerely,

Denise Turner Roth
Administrator

cc: Ms. Yvonne Jones, Director, Strategic Issues, GAO

1800 F Street, NW
Washington, DC 20405-0002

www.gsa.gov

Appendix IV: Comments from the Securities and Exchange Commission

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549

THE CHAIR

January 18, 2017

Yvonne D. Jones
Director
Strategic Issues
U.S. Government Accountability Office
441 G Street, NW
Washington, DC 20548

Dear Ms. Jones:

The Securities and Exchange Commission (SEC) has reviewed the draft of the proposed report of the Government Accountability Office (GAO) entitled *Federal Telework: Additional Controls Could Strengthen Telework Program Compliance and Data Reporting (GAO-17-247).* The SEC has the following comments on the draft report:

- The SEC agrees that its internal controls for its training system do not interface electronically with its telework program system. However, this does not limit the SEC's ability to track completion of the training. In fact, the SEC has implemented a manual audit process to ensure that all teleworkers and their supervisors have completed the required telework training. The SEC completes its manual audit at least once annually. The most recent audit occurred in August 2016 and revealed that, as of the end of August 2016, only 19 individuals (0. 451%) had not completed the required telework training.

- The SEC agrees that it needs to implement controls to ensure supervisors have completed telework training prior to entering into telework agreements with their employees and that the completion of this training is documented. All SEC supervisors are required to complete telework training in the training system within 90 days of hire or promotion to a supervisory position. The agency is reducing the timeframe to two weeks.

- The SEC agrees that its telework policy should require documentation of regular or periodic reviews of all telework agreements. The SEC's policy on telework is contained in the Collective Bargaining Agreement (CBA) between the SEC and its union. The CBA states, "Employees may be required to re-certify their telework agreement on an annual basis to ensure that all information is accurate and up to date." The SEC is currently upgrading its telework program system to require annual review and re-certification of all telework agreements. The SEC anticipates that it will complete this upgrade in 2017.

Yvonne D. Jones
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If you have any questions or would like to further discuss this response, please contact Lacey Dingman, Chief Human Capital Officer, Office of Human Resources, at (202) 551-7500.

Sincerely,

Mary Jo White
Chair

UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

JAN 2 5 2017

Employee Services

Ms. Yvonne D. Jones
Director
U.S. Government Accountability Office
441 G Street, NW
Washington, DC 20548

Dear Ms. Jones:

Thank you for providing us the opportunity to respond to the Government Accountability Office (GAO) draft report, *Federal Telework: Additional Controls Could Strengthen Telework Program Compliance and Data Reporting*, GAO-17-247, GAO job code number 100416. We appreciate your input as agencies continue to enhance their telework programs. Responses to your recommendations are provided below.

Responses to Recommended Actions:

1) **Develop tools to help agencies assess and analyze persistent barriers to telework, including managerial resistance, such as a survey or other feedback mechanism.**

We do not concur. OPM agrees with GAO's assessment of the value of tools for assessing and analyzing telework barriers such as managerial resistance[1], and we agree that such tools may help agencies increase telework participation rates. However, we note that the tools contemplated in this recommendation are not relevant to addressing the internal control issues examined within the scope and expressed objectives of the GAO study at issue. Additionally, as we have communicated in previous GAO engagements, OPM has already fulfilled the legal responsibilities identified in the Telework Enhancement Act of 2010 by providing agencies with training, policy guidance, and tools for goal-setting, qualitative and quantitative measurement, program evaluation, and action planning. As such, given the limited resources available, OPM is not in a position to further expand upon materials and tools for areas that are not required by the Telework Enhancement Act.

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[1] It is important to remember that while managerial resistance is often a real barrier to telework, reluctance to extend telework, either as to a specific employee or a segment of agency operations, could also be a legitimate manifestation of concern about diminishment of employee performance or agency operations, pursuant to 5 U.S.C. § 6502(b)(1). Accordingly, not all "managerial resistance" would be unjustified. Calling legitimate resistance to extending telework a "barrier" could be misleading and inconsistent with the purpose of the Telework Enhancement Act of 2010, which was to require agencies to adopt policies, notify employees of their eligibility status, evaluate the impact of telework on employee and agency operations, and set goals for increasing participation *"to the extent practicable or necessary* for the next reporting period . . . ." 5 U.S.C. § 6506(b)(2)(D). (Emphasis added).

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Nevertheless, OPM appreciates the importance of understanding and addressing barriers to telework, and we have voluntarily provided agencies with multiple solutions and tools, including: measuring managerial support for work-life programs and barriers to telework participation in the annual Federal Employee Viewpoint Survey; guidance available on telework.gov; "Telework Fundamentals" trainings for managers and employees available on HRU.gov; "Managing in a Virtual Environment" training webinars for supervisors; and various webinars for agency Telework Coordinators. We are also working on several initiatives that will provide agencies with additional resources, including: the upcoming Federal Work-Life Survey, which will include measures related to telework barriers and managerial resistance; a Manager's Toolkit that will be launched on the OPM Work-Life website; and a course for Federal Telework Coordinators, which will include information on dealing with telework barriers. However, here again, it is important to understand, that there are limited resources available to OPM to expand upon such materials, especially as no such requirement is imposed by the Telework Enhancement Act.

2) **Strengthen controls for reviewing, validating, and reporting telework data in annual** *Status of Telework in the Federal Government* **reports, including significant changes in year-over-year data.**

We do not concur. OPM recognizes the importance of data accuracy to effective evaluation of Federal telework programs, and we will continue to incorporate feedback from GAO and other stakeholders to improve reporting, where possible. Ultimately, OPM must rely on agencies to meet their obligation to provide complete and accurate data in accordance with our guidance and published standards. OPM takes reasonable steps to follow up with agencies to resolve possible reporting errors and to help assure data accuracy. However, we do not agree that the Telework Enhancement Act imposes any obligation upon OPM to allocate the significant resources that would be necessary to independently validate telework data collected from agencies, nor do we agree that year-over-year comparison of every survey item is needed or advantageous to ensuring a reasonable and rigorous data analysis. It is to be expected that responses to some survey items will change from one year to the next, and the mere change in an agency's response from the previous year does not necessarily establish the need for individual follow-up.
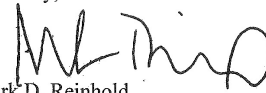
As noted above, OPM already routinely (and voluntarily) follows up with agencies to address possible reporting errors. We contacted two of the studied agencies regarding discrepancies for the 2016 report. As a further example, the Department of Education's reporting error in 2014 – cited by GAO – could reasonably have reflected actual changes in agency policies, and it was verified as accurate by the agency during the data review process. OPM is not in a position to independently verify the accuracy of telework data, and we expect agencies to conduct a thorough review of their submitted data during the data review process after survey close. When agencies do not collect data in accordance with our guidance and published standards, we will work with those agencies to correct and improve their data collection and reporting methods, to the extent practicable. However, we ultimately must rely on agencies to provide complete and accurate data since these data are not otherwise available to OPM.

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I appreciate the opportunity to respond to this draft report. If you have any questions regarding
our response, please contact Ms. Janet Barnes, Director, Internal Oversight & Compliance, at
(202) 606-3207.

Sincerely,

Mark D. Reinhold
Associate Director for Employee Services
and Chief Human Capital Officer

Enclosure

Appendix VI: GAO Contact and Staff Acknowledgments

GAO Contact

Yvonne D. Jones, 202-512-6806 or jonesy@gao.gov

Staff Acknowledgments

In addition to the contact named above, Chelsa Gurkin (Assistant Director), Miranda Cohen, Ann Czapiewski, Karin Fangman, Cheryl L. Jones, Danielle Novak, Steven R. Putansu, and Stewart W. Small made key contributions to this report.