



United States  
General Accounting Office  
Washington, D.C. 20548

Office of the General Counsel

B-224147

September 22, 1986

Department of Health and Human  
Services  
Office of the Secretary  
Office of the General Counsel  
Washington, D.C. 20201

Attention: Mary McNamara, Chief  
Administrative Law Branch  
Business and Administrative  
Law Division

Dear Ms. McNamara:

By letter dated August 13, 1986, copy enclosed,  
Ms. an employee of the Social  
Security Administration (SSA), requested that we consider  
several matters relating to our Claims Group settlement  
issued on June 26, 1986. As you will recall, our Claims  
Group granted Ms. request for waiver of her  
indebtedness of \$1,794.68, representing the difference  
between the \$27,029.82 in backpay awarded to her for her  
separation from SSA between August 13, 1982, and January 30,  
1984, and the \$28,824.50 in deductions from her backpay.

Ms. is now requesting that we waive particular  
items deducted from her backpay, including workers' compen-  
sation benefits in the amount of \$23,991.80. Also, she is  
requesting that we consider waiver of the \$4,605.30 lump-sum  
annual leave payment associated with her second separation  
from SSA on August 17, 1984. She indicates that an arbitra-  
tor has again ordered her reinstatement to duty, and that she  
desires recredit of the 444.5 hours of annual leave which had  
been covered by the lump-sum payment. Ms.  
additional arguments and questions are detailed in the  
enclosed letter.

In order to respond to the concerns presented by  
Ms. we will need an administrative report  
which includes a comprehensive statement of the facts

pertaining to both instances of Ms. separation  
from and reinstatement to duty with SSA. This report should  
include the following information:

- (1) an explanation why Ms. was separated on  
August 13, 1982, and on August 17, 1984;
- (2) a copy of both of the arbitrator's awards ordering  
Ms. reinstatement to duty, and a brief  
description of the actions HHS took to implement each  
award. With respect to HHS's implementation of the  
second award, please indicate: (a) whether and in what  
amount annual leave covered by the \$4,605.30 lump-sum  
leave payment has been recredited to Ms. ;  
and (b) whether HHS has determined Ms. to  
be liable for the lump-sum amount; and
- (3) an explanation as to whether the arbitrator's ruling  
ordering Ms. reinstatement to duty for the  
second time awarded her backpay. If not, please provide  
a brief description of Ms. appeal rights  
and indicate whether or not she exercised those rights.

There is congressional interest in this matter, and,  
accordingly, we would like to receive your report as soon  
as possible. Should any questions arise, I may be contacted  
on 275-6410. In addition, I would appreciate notification  
of the name and telephone number of the individual who is  
assigned responsibility for handling this matter.

Sincerely yours,



Lynn H. Gibson  
Attorney-Adviser

Enclosure