

GAO Highlights

Highlights of [GAO-15-9](#), a report to congressional requesters

Why GAO Did This Study

Official time is time spent by federal employees performing certain union representational activities, such as negotiations and handling grievances. Employees on official time are treated as if they are in a duty status and are paid accordingly. OPM's estimated total payroll costs, salary and benefits, for fiscal year 2012 official time hours was over \$156 million and covered more than 1.2 million employees. GAO was asked to review federal rules relating to the use of official time.

This report (1) describes the extent of official time use by 10 selected agencies; (2) assesses OPM's cost estimate for official time; and (3) examines OPM's reporting on official time. GAO obtained usage data from agencies and OPM's annual reports. For this study, GAO selected 10 agencies (National Science Foundation, Railroad Retirement Board, Social Security Administration, and the Departments of Commerce, Health and Human Services, Homeland Security, Labor, Treasury, Transportation, and Veterans Affairs) representing 47 percent of BU employees covered by OPM's report. GAO's selection was based on factors such as agency size, number of BU employees, and official time rate.

What GAO Recommends

GAO recommends, among other things, that OPM (1) consider other approaches to developing its cost estimate and (2) work with agencies to identify opportunities to increase efficiency of data collection and reporting through EHRI. OPM partially concurred but raised questions about implementation costs and limits to its authority. GAO continues to believe the recommendations are valid.

View [GAO-15-9](#). For more information, contact Seto J. Bagdoyan, (202) 512-6722, BagdoyanS@gao.gov.

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LABOR RELATIONS ACTIVITIES

Actions Needed to Improve Tracking and Reporting of the Use and Cost of Official Time

What GAO Found

The ten agencies GAO reviewed reported using 2.5 million official time hours in fiscal year 2013 compared to about 2 million hours in fiscal year 2006. Although the total number of hours charged increased by 25 percent, 7 of the 10 selected agencies reported lower official time rates in fiscal year 2013 as compared to fiscal year 2006. Three agencies reported increased official time rates over the same period. Official time rates indicate the number of official time hours expended per bargaining unit (BU) employee and allow for meaningful comparisons over time. Declines in official time rates per BU employee ranged from about 30 minutes or less at several agencies to 2-1/2 fewer hours per BU employee at one agency. The Office of Personnel Management (OPM) attributed changes in the number of hours, in part, to changes in the number of BU employees and the amount of collective bargaining negotiations. In total for fiscal year 2013, the 10 selected agencies reported that less than 2 percent of employees charged official time. During the same year, eight of the 10 agencies reported having employees who charged 100 percent of their duty time to official time; a total of 386 employees combined. Two agencies reported having no employees who charged 100 percent official time in fiscal year 2013.

OPM has historically estimated annual official time costs by using a simple computation—multiplying each agency's average salary as reported in its Enterprise Human Resources Integration (EHRI) database for BU employees covered by official time activities by the agency's total reported official time hours. GAO computed its own cost estimate using an alternative methodology that used actual salary data of BU employees who in fact charged official time and multiplied this amount by the agency total reported official time hours used for each individual. GAO computed a cost estimate for the 6 of our 10 selected agencies that report through EHRI. GAO found that its cost estimate for these 6 agencies yielded an estimate that was about \$5 million more than the estimate using OPM's methodology (\$61 million versus \$56 million, or a difference of about 9 percent). Further, cost estimates using GAO's methodology at 4 of the 6 agencies were higher by 15 percent or more than the estimates using OPM's methodology. A government-wide cost estimate could be higher or lower if this methodology was applied to all agencies. OPM said reporting on official time is not a priority at this time and they have used the same methodology for preparing its cost estimate since fiscal year 2002. Use of other methodologies may result in a more representative estimate of actual cost.

OPM issues reports on official time to assist agencies with ensuring accountability in labor-management relations. It reports on official time usage government-wide. OPM asks agencies to verify data that OPM obtains through its EHRI database. According to OPM, at least half of the about 50 agencies that report official time data through EHRI report differences with the EHRI data and provide revised official time data to OPM. While OPM reports the corrected data, it does not follow-up with agencies to determine the source of data differences. Its guidelines state the importance of pursuing high quality data, reliable data on program costs. By not following up with agencies on data differences, OPM may be missing an opportunity to improve data quality on agency reporting through EHRI and enable a less labor intensive and more efficient process.