



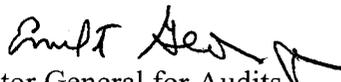
UNITED STATES GOVERNMENT
National Labor Relations Board
Office of Inspector General

Memorandum

September 29, 2006

To: Karl E. Rohrbaugh
Finance Branch Chief

Aaron C. Pendleton
Acting Director of Human Resources

From: Emil T. George 
Assistant Inspector General for Audits

Subject: Inspection Report No. OIG-INS-48-06-07: FEMA Mission Assignment Process

We initiated this inspection in September 2006 to review the effectiveness of the Federal Emergency Management Agency's (FEMA) Mission Assignment Process (MA) for volunteer services. This inspection was initiated at the request of the Department of Homeland Security (DHS) Office of Inspector General.

The National Labor Relations Board's (NLRB or Agency) procedures were effective in mobilizing Agency employees. However, FEMA did not notify the Agency when NLRB volunteers were deployed. All four NLRB volunteers interviewed stated that their overall experience was rewarding. Two NLRB volunteers commented that the tasks they were assigned did not meet their expectations based on the advance information provided, and three were dissatisfied with the training provided.

Generally, travel costs submitted by NLRB volunteers were eligible under Federal Travel Regulation (FTR). One NLRB volunteer, however, received \$195 in duplicate payments for 5 days of per diem. This employee was also overpaid \$324 for reimbursement of rental car charges. Three NLRB employees were not reimbursed for the correct number of overtime hours and one NLRB employee was not reimbursed at the correct overtime rate, resulting in underpaying these NLRB volunteers an estimated \$1,700 in overtime.

SCOPE

We reviewed laws and regulations related to the MA process and Agency guidance. We interviewed personnel in the Human Resources Branch (Human Resources), Finance Branch (Finance), and Division of Operations-Management (Operations-Management) regarding the controls and processes used by the NLRB to implement the MA. We interviewed four NLRB

volunteers to obtain their feedback regarding the MA process and tested the travel and overtime expenses of three NLRB volunteers to determine the eligibility of costs claimed.

We conducted this review in September 2006. This review was done in accordance with the Quality Standards for Inspections issued by the President's Council on Integrity and Efficiency.

BACKGROUND

Hurricane Katrina resulted in FEMA using MAs with a larger number of agencies than were previously tasked to provide disaster relief services. As a result, agencies such as the NLRB were asked to participate. The amount of funding provided to other Federal agencies ranged from \$200,000 to several billion dollars and tasks ranged from sending volunteers to help on the ground to major infrastructure reconstruction efforts. The NLRB received a total of \$215,543 in reimbursements from FEMA for NLRB volunteers' travel and overtime expenses.

Several offices at the Agency were responsible for coordinating NLRB volunteers. Human Resources served as the main point of contact for coordination with FEMA. Finance was responsible for processing travel vouchers and obtaining reimbursement for travel expenses and overtime charges. Operations-Management assisted Human Resources, Finance, and NLRB volunteers with deployment efforts.

RESULTS

Implementation

NLRB Volunteer Mobilization

DHS asked other Federal agencies to make some of their employees available to assist in the recovery initiatives of FEMA. This request asked agencies to distribute information on the FEMA volunteer program to employees, identify a single point of contact to coordinate with DHS/FEMA on behalf of their agency, and collect responses from employees. The responses were forwarded to FEMA, which contacted the employees directly.

The Chairman and Acting General Counsel notified all NLRB employees on September 8, 2005, that DHS anticipated needing up to 2,000 volunteers to assist in the Government's response. In addition, Human Resources distributed several e-mail notices providing information and identifying a single point of contact. These procedures were effective in mobilizing Agency employees. Employees were provided information in a timely manner. Forty-seven NLRB employees volunteered. Eighteen of these were deployed.

Employee Locations

DHS guidance stated that when volunteers reached the Orlando, Florida, mobilization site, their contact information was to be entered into the FEMA database. When the volunteers were deployed to their temporary duty location, the donating agencies were to be notified. Also, agencies could request that FEMA provide lists of deployed employees.

FEMA did not notify the Agency when NLRB volunteers were deployed. A Human Resources representative stated that he contacted FEMA to request a list of deployed employees, but this list was not provided to the Agency until all NLRB volunteers returned home. This list did not include the deployment locations and contained two NLRB employees that did not report to Orlando and were not deployed. Also, the FEMA list did not include the name of one NLRB volunteer who was deployed. The Operations-Management's Executive Assistant coordinated Agency volunteers and maintained a master list of participants that was based on NLRB volunteers calling in with their information.

Coordination with FEMA

DHS guidance included FEMA points of contact. NLRB Human Resources and Finance employees, however, experienced difficulty reaching the appropriate contact person. A Human Resources representative stated that he tried to call the contacts given to him, but was not successful. He said that he was later told that this was caused by the deployment of many people in the FEMA Human Resources office. Also, Finance said that they experienced difficulty in obtaining an additional \$30,000 obligation from FEMA for NLRB volunteers.

Volunteer Experiences

NLRB volunteers said that after they arrived at the Orlando mobilization site, they were provided some training and deployed to their duty station within a few days. Once at their duty stations, some were provided additional training and all were put into service promptly. Two volunteers commented that the tasks they were assigned did not meet their expectations based on the advance information provided to them. In particular, one NLRB volunteer was bilingual and another was Microsoft certified, but these skills were not used. Another NLRB volunteer stated that she knew that a majority of the work needed would be administrative services not related to individual skills. She commented that if this was made clear, perhaps people might have been less disappointed.

Three NLRB volunteers were dissatisfied with the training provided. The other volunteer was pulled from the general training in Orlando to receive specialized training, which she thought was well organized. One NLRB volunteer said that participants were trained on a variety of topics, but not enough to perform any particular job. Another volunteer said that she was trained on one computer system, but used a different system when deployed. Also, participants were frustrated that they were required to register in the morning on the first day, but that the training did not begin until the next day.

Expenses

Generally, the Agency adequately tracked costs related to travel for NLRB volunteers, but did not adequately track overtime costs. The NLRB obtained documentation for the charges and billed FEMA. The reimbursements were processed through the Intra-governmental Payment and Collection System and reimbursements were received immediately.

Travel

Federal employees are required to follow FTR when traveling for the Government. Generally, travel costs submitted by NLRB volunteers were eligible under FTR. One NLRB volunteer, however, received \$195 in duplicate payments for 5 days of per diem. This employee was also overpaid \$324 for reimbursement of rental car charges.

Overtime

FEMA procedures included preparation of time and attendance worksheets in disaster field offices for each employee. These worksheets were to be approved by FEMA and faxed to the volunteer's Agency for processing. The Chairman and Acting General Counsel signed a waiver authorizing the biweekly pay cap to be removed for premium (overtime) pay for employees responding as volunteers to the Hurricane Katrina disaster relief efforts. This waiver allowed the Agency to apply an annual pay cap and affected employees could receive overtime pay to the extent that the payment did not cause the total of such payment to exceed the greater of a GS-15, step 10 (including any applicable locality payment) or the biweekly rate payable to the level V of the Executive Schedule. Sixteen deployed volunteers received overtime compensation. The other two volunteers were not eligible to receive overtime compensation because they were members of the Senior Executive Service.

The three NLRB employees in our sample who were eligible for overtime were not reimbursed for the correct number of overtime hours. The hours of work documented on worksheets did not agree with the number of hours in the Agency's payroll system. The payroll system indicated that these employees were paid for 560.75 overtime hours, but we estimate that they should have been paid for 643.25 overtime hours. This includes two NLRB employees who were underpaid for 83.50 hours and one NLRB employee who was overpaid for 1 hour. These employees were well below the waiver authorized by the Agency.

The statute for a Federal employee's overtime rates states that for an employee whose basic pay is at a rate which exceeds the minimum rate of basic pay for GS-10 (including any applicable locality-based comparability payment), the hourly rate of pay is an amount equal to the greater of one and one-half times the hourly rate of the minimum rate of basic pay for GS-10 (including any applicable locality-based comparability payment) or the hourly rate of basic pay of the employee, and all that amount is premium pay.

One NLRB volunteer was not reimbursed at the correct overtime rate. This NLRB volunteer was paid overtime at one and one-half times his straight hourly rate, \$38.93, but should

have been paid one and one-half times the hourly rate of the minimum rate of basic pay for a GS-10, \$35.43.

As a result of these discrepancies, we estimate that the Agency did not pay the volunteers in our sample for an estimated \$1,700 in overtime. Finance said that they billed FEMA based on amounts in the payroll system. Human Resources attributed paying the NLRB volunteer at the wrong rate to a coding error in the Human Resources' system. It also appears that not all overtime hours were entered into the Agency's payroll system.

SUGGESTIONS

We suggest that the Finance Chief coordinate with DHS regarding the recovery of the identified overpaid travel expenses.

We suggest that the Acting Human Resources Director work with NLRB volunteers' offices to verify that all NLRB volunteers who were eligible for overtime compensation were reimbursed for the correct number of hours at the appropriate overtime rate.

cc: Board
General Counsel
Director of Administration