

# UNITED STATES GOVERNMENT National Labor Relations Board Office of Inspector General

**Annual Audit Plan** 

Fiscal Year 2020

#### ANNUAL AUDIT PLAN

As set forth in the Inspector General Act of 1978, as amended, the Inspector General is responsible for providing policy direction and conducting, supervising, and coordinating audits relating to the programs and operations of the National Labor Relations Board (NLRB or Agency). The Office of Inspector General (OIG) maintains a planning system for assessing the nature, scope, trends, vulnerabilities, special problems, and inherent risks of Agency programs and operations.

The OIG solicited management's input regarding potential audit areas. We also considered factors that included:

- -- Statutory and regulatory requirements;
- -- Financial impact;
- -- Audit experience and frequency; and
- -- Sensitivity, newness, or changed conditions.

During the course of the preceding fiscal year, the OIG had contacted staff members on the Congressional committees. We discussed their interest in the proposed topics and considered their responses in selecting the audits and inspections for inclusion in the annual audit plan.

The audit universe identifies each organization, program, function, and/or activity subject to audit. The audit universe was developed using the Fiscal Year (FY) 2020 Justification of Performance Budget for the Committee on Appropriations. The results of the Agency's review in accordance with the Federal Managers' Financial Integrity Act were used as an indicator of risk.

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**AUDIT TITLE:** Audit of Property

**TYPE/SUBJECT:** Performance/Mission Support

**OFFICE:** Division of Administration

Facilities and Property Branch

## **DESCRIPTION:**

The Division of Administration's Facilities and Property Branch is responsible for the oversight and control of all furniture, equipment, and supplies. This includes maintaining an inventory of Agency property and tracking capitalized property. The Branch is also responsible for receiving and distributing furniture, equipment, and supplies for Headquarters and excessing surplus furniture and computer equipment.

## **OBJECTIVE:**

The objectives of this audit are to determine whether the Agency's property program is operated in accordance with applicable laws, regulations, and Agency policies and to determine whether controls are sufficient to prevent or detect waste, fraud, and abuse.

## **TIMING:**

Start date – June 2016 – we suspended this due to staffing issues Estimated completion date – TBD

**AUDIT TITLE:** Fiscal Year 2019 Budget Execution

**TYPE/SUBJECT:** Performance/Mission Support

**OFFICE:** Office of the Chief Financial Officer

**Budget Branch** 

#### **DESCRIPTION:**

The budget process consists of formulation, submission, approval, execution, and reporting. The formulation of the budget begins with the program offices defining the needs and the Budget Branch creating the annual submission to OMB. Budget execution begins when an appropriations bill has been enacted. The period of availability for the NLRB's appropriation is one year, and the appropriation can be used to cover obligations incurred during that year. Throughout the period of availability, the Office of Management and Budget apportions the appropriation to the Agency in quarterly increments. The apportionment is divided by the Agency and provided to allowance holders to enable the execution of program requirements.

The execution of the Agency's budget is monitored by the Budget Branch through the use of a "Spend Plan" that forecasts planned expenses for the year according to the quarter and month in which they are expected to occur. Budget Branch reconciles the Spend Plan at the end of the month when actual obligations for program requirements are recorded. Budget Branch also performs detailed research and analysis to track burn rates for obligations, correct miscoded transactions and anomalies ensure that payroll disbursements are accurate, and verify that sufficient funds are available to cover projected payroll disbursements.

In a memorandum to all Agency employees, the Chairman and General Counsel stated that despite a spending plan that anticipated the expenditures of all allocated funds, the Agency ended Fiscal Year 2019 with an unobligated balance of 5.7, or approximately 2.1 percent of the Agency's budget of \$274.2 million. The memorandum stated that the surplus was largely attributable to several contracts that were awarded significantly under their budgeted price or were not able to be awarded prior to the close of the fiscal year.

#### **OBJECTIVE:**

The objectives of this audit are to determine (1) the cause of the lapse of \$5.7 million from the Fiscal Year 2019 appropriation; (2) whether the Agency's internal controls over the process for determining necessary expenses are effective; and (3) whether the Agency's internal controls over Budget Execution are effective.

## **TIMING:**

Start date – January 2020 Estimated completion date – June 2020 **AUDIT TITLE:** Enterprise Risk Management

**TYPE/SUBJECT:** Performance/Mission Support

**OFFICE:** Office of the Chief Financial Officer

## **DESCRIPTION:**

On July 15, 2016, OMB issued its revised Circular No. A 123, Management's Responsibility for Enterprise Risk Management and Internal Control (OMB Circular No. A 123), which established various Enterprise Risk Management processes in the Federal Government. As defined by the Circular, Enterprise Risk Management is "an effective Agency-wide approach to addressing the full spectrum of the organization's external and internal risks by understanding the combined impact of risks as an interrelated portfolio, rather than addressing risks only within silos."

OMB Circular No. A-123 requires agencies to implement an Enterprise Risk Management capability coordinated with the strategic planning and strategic review process established by the Government Performance and Results Modernization Act of 2010 (Pub. L. No. 111-352), and the internal control processes required by the Federal Managers' Financial Integrity Act of 1982 (Pub. L. No. 97-255), and the Government Accountability Office's Standards for Internal Control in the Federal Government (the "Green Book"). Moreover, OMB Circular No. A-123 states that agency managers and Inspectors General should establish "a new set of parameters encouraging the free flow of information about agency risk points and corrective measure adoption," resulting in the earlier identification of risk, allowing the opportunity to develop a collaborative response, and leading to a more resilient government.

## **OBJECTIVE:**

The objective of this audit is to evaluate the Agency's implementation of Enterprise Risk Management.

# **TIMING:**

Start date – February 2020 Estimated completion date – August 2020 **AUDIT TITLE:** NLRB Fiscal Year 2020 Financial Statements

**TYPE/SUBJECT:** Financial/Mission Support

**OFFICES:** Office of the Chief Financial Officer

Finance Branch

Office of the Chief Information Officer Division of Operations-Management

## **DESCRIPTION:**

NLRB must prepare and submit audited financial statements to the President's Office of Management and Budget (OMB) and the Congress annually. The statements and audit report are to be incorporated into a Performance and Accountability Report (PAR) prepared by the Agency in accordance with OMB Circular No. A-136, Financial Reporting Requirements. The PAR must be submitted by November 15 following the close of the fiscal year.

The Inspector General will select an Independent Public Accountant to audit the NLRB Fiscal Year 2020 financial statements. The audit will be conducted using the Government Accountability Office (GAO)/ Council of the Inspectors General on Integrity and Efficiency's Financial Audit Manual and the GAO's Federal Information System Controls Audit Manual. The report will be prepared in accordance with generally accepted government auditing standards and OMB Bulletin No. 19-03, Audit Requirements for Federal Financial Statements.

## **OBJECTIVES:**

The objectives of this audit are to (1) render an opinion as to whether the financial statements are fairly presented in conformity with generally accepted accounting principles, (2) report on material weaknesses and reportable conditions identified in obtaining an understanding of the Agency's internal controls, and (3) report on the Agency's compliance with laws and regulations, noncompliance with which could have a direct and material effect on the determination of financial statement amounts, and certain other laws and regulations.

## **TIMING:**

Start date – March 2020 Estimated completion date - December 2020 **AUDIT TITLE:** FISMA

**TYPE/SUBJECT:** Performance/Mission Support

**OFFICE:** Office of the Chief Information Officer

#### **DESCRIPTION:**

The Federal Information Security Modernization Act of 2014 (FISMA) requires agencies to develop, document, and implement an agencywide security program for the information and the information systems that support the operations and assets of the agency, including those provided by another agency, a contractor, or another source. FISMA also requires that each Inspector General perform an annual independent evaluation to determine the effectiveness of the information security program and practices of its respective agency, including testing the effectiveness of information security policies, procedures, and practices for select systems.

To support annual independent evaluation requirements, the Department of Homeland Security publishes annual FISMA reporting metrics for Inspectors General to answer. This guidance directs Inspectors General to evaluate the effectiveness of agency information security programs across a variety of attributes grouped into seven security domains: risk management, configuration management, identity and access management, security training, information security continuous monitoring, incident response, and contingency planning. Each domain is rated on a maturity level spectrum ranging from "Ad hoc" for not having formalized policies, procedures, and strategies, to "Optimized" for fully institutionalizing sound policies, procedures, and strategies across the agency.

## **OBJECTIVE:**

The objective of this audit is to evaluate the effectiveness of the NLRB's information security program and practices.

## **TIMING:**

Start date – April 2020 Estimated completion date – November 2020 **AUDIT TITLE:** Time and Attendance

**TYPE/SUBJECT:** Performance/Mission Support

**OFFICE:** Division of Administration

Office of Human Resources

## **DESCRIPTION:**

In FY 2017, the NLRB moved from a time and attendance system that relied upon timekeepers and sign-in sheets to a Web-based system that relies upon the entries of the employees. The Agency developed procedures for the electronic Web-based system but has not updated its primary time and attendance internal control policies since 1998.

The Web-based system used by the NLRB is WebTA. The system is designed for the federal government payroll processing. The system relies upon employees to manage timekeeping. Individual employees input and validate bi-weekly timekeeping data and submit it to their supervisors who then electronically approve employees' timecards. WebTA allows automatic population of timesheets from one pay period to the next when applying fixed employee schedules; validation of timesheets; submission and approval of employee leave and premium pay requests; automated leave balance and employee timesheet updates following leave approval of request requests; and support for leave transfer programs.

During FY 2019, the OIG conducted three investigations involving the misuse of time by employees who left work without leave on a regular and repeating basis.

# **OBJECTIVES:**

To determine whether management controls provide adequate assurances that time and attendance transactions are properly authorized and approved, and associated records are complete and accurate.

## **TIMING:**

Start date – June 2020 Estimated completion date – December 2020 **AUDIT TITLE:** Case Processing Data Accuracy

**TYPE/SUBJECT:** Performance/Casehandling

**OFFICE:** Division of Operations-Management

## **DESCRIPTION:**

The Regional Offices use the NLRB's NxGen system to manage the case processing. That data in NxGen is used to report the Agency's performance in the annual Performance and Accountability Report; statements made by the leadership; and evaluating employee performance. It has come to our attention that the case processing data is also being used to determine staffing levels for Regional Offices.

In several audits, we tested the NxGen as part of our process of relying upon the data. In many instances, we determined that key data points were unreliable in that there was an error rate greater than 10 percent.

## **OBJECTIVES:**

To determine that accuracy of the FY 2020 case processing data in NxGen and to evaluate the effectiveness of the internal controls for managing the case processing data.

## **TIMING:**

Start date – September 2020 Estimated completion date – April 2021

# **AUDIT UNIVERSE FY 2014 TO PRESENT**

	FY 2020 Budget				
Program Area	(\$ Million)	FTE	Organization	FMFIA Survey 2019	Reviews
Casehandling	\$172.3	908	GC's Immediate Office		
Ü			Operations-Management	Complies	Backpay Payments (OIG-AMR-79-17-01)
			Advice	Complies	
			Enforcement Litigation	Complies	
			Division of Legal Counsel	Complies	Freedom of Information Act (OIG-AMR-78-16-01)
Administrative	\$5.1	39	Judges	Complies	
Law Judges					
Board	\$13.0	64	Board Members		
Adjudication			Executive Secretary	Complies	
			Representation Appeals	Complies	
			Solicitor	Complies	
Mission Support	\$50.1	\$50.1 264	Office of the Chief Financial Officer		Fiscal Year Sequestration - Preparation, Implementation, and Impact (OIG-AMR-72-14-02)
					DATA Act Implementation (OIG-AMR-83-18-01)
					DATA Act (OIG-AMR-89-20-01)
			Acquisitions Management	Complies	Purchase Cards (OIG-AMR-80-18-02)

FY 2020 Budget					
Program Area	(\$ Million)	FTE	Organization	FMFIA Survey 2019	Reviews
					Purchase Card Forensics (OIG-AMR-84-18-03)
			Budget	Complies	FY 2019 Budget Execution (OIG-AMR-91) ( <b>Ongoing</b> )
			Finance	Complies	NLRB Fiscal Year 2013 Financial Statements (OIG-F-18-14-01)
					NLRB Fiscal Year 2014 Financial Statements (OIG-F-19-15-01)
					Travel Cards (OIG-AMR-75-15-02)
					NLRB Fiscal Year 2015 Financial Statements (OIG-F-20-16-01)
					NLRB Fiscal Year 2016 Financial Statements (OIG-F-21-17-01)
					NLRB Fiscal Year 2017 Financial Statements (OIG-F-22-18-01)
					NLRB Fiscal Year 2018 Financial Statements (OIG-F-23-19-01)

	FY 2020 B	udget			
Program Area	(\$ Million)	FTE	Organization	FMFIA Survey 2019	Reviews
					Internal Controls Over Backpay Disbursements (OIG-AMR-82-19-03)
					Backpay Accounting (OIG-AMR-88-20-03)
					NLRB Fiscal Year 2019 Financial Statements (OIG-F-24-20-01)
			Division of Administration		
			Human Resources	Complies	Division of Administration Pilot Employee Recognition Program (OIG-AMR-71-14- 01)
					Senior Executive Service Pay (OIG-AMR-86-19-01)
			Facilities and Property	Complies	Audit of Property (OIG-AMR-81) (Ongoing)
			Security	Complies	Personnel Security (OIG-AMR-73-15-01)
			Employee Development	Complies	Training and Conferences (OIG-AMR-77-16-02)
			Public Affairs	Complies	
			Equal Employment Opportunity	Complies	

	FY 2020 B	Budget			
Program Area	(\$ Million)	FTE	Organization	FMFIA Survey 2019	Reviews
			Office of the Chief Information Officer	Complies	Federal Information Security Management – FY 2013 (OIG-INS-68)  Cloud Computing (OIG-AMR-74-14-03)  Federal Information Security Management – FY 2014 (OIG-INS-69)  Federal Information Security Management – FY 2015 (OIG-INS-70)  Federal Information Security Management – FY 2016 (OIG-INS-71)  Federal Information Security Management – FY 2017 (No Number)  Fiscal Year 2018 FISMA (OIG-AMR-87-19-02)  Fiscal Year 2019 FISMA (OIG-AMR-90-20-02)
Inspector General	\$1.1	5	Inspector General		
Total	\$241.6	1,280		•	•

# AUDIT UNIVERSE REVIEWS FY 2000 – FY 2013

## **INFORMATION**

- Internet Web-Site User Privacy (OIG-INS-10-00-07)
- Data Accuracy in the FY 1999 NLRB Annual Report (OIG-INS-16-01-03)
- Timeliness of Posting Board Decisions (OIG-INS-23-02-03)
- Data Accuracy in the FY 2001 NLRB Annual Report (OIG-AMR-39-03-04)

## **BOARD MEMBERS**

• Board Statistical Study (OIG-INS-49-07-01)

## **EXECUTIVE SECRETARY**

- Board Casehandling Timeliness (OIG-AMR-26-00-02)
- Board Casehandling Reports (OIG-AMR-37-02-03)
- Cost Analysis of Serving Decisions and Orders (OIG-INS-55-08-03)
- Office of the Executive Secretary Survey (OIG-AMR-60-09-02)

# **REPRESENTATION APPEALS**

• Survey of the Office of Representation Appeals (OIG-AMR-44-05-01)

## **JUDGES**

• Administrative Law Judge Procedures (OIG-AMR-24)

## **OPERATIONS-MANAGEMENT**

- NLRB's Program for Responding to Allegations which Could Result in Criminal or Administrative Actions against Agency Employees (OIG-AMR-12)
- Quality Control Program over Casehandling (OIG-AMR-17)
- Backpay (OIG-AMR-25)
- Agency Leased Vehicles (OIG-AMR-38-03-01)
- Backpay Financial Management and Reporting Requirements (OIG-INS-27-03-04)
- Merit Dismissal Procedures (OIG-INS-30-04-01)
- The Collyer Deferral Process (OIG-AMR-41-04-01)
- Regional Office Casehandling Efficiency (OIG-AMR-50-06-01)
- Witness Fees (OIG-INS-42-06-02)
- Impact Analysis (OIG-AMR-54-07-01)
- Bilingual Awards (OIG-INS-53-08-04)
- Financial Remedies and Other Settlement Terms (OIG-AMR-63-10-02)
- Case Processing Costs (OIG-AMR-64-11-02)
- Compliance with Unfair Labor Practice Procedures (OIG-AMR-68-13-01)

## **ADVICE**

- Section 10(j) Filings (OIG-INS-29-04-02)
- FOIA Processing (OIG-INS-36-05-02)

## **ENFORCEMENT LITIGATION**

- Compliance Actions (OIG-AMR-35-03-02)
- Office of Appeals Survey (OIG-AMR-53-06-03)

# **ADMINISTRATION**

- Travel and Purchase Card Use (OIG-AMR-36-02-02)
- Travel and Purchase Card Transactions (OIG-INS-44)
- Continuity of Operations (OIG-AMR-55-07-03)
- Credit Union (OIG-INS-54-08-02)
- Compliance with Climate Change Initiatives (OIG-INS-67-13-01)

## **SECURITY**

- NLRB Control over Kastle Systems Security Cards (OIG-AMR-2)
- Combination Door Lock Inspection (OIG-INS-19-01-02)
- Agency Procedures for Control of Identification Badges (OIG-INS-25-03-03)

## **BUDGET**

- Budget Execution at the NLRB for FY 1988-1991 (OIG-F-4)
- NLRB's Budget Formulation Process (OIG-F-6)
- Budget Execution (OIG-INS-41-06-04)
- Budget Submission Case Processing Data (OIG-AMR-58-08-02)

# **FINANCE**

- NLRB Remittances (OIG-F-1)
- Accountability and Control over Imprest Funds and Travelers Checks (OIG-F-2)
- Financial Audit of FY 1996 Appropriation (OIG-F-7)
- NLRB's FY 1999 Accounting and Reporting Systems (OIG-F-8-01-01)
- Accountability and Control over Travel Advances (OIG-AMR-4)
- Alleged Improprieties of an Employee's Travel Account (OIG-AMR-5)
- Accounting and Reporting Systems in the Brooklyn Regional Office (OIG-INS-06-00-03)
- Accounting and Reporting Systems in the Cleveland Regional Office (OIG-INS-07-00-04)
- Accounting and Reporting Systems in the Seattle Regional Office (OIG-INS-08-00-05)
- Accounting and Reporting Systems in the Chicago Regional Office (OIG-INS-09-00-06)
- Agency Procedures for the Collection of Non-tax Delinquent Debt (OIG-INS-17-02-01)
- NLRB FY 2004 Financial Statements (OIG-F-9-05-01)
- Airline Ticket Purchases (OIG-AMR-46-05-03)

- Interagency Balances (OIG-INS-37-05-04)
- NLRB FY 2005 Financial Statements (OIG-F-10-06-01)
- Reimbursable Travel (OIG-INS-43-06-03)
- NLRB Fiscal Year 2006 Financial Statements (OIG-F-11-07-01)
- NLRB Fiscal Year 2007 Financial Statements (OIG-F-12-08-01)
- Tax Gap (OIG-INS-52-08-01)
- NLRB Fiscal Year 2008 Financial Statements (OIG-F-13-09-01)
- NLRB Fiscal Year 2009 Financial Statements (OIG-F-14-10-01)
- NLRB Fiscal Year 2010 Financial Statements (OIG-F-15-11-01)
- Travel Cards (OIG-AMR-66-11-01)
- NLRB Fiscal Year 2011 Financial Statements (OIG-F-16-12-01)
- NLRB Fiscal Year 2012 Financial Statements (OIG-F-17-13-01)

## LIBRARY AND ADMINISTRATIVE SERVICES

- Controls over Motor Vehicles and Gasoline Credit Cards (OIG-AMR-10)
- Westlaw Usage (OIG-INS-31-04-04)
- Archiving of Case Files (OIG-AMR-43-04-03)

# **HUMAN RESOURCES**

- Overlapping Functions between the Division of Operations-Management and the Division of Administration (OIG-AMR-18)
- Employee Appraisal Process (OIG-AMR-19)
- Time and Attendance Practices (OIG-AMR-29-00-01)
- Bar Status of Agency Employees (OIG-INS-18-01-01)
- Drug Free Workplace (OIG-IA-02-01)
- Consistency in Serving Suspensions (OIG-INS-21-03-01)
- Employee Education Credentials (OIG-INS-28–03-05)
- Timeliness of Personnel Actions (OIG-AMR-42-04-02)
- Non-Standard Work Hours Compensation (OIG-AMR-47-05-04)
- Safeguarding Social Security Numbers (OIG-AMR-48-05-05)
- Agency Retirement Records (OIG-INS-38-05-03)
- Transit Subsidies (OIG-INS-40-06-01)
- FEMA Mission Assignment Process (OIG-INS-48-06-07)
- Federal Employees Compensation Act (OIG-INS-50-07-02)
- Health Services (OIG-AMR-56-07-04)
- Official Time for Union Activities (OIG-AMR-62-10-01)
- Restoration of Annual Leave (OIG-INS-58-10-01)
- Transit Subsidy (OIG-INS-62-11-03)

# **EMPLOYEE DEVELOPMENT**

• Attendance at Agency Training (OIG-INS-26-03-02)

## PROCUREMENT AND FACILITIES

- NLRB's Controls over Capitalized Property (OIG-F-5)
- NLRB's Management Controls over Advisory and Assistance Type Contracts (OIG-AMR-13)
- PCIE Coordinated Review of Government Credit Card Programs (OIG-AMR-21)
- Handicap Accessibility Inspection (OIG-INS-11-00-09)
- Certification of Toll Calls (OIG-INS-12-00-08)
- Procurement of Court Reporting Services (OIG-AMR-31-01-01)
- Review of Cellular Telephone Usage (OIG-INS-32-04-03)
- Spending for Safety Supplies and Services (OIG-INS-35-05-01)
- Monitoring Building Leases (OIG-AMR-45-05-02)
- Information Technology Procurement Actions (OIG-AMR-51-06-02)
- Procurement Actions (OIG-AMR-52-07-02)

# **ACQUISITIONS MANAGEMENT**

- Purchase Cards (OIG-AMR-65-11-03)
- End of the Year Spending (OIG-AMR-70-12-02)

# OFFICE OF EQUAL EMPLOYMENT OPPORTUNITY

• Internal Controls in the Office of Equal Employment Opportunity (OIG-AMR-67-12-01)

## OFFICE OF THE CHIEF INFORMATION OFFICER

- Computer Maintenance Contract for FY 1996 and 1997 (OIG-AMR-20)
- NLRB's Efforts Regarding the Year 2000 Problem (OIG-AMR-27)
- Case Activity Tracking System (OIG-AMR-28)
- Information Systems Security (OIG-AMR-30-00-03)
- CATS Information Security (OIG-AMR-33-01-02)
- Property Controls over ADP Items (OIG-AMR-32-01-03)
- Monitoring the Computer Maintenance Contract (OIG-AMR-34-02-01)
- Computer Penetration Test (OIG-INS-20-02-02)
- FY 2002 GISRA Review (OIG-INS-24 No Report #)
- Information Security Review of New Automated Systems (OIG-AMR-40-03-03)
- Software Licensing Agreements (OIG-INS-33-04-05)
- Federal Information Security Management Act (OIG-INS-34-No Report #)
- Federal Information System Management Act (OIG-INS-39-No Report #)
- NLRB Technology Initiatives as Related to the Rehabilitation Act (OIG-AMR-49-05-06)
- Federal Information Security Management FY 2006 (OIG-INS-45-No Report #)
- Trusted Insider Threat (OIG-INS-47-06-05)

- Protection of Sensitive Agency Information (OIG-INS-46-06-06)
- Federal Information Security Management FY 2007 (OIG-INS-51-No Report #)
- Office of the Chief Information Officer Procurement Functions (OIG-AMR-57-08-01)
- Federal Information Security Management FY 2008 (OIG-INS-56)
- Laptop Computer Accountability and Security (OIG-AMR-59-09-01)
- Federal Information Security Management FY 2009 (OIG-INS-57)
- Headquarters Productivity during Government Closure in February 2010 (OIG-INS-59-10-02)
- Federal Information Security Management FY 2010 (OIG-INS-60)
- NxGen Penetration Test (OIG-INS-61-11-01)
- Hard Drive Failures (OIG-INS-63-11-02)
- Federal Information Security Management FY 2011 (OIG-INS-64)
- Federal Information Security Management FY 2012 (OIG-INS-66)

## **GENERAL AGENCY**

- FMFIA Section 2 (OIG-AMR-14)
- FMFIA Section 4 (OIG-AMR-15)
- NLRB's Compliance with the FMFIA of 1982 (OIG-INS-4-00-01)

## **NLRB**

- Performance Measurement (OIG-AMR-16)
- Update of Results Act Implementation (OIG-INS-05-00-02)