



UNITED STATES GOVERNMENT
National Labor Relations Board
Office of Inspector General

Annual Audit Plan

Fiscal Year 2021

December 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) 2021 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: NxGen Case Processing Data Accuracy

TYPE/SUBJECT: Performance/Casehandling

OFFICE: Division of Operations-Management

DESCRIPTION:

The NxGen Case Management System (NxGen) is the official Agency-wide office case file for the processing of all unfair labor practice and representation cases. NxGen stores case handling information on all open and closed cases in the agency.

The Regional Offices use NxGen to manage 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 – October 2020

Estimated completion date – March 2021

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 – November 2020
Estimated completion date – May 2021

AUDIT TITLE: DATA Act

TYPE/SUBJECT: Performance/Mission Support

OFFICE: Office of the Chief Financial Officer
Acquisitions Management Branch

DESCRIPTION:

The Digital Accountability and Transparency Act of 2014 (DATA Act) was enacted May 9, 2014, to expand the reporting requirements pursuant to the Federal Funding Accountability and Transparency Act of 2006. The DATA Act, in part, requires that Federal agencies report financial and payment data in accordance with Governmentwide financial data standards established by the Treasury and the Office of Management and Budget. Once submitted, the data is to be displayed on a searchable website available to taxpayers and policy makers. The DATA Act also requires the Office of Inspector General of each Federal agency to report on its agency’s DATA Act submission and compliance in the form of three reviews.

Our two reports were issued in October 2017 and October 2019. In the October 2019 report, we determined that the Agency’s internal controls over the DATA Act submission were not sufficient to allow the Senior Accountable Official, who is the Chief Financial Officer, to provide reasonable assurance that the Agency financial and award data submitted for publication on USAspending.gov were complete, timely, accurate, and of quality. We also determined that based on the identified material issues with timeliness, completeness, and accuracy, the Agency’s data was of “moderate quality.” We determined that the Interior Business Center, the Agency’s Federal Shared Service Provider, is responsible for determining the applicable data standards for its customers. These findings closely aligned with the findings in the first report. This review is due in November 2021.

OBJECTIVES:

The objectives of this audit are to:

1. Evaluate whether the National Labor Relations Board’s internal controls over spending data have been properly designed, implemented, and operating effectively to manage and report financial and award data in accordance with the DATA Act;
2. Assess the completeness, timeliness, quality, and accuracy of the National Labor Relations Board’s Fiscal Year 2021, 1st quarter financial award data submitted for publication on USAspending.gov; and
3. Assess the National Labor Relations Board’s implementation and use of Governmentwide financial data standards established by the Office of Management and Budget and Treasury.

TIMING:

Start Date – March 2021
Estimated completion date – November 2021

AUDIT TITLE: NLRB Fiscal Year 2021 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 2021 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 2021

Estimated completion date - December 2021

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 2021

Estimated completion date – November 2021

AUDIT TITLE: Casehandling Efficiency

TYPE/SUBJECT: Performance/Casehandling

OFFICE: Division of Operations-Management

DESCRIPTION:

The primary function of the NLRB is the effective and efficient resolution of unfair labor practice charges (C cases) and representation petitions (R cases) filed voluntarily under the NLRA by individuals, employers, or unions. The Agency does not initiate these charges or petitions, but only acts on those brought before it. The charges and petitions are received and processed by the Agency's 48 field offices.

In December 2018, the General Counsel issued Memorandum GC 19-02 with the subject line “Reducing Case Processing Time.” The memorandum stated that there was a disturbing trend in overage cases and to address that trend, the General Counsel was “vesting Divisions and Regions with wide discretion to develop systems and process they believe will enable them to meet the Agency’s strategic goal.” The NLRB also initiated a process to centralize the R case decision writing. The centralization involved dedicated Field Agents that write decisions. Over this same period of time, the General Counsel has developed and implemented performance-based staffing levels for the Regional Offices.

After the end of Fiscal Years 2019 and 2020, the General Counsel and Chairman issued a memorandum stating statistics supporting that Regional case processing times had improved.

OBJECTIVES:

The objectives of audit are to determine the impact and effectiveness of:

Memorandum GC 19-02;

Consolidation of Representation case decision writing; and

Performance-based staffing levels.

TIMING:

Start date – July 2021

Estimated completion date – November 2021

TOPICS REMOVED FROM THE PREVIOUS AUDIT PLAN

Audit Name	Audit Objective	Reason for Removal
Audit of Property	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.	This audit was initiated in FY 2016 and then suspended due to staffing issues. No further work had been performed on the audit. The audit was closed. The closure memorandum was posted on the OIG Web page.
Time and Attendance	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.	This audit was considered for FY 2020 but was postponed due to the effects on the Agency's operations from COVID-19, such as use of mandatory telework. This topic will be reconsidered once the COVID-19 pandemic has subsided.

AUDIT UNIVERSE FY 2015 TO PRESENT

	FY 2021 Budget				
Program Area	(\$ Million)	FTE	Organization	FMFIA Survey 2020	Reviews
Casehandling	\$146.9	994	GC's Immediate Office		
			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 Law Judges	\$8.0	40	Judges	Complies	
Board Adjudication	\$18.0	97	Board Members		
			Executive Secretary	Complies	
			Representation Appeals	Complies	
			Solicitor	Complies	
Mission Support	\$73.0	174	Office of the Chief Financial Officer		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)
					Purchase Card Forensics (OIG-AMR-84-18-03)
			Budget	Complies	FY 2019 Budget Execution (OIG-AMR-91-20-04)
Finance	Complies	NLRB Fiscal Year 2014 Financial Statements (OIG-F-19-15-01)			

	FY 2021 Budget				
Program Area	(\$ Million)	FTE	Organization	FMFIA Survey 2020	Reviews
					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) 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) NLRB Fiscal Year 2020 Financial Statements (OIG-F-25-21-01)

	FY 2021 Budget				
Program Area	(\$ Million)	FTE	Organization	FMFIA Survey 2020	Reviews
			Division of Administration		
			Human Resources	Complies	Senior Executive Service Pay (OIG-AMR-86-19-01)
			Facilities and Property	Complies	
			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 2021 Budget				
Program Area	(\$ Million)	FTE	Organization	FMFIA Survey 2020	Reviews
			Office of the Chief Information Officer	Complies	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) Fiscal Year 2020 FISMA (OIG-AMR-93-21-02)
Inspector General	\$1.0	8	Inspector General		
Total	\$246.9	1,313			

AUDIT UNIVERSE REVIEWS
FY 2000 – FY 2014

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)
- NLRB Fiscal Year 2013 Financial Statements (OIG-F-18-14-01)
- Fiscal Year Sequestration - Preparation, Implementation, and Impact (OIG-AMR-72-14-02)

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)

- Division of Administration Pilot Employee Recognition Program (OIG-AMR-71-14-01)

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)
- Federal Information Security Management – FY 2013 (OIG-INS-68)
- Cloud Computing (OIG-AMR-74-14-03)

GENERAL AGENCY

- FMFIA Section 2 (OIG-AMR-14)
- FMFIA Section 4 (OIG-AMR-15)
- NLRB's Compliance with the FMFIA of 1982 (OIG-INS-04-00-01)

NLRB

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