SOCIAL SECURITY

MEMORANDUM

Date: February 18, 2009   Refer To:

To: The Commissioner

From: Inspector General

Subject: Social Security Administration Employees Who Were Absent Without Leave
(A-15-09-29076)

The attached final quick response evaluation presents the results of our review. Our objectives were to determine (1) the number of Social Security Administration employees who were absent without leave from 2005 through 2007 and (2) whether the Agency possessed adequate management controls to recognize and respond to situations in which employees were absent without leave.

If you wish to discuss the final report, please call me or have your staff contact Steven L. Schaeffer, Assistant Inspector General for Audit, at (410) 965-9700.

Patrick P. O'Carroll, Jr.

Attachment

QUICK RESPONSE EVALUATION

Social Security Administration Employees Who Were Absent Without Leave

A-15-09-29076

February 2009

Mission

By conducting independent and objective audits, evaluations and investigations, we inspire public confidence in the integrity and security of SSA's programs and operations and protect them against fraud, waste and abuse. We provide timely, useful and reliable information and advice to Administration officials, Congress and the public.

Authority

The Inspector General Act created independent audit and investigative units, called the Office of Inspector General (OIG). The mission of the OIG, as spelled out in the Act, is to:

- ❍ Conduct and supervise independent and objective audits and investigations relating to agency programs and operations.
- ❍ Promote economy, effectiveness, and efficiency within the agency.
- ❍ Prevent and detect fraud, waste, and abuse in agency programs and operations.
- ❍ Review and make recommendations regarding existing and proposed legislation and regulations relating to agency programs and operations.
- ❍ Keep the agency head and the Congress fully and currently informed of problems in agency programs and operations.

To ensure objectivity, the IG Act empowers the IG with:

- ❍ Independence to determine what reviews to perform.
- ❍ Access to all information necessary for the reviews.
- ❍ Authority to publish findings and recommendations based on the reviews.

Vision

We strive for continual improvement in SSA's programs, operations and management by proactively seeking new ways to prevent and deter fraud, waste and abuse. We commit to integrity and excellence by supporting an environment that provides a valuable public service while encouraging employee development and retention and fostering diversity and innovation.

OBJECTIVE

We initiated this quick response evaluation on September 18, 2008 to determine (1) the number of Social Security Administration (SSA) employees who were absent without leave (AWOL) from 2005 through 2007[1] and (2) whether SSA possessed adequate management controls to recognize and respond to situations in which employees were AWOL.

BACKGROUND

On August 21, 2008, Senator Tom Coburn, M.D., released a report, *Missing in Action, AWOL in the Federal Government,* that documented employees at 18 Federal departments and agencies being AWOL at least 19.6 million hours from 2001 through 2007. Senator Coburn's report noted that Federal agencies did not have a common definition of AWOL. SSA's use of AWOL was not referenced in the report.

The Office of Personnel Management (OPM) does not maintain a unified Federal Personnel Manual.[2] Instead, Federal agencies are responsible for the development and implementation of personnel policies and procedures. Accordingly, SSA's Time and Attendance Policy and Procedure Guide defines AWOL as unpaid leave charged to an employee when an employee

- is absent without permission or approval;

- has not notified the supervisor of the absence; or

- has not provided a satisfactory explanation or documentation for the absence from duty.[3]

Based on SSA's Office of Personnel guidance, a charge of AWOL is not an adverse personnel action but a nonpay leave status. However, repeated incidences of AWOL can be grounds for disciplinary action. AWOL is different from leave without pay (LWOP), which is unpaid leave that is approved by the supervisor. AWOL can be charged in increments as small as one-quarter hour. The decision to charge an employee AWOL resides with an employee's first-line supervisor or team leader. The

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[1] This timeframe allowed us to analyze the most current and relevant information to relate instances of AWOL to particular employees and seek information from managers.

[2] Miscellaneous Changes in Office of Personnel Management's Regulations, 66 Federal Register 66709, December 27, 2001.

[3] Time and Attendance Policy and Procedure Guide, Chapter 8, Unpaid Leave. Last Updated: June 03, 2008.

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amounts of AWOL charged to individuals during the leave years 2005 through 2007 ranged from a low of one-quarter hour to a high of 2,072 hours in a leave year.

The information used in this evaluation was obtained from the Federal Personnel and Pay System (FPPS). SSA uses FPPS to process all pay and personnel-related actions. For the purpose of this review, those AWOL hours converted to another leave category (that is, LWOP or sick leave) within the same leave year were excluded. If a correction to the employee's leave record (that is, changing AWOL to LWOP) was processed in another leave year, the leave status remains AWOL for the leave year it was charged. Below are two examples to demonstrate the posting of AWOL time.

- Employee A neither reports to work for 4 days nor calls in. Following Agency guidelines, Employee A's manager places Employee A on AWOL. However, on the fifth day, the employee calls in, indicating he was in an accident and hospitalized. Employee A requests sick leave and provides acceptable medical documentation. The manager amends Employee A's time out of the office from AWOL to sick leave in the same leave year. For the purposes of this review, Employee A's time would not be categorized as AWOL.

- Because of a car accident, Employee B is out of the office during the last week of December 2007 and the first week of January 2008. During the absence, Employee B fails to request leave, and her time is charged as AWOL. When Employee B returns to the office in January 2008, she provides acceptable medical documentation, and her time out of the office is converted to sick leave. Since the change to Employee B's leave was processed at the beginning of a new leave year, her absence remains characterized as AWOL in the prior leave year. For the purposes of this review, Employee B's leave would be categorized as AWOL.

SSA provides guidance for the application of AWOL in its Personnel Policy Manual (PPM). The Center for Human Resources (CHR) in each region also provides guidance to managers and supervisors in the application of AWOL. Based on policy, the final application of AWOL and any resulting disciplinary actions that follow are left to the discretion of an employee's supervisor or team leader. The advice provided by CHR is unique to the facts of an employee's situation.

To ensure fairness, managers are instructed to uniformly apply the rules regarding leave in their office. Because managers have discretion in the application of time and leave (for example, whether to grant LWOP or convert AWOL to sick or annual leave), application of AWOL may differ within and between offices.[4] Below are examples of the differences in application.

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[4] SSA PPM, S630-1 Management of Leave, Delegation of Authority.

- An employee caring for a sick/disabled spouse was repeatedly late and failed to call in to the office. The employee was charged with AWOL from the start of core hours until employee came to work. When the employee called in as required, the time was charged to LWOP.

- An employee was placed on leave restriction when, in a month, he or she took leave on 10 of 19 workdays (without requesting the leave in advance). On multiple occasions, the employee failed to comply with the requirements of the leave restriction (that is, the employee failed to provide acceptable medical documentation, call in to the office and request leave in advance). The employee was reprimanded. Despite the reprimand, the employee continued to take leave without following the leave guidelines. The manager issued a proposal to remove which was held in abeyance, and ultimately withdrawn, when the employee was approved for disability benefits.

Results of Review

We determined that on average 1,450 (approximately 2 percent) of 71,000[5] SSA employees had instances of AWOL each year from 2005 to 2007. Additionally, we determined SSA possessed adequate management controls to recognize and respond to situations in which employees were AWOL.

Incidences of AWOL in SSA

Senator Coburn's report studied AWOL charges in Federal agencies representing a wide range of employees. Chart 1 demonstrates SSA's use of AWOL compared to other Federal agencies with similar numbers of employees. Although SSA's AWOL hours are highest among other comparably sized agencies studied in the Coburn report, the total number of AWOL hours in comparison to the total hours worked by SSA employees for each year reviewed was less than one-tenth of one percent (see Chart 2). Additionally, for the entire time period reviewed (that is, 2005 through 2007), approximately 2 percent of SSA employees had instances of AWOL (see Chart 2).

Chart 1 – SSA AWOL Hours Compared to Other Federal Agencies						
	2005		**2006**		**2007**	
	Employees	**AWOL Hours**	**Employees**	**AWOL Hours**	**Employees**	**AWOL Hours**
SSA	**73,709**	**117,753**	**70,726**	**116,324**	**69,324**	**101,823**
Department of the Interior	73,599	62,626	72,274	73,140	71,657	65,832
Department of Transportation	55,975	22,625	53,865	35,146	54,221	32,195
Department of Health & Human Services	60,944	67,365	61,163	65,381	62,502	60,761
Note: Federal agencies lack a unified definition of AWOL. As a result, the report acknowledged that the data should not be viewed as comprehensive since the methodology for compiling and reporting AWOL information among Federal agencies is unclear.						

Chart 2 – SSA Employees AWOL 2005- 2007				
	Leave Year 2005	**Leave Year 2006**	**Leave Year 2007**	**Total 2005-2007**
Total Number of Employees[6]	73,709	70,726	69,324	213,759
Employees Charged with AWOL	1,364	1,575	1,416	4,355
Employees AWOL	**1.85%**	**2.23%**	**2.04%**	**2.04%**
Hours Worked	134,617,193	131,670,913	132,587,102	398,875,208
Hours of AWOL	117,753	116,324	101,823	335,9000
AWOL Hours	**.087%**	**.088%**	**.077%**	**.084%**

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[5] The totals used to calculate the average represent all employees including all temporary appointments, such as students.

[6] *Ibid.*

Overall, there were 3,110 distinct SSA employees who had at least 1 instance of AWOL during the period of our review. There were 275 individual employees who had at least 1 instance of AWOL in every year we studied. For information on employees with AWOL hours by component, refer to Appendix C.

Response to AWOL Surveys

As part of our review, we analyzed information gathered from FPPS and contacted 66 managers of 72 employees who had accrued AWOL hours. Additionally, we surveyed CHR staff from Headquarters, the Office of Central Operations and all 10 Regions.[7] Our review looked at the actions managers took once an employee was identified as being AWOL. We focused on those individuals with the highest number of AWOL hours from 2005 through 2007. We sought information concerning the employees' AWOL and whether the manager's actions agreed with SSA's PPM.

Manager Responses

We contacted 66 managers, supervising 72 employees, for this review. Six managers had more than one employee who were identified for this review. Five managers responded the employee had left SSA, and the former manager who charged the employee with AWOL was unavailable to provide the requested information. There were also two managers who did not respond to the information requests. In total, we received 59 management responses representing 65 employees. Based on feedback from those managers who responded, the following were the underlying reasons they charged individuals with AWOL.

- Failure to Follow Leave Guidelines. Forty-six of the 65 employees reviewed were in this group. These employees failed to follow leave guidelines when they did not request leave, were absent from their duty station without permission, or failed to provide acceptable documentation to support an absence. For example, an employee was AWOL on 162 separate occasions, accumulating over 1,296 hours of AWOL in 1 leave year. The employee's manager entered into a "last chance" agreement[8] with the employee in which the employee agreed to follow the Agency's policy regarding requesting and taking leave. The employee failed to follow the policy for requesting leave and was terminated for violating the "last chance" agreement.

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[7] One Regional CHR did not respond.

[8] 2005 National Agreement between SSA and the American Federation of Government Employees Union, Article 3, Section 6H.

- Illness. Thirteen of the 65 employees reviewed were in this group. These employees reported suffering from a serious illness or injury that precluded their return to the office. As a result, the employees spent a protracted amount of time out of the office (often exhausting their accumulated leave, advanced leave, the LWOP granted by the *Family and Medical Leave Act of 1993*,[9] and leave donated under the Voluntary Leave Transfer Program[10]). If the leave-approving official does not approve additional LWOP, the employee may be placed on AWOL. For example, an employee became ill and exhausted all leave and LWOP. She failed to follow appropriate leave procedures and did not provide sufficient medical documentation; therefore, she was placed on AWOL. She accumulated 2,072 hours of AWOL (in a single leave year) while going through OPM's disability process.[11] The employee received retirement disability.

- Job Abandonment. Six of the 65 employees reviewed were in this group. Job abandonment occurs when employees in a non-leave status fail to return to work, do not notify the supervisor regarding the absence, or do not provide an acceptable reason for the absence and an expected date of return to duty. For example, in December 2004, an employee with 32 years' service was placed on AWOL when he or she failed to report to work or request leave. Attempts to contact the employee were unsuccessful. The employee was suspended in February 2006 for continuous AWOL since January 2005. The employee returned to work from March through June 2006. The employee continued to accrue AWOL hours and was reprimanded, suspended and ultimately terminated.

SSA's PPM[12] provides guidance for managers on identifying situations in which a leave problem exists, how and when to counsel employees to address leave issues, and when corrective action should be taken. Of the 63 managers who responded to this report, 97 percent counseled their employees on leave usage, and 57 percent took some form of corrective action (ranging from a reprimand to dismissal).

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[9] Pub. L. No. 103-3.

[10] PPM S630-11, Voluntary Transfer Leave Program.

[11] To be granted disability retirement under one of the Federal retirement systems, you must be unable to do your job and must not turn down a suitable vacancy within your agency that is within your commuting area and at the same grade or pay level as your current position. The disability must be expected to last at least 1 year.

[12] PPM S630-14, Attendance and Leave Problems.

CHR Responses

Although the PPM provides centralized guidance for all attendance and leave issues, the application of the policy is decentralized. Each region's CHR works directly with offices and components within its region to offer guidance and support for applying the personnel policies. Based on input from the CHRs, we determined the following.

- AWOL is defined similarly by the CHR's in representing each region or component.
- All regions provide training to new managers regarding AWOL. Six regions/ components provide ongoing or periodic training to experienced managers regarding AWOL while all regions/components state they make themselves available to experienced managers as needed.
- There is no standard approach to addressing AWOL issues. The CHRs seek to provide advice and guidance that is unique to a particular employee's situation.
- At least two of the CHRs developed unique tools to assist managers with the identification of leave problems. These tools, while helpful, are limited to the managers in the CHRs' Region or component.

Overall, SSA's PPM provides the framework for managers when dealing with employees who were AWOL. The managers are trained regarding leave policy in relation to AWOL, and the CHR staff is available to assist managers when responding to AWOL issues. Although the underlying reasons for charging employees with AWOL are different and unique to the individual circumstances, we believe SSA has adequate management controls in place to recognize and respond appropriately.

Matters for Consideration

Based on (1) the survey responses from those managers whose employees were AWOL, (2) responses from the CHRs, and (3) the number of hours of AWOL in comparison to the total hours worked by SSA employees, we believe SSA possesses adequate management controls to recognize and respond to situations in which employees are AWOL. To ensure SSA managers consistently address leave issues Agencywide, we believe SSA should consider

- centralizing and making available to all managers all guidance on identifying and correcting leave problems,

- periodically collecting and analyzing AWOL data to determine employee trends regarding the use of AWOL,

- providing employees an annual reminder related to the proper use of leave, and

- providing training to employees on AWOL and LWOP and the implications of these non-pay statuses.

To ensure Agency-wide consistency in the application of leave policies, SSA should continue to emphasize training to managers on the proper identification and handling of leave problems.

Appendices

Acronyms

AWOL	Absent Without Leave
CHR	Center for Human Resources
FPPS	Federal Personnel and Pay System
LWOP	Leave Without Pay
OPM	Office of Personnel Management
PPM	Personnel Policy Manual
Pub. L. No.	Public Law Number
SSA	Social Security Administration

Scope and Methodology

We reviewed applicable sections of the Social Security Administration's (SSA) policies and procedures including the most current union agreements. We analyzed employee data provided by SSA for all employees who were AWOL from 2005 through 2007. We then focused on the 72 employees with the greatest AWOL use seeking information from the employees' managers to explain how the AWOL was handled. Additionally, we surveyed the Regional Centers for Human Resources to determine the manner and scope of advice provided to managers whose employees were AWOL.

We analyzed the data related to instances of AWOL by SSA employees for 2005 through 2007 to determine the following.

- The aggregate number of SSA employees who were AWOL during the period.

- The number of SSA employees who had an instance of AWOL in each of the 3 years.

- The number of SSA employees who were AWOL in 2 of the 3 years.

- The 10 individuals with the highest number of AWOL hours in each of the 3 years.

Additionally, we:

- Divided employees with instances of AWOL in all 3 years, into two groups based on whether management initiated a personnel action against the employee. Then, we identified up to six employees from each Region/component who were AWOL in each of the 3 years and had the highest aggregate number of AWOL hours (three employees who had a personnel action initiated and three employees who did not have a personnel action initiated). We sought information from these employees' managers to determine the basis for their actions (or inactions) and whether these actions agreed with SSA's policies and procedures.

- Determined the five employees in 2005 and 2006 with the highest number of AWOL hours. We sought information from these employees' managers to ascertain the basis for their actions (or inactions) and whether they agreed with SSA's policies and procedures.

- Determined the 10 employees with the highest number of AWOL hours in 2007. We sought information from these employees' managers to ascertain whether management took a personnel action and whether management's actions (or inactions) agreed with SSA's policies and procedures.

We performed our review from September through December 2008 in Baltimore, Maryland. We used data retrieved by SSA from the Federal Personnel and Pay System (FPPS). The data retrieved from FPPS included information on the Office of Inspector General. We did not independently test the reliability of the data used for analysis. However, based on the feedback from the management survey responses, we determined the data used for this evaluation were sufficiently reliable to meet our objectives. We conducted our review in accordance with the President's Council on Integrity and Efficiency's *Quality Standards for Inspections*.

Absent Without Leave by Social Security Administration Component from 2005 Through 2007

	2005 Employees AWOL	2005 Hours AWOL	2006 Employees AWOL	2006 Hours AWOL	2007 EmployeesAWOL	2007 Hours AWOL
Chief Information Office			1	40	1	163
Chief Strategic Officer			1	23		
Budget Finance and Management	29	3,061	19	1,519	21	3,289
Communications	4	116	4	190	1	9
Disability Adjudication and Review			134	16,499	116	13,362
Disability Income Security Programs	117	13,790	7	1,852	4	2,141
Human Resources	2	18	3	248	2	43
Operations	1,184	98,204	1,369	92,318	1,242	74,992
Policy						
Quality Performance			3	1,626	6	3,898
Systems	18	2,349	22	1,903	12	2,931
Office of the Chief Actuary						
Office of General Counsel	5	51	9	82	9	60
Office of the Inspector General	5	165	3	25	2	936
Total	**1,364**	**117,753**	**1,575**	**116,324**[1]	**1,416**	**101,823**[2]

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[1] Total count for hours of AWOL is greater by 1 due to rounding.

[2] Ibid.

OIG Contacts and Staff Acknowledgments

OIG Contacts

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Acknowledgments

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