



UNITED STATES OF AMERICA  
**FEDERAL LABOR RELATIONS AUTHORITY**  
**OFFICE OF THE INSPECTOR GENERAL**  
WASHINGTON, D.C. 20424-0001

Dated: December 7, 2009

**SUBJECT:** Federal Labor Relations Authority Inspector General's Internal Review of FLRA's Checkout Process

**METHODOLOGY:** This Federal Labor Relations Authority Inspector General Internal Review of FLRA's Checkout Process was conducted in accordance with the Inspector General Reform Act of 2008, the Inspector General Act of 1978, as amended, and in compliance with the Counsel of the Inspector General of Integrity and Efficiency and the Federal Labor Relations Authority Inspector General's updated (2009) related policies.

**REGULATIONS:**

Post Employment Statute

Commission Order 54, Clearance of Employee Accountability

Commission Order 80, Security

Commission Order 91, Employee/Visitor Identification Program

The Federal Records Act

**BACKGROUND:**

The FLRA Inspector General conducted an internal review of the FLRA's checkout process for separating FLRA employees to assess the controls that are established to remove employees from FLRA's systems and database, to collect outstanding costs and to obtain FLRA materials and equipment before the employee leaves.

The Office of Government Ethics provides post employees restrictions relating to former Federal employees. The Commission Order 54, Clearance of Employee Accountability provides requirements for Federal agency managements and separating employees relating to the checkout process. It requires that all separating Government employees return all property to the issuing office

in good condition before they are provided their final FLRA clearance. The Clearance Statement is a form of the check out process and requires the departing employee to certify in writing that all government records, property have been returned and all debts have been settled.

The Post-Employment Statute provides that for 2 years after terminating Government employment, a former employee should not represent another person or organization before a Federal department, agency or court of matters which were pending under their supervision throughout the last year of Government service. This statute also prohibits all former employees from engaging in activities relating to trade and treaty negotiations for a period of one year after leaving Government service. Former senior level employees are also subject to a one year ban prohibiting certain services to foreign governments and foreign political employees.

The Commission Order 54, Clearance of Employee Accountability, December 3, 2004, provides guidance to agency managers and separating employees regarding the Checkout Process. This order states that all government issued property will be returned in good condition before the employee is granted a final Clearance Checklist statement. A failure to adhere to this policy may result in the withholding of final check(s) due to the employee. The policy requires separating/retiring employee to certify in writing that all government property and records have been returned and all debts settled. The completed form is filed after the final clearance in the employee's payroll file.

The Employee Clearance Statement is an important part of the check out process because it holds both the departing employee and office staff accountable. It requires the separating employee to certify (in writing) that all government property; and records have been returned and all debts and claims are settled prior to the employee leaving. The FLRA Clearance Checklist includes the Supervisor/Manager's Office, the Office of Property Custodian, Information Resources Management, Budget and Finance Division, Administrative Services Division and Human Resource Division.

#### **FACTS:**

The FLRA's check out process starts with the Office of Human Resources. When employees separate from the FLRA, the Human Resource Specialist provides counseling on benefits and makes sure that all required forms are completed. A clearance form is provided to the separating employee which requires them to visit their Supervisor/Manager, , Information Resource Management, Budget and Finance Division and Administrative Services Division (for property management) to obtain managements signatures on the form. The completed form is then placed in the employee's

personnel folder. However the FLRA does not have an Office of Property Custodian.

FLRA Executive Branch personnel are required to annually provide Standard Form 279, the Public Financial Disclosure Report to the Ethics Officer in the Office of the Solicitor. If separating employees have any ethic related questions or concerns regarding their retirement, they may contact the Ethics Officer. This includes the year that they leave. The FLRA Ethics Officer affirmed that FLRA senior employees who enter the FLRA are given initial training which includes the Ethics Handbook for Executive Branch Employees which includes retirement information. The FLRA Ethics Officer also stated that she would start providing this information to senior employees who were leaving the FLRA.

The FLRA Clearance Checklist is required to be filled out by all separating FLRA employees, signed by the employee's Supervisor/Manager, Office of Property Custodian (office equipment), Budget and Finance Division, Human Resource Division and Administrative Services Division. The Ethics Officer in the Office of the Solicitor verifies that the separating senior employee has submitted the annual financial disclosure statement and provides them with post employment counseling. Separating employees are required to provide projects/reports in process and related data, files and office reference material, final time and attendance, final work report, required leave slips and performance appraisal to their supervisor/manager before they leave.

Office equipment, tape recorders, calculators, etc. are required to be given to the Office of Property Custodian. Library material and Westlaw, notebook material and equipment, network access and software must be turned over to the Office of Information Resource Management. Government travel cards, travel card balances relating to travel (including advance travel, liquidated and non liquidated material and advanced and final travel vouchers need to be provided to the Budget and Finance Division. Telephone credit cards, impact cards, Safety Vest/FLASH/Office Keys, Building Security Car Key, FLRA issued parking Pass and changed password must be provided to the Administrative Services Division. FLRA ID cards (given to FLRA employees, contractors, building management, cleaning staff and security guards), debt (including leave overpayment), and Federal Personnel Payroll System User ID must be given back to Administrative Services Division which also conducts an out process briefing and exit interview questionnaire. If an FLRA separating employee is unable to return to work to complete the Clearance Checklist, Human Resources provides necessary assistance.

The FLRA does not currently have student volunteers working for them. Student volunteers are not required to check out when separating from the agency but previously hired student volunteers had substantial technical skills to exploit the agency's controls designed to prevent system abuse. It would be important to revoke access to FLRA's systems by separating students to limit the Agency's exposure to possible cyber abuse or attack.

When an FLRA employee separates and leaves the FLRA, they must contact their Supervisor/manager; turn in their projects, files and final time and attendance report. Any post employee of the FLRA may contact the Office of Solicitor's ethics officials for post employment ethics issues. Office equipment such as calculators, televisions, scan machines are turned over to the Administrative Services Division Office Property Custodian Office Property Custodian. The Information Resource Management Office verifies that computer equipment is returned and network access is stopped. The Budget and Finance Division needs to receive and verify that travel cards, travel advance and transit subsidy balances are returned. The Administrative Service Division must verify the receipt of telephone credit cards, other credit cards, office keys, and parking passes. The Office of Human Resources provides an exit interview and separation counseling, and obtains the separating employee's ID card.

The Administrative Services Division obtains ID cards, credit cards and blackberry cell phones from all separating FLRA employees and sign out on their clearance checklist. The Administrative Services Division keeps copies of the FLRA employees in security files for 6-7 years even though no security check is done on employees when they are leaving. All key numbers for ID cards are kept in a book in the Administrative Services Division. If a separating FLRA employee does not return the keys (has not happened so far in this administration), Administrative Services Division automatically eliminates the accessibility of the key. The FLRA Regional Offices provide back their separating employees canceled out keys and deactivated cards to the Administrative Services Division. The Administrative Services Division does not provide new FLRA employees with checking out procedures.

The Information Resource Management System has implemented policy of reallocation of employee data in accordance with the Federal Record Act which requires Federal agencies to maintain electronic data for 180 days after the departure of an FLRA employee to ensure deactivation. The also plan to migrate departed user data to a compact disk after the user leaves the FLRA and store the data for 180 days in a locked cabinet.

The Budget and Finance Division requires FLRA employees who are separating from the agency to provide back their smart card or pay the FLRA the remaining fees on their card when they leave. FLRA employees are also required to pay all of their outstanding travel debts before the separate from the FLRA. If an individual retires from a Federal Agency and has not paid back all of the travel fees, Human Resources are notified as well as the Department of Interior National Business Center. OMB will take the related money out of the first retirement pay. If an individual leaves the FLRA to go to work for another Federal Agency, they will not be allowed to start until they pay their owed travel fees.

The FLRA does not currently have student volunteers working for the FLRA. Student volunteers are not required to check out when separating from the agency but previously hired student volunteers had substantial technical skills to exploit the agency's controls designed to prevent system abuse. It would be important to revoke access to FLRA's systems by separating students to limit the FLRA's exposure to possible cyber abuse or attacks.

When an FLRA employee separates and leaves the FLRA, the Information Technology Division recapitalizes the individual's computer hardware, sanitizes it and reinstalls the operating system as well as its applications. After they leave, depending on the timelines of reporting their departure to IRMD, the user account is locked out. The retention of data required by the Federal Records Act for the deactivation, retention and reallocation of user data is retained for 180 days after the FLRA employee's separation from the FLRA. When the individual leaves the FLRA, upon notification, their account is lockout, their electronic mail is emerged out of the FLRA system into a compact disk and this is stored in a locked cabinet for 180 days.

During FY 2009, the following FLRA Employees resigned, retired, or terminated from the FLRA. This internal review did not indicate any checkout process problem with any of these former employees. So far in FY 2010, only 1 FLRA employee has retired. No additional separations have yet occurred.

**CONCLUSION:**

This internal review indicated that the FLRA's separating/retiring employees Checkout Process is being handled properly and there is no free access to the FLRA once the employee leaves. The only problem identified was that some FLRA employees are unaware of the checkout process requirements even though they are notified of these requirements by Human Resources ( and Office of Solicitor for senior executives) when they leave/retire from the FLRA.

**Finding:**

Not all FLRA employees, especially new employees, are aware of the FLRA Checkout Process for separating/retiring FLRA employees.

**Recommendation:**

In order to ensure that all FLRA employees are aware of the FLRA's Checkout Process, it should be mentioned during the new employee's administrative orientation and placed on the FLRA internet for access to all FLRA employees.