



GAO Employees Organization IFPTE Local 1921

Testimony

Before the Subcommittee on Legislative Branch,
Committee on Appropriations, House of
Representatives

Comments on GAO's Fiscal Year 2010 Budget Request and Issues of Concern to Agency Employees

Statement of Ronald La Due Lake
President

May 5, 2009

Madam Chair and Members of the Subcommittee:

I am Ron La Due Lake, President of the GAO Employees Organization, International Federation of Professional & Technical Engineers (IFPTE), Local 1921, and a specialist in GAO's Applied Research and Methods team. I am pleased to have this opportunity to appear before the Subcommittee today to discuss topics of importance to GAO employees. These topics include:

- An update on the developing relationship between the GAO Employees Organization (the Union) and GAO management;
- Results of the recent negotiations over employees' performance-based compensation;
- Appropriate funding to allow GAO to continue to build capacity to better manage its increasing workload demands;
- Adequacy of GAO's plan for following up with the Ivy Study that documented disparities in ratings between Caucasian and African American employees;
- The GAO Union's input regarding the selection of the next Comptroller General of the United States.

Before proceeding, I would like to express my appreciation to you, Madam Chair, not only for your work to ensure appropriate funding for GAO to meet its increasing responsibilities to Congress and the American people, but also for your commitment to work-life balance for all federal employees. I am privileged to sit before the Subcommittee again to express directly the GAO Union's thoughts regarding GAO budgetary needs and other concerns.

The Developing Relationship between the GAO Union and Management

We continue to work on developing our relationship with GAO management and the evolving relationship is promising. The Union leadership meets weekly with workforce relations professionals GAO has hired to work with the Union to discuss the status of policy changes, topics of mid-term negotiations, information requests, and pending concerns of GAO employees related to the terms and conditions of their work. The Union leadership also meets regularly, about every other month, with GAO's executive committee to discuss Labor-Management relations at a higher level. These meetings are productive and collegial.

GAO is undergoing a major culture change as it adjusts to partnering with a union. There remains some confusion about the role of the GAO Union. There is a tradition at GAO of consulting with employees and employee groups during the implementation of new policies. However, this tradition of consulting with employees has generally focused on providing information on policy changes and

the implementation of policies that have already been determined and has not involved employee groups in meaningful ways.

While the GAO Union supports good policies and input from all employees at GAO, the Union has different legal standing than other employee groups. GAO is required to notify the Union when they wish to change the terms and conditions of work and in many instances is required to engage in negotiations over these changes. There have been instances where policies with implications for the terms and conditions of the work of analysts and specialists have been implemented without appropriate notification and negotiation with the Union. After the fact, there has been a commitment on the part of management to work closely with the Union to remedy such missteps. While some managers have had difficulty understanding this new way of interacting with employees, GAO is making progress in recognizing the Union as a partner such that it has recently delayed issuing changes in terms of work to incorporate our input.

We believe that our expectations are reasonable: to be partners in developing policies that influence the terms and conditions of our work and to be compensated fairly.

Recently, we reached tentative agreement with GAO on the performance-based compensation portion of our pay for 2009 – the merit pay increase for employees based on their performance ratings in GAO’s pay-for-performance compensation system. We are pleased that, overall, it is a fair agreement that provides a payout for GAO employees based on their ratings that is competitive with the federal General Schedule and pay-for-performance systems at other federal agencies - despite concerns as to whether GAO’s pay for performance system unfairly disadvantages minority employees. We were able to assure that all GAO employees who received a rating of “meets expectations” or higher will receive a substantive amount of compensation as a result of their performance ratings during a challenging year of increasing workload.

Appropriate Funding to Allow GAO to Continue to Rebuild Capacity

The GAO Union respectfully seeks your continued support for the agency in order to sustain and rebuild the capacity necessary to provide high quality service to Congress and the American people. We are very grateful for the support provided to GAO in the FY 2009 budget which allows GAO to balance rewarding employees appropriately with the need to expand the workforce.

We also support GAO’s FY 2010 budget request of an increase of 6.9 percent over the FY 2009 funding level. As you know, Madam Chair, GAO’s 2010 budget request also allows for a 3.5 percent increase in staffing levels over 2009. We feel this increase in capacity is a modest and essential step forward. It is important to note that while the staffing levels GAO seeks in the FY 2010 budget request will not bring us quite up to GAO’s staffing levels of 2003 the number of Congressional requests and mandates continue to increase significantly.

GAO employees are very proud of the work we do to help the Congress conduct its oversight responsibilities. Yet we are concerned about the toll that this increasing workload – along with other compelling oversight responsibilities, including those related to the Troubled Asset Relief Program and the economic stimulus legislation – takes on staff morale and work-life balance. We respectfully seek the support of the Subcommittee for GAO’s FY 2010 budget request in order to continue rebuilding GAO’s capacity to meet the needs of the Congress during this time of increasing oversight and accountability.

GAO’s Plan to Follow-up on Disparate Treatment in Ratings of Minorities

As a result of the Ivy Study, a study conducted by the Ivy Planning Group for GAO that established disparities in ratings between African American and Caucasian analysts at GAO since the implementation of changes in GAO’s performance appraisal system in 2002, GAO again contracted with the Ivy Planning Group to conduct facilitated conversations about race with employees and managers across the agency. These facilitated conversations have been held and GAO is now planning next steps for the agency on this matter of the disparate treatment of minority employees.

There is long-standing concern about disparate treatment of minority employees at GAO, including African Americans. Evidence of this has been demonstrated in the form of the perception of a glass ceiling for Asian Americans and Hispanics and significant disparities in ratings between African American and Caucasian analysts, as well as troubling retention rates for African American males, in particular. African American employees at GAO indicated support for a finding in the Ivy Study that there is a “GAO Way” of behaving and performing that is based on unwritten rules and norms. Many African American employees have shared their experiences of missed developmental and professional opportunities in the workplace. In the past couple of years, a mid-level manager remarked to another Caucasian colleague that one employee would never fit in at GAO because he had a picture of Malcolm X in his office. It is difficult to quantify this behavior and attitude at GAO, and the opportunities this “misfit” employee may have missed, but our African American colleagues would not be surprised by this story, because of their experience with the “GAO Way” of an unwritten code of behavior and conduct.

GAO recently briefed the Union on their plans moving forward and we are troubled that these plans fall short of a strategy to change this historical disparate treatment within GAO. GAO’s emphasis moving forward appears to be primarily on diversity awareness training with an emphasis on employees improving their skills in asking for feedback on their performance. This is troubling to the Union on multiple fronts. We are not opposed to mandatory diversity training at GAO. However, the employees themselves are not responsible for conducting their own performance ratings nor are they fully responsible for the opportunities that GAO provides them to develop professionally. We are reluctant to believe that diversity training is the best solution to the deeply-held discriminatory behaviors and attitudes at GAO that have resulted in disparities in ratings between African

American and Caucasian employees, for instance. In fact, GAO provided mandatory diversity training in the 1980s and 1990s, yet these problems are still in play in 2009.

In presenting this plan to the GAO Union, GAO did not present any plans for benchmarking progress in this area. Additionally, they did not offer any details on how these steps might address GAO's diversity planning.

The Union would like this Subcommittee's support by holding GAO accountable to a plan for addressing these disparities in ratings and professional opportunities that specifies criteria and concrete measures for recognizing and recording progress. We would also appreciate the support of the Congress in requiring GAO to be more transparent about efforts to avoid discrimination in performance assessment, professional opportunities, and promotions. This could be done by making information, data, and trend analyses by race, ethnicity, and other employee demographics¹ available that describe GAO's status and progress in the area of disparities in performance ratings, professional opportunities, and promotions, so that an assessment can be made and agency decisions do not continue to perpetuate adverse effects on any group of employees.

GAO Union Input on Selection of Next Comptroller General

The process of choosing the next GAO Comptroller General (CG) has important implications for GAO employees and the Congress. The GAO Union has provided you with our views on this critical selection process. We developed a summary of experience, skills, and characteristics that we believe are essential indicators of success for the next CG and remain hopeful that they will be helpful in your deliberations. While all the areas previously identified are essential in the view of the Union, today I would like to emphasize the importance of:

Considerable experience, knowledge, and respect for the type of work we do at GAO in helping the Congress conduct oversight; and

A demonstrated commitment and experience in working collaboratively with labor organizations.

I have included a copy of this summary of the indicators of success in an appendix to this statement. The GAO Union would be happy to develop questions for the use of the Subcommittee in the candidate selection process if they would be useful.

New Benefits for Federal Employees and the Legislative Branch

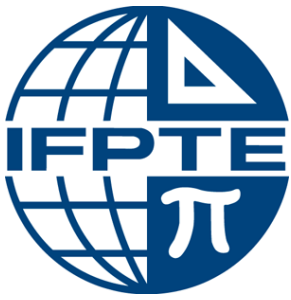
¹ GAO does not systematically collect demographic information about whether employees are gay, lesbian, bisexual, transsexual – or whether they have disabilities. It is the view of the GAO Union that this information would be appropriate to collect to use for similar comparison purposes as other demographic data, including race/ethnicity.

Currently, Congress is considering legislation that would benefit federal employees today and well into the future. At present, most of this legislation would only apply to the federal workforce in Executive Branch agencies and not to the legislative agencies. This legislation includes provisions ranging from extending domestic partner benefits to allowing the use of sick leave toward retirement.

We recognize that the jurisdiction for legislative branch human resources issues falls within the House Administration Committee. However, the GAO Union supports IFPTE's position that as this important legislation moves its way through Congress this Subcommittee, and full committee, work with the House Administration Committee to ensure that the federal employees of the legislative branch also enjoy these benefits.

GAO Union Looking Forward

The GAO Union is preparing to begin negotiations over our first master contract with GAO. The Union Assembly and officers have begun a deliberative process of reviewing the terms and conditions of work at GAO, including policies at GAO that are working well for employees. Some of the concerns we will be addressing in the master contract negotiations include the performance compensation system, the banded salary ranges (particularly some adverse affects that resulted from de-linking the salary ranges from the General Schedule), the Band IIB competitive placement process, and the grievance procedures for employees. We look forward to providing updates on our progress as we proceed.



INTERNATIONAL FEDERATION OF PROFESSIONAL & TECHNICAL ENGINEERS AFL-CIO & CLC

501 3rd Street, NW, Suite 701, Washington, DC 20001
202-239-4880 • FAX 202-239-4881 • www.ifpte.org

EXECUTIVE OFFICERS

Gregory J. Junemann
PRESIDENT

Paul Shearon
SECRETARY-TREASURER

AREA VICE PRESIDENTS

Joseph McGee
EXECUTIVE VICE PRESIDENT
NORTHWESTERN

Larry Chojnacki
MIDWESTERN

Cynthia Cole
SPEEA

Ron Dicks
WESTERN

Misty Hughes-Newman
CANADIAN

Debbie D. Logsdon
SPEEA

John G. Lowden Jr.
ATLANTIC

Lawrence V. Marrell
SPEEA

R. Kirk Miller
EASTERN FEDERAL

Mark Mitchell
WESTERN

Andrew Müller
CANADIAN

Gerald Newsome
ATLANTIC

Benjamin T. Toyama
WESTERN FEDERAL

Charlie Trembley
NORTHEASTERN

Allan Yamaguchi
NORTHWESTERN

Hon. Nancy Pelosi, Speaker
U.S. House of Representatives
H-232 The Capitol
Washington, DC 20515

Hon. Steny Hoyer, Majority Leader
U.S. House of Representatives
H-107 The Capitol
Washington, DC 20515

Hon. John Boehner, Minority Leader
U.S. House of Representatives
H-204 The Capitol
Washington, DC 20515

Hon. Edolphus Towns, Chair
Oversight & Gvmnt Reform
U.S. House of Representatives
2157 Rayburn House Building
Washington, DC 20515

Hon. Darrell Issa, Ranking Member
Subcommittee on the Federal Workforce
U.S. House of Representatives
B-350A Rayburn House Building
Washington, DC 20515

Hon. Stephen Lynch, Chair
Subcommittee on the Federal Workforce
U.S. House of Representatives
B-349A Rayburn House Office Building
Washington, DC 20515

Hon. George Voinovich, Ranking Member
Subcommittee on the Federal Workforce
United States Senate
605 Hart Senate Office Building
Washington, DC 20510

Dear Members of Congress,

The process of choosing the next Government Accountability Office (GAO) Comptroller General (CG) has important implications for GAO employees and the U.S. Congress. The International Federation of Professional & Technical Engineers (IFPTE) Local 1921 (GAO Union) would like to provide you our views on this critical selection process. Local 1921, representing about 1900 GAO Analysts, has developed the following summary of experience, skills, and characteristics that we believe are essential indicators of success for the next CG.

Hon. Harry Reid, Majority Leader
U.S. Senate
S-212 The Capitol
Washington, DC 20510

Hon. Robert Byrd, President Pro-Temp
U.S. Senate
311 Hart Senate Office Building
Washington, DC 20510

Hon. Mitch McConnell, Minority Leader
U.S. Senate
S-230 The Capitol
Washington, DC 20510

Hon. Joe Lieberman, Chair
Homeland Security & Gvmnt Affairs
U.S. Senate
340 Dirksen Senate Office Building
Washington, DC 20510

Hon. Susan Collins, Ranking Member
Homeland Security & Gvmnt Affairs
U.S. Senate
344 Dirksen Senate Office Building
Washington, DC 20510

Hon. Daniel Akaka, Chair
Subcommittee on the Federal Workforce
U.S. Senate
605 Hart Senate Office Building
Washington, DC 20510

We are hopeful that these will prove to be helpful in your deliberations:

- Considerable experience, knowledge, and respect for the work processes involved in conducting analyses of public programs, including program evaluation, performance and financial audits. Such experience and knowledge could be gained through time and practice working as an auditor or researcher with service in government.
- Proven track record in sincere, honest, and effective organizational leadership skills that include superior listening and communicative skills.
- Knowledge of and respect for the importance of the appropriate methodological approaches for conducting program and financial audits, including the necessary resources and expertise required.
- Demonstrated history of respect and commitment to diversity in the workplace, including race, ethnicity, gender, disability status, veteran service, workers over 40, and sexual orientation.
- Demonstrated commitment and experience in working collaboratively with labor organizations.
- The capacity to respect our client, the U.S. Congress, while demonstrating a commitment to an independent and non-partisan approach to providing information for decision-making.
- Respect for GAO, its historic role and mission, and the consideration of these in the undertaking of change.
- Acknowledgement that with regard to pay and pay systems the following are essential: parity with the executive branch as a minimal standard; transparency and fairness; and the recognition and rewarding of work team performance in addition to individuals' performance.
- Recognizing the importance and value of the GAO field office structure, and its role in providing ready access to evaluate how federal program are working throughout the country.
- Commitment to the value of continuing professional development for all staff, including mission and mission support.
- Recognition of the value of flexible work arrangements that accommodate professionalism and work/life balance for all staff to help achieve our mission for the U.S. Congress.

The oversight that GAO assists the U.S. Congress in conducting is an essential aspect of good governance – and the need for high quality oversight continues to increase. The experience, skills, and characteristics summarized here are fundamental in our view, based on the lessons we have learned in working with GAO leaders. As you proceed in selecting candidates for the position of Comptroller General, we would be happy to provide questions or any other support that would be helpful.

Respectfully,



Ronald La Due Lake
President
GAO Employees Organization
IFPTE, Local 1921

Witness Disclosure Form

Clause 2(g) of rule XI of the Rules of the House of Representatives requires non-governmental witnesses to disclose to the Committee the following information. A non-governmental witness is any witness appearing on behalf of himself/herself or on behalf of an organization other than a federal agency, or a state, local or tribal government.

Your Name, Business Address, and Telephone Number:

**Ronald La Due Lake
U.S. GAO
441 G St. NW, 6K17R
Washington, DC 20548**

202 512-2760

1. Are you appearing on behalf of yourself or a non-governmental organization? Please list organization(s) you are representing.

GAO Employees Organization, IFPTE Local 1921

2. Have you or any organization you are representing received any Federal grants or contracts (including any subgrants or subcontracts) since October 1, 2006?

Yes **No**

3. If your response to question #2 is "Yes", please list the amount and source (by agency and program) of each grant or contract, and indicate whether the recipient of such grant or contract was you or the organization(s) you are representing.

Signature:



Date: April 28, 2009

Please attach a copy of this form, along with your curriculum vitae (resume) to your written testimony.