

STATEMENT OF

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before the

SUBCOMMITTEE ON FEDERAL WORKFORCE, POSTAL SERVICE AND THE
DISTRICT OF COLUMBIA
COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM
U.S. HOUSE OF REPRESENTATIVES

on

“PROTECTING THE PROTECTORS: AN ASSESSMENT OF FRONT-LINE
FEDERAL WORKERS IN RESPONSE TO THE SWINE FLU (H1N1) OUTBREAK”

MAY 14, 2009

Chairman Lynch, Ranking Member Chaffetz, and Members of the Subcommittee:

Thank you for including the Office of Personnel Management (OPM) in your discussion of this important topic. Even though this hearing is focused on “front-line” employees, I understand that you are interested in hearing from OPM more broadly about our efforts to ensure the Federal Government is prepared to meet the human resources management challenges posed by the recent H1N1 flu outbreak, as well as any future pandemic health crisis.

Regarding front-line workers, we know that questions and concerns have arisen regarding the use and dispensing of antiviral drugs, as well as personal protective equipment, such as masks and respirators. It is not possible to overstate my concern – and that of OPM Director John Berry – that we do everything necessary to protect the well-being of all Federal employees. However, we must rely on public health and occupational safety and health officials, including experts at the Centers for Disease Control and Prevention (CDC), the Food and Drug Administration (FDA), and the Occupational Safety and Health Administration (OSHA), for advice about the efficacy and appropriateness of certain medications, as well as respirators, masks and other personal protective equipment. We at OPM do not have the expertise to make those kinds of judgments, which is why we have tried to keep Federal agencies with employees at the front line of the response apprised of the latest expert advice on protective measures. For example, at the H1N1 Human Resources Readiness Forum we hosted last Friday, we made available representatives of the CDC, OSHA, and the Federal Occupational Health Service in the

Department of Health and Human Services to answer questions about personal protective measures.

OPM does, nevertheless, have a significant role in preparing the Government for emergencies, including a pandemic health crisis. Our essential function in this regard is to provide critical human resources services to ensure the Federal Government has the civilian workforce it needs to continue essential missions in an emergency. OPM is the central agent for the President and the executive branch with responsibility for providing guidance to agencies regarding Government-wide human resources policies and flexibilities. These include emergency staffing authorities, leave flexibilities, evacuation payments, telework and flexible working arrangements. We also track the effect of a pandemic influenza on the Federal workforce through information on attendance and leave. OPM is responsible for continuing to manage and provide essential information relating to Federal Investigative Services during an emergency, including conducting background investigations for civilian, military and contract employees. Finally, in a worst-case scenario, OPM would coordinate with the White House to manage an orderly evacuation and resumption of normal operations for Federal employees in the Washington, DC, metropolitan area, and we advise Federal Executive Boards and other Federal entities nationwide. We form these determinations in consultation with the Department of Health and Human Services, the Department of Homeland Security, and other appropriate authorities.

I can summarize this by saying that OPM's objective is to ensure Federal agencies have the workforce they need to continue their critical missions, while preparing employees to protect their health and economic well-being. We have been working on Governmentwide preparation for an influenza pandemic for several years, developing comprehensive human resources guidance and conducting briefings for Federal human resources specialists, as well as "town-hall" meetings for employees at numerous Federal agencies.

More recently, since the onset of the current H1N1 flu outbreak, we have updated our pandemic influenza guidance and will continue to do so. We have been collecting and are providing answers to additional questions, to supplement the guidance already on our website. I already mentioned that we held a forum last Friday, which was webcast, on pandemic influenza readiness for agency Human Resources Directors, Federal employee union leaders, and other interested parties. We have received very positive feedback on the forum, which I think was extremely helpful in answering the questions that weigh most heavily on the minds of managers and employees when they think about how a pandemic health crisis will affect them.

After the outbreak of the H1N1 flu, we also posted on the OPM home page a memorandum reminding agencies of the wide range of human resources policies and flexibilities available to meet their needs and the needs of their employees during emergencies. These authorities, which include leave flexibilities, alternative work schedules, telework, and emergency hiring authorities, are all aimed at getting the job

done during an emergency, while assisting employees in taking care of their personal and family needs.

Let me say a bit more about telework. Telework, of course, is not a useful tool for those we think of as “front-line” workers – airport screeners, customs inspectors, and others whose work cannot be done from an alternative location. And with support from the CDC and other public health experts, I am confident the agencies that employ these front-line workers will act responsibly to minimize their exposure to disease. But for the rest of the workforce, telework can be an extremely useful tool in coping with pandemic health crises and other emergencies. It can help mitigate the spread of influenza by promoting social distancing. Telework can also assist employees in balancing their ongoing work responsibilities with the need to care for their families. The recent H1N1 flu outbreak has provided a reminder of the need for social distancing to prevent the spread of infectious disease. It has also demonstrated the effects of social distancing on workplaces, communities, and families. In addition to the issues that front-line Federal employees have confronted in the recent flu outbreak, many others were affected by school closings and have struggled with how to manage their work when their children were sent home.

The H1N1 flu outbreak has demonstrated the importance of making telework an integral part of our normal operations. Although progress is being made, telework has not been implemented widely enough in the Federal Government. Our most recent data on telework in Executive agencies show that, from 2007 to 2008, the numbers of employees who are teleworking did increase, but only incrementally. This is indicative of a longer-term pattern of very slow progress. That is why OPM Director John Berry recently announced a new initiative that we hope will help agencies ramp up their telework readiness. This initiative is driven not only by Director Berry’s belief in the value of work/life programs generally, but more specifically in the importance of telework as a tool for emergency planning.

The Director’s telework initiative has five key components:

- First, OPM will be convening an **Advisory Group** of telework program managers from key agencies, to draw on their knowledge and expertise in formulating standards for agency policies and programs.
- Second, OPM will be asking all agencies to **submit their telework policies for annual review** against a set of standards we will establish with the help of the telework advisor group. Recognizing that strong, consistent policies are critical to program success, we will work with agencies to promote best practices. We will provide technical assistance to each agency to bring policies up to the standard. Once those policies are certified against the criteria, agencies will need to submit their plans to us only once every three years.
- Third, we are asking each agency to designate one of its senior employees as the **Telework Managing Officer**. We will work intensively with these Telework

Managing Officers to provide the support and assistance they need and to cultivate a community of practice.

- Another important element of the new initiative is ensuring the existing **grievance procedure** within each agency is transparent to employees, so that employees whose requests to telework are denied can have that decision reviewed if they believe the denial was not in accordance with the agency's telework policy.
- Finally, we are keenly aware of the need for **training** of both managers and employees in how to establish an effective employee-supervisor relationship in a telework environment. OPM is committed to working with Congress to assure the provision of high-quality, broadly-accessible telework training that will provide the baseline everyone needs to achieve success.

With implementation of these components, we believe we will see not only an improvement in the consistency and quality of telework policies and programs in Executive agencies, but a resulting increase in telework participation Governmentwide, as well.

What will this mean for our level of preparedness for a pandemic? Employees who telework regularly and effectively under normal circumstances are well positioned to continue to work from home during any type of emergency. They have the necessary equipment and connectivity, including secure access to their agency computer systems. Perhaps as importantly, they have practiced communicating with their managers, work teams, and customers from a remote location, and are accustomed to working in a relatively isolated environment on a regular basis. Employees who are not currently teleworking – even employees who don't have a telework agreement in place – certainly may be able to telework during an emergency. But we strongly urge that agencies not rely on impromptu telework as a contingency plan.

Of course during a flu epidemic as with the H1N1 outbreak, the home environment can become complicated. Children are sent home as schools are shut down, and, in a more severe situation, family members who are ill may be in the home as well. Some employees may be unaffected and will be able to continue to work their normal schedule from their homes. Some may be able to use a combination of telework, alternative work schedules, and leave, to accomplish work while also making sure the needs of their loved ones are attended to. Whatever the case, if managers and employees can remain flexible, agencies will be better positioned to continue essential functions. Again, this kind of flexibility is easier in organizations where telework – and other work/life programs like alternative work schedules – are broadly adopted. With all the stressors occurring during an emergency, that is not the time to introduce new ways to work for the very first time.

Beyond telework and other flexible work arrangements, agency Employee Assistance Programs (EAPs) can be very helpful to front-line employees and other Federal workers. The stress and anxiety of the flu outbreak, with massive media coverage, school closings, and other associated dislocations, have a lasting impact on how our employees function.

All our agencies have EAPs; we need to be sure they are part of our pandemic planning and response efforts and that they have the resources necessary to help our employees remain productive during and after a crisis.

In concluding, I would note that, in the recent outbreak of the H1N1 virus, we have been fortunate. In the vast majority of cases, the symptoms of the disease were mild. We should view this as a wake-up call. Public health experts have warned that the virus could mutate and return in a new, more virulent form during the fall flu season. We must be prepared. Federal agencies need to ensure their pandemic plans are up to date. They should make sure they have telework agreements with as many telework-eligible employees as possible and should test employees' ability to access agency networks from home, as well as their procedures for communicating with employees who are teleworking. OPM stands ready to provide guidance and support.

Thank you again for inviting me here today. I would be happy to respond to any questions you may have.