Stay-at-Home Bureaucrats: Congressional probe exposes billions in waste from federal telework gigs

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"The Biden-Harris Administration has ceded too much authority to the federal union bosses, allowing their preference to work from home to take precedence over fulfilling agencies' missions and serving the American people," Rep. James Comer said.

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The House Oversight and Accountability Committee found Wednesday that vast numbers of federal employees telework from home, wasting billions of taxpayer dollars spent on office space, and the Biden administration has enabled such accommodations to continue during President-elect Donald Trump's next administration.

"The Biden-Harris administration has ceded too much authority to the federal union bosses, allowing their preference to work from home to take precedence over fulfilling agencies' missions and serving the American people," the committee declared in a report decrying the continued widespread use of telework since the COVID-19 pandemic ended.

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The report's release came ahead of a <u>hearing</u> held by House Oversight Committee Chairman James Comer, R-Ky., on Wednesday called "*The Stay-at-Home Federal Workforce: Another Biden-Harris Legacy*," at 10 a.m. Eastern Time.

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Telework findings

The committee found the Biden administration appears to exaggerate the number of federal employees working in-office. The administration's own data shows that as of last May, among "the 2.28 million federal civilian employees, approximately 228,000 are never required to show up to the office, and nearly all of the other 1.1 million employees technically-eligible for telework are engaged in telework." The employees eligible for telework "were in the office an average of three days a week."

Additionally, several agencies have telework-eligible employees who "collectively spend less than half their work hours in the office." Employees who telework "must report to the office on occasion," whereas, "remote employees never need to show up to work."

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Teleworking employees have roughly doubled since before the COVID-19 pandemic, and remote workers have jumped from 2% to 10% since fiscal year 2019.

"[B]etween September 2019 and May 2024, the Department of Health and Human Services (HHS) went from 2 percent remote to 29 percent; OPM went from 7 percent remote to 40 percent remote; the General Services Administration (GSA) went from 6 percent remote to 50 percent remote; and the Department of Education (ED) workforce went from 2 percent remote to 55 percent remote," the report reads.

Unused office space

In a July 2023 Government Accountability Office (GAO) report referenced by the House committee report, the federal agency "found that 17 of the 24 federal agencies used on average an estimated 25 percent or less of the capacity of their headquarter buildings."

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Furthermore, "Some agency headquarters reported occupancy rates as low as nine percent." The U.S. government spends about \$7 billion a year to lease and maintain federal agency office space.

During a November 2023 hearing with General Services Administration Administrator (GSA) Robin Carnahan, Comer said, "Federal agencies spent \$3.3 billion dollars on furniture over the past few years apparently to furnish office spaces left mostly empty under maximum telework. Some agencies spent hundreds of thousands of dollars just on updating empty conference rooms."

Carnahan herself "only worked at GSA headquarters in D.C. for 64 workdays—approximately one in four work days—from March 2022 to March 2023. She spent most of her time, 121 days, teleworking from Missouri," according to the report.

Continued telework into Trump admin

Some Biden administration officials "collaborated with union allies to further entrench telework guarantees for portions of the federal workforce covered by collective bargaining agreements," according to the report.

Last April, the Office of Personnel Management issued a rule "aimed to more deeply entrench the federal workforce by restricting executive discretion over the classification of federal employee positions," the report reads. The rule does not include meaningful telework reforms and "seeks to prevent the incoming Trump Administration from holding ineffective bureaucrats accountable."

Also, "the outgoing Biden-Harris Administration entered into long-term [collective bargaining agreements] with federal employee unions that limit management authority through unprecedented concessions, including guaranteeing telework for federal bureaucrats."

For example, in late November, then-Commissioner of the Social Security Administration (SSA) Martin O'Malley approved <u>an agreement</u> with the American Federation of Government Employees (AFGE) that "seeks to lock in minimum telework levels for 42,000 SSA employees until 2029."

The agreement was reached after O'Malley announced that he would be running for Democratic National Committee chair and days before he resigned from SSA.

"Nearly all of the 58,875 SSA employees are telework eligible, and those eligible employees have spent only 46.9 percent of their time in the office," according to the report.

"President Trump has promised to reform the federal workforce and bring federal employees back to their offices," the report explains. "The Biden-Harris Administration's lame duck political gamesmanship will hinder and constrain the ability of the incoming Trump Administration to manage employees effectively and responsibly, and to increase accountability to the public."

AFGE released a statement ahead of the House Oversight panel hearing on Wednesday:

"As a preliminary matter, AFGE is compelled to note that the title of today's hearing unfortunately distorts how telework fits into larger work practices and protocols at federal agencies in order to unjustly criticize federal employees. Hardworking, dedicated federal employees should not be derided as 'stay-at-home workers.' Our members perform vital roles in public safety, law enforcement, and health care – including providing care for active-duty military and millions of veterans. The majority of our members were ineligible for telework even when the pandemic was at its worst and no vaccines or treatments were available. Many members died of COVID during this period, likely contracted while performing their work for the American people. For many thousands of our members, it is thus bitterly ironic to now castigate the 'stay-at-home federal workforce.'"

Report recommendations

The report lists nine recommendations for telework reform in the federal government. The recommendations are:

- Base telework and remote work policies on achievement of mission outcomes, not employee preferences or union demands.
- Establish automated systems for tracking the use of telework and remote work, and create clear, measurable metrics to evaluate its costs and benefits.
- Impose more frequent and timely reporting requirements on agency-level telework, to better inform Executive Branch leaders, Congress and the public.
- Use the White House and central management agencies to implement an enterprisewide approach to telework and remote work that prioritizes the public interest. Do not permit a telework bidding war among agencies looking to attract federal workers that transfer between them based on which will let them stay home the most.
- Align the federal property footprint with the government's office space needs. Dispose
 of unneeded property and terminate unnecessary leases, while optimizing use of the
 space that remains.
- Introduce and enact a new version of the SHOW Up Act, restoring agency telework to no more than pre- pandemic levels. Only permit higher levels at agencies that make a convincing, measurable case for doing so.
- Consider legislation disallowing collective bargaining over federal employee telework.
- Consider legislation that would open to renegotiation at the start of each new
 Presidential term all existing collective bargaining agreements with federal employees.
- Consider legislation to pay all remote federal employees at the rest of United States' locality pay rate, to encourage a broader geographic dispersion of the federal workforce, and to reduce cost to taxpayers.

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"Prioritize the needs of the American people over the wants of federal bureaucrats"

"The lights may be on in federal buildings, but too many federal bureaucrats continue to work from home," Comer said in a statement released Wednesday. "The House Oversight Committee's investigation into prolonged pandemic-era telework reveals the Biden-Harris Administration has ceded too much authority to the federal union bosses, allowing their preference to work from home to take precedence over fulfilling agencies' missions and serving the American people.

"President Trump was elected in a landslide to bring accountability to Washington," Comer continued. "Our report not only identifies the many problems with massive federal telework but also proposes solutions to get federal employees back to their offices, dispose of unused

and vacant federal property, and prioritize the needs of the American people over the wants of federal bureaucrats. We look forward to working with President Trump and his administration to ensure the federal bureaucracy is fully accountable to the American people."

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