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FlexBulletin #92: When a Fed Telework Giant Stumbles

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*Greetings after a summer's **Bulletin** break! I have said in previous issues that I was developing a split-screen approach to flexible scheduling by spending half my time in San Francisco and its high-tech organizational gold rush and the rest in East Coast hotspots that have something to teach us.*

*In the last few months, we set aside our writing for a stretch of doing, launching the Bay Area-based nonprofit research and advocacy organization, **Collaboration@Work**. In a future issue we will describe our agenda and approach in some detail.*

*While the **Bulletin** may take a break, the march of flexibility and telework - and some jarring speed bumps - continue. In this issue, we address some recent challenges that arose for one of the country's most aggressive telework programs. Unfortunately size, tenure, and awards don't prevent serious error. Fortunately, there are solutions. The **Bulletin** is back.*

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A Federal Agency "Trademarks" Superior Practices in Telework

Recently we described the new Federal commitment to a range of flexible options in [FlexBulletin #91: Obama Care\(s\) - About Flex](#). We also noted in that issue that there was a long history of the Federal government promoting FlexPlace / Telecommuting / Telework.

As early as 2007 the US Patent and Trade Office (USPTO) commitment to telework stood out with a robust program. It was an early recipient of numerous awards from within and outside the government. According to a [Federal Computer Week](#) article last year, this poster child for telework success has almost 8,000 employees who work remotely from one to five days per week, including 4,100 who do so four to five days per week and more than 1,000 who work far outside the commuting range of USPTO's Alexandria, Va., headquarters.

These are impressive numbers. According to USPTO, they were achieved by meeting both employee and business needs. The telework program greatly improved employee satisfaction, which led to enhanced recruitment and retention. It enabled the attraction of highly skilled examiners from outside the Washington area.

But as in telework programs in the private sector, real estate savings are a driver. In the country's largest workforce and massive collection of owned and leased space, those savings can be intoxicating:

"USPTO's adoption of telework was a key factor in its ability to save 46,000 square feet in office space and millions of dollars in leasing costs by moving from Crystal City to a consolidated campus in Alexandria in 2005... The agency has grown substantially since moving to the new space. The rising number of patent applications has fueled the demand for additional examiners, yet because of the telework programs, the agency has been able to increase the size of its workforce without adding office space. (Federal Computer Week, 8-30-13.)

What Happens When that Trademark Embodies a Few Bad Myths, and Fewer Best Practices?

Suddenly this summer, this promising story took a severe wrong turn. On August 10th, the [Washington Post](#) ran a rare front page, above the fold flex article that rained on USPTO's parade. Titled "Patent office filters out worst telework abuses in report to watchdog", the story promised all the elements that make for a major Washington scandal:

- A range of telework abuses that bring to life the critics' worst warnings
- An attempt to hide these transgressions from legitimate overseers, and
- Worst of all, violation of Rule #1 of DC scandal: *it's the cover-up, not the crime, that gets you*

If there was any good fortune in this tale, it was timing. After all, a potential scandal that occurs when Congress and the media are on their August vacations has a good chance of becoming little more than a footnote. The full tally of damage done to telework across the Federal government has yet to be done. But focusing as best we can on what actually happened, and trying to assess why, offers a cautionary tale to the telework movement which is growing rapidly.

The allegations made in the *Washington Post* grew out of a series of whistle blower-based complaints that may have been minimized between a first and final draft report. Among them:

- "Many patent examiners repeatedly lied about the hours they were putting in"
- "Many were receiving bonuses for work they didn't do"
- Supervisors with evidence of fraud could not get access to records from senior officials
- Investigators concluded that oversight and discipline were completely ineffective
- "Policies negotiated with the examiners' union left managers with few tools to monitor staffs"

Unfortunately for telework in general and within the Federal government, these concerns touch on some of the reservations that have challenged telework since its earliest days. Lying about hours and collecting unwarranted bonuses harken back to the "doing the laundry or watching Oprah all day" skepticism. "Ineffective supervision" conjures up the "How will I know they're working if I can't see them?" bromide.

The crux of the "scandal" was that most of the critical commentary disappeared between report drafts. We cannot know how true or widespread any of these shortcomings are. And if there are Congressional hearings, we may or may not learn more about what is happening or what to do. We do know that USPTO has already pledged to Congressional representatives that it would retain "an outside consultant" to address these issues.

I will neither bore nor insult you with a basic tutorial about the elements of a good telework program (*You have them, know them or can ask us to see our online Telework Guides and Training Tools.*) But as a fully outside consultant, let me offer a few observations that apply to telework design in general.

- **Program vs. True Collaboration.** It's possible for offsite work to be individually crafted, customized and dependent on performance. Or it can hurtle down the programmatic road, seen as a benefit that once granted is rarely subject to serious review. From all I have read, USPTO has developed a large, significant program. And it may have suffered the one-size-fits-all and light monitoring process that such programs can engender.
- **Union Partners vs. Antagonists.** We have negotiated flexible schedule initiatives with assertive unions. It is possible to blend union protection needs and equitable offsite work approaches - but it is far from easy. The default can be to let go of critical assessment processes, and that may have happened here. In a highly unionized Federal government, this can be a fatal flaw.
- **Rigid vs. Flexible Savings.** Real estate savings have driven telework for a decade - and that can be a good thing. But there can be a serious trap in this strategy. Whereas 10 years ago enormous fears kept decision-makers from remote work pilots, now it seems that savings in the many millions of dollars may have blinded leaders to potential performance issues. As was said of USPTO: "*[B]ecause of the telework programs, the agency has been able to increase the size of its workforce without adding office space.*"

But what if some of those remote workers fail as remotes? What office do they return to? What if some of the managers don't succeed as remote managers? (*Training is the default option, but another government entity, the Marine Corps is a robust training organization and washes out about 15% of trainees.*) In short, is space saving one of the priorities for telework and is there room in the plan to allow for challenged adopters?

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To review our **Flexibility Monitoring System** and other online tools that address these issues, [click here](#).



We welcome your comments on this Bulletin.
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Best regards,
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