


## M. Staffing, Career Development, Training, and Strategic Workforce Planning and Recruiting

The following case problem demonstrates the consequences of a lack of training.

### CASE PROBLEM

*In late spring of 2003, an applicant and her two children applied for green cards based on her entry as a K-1 fiancée and her subsequent marriage to a U.S. citizen. In a summer 2004 interview, USCIS informed the applicant that she had a pending name check. Three weeks later, the children received conditional green cards. In a 2005 INFOPASS appointment, USCIS said that the name check was still pending for the applicant. She contacted the FBI via email and was informed that USCIS never submitted her name for checking. The applicant explained this to USCIS during an INFOPASS appointment. Ninety days later the applicant again contacted the FBI and received the same response – that USCIS had not submitted the name check. The individual continued to inquire via fax, email, and in-person visits, but all efforts were fruitless.*

*By mid-summer of 2006, the applicant still had no green card. The children's green cards were expired and the applicant made an INFOPASS appointment to inquire about how to remove the conditions for the children's cards where the principal applicant was not yet approved. After expressing surprise at this circumstance, the IIO advised that they file Form I-751 (Petition to Remove the Conditions of Residence), for the mother and children. USCIS then rejected the I-751s.*

*In late 2006, the applicant contacted the Ombudsman and her congressional representatives. As of the end of this reporting period, the applicant received her green card, but the children's cases remain pending. The local office appears to be actively working their cases. *

### 1. Background

During the reporting period, USCIS combined its human resources and training and career development components into a new office led by a career senior executive (SES)<sup>66</sup> as the agency's first Chief Human Capital Officer. As a result, the agency completed its first strategic workforce planning and integrated training effort. This effort addressed aspects of the staffing and training gaps identified in the Ombudsman's 2006 Annual Report.


As part of this strategic workforce planning and integrated training, USCIS: (1) completed a Strategic Workforce Plan to identify gaps in the workforce, future personnel needs,

<sup>66</sup> The GS, or General Schedule, is a federal government system used to identify a range of difficulty and responsibility levels for many positions, which ranges from GS-1 to GS-15. An SES, or Senior Executive Service, position is filled by an individual who meets certain Executive Core Qualifications.

and career paths; (2) issued its first agency-wide policy for a uniform training curriculum standard for all courses as well as instructor certification for presentation and content; (3) implemented a leadership program for all grade levels, GS-5 through GS-15, and SES, that also fulfills a Homeland Security Act requirement for managerial rotation of leaders at grades GS-14/15;<sup>67</sup> (4) initiated a labor-management relations plan to engender mutual understanding and reduce tensions as the agency transforms its operations; and (5) included in the proposed fee rule Individual Learning Accounts based on individuals' career paths and employee development plans.<sup>68</sup>


Recruitment and training is as important as IT and financing in the USCIS transformation. To achieve the potential of these important initiatives, there must be continued and direct support from the USCIS Director. However, the position of Chief Human Capital Officer was downgraded from its initial SES rank to a GS-15 in the agency's first vacancy announcement following the retirement of the SES incumbent.

*RECOMMENDATION AR 2007 -- 16*

*The Ombudsman recommends that the Chief Human Capital Officer have a rank position equal to the Chief Information Officer and Chief Financial Officer. USCIS should establish the role as a career reserved SES position.* 

At present, training efforts and leadership programs appear to be pursued separate from career development and retention needs. The agency is providing off-the-shelf course offerings without a clear correlation to career development as career paths are not defined. Moreover, USCIS has multiple training needs: (1) mandatory training requirements (computer security); (2) training that is technical and related to the job currently assigned; (3) training required for the next job desired by the employee for career advancement; and (4) skills for general leadership.

*RECOMMENDATION AR 2007 -- 17*


*The Ombudsman recommends that USCIS ensure there is a comprehensive merger of core job career paths with necessary training requirements – mandatory, technical, and leadership – oriented to future needs and groups, as well as transparency from entry to executive levels.* 


During the reporting period, USCIS undertook a methodical review of job requirements and skill sets needed to adjudicate cases. The agency focused on redesigning the Basic Officer Training Course for adjudicators and set principles to provide real-time accuracy and a “blended approach” to training to make programs accessible through technology and classroom interactions.

<sup>67</sup> See 6 U.S.C. § 271(A)(4).

<sup>68</sup> See 72 Fed. Reg. at 4901.


**RECOMMENDATION AR 2007 -- 18**

*The Ombudsman recommends that USCIS' blended approach to training continue and expand. USCIS should establish, regulate, and evaluate core training needs throughout its operations in the same manner for its review of the Basic Officer Training Course for adjudicators.* 

*Moreover, the quality of the curriculum, teaching methodology, and instructors needs to be assured. USCIS should establish a certification process for both federal and contracted instructors.* 

USCIS has several strategies to meet uneven demands and surges of work. It hires temporary employees, sends cases to less busy offices, and shifts permanent employees to different offices on temporary assignments. As described in the Ombudsman's previous annual reports, USCIS has become dependent on temporary employees who have stayed for several years.

**RECOMMENDATION AR 2007 -- 19**

*To reduce USCIS' dependency on temporary employees and assignments, the agency should establish a table of standard staffing levels and office organization to provide the requisite staff at any particular office.* 

## **2. Staffing, Career Development, and Training Areas of Concern**

The Ombudsman will continue to monitor the following issues:

### **a. Training After Immigration Reform**

If comprehensive immigration reform is enacted and signed into law, the thoughtful and systematic training of officers contemplated in USCIS' Strategic Workforce Plan and illustrated in the process to redesign the Basic Office Training Course may be overwhelmed by the need for large numbers of narrowly trained employees to implement discreet provisions of the reform. Contingency plans must be in place to ensure that the systemic training and careful development of permanent USCIS staff to fill future gaps is not forgotten when management invariably diverts its attention to implementing immigration reform provisions.

### **b. Hiring of Temporary Employees**

The agency also needs to be cautious that the expedient hiring of large numbers of workers does not replicate the situation of the large numbers of "term employees" hired originally for backlog reduction. Term employees became an essential part of the USCIS workforce, but they were not guaranteed careers, hired for growth potential, or trained as carefully and broadly as permanent employees. Staff morale and office efficiency suffered as the term contracts had to be renewed each year, often not until the last minute. Term employees also

sometimes prevented permanent employees from obtaining promotions, as the term employees occupied those positions. Moreover, to the extent the term employees left USCIS or were not renewed, the knowledge base left with them.

This year, to have enough funds to prevent the unacceptable loss of term employees, the hiring of permanent staff was frozen. Workforce planning is difficult at best under these circumstances.

#### **c. Training of Non-Adjudicators**

USCIS has focused on adjudicators and the upgrading of their skills. However, more attention is needed for training non-adjudicators such as IIOs, quality assurance officers, and support personnel. USCIS provides services, such as green card adjudications, but it also provides information, which requires the efficient movement of electronic data among physically separated offices. As a result, there is a need to evaluate the career paths and promotion opportunities for employees who have constant public contact and must understand electronic work flows.

#### **d. Work-at-Home Challenges**

Work-at-home arrangements can be part of the organization of a modern workforce, but USCIS' work-at-home arrangements have some challenges. Taking home paper files raises security and privacy concerns over the control of sensitive documents. Work-at-home arrangements isolate employees from the daily interactions and discussions with seasoned employees and mentors that cumulatively build their institutional awareness and judgment skills. This consideration for nurturing a pool of employees who have strong interpersonal skills is particularly important as one-third of the agency's supervisors will reach retirement age by the year 2010. During the next reporting period, the Ombudsman hopes to review further the challenges that current work-at-home policies may present for customer service.

#### **e. Uncovering and Sharing Best Practices**


Many offices have developed their own solutions to problems faced by most, if not all, offices, but these approaches often are not widely shared:

- Managers at some field offices were not aware of excellent training modules and material produced at the Los Angeles Field Office.
- The superb letter writing program used by the Nebraska Service Center has not been widely evaluated for use at other offices.
- The system and process to track and evaluate case flows at the Texas Service Center are not broadly appreciated.

Establishing both a culture and process that encourage the sharing of best practices will address many training needs at numerous offices and at little cost to the agency. Teleconferences

and virtual meetings have their value, but do not substitute for the face-to-face interaction of employees at meetings and regional conferences.

*RECOMMENDATION AR 2007 -- 20*

*The Ombudsman recommends that USCIS expand the opportunities for vertical and horizontal communication among offices by supporting conferences focused on specific work issues and providing funds for travel of working level staff to share best practices.* 


**f. Recognizing and Training the Trainers**

All offices have “go to” persons who, by virtue of longevity and refined judgment, advise officers on case situations and who act as mentors or trainers. Some offices have designated training positions and many offices have employees who are assigned collateral duties as trainers. These employees should be recognized and provided support for their important roles.

**g. Training for Supervisors**

A commonly-heard complaint among field managers is that training for supervising employees and managing workflows is lacking. There is a need for training beyond knowledge-based instruction on product lines or new laws and regulations. While knowledge and leadership training are important, first-line and other supervisors also should learn about employment regulations and agency policies on labor management. For example, supervisors should be provided techniques to resolve employee conflicts. The agency needs to clearly define and provide for a standard set of additional courses that employees at the journeyman level should take as they move into supervisory and leadership positions before they assume the most senior positions.


*RECOMMENDATION AR 2007 -- 21*

*The Human Capital and Training Office in collaboration with field offices and service centers, should determine the skills and knowledge sets required for supervisors to be effective in their daily managing of people and resources. Specific resources or training programs should be identified on diversity requirements, discipline issues, handling problem employees, evaluating workflows, and budget management. Headquarters funds should be provided to field offices for employees to attend these sessions.* 


In summary, USCIS has taken significant steps to address its leadership and training needs. Chief among these steps is the recognition and articulation of a strategic human capital development and recruitment plan. Several initiatives in the plan establish baselines and proposed further actions. The next steps are to build on the strategic plan, develop training material and methods, and continuously validate them. The agency needs to avoid short-term


hiring and narrow training solutions that replicate the problems associated with hiring term employees and might undermine the systemic and comprehensive approach sought by the strategic plan.


*RECOMMENDATION AR 2007 – 22*

*The agency should establish actionable multi-year milestones that lead to fulfilling the objectives of the Strategic Workforce Plan and ensure a systemic and sustained effort to recruit and develop its personnel. Responsibility to implement the plan should be included as a specific job requirement for the Chief Human Capital Officer and in the job requirements statements of the senior officers in the Office of Human Capital and Training.* 


**OBSERVATIONS AND STAKEHOLDER COMMENTS FROM THE OMBUDSMAN'S TRIPS AND MEETINGS**


The **Philadelphia Field Office** reported that new hires do not have the basic computer skills necessary to function within USCIS. 


In the **Baltimore Field Office**, formal training occurs once a month, usually for two to three hours. Management in Baltimore would like to institute a certification process wherein officers would have to meet certain benchmarks to move up to the next seniority level. 


**El Paso** officers are trained on all applications. The schedule is set up for officers to interview three days per week, leaving two days open for case completions, case review, special emphasis matters, and training. 


Stakeholders in **New York** believe the officers who conduct marriage fraud interviews are not well trained. 

At the **Washington Field Office**, training is conducted once a month, mostly to resolve green card issues. There is no other regularly scheduled training for adjudicators. 

In **Okalahoma City**, a support employee indicated she was required to answer the phone, yet had no training, could not answer any questions, and just referred individuals to the website. Other employees also indicated training was needed in their current positions and as they take on new tasks. 

An IIO in **Okalahoma City** indicated it would be helpful to have training for information gathering, as well as policy and procedure. 



USCIS is adding a block of training about the **NBC** to the basic course for officers so new hires can understand the process. 

The **NBC** itself has struggled to provide its staff with adequate training. There is a voluntary training program established for adjudications, but not for records. 



**RECOMMENDATIONS AR 2007 -- 23**

*The Ombudsman recommends that USCIS:*

- (1) Consider amending job requirements to include basic knowledge of certain commercially available computer programs used in the offices; and *
- (2) Provide all interviewing officers with Interviewing Techniques Training. Adjudicators who received this training indicated it helped them conduct better interviews. *

**N. Delay in Updating U.S. Citizenship Designation in Records; Some Naturalized Citizens Cannot Apply for Passports**

In the 2006 Annual Report (at p. 44), the Ombudsman discussed concerns with USCIS updating its records regarding citizenship acquisition (*i.e.*, naturalization records).

In its 2006 Annual Report Response, USCIS stated (at pp. 16-17):

For older cases, USCIS conducted an extensive comparison of records in several systems, systems sweeps and modifications to systems coding to ensure that previous records were correctly updated. For new cases, performance is monitored to ensure that when citizenship is granted, the associated status records are updated promptly after the naturalization ceremony.

The Ombudsman appreciates USCIS' response to this important issue and will continue to monitor it.

**O. Green Cards Collected, Not Recorded, and Green Card Delivery Problems**

In the 2006 Annual Report (at p. 43), the Ombudsman identified two green card problems: (1) the non-recording of green cards that were returned to USCIS field offices or ASCs (*e.g.* upon green card holders' naturalization or card expiration); and (2) verification of green card delivery.

Individual travelers who were referred to secondary processing at ports of entry had problems because inspection showed either that: (1) a green card was still in circulation for a naturalized citizen bearing a U.S. passport; or (2) a returning permanent resident bearing a new green card still possessed a superseded card. USCIS informed the Ombudsman during the reporting period that it had resolved the issue of green card returns which were not recorded.

The Ombudsman is pleased to report the agency's plans to adopt the essence of the 2006 Annual Report's recommendation (AR 2006 -- 08). For verification of green card delivery, USCIS reported in its 2006 Annual Report Response (at p. 16):