Department of Energy
Washington, DC 20585

April 21, 2009

Ms. Carolyn Watts
DOE Savannah River Operations
Room 226B
Aiken, SC 29802

Re: FOIA-2009-000260

Dear Ms. Watts:

This is a final response to the request for information that you sent to the Department of Energy (DOE) under the Freedom of Information Act (FOIA), 5 U.S.C. 552. The Savannah River Operations Office (SROO) transferred to this office the part of the request for copies of the following reports conducted by the Office of Environmental Management at Headquarters:

1. Assessment Report of SROO the Human Resources in the fall of 2008; and
2. Assessment Report of SROO the Human Resources in November 2008

The Office of Environmental Management conducted a search of its files for responsive documents. The search located a document that is responsive to item 1. The document is provided to you in its entirety.

The search, however, did not locate any documents that are responsive to item 2. Therefore, pursuant to Title 10, Code of Federal Regulations (CFR), Section 1004.4(d), I am unable to provide any responsive documents for item 2.

Pursuant to 10 CFR 1004.7(b)(2), Ms. Diane Cochran, Deputy Assistant Secretary for Human Capital and Business Services in the Office of Environmental Management, is responsible for the determination for her office that no responsive records exist.

Pursuant to 10 CFR 1004.8, you may challenge the adequacy of the search for responsive documents by submitting a written appeal to the Director, Office of Hearings and Appeals, at HG-1/L'Enfant Plaza Building, U.S. DOE, 1000 Independence Avenue, SW, Washington, DC 20585-1615. You should submit the appeal within 30 calendar days of receipt of this determination.

The written appeal, including the envelope, must clearly indicate that a FOIA appeal is being made. The appeal must contain the elements required by 10 CFR 1004.8. Judicial review will thereafter be available (1) in the district where you reside; (2) in the district where you have your principal place of business; (3) in the district where the DOE records are located; or (4) in the District of Columbia.

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I appreciate the opportunity to assist you with matter. If you have any questions about the processing of the request at Headquarters, you may contact Ms. Vera Dunmore at (202) 586-4047.

Sincerely,

Joan Ogbazghi

for Alexander C. Morris
FOIA Officer
Office of Information Resources

Enclosures

Document from EM

1. Undated document entitled "Visit to Savannah River 15-19 September 2008." 3 pages. (FOIA-2009-000260)

VISIT TO SAVANNAH RIVER
15 – 19 September 2008

Dede Dessommes and Trudy Wachala went to the Savannah River site at the request of Mr. Bruce Winn, Human Resources Director. He asked for HQ assistance in reviewing policies, reviewing personnel actions and incentives.

AREAS OF CONCERN. This report focuses on the areas of concern found:

- Noncompetitive promotions based on "accretion of duties" given to at least 50 – 60 employees in May/June/July 2008
- Concern whether the upgrades (ranging in grades from GS-06 to GS-14) were properly classified at the higher grades.
- Liberal interpretation of retention incentives regulations
- Errors in processing personnel actions

-- Noncompetitive Promotions based on "Accretion of Duties." I reviewed the documentation for over 46 noncompetitive promotions based on accretion of duties – all occurring in June/July 2008:

- 18 Facility Representatives
- 17 Nuclear Engineers
- 11 Accountants/Accounting Technician/Budget Analysts*
- General Engineers (don't have the number available)

*A Budget Analyst was noncompetitively promoted based on accretion of duties after a PCS from another geographical area after <u>being on the job 2 weeks</u>.

Noncompetitive promotions based on accretion of duties are rare and are based on the <u>gradual</u> addition of duties to the employee's position occurring over an extended period of time.

This was not the case at SR. The basis of all the promotions was to bring the "grading structure in line with the grading structure of comparable positions at other DOE operations offices." Standardization of grades is not a basis for noncompetitive promotions based on accretion of duties.

-- Retention Incentives. Recommend use of retention incentives be reviewed for adherence to regulations (5 CFR Part 575 Part C). Retention incentives may be authorized if an employee has unique qualifications <u>and</u> the employee is planning to leave for reasons such as nonfederal employment or retirement. Retention incentives have been given at SR to individuals and groups of employees who are not retirement eligible and have no other offers of private sector/contractor employment.

had a paid move (including purchasing her home) from Georgia to SR and was on a one year Transportation Agreement. After only 3 weeks on the SR job - and still on a one year contract with the Federal government -she was given a retention incentive.

--- Facility Representatives. Eighteen Facility Representatives were given a group incentive award (10%) – few of whom are currently eligible to retire. These same Facility Representative were also among those who were noncompetitively promoted in June 2008.

--- General Engineers. A number of General Engineers were given a group incentive award (10%) – few of whom are eligible to retire. Most were born in the 1960's. These General Engineers were also among those who were noncompetitively promoted in June 2008.

--- Nuclear Engineers. Seventeen Nuclear Engineers were given a retention incentive (10%) – few of whom are eligible to retire.

Justifications for the noncompetitive promotions and the group Retention Incentives consisted of 3 separate memos for each group of positions, each essentially saying the same thing. Two memos were signed May 9, 2008 and one was signed on June 5, 2008. These memos were multi-purpose and stated positions would be re-classified to mirror jobs comparable at other sites and Retention incentives would be provided to sustain staffing levels and retain current staff. I did not see evidence of job audits/additional duties to support the accretion of duties – nor did I see evidence groups of employees planned to leave their positions to retire or accept private sector/contractor employment.

Personnel Actions Review. Twelve Official Personnel Folders were randomly selected and reviewed.

- Use of Provisional Appointments (temporary appointment) pending receipt of security clearance. This is done even if a person is a permanent Federal employee who has moved to SR. Employees do not start the job until the security clearance has been granted.
- Incorrect processing of personnel actions (i.e., a "promotion" from a temporary appointment, veterans preference given in error, promotion to GS-09 level after serving as a GS-7 for only 7 months, etc).
- Advanced in Hire Rate – an employee was given a GS-13, step 5, $88,028 salary - plus an excellent benefits package - based on a private sector position (2 years) salary of $72,000. This is a difference of $16,028 per annum – even more when adding in the cost of the benefits package. Advanced in hire rates are intended to prevent a loss of salary – not to increase salary to this extent.
- A very well qualified Chemist, GS-12 was selected for a position that was recruited at the GS-09 (target GS-13). Instead of hiring her at the GS-13 or even GS-12 level, she was selected at the entry grade of GS-09 – and given HPR at the time of appointment and again when she was promoted to the GS-11 level.

- Performance Appraisals. At least 27 employees have not had a performance appraisal for a year or more. I believe awards are given without appraisals on record.

Other Concerns.

- Applicants are routinely eliminated from consideration for positions if they do not provide supporting documents such as a Performance Appraisal, DD-214, SF-50, transcripts, etc. The rationale given is not enough staff to contact the people. This is contrary to OPM regulations.
- Need more information on the use of a locally developed "Super KSA."
- Crediting Plan for a GS-201-11/12 does not match KSA's showing in vacancy announcement – no linkage.
- Lack of trained staff.

Other Accomplishment. We eliminated a backlog of resumes that required rating. The jobs were:

- General Engineer/Physical Scientist, GS-801/1301-15 – 5 resumes
- Budget Analyst, GS-560-9/11/12/13 – 50 resumes
- Emergency Preparedness Specialist, GS-301-13 – 20 resumes
- Fire Protection Engineer, GS-14 – 3 resumes
- General Engineer/Physical Scientist, GS-801-13 – 8 resumes
- Employee Concerns Specialist, GS-301-13 – 10 resumes
- Hr Specialist, GS-201-11/12 – 15 resumes

Dede