

# United States Senate

WASHINGTON, DC 20510

December 9, 2019

Mr. Andrew Saul  
Commissioner  
Social Security Administration  
6401 Security Boulevard  
Baltimore, MD 21235

Dear Commissioner Saul:

We are writing to express our disappointment regarding your decision to end the telework program for nearly 12,000 employees in the Social Security Administration's (SSA) operations components. We are concerned that this move represents an unwarranted break with existing policy and contradicts the assurances you made in response to our July 23, 2019 letter in which you expressed your willingness to work with SSA employees and their unions in a collaborative fashion to improve public service. We respectfully request that you reconsider this change in policy.

We understand that SSA's new contract with the American Federation of Government Employees (AFGE) has just come into effect, and that this contract conferred some degree of discretion to SSA management to set new rules for teleworking. We do not believe, however, that this justifies management's unilateral decision to rescind telework entirely for the 12,000 affected employees. AFGE had no prior notice of this decision. Furthermore, we are concerned that SSA is not providing sufficient time for workers to alter their arrangements to account for this policy change.

Roughly 70 million Americans receive some sort of Social Security benefit. Among numerous other challenges, SSA faces a persistent case backlog that affects the delivery of these vital benefits to our constituents. In your November 4, 2019 "Open Letter to the Public," you talk about improving SSA's "public facing services," which is commendable. We recognize that an issue of this gravity demands a response and we stand ready to help. We fear, however, that abruptly ending telework threatens to make the problem worse, not better. We fear it will harm productivity by demoralizing employees who must scramble to make alternate childcare and other arrangements, encouraging early retirements, and undermining efforts to recruit promising new workers. SSA's national 800 number is a crucial "public facing service". As *Government Executive* recently reported, the SSA's own Inspector General (IG) determined that "telework actually improved productivity for employees at teleservice centers, which administer the 800 number ... teleworkers took an average of four additional calls per day than non-teleworkers, resolved those calls more quickly than employees in the office and spent an additional half hour each day helping customers."<sup>1</sup>

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<sup>1</sup> Eric Wagner. *Government Executive*, "Social Security's Justification for Ending Telework Pilot Doesn't Add Up." November 7, 2019. [www.govexec.com/management/2019/11/social-securitys-justification-ending-telework-doesnt-add/161167/](http://www.govexec.com/management/2019/11/social-securitys-justification-ending-telework-doesnt-add/161167/)

The Telework Enhancement Act of 2010 requires the Office of Personnel Management (OPM) to provide annual reports to Congress on Federal telework programs. In its most recent report for Fiscal Year 2017, OPM states that most Federal employees feel that telework improves their productivity, performance, and morale. Even more telling, 53 percent of supervisors agreed with the sentiment that telework improves their employees' ability to perform their work; only 15 percent disagreed.

In Fiscal Year 2017, SSA estimated that it had saved \$900,000 on rental costs through its telework program. Other agencies also reported savings in transit subsidy costs, utility costs, and office supplies. Given this information and the IG's findings noted above, we are interested in seeing any evidence you may have that indicates that eliminating telework will increase agency productivity and efficiency.

We respectfully request that you reconsider your decision to terminate the telework program. We also ask that you respond to the following questions as soon as possible:

1. What cost-benefit analysis led SSA to conclude that eliminating telework would result in improved performance? Please share the specific results of any analysis, such as lost investment in telework infrastructure, new requirements for additional office space and physical resources, and staff attrition.
2. How did SSA determine that 20 work days would be sufficient notice for employees to make new arrangements for commuting, childcare and/or eldercare, etc.?
3. As per the terms of the new collective bargaining agreement between SSA and AFGE, employees should have continued access to telework. Is SSA's decision to eliminate telework contrary to the collective bargaining agreement? Do any supervisors and managers telework? If so, will they still have access to the telework program?
4. How much notice did SSA provide AFGE before the announcement on telework? What opportunity did AFGE members or other SSA staff have to consult with agency leadership about the decision?

You affirmed your commitment to working as an independent and nonpartisan leader of SSA, maintaining positive and fair relations with your employees, and bargaining in good faith with unions. We hope you will stand by your commitment, provide an explanation for your reasoning and evidence for making this change in policy, and reconsider your decision.

Sincerely,



Benjamin L. Cardin  
United States Senator

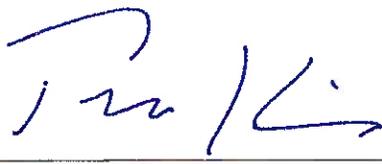


Mark R. Warner  
United States Senator



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Chris Van Hollen  
United States Senator



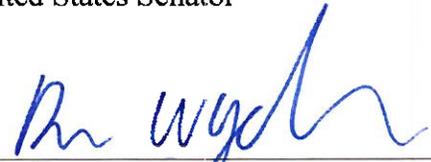
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Tim Kaine  
United States Senator



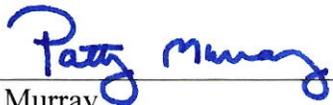
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Charles E. Schumer  
United States Senator



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Ron Wyden  
United States Senator



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Patty Murray  
United States Senator



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Gary C. Peters  
United States Senator



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Kamala D. Harris  
United States Senator



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Sherrod Brown  
United States Senator



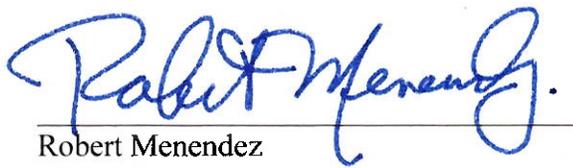
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Mazie K. Hirono  
United States Senator



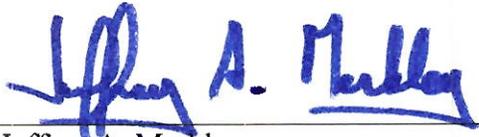
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Tammy Duckworth  
United States Senator



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Robert Menendez  
United States Senator



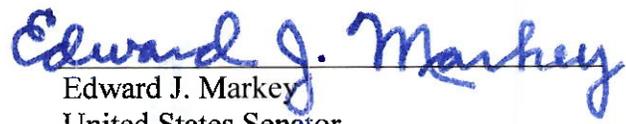
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Jeffrey A. Merkley  
United States Senator



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Amy Klobuchar  
United States Senator



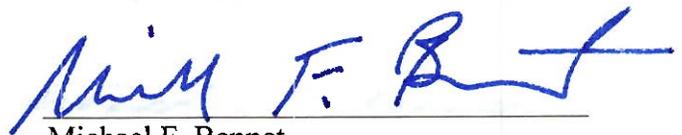
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Edward J. Markey  
United States Senator



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Richard Blumenthal  
United States Senator



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Michael F. Bennet  
United States Senator



Cory A. Booker  
United States Senator



Kirsten Gillibrand  
United States Senator



Robert P. Casey, Jr.  
United States Senator



Margaret Wood Hassan  
United States Senator



Tammy Baldwin  
United States Senator



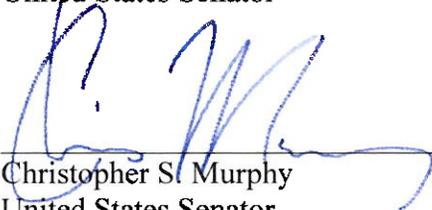
Maria Cantwell  
United States Senator



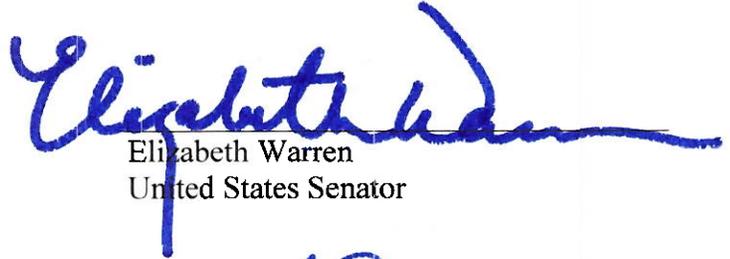
Jeanne Shaheen  
United States Senator



Bernard Sanders  
United States Senator



Christopher S. Murphy  
United States Senator



Elizabeth Warren  
United States Senator



Jack Reed  
United States Senator



Sheldon Whitehouse  
United States Senator



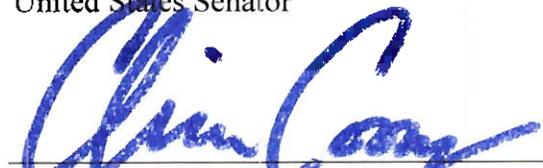
Brian Schatz  
United States Senator



Debbie Stabenow  
United States Senator



Jon Tester  
United States Senator



Christopher A. Coons  
United States Senator