



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

December 15, 2011

Rosa M. Koppel
Designated Agency Ethics Official
Federal Labor Relations Authority
1400 K Street, NW., Suite 300
Washington, DC 20424-0001

Dear Ms. Koppel:

The United States Office of Government Ethics (OGE) has conducted a follow-up review of the ethics program at the Federal Labor Relations Authority (FLRA) to determine whether the improvements recommended or suggested in our May 2011 report have been achieved.

During OGE's initial review of FLRA's ethics program, OGE found that FLRA had only one ethics official, a Designated Agency Ethics Official (DAEO). Every agency in the executive branch is required to have at least two ethics officials, a DAEO and an Alternate DAEO. This is a regulatory requirement and is critical for the continuity of an agency's ethics program. OGE recommended that FLRA "[A]ppoint an Alternate DAEO." FLRA appointed a temporary Alternate DAEO pending the selection of a candidate to fill the position of Deputy Solicitor with the intention of appointing the Deputy Solicitor to be the Alternate DAEO. FLRA has recently selected a candidate for the position of Deputy Solicitor and that person will be appointed FLRA's Alternate DAEO. FLRA has taken action responsive to OGE's recommendation and; therefore, the recommendation is closed.

OGE's initial review also identified that FLRA's procedures for administering the confidential financial disclosure system incorrectly stated the confidential disclosure reporting requirements for special Government employees (SGE). SGEs were incorrectly instructed that they were only required to file reports upon their appointment or reappointment, even if they were appointed to multiple-year terms. FLRA's SGEs are required to file new entrant confidential reports annually. OGE notes that when the issue was brought to the DAEO's attention during the initial review, the DAEO took immediate action to collect reports from SGEs, as required. OGE recommended that FLRA "[A]mend its written procedures for administering financial disclosure systems to ensure that all SGE's understand that they are required to file new entrant reports each year." FLRA did amend its written procedures to clarify that SGEs must file new entrant confidential reports annually. FLRA's amended procedures are responsive to OGE's recommendation and; therefore, the recommendation is closed.

OGE also suggested that FLRA "[E]stablish a single date on which all SGE reports will be due" (rather than having each SGE file on the anniversary of their appointment date). This is allowed as a means of alleviating the burden of tracking multiple due dates of SGE reports based on individual dates of appointment. FLRA has decided to establish a single due date for all

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SGEs. The due date will be on or about May 15. FLRA's decision is responsive to the suggestion and the issue is closed.

OGE's initial review found that annual training for most covered employees likely did not meet regulatory content requirements. FLRA's DAEO took immediate action to provide supplemental training to employees whose annual training did not meet content requirements even before OGE's May 2011 report was issued. OGE recommended that FLRA "[E]nsure that 2010 annual ethics training is provided to all covered employees prior to OGE's 6-month follow up." OGE also recommended that FLRA "[D]evelop a plan to ensure future annual training meets applicable requirements." FLRA completed required training for covered employees by October 31, 2011, well before OGE's follow-up review. FLRA also developed a training plan which provides for training which meets regulatory requirements. FLRA's actions are responsive to both recommendations and; therefore, OGE closes both recommendations.

Based on our follow-up and as noted, we have determined that FLRA has adequately implemented the recommendations and suggestions in the May 2011 review report. As a result, OGE has closed the recommendations. In addition, OGE is satisfied that FLRA's actions regarding the suggestions in the May 2011 report are responsive and; therefore, considers those issues closed as well. Thank you for your assistance during the follow-up process. Please contact me at 202-482-9317 if you require any additional information.

Sincerely,



Rashmi Bartlett
Associate Director