



DEPARTMENT OF VETERANS AFFAIRS  
**OFFICE OF INSPECTOR GENERAL**

*Office of Investigations*

VETERANS HEALTH ADMINISTRATION

Alleged Misuse of Overtime  
and Compensatory Time  
and Improper Telework at  
the Hunter Holmes McGuire  
VA Medical Center

Richmond, Virginia

ADMINISTRATIVE  
INVESTIGATION

REPORT #18-02137-34

DECEMBER 12, 2018



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## Summary

The Office of Inspector General (OIG) Administrative Investigations Division investigated an allegation that during FY 2017 an employee (the Employee) of the Hunter Holmes McGuire VA Medical Center (Medical Center), Richmond, Virginia, misused official time by recording overtime and compensatory time exceeding 500 hours and 200 hours respectively. During its review, the OIG also evaluated the Employee's use of telework.

## Review and Relevant Legal Authority

To assess the allegations, the OIG interviewed the Employee, the Medical Center Associate Director, and other VA employees with relevant information. The OIG reviewed email, personnel records, time keeping records, as well as federal laws, regulations, and VA policy.

VA regulations state:

Overtime is considered an expedient to be used only under conditions wherein necessary operations cannot be performed through planned coverage by on-duty personnel during their regular non-overtime basic workweek. Supervisory personnel must obtain proper authorization for overtime before permitting or requiring the performance of overtime work by an employee. Administration heads and other top officials are authorized to prescribe, in their responsible areas, such limitations as are necessary to provide control and prevent abuse of the use of overtime. Each responsible official must assure that the rights of employees to compensation for overtime services are observed. Each responsible official shall also adhere to a policy of authorizing only such overtime as can be readily demonstrated as wholly supported from the standpoint of emergency and/or efficiency in carrying out his/her responsibilities, and with due regard to cost and the availability of current funds. Any overtime duty required of employees should be equitably distributed consistent with the needs of the office.<sup>1</sup>

VA regulations also state:

All employees approved for regular and recurring telework are eligible for ad hoc telework. An employee who does not have an agreement for regular and recurring telework must have an ad hoc agreement in place before he or she can telework on an ad hoc basis. An employee approved only for ad hoc telework should telework periodically throughout the year to ensure that he or she is prepared for ad hoc telework. While ad hoc telework is generally used for unforeseeable and

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<sup>1</sup> VA Handbook 5011/23 Part II, Chapter 2, Section 3

unavoidable emergency circumstances, management may approve ad hoc telework for any reason for an employee with an approved telework agreement.<sup>2</sup>

## Investigative Results and Recommendations

Concurrent with the OIG investigation, the Veterans Integrated Service Network 6 (VISN 6) Financial Quality Assurance Manager audited the time worked by the Employee in excess of the basic workweek. The VISN 6 audit concluded that the extent of the Employee's additional work hours was known to the Medical Center's management, but that documentation and internal controls governing the use of overtime were insufficient. VISN 6 recommended that the Medical Center prioritize the hiring of an additional staff member in the Employee's work group to reduce the need for overtime, and that the Medical Center management establish and maintain proper internal control structure over the approval of overtime and compensatory time.

After applying the relevant regulations to the evidentiary record developed in its own independent investigation, the OIG concluded that it concurred with the findings and recommendations of the VISN 6 audit and therefore makes no additional recommendations.

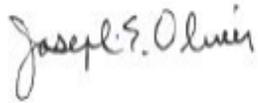
The OIG investigation also revealed that on several occasions the Employee teleworked on weekends and other regularly scheduled days off. The availability of telework is subject to supervisor approval and must be governed by a telework agreement. The OIG determined that the Employee lacked a telework agreement, and that the Employee's position was not coded in the Personnel and Accounting Integrated Data system as telework eligible. When the Employee was alerted to this during the OIG investigation, the Employee took corrective action to obtain a telework agreement. The agreement was approved by the Employee's supervisor and the Associate Director of the Medical Center. Because remedial action has been taken, the OIG makes no recommendations.

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<sup>2</sup> VA Handbook 5011/28 Part II, Chapter 4, Section 7f

## Conclusion

The OIG did not substantiate the allegation that the Employee misused official time. The VISN 6 recommendation to hire an additional employee addresses the need to reduce the Medical Center's reliance on overtime by the Employee, and therefore the OIG makes no recommendations. The institution of a telework agreement for the Employee addresses the telework policy compliance deficiency identified by the OIG's investigation.



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## OIG Contact and Staff Acknowledgments

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