OIG Office of Inspector General

Federal Labor Relations Authority

SEMIANNUAL REPORT TO CONGRESS



April 1, 2018 – September 30, 2018

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Executive Summary

This Semiannual Report, submitted pursuant to Section 5 of the Inspector General Act of 1978, as amended, summarizes the major activities and accomplishments of the Federal Labor Relations Authority (FLRA) Office of Inspector General (OIG) for the period April 1, 2018 to September 30, 2018. The most significant activities of the OIG during the second half of Fiscal Year (FY) 2018 are noted below. Additional details pertaining to each activity can be found in subsequent sections of this report.

Audits and Reviews Highlights

During this reporting period, the OIG issued four audits and reviews including: (1) Quality Review of the Federal Labor Relations Authority Office of Inspector General Audit Operations for the Period April 1, 2017 through March 31, 2018 (MAR-18-04); (2) Top Management and Performance Challenges Facing the Federal Labor Relations Authority (MC-19-01); (3) Digital Accountability and Transparency Act Oversight Follow-up Audit (AR-18-07); and (4) External Peer Review of the Federal Trade Commission Office of Inspector General (MAR-18-05).

Dembo Jones, P.C. (Dembo Jones) under contract with the FLRA OIG conducted a quality assurance review of the OIG audit operations (MAR-18-04). The primary objective of the review was to ensure that the OIG quality control system is suitably designed and consistently complied with and to the extent necessary to reasonably ensure compliance with professional audit standards and policies. The review resulted in a rating of pass.

The OIG issued a letter (MC-19-01) of the most serious management and performance challenges facing the FLRA. We retained all three challenges from last year's list.

Dembo Jones, under contract with the OIG, completed a Digital Accountability and Transparency Act Oversight Follow-up Audit (AR-18-07 resulting in one recommendation and closing the prior year finding.

The FLRA OIG completed an external peer review of the Federal Trade Commission (FTC) OIG in July 2018 and issued a report. The review found the FTC OIG substantially compliant with all the requirements and issued a "pass" rating.

Ongoing Audits and Reviews

The OIG has three ongoing audits and evaluations. An (1) Audit of the Federal Labor Relations Authority's Federal Transit Benefits Program (AR-18-06); (2) Audit of the Federal Labor Relations Authority Financial Statements for Fiscal Year 2018 (AR-19-01); and (3) Evaluation of the Federal Labor Relations Authority's Compliance with the Federal Information Security Modernization Act of 2014 for Fiscal Year 2018 (MAR-19-01).

Investigations Highlights

In FY 2018, the OIG received 110 hotline inquiries. Of the 110 inquiries received, 75 percent of the inquiries were resolved by the OIG, 10 percent were referred to other OIG's for disposition and 15 percent were referred to other FLRA offices.

Other Activities Highlights

On May 3, 2018, we responded to a Senate request from the Homeland Security and Governmental Affairs and the Committee on the Judiciary requesting information on FLRA's Procedures in the Absence of a General Counsel.

The FLRA OIG entered into a Memorandum of Understanding with the FTC OIG to conduct an external peer review.

Looking Ahead

The OIG plans to initiate the following audits and reviews during the first half of FY 2019:

- Federal Labor Relations Authority's Compliance with the Improper Payments Elimination and Recovery Act of 2010 (MAR-19-02);
- 2. Quality Assurance Review of the FLRA OIG Audit Operations (MAR-19-03);
- 3. Evaluation of the FLRA Privacy and Data Protection (MAR-19-04); and
- 4. Audit of FLRA's Compliance with the Government Charge Card Abuse and Prevention Act of 2012 (AR-19-04).



Federal Labor Relations Authority Overview

Mission

The mission of the Federal Labor Relations Authority (FLRA) is to promote stable, constructive labor-management relations through the timely resolution and prevention of labor disputes in a manner that gives full effect to the collective-bargaining rights of employees, unions, and agencies. Although the FLRA is a small agency, accomplishing its mission – including timely, quality, and impartial resolution of labor-management disputes – is essential to and promotes the effectiveness and efficiency of program performance Government-wide.

Organization

The FLRA is organized into three statutory components – the Authority, the Office of the General Counsel, and the Federal Service Impasses Panel – each with unique adjudicative or prosecutorial roles. The agency also provides full program and staff support to two other organizations – the Foreign Service Labor Relations Board and the Foreign Service Impasse Disputes Panel.

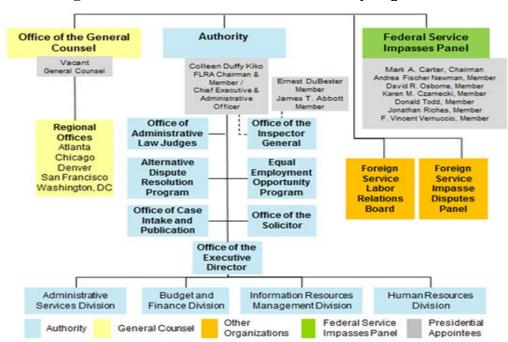


Figure 1. Federal Labor Relations Authority Organization Chart

Office of Inspector General

The Office of Inspector General (OIG) is an independent office established under the provisions of Inspector General Act of 1978, as amended (hereafter referred to as the IG Act). The FLRA OIG was established on September 25, 1989. Ms. Dana Rooney was named Inspector General in 2010.

The IG Act was recently amended by the Inspector General Empowerment Act of 2016 to safeguard OIG access to agency information and mandates additional reporting to increase transparency in government operations.

The IG Act gives the Inspector General the authority and responsibility to:

- conduct and supervise audits and investigations of the FLRA's programs and operations;
- 2. provide leadership, coordination, and recommend policies for activities designed to promote economy, efficiency, and effectiveness in the administration of the FLRA's programs and operations; and prevent and detect fraud, waste, and abuse of the FLRA's programs and operations; and
- 3. keep the Chairman, Authority Members, and Congress fully and currently informed about problems and deficiencies, as well as the necessity for corrective actions.

AUDITOR

OPERATIONAL SUPPORT
- COUNSEL TO THE IG
- CONTRACTORS

Figure 2. FLRA Office of Inspector General Organization Chart

Office of Inspector General Activities

During this semi-annual period, the OIG completed four audits or reviews. At the end of the reporting period three audits remained ongoing.

We **completed**4 audits and reviews during this reporting period.

Completed Audits and Reviews

Completed Audits and Reviews

 Quality Review of the Federal Labor Relations Authority Office of Inspector General Audit Operations for the Period April 1, 2017 through March 31, 2018 (MAR-18-04)

The OIG is required to undergo an annual review of its audit function's system of quality control. The purpose of the review is to assess whether FLRA OIG carries out its work in accordance with:

- Established policies and procedures, including Generally Accepted Government Auditing Standards;
- Applicable Office of Management and Budget (OMB) and Government Accountability Office guidance; and
- Statutory provisions applicable to OIG audits.

We contracted with the independent accounting firm of Dembo Jones, P.C. (Dembo Jones) to conduct a review of FLRA's quality assurance program. The scope of the review was April 1, 2017 through March 31, 2018. FLRA OIG can receive a rating of pass; pass with deficiency(ies) or fail. A report was issued on June 18, 2018, and the FLRA OIG received a rating of pass.

2. Top Management and Performance Challenges Facing the Federal Labor Relations Authority (MC-19-01)

The Reports Consolidation Act of 2000, requires the OIG to provide the agency head with a statement that summarizes the most serious management and performance challenges facing the agency and briefly assesses the agency's progress in addressing those challenges.

On September 17, 2018, we provided the Chairman and Authority Member's with the top management and performance challenges facing the

FLRA along with a brief assessment of management's progress in addressing them. We found that the FLRA had made progress with respect to the management challenge, Information Technology by having no new IT security findings for the past 2 years and closing four of the five open recommendations. Due to having one open recommendation since 2015 related to the Federal Information Security Modernization Act of 2014, we continued to report the management challenge. This year, we retained all three management challenges from last year's list. The top management and performance challenges include (1) Information Technology Security; (2) Records Management; and (3) Closure of Open Recommendations Outstanding for More Than 1 Year.

 Digital Accountability and Transparency Act Oversight Follow-up Audit (AR-18-07)

Under a contract monitored by the OIG, Dembo Jones performed an audit of the FLRA's reporting and implementation of the Digital Accountability and Transparency Act of 2014 (DATA Act). The DATA Act was enacted May 9, 2014 and, among other things, requires that Federal agencies report financial and payment data in accordance with data standards established by the Department of Treasury and OMB. The data reported will be displayed on a website available to taxpayers and policy makers. In addition, the DATA Act requires that agency OIG's review statistical samples of the data submitted by the agency under the DATA Act and report on the completeness, timeliness, quality and accuracy of the data sampled and the use of the data standards by the agency.

The DATA Act requires OIGs to provide Congress with three reports. The first mandated OIG audit of FLRA's reporting and implementation of the DATA Act was provided in 2017. This report was performed to ensure FLRA continues its oversight efforts. The follow-up audit performed in 2018 was to ensure FLRA continues its oversight efforts. In 2019, we will be issuing the second mandated OIG report to Congress.

In 2018, the OIG reviewed and tested FLRA spending data. We found that the prior year finding did not re-occur in the quarters tested. Spending data was properly reported, as required for procurement records in the USASpending.gov system. To help ensure effective implementation of the DATA Act, we made one recommendation.

Office of Inspector General Activities

4. Peer Review of the Federal Trade Commission Office of Inspector General Audit Organization (MAR-18-05)

The FLRA OIG completed an external peer view of the Federal Trade Commission (FTC) OIG. In July 2018, the OIG issued a report and the FTC OIG, which received a rating of pass.

Ongoing... We currently have 3 audits and reviews.

Ongoing Audits and Reviews

 Audit of the Federal Labor Relations Authority's Federal Transit Benefits Program (AR-18-06)

In May 2007, OMB issued a Memorandum for the Heads of Departments and Agencies (M-07-15), "Federal Transit Benefits Program" (FTBP). The regulation directs agency and department heads on the specific internal controls that FLRA must implement over the FTBP.

The objective of the audit is to determine whether there are sufficient policies and procedures in place to ensure compliance with laws, regulations and other requirements and to prevent and detect waste, fraud, and abuse in the transit benefit program. The OIG plans to issue a report in the first half of FY 2019.

2. Audit of the Federal Labor Relations Authority's Financial Statements for Fiscal Year 2018 (AR-19-01)

Dembo Jones under contract with the OIG is conducting the FLRA's annual financial statement audit and the related statements of net cost and changes in net position, and the statements of budgetary resources. The OIG plans to issue a report in the first half of FY 2019.

- Evaluation of the Federal Labor Relations Authority's Compliance with the Federal Information Security Modernization Act of 2014 for Fiscal Year 2018 (MAR-19-01)
 - The E-Government Act of 2002 (P.L. 107-347), commonly referred to as FISMA, requires Federal agencies to develop, document, and implement an agency-wide information security program that provides security for the information and information systems that support the operations and assets of the agency. FISMA assigns specific responsibilities to agency heads and Inspectors General (IG).

Office of Inspector General Activities

- FISMA requires agencies to have an annual independent evaluation performed on their information security programs and practices and to report the evaluation results to OMB. FISMA states that the independent evaluation is to be performed by the agency IG or an independent external auditor as determined by the IG.
- Dembo Jones, on behalf of the OIG, is conducting an independent evaluation of FLRA's compliance with FISMA for FY 2018 using guidelines established by FISMA, OMB and the National Institute of Standards and Technology. The OIG plans to issue a report in the first half of FY 2019.

Planned... The 1st half of FY 2019, we plan to initiate 4 audits and management reviews. Planned Audits and Management Reviews

The OIG plans to initiate the following audit and management reviews during the first half of FY 2019:

- 1. Federal Labor Relations Authority's Compliance with the Improper Payments Elimination and Recovery Act of 2010 (MAR-19-02);
- Quality Assurance Review of the FLRA OIG Audit Operations (MAR-19-03);
- 3. Evaluation of the FLRA Privacy and Data Protection (MAR-19-04); and
- 4. Audit of FLRA's Compliance with the Government Charge Card Abuse and Prevention Act of 2012 (AR-19-04).

Investigations

The FLRA OIG receives and investigates allegations of fraud, waste, abuse and misconduct within FLRA programs and operations. The FLRA OIG investigations can give rise to administrative, civil and criminal penalties. Based on investigations conducted, the FLRA OIG issues reports that sets forth the allegations and an objective description of the facts to FLRA management regarding administrative and civil matters. Investigations which uncover potential criminal activity are referred to the Department of Justice. As of the end of the semiannual reporting period, the OIG has no investigations.

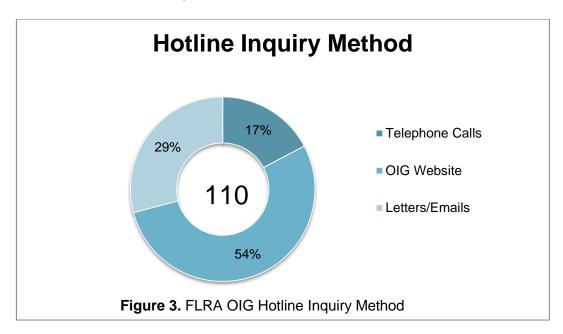
"The OIG received 110 hotline inquiries..."

OIG Hotline

In order to facilitate reporting of allegations, the FLRA OIG maintains a hotline (see "Contacting the Office of Inspector General"). Callers who have general questions or concerns that do not fall within the OIG's jurisdiction are referred

to other entities, such as other FLRA offices, Federal agencies and local or state governments.

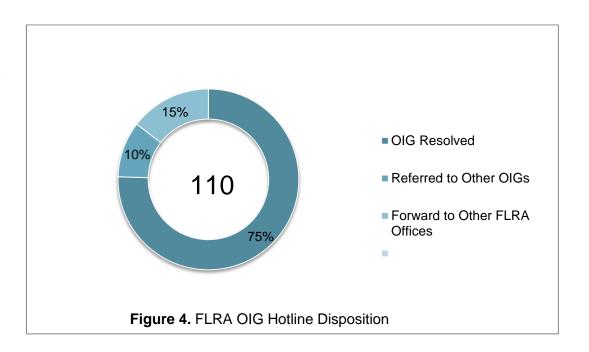
During FY 2018, we received 110 hotline inquiries. These hotline inquiries were received via the following methods: 19 telephone calls, 59 from the OIG Website and 32 letters/emails. The OIG resolved 83 of the inquiries, referred 11 to other OIGs for disposition and forwarded 16 to other FLRA offices.



"The OIG received 110 hotline inquiries..."

Over **90%** of the hotline inquiries were resolved by either the OIG or within the FLRA.

Majority of the hotline inquiries received were via our online site flra.gov/OIG-FILE_A_COMPL AINT



Other Activities

Memorandum of Understanding

On May 2, 2018 the FLRA OIG signed a Memorandum of Understanding with the FTC OIG to conduct an external peer review of the FTC OIG audit organization.

Congressional/Senate Requests

On May 3, 2018, we responded to questions from the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary requesting information on FLRA procedures in absence of a General Counsel.

Regulatory Review

Section 4(a) (2) of the Inspector General Act of 1978, as amended, requires the OIG to review existing and proposed legislation and regulations relating to FLRA programs and operations. During this reporting period the OIG did not review any legislation and regulations relating to FLRA.

Liaison Activities

The IG is a member of the CIGIE, which was established on October 14, 2008, pursuant to the Inspector General Reform Act of 2008. Additionally, the FLRA IG is a member of the CIGIE Budget Committee.

Reporting Requirements of the Inspector General Act of 1978, as Amended

The reporting requirements of the Inspector General Act of 1978, as amended, are listed in the following table along with the location of the required information. The word "None" appears where there is no data to report under a particular requirement.

Reference	Reporting Requirements	Page
Section 4(a)(2)	Review of legislation and regulations	11
Section 5(a)(1)	Significant problems, abuses, and deficiencies relating to the administration of programs and operations	None
Section 5(a)(2)	Recommendations with respect to significant problems, abuses, or deficiencies	None
Section 5(a)(3)	Significant recommendations included in previous reports on which corrective action has not been taken (Table 1)	16
Section 5(a)(4)	Matters referred to prosecutive authorities	None
Section 5(a)(5)	Summary of instances where information was refused	None
Section 5(a)(6)	Listing of reports by subject matter (Table 2)	17
Section 5(a)(7)	Summary of significant reports	6-8
Section 5(a)(8)	Statistical table – Reports with questioned costs (Table 3)	18
Section 5(a)(9)	Statistical table – Recommendations that funds be put to better use (Table 4)	19
Section 5(a)(10)	Summary of each audit, inspection, and evaluation report issued before this reporting period for which no management decision was made by end of the reporting period, no establishment comment was returned within 60 days; or for those with any outstanding unimplemented recommendations, including the potential aggregate cost savings (Table 5)	20 and 21
Section 5(a)(11)	Description and explanation of significant revised management decisions	None
Section 5(a)(12)	Significant management decisions with which the Inspector General disagrees	None
Section 5(a)(13)	Information under section 804(b) of the Federal Financial Management Improvement Act of 1996	None

Reporting Requirements of the Inspector General Act of 1978, as Amended

Reference	Reporting Requirements	Page
Section 5(a)(14)(15)(16)	Peer review activity on FLRA OIG and Peer review activity by FLRA OIG on another OIG (Appendix A)	22
Section 5(a)(17)	Statistical Table – Investigative Reports (Table 6)	21
Section 5(a)(18)	Description of metrics used for developing the data for the statistical table under Section 5(a)(17)	None
Section 5(a)(19)	Report on each investigation involving a senior Government employee where allegations of misconduct were substantiated	None
Section 5(a)(20)	Description of whistleblower retaliation	None
Section 5(a)(21)	Description of any attempt by establishment to interfere with the independence including budget constraints, resisted to or objected to oversight, delayed access to information	None
Section 5(a)(22)	Description of particular circumstances of each inspection, evaluation, and audit conducted that is closed and was not disclosed to the public; and investigation conducted by the Office involving a senior Government employee that is closed and was not disclosed to the public	None

Second Half of FY 2018 Freedom of Information Act Requests

Activity	Total
Number of Freedom of Information Act (FOIA) Requests Received	0
Number of FOIA Requests Processed	
Number Granted	
Number Partially Granted	
Number Not Granted	
Reasons for Denial	
No Records Available	
Referred to Other Agencies	
Requests Denied in Full Exemption 3	
Requests Denied in Full Exemption 5	
Requests Denied in Full Exemption 7(A)	
Requests Denied in Full Exemption 7(C)	
Request Withdrawn	
Not a Proper FOIA Request	
Not an Agency Record	
Duplicate Request	
Other	
Requests for OIG Reports from Congress and Other Government Agencies	
Received	
Processed	
Number of OIG Reports/Documents Released in Response to Requests	

Table 1. Reports from Previous Periods with Unimplemented Recommendations

Report Title	Unimplemented Recommendations
Evaluation of the Federal Labor Relations Authority Compliance with the Federal Information Security Management Act Fiscal Year 2015 (ER-16-01) November 9, 2015	1. All vulnerabilities should be reviewed in terms of their risk classification (e.g. High, Medium, and Low). High vulnerabilities should be remediated within 1 business day and Medium vulnerabilities should be remediated within 3-5 business days. Documentation in these areas needs to be improved.
Management Letter for Fiscal Year 2016 Audit of the Federal Labor Relations Authority (AR-17-02) November 16, 2016	1. When auditing employee payroll transactions, we noted 3 of 32 instances where the proper forms could not be provided to justify the amount stated on the employee's "Labor cost Details" payroll report and/or the "Earnings and Leave Statement" in the pay period selected for testing.
	FY 2017 Follow-up (AR-18—02) In 4 of the 32 instances tested, we were unable to receive the proper forms needed to justify the amount stated on the employee's "Labor Cost Details" payroll report and/or the "Earnings and Leave Statement" in the pay period selected for testing. We will continue to test these internal controls in future audits.

Table 2. Listing of Reports Issued

Report Number	Subject Matter	Issue Date	Report Title	Questioned Cost	Unsupported Cost	Funds Put to Better Use
MAR-18-04	Review	6/18/18	Quality Assurance Review of the Federal Labor Relations Authority Office of Inspector General Audit Operations	\$ 0	\$0	\$0
MAR-18-05	Review	7/2/18	Peer Review Report on the Federal Trade Commission Office of Inspector General Audit Organization	\$0	\$0	\$0
MC-19-01	Review	9/17/18	Top Management and Performance Challenges Facing the Federal Labor Relations Authority	\$0	\$0	\$0
AR-18-07	Audit	9/24/18	Digital Accountability and Transparency Act Oversight Follow-up Audit	\$0	\$0	\$0

Table 3. Reports with Questioned Costs

Description	Number of Reports	Questioned Costs	Unsupported Costs
A. For which no managemer decision has been made to commencement of the reperiod.	by the	\$0	\$0
B. Which were issued during reporting period.	g the 0	\$0	\$0
Subtotals	(A + B) 0	\$0	\$0
C. For which a management decision was made during reporting period.		\$0	\$0
i. Dollar value of disallo costs; and	wed 0	\$0	\$0
ii. Dollar value of costs r disallowed.	not 0	\$0	\$0
D. For which no managemen decision was made by the of the reporting period.		\$0	\$0

Table 4. Recommendations That Funds Be Put to Better Use

Description	Number of Reports	Unsupported Cost
For which no management decision has been made by the commencement of the reporting period.	0	\$0
B. Which were issued during the reporting period.	0	\$0
Subtotals (A + B)	0	\$0
C. For which a management decision was made during the reporting period.	0	\$0
i. Dollar value of recommendations that were agreed to by management; and	0	\$0
ii. Dollar value of recommendations that were not agreed to by management.	0	\$0
D. For which no management decision has been made by the end of the reporting period.	0	\$0

Table 5. Summary of Reports for Which No Establishment Comment Was Returned within 60 Days of Providing the Report

Fiscal Year	Number of Reports with Unimplemented Recommendations	Number of Unimplemented Recommendations	Dollar Value of Aggregate Potential Cost Savings
0	0	0	\$0

Table 6. Listing of Investigative Reports

Number of Investigative Reports	Number of Persons Referred to Department of Justice	Number of Persons Referred to State & Local Prosecuting Authorities	Number of Indictments and Criminal Information's that Resulted from Prior Referral
0	0	0	0

Appendix A. Peer Review Activity

Offices of Inspectors General performing audits are required to perform (and undergo) reviews of other OIG offices on a 3-year cycle. Peer reviews are conducted of an OIG audit organization's system of quality control in accordance with the CIGIE Guide for Conducting External Peer Reviews of the Audit Organizations of Federal Offices of Inspector General, based on requirements in the Government Auditing Standards (Yellow Book). Federal audit organizations can receive a rating of pass; pass with deficiencies, or fail. Section 989C of the Dodd-Frank Wall Street and Consumer Protection Act of 2010 contains additional semiannual reporting requirements pertaining to peer review reports. In keeping with Section 989C, our office is reporting the following information related to its peer review activities. These activities cover our role as both the reviewed, and the reviewing OIG.

Peer Review Conducted on FLRA OIG Audit Operations

The last peer review conducted by United States Capitol Police OIG on the FLRA's OIG was issued on June 30, 2017. This report is available on the FLRA OIG's Web page.

Peer Review Planned on FLRA OIG Audit Operations

The next peer review planned for FLRA OIG will be in calendar year 2020.

Peer Review Conducted by FLRA OIG on another OIG

The FLRA OIG conducted a peer review of the FTC OIG and issued a report in July 2018, which they received a "pass" rating.

Appendix B. Statement Regarding Plain Writing

We strive to follow the Plain Writing Act of 2010. The Act requires that Government documents be clear, concise, well-organized, and follow other best practices appropriate to the subject or field and intended audience.

The abbreviations we use in this report are listed below.

Acronym Abbreviation	Definition
CIGIE	Council of Inspectors General on Integrity and Efficiency
DATA Act	Digital Accountability and Transparency Act
CDM	Continuous Diagnostics and Mitigation
Dembo Jones	Dembo, Jones, P.C.
FTBP	Federal Transit Benefits Program
FISMA	Federal Information Security Management Act of 2002
FLRA	Federal Labor Relations Authority
FOIA	Freedom of Information Act
FTC	Federal Trade Commission
FY	Fiscal Year
IG	Inspector General
NEG	Negotiability (Type of FLRA case)
OIG	Office of Inspector General
ОМВ	Office of Management and Budget
P.L.	Public Law

Appendix C. Definitions of Terms

Term	Definition
Disallowed Cost	A questioned cost that management, in a management decision, has sustained or agreed should not be charged to the Government.
Final Action	The completion of all actions that management has concluded, in its management decision, are necessary with respect to the findings and recommendations. If management concluded that no actions were necessary, final action occurs when management decision is issued.
Management Decision	An evaluation by management of the findings and recommendations included in an audit report and the issuance of a final decision by management concerning its response to such findings and recommendations, including actions concluded to be necessary.
Questioned Cost	A cost questioned because of: (a) an alleged violation of a law, regulation, contract, or other agreement or document governing the expenditures of funds; (b) a finding that, at the time of the audit, such cost is not supported by adequate documentation; or (c) a finding that the expenditure of funds for the intended purpose is unnecessary or unreasonable.
Recommendation That Funds Be Put To Better Use	A recommendation that funds could be used more efficiently if management took actions to complete the recommendation, including: (a) reduction in outlays; (b) deobligation of funds; (c) costs not incurred by implementing recommended improvements related to the operations of the establishment, a contractor; (d) avoidance of unnecessary expenditures noted in preaward reviews of contract; or (e) any other savings which are specifically identified.
Unsupported Cost	A cost questioned because, at the time of the audit, such cost is not supported by adequate documentation.

Contacting the Office of Inspector General



If you believe an activity is wasteful, fraudulent, or abusive of Federal funds, contact us:

Online Hotline: FLRA.gov/OIG-

FILE_A_COMPLAINT

Email: OIGMAIL@FLRA.gov

The complainant may remain confidential; allow their name to be used; or anonymous. If the complainant chooses to remain anonymous, FLRA OIG cannot obtain additional information on the allegation, and also cannot inform the complainant as to what action FLRA OIG has taken on the complaint. Confidential status allows further communication between FLRA OIG and the complainant after the original complaint is received. The identity of complainant is protected under the provisions of the Whistleblower Protection Act of 1989 and the Inspector General Act of 1978. To learn more about the FLRA OIG, visit our Website at http://flra.gov/oig

OIG Contact Information

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