



CONGRESSIONAL TESTIMONY

STATEMENT FOR THE RECORD

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO

PROVIDED TO THE

SENATE COMMITTEE ON FINANCE

HEARING ON

**“SOCIAL SECURITY DURING COVID: HOW THE PANDEMIC HAMPERED ACCESS TO BENEFITS
AND STRATEGIES FOR IMPROVING SERVICE DELIVERY”**

APRIL 29, 2021

Chairman Wyden, Ranking Member Crapo and Members of the Committee:

The American Federation of Government Employees, AFL-CIO (AFGE) appreciates the opportunity to provide this statement for the record of the Committee's hearing on "Social Security During COVID: How the Pandemic Hampered Access to Benefits and Strategies for Improving Service Delivery." We thank the Committee for exploring this important topic.

AFGE represents more than 700,000 federal and District of Columbia employees in 70 agencies, including over 45,000 employees at the Social Security Administration (SSA). It is essential that union representatives be explicitly engaged in deliberations over decisions that affect the safety, working conditions and morale of the workforce. This is an even more urgent matter when employees and the public they serve are threatened by both a deadly virus and potential challenges to timely service delivery.

AFGE's members are proud of their success in maintaining operations throughout the pandemic of all of SSA's components. They have continued to serve the public and work down the backlog of cases in claims and appeals. We commend the Committee for exploring how the challenges presented by the COVID-19 pandemic and the management of the agency could have made that service delivery better.

SSA Restriction of Telework in 2019 and Early 2020

The unionized workforce's first challenge to continued service delivery during the pandemic was the abrupt migration to near-100 percent telework. This shift was made far more chaotic than necessary by SSA's earlier, ill-advised decision to revoke or severely limit telework for much of its workforce.

On October 27, 2019, the Social Security Administration informed SSA's Operations components (field offices, teleservice centers and data operations center) that all telework would end by November 22, 2019. Despite contractual and legal requirements, the agency did not provide a business rationale for ending telework. It simply revoked permission unilaterally.

On January 27, 2020, SSA informed non-Operations components, including the Office of Hearing Operations, that telework would be reduced in most components and that any employees currently using telework would have to submit a new telework agreement by February 7, 2020.

These poor decisions left the vast majority of the SSA workforce much less ready to shift to telework and virtual service delivery when the pandemic hit. Employees lacked equipment, training and had little or no input into the agency's continuation of operations plan.

Despite those poor management decisions, within a matter of weeks, SSA reported that wait times for calls were down and the number of calls answered per employee was up. The agency has also been able to reduce the pre-pandemic backlog of both newly filed claims and appeals claims. In the Office of Hearings Operations, the backlog of pending hearings requests also dropped. At SSA's headquarters in Maryland, the migration to telework was delayed for many who did not have a telework plan, including many who did not have access to the internet at home. Their ability to work was delayed until equipment and connectivity to be acquired. Overall, SSA has not only maintained vital services, but performance has improved and wait times have decreased for many services. In order to meet all of the public's needs, however, SSA will need to address workloads that are not portable, or that have been suspended or altered

because of the pandemic. As described below, this includes initial disability claims and continuing disability review (CDR).

Most SSA Work Is Portable; Addressing Non-portable Work

As telework in most components has continued throughout the pandemic, it is important to identify the non-portable workloads and consider how more of this work can be portable in the future.

In SSA field offices, work that is non-portable includes:

- Original Social Security number applications for applicants over age 12
- Dire need Social Security new or replacement card requests
- Immediate payments for claimants in critical situations
- Opening, sorting and scanning mail
- Processing remittances
- Interaction with members of the public who need to visit the office to receive Social Security checks and notices – individuals who do not have access to the internet, telephone or have a fixed address
- Updating an SSA account for those who have blocked “mySSA” for fraud purposes (updates such as change of address)

In the Office of Hearings Operations, work has remained largely off-site. Hearings are being conducted by telephone and video. By providing these virtual service options, the backlog of immediate cases with hearings pending has decreased.

However, it is essential to recognize that individuals have the right to request an in-person hearing and may benefit from that personal interaction. It is therefore crucial that SSA return to the in-person hearing format as soon as it can do so safely and that SSA continue community-based service for disability hearings. It would be a mistake to centralize hearings and migrate to an all-video format that would impersonalize services for some of America's most fragile and vulnerable populations.

AFGE's Recommendations

Engage the Unionized Workforce and Replace Leadership

The past four years have seen a decline in employee satisfaction and a drastic upheaval of the treatment of the unionized workforce by agency management. It is essential to morale and efficient operations of SSA to restore regular labor-management relations. SSA needs leaders who view the unionized workforce as a partner and not an obstacle, and that views employees as the knowledgeable, professional and dedicated public servants that they are. SSA needs new leaders at the highest levels that will cooperate and collaborate with the unions representing the people who know best how to get the public's work done. A change in leadership will improve both public service and employee engagement and empowerment.

To make labor management engagement productive, meetings must include decision-makers among all parties with expectations to achieve results to build a better agency.

SSA should engage with its unionized workforce through regular meetings and bargaining to find ways to further improve employee working conditions on issues such as technology, workstations, work processes, position descriptions and career development.

SSA must also work with AFGE to resolve as many outstanding disputes and grievances as possible, to further reset our relationship, improve morale and working conditions, and allow the parties to move forward less weighed down by the past four years.

Plan for Expanded Telework in a Post-Pandemic Work Environment

We have described the work conducted in the telework environment necessitated by the COVID-19 pandemic. Telework should continue into the future and SSA should identify additional portable work and the technologies needed make it possible.

Even before we envisioned the challenges of a pandemic, in a July 2017 Office of Inspector General report, employees utilizing telework in SSA Operations positions indicated:

- 68 percent completed more work when teleworking,
- 78 percent feel more satisfied with their jobs since the implementation of telework,
- 90 percent indicated no difference in communication with a supervisor when needed, and
- 67 percent indicated no problems accessing SSA's systems.

Equally important, the report found that telework productivity and customer service in Field Offices, Teleservice Centers and the Office of Hearings Operations was not markedly different

between those employees performing telework and those in the office. Had the findings of this report been considered, the agency would have been better prepared for telework during the pandemic.

Making Expanded Telework Possible: Use Technologies to Deliver In-person Services In A Virtual Environment

Use of technologies such as electronic meeting platforms can enable SSA employees to meet with members of the public remotely. Secure platforms will allow for employees to verify documents through web cameras. This will make currently non-portable workloads such as application for Social Security cards and numbers available for video-meeting services. This will need to be conducted securely to avoid privacy concerns of both employees and beneficiaries.

Employees have identified as a service challenge the slow rate of answered outgoing phone calls. Numbers typically appear in caller ID as either random numbers or as blocked or anonymous callers. SSA should change the caller ID on those outgoing calls to improve the connection rate and deliver better public service.

Additionally, SSA must review its Personally Identifiable Information (PII) policy, which is not reflective of current technologies. If updated with appropriate guidance and safeguards, this has the potential to continue to protect the public while increasing productivity.

Provide In-Person Services in a Safe Manner

Mail: Limited staff will be needed to open, sort and scan mail. This function involves only a small number of employees and is necessary to maintain portable work.

Immediate Payments: Immediate payments are an ongoing need. This will require that each field office have an authorized check signer in the office each day and could require additional employees be accorded check signing authority.

Public Visits: Our field offices must continue to interact with members of the public who do not have access to telephone or internet. This requires a small number of employees in the office who can maintain safe distances. This is an essential service, but demand is generally low.

Paper Files: Some files still exist only in paper format. Going forward, active files could be digitized and closed files could be destroyed in an appropriate manner.

Disability Claims, Reconsideration and Medical Continuing Disability Review

Continuing Disability Reviews (CDR) are a necessary part of SSA's function. Medical Continuing Disability Reviews were temporarily suspended during the pandemic to avoid cessation of benefits, but they have resumed. With this resumption comes a backlog of cases that must be reviewed. The last administration pushed to require CDRs to be conducted as frequently as every six months, a bad idea the current administration wisely reversed.

Of greater concern right now is the decision by the agency to extend Public Service Indicator measurements to complete disability claims, reconsiderations and CDRs. Instead of changing the goals, SSA should hire sufficient front line field office personnel to address this delayed backlog to continue to deliver these vital services in a timely manner.

Office of Hearings Operations

Maintaining Community Operations: As noted above, individuals filing appeals have the right to an in-person hearing and may very well benefit from that engagement. SSA should plan for the resources necessary to address the influx of delayed live hearings and keep this essential community-based service available to the public.

Staffing: The Office of Hearing Operations (OHO) provides the essential service of an administrative appeals process for benefits decisions. At the core of OHO's work is the position of Legal Assistant. These are among the individuals whose telework was severely and restricted in January 2020 without any business case for the decision.

In 2017, OHO consolidated the position descriptions of Legal Assistants, capping their career ladders and specializations. Many legal assistants were previously categorized as specialists in major workloads, such as master docket and case pulling, and were highly productive performing specialized work. OHO should review and revise position descriptions and create new career ladders to allow legal assistants to develop and build in their OHO careers, instead of being capped at GS-8 with little chance to advance. Developing this career ladder will realign hearing

offices to maximize employee talents, increase opportunity, and improve service as the post-pandemic demand for service will only grow.

Conclusion

AFGE thanks the Committee for considering how essential a respected, engaged and well-resourced workforce is to the effective function of the Social Security Administration. We have outlined the need for personnel management improvements, identified areas where additional resources are needed, and recommended some simple, practical solutions to overcome service delivery challenges. These should be viewed as closely connected and not severable. As labor and management relations come into balance and technology and staffing needs are addressed the public's vital needs will be better served during this pandemic and in its aftermath.