



Memorandum from the Office of the Inspector General

May 25, 2023

Todd M. Peney

**REQUEST FOR MANAGEMENT DECISION – EVALUATION 2022-17371 –
ORGANIZATIONAL EFFECTIVENESS – TVA POLICE AND EMERGENCY
MANAGEMENT**

Attached is the subject final report for your review and management decision. You are responsible for determining the necessary actions to take in response to our findings. Please advise us of your management decision within 60 days from the date of this report. In accordance with the Inspector General Act of 1978, as amended, the Office of the Inspector General is required to report to Congress semiannually regarding evaluations that remain unresolved after 6 months from the date of report issuance.

If you have any questions or wish to discuss our findings, please contact Amy. R. Rush, Evaluations Manager, at 865-633-7361 or Lisa H. Hammer, Director, Evaluations – Organizational Effectiveness, at (865) 633-7342. We appreciate the courtesy and cooperation received from your staff during the evaluation.

David P. Wheeler
Assistant Inspector General
(Audits and Evaluations)

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OIG File No. 2022-17371



Office of the Inspector General

Evaluation Report

To the Director, TVA
Police and Emergency
Management

ORGANIZATIONAL EFFECTIVENESS – TVA POLICE AND EMERGENCY MANAGEMENT

Audit Team

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Evaluation 2022-17371

May 25, 2023

ABBREVIATIONS

CIP	Critical Infrastructure Protection
DHS	Department of Homeland Security
EM	Emergency Management
FY	Fiscal Year
HR	Human Resources
HR&C	Human Resources and Communications
IDP	Individual Development Plan
NIBRS	National Incident-Based Reporting System
PIV	Personal Identification Verification
RMS	Record Management System
TVA	Tennessee Valley Authority
TVAP&EM	Tennessee Valley Authority Police and Emergency Management

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Evaluation 2022-17371 – Organizational Effectiveness – TVA Police and Emergency Management

EXECUTIVE SUMMARY

Why the OIG Did This Evaluation

Organizational effectiveness, as defined in this evaluation, is the ability of an organization to achieve its mission and goals. Due to the importance of alignment between strategy, team engagement, and operational performance, the Office of the Inspector General is conducting organizational effectiveness evaluations of business units across the Tennessee Valley Authority (TVA). This evaluation focuses on TVA Police and Emergency Management (TVAP&EM), a business unit under the River and Resources Stewardship organization, which is part of TVA's Resource Management and Operations Services organization.

TVAP&EM's mission is to "be responsible for preventing, protecting, and responding to any threats, crimes, or acts of terrorism threatening the Tennessee Valley Authority" and "providing a workforce that is safe, secure and resilient across the Tennessee Valley – every minute, every day." Responsibilities in support of the mission include providing physical security measures necessary to protect TVA's people, buildings, power production and transmission facilities, and access control security at critical locations across the Tennessee Valley. In addition, the organization is responsible for emergency preparedness across TVA, providing training to commissioned personnel and security awareness training for all TVA employees, and acting as the central point of communication for TVA. Other responsibilities include investigations, response to criminal incidents, alarms, and other emergencies, and comprehensive physical security services. The objective of this evaluation was to identify factors that could impact TVAP&EM's organizational effectiveness.

What the OIG Found

Interviews with TVAP&EM personnel revealed positive interactions within and outside TVAP&EM. However, we identified issues that have, or could, affect accomplishment of the TVAP&EM mission, if not addressed. These issues included (1) engagement risks, (2) employee concerns related to inconsistent practices within the organization, (3) risks related to TVAP&EM's mobile software tool, and (4) risks to personnel security. We also identified an opportunity to strengthen risk assessment within TVAP&EM.



Evaluation 2022-17371 – Organizational Effectiveness – TVA Police and Emergency Management

EXECUTIVE SUMMARY

What the OIG Recommends

We recommend the Director, TVAP&EM, address risks related to (1) engagement, (2) inconsistent practices, (3) mobile software, and (4) personnel security. We also made a recommendation related to TVAP&EM risk assessment opportunities. Our detailed recommendations are listed in the body of this report.

TVA Management's Comments

TVA management responded to our recommendations, noting they look forward to addressing the findings and recommendations and making their organization stronger as a result. Management provided actions taken or planned to address recommendations corresponding to inconsistent practices related to (1) law enforcement responsibility, jurisdiction, and authority; (2) performance management; (3) rotational positions, (4) incident reporting, risks related to the use of personal phones and personnel security; and (5) opportunities for improving the risk assessment process. See Appendix B for TVA management's complete response.

Auditor's Response

We agree with management actions taken or planned in response to our recommendations. However, TVAP&EM management did not specifically address engagement risks; inconsistent practices related to (1) organizational focus, (2) hiring practices, (3) the progression plan program; and operational issues related to mobile software. (Note: We revised wording throughout the report as appropriate based on discussions held with TVA management.)

BACKGROUND

Organizational effectiveness, as defined in this evaluation, is the ability of an organization to achieve its mission and goals. Due to the importance of alignment between strategy, team engagement, and operational performance, the Office of the Inspector General is conducting organizational effectiveness evaluations of business units across the Tennessee Valley Authority (TVA). This evaluation focuses on TVA Police and Emergency Management (TVAP&EM), a business unit under the River and Resources Stewardship organization, which is part of TVA's Resource Management and Operations Services organization.

As part of the TVA Act of 1933, found at Title 16, United States Code, § 831c-3, TVA was authorized to designate law enforcement agents to assist in carrying out its mission. In 1994, Congress passed legislation authorizing TVA's Board of Directors to designate employees as law enforcement officers to (1) maintain law and order and protect persons and properties in TVA's area of jurisdiction and (2) protect property, officials, and employees outside that area. On September 12, 1995, TVA Police officers were sworn in as federally commissioned law enforcement officers. Since then, changes have been made to the organization, including incorporation of the nonnuclear Contract Security Program, the creation of reference manuals to assist with meeting law enforcement and physical security standards, and the addition of Emergency Management (EM) and Security Installation and Maintenance Services. TVAP&EM's current mission is to "be responsible for preventing, protecting, and responding to any threats, crimes, or acts of terrorism threatening the Tennessee Valley Authority" and "providing a workforce that is safe, secure and resilient across the Tennessee Valley – every minute, every day." The organization's responsibilities are carried out by three departments: Critical Infrastructure Protection (CIP) and Operations Support, EM and Training, and Law Enforcement.

- CIP and Operations Support, comprised of both commissioned and noncommissioned personnel, is responsible for providing the physical security measures necessary to protect TVA's people, buildings, power production, and transmission facilities across the Tennessee Valley. The department consists of five groups with differing responsibilities, including Access Services, Security Compliance, Compliance and Policy, Security Technical Services, and Security Installation and Maintenance Services.
- EM and Training, comprised of both commissioned and noncommissioned personnel, is responsible for (1) providing training to commissioned personnel, (2) security awareness training for all TVA employees, (3) emergency preparedness across TVA, (4) acting as the central point of communication for TVA, and (5) security at critical locations across the Tennessee Valley. The department consists of four groups, including Contract Security, EM, Monitoring and Notification Center, and Training and Professional Standards.

- Law Enforcement, primarily comprised of investigators and regional inspectors, are federally commissioned law enforcement officers. These individuals are responsible for performing law enforcement duties that include investigations and response to criminal incidents, alarms, and other emergencies. In addition, Investigations personnel participate in executive protection activities. Inspectors provide comprehensive security services by acting as TVA physical security specialists, which includes assessment of TVA facilities to identify credible threats and collaboration with Security Technical Services personnel.

Accomplishments noted by the organization included the development of an insider threat program, being the recipient of four SERC Reliability Corporation¹ compliance audits with no physical security audit findings, implementation of access control changes to support an increase in the North American Reliability Corporation regulatory footprint in transmission, being the first federal law enforcement agency to receive accreditation for their in-service training program, and leading TVA's COVID response efforts. TVAP&EM's strategic business plan for fiscal years (FY) 2022 through 2026 included the following short- and long-term initiatives (1) focus on training and development in areas, such as leadership, active threat, and critical incidents; (2) planning, design, and implementation of the Personal Identification Verification (PIV) project;² and (3) focus on improved consistency, response capability, and technology. Organizational metrics included background check cycle time, closed cases, in-process cases, and average age of work orders. TVAP&EM was under budget for FYs 2020 and 2021.

As of June 23, 2022, TVAP&EM consisted of 126 employees. The structure of the organization included 34 employees in CIP and Operations Support, 28 employees in EM and Training, 58 employees in Law Enforcement, the TVAP&EM Director, and 5 direct reports to the TVAP&EM Director. As of October 1, 2022, changes were made to the structure of the organization that included switching some groups to other departments within TVAP&EM.³

¹ The SERC Reliability Corporation is a membership corporation responsible for the reliability and security of the electric grid across the southeastern and central regions of the United States. Functions of the corporation include auditing compliance with critical infrastructure standards.

² The PIV project purpose is to enhance access control processes for logical and physical access.

³ Organizational changes included revising the TVAP&EM department names to (1) Investigations and Operations Support, (2) EM and Physical Security, and (3) Law Enforcement, which included Training and Professional Standards.

OBJECTIVE, SCOPE, AND METHODOLOGY

The objective of this evaluation was to identify factors that could impact TVAP&EM's organizational effectiveness. We assessed operations as of June 2022 and culture at the time of our initial interviews and fieldwork, which occurred June through August 2022. To complete the evaluation, we:

- Reviewed (1) TVA's business plan for FYs 2022 through 2026; (2) Resource Management and Operations Services' business plan for FYs 2022 through 2026; (3) River and Resources Stewardship's business plan for FYs 2022 through 2026; (4) TVAP&EM's strategic plan for FYs 2022 through 2026; (5) TVA's FY 2022 Enterprise Risk Portfolio; and (6) documentation provided by TVAP&EM to gain an understanding of initiatives, metrics, and risks within TVAP&EM.
- Reviewed TVA values and competencies (see Appendix A) for an understanding of cultural factors deemed important to TVA.
- Examined TVAP&EM's *Law Enforcement Reference Manual*, *Physical Security Reference Manual*, and *Physical Security Standards and Requirements*, along with TVA and TVAP&EM Standard Programs and Processes relevant to the organization.
- Examined FY 2020 through July 31, 2022, financial information to gain an understanding of expenditures used in support of the work environment.
- Conducted individual interviews with 122 employees, including management, and analyzed the results to identify themes that could affect organizational effectiveness.⁴
- Surveyed and/or interviewed a nonstatistical sample of 197 individuals from other TVA organizations that work closely with TVAP&EM personnel and analyzed results to identify factors affecting organizational effectiveness from a business partner perspective.
- Conducted interviews with a nonstatistical sample of 14 of 50 employees⁵ who had been hired within the past 5 years and/or examined available hiring documentation related to the selection of those individuals.⁶
- Examined FYs 2021 and 2022 performance management documentation for consistency.
- Examined FY 2022 individual development plans (IDP)⁷ for TVAP&EM employees to determine whether employees had expressed an interest in rotational assignments.

⁴ Four employees did not respond to our invitation for an interview.

⁵ We sampled 14 employees; however, 1 employee did not respond to our invitation for an interview.

⁶ We were not provided hiring matrices for 1 of the selected individuals.

⁷ The IDP is a formal plan used to support the development and professional success of an individual employee. IDPs are specific to an individual's strengths, development needs, and career objectives, and include developmental action plans.

- Nonstatistically selected 13 annual TVA employees hired between July and September 2022 to determine whether their employment eligibility had been verified within the required time period.

This evaluation was performed in accordance with the Council of the Inspectors General on Integrity and Efficiency's *Quality Standards for Inspection and Evaluation*.

FINDINGS AND RECOMMENDATIONS

Interviews with TVAP&EM personnel revealed positive interactions within and outside TVAP&EM. However, we identified issues that have, or could, affect accomplishment of the TVAP&EM mission, if not addressed. These issues included (1) engagement risks, (2) employee concerns related to inconsistent practices within the organization, (3) risks related to TVAP&EM's mobile software tool, and (4) risks to personnel security. We also identified an opportunity to strengthen risk assessment within TVAP&EM.

POSITIVE INTERACTIONS WITHIN AND OUTSIDE TVAP

We interviewed 122 TVAP&EM employees during the course of our evaluation and 110 individuals (approximately 90 percent) commented positively on interactions within their group. For example, individuals described their groups as keeping each other informed or assisting each other in their work. In addition, 106 interviewees (87 percent) commented positively on their relationship with first-line management, with examples including first-line managers being knowledgeable and supportive. Of those interviewed, more than 101 individuals (over 83 percent) also commented positively on communication, trust, the ability to report concerns or offer a differing opinion, and recognition from the first-line level of management.

Ninety-six interviewees (nearly 79 percent) commented positively on interactions with business partners. In addition, business partner perceptions of TVAP&EM were positive. We obtained feedback from 197 individuals from business units outside of TVAP&EM to determine their opinions related to products and services, quality of feedback and communication, and timeliness. Business partners rated TVAP&EM above average or higher in each of these categories, with positive comments including TVAP&EM being knowledgeable, supportive, effective, professional, or collaborative.

ENGAGEMENT RISKS

While most employees commented positively on their relationship with first-line management, 56 employees (46 percent) indicated issues with communication, trust, accountability, and recognition with certain managers in the organization. Fourteen individuals (12 percent) specifically discussed inconsistencies in accountability between groups, such as perceptions that certain managers favor commissioned personnel over noncommissioned personnel, or the belief that management held individuals more accountable in their reporting chain than

other reporting chains. In addition, several employees indicated fear of retaliation from one manager. We discussed specifics of these concerns with applicable TVAP&EM management.

Recommendation

We recommend the Director, TVAP&EM, address the engagement risks related to communication, trust, accountability, and recognition with certain TVAP&EM managers.

TVA Management's Comments – TVAP&EM management stated that they will continue to make employee engagement, trust, and recognition a priority as part of continuous improvement efforts. See Appendix B for TVA management's complete response.

Auditor Response – While management stated that employee engagement, trust, and recognition will be made a priority, no specific actions were provided.

EMPLOYEE CONCERNS RELATED TO INCONSISTENT PRACTICES IN TVAP&EM

Sixty-three employees (52 percent) expressed concerns with inconsistent practices within the organization. The employees provided over 140 examples of inconsistent practices, which appear to be drivers of low morale expressed by half of TVAP&EM's staff we interviewed. Specific concerns included:

- Confusion about the organizational focus;
- Law enforcement responsibilities;
- Reporting of incidents; and
- Human Resources (HR) related practices, including hiring, employee development, performance management, and compensation.

Organizational Focus

As stated previously, TVAP&EM's current mission is related to being responsible for preventing, protecting, and responding to any threats, crimes, or acts of terrorism threatening the Tennessee Valley Authority and providing a workforce that is safe, secure and resilient across the Tennessee Valley. While TVAP&EM management informed us the current focus is a balance between law enforcement and physical security, 12 employees (10 percent) expressed concerns regarding their perception that the organization's focus emphasized law enforcement over physical security. A few of these employees indicated that, while a law enforcement mindset is needed in the organization, they also need a strong physical security focus. Additionally, several employees expressed concerns with TVAP&EM's limited focus on physical security training.

Addressing employee concerns regarding a perceived focus on law enforcement over physical security could facilitate a better understanding of the organizational focus areas.

Law Enforcement Responsibilities

TVAP&EM's *Law Enforcement Reference Manual* addresses jurisdiction and authority. However, 10 employees (8 percent) expressed concerns regarding TVAP&EM's law enforcement duties and provided examples of inconsistent enforcement and jurisdictional concerns. We discussed these specific examples with TVAP&EM management.

Clarifying law enforcement responsibilities and ensuring consistent application of those expectations could address misunderstanding and concerns.

Incident Reporting

TVAP&EM law enforcement officers are responsible for completing an incident report for various infractions that occur, such as a crime, accident, or violation of a standard. A few individuals indicated they were instructed to enter incidents pertaining to access control violations into TVAP&EM's web Record Management System (RMS),⁸ which is used for internal and external reporting purposes. However, these individuals expressed concern that access control incidents entered into web RMS would be shared with the National Incident-Based Reporting System (NIBRS) utilized by the Federal Bureau of Investigation for capturing and reporting criminal statistics. In one instance, it was indicated that access control incidents were not being entered into web RMS due to these concerns. (Note: We observed an access control violation that had been entered into web RMS with a NIBRS entry date and confirmed coding in web RMS prevents incidents labeled as access control violations from being transmitted to NIBRS for reporting of criminal statistics.)

TVAP&EM's *Law Enforcement Reference Manual* states web RMS is not to be used to document reports relating to internal investigations or security issues⁹ as these are to be reported through other means. However, TVAP&EM's *Physical Security Reference Manual* states an incident report is to be completed in web RMS for access control violations. The conflicting guidance and lack of understanding of system controls in relation to transmitting information from web RMS to NIBRS has resulted in confusion and inaccurate data for internal reporting purposes. After a draft of this report was issued, TVAP&EM management informed us that the *Law Enforcement Reference Manual* had been revised and provided documentation to reflect that conflicting language had been removed from the manual. Therefore, we removed the recommendation related to this finding.

⁸ TVAP&EM's web RMS is a cloud deployable records management system that provides means for documenting various types of incidents and to provide management with a tool for quantifying levels of law enforcement, among other things.

⁹ Security issues could include access control violations, such as propping a secured door open for ease of access or following someone into a secure location without utilizing one's badge.

HR-Related Practices

Thirty-nine (32 percent) of the TVAP&EM employees we interviewed discussed concerns with inconsistent HR related practices including (1) hiring, (2) employee development, (3) performance management, and (4) compensation.

Hiring Practices

Twenty-four individuals (approximately 20 percent) expressed concerns in the hiring process, as they believed (1) employees were primarily hired because they were from specific locations/organizations where certain management had previously been employed, and (2) management specifically sought candidates from these specific locations/organizations. (Some of the employees who expressed concerns indicated the candidates subsequently hired appeared to be qualified, but the employees still questioned the fairness of the process.)

We interviewed and/or examined the hiring documentation for a sample of 14 individuals who were hired within the last 5 years and noted various inconsistencies in the documentation and application of the process, which could lead to perceptions of favoritism and increase the risk of implicit bias.¹⁰ Although 7 of 14 individuals were from the specific locations/organizations where certain management had previously been employed, inconsistencies were not limited to these individuals. Specifics of these inconsistencies were discussed with TVAP&EM management. Further conversations were held with an HR&C representative who indicated that enhancements were made to the hiring process that should address some of the inconsistencies in the future if applied.

Employee Development

TVAP&EM management periodically rotate individuals into other positions within the organization for various reasons, including employee development. Eighteen employees (about 15 percent) expressed concerns related to rotations, with some believing eligibility for rotational positions is based on expressing an interest to management and including interest on their IDP. A few individuals questioned why they were not selected for rotations and several individuals perceived rotational positions were primarily given to individuals that previously came from locations/organizations associated with certain management.

We reviewed selections for rotational positions in place, or assigned between June 1, 2022, and July 25, 2022, and determined that 14 employees, including 12 individuals not associated with the two locations/organizations, were provided the opportunity to participate in a rotational assignment during that time frame. We examined IDPs for those employees and noted 3 individuals, including 1 manager, did not have an IDP goal related to rotational positions. According to TVAP&EM management, selection of rotational positions is dependent on more than just an expression of interest, indicating other factors, such as participation in the progression plan process are also considered.

¹⁰ Implicit bias is the inadvertent preference for or against a specific group or individual.

TVAP&EM has instituted progression plans within each of its three groups. The progression plan is voluntary and includes training and development requirements necessary for progressing to the next level. Seventeen employees (14 percent) of expressed concerns with progression plans. Several indicated inconsistencies within the process between the groups, specifically related to when training could be taken and whether training was reimbursable. Concerns were also expressed in relation to employees progressing without following the progression plan process. Management confirmed a few individuals did not follow the progression plan process for various reasons, including accommodations for COVID-19 requirements.

We examined TVAP&EM progression plan documentation and noted expectations or guidelines pertaining to when training was to be taken, or the type of training that would be reimbursed, were not included. Further, the documentation did not address waivers to the plan. Defining expectations for training and reasons for waivers to the plan could address the perceptions of inconsistencies and potential bias.

Performance Management

Seventeen employees (14 percent) commented on the ineffectiveness of the performance management process, indicating employees are compared to each other using ratings that reflect a bell-shaped curve. In addition, several individuals in one group indicated the performance review process is not beneficial. A few employees also indicated their belief that rating employees against each other causes some individuals to create incidents or events so their numbers look better when being compared to others.

We examined performance management documentation for FYs 2021 and 2022 and noted that, in FY 2022, employees in one group generally had the same or similar performance goals with ratings reflecting a bell-shaped curve while employees in the other two groups had unique goals with ratings that did not resemble a bell-shaped curve. Establishing goals unique to the individual could address perceptions of inconsistencies between groups and could make the process more beneficial to the employee and the organization.

Compensation

Several individuals in one group questioned, or had concerns, pertaining to their pay. One example of these concerns involved how pay was determined for law enforcement personnel. We confirmed with personnel in TVA's HR&C organization that benchmarking of salaries is done periodically for various positions across TVA. According to HR&C personnel, the most recent benchmarking for law enforcement personnel was conducted in April 2021 and involved comparing law enforcement job descriptions against TVA's Energy Services peer group, which includes other utilities.

Recommendations

We recommend the Director, TVAP&EM, address inconsistent practices by:

- Addressing the perceptions related to organizational focus, where applicable.

TVA Management's Comments – TVAP&EM management recognizes there are needs inherent to maintaining a professional and federal law enforcement agency that require a disproportionate amount of resources compared to physical security or emergency management. See Appendix B for TVA management's complete response.

Auditor Response – While TVAP&EM management informed us the current focus of the organization is a balance between law enforcement and physical security, management recognized in their response that law enforcement requires a disproportionate amount of resources as compared to physical security or emergency management. TVAP&EM management provided no specific actions for addressing the perceptions related to organizational focus.

- Clarifying law enforcement responsibilities, jurisdiction, and authority and communicate this to TVAP&EM personnel.

TVA Management's Comments – TVAP&EM management stated they will continue to place emphasis on ensuring officers are competent in matters related to jurisdiction and will encourage those who are not to ask for guidance. See Appendix B for TVA management's complete response.

Auditor's Response – We agree with management's planned actions.

- Communicating the expectations for documenting security-related incidents.

TVA Management's Comments – TVAP&EM management made changes to the Law Enforcement Reference Manual and has communicated this to affected employees in the form of an updated policy. See Appendix B for TVA management's complete response.

Auditor's Response – We agree with management's actions.

- Collaborating with HR&C Talent and Culture personnel to address inconsistencies in hiring practices and to clarify performance management expectations, including establishing goals unique to the individual.

TVA Management's Comments – TVAP&EM management stated they have always collaborated with HR&C and sought their guidance through the hiring process and they disagreed with the classification of process improvements made in the hiring process as "inconsistencies." TVAP&EM management also stated they will work with employees and within HR&C guidance to

ensure that performance management expectations are clear. See Appendix B for TVA management's complete response.

Auditor Response – We agree with management's planned actions in relation to performance management. While we obtained information from an HR&C representative reflecting potential resolution of some inconsistencies, termed "process improvements" by TVAP&EM management, other inconsistencies identified as part of this review were unaddressed. Leaving these inconsistencies unaddressed could lead to perceptions of favoritism and increase the risk of implicit bias.

- Communicating the expectations for employees to be considered for a rotational position and confirming those filling rotational positions are doing so for reasons consistent with HR&C guidance.

TVA Management's Comments – TVAP&EM management stated they will communicate expectations related to consideration for a rotational position to employees. See Appendix B for TVA management's complete response.

Auditor Response – We agree with management's planned actions.

- Developing guidelines for the progression plan program that includes addressing expectations for training and the application of waivers.

TVA Management's Comments – TVAP&EM management stated that guidance exists for the progression plan program and there is no guidance for progression plan waivers because waivers do not exist. See Appendix B for TVA management's complete response.

Auditor Response – While management stated that guidance existed for the progression plan program, our review of the guidance reflected that expectations related to training reimbursement and when training could be taken were not included in the guidance. Further, management stated in their response that waivers to the progression plan program do not exist; however, we were informed by management during our review that a few individuals did not follow the progression plan for various reasons, which indicates waivers were applied for some. Management did not provide actions for addressing expectations and waivers in the guidance for the progression plan program.

RISKS RELATED TO MOBILE SOFTWARE TOOL

Nine employees (7 percent) expressed concerns about the mobile software used for data collection and retrieval related to law enforcement and physical security. Specifically, 4 individuals indicated pictures and other evidence, such as recordings obtained as part of their job responsibilities, had been lost due to the software. According to a TVAP&EM manager, issues have subsided, which might be due to deployment of a software update and the replacement of several iPads. We examined a list of tickets submitted for technical support and

customer service for the software and noted 166 issues pertaining to the software had been submitted from FY 2020 through October 5, 2022. While the number of technical support issues appeared to decrease through 2022, interviews indicated issues still existed and customer service requests remained steady.

Additionally, a few employees expressed concerns related to security of the software being used and/or indicated they had used the camera on their personal phones to take pictures because of issues they encountered with using the software. We confirmed with TVA Cybersecurity that the application had met necessary security requirements. We also inquired about potential cybersecurity risks from taking photos through the application or personal phone. According to Cybersecurity personnel, utilizing the software application to take pictures is safe; however, personal phones should not be used due to the risk of the photo not being deleted or uploaded to the Cloud unencrypted.

Recommendation

We recommend the Director, TVAP&EM, address the security and operational issues identified related to the mobile software and use of personal devices such as cell phones.

TVA Management's Comments – TVAP&EM management stated they will continue to reinforce to employees that personal devices should not be used to capture work related media. See Appendix B for TVA management's complete response.

Auditor Response – We agree with management's planned actions related to security issues related to use of personal devices. Management did not provide actions for operational issues related to the mobile software.

PERSONNEL SECURITY RISKS

Access Services directs and manages the development, operation, and maintenance of TVA's Personnel Security Policy¹¹ in compliance with the Office of Personnel Management, Department of Homeland Security (DHS) directives, and other federal regulations and guidelines. During the pre-employment process, TVA's HR&C personnel obtains employment information from candidates and TVAP&EM Investigations personnel conducts and provides information for background investigations.

During our interviews, 5 TVAP&EM employees (4 percent) expressed concerns about the lack of information being provided by HR&C that resulted in an increase in the backlog of background checks. The information not being obtained timely by HR&C included (1) Form I-9, which is used to verify identity and authorize

¹¹ The Personnel Security Policy includes the Employment Suitability Program, background investigations, security clearance programs, and personnel security records system.

employment of individuals in accordance with the *Immigration Reform and Control Act of 1986* and (2) E-Verify status, which is obtained through comparison of the Form I-9 to DHS and Social Security Administration records, confirming an individual's eligibility to work in the United States. Employers are required to complete Form I-9 authorization and create an E-Verify case within 3 business days of an employee's first day of employment. Similarly, several business partners expressed concerns pertaining to the timeliness of the background and clearance processes.

We selected a sample of 13 annual TVA employees classified as having a Tier 1 clearance,¹² hired between July and September 2022, whose Form I-9 and/or E-Verify status were indicated to be missing and determined (1) 11 of the 13 Form I-9s had not been completed, and (2) none of the 13 were electronically verified within the required time frames. While background checks are performed by TVAP&EM personnel, Form I-9 authorizations or E-Verify checks are performed by HR personnel. TVAP&EM's Access Services group is not notified if the Form I-9 authorizations or E-Verify checks are not completed timely and according to TVAP&EM personnel, no other controls exist to identify and remove access from individuals having a Tier 1 clearance who have not gone through the verification process within 3 days of their first day of employment. This poses a physical security risk to TVA. According to Access Services personnel, the PIV project will mitigate this risk, but it is not scheduled to be complete until September 2024.

Access Services personnel also conduct background investigations of current TVAP&EM employees and candidates for employment and approve and/or remove employment and security restrictions on employees when applicable. A few individuals mentioned concerns related to potential conflicts of interest when adjudicating¹³ cases for certain TVAP&EM individuals, including relatives or individuals in the group's management chain. This creates the risk for an individual to be hired or retain a clearance when they otherwise would not. According to management, there are opportunities for improvement in this area.

Recommendations

We recommend the Director, TVAP&EM:

- Collaborate with HR&C personnel to obtain employment verification in a timely manner and revoke access for those employees whose verification has not been completed within the required time frame.

¹² According to Access Services interviews and documentation, employees who do not have a sensitive position or require special access receive a Tier 1 background check. Tier 1 background checks require a verification of Form I-9 authorization or E-Verify check, which is the only verification performed for Tier 1 employees.

¹³ Adjudication includes examining information and making a decision on whether an individual should be employed by TVA or whether an employee should have a certain type of clearance based on their information identified during their background check.

- Implement controls to eliminate potential conflicts of interest when adjudicating cases.

TVA Management's Comments – TVAP&EM management stated that actions have been planned or taken to address personnel security risks, including plans to revoke physical access for employees whose verification has not been completed within the required time frame and updating the policy to address potential conflicts of interest. See Appendix B for TVA management's complete response.

Auditor's Response – We agree with managements planned actions and actions taken to address personnel security risks.

RISK ASSESSMENT OPPORTUNITIES

According to DHS' *Risk Management Fundamentals*,¹⁴ key business practices include utilizing risk management for decision making and indicates information should cascade up, providing leadership with an organization-wide view of risks to promote better decisions and enhance application of foresight. However, twenty-one employees (17 percent) indicated management did not listen to them or take their input into consideration when making purchases and/or questioned the reasons behind certain equipment purchases within the organization. In addition, several TVAP&EM employees discussed concerns regarding deployment of personnel or questioned the determination of districts or areas for which they were responsible. A few also indicated the need for communication from TVAP&EM management in relation to events, such as thefts, occurring across the Tennessee Valley so that information could be utilized in other regions. Further, several business partners voiced concerns with TVAP&EM response time and lack of availability, presence, or visibility of personnel.

TVAP&EM's *Law Enforcement Reference Manual* specified TVAP&EM's web RMS is to provide (1) managers with a tool for quantifying levels of law enforcement and assisting in assessment of law enforcement needs and (2) statistical data to assist in planning and decision making to strengthen justifications to support requests for resources to meet operational needs. However, when discussing risk assessment within the organization, management was not clear on how the placement of law enforcement officers was determined, but it was indicated that it was not based on criminal statistics or other quantitative data.

As noted within DHS' *Risk Management Fundamentals*, improved security depends on connecting information about risks, activities, and capabilities and using this information to guide prevention, protection, response, and recovery efforts. This would include addressing potential operational risks that impact

¹⁴ *Risk Management Fundamentals* defines doctrine for the DHS and is considered by DHS as a useful guide to their federal interagency partners, state and local agencies, and the larger homeland security community.

personnel, time, materials and equipment, techniques, information technology, and procedures that enable an organization to achieve its mission and objectives.

Recommendation

We recommend the Director, TVAP&EM, review the risk assessment process for potential improvements, including obtaining employee input and quantitative data from TVAP&EM systems, when applicable.

TVA Management's Comments – TVAP&EM management plans to review the risk assessment process for improvements. See Appendix B for TVA management's complete response.

Auditor's Response – We agree with management's planned actions.

CONCLUSION

According to the Society for Human Resource Management,¹⁵ positive engagement has the potential to significantly affect productivity and loyalty, and is a crucial link to business partner satisfaction, company reputation, and stakeholder value. Engagement of TVAP&EM employees is necessary for the fulfillment of their mission to protect TVA's employees, assets, and customers. Interviews with TVAP&EM personnel revealed positive factors, such as positive interactions with others and business partner satisfaction. However, interviews also revealed the existence of both managerial and operational risks.

The existence of inconsistent practices within the organization has contributed to engagement risks and potentially damaged trust between employees and certain TVAP&EM management. Addressing concerns related to inconsistent practices can reduce confusion about the organization's focus and responsibilities and reduce the perception of favoritism and concerns with accountability. Additionally, there is a risk of increased vulnerability related to protection of TVA people, assets, and customers if mobile software and personnel security risks are not addressed. Furthermore, while TVAP&EM assesses risk at the strategic level, opportunities for expanding risk assessment processes can provide for a more comprehensive and cohesive process. These actions can strengthen engagement, provide focus to the mission, and mitigate reputational risks.

¹⁵ The Society for Human Resource Management is a membership organization for HR professionals.

TVA Values	
Safety	We are uncompromising in our commitment to the safety and well-being of our teammates and the communities we serve.
Integrity	We are honest and straightforward, always doing the right thing with integrity.
Inclusion	We treat everyone with dignity and respect – emphasizing inclusion by welcoming each person’s individuality so we can reach our full potential.
Service	We are proud to be of service in the communities in which we live, work, and play.

TVA Leadership Competencies

Accountability and Driving for Results
Continuous Improvement
Leveraging Diversity
Adaptability
Effective Communication
Leadership Courage
Vision, Innovation, and Strategic Execution
Business Acumen
Building Organizational Talent
Inspiring Trust and Engagement

May 19, 2023

David P. Wheeler, WT 2C-K

**RESPONSE TO REQUEST FOR COMMENTS - DRAFT AUDIT 2022-17371 - ORGANIZATIONAL
EFFECTIVENESS - TVA POLICE AND EMERGENCY MANAGEMENT**

Our response to your request for comments regarding the subject draft report is attached. We would like to thank Amy Rush, Justin Franklin, and Noel Kawado for their professionalism and cooperation in conducting this audit. We appreciate your findings which indicate the strong interactions within and outside of the TVAP&EM organization. Ratings which measure above average or higher by the 197 individuals interviewed outside of TVAP&EM are indicative of the organizational effectiveness we work each day to achieve. We look forward to working with your team to address the findings and recommendations provided in your report, and to making our organization even stronger as a result. If you have any questions regarding our response, please contact me.



Todd Peney
Director, TVA Police & Emergency Management
RM&OS
ET 3D-K

JPP

cc:

Megan Anderson
Allen A. Clare
Susan E. Collins
Mary C. Corbitt
James R. Dalrymple
Samuel P. Delk
Megan Flynn
David B. Fountain
Kellie H. Hammond
Amanda D. Johns
Donald A. Moul
Jack Paul
Ronald R. Sanders II
Michael W. Sanford
Lisa Snyder
Wilson Taylor
Kay W. Whittenburg
OIG File No. 2023-17371

Draft Audit 2022 17371- ORGANIZATIONAL EFFECTIVENESS - TVA POLICE AND EMERGENCY
MANAGEMENT
Response to Request for Comments

Recommendation	Comments
Engagement	
1. Address the engagement risks related to communication, trust, accountability, and recognition with certain TVAP&EM managers.	TVAP&EM managers will continue to make employee engagement, trust, and employee recognition a priority within our continuous improvement efforts.
Employee Concerns	
2. Address the perceptions related to organizational focus, where applicable.	TVAP&EM has to balance physical security, law enforcement and emergency management to meet its mission. However, management recognizes that there are personnel, regulatory, training, and equipment needs that are inherent to maintaining a professional and responsive federal law enforcement agency that require a disproportionate amount of resources compared to physical security or emergency management. Maintaining the ability to quickly respond being primary in ensuring that TVAP@EM can meet its mission responsibilities.
3. Clarify law enforcement responsibilities, jurisdiction, and authority and communicate this to TVAP&EM personnel.	TVAP@EM provides training around jurisdictional issues specific to TVAP immediately upon hiring a law enforcement officer. Officers then attend a federal law enforcement training program where criminal law, constitutional law, and jurisdiction is covered extensively. Legal updates and jurisdictional issues are also covered annually during in-service training. Management will continue to place an emphasis on ensuring officers are competent in matters related to jurisdiction and will encourage those who are not to ask for guidance. Management further recognizes that clear understanding of jurisdiction by officers is essential in managing liability risk to the agency.
4. Communicate the expectations for documenting security-related incidents.	In the policy revision issued January 30, 2023 the words "security issues" were removed from the Reference Manual. Also, the words security issues in the prior version was intended to keep

	<p>inspectors from using RMS to report security vulnerabilities that may be susceptible to FOIA request, not employees who have violated security policy.</p> <p>Management feels that the guidance for documenting security-related incidents is sufficient with these changes, and has communicated this to the affected employees in the form of an updated policy.</p>
<p>5. Collaborate with HR&C Talent and Culture personnel to address inconsistencies in hiring practices.</p>	<p>TVAP@EM managers have always collaborated with HR&C and sought their guidance throughout the hiring process for every position. We disagree with the classification of process improvements made in the hiring process as "inconsistencies".</p> <p>TVAP had not hired an Inspector in several years leading up to the increase in headcount that was granted in 2016. An initial plan for the process was developed with input and guidance from the assigned HR representative and recruiter. The hiring process was re-evaluated by managers, HR representative, and a TVA recruiter after each round of hiring to ensure that quality candidates, with the required background, who could pass the required testing were selected. None of these adjustments altered the TVA standard hiring practices or bias the scoring in favor of any particular candidate.</p>
<p>6. Clarify performance management expectations, including establishing goals unique to the individual.</p>	<p>Goals that are set by individuals who are performing the same task, must have some degree of consistency to effectively measure performance. Individual contributor goals are based on the specific duties that they perform. TVAP&EM will work with employees and within HR&C guidance to ensure that performance management expectations are clear.</p>
<p>7. Communicate the expectations for employees to be considered for a rotational position and confirming those filling rotational positions are doing so for reasons consistent with HR&C guidance.</p>	<p>Employees are encouraged to express interest in a rotational assignment to their manager, as well as indicate it on their IDP. However, this is not a guarantee of a rotational assignment, nor is the absence of the IDP intended to restrict a capable employee from consideration. TVAP&EM will communicate these expectations to employees.</p>

<p>8. Develop guidelines for the progression plan program that includes addressing expectations for training and the application of waivers.</p>	<p>Guidance exists for the progression plan program, and participants are required to attend a question and answer session at the beginning of each fiscal year if they intend to participate. Other questions about requirements can be asked at any time through the employee's manager or the progression plan coordinator. There is no guidance for progression plan waivers, because waivers do not exist.</p>
<p>Mobile Software Tool</p>	
<p>9. Address the security and operational issues identified related to the mobile software and use of personal devices such as cell phones.</p>	<p>TVAP&EM will continue to reinforce to employees that under no circumstances should their personal device be used to capture work related media, especially any that could be used for evidence unless it is utilizing the Data Collect Mobile app. Employees are all issued TVA devices that should be used should the preferred software fail.</p>
<p>Personnel Security</p>	
<p>10. Collaborate with HR&C personnel to obtain employment verification in a timely manner and revoke access for those employees whose verification has not been completed within the required time frame.</p>	<p>A plan to address the lack of identity information for employees from HR&C was developed and those instances have been mitigated. If HR&C fails to obtain an I-9 or e-verify in the time required, TVAP will revoke physical access. This will be updated in our policies.</p>
<p>11. Implement controls to eliminate potential conflicts of interest when adjudicating cases.</p>	<p>Although an unwritten procedure existed and has been followed, the policy will be updated to include tools that will mitigate conflicts of interest.</p>
<p>12. Review the personnel risk assessment process for potential improvements, including obtaining employee input and quantitative data from TVAP&EM systems, when applicable.</p>	<p>TVAP&EM will review the risk assessment process for improvements as we implement the Trusted Workforce 2.0 initiative.</p>