



DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF INSPECTOR GENERAL

Office of Audits and Evaluations

DEPARTMENT OF VETERANS AFFAIRS

Review of VA's Staffing and
Vacancy Reporting under
the MISSION Act of 2018

REVIEW

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Executive Summary

The VA Office of Inspector General (OIG) conducted this review to assess VA's compliance with mandated reporting of staffing and vacancy data on its public-facing website and its clarity in related explanations.¹ VA is required to publicly release this information each quarter by the John S. McCain III, Daniel K. Akaka, and Samuel R. Johnson VA Maintaining Internal Systems and Strengthening Integrated Outside Networks (MISSION) Act of 2018 to promote transparency in personnel management.² The MISSION Act also requires the OIG to review VA's data-reporting website and make recommendations for improvement.

The OIG published three reports pursuant to the MISSION Act in June 2019, 2020, and 2021.³ The third and most recent review found that VA made progress in addressing long-standing data-quality issues in HR Smart—the primary source of the staffing and vacancy information. Despite these improvements, VA continued to experience challenges reconciling the actual number of vacant positions and the corresponding position inventory in HR Smart. The OIG also found that opportunities remained for the department to improve the transparency of HR Smart data and thus enhance the quality of the information reported under the MISSION Act. As of May 2022, all five recommendations from the 2021 report remained open as unimplemented.

In January 2021, the Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020 amended certain staffing and vacancy reporting requirements. The law called for VA to publish additional time-to-hire information for title 38 and hybrid title 38 employees.⁴ This included the number and percentage of new hires that exceed the Veterans Health Administration's (VHA) time-to-hire targets and the average number of days potential hires or new hires spent in each phase of the hiring process. VA included this new time-to-hire information beginning with the quarterly report published on June 10, 2021.

¹ For information on the OIG's scope and methodology, see appendix A.

² John S. McCain III, Daniel K. Akaka, and Samuel R. Johnson VA Maintaining Internal Systems and Strengthening Integrated Outside Networks (MISSION) Act of 2018, Pub. L. No. 115-182, § 505 (2018).

³ VA OIG, *Staffing and Vacancy Reporting under the MISSION Act of 2018*, Report No. 19-00266-141, June 25, 2019; VA OIG, *VA Improved the Transparency of Mandatory Staffing and Vacancy Data*, Report No. 20-00541-149, June 3, 2020; VA OIG, *Inconsistent Human Resources Practices Inhibit Staffing and Vacancy Transparency*, Report No. 20-00541-133, June 10, 2021. Appendix B provides the full text of the relevant section of the MISSION Act.

⁴ Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020, Pub. L. No. 116-315, § 3008 (2021). The full text of this section is in appendix C. The reporting requirements of this act refer to the employees hired under 38 U.S.C. § 7401(1) (referred to as title 38) and 38 U.S.C. § 7401(3) (referred to as hybrid title 38). Title 38 positions can include physicians, nurses, and dentists, and hybrid title 38 positions can include pharmacists, physical therapists, and psychologists.

What the Review Found

VA complied with the staffing and vacancy reporting requirements established by the MISSION Act by publishing information on vacant positions, onboard staff, gains and losses, and time-to-hire elements as mandated. However, VA did not fully comply with the expanded time-to-hire reporting requirements included in the Veterans Health Care and Benefits Improvement Act. VA did not include all applicable steps of the hiring process when calculating time-to-hire metrics that exceeded timeliness goals for title 38 and hybrid title 38 employees. Additionally, VA omitted potential hires from its breakdown of how long it took to complete individual hiring steps. After discussions with the review team, VA took action to correct its time-to-hire calculation in the June 2022 quarterly publication to include every required step of the hiring process. However, as of the June 2022 publication, the omission of potential hires had not yet been addressed.

The review team also identified significant discrepancies without explanation in VHA's reported gains and new hires data that may have appeared inaccurate in the reports published from June 2021 to April 2022. However, VA explained the discrepancies in the June 2022 publication after the review team discussed them with appropriate officials. As a result, the OIG did not make a recommendation on this issue.

As required by the MISSION Act and revised in the Continuing Appropriations Act, 2021 and Other Extensions Act, the OIG identified opportunities for VA to improve the staffing and vacancy information reported on the public-facing website.⁵ In particular, the review team found that VA could strengthen its explanation of vacant positions to show that the data were rounded and included part-time positions. VA agreed with this observation and included that information beginning with the April 2022 staffing and vacancy publication. Additionally, the team observed that VA could increase the value of its reported information by summarizing and identifying trends in the expanded time-to-hire data, as done with the vacancy, onboarding, and gains and losses information published under the MISSION Act. Following discussions with the team, VA added information to the summary tab to help interpret time-to-hire data.

What the OIG Recommended

The OIG made two recommendations to the assistant secretary for human resources and administration/operations, security, and preparedness (HRA/OSP) that include potentially requesting legislative relief from Congress or otherwise explaining the limitations that preclude VA from reporting all elements of time-to-hire data in accordance with the Veterans Health Care and Benefits Improvement Act.

⁵ Continuing Appropriations Act, 2021 and Other Extensions Act, Pub. L. No. 116 159, § 5108 (2020). Appendix D provides the full text of the relevant section of the act.

VA Comments and OIG Response

The assistant secretary for HRA/OSP concurred with both recommendations and submitted responsive corrective action plans. Although not required, VHA provided concurrence with the draft report. Appendices E and F provide the full text of the comments from the assistant secretary for HRA/OSP and the under secretary for health, respectively. The OIG will monitor implementation of planned actions and will close the recommendations when VA provides sufficient evidence of adequate progress addressing the issues identified.



LARRY M. REINKEMEYER
Assistant Inspector General
for Audits and Evaluations

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Abbreviations

FTE	full-time equivalent
FY	fiscal year
HRA/OSP	Human Resources and Administration/Operations, Security, and Preparedness
OGC	Office of General Counsel
OIG	Office of Inspector General
OPM	Office of Personnel Management
VHA	Veterans Health Administration



Introduction

Congress's concerns about VA's occupational shortages are reflected in the passage of at least five laws since 2014 that require a periodic accounting of vacancies within the Veterans Health Administration (VHA).⁶ Beginning in 2015, the VA Office of Inspector General (OIG) Office of Healthcare Inspections issued annual reports that identified occupations in VHA with severe staffing shortages. In the fiscal year (FY) 2022 report, the most commonly identified severe occupational shortages were for psychologists, medical support assistants, nurses, and custodial workers.⁷

The John S. McCain III, Daniel K. Akaka, and Samuel R. Johnson VA Maintaining Internal Systems and Strengthening Integrated Outside Networks (MISSION) Act of 2018 established a permanent community care program, a capital asset review process, and several initiatives to improve recruitment and retention and minimize healthcare provider shortages.⁸ To monitor whether VA is effectively addressing staffing shortages, the MISSION Act requires the VA Secretary to report annually on steps taken to achieve full staffing capacity and the additional funds needed to achieve this staffing level. The act also establishes a requirement for VA to publish staffing and vacancy information online.⁹ Specifically, VA is required to publish by departmental component or by medical facility for VHA

- the number of current personnel,
- the number of employment gains and losses processed during the previous quarter,
- the number of staff vacancies by occupation, and
- the percentage of new staff who were hired within the Office of Personnel Management's (OPM) time-to-hire target of 80 days.¹⁰

⁶ Veterans Access, Choice, and Accountability Act of 2014, Pub. L. No. 113-146, § 301 (2014); VA Choice and Quality Employment Act of 2017, Pub. L. No. 115-46, § 201 (2017); John S. McCain III, Daniel K. Akaka, and Samuel R. Johnson VA Maintaining Internal Systems and Strengthening Integrated Outside Networks (MISSION) Act of 2018, Pub. L. No. 115-182, § 505 (2018); Continuing Appropriations Act, 2021 and Other Extensions Act, Pub. L. No. 116-159, § 5108 (2020); and Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020, Pub. L. No. 116-315, § 3008 (2021).

⁷ VA OIG, *Determination of VHA's Occupational Staffing Shortages, FY 2022*, Report No. 22-00722-187, July 7, 2022. For more information about the scope and methodology of the current review, see appendix A.

⁸ MISSION Act of 2018, §§ 101, 202, 203, and 301–306.

⁹ MISSION Act of 2018, § 505. The full text of this section is in appendix B.

¹⁰ "End to End Hiring Initiative," Office of Personnel Management, March 2017, accessed February 22, 2022, <https://www.opm.gov/policy-data-oversight/human-capital-management/hiring-reform/reference/end-to-end-hiring-initiative.pdf>. This guidance document defines time to hire as the number of elapsed calendar days between the establishment of the hiring need and the new employee's first day of work. This initiative also set the time-to-hire target at 80 days.

The MISSION Act required VA to first publish the data 90 days after enactment of the law and provide updates each following quarter. VA published the initial personnel information on August 31, 2018, and each subsequent quarter, totaling 16 postings as of June 30, 2022.

VA's Office of Human Resources and Administration/Operations, Security, and Preparedness (HRA/OSP) retrieves and aggregates the data required under the MISSION Act. Subsequently, representatives from department components have the opportunity to review and verify the data.¹¹ HRA/OSP publishes these data quarterly on a public-facing website after receiving Office of General Counsel (OGC) concurrence.

The data are drawn from two systems—HR Smart and USA Staffing. HR Smart is VA's human resources information system that supports personnel suitability, payroll, and position management. HR Smart organizes data by position, rather than by employee, and allows for real-time human resources transaction processing for all of VA. Data pertaining to current staff, gains and losses, and vacancies are obtained from HR Smart. USA Staffing is an OPM-administered system that federal agencies use to recruit, assess, certify, select, and bring employees into their organizations. The system provides related tools, including data analytics, which allow VA to calculate time-to-hire percentages for new employees.

Supplemental Requirement for VA to Report VHA Time-to-Hire Data

In addition to the MISSION Act, Congress included relevant staffing and vacancy reporting requirements when it passed the Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020 in January 2021.¹² In particular, this law amended section 505 of the MISSION Act by requiring VA to publish additional time-to-hire information for title 38 and hybrid title 38 employees.¹³ This law mandates tracking the following information for these employees:

- The number of new hires for which the hiring process exceeded the metrics in VHA's time-to-hire model¹⁴

¹¹ Department components include VHA, the Veterans Benefits Administration, the National Cemetery Administration, and the Office of General Counsel.

¹² Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020, Pub. L. No. 116-315, § 3008 (2021). The full text of this section is in appendix C to this report.

¹³ Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020, Pub. L. No. 116-315, § 3008. The reporting requirements of this act refer to the employees hired under 38 U.S.C. § 7401(1) (referred to as title 38) and 38 U.S.C. § 7401(3) (referred to as hybrid title 38). Title 38 positions can include physicians, nurses, and dentists, and hybrid title 38 positions can include pharmacists, physical therapists, and psychologists.

¹⁴ VHA, *VHA Time to Hire (T2H) Implementation Guidebook 2.0*, September 2020. VHA's time-to-hire model differs depending on the type of employee. For title 38 employees, the target is 100 days. For hybrid title 38 employees, the target is 80 days.

- The percentage of new hires who exceeded these metrics, when compared to the overall number of title 38 and hybrid title 38 employees hired during that same quarter
- The average number of days potential hires or new hires spent in each phase of the VHA time-to-hire model¹⁵

Requirements for the OIG to Review VA's Staffing and Vacancy Data

Section 505 of the MISSION Act mandates the OIG to review the administration of VA's website and make recommendations for improvement. The Continuing Appropriations Act, 2021 and Other Extensions Act reiterated the requirement for the OIG to review VA's staffing and vacancy website and develop recommendations for legislative or administrative action.¹⁶ This law also specifically called for the OIG to publish two reports due no later than October 31, 2022, and October 31, 2024, and as frequently thereafter as the OIG considers appropriate. The OIG conducted this review to assess VA's compliance with mandated staffing and vacancy reporting on its public-facing website and its clarity in related explanations.

Results of Previous OIG Reports Mandated by Section 505 of the MISSION Act

The OIG published three prior reports in accordance with the MISSION Act's requirements. In the first report, issued on June 25, 2019, the OIG determined that VA partially complied with the MISSION Act's requirements by reporting current personnel and time-to-hire data as mandated.¹⁷ However, VA's reporting of staff vacancies and employee gains and losses was not sufficiently transparent to allow tracking because vacancies were reported in broad occupational groupings, and gains and losses were reported in aggregate numbers. The OIG recommended that the assistant secretary for HRA take appropriate action to ensure that vacancies and employee gains and losses are reported as required by the MISSION Act.¹⁸ As of June 2020, all recommendations from this report were closed as implemented.

The OIG issued its second report on June 3, 2020.¹⁹ In this report, the review team found that VA improved the transparency and utility of its staffing and vacancy data by including additional

¹⁵ HRA/OSP retrieves these data from USA Staffing.

¹⁶ Continuing Appropriations Act, 2021 and Other Extensions Act, Pub. L. No. 116-159, § 5108 (2020). The full text of this section is in appendix D.

¹⁷ VA OIG, *Staffing and Vacancy Reporting under the MISSION Act of 2018*, Report No. 19-00266-141, June 25, 2019.

¹⁸ Effective September 12, 2018, the position of assistant secretary for operations, security, and preparedness was eliminated. The Office of Operations, Security, and Preparedness and its associated functions were reassigned to the assistant secretary for human resources and administration.

¹⁹ VA OIG, *VA Improved the Transparency of Mandatory Staffing and Vacancy Data*, Report No. 20-00541-149, June 3, 2020.

elements in its reporting, such as summary and historical information. However, corrective actions were still needed for VA to comply with the MISSION Act's requirements. The review team found that VA reported time-to-hire data using an alternative 100-day measure instead of OPM's 80-day model as required. The OIG recommended that the assistant secretary for HRA/OSP ensure time-to-hire percentages are reported as required by the MISSION Act and confer with the OGC regarding changes to VA's reporting methodology. As of January 2021, all recommendations from this report were also closed as implemented.

In the OIG's third report, issued on June 10, 2021, the OIG found that VA took actions to address long-standing data integrity concerns with HR Smart position data.²⁰ However, VA continued to experience challenges reconciling the actual number of vacant positions and the corresponding position inventory in HR Smart. The review team identified opportunities to improve the transparency and governance of HR Smart position data and thus improve the quality of reported information. The OIG recommended the assistant secretary for HRA/OSP examine and validate HR Smart inventory data; establish standards to ensure positions are consistently approved, created, and maintained; and regularly monitor position management. The OIG also recommended the acting under secretary for health implement policy and procedures for staffing level approvals and publish detailed guidance establishing authoritative position management documents. As of October 2022, all five recommendations remained open as unimplemented.

²⁰ VA OIG, *Inconsistent Human Resources Practices Inhibit Staffing and Vacancy Transparency*, Report No. 20-00541-133, June 10, 2021.

Results and Recommendations

Finding: VA Has Improved the Transparency of Published Staffing and Vacancy Reports but Needs to Comply with All Applicable Requirements

VA complied with the requirements established by the MISSION Act by reporting vacancy data, onboard personnel, gains and losses, and time-to-hire data as mandated by that law. However, VA did not fully comply with the expanded time-to-hire reporting requirements established by the Veterans Health Care and Benefits Improvement Act. The review team found that VA did not include each required step of the hiring process when calculating time-to-hire metrics that exceeded the timeliness goals for title 38 and hybrid title 38 positions.²¹ VA also did not include potential hires in its breakdown of time spent in each step of the time-to-hire model. Action is needed to ensure future VA data releases comply with the amended time-to-hire requirements.

During the review, the team identified significant discrepancies between VHA's reported gains and new hires data that, without explanation, appeared to indicate inaccurate reporting. The team also identified other opportunities to improve the transparency and clarity of the information VA reports on the public-facing website. VA could further explain its reporting of vacant positions to show that the data included part-time positions. Additionally, VA could provide an explanation of the newest tab providing expanded time-to-hire data and the models used to report these data. VA made improvements based on the OIG team's observations discussed with HRA/OSP officials during the review.

What the OIG Did

The team identified and reviewed applicable laws, as well as guidance from OPM, HRA/OSP, and VHA. The team reviewed publicly released staffing and vacancy information and data definitions and interviewed staff to discuss HRA/OSP's methodology for obtaining the staffing and vacancy data.²²

Expanded Time-to-Hire Data Were Not Reported as Required

The Veterans Health Care and Benefits Improvement Act amended time-to-hire reporting requirements in January 2021 by adding specific elements for VHA title 38 and hybrid title 38 employees. VA began including the new time-to-hire information in the quarterly report published on June 10, 2021. The review team found that VA did not report the expanded

²¹ According to 38 U.S.C. § 7401(1), title 38 positions can include physicians, nurses, and dentists. Under 38 U.S.C. § 7401(3), hybrid title 38 positions can include pharmacists, physical therapists, and psychologists.

²² The review team accepted VA's data and did not perform additional substantive analysis or testing for accuracy.

time-to-hire data as mandated in the law and that VA omitted the breakdown of time spent by potential hires in each phase of the time-to-hire model.

Hiring Process Steps Were Excluded from Time-to-Hire Calculations

In the staffing and vacancy reports published from June 2021 to April 2022, VA did not account for every required step of the hiring process when calculating time-to-hire metrics that exceeded VHA's timeliness goal for title 38 and hybrid title 38 positions. The Veterans Health Care and Benefits Improvement Act requires VA to report "the number of employees for which the duration of the process from validation of vacancy to receipt of official offer and notification of actual start date exceeds the metrics laid out in the Time to Hire Model of [VHA], or successor model" for title 38 and hybrid title 38 employees.²³ VHA's process uses a 100-day target for title 38 employees and an 80-day target for hybrid title 38 employees.

VHA's time-to-hire model includes 12 distinct steps that begin with validation of the need to hire and end with the new employee's actual start date. The 12 steps apply to both title 38 and hybrid title 38 employees; however, the number of days allocated within each step varies depending on the type of employee. Figure 1 illustrates the steps and flow of the time-to-hire model.

²³ Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020, Pub. L. No. 116-315, § 3008 (2021).



Figure 1. Steps of the Time-to-Hire Model, illustrated as of the April 2022 VA publication.
 Source: VA OIG’s analysis of the VA Time-to-Hire Title 5/Hybrid Title 38 and Title 38 Models, as described in the VHA Time-to-Hire Implementation Guidebook.

In the April 2022 staffing and vacancy publication, VA reported that for 28 percent of title 38 and hybrid title 38 hires, the duration of the process exceeded VHA’s timeliness goal up to the tentative offer response date. The review team found that VA’s reported time-to-hire information ended at the tentative offer response in four quarterly staffing and vacancy reports between June 10, 2021, and April 5, 2022. Ending the measurement at this point (step 9 in figure 1), leaves out steps 10 and 11 of the process—initiating onboarding and sending the official offer—which should be accounted for under the language of the law. The OIG did not calculate the effect of the exclusion on VA’s time-to-hire figures. However, for context, these two omitted steps have combined completion goals of 29 days for the title 38 model and 10 days for the hybrid title 38 model. If VA updated this measurement to include the two omitted steps, the reported percentage of employees exceeding the time-to-hire timeliness goals could change.

An HRA/OSP program analyst responsible for compiling the information confirmed that the data were not being reported through step 11 (sending official offer), as required. The program analyst developed a decision paper that included information on implementing the expanded time-to-hire requirement and recommended ending at the tentative offer response step. The analyst stated that HRA/OSP officials approved the proposed methodology described in the decision paper.

Although the review team confirmed that the OGC reviewed and concurred with each of the four quarterly staffing and vacancy reports between June 2021 and April 2022 before publication and noted “no legal objection,” the team did not identify evidence that the OGC had reviewed the

HRA/OSP decision paper. The OGC began providing concurrence on the quarterly staffing and vacancy publications in February 2021 in response to a recommendation made in the second OIG report.²⁴ An OGC official told the review team that even though the OGC is required to concur, they do not review the methodology used by the program offices. Because VA's decision to exclude certain required steps of the hiring process was not supported by criteria or legal justification, the OIG concluded that VA did not comply with the Veterans Health Care and Benefits Improvement Act.

VA took corrective action after the review team discussed the omission with HRA/OSP officials. In the June 30, 2022, publication, VA updated its reporting and included every required step of the hiring process for title 38 and hybrid title 38 employees when calculating time-to-hire metrics that exceeded VHA's timeliness goal. The report noted that VA added the information "to fully comply with verbiage in Section 3008 of the Isakson and Roe Veterans Health Care and Benefits Improvement Act of 2020 (P.L. 116-315) that reflects time to the official offer vice the tentative offer." VA reported both the duration of the process up to the tentative offer response date and up to the official offer date. The percentage of employees exceeding the time-to-hire timeliness goals was 31 percent (up to the tentative offer response date) and 49 percent (up to the official offer date). As a result of VA's improvement of the staffing and vacancy report to ensure compliance, the OIG did not make a recommendation related to this issue.

Average Time-to-Hire Data Were Not Fully Reported

The Veterans Health Care and Benefits Improvement Act requires VA to report the average number of days that "potential hires or new hires" appointed as title 38 or hybrid title 38 employees spent in each step of the model.²⁵ VA reported the average number of days in each step of the time-to-hire model for new hires only. VA did not include potential hires, as of the June 2022 publication.

The HRA/OSP program analyst responsible for compiling the information explained that the Veterans Health Care and Benefits Improvement Act required significant changes to HRA/OSP's data-reporting methodology. In February 2021, the analyst formulated a decision paper that proposed a methodology to address the new requirements. The decision paper, reviewed by HRA/OSP officials, recommended that VA omit potential hires because OPM guidelines require that time-to-hire be reported only for new employees who have begun work.

²⁴ VA OIG, *VA Improved the Transparency of Mandatory Staffing and Vacancy Data*. The OIG recommended that the assistant secretary for HRA/OSP confer with VA's OGC regarding changes to VA's reporting methodology. As of January 2021, all recommendations from this report were closed.

²⁵ Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020, Pub. L. No. 116-315, § 3008 (2021). The OIG determined that this law requires VA to include both potential and new hires in its reporting.

The HRA/OSP program analyst stated that pulling these data would be difficult because potential hires do not have a hire date to measure against. The review team determined that if VA is incapable of producing the information on potential hires, the department should consider seeking legislative relief of that component of the law from Congress. Absent such relief, VA should explain its approach in its quarterly reports that detail the limitations on reporting the average number of days that potential title 38 or hybrid title 38 hires spent in each phase of the hiring model.

Disparities in VHA's Reported Employee Gains vs. New Hires Need Further Explanation

During the review, the team identified significant discrepancies between VHA's reported gains and new hires data. In the absence of an adequate explanation for these differences, it appeared that data VA reported between June 2021 and April 2022 may not have been accurate. In those publications, the VHA employee gains and the total new hires reported in the same quarters were drastically different, despite definitions for each category that indicated the data were interrelated. VA noted in the employee gains report that the count includes all employees except trainees, medical residents, students, interns, and fellows. The report of total new hires count is limited to title 38 and hybrid title 38 employees.²⁶

In other words, the total new hires count should have included only a subset of the gains reported. However, the team found that the number of reported new hires was consistently higher than the number of employee gains in every quarterly report released between June 2021 and April 2022. Table 1 displays the employee gains and new hires reported for VHA in the time described. The discrepancy in counts reported varied from 6,191 to 10,877.²⁷

Table 1. Discrepancies in VHA Employee Gains and New Hires

FY	Quarter	Employee gains reported	New hires reported	Discrepancy
2021	2	8,897	15,653	6,756
2021	3	8,865	15,288	6,423
2021	4	11,313	22,190	10,877
2022	1	9,565	15,756	6,191

Source: MISSION Act section 505 data. Employee gains data were retrieved from tab B. New hires data were retrieved from tab D-1 and tab E.

²⁶ Employee gains data are retrieved from HR Smart. New hire data are retrieved from USA Staffing.

²⁷ The review team accepted VA's data and assessed the presentation of the reported figures based on available definitions without testing the data's accuracy.

When the review team shared this observation with HRA/OSP, an official provided a potential explanation for the discrepancy for the fourth quarter in FY 2021. The official stated that 4,051 temporary employees, hired for the COVID-19 response, were moved into permanent positions in the fourth quarter; this transition of employee status could account for the increase in new hires. Another HRA/OSP official stated that gains generally tend to increase in the fourth quarter. Although these explanations could account for the general increase in employee gains and new hires reported, neither response from the HRA/OSP officials explained the difference in new hires compared to employee gains or why new hires (a subset of gains) consistently exceeded the reported gains. The HRA/OSP official who retrieves the employee gains and losses data agreed that an explanation should be added.

VA took action to explain the discrepancy after the review team discussed it with HRA/OSP officials. In the June 30, 2022, publication, VA added the following language to the staffing and vacancy report: “New hires in this section includes internal hiring actions and does not apply any MISSION Act exclusions. As a result, this number will be higher than the [gains] reported in Tab B.” The review team accepted VA’s data and did not assess the validity of VA’s explanation of the discrepancies between VHA’s reported gains and new hires data as the focus of this review was on meeting reporting requirements—not an audit of their reliability. Because VA added an explanation of the discrepancies between VHA’s gains and new hires data, the OIG did not make a recommendation on this issue.

Published Staffing and Vacancy Reports Could Be Improved

In addition to assessing VA’s compliance with reporting requirements, the review team identified opportunities to improve the transparency of information VA reports on the public-facing website as required by the MISSION Act.²⁸ The published staffing and vacancy data lacked clarity in the methodology used to report employment gains and losses and vacant positions. VA could also improve its reporting by adding information related to the new expanded time-to-hire requirements, as done with the vacancy, onboarding, and gains and losses information published under the MISSION Act.

Employment Gains and Losses Were Reported Using an Alternative Methodology

The MISSION Act requires VA to publish the number of employment gains and losses processed during the quarter preceding the date of the publication.²⁹ VA reported these data each quarter using the “effective date” of the action. An HRA/OSP management analyst explained that multiple dates—an “effective date” and an “action taken date”—are populated in HR Smart

²⁸ MISSION Act of 2018, § 505(a)(5).

²⁹ MISSION Act of 2018, § 505(a)(1)(B).

when processing employee gains and losses.³⁰ According to OPM, the “effective date” represents the date on which a personnel action takes place.³¹ According to the management analyst, the “action taken date,” in contrast, represents the date the personnel action was “processed” in HR Smart. Based on these definitions, the dates in these two fields may differ.

The OIG did not conclude that reporting gains and losses by the “effective date” was a violation of the MISSION Act’s requirements. However, multiple dates could lead to confusion about the meaning of VA’s reported data. In particular, reporting gains and losses by employee effective date could result in the data not being reported in the quarter the corresponding personnel actions were prepared. For example, a pay period can begin on March 31, representing the effective date. A new employee reports for duty on April 1, and the HR specialist prepares the personnel action on April 2. Because VA’s methodology involves using the effective date, the gain would be counted in the second quarter’s report. However, if VA used the action taken date, the gain would be counted in the third quarter’s report.³² The HRA/OSP analyst shared another example with the review team in which a separation action had a gap of 14 days between the effective date and the date the action was prepared.

The OIG acknowledges that the net difference of pulling the data by “effective date” vs. “action taken date” may be minimal. However, VA’s use of effective date could present a difference in the data reported. The transparency of VA’s staffing and vacancy reporting could be improved by disclosing and explaining the alternate methodology for employee gains and losses. The HRA/OSP official who retrieves the employee gains and losses data was not aware of the possibility that the information could be pulled by the date the action was prepared. The official acknowledged that this date could help identify delays in processing.

VA Took Action to Improve Clarity of Vacant Positions

The MISSION Act requires VA to report the number of vacant positions by occupation. VA reported this information using a count of full-time equivalents (FTEs). An FTE is calculated based on the number of normal hours a position is assigned per pay period (two weeks). A full-time position consisting of 80 normal hours per pay period equals one FTE. A part-time position comprising fewer than 80 normal hours per pay period would be represented by a partial FTE. For example, a part-time position assigned 40 normal hours per pay period equals half of an FTE.

³⁰ HR Smart allows for real-time human resources transaction processing for all of VA. As previously mentioned, data used to populate the VA staffing and vacancy reporting on current staff, gains and losses, and vacancies were obtained from HR Smart.

³¹ OPM, *Guide to Processing Personnel Actions*, March 2017.

³² The federal government fiscal year runs from October 1 to September 30. Therefore, quarter 2 occurs from January 1 to March 31, and quarter 3 occurs from April 1 to June 30.

In the seven reports published between May 2020 and January 2022, all of VA's reported vacancies by FTE were whole numbers. The lack of partial FTEs could give the impression that the department did not have any vacant part-time positions. For instance, in January 2022, VA reported a total of 228 vacant Administration/Staff Office – Secretary positions; of these positions, 223 were within VHA. However, the actual vacancies in VHA totaled 222.663, indicating some part-time positions were included in this total. Because VA's published data were rounded to the nearest whole number, it was unclear that the reported values contained part-time positions.

In March 2022, the review team discussed with an HRA/OSP official that VA could strengthen its explanation of vacant positions to show that the data were rounded and included part-time positions. The official confirmed that the data reported included part-time positions and agreed that the information could be clarified. Beginning with the report published in April 2022, VA included a note stating that the reported vacant positions are rounded. The review team agreed this note helped clarify that VA has vacant part-time positions by calling attention to the practice of rounding partial positions to the nearest whole number.

VA's Explanation of Expanded Time-to-Hire Information Could Be Improved

VA could improve its reporting by adding information related to the new expanded time-to-hire requirements under the Veterans Health Care and Benefits Improvement Act. The reports VA published under the MISSION Act requirements included a summary page that offers the reader guidance on how to interpret the data and overall figures for the previous quarterly data releases. The summary page also included the overall numbers for the previous quarterly iterations of the report, enhancing a user's ability to compare and identify trends using VA's figures.

VA began reporting data under the Veterans Health Care and Benefits Improvement Act requirements in the June 2021 quarterly publication. However, as of the report published in April 2022, no language was added to the summary tab to interpret the new time-to-hire data. In March 2022, when the review team notified HRA/OSP that the report lacked this information, an official stated that the MISSION Act does not require this information to be included and that it would be difficult to share a summary due to the volume of information and limited historical data. However, because four reports that include the expanded time-to-hire data had been published as of that time, the review team determined that users could more easily compare and identify trends if this information was included on the summary tab. Additionally, the summary tab could also include an interpretation of the Veterans Health Care and Benefits Improvement Act requirements. Following the review team's discussion with HRA/OSP and beginning with the June 30, 2022, quarterly publication, VA added information to the summary tab that interpreted the new time-to-hire requirements under the Veterans Health Care and Benefits Improvement Act.

Further, the Veterans Health Care and Benefits Improvement Act required VA to report the number of title 38 and hybrid title 38 new hires for which the duration of the hiring process exceeded the targets in VHA's model. However, VA's published labels for these data, as shown in figure 2, identified hybrid title 38 employees using OPM's model.

Administration/Staff Office	Position Type	Time to Hire Model
VHA	38 U.S.C. 7401(1) ("Title 38")	VHA Title 38 100-day Model
	38 U.S.C. 7401(3) ("Hybrid")	OPM 80-Day Model

Figure 2. Screenshot of expanded time-to-hire data labels.

Source: MISSION Act section 505 data for FY 2022 quarter 1.

When the review team discussed this observation with HRA/OSP, an official provided a VHA policy establishing that VA uses the OPM model as VHA's model for hybrid title 38 employees.³³ However, since readers of the staffing and vacancy reports do not have access to VHA policy, VA could add a note in the quarterly reports to clarify that the use of OPM's 80-day model for these employees complies with the requirement because it has been adopted by policy.

During discussions with the review team, HRA/OSP officials agreed that improvements could be made to the published information and indicated that revisions were ongoing. The OIG will continue to monitor VA's progress on the revisions.

Conclusion

VA complied with requirements of the MISSION Act by reporting vacancy data, onboard personnel, and time-to-hire as mandated. However, action is needed to ensure VA properly reports the expanded time-to-hire data, as required by the Veterans Health Care and Benefits Improvement Act. The review team also identified significant discrepancies between VHA's reported gains and new hires data. VA can further improve the transparency of published data by clarifying the staffing and vacancy reports published on the website. VA made responsive improvements based on the observations identified by the review team and discussed with HRA/OSP officials during the course of the review. The OIG will monitor VA's continued efforts to improve its staffing and vacancy reporting.

Recommendations 1 and 2

To improve the administration of VA's staffing and vacancy reporting, the OIG made the following recommendations to the assistant secretary for HRA/OSP:

³³ VHA, *VHA Time to Hire (T2H) Implementation Guidebook 2.0*.

1. Consider seeking legislative relief from Congress regarding the language related to reporting potential hires under the element of section 3008(a)(E)(iii) of the Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020.
2. Absent such relief, provide information detailing the limitations that prevent VA from reporting the average number of days that potential title 38 or hybrid title 38 hires spent in each phase of the hiring model in accordance with section 3008(a)(E)(iii) of the Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020.

VA Management Comments

The assistant secretary for HRA/OSP concurred with the two recommendations and provided corrective action plans. Although not required, VHA provided concurrence with the draft report. Appendixes E and F provide the full text of the comments from the assistant secretary for HRA/OSP and the under secretary for health, respectively.

For recommendation 1, the assistant secretary stated that HRA/OSP will develop a legislative proposal for the FY 2025 budget to seek legislative relief from Congress regarding the language related to reporting potential hires. For recommendation 2, the assistant secretary said that, beginning with the next report, HRA/OSP will include in its quarterly reports the limitations that prevent VA from reporting the average number of days potential title 38 and hybrid title 38 hires spend in each phase of the hiring model.

OIG Response

The comments from the assistant secretary for HRA/OSP and corrective action plans are responsive to the intent of the recommendations. The OIG will monitor implementation of the planned actions and will close the recommendations when VA provides sufficient evidence of adequate progress in addressing the issues identified.

Appendix A: Scope and Methodology

Scope

The review team conducted its work from February through August 23, 2022. The team examined nine quarterly iterations of VA staffing and vacancy data posted on VA's public website:

1. Data as of March 31, 2020, posted May 29, 2020
2. Data as of June 30, 2020, posted September 8, 2020
3. Data as of September 30, 2020, posted October 30, 2020
4. Data as of December 31, 2020, posted February 24, 2021
5. Data as of March 31, 2021, posted June 10, 2021
6. Data as of June 30, 2021, posted September 17, 2021
7. Data as of September 30, 2021, posted January 21, 2022
8. Data as of December 31, 2021, posted April 5, 2022
9. Data as of March 31, 2022, posted June 30, 2022

Methodology

The team identified and reviewed applicable laws, as well as guidance from OPM, HRA/OSP, and VHA. The team interviewed staff to discuss HRA/OSP's methodology for obtaining the staffing and vacancy data and reviewed publicly released staffing and vacancy information and data definitions.

Data Reliability

The review team did not evaluate the reliability of computer-processed data or use VA's staffing and vacancy reporting data to support the findings or conclusions. The review team accepted VA's data and assessed the presentation of the reported figures for compliance and transparency without performing substantive analyses or testing the data's accuracy. Therefore, the OIG does not make any claims about the validity of the information VA published.

Government Standards

The OIG conducted this review in accordance with the Council of the Inspectors General on Integrity and Efficiency's *Quality Standards for Inspection and Evaluation*.

Appendix B: VA MISSION Act of 2018, Section 505

SEC. 505. DEPARTMENT OF VETERANS AFFAIRS PERSONNEL TRANSPARENCY.

(a) PUBLICATION OF STAFFING AND VACANCIES.—

(1) WEBSITE REQUIRED.—Subject to paragraph (2) and not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall make publicly available on an Internet website of the Department of Veterans Affairs the following information, which shall, subject to subparagraph (D), be displayed by departmental component or, in the case of information relating to Veterans Health Administration positions, by medical facility:

(A) The number of personnel encumbering positions.

(B) The number of accessions and separation actions processed during the quarter preceding the date of the publication of information.

(C) The number of vacancies, by occupation.

(D) The percentage of new hires for the Department who were hired within the time-to-hire target of the Office of Personnel Management, disaggregated by administration.

(2) EXCEPTIONS.—The Secretary may withhold from publication under paragraph (1) information relating to law enforcement, information security, or such positions in the Department that the Secretary determines to be sensitive.

(3) UPDATE OF INFORMATION.—The Secretary shall update the information on the website required under paragraph (1) on a quarterly basis.

(4) TREATMENT OF CONTRACTOR POSITIONS.—Any Department of Veterans Affairs position that is filled with a contractor may not be treated as a Department position for purposes of the information required to be published under paragraph (1).

(5) INSPECTOR GENERAL REVIEW.—On a semi-annual basis, the Inspector General of the Department shall review the administration of the website required under paragraph (1) and make recommendations relating to the improvements of such administration.

(b) REPORT TO CONGRESS.—The Secretary of Veterans Affairs shall submit to Congress an annual report on the steps the Department is taking to achieve full staffing capacity. Each such report shall include the amount of additional funds necessary to enable the Department to reach full staffing capacity.

Appendix C: Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020, Section 3008

SEC. 3008. EXPANSION OF QUARTERLY UPDATE OF INFORMATION ON STAFFING AND VACANCIES AT FACILITIES OF THE DEPARTMENT OF VETERANS AFFAIRS TO INCLUDE INFORMATION ON DURATION OF HIRING PROCESS.

(a) QUARTERLY UPDATE.—Subsection (a)(1) of section 505 of the VA MISSION Act of 2018 (Public Law 115–182; 38 U.S.C. 301 note) is amended by adding at the end the following new subparagraph:

“(E) Beginning with any update under paragraph (3) on or after the date of the enactment of the Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020, the following:

“(i) For employees appointed under paragraphs (1) and (3) of section 7401 of title 38, United States Code, the number of employees for which the duration of the process from validation of vacancy to receipt of official offer and notification of actual start date exceeds the metrics laid out in the Time to Hire Model of the Veterans Health Administration, or successor model.

“(ii) The percentage of employees who are described in clause (i) compared to all employees appointed under paragraphs (1) and (3) of section 7401 of such title during the same period.

“(iii) The average number of days potential hires or new hires appointed under paragraphs (1) and (3) of section 7401 of such title spent in each phase of the Time to Hire Model, or successor model.”

(b) ANNUAL REPORT.—Subsection (b) of such section is amended, in the first sentence, by adding before the period at the end the following: “and to improve the onboard timeline for facilities for which the duration of the onboarding process exceeds the metrics laid out in the Time to Hire Model of the Veterans Health Administration, or successor model”.

Appendix D: Continuing Appropriations Act, 2021 and Other Extensions Act, Section 5108

SEC. 5108. INSPECTOR GENERAL OF THE DEPARTMENT OF VETERANS AFFAIRS REPORT ON ADMINISTRATION OF INTERNET WEBSITE ON STAFFING AND VACANCIES.

Not later than October 31, 2022, and October 31, 2024, and as frequently thereafter as the Inspector General of the Department of Veterans Affairs considers appropriate, the Inspector General shall—

- (1) review the administration of the internet website required by section 505(a)(1) of the VA MISSION Act of 2018 (Public Law 115–182; 132 Stat. 1477; 38 U.S.C. 301 note);
- (2) develop recommendations for such legislative or administrative action as the Inspector General considers appropriate for such administration; and
- (3) submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on—
 - (A) the findings of the Inspector General with respect to the most recent review conducted under paragraph (1); and
 - (B) the recommendations most recently developed under paragraph (2).

Appendix E: VA Management Comments, Assistant Secretary for HRA/OSP

Department of Veterans Affairs Memorandum

Date: September 27, 2022

From: Assistant Secretary for Human Resources and Administration/Operations, Security and Preparedness (006)

Subj: Response to Draft Report: Review of the Department of Veterans Affairs (VA) Staffing and Vacancy Reporting under the VA Maintaining Internal Systems and Strengthening Integrated Outside Networks (MISSION) Act of 2018 (Project Number 2022-01440-AE-0062)

To: Assistant Inspector General for Audits and Evaluations (52)

1. Thank you for the opportunity to review and comment on the Office of Inspector General draft report titled "Review of VA Staffing and Vacancy Reporting under the MISSION Act of 2018." We concur with the recommendations and provide the attached implementation plan with target completion dates.

The OIG removed point of contact information prior to publication.

(Original signed by)

Gina M. Grosso

Attachment

Attachment

Department of Veterans Affairs (VA)

Comments to Office of the Inspector General (OIG) Draft Report:

Review of VA Staffing and Vacancy Reporting under the VA Maintaining Internal Systems and Strengthening Integrated Outside Networks (MISSION) Act of 2018 (Project Number 2022-01440-AE-0062)

OIG made two recommendations to the Assistant Secretary for Human Resources and Administration/Operations, Security and Preparedness (HRA/OSP):

OIG Recommendation 1: Consider seeking legislative relief from Congress regarding the language related to reporting potential hires under the element of Section 3008(a)(E)(iii) of the Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020.

HRA/OSP Response: Concur. HRA/OSP will develop a legislative proposal for the fiscal year (FY) 2025 budget (the next budget cycle) to seek legislative relief from Congress regarding the language related to reporting potential hires.

Target completion date is August 2023.

OIG Recommendation 2: Absent such relief, provide information detailing the limitations that prevent VA from reporting the average number of days that potential title 38 or hybrid 38 hires spent in each phase of the hiring model in accordance with Section 3008(a)(E)(iii) of the Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020.

HRA/OSP Response: Concur. In the absence of such relief, and beginning with the next report, HRA/OSP will include in its quarterly reports the limitations that prevent VA from reporting the average number of days potential title 38 and hybrid 38 hires spent in each phase of the hiring model. (Language about potential hires was added to the FY 2022 Quarter 3 MISSION Act Personnel Transparency report.)

Target completion date is December 1, 2022.

For accessibility, the original format of this appendix has been modified to comply with Section 508 of the Rehabilitation Act of 1973, as amended.

Appendix F: VA Management Comments, Under Secretary for Health

Department of Veterans Affairs Memorandum

Date: September 22, 2022

From: Under Secretary for Health (10)

Subj: OIG Draft Report, Review of VA's Staffing and Vacancy Reporting under the MISSION Act of 2018 (Project Number 2022-01440-AE-0062) (VIEWS # 08399528)

To: Director, Office of Congressional Reports and Correspondence (009L)

1. Thank you for the opportunity to review the subject draft report. The Veterans Health Administration (VHA) concurs with the draft report as written.

The OIG removed point of contact information prior to publication.

(Original signed by)

Shereef Elnahal, M.D., MBA

For accessibility, the original format of this appendix has been modified to comply with Section 508 of the Rehabilitation Act of 1973, as amended.

OIG Contact and Staff Acknowledgments

Contact	For more information about this report, please contact the Office of Inspector General at (202) 461-4720.
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Review Team	Shawn Steele, Director Andrew Albee Cherelle Claiborne Justin Kerly Aaron Weinberg
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Other Contributors	Dyanne Griffith Jill Russell
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