2022 NASCOE Negotiation Items

Item 1

Issue:

COVID19 has greatly increased the number of electronic-signature submissions to FSA producers because of office closures and CDC guidance. Now that producers have "gotten a taste" of this ability FSA is seeing more requests from busy producers to continue with these methods. With the move to electronic records and having producers requesting to have information emailed to them for electronic applications, FSA staff is finding a lack of consistency with producer email and phone number information being included on the application paperwork. There is not uniformity of what is printed on the FSA program applications depending perhaps on when the document was created.

Lastly, it appears there is a variance in which name is pulled from MIDAS on producer applications. Sometimes it is the LEGAL name and other times it is the COMMON name.

Position:

NASCOE is requesting to include both the producer email and phone number printed on all program applications. This would give consistency and save county office staff time by eliminating the need to log into multiple systems to find the needed information. An "auto-submit" tab that would allow the county office to email the contract or application directly from the software either to the producer email associated with the producer or give the ability to add an email through one tap would be an excellent option, but we recognize the software update list is long.   The short ask is to simply include all automated applications to have producer email and phone number blocks. The long ask is to include an auto-tab to have instant email sent to the address of record or possibly link to OneSpan for saving time in preparing for electronic signature. NASCOE would also like to request that the LEGAL name is the option used for all producer applications when printing the name on applications.

FSA Response:

DAFP-PDD will include printing of the producer email and phone number for all DAFP programs on the list of future software enhancements.

DAFP-PDD is also in the process of developing electronic signature requirements to allow for applications to be emailed to producer(s) for digital signature. This change will be implemented on a program-by-program basis.

As far as the issue of LEGAL name vs. COMMON name, we agree that what is printed should be consistent. DAFP will determine the best approach and add this to the list of future software enhancements for impacted programs.

Resolution:

National Office will be reviewing all forms with the aim of consistency looking to ensure adding the name, address, phone, and email of customers are included on all future applications/documents. This will primarily be accomplished as forms are updated or developed. Also, after further review, forms should show only the legal name as that is policy.

Item 2

Issue:

FPAC employees have been instructed by OCIO to use the available OCIO "HELP" Icon v8.0 and not contact their local IT directly by phone or email. The OCIO "Help" Icon software gives employees the choice to request IT services by either using the BMC Live chat feature, submitting a remedy ticket and/or calling the 1-877 number for IT assistance.

When an FPAC employee uses the Live Chat feature the employee starts by asking a question and waits for OCIO/CEC help desk representatives/chat technician to respond. The employee is greeted by chat technician and asked for a phone number in case they need to call back. If it is an issue with a ticket number, the employee gives the ticket number and addresses the ongoing issue with the chat technician. If this is a new issue, then chat technician will prompt the employee to provide his/her/their computer demographic and profile information.

To provide this information employees then go to back to Help Icon box and locate the tab labeled "Device information." This tab provides the employee's computer name, account name, IP address, serial number, etc. The employee keeps the BMC Live Chat window open and then either types in the demographic and profile information, takes screen shots or uses the clipping tool to paste said information into the chat with the chat technician/help desk.

Once the chat is started between chat technician and FPAC employee, then the employee attempts their best to describe the issue with his/her/their computer, device, software, etc. If a resolution is not found during the live chat discussion the said request can be promoted or escalated to a different tiered level, and then a ticket is created for the employee and later assigned to another IT personnel or local IT representative. Employees are reporting these escalated level requests are getting routed back to some of their same local IT personnel employees with whom they have previously used for assistance with previous IT services and computer issues.

After a chat is concluded between the chat technician and the employee, the employee closes out or leaves the chat box. Employees have reported they cannot go back within the chat feature and view previous conversations or chats the employee previously had with chat technicians. The employee can request a chat technician to send the chat notes by providing the incident number. The employee can view the notes submitted by the chat technician or IT specialist from the ticket/incident email.

If the chat technician does not get a response from the user/employee in a certain time frame the technician will close the session, and the employee must start a new chat. If the employee starts a new chat, then he/she/they will have to start the process over again and then will be prompted to provide their computer's demo/profile information once more.

Position:

NASCOE position is to have the ability for BMC Live Chat software to automatically pull and/or gather FPAC employee's device information, which would include demographic and computer profile information for the employee. In interest of time and efficiency, at minimum the ability to copy and paste from the device information tab located in the OCIO "Help" Icon v8.0, which would reduce time needed by chat technician to address the employee's IT issue and/or find resolutions faster by IT and help desk personnel.

FSA Response:

The request has been escalated to the OCIO team in charge of BMC Live Chat to determine if automatically pulling in the computer details is possible or if there is an easier way for employees to copy/paste from the Device Information screen. DAFO is awaiting a response and will provide the response once it has been received.

As an alternative, employees could use the OCIO "Help" icon and then click Online Help > Support via Email. That generates an email with all of the computer information already included. They can answer the additional questions and submit the ticket via email OR they can just use that function to more easily copy/paste their computer information from the generated email.

Employees will not be able to re-open chat sessions. To view details of closed chat sessions, they can use the Digital Workplace - DWP (https://usdacts-myit.fed.onbmc.com/dwp/app/#/catalog) to see all of their OCIO/CEC requests. Employees can continue to communicate through DWP with the technician assigned to the ticket.

Resolution:

NASCOE accepts this response. National Office will continue to follow up with OCIO to complete these resolutions.

Item 3

Issue:

Employees are being locked out of EAUTH and ACCESS to CRM, Active Directory account, and various software applications when they are on leave for more than 30 days. It is our understanding that MIDAS is attached to the Active Directory account, unlike most of our other systems. Specific examples are when employees are on paid parental, sick, or military leave for more than 30 days. Supervisors can request the employee's access to be re-enabled, but this request can only be submitted within 24 hours of the employee returning to official duty and signing on. If the employee does not return and sign on within 24 hours of the request, the account will again be disabled. We are hearing that when employees return to official duty, it is taking anywhere from 3 days to 2 weeks for accounts to be re- enabled. This causes significant inefficiencies at the field level when there is heavy workload and pressing deadlines to meet.

Position:

NASCOE would like Management to pursue a process, working with the appropriate FPAC-BC division that handles these functions, to flag employees in approved leave status to NOT be inactivated.
Maybe this process could start with the supervisor, after approving requested leave in excess of 30 days, submitting an FSA-13A to the SLR to request an exemption for inactivating the employee's account accesses. The SLR would forward the FSA-13A to the appropriate level to flag the employee's account for inactivation waiver. We think it would be appropriate to grant this waiver for up to 90 days, but only for employees on approved leave who are expected to return to official duty at the end of the approved leave period. If the employee remains on approved leave status beyond the 90-day waiver period, the supervisor would be required to submit another inactivation waiver request (possibly on an FSA-13A) to the SLR to begin processing an additional waiver request for a specified period.

If the waiver option cannot be granted, NASCOE would ask for an alternative solution; that the 30-day access inactivation trigger be extended to 60 days. With the average approved leave period for paid parental leave and extended sick leave (surgeries, mild injuries, etc.) being 8-10 weeks, as well as the frequent use of paid parental leave (recently authorized), NASCOE feels extending the inactivation trigger to 60 days would be a tremendous benefit and efficiency to both the employee and agency.

FSA Response:

DAFO connected with FPAC-Information Assurance Branch to discuss the possibility of extending the timeframes of the inactivation trigger. The issue has been elevated to OCIO to determine if a policy change is possible.

Resolution:

DAFO has received an answer from ISD that a waiver for a policy change to the security restraints from 30 days to 60 days has been submitted to OCIO for review. Currently an SLR can request reactivation, but the Business Center is looking into allowing supervisors to have the ability to submit the AD account reactivations without having to go thru an SLR. The update on supervisors having these permissions is on hold until September 2023 due to contract issues. However, DAFO will work on sending out an IB to advise supervisors and employees to login on day 25 of leave for a few minutes to help alleviate this loss in access until we can get an answer on the waiver solution. Also, DAFO is going to inquire if a possible email notification can be sent to the employee and supervisor at the 25-day mark to help in notifying individuals when the inactive period is nearing the 30 days.

Item 4

Issue:

FSA's county offices are struggling to recruit and retain quality employees. The feedback we are getting from potential applicants and departing employees indicate we are not providing competitive pay, as compared to the private sector. In addition, the work complexity for our positions is much more demanding and stressful than many private sector jobs that pay as much, or more, than our FSA county office field positions. Not too many years ago, our FSA county offices were considered very attractive places to work among talented and skilled job applicants because of our pay and benefits. However, that simply and sadly is not the case today.

One specific example of this is in a large town in Kansas. A CO-3 employee starts out making $13.78/hr. and a CO-4 employee starts at $15.47/hr. The FSA office in this town has found it extremely difficult to find quality candidates to apply for a PT position, as they can go work in the fast-food industry, department stores, or drug stores for as much, or more, starting pay. When potential candidates see our pay rate, they just breeze on by the ad not realizing we have an excellent benefits package. This particular office just had a vacancy announcement and, in a town of 46,000 people, only had two applicants make it to the certificate list. Along the I-135 interstate, all offices in Kansas are having a really difficult time getting quality applicants to apply. This was an issue even before the pandemic and vaccine mandate. The entire FSA District had temporary positions that never got filled when they were desperately needed. This Kansas town example is not unique. We are hearing these same issues in every area of the country.

The work we do requires talented employees. We cannot recruit and retain quality employees unless we do a better job adjusting our pay scales and working conditions to be competitive with the private sector.

Position:

USDA/FSA should quickly begin developing a plan to update the pay scale that will provide effective results for recruiting and retaining quality employees. FSA is seeing a tremendous rate of employee turnover. It is critical that we do our best to recruit talented candidates while retaining our experienced employees in whom we have invested a great amount of training and experience.

NASCOE suggests that a task force, to include FSA CO Hiring Managers who have faced recruitment/retention challenges, be created to study and address employee recruitment and retention barriers.

FSA Response:

USDA and FSA Leadership recognize the need for increased base pay within FSA, USDA, and across the Federal government. An increase of base pay across all positions within Farm Service Agency is a multi- step process involving numerous organizations and agencies. USDA and FSA are exploring all options to advocate for increased basic pay for all employees however, this process takes significant time and coordination with the Office of Personnel Management and the Office of Management and Budget.
USDA and FSA Leadership continue to advocate that increased base pay for employees must be matched with a corresponding congressional appropriation to ensure overall staff numbers are not negatively impacted by increased salary rates.

Considering the amount of time, it takes to implement wide scale increased base pay, FPAC and FSA leadership are focused on providing immediate, interim solutions, to address employee recruitment and

retention. For example, in FY2022, FSA implemented Student Loan Repayment as a retention tool for existing employees. FSA Leadership continues to evaluate the need for and best methods to implement recruitment and retention incentives for employees where necessary.

Resolution:

NASCOE and the National Office are committed to exploring opportunities to advocate on behalf of FSA Employees for pay increases and recruitment and retention incentives with the USDA Leadership.

Item 5

Issue:

Advertising for local job openings in county FSA offices is becoming an issue and has also proven to be costly. Social media has created a loss of subscribers to local newspapers or the closing of small newspapers. Classified ad costs in these larger newspapers have increased significantly. Hiring supervisors would like the see more advertising opportunities available for these county office openings. A CED recently created a free Indeed.com account to advertise for a PT opening and questioned all the applicants to see where they heard about the vacancy. ALL responded with Indeed.com. More candidates would have been interested if offices had the ability to "boost" these listings for fee. This would likely be more economical and effective than the newspaper ads.

Position:

NASCOE is aware that county office jobs are advertised on-line via USAJOBS.COM, however this is not well-known for many potential applicants. County offices can post job announcements in their office on the bulletin board, include it in an electronic newsletter or send via text message; but these options will only reach current individuals who conduct business with FSA or have previously signed up to receive notifications. On-line job sites such as Indeed, ZipRecruiter, Monster, etc. are just a few of the on-line websites that are widely known. It appears that other government agencies are taking advantage of these tools to a greater extent than FSA.

NASCOE is asking if FSA county offices can have more advertising opportunities so that we may have a broader base of applicants to choose from by using these on-line options to greatly increase the number of candidates. We would also like to ask for the ability to "boost" a vacancy announcement, especially in cases where a significant number of applicants have not yet responded to the job vacancy.

FSA Response:

DAFO's Staffing and Recruitment team has been concentrating on recruitment this year to assist states with their applicant pools. Recruitment has been an issue for many areas due to competition, pandemic changes, new admin staff and the economy.

We have found many opportunities with state unemployment offices, universities/colleges, local minority groups and job boards that do still allow free job postings. In addition, we have found that many of the "free" options are only free for a limited number of postings or limited exposure. Many resort to charging in order to expand the possibilities of posting. Many state unemployment sites do get pulled to outside sites such as Indeed and ZipRecruiter. Unfortunately, OPM will not authorize the same for USAJOBs.

DAFO is exploring the possibility of FPAC/FSA social media accounts for sharing job announcements. In the meantime, we have recommended that FSA STOs partner with NRCS for their twitter account, conservation districts and extension service for Facebook and their own employee base to share job announcements on social media.

DAFO's Staffing and Recruitment team has created instructions as well as a toolkit to assist states in increasing their recruitment efforts. In addition, DAFO posts every FSACO external position on HandShake to 150 land grant and minority serving institution that subscribes to that service which has allowed for over 100,000 postings this year.

It is possible for a state to create online accounts and use the job boards listed but it would be a budget.

item, possibly outreach.

<u>Resolution:</u>

The National Office has provided the field with resources for job recruitment. DAFO will share these resources with NASCOE to help increase awareness to employees in the field.

Item 6

Issue:

Honeybee producers or apiculturist who report their honey production in their respective FSA county offices have an acreage reporting date of January 2, or the date their colonies are set in place for honey production for the current crop year. The crop year for honeybee producers with honey production is from January 1 through December 31 of the calendar year, as per 1-NAP (Rev. 2) par.976C.

Honeybee producers may have multiple colonies located in various counties at different times during the crop year. Apiaries located in different counties are considered one unit. Honey producers who have interest in colonies and/or honey production will use their recording county for their honey operation and honey inventory reporting. As per 1-NAP (Rev. 2), par. 976D, a producer sharing in the unit must accurately report in the recording county office with their total number of the unit's colonies present in all counties. If any changes or increase occurs with their colony counts used for honey production, they have 30 calendar days to report their total number of colonies or their additional counties if bees were moved. With these changes of colony counts or moves the county offices are instructed to have the honeybee producers use a manual FSA-578 to accept the honeybee producer's honey inventory reports according to 1-NAP (Rev. 2), par. 976D.

In addition to NAP, processing ELAP applications for colonies and hives for bees is also cumbersome and inefficient. Currently, tracking of colonies must be done through a manual process, which results in the County Office having to keep a running record of the producer inventories. This results in inconsistencies and is challenging for accurate reporting.

The county offices are dependent on the honeybee producers for accurate and timely notifications of these changes and/or increases to help complete their colony inventory reports for the crop year.
Using the manual FSA-578 to capture these changes or increases can fluctuate numerous times throughout the crop year. Creating many manual FSA-578s reports being taken by county offices for one honeybee producer per unit per recording county. County offices have reported one honeybee producer can have upwards of 50 manual FSA-578s in one recording county. This same county also services numerous other honeybee producers. County offices continue to assist producers with their reports and helping these producers maintain accurate records but have found it difficult helping producers maintain all of their colony counts on manual forms that are taken within a given crop year.

Position:

NASCOE is requesting that software be developed to assist in reporting colonies and hives for bee producers as the current policy requires multiple manual FSA-578's and no continual tracking for either of these items. If time or funding is an issue, an alternative could be to have an automated spreadsheet or accumulation sheet be provided for honeybee producers to help keep an accurate count or tally of their inventory reports going to county offices. The automated tracking sheet would capture accurate data collections throughout the crop year and allow FSA employees to be proficient with honeybee colony reporting, as per 1-NAP, 976D. This sheet could also be used to verify total colony counts reported on FSA-578s, and this data could be used if losses occur because of a disaster event and/or later if an application is submitted for various FSA disaster related programs like NAP and ELAP. A spreadsheet or inventory tool would improve accuracy on acreage reporting and program applications. It would also improve efficiency with the delivery of disaster programs and payments to honeybee producers who suffer losses.

FSA Response:

An effort is already underway to develop the alternative spreadsheet that has been suggested. The team is working to ensure the spreadsheet can be used to record the necessary information in a manner that will include all necessary data elements for ELAP and NAP.
Additionally, this item can be considered with future development of geospatial acreage reporting.

Resolution:

NASCOE accepts this response and will provide feedback on resources that are currently in progress for field distribution.

Item 7

Issue:

Software for the Emergency Livestock Assistance Program (ELAP) that the County Office staff can use to input data is needed. Currently all ELAP applications are ran through an excel type workbook and then payments computed are manually entered into the ELAP payment software. Not having ELAP software that the County Office can utilize from the beginning of an application through payment is cause for concern as the way it is currently being done increases the chance for human error and incorrect payments.

Position:

To help eliminate errors from a manual process involving an excel workbook, NASCOE would like to see the development of an ELAP software platform, which includes the Notice of Loss and payment calculation processes.

FSA Response:

ELAP software continues to be delayed due to higher priorities. Development of an ELAP software platform continues to be a priority; however, the recent pandemic and emergency assistance programs have necessitated that FSA dedicate time and resources to the successful and timely rollout of these critical programs. InfoPath and the subsequent excel workbooks are interim solutions until full blown automation can be developed.

Resolution:

ELAP software is actively being developed with an aim for deployment of March 2024! NASCOE will be providing a list of individuals for program testing.

Item 9

Issue:

When National Amendment 76 of 1-CM was released on December 20, 2021, it revised the register policy, but doing so increased the amount of workload required for a register and decreased the amount of time for the County Office to complete the register. This restrictive timeline is burdensome considering the additional circumstances going on in the county office right now, including the decreased staffing numbers.

Requiring producers to request to be placed on a register versus just requesting FSA service could result in poor customer service. Most producers don't know anything about FSA policy regarding registers and wouldn't know that they specifically need to ask to be placed on one. This would be particularly true for producers who are requesting service via email, fax, or another remote method encouraged in recent years. The requirement for the register to include all necessary documents to complete an application could also diminish customer service and reduce a producer's eligibility.
Absent the extreme workload requiring the County Office to need a register, the staff would usually review the applications with the producer to ensure completeness. Our programs can be complicated, and it is not uncommon for producers to believe that they have provided everything needed for benefits, when the reality is there is more needed to have a complete application. Not allowing producers on a register the opportunity to provide follow up documents after the County Office has had time to review the application will increase in the number of application denials and appeals.

Additionally, in some cases setting the producer appointment date and time as the initial register is being completed causes confusion for the County Office staff and producers. Depending on the office staffing and workload, accurately predicting the time needed to process preceding requests can be difficult. Additionally, review of supporting documentation can require more or less time, requiring a change in the appointment. This process, versus working through the application and notifying the producer once their appointment date and time are accurately known, can be time-consuming for an already burdened office and confusing to the producer.

Finally, the timeline of three-weeks to complete the register is onerous in many situations. Registers are typically needed when County Offices are short staffed and/or have many programs going on at one time. This is particularly true for disasters including LFP, ELAP, and LIP. Often it is the same County Office Program Technician who is administering these multiple programs. Shortened signup periods or signups occurring during busy periods for producers can also result in last minute surges in interest resulting in larger than expected register use. Having an inflexible, limited timeframe to service producers on a register adds considerable stress and undue hardship to the staff who are trying to timely complete their job.

Position:

Timely and complete program enrollment is important to both FSA and producers. However, agency leadership has acknowledged that staffing challenges exist throughout the country. Additionally, we have seen an unprecedented number of additional programs and workload in recent years. Employees are struggling to maintain a healthy work life balance which results in retention challenges. NASCOE understands that in many ways workload and staffing are dependent on Congress. However, this more restrictive policy is discretionary. NASCOE would request that leadership revisit National Amendment 76 to 1-CM to allow greater flexibility on the use of registers, including ensuring required entries on the register are truly necessary and consideration of local conditions (such as workload and staffing) when setting time limits on completion of the register.

FSA Response:

Leadership has evaluated many comments received associated with the register policy included in 1-CM, Amendment 76, and updated policy is forthcoming this summer.

Resolution:

National Office will review feedback on current register policy and hopes to have an update in the coming months.

2021 Follow Up

Item 3:

Issue:

The ARC/PLC contract deadline of March 15th is too soon in the program year as several operations are still deciding what to do for the upcoming year.

Numerous FSA employees are finding that this is simply too early in the year for a lot of producers to have a firm grip on what their shares will be for the current year. Many counties have producers who change shares or plant different commodities with varying base shares on specific crops. Farming practices around the country are quite diverse especially when weather is factored in. Many producers are calving during this time and not working on land leases/shares for the current year. In many cases landlords and tenants are still determining current year operator and shares during the beginning months of each calendar year. It is not uncommon in some parts of the nation for producers to not have a definite decision on what their final shares will be since these decisions have not been worked out by March 15th with their landowners.

Producers are then required to initially enroll without complete data and then revise their ARC/PLC contracts. Often this is forgotten and caught by the county office after producers certify their crops with FSA and the share changes are discovered when comparison reports are reviewed. This has created a large workload on FSA employees when revised contracts must be completed. This is doubling the work for producers as well as our county offices.

Alternatively, producers who are not changing their election and want to ensure they have all the required information before enrolling can late file through September 30th. However, this also creates a workload challenge when these involve additional COC and DD review.

Position:

NASCOE proposes returning the ARC/PLC deadline to August 1st. This would provide the time needed for producers farming on shares to have the adequate information to initially enroll correctly. This will save the producer from extra revisions and reduce unnecessary workload in the county offices.

FSA Response:
Participation in RMA's Supplemental Coverage Option (SCO) states that producers who have elected ARC may not have the SCO insurance plan. If the election date for ARC is extended until August, producers will have a distinct advantage in terminating their SCO coverage and electing ARC.

The same general principle applies to STAX and participation in seed cotton ARC/PLC. If producers are provided the extended August deadline, then those producers have a distinct advantage on terminating their STAX insurance and enrolling in ARC/PLC.

The administration made the decision that March 15 would be the deadline for producers to elect and enroll in ARCPLC to closely align with RMA's sales closing date, which was clarified to field staff during 2018 Farm Bill training held in the summer of 2019.

Resolution:

It is not feasible to change the deadline for this farm bill, but National Office will look at options for the next farm bill. NASCOE and National Office will share and discuss the data related to the efficiency and customer service from the additional workload.

Resolution Follow-up:

National Office continues to hear the feedback from the field and will continue to have these discussions with policymakers during this time of Farm Bill discussion.

Item 4:

Issue:

County Office employees have been given permission to telework due to COVID-19 but previously were only given the option of Ad-Hoc or told that they were in-eligible for telework all together. During this period of safety related maximum telework, County Office employees have proven they are able to continue to carry out their jobs while teleworking and have done it well. NASCOE would like to see continued telework options remain available after maximum telework procedures related to COVID-19 have concluded.

34-PM Part 5 Telework Program states that telework is of particular interest for its benefits in the following areas:

- Recruiting and retaining the best possible employees
- Helping employees manage long commutes.
- Saving taxpayer dollars by decreasing Government real estate costs
- Reducing traffic congestion, emissions, and infrastructure impact in urban areas, thereby   improving the environment

Secretary Vilsack stated in his town hall meeting for all USDA employees on March 5, 2021, that he would like to see telework continue and utilized more. Telework works for the reasons stated above as well as with employees with certain medical conditions and those carrying for family members with serious health conditions. In an email issued on March 18, 2021, Secretary Vilsack, reiterated his plan for implementing permanent telework options for all employees.

Position:

NASCOE would like to see 34-PM paragraph 102 changed to include all FSA Federal and Non-Federal employees located in County Offices to be eligible employees for situational telework to be approved by the first-line supervisor. NASCOE is eager to work with leadership in the strategy and development of telework opportunities post COVID-19.

FSA's Response:
Absent performance or conduct concerns, FSA employees have been eligible for ad hoc telework per Departmental Regulation and FSA Notice PM-3030. As noted by Secretary Vilsack, FSA is looking to expand telework options for all employees. Handbook 34-PM will be updated accordingly.

Resolution:

NASCOE accepts this response.

Resolution Follow-Up:

As of now the National Office is holding at the current posture as outlined in notice PM-3056. An update for handbook 34-PM is still a priority.

Item 10:

Issue:

The performance year begins on October 1 and performance plans are to be provided to the respective employee, according to 5-PM Handbook, Par. 228, performance plans are to be in place at the beginning of the performance period, October 1. Par. 3G states a final written copy of each plan should be provided to the respective employee as soon as practicable but no later than 30 calendar days after the beginning of each performance year. Subordinate employees are being rated and held accountable for plan performance during time periods when current year FY performance plans have not been developed due to State Office and County Office not receiving directives timely to establish employee performance plans by the required time period in 5-Pm par 3g.

Performance Plan establishment deadline has been extended the last four years. Employees have been held accountable for plan performance and rated for performance during time periods with no current performance plan in place as required. Below are the extended deadlines for each of the last four years:

FY21: January 15, 2021

FY20: November 20, 2019

FY19: February 11, 2019

FY18: January 31, 2018

Position:

According to Notice PM-3039, Par. 2I, "A supervisor's failure to meet the performance management requirements and compliance deadlines established by OHRM and FSA must, at a minimum, preclude an element rating of "Exceeds Fully Successful". Failure to meet the requirements in the performance management category altogether must result in an element rating of "Does Not Meet Fully Successful". Likewise, the second-level supervisor's supervision element rating should reflect the degree to which the first-line supervisor was held accountable for their performance management responsibilities."

NASCOE feels it is difficult to hold field level supervisors accountable for timely performance management when the deadline is inconsistent. Likewise, how can we hold subordinate employees accountable for plan performance when they are not receiving established plans timely. Pushing the deadline back makes it difficult to include employee's ideas and opinions in the development of the performance plans as provided in 5-PM, Par 20B. The handbook should be updated to allow permanent guidance and notices containing year to year changes should be issued before the beginning of the new fiscal year.

FSA Response:
5-PM will be updated to reflect the new pass/fail performance management system. DAFO agrees with the concern expressed regarding the lack of timeliness of annual performance plan guidance and has expressed similar concerns to FPAC BC-HRD. DAFO will continue to work with HRD to try to get performance plan guidance finalized earlier in the FY.

Resolution:

DAFO concurred with the concern and will continue to share these challenges with the FPAC BC-HRD. 5-PM will be updated to include the pass/fail performance management system.

Resolution Follow-Up:

An amendment for 5-PM is still a priority, so that it reflects the current pass-fail performance management system and associated guidance. DAFO will continue to work with FPAC BC-HRD to emphasize the need for earlier performance plan deadlines.

Item 12:

Issue:

The new two-tier performance management system has unreasonable demands regarding the standards and measures required for employee to meet the fully successful summary rating. The effectiveness of the performance plan tool is undermined by the unobtainable or unclear standards placed upon employees.

Some of the standards seem to be a "prove up" rather than a fully successful.

For example: the plan states for each element "Standards and Measures for Fully Successful: all of the following must be met to achieve the 'Meets Fully Successful' rating for this element".

- In the Developmental and Advanced Stage of Customer Experience it states:
  - Proactively supports and represents a "OneUSDA" mindset by developing and proposing at least one (1) "OneUSDA" collaboration activity throughout the rating period.
    - Question from the field: what is a "'OneUSDA' collaboration activity" and how would a PT meet this?
- In Program Delivery it states:
  - Ensures that applications for benefits are complete, supporting documentation is updated and on file, and payments are processed accurately and within required timeframes with no more than 3 exceptions.
    - Comment from the field: Program Delivery error rate is listed as 3 exceptions, maximum. This is an unobtainable error rate- for example, 3 out of 1900 ARCPLC contracts, represents an error rate of .15%..........which is an expectation for a machine………not a person. In Counties that have only 100 contracts, their error rate for fully successful would be 3%. Basing the error rate on a number instead of a percent/factor creates inconsistencies across the nation.

FSA County Office Employees pride themselves on program efficiency and integrity. However, constantly changing policy and quick program roll outs combined with fractured training (the field seldom has all the info to run a program at the start of the signup - the information and Q & A's come out piecemeal causing staff to have to "do over" many applications- many times). These factors create an environment ideal for errors; ideal for failure according to the standards set in the performance plan. PTs are presented with subpar training and preparation for programs, and at the end of it all, they are held to unreasonable standards for a fully successful performance.

Additionally, paper copies of the signed quarterly reviews are required to be uploaded to verify completion in EPMA software as opposed to an electronic confirmation of the quarterly review as was the process with EmpowHR.   This feels like a step backwards regarding technology.

On the plus side, the EPMA software for performance plans is relatively straightforward and user friendly.

Position:

The performance plans should reflect more realistic standards for employees. Standards should be attainable. They should be more specific and less vague. Standards should not be written with "proving up" in mind, rather what actions constitute "fully successful".

A training program for employees should be implemented to review the expectations and requirements of the performance plan and give employees advance notice of what is expected of them as well as an opportunity to provide input on what goes into the plan.

CED's should be held accountable to review performance plans and implementation for the county office staff with their COC to provide COC the opportunity for input.

NASCOE previously helped National Office create a "standards library". Supervisors should have access to these standards and should be able to utilize them.

EPMA software should be adapted to allow employees to electronically acknowledge "receipt, review and concurrence" with the plan as well as allow the supervisor to upload comments electronically.

FSA Response:
An update to the EPMA system to allow employees to electronically acknowledge plans, discussions, and reviews is planned. It is DAFO's hope this will be in place by the beginning of FY22. DAFO follows FPAC-wide performance plan guidance, some of which was developed from the standards library. DAFO has been working to improve some of the FPAC-wide standards and has been in discussion with FPAC-BC HRD on timing of FY22 plans. We understand that plans will still be written to the "fully successful" or "passing" level. Supervisors can add to the performance plan templates to incorporate applicable standards from the previous library.   DAFO will review standards for DDs/CEDs to determine if language needs to be added to make clear the COC role in performance management.

Resolution:

DAFO will look into providing some flexibility on the exceptions based on NASCOE input, though some standards are required by FPAC. DAFO will also provide some examples and explanations for standards in performance notices and the upcoming 5-PM amendment.

Resolution Follow-Up:

Updating Handbook 5-PM revision remain a priority. Recent performance plan guidance in PM 3065 allowed for the modification of most standards, providing flexibility in the number of allowable exceptions. While some performance plan standards are mandatory under the Departmental Regulation, DAFO will continue to look at standards that NASCOE identifies as problematic.

Item 11:

Issue:

FSA has developed many reports and other resources that allow employees to verify accuracy of program documents and delivery. These tools and reports are beneficial; however, a common concern is that employees do not know they exist or where to find them. This is particularly true with the increased number of retirements and new hires. Some handbooks do include this information, but it is not consistent.

Recommendation:

NASCOE is proposing a new handbook or a standardized exhibit in each handbook (similar to delegations in Exhibit 1) be implemented which will serve the purpose of assisting employees by referencing reports, dashboards, and other resources that are available to assist with program delivery. This would include a monthly report checklist of which reports would be helpful along with instructions on where to access these reports.

FSA Response:

DAFP will explore expanding exhibits in each handbook for reports, dashboards and other resources.

Resolution:

National Office will begin adding available reports, dashboards, and tools to the exhibits in relevant handbooks. They will work with NASCOE to explore a task force for potential checklists.

Resolution Follow-Up:

DAFP is going to create a taskforce for the creation of a user guide to assist with reports/checklists. NASCOE will provide a list of individuals that specialize in each program area for assistance.

2020 Follow-Up

Item 4

Issue:

Completing manual CCC-576's is a time consuming, tedious process that often occurs during heavy workload in the county office. Information needed to complete the form is currently available within our software systems but must be manually transferred onto a hard copy of the form. Requiring office staff and the applicant to fill in dozens of information blocks not only takes an inordinate amount of time, but also lends itself to unintended errors.

Resolution:

Current NAP software has the capability to load CCC-576's in "Not for NAP" situations. As noted in 3- NAP Amend. 1 Par. 151 A, "Application for coverage is **not** required to add a Notice of Loss". It is unclear whether this is a warning about a deficiency in the software or policy to allow use of the software in "Not for NAP" applications. Clarification of or change in procedure to allow "Not for NAP" use of the NAP software would save staff time and reduce errors, streamlining completion of CCC-576's for those programs that require a notice of loss; the software imports SCIMS and CARS information for each producer directly onto the CCC-576. Adding a selection button in the software for "NOT for NAP" purposes to differentiate between NAP and "Not for NAP" purposes would allow for easy tracking of each. Allow staff to fully use the capabilities of available software to increase efficiency and accuracy.

FSA's Response:

FSA is technically running a risk in allowing the CCC-576 to be used for purposes other than NAP or when NAP coverage for a crop for which NAP coverage was not obtained by the filer. Years ago, we examined developing a separate non-NAP form for common programs (prevented planting of crops not subject to NAP coverage agreement for example and failed acreage). That effort failed and nothing came of it.

Final Resolution:

There is agreement that the automated software can be used for the loading CCC-576s for "Not for NAP" situations. Policy will be updated pending consultation with DAFP.

Follow Up:

This has been discussed with PDD and something similar as "Not for NAP" is included for future software enhancements; however, at this point there is no timeline for implementation.

The existing policy included in 2-CP, subparagraphs 27 K and 38 C which states the CCC-576 should be marked "Not for NAP" has been re-evaluated. Based on currently policy and software, there is no longer a reason to mark the CCC-576 as "Not for NAP"; therefore, the applicable paragraphs in 2-CP will be amended in a forthcoming amendment to remove the requirement.

Resolution:

National Office is going to provide guidance that it will be required for a CCC-576 to be loaded in the NAP Software, regardless of if it is for NAP use or not. The National Office will also be updating the handbooks 2-CP, 1-NAP, and 3-NAP to reflect these changes.

Item 12 PPOD

Issue:

The current observation in the Farm Service Agency is that people are retiring faster than we can get new people hired and trained. This is causing significant stress and low morale in the county offices where they not only have newer PTs, but also are short staffed and put into newly formed shared management situations. The workload is becoming overwhelming to the veteran PT's.

Farm Service Agency has no official training program in place for our newly hired employees. Perhaps we can say that as the bulk of our PT hires are grade 4 or 5, that it often takes several years to become fully independent and experts in our programs. Some new hires we have invested in have quit within a few months due to the pressure of the job at only grade 5 pay.

This is causing even more money to be invested into hiring yet another person without any money invested in solving the problem of keeping employees. The cycling of new employees through an office puts a lot of workload on the PT's that have been consistent in the agency and this is causing them to get "burnout" and become frustrated, even driving some toward resignation or early retirement. CED's can only help the PT's so much without neglecting their own managing duties, especially those in shared management positions.

NOF has made efforts to be transparent regarding the staffing numbers and how actual workload is used, which has been very helpful, but still not encompassing the whole picture.

Resolution:

NOF should be transparent with the number of staff the staffing model indicates each county office needs independent and separate from budget restraints-the unrestricted number of staff needed by FSA. Uncompleted workload is not currently considered in the workload model and adding this would give NOF a better understanding of the actual workload and may be the key to proper staffing. Allow county offices to hire employees in a timely manner to avoid overwhelming workload to them and the existing PTs in the office. Create a task force that focuses on creating official "New Hire Training" so we can give our new employees the tools they need to be successful in servicing the producers adequately and as quickly as they can after they are hired. Make this training mandatory for all newly hired employees and any PT that would find value in it.

FSA's Response:

NOF has prioritized the measurement of incomplete workload and is in the process of implementing a new methodology in order to capture the best data possible. The new methodology was developed by DAFO BAMSD in consultation with the BAMSD Workload Working Group in order to capture incomplete workload items that encapsulate the major workstreams. Data identified by the Working Group that can be captured in FSA systems will be obtained accordingly however since much of the data cannot be captured in FSA systems the working group determined that a quarterly survey should be used to collect the additional data. BAMSD is currently working through the development of the survey to collect the data with the goal of collecting FY2020 Q4 data which will be used in conjunction with FY2021 Staffing Recommendations.

Final Agreement:

Agreed that DAFO is working on clarifying staffing needs and that the current unmet demands survey process will better help everyone understand an office's staffing needs. Agreed that hiring has improved since this item was first presented. Agreed that there is a need for resources for new hires and that a task force will be created to identify these and how best to make them available.

Follow Up:

FSA survey and system data have been collected for FY20 and FY21. The Staffing Model does not indicate how much staff an office needs and that is why we are performing the total need analysis. Additionally, we are exploring data to measure disengaged, ineffective and overextended performance factors, and increased outreach needs for our total need analysis.

The Task force to address improvements to new hire training is actively being discussed as part of a broader agency training goals and objectives. The Administration has identified training our workforce as a top priority. Investment in our employees through both technical and professional training will build a stronger workforce. DAFO has a repository of previously delivered training designed for all sectors of the workforce. These previously established training programs will serve as a "Jumping off Point" for the task force. A comprehensive review of the training programs will provide an opportunity to update the programs to better meet the needs of our workforce today. Creating a training program that meets the needs of both new hires and tenured employees will be a focus of the task force. DAFO has committed staff to support this effort moving forward.

Additional Follow Up:

The process of standing up the task force is currently underway, with taskforce work to begin in FY 2023.

Additional Follow-Up:

This is still a priority to DAFO, and they will continue to explore options in providing resources for the field.

Item 14

Issue:

Some policy deadlines/timelines established for CRP appear arbitrary and do not enhance the integrity of the program, while causing undue stress, heavy workload, and invasion of privacy during a grieving period:

2-CRP (Rev. 6) Amend. 1 Par. 554D requires County Offices, in the case of the death of a participant, to send a letter to the last known address of the deceased participant within 10 days.

This immediate notification and request for action by the survivors during a period of grieving is an unnecessary intrusion that accomplishes nothing but hard feelings and uncomfortable interactions between staff and our customers.

2-CRP (Rev. 6) Amend. 1 Par. 500A requires County Offices to process initial FSA-848As for al practices, C/S, Non-C/S, and management activities within 5 days of approving the CRP-1. In practice, most CRP-1 contracts are approved at the end of the fiscal year during a period of intense office activity and heavy workload. Offices with high CRP activity are stretched beyond the max to meet the 5-day deadline.

Recommendation:

Revise 2-CRP (Rev. 6) Amend. 1 Par. 554D to allow 30 days from County Office knowledge of a participant's passing to issue notification letters to the survivors. This provides a more respectful window during a difficult time and does not compromise the integrity of the CRP. Revise 2-CRP (Rev. 6) Para. 500A and add a place in COLS for the total obligations of the contract to be entered prior to approving the CRP-1. This would satisfy the requirement that total obligations be assigned to the appropriate fiscal year (for OMB obligation purposes). With the reporting requirement met, the timeline for creation of the FSA-848As can be relaxed to more easily fit within the flow of the County Office workload. Additionally, with CCMS and CSS software often unavailable following the change of the fiscal year, the accessibility crisis is moot. As long as the FSA-848As are created timely for the scheduled practice, the CRP's integrity is maintained.

FSA's Response:

Regarding the procedure in subparagraph 554D, the procedure in 2-CRP, subparagraph 554F, only requires a letter to be sent when the county offices become aware of the death of a CRP participant and the county office does not know of an heir or estate of the deceased. The letter is not required every time there is a deceased CRP participant, only when the county office does not know of an heir or estate.

Requesting county office to complete CRP contracts in revision status and addressing the reasons why so many CRP contracts remain in a revision status for such a long time, sometimes years, has been an issue for several years. When researching why some CRP contracts remain in revision status for extended periods, one of the more common reasons provided was that a participant had died and the county office did not know who to contact, so the CRP contract just remained in revision status with no further action. The national office contacted State and county offices that were addressing such revisions timely to determine what actions they were taking. Many indicated they were sending letters to the last known address in order to obtain a point of contact when the county office did not know of an heir or estate.

FSA has the responsibility to administer the program, ensure program integrity, and ensure payments are issued timely and accurately to the eligible participants. While it can be a sensitive topic, identifying potential successors is part of FSAs responsibilities. Therefore, it is essential to identify

potential successors quickly to ensure program integrity, payments are accurate and timely, and contract revisions are addressed accurately and timely.

As of November 17, there is about 8,600 contracts that are linked to a deceased producer, representing about $26.5 million in annual rental payments.

Regarding the procedure in subparagraph 500A, this is being considered as part of the overall discussion on C/S and software application.

Final Resolution:

DAFP discussed extending the deadline for the issuing of the deceased notification letter from 10 days to 30 days and decided to accept the request and make the change. They will consult with FMD to see if the fiscal obligation requirements can be met by the software. DAFP followed up with the request to allow 30 days to do the FSA-848 after CRP-1 approval and it cannot be done.

Follow UP:

There will not be a revision to Handbook policy as 2-CRP currently references the 10 days. In the event that DAFP could have accommodated the request to support a 30-day timeframe a policy revision would have been necessary. Unfortunately, in this case when DAFP consulted with FMD to identify if it is feasible to allow 30 days to complete the FSA-848 after CRP-1 approval we learned that the proposed 30-day time period could not be accommodated to meet the time frames to report fiscal obligations.

Resolution Follow-Up:

Policy will not be changed at this time. The National Office is committed to continuing discussion with FMD on NASCOE's suggestions.