

# 2019 Negotiation Items

December 3, 2019

**Item: 1**

**Category: IT/Computer Environment**

**ISSUE:**

While making field divisions in MIDAS GIS, there are issues when dividing a field that has been enrolled in a Conservation Reserve Program (CRP) contract. When dividing that field, the subsequent fields are not always totaling back up to the contract acreage that was based on the original field acreage. This is causing contractual problems in CCMS particularly when it increases the contract acreage.

**RECOMMENDATION:**

NASCOE recommends that the MIDAS software be updated to recognize when a field contains CRP attributes, the division of a field must total back to the original field acreage eliminating discrepancies between MIDAS GIS and CCMS.

**FSA'S RESPONSE:**

This is the result of the GIS editing functionality and how outside boundaries of a CLU are adjusted due to new vertices placed when dividing or combining fields. If an existing field is split, in most cases new vertices are placed on the outside boundaries that results in a slight adjustment to the overall acreage. While this change is very small, in some cases due to rounding the overall acreage of the field may be adjusted by .01 acres. If this happens, offices should adjust boundaries as needed with the Vertex Edit tool to match back to the original field acreage and ensure that the CRP acreage matches the contract.

This cannot be fixed with our current CRM GIS functionality using Silverlight. If Silverlight is replaced, this issue will hopefully be addressed. Additionally, we have a long-term plan to address issues with CRM and Farm Records that includes making a direct connection with CCRM and TERRA scenarios to incorporate the data in the FRs.

**NASCOE's Response:**

Could we incorporate a policy, in regards, to tolerance until we are able to replace Silverlight.

**RESOLUTION:**

**At this time software cannot be changed, however there are long term plans to correct the problem. The Conservation Division is going to look at the NASCOE recommendation to see if that would make a difference and may ask to incorporate a tolerance until the issue could be resolved in the long term.**

**Item: 2**

**Category: Performance Standards**

**ISSUE:**

Lack of Stakeholder engagement in development of performance has not only taken away from the COC's supervisory ability but has made the performance plans more cumbersome and stressful on our employees.

**RECOMMENDATION:**

NASCOE also recommends that a task force be assembled, consisting of a NASCOE and NAFEC representatives, to work with management to create a performance management system that incorporates all the requirements to hold employees and managers accountable, and works towards the following goals:

- Making performance plans less cumbersome
- Providing consistency amongst employees
- Allows for COC input
- Provide for individuality while being consistent
- Allows for employee participation
- Provides fairness to employees at grade and position

**FSA'S RESPONSE:**

At the direction of Undersecretary Northey, the FPAC Business Center's Human Resources Division is coordinating a joint effort among all FPAC Customer Agencies to accomplish all of these goals. Generally, the direction is to reduce the number of performance elements and to consistently assign those Elements to Supervisory and Non-Supervisory Employees. While a number of the Performance Standards will be required for all employees, flexibility will remain for the assignment of unique standards.

**RESOLUTION:**

**NASCOE accepts FSA's response.**

**It has been asked to include the employee associations at this point, however, including employee associations has not been approved at this time. FSA/FPAC will consider input from the associations.**

**NASCOE will create a task force and develop standards and have them back to James Douglas by the end of June.**

**Item: 3****Category: CRP 848 Review****ISSUE:**

The CRP 848 Quarterly Review Process is a very grueling and time consuming process. County Office employees are struggling to meet the short turn around time-frame to complete the process, especially those counties with significant CRP participation. Established deadlines seem to be set at the worst possible times with little or no leniency to complete the task. The process causes added unnecessary stress on the County Office employees.

Quarterly ULO reviews require the excessive use of COF staffing hours. In addition, the practice of obligating funds for practices which are to be carried out in future years ties up USDA capital and locks in cost share rates that are outdated when the time comes to implement the practice. NASCOE believes the current process of obligating funds in the year of contract approval for completion of practices in future years should be recinded and replaced.

**RECOMMENDATION:**

NASCOE recomends that the agency develop a way to make the CRP cost share funding obligation and accounting process easier.

In the case of practices carried out in future years, it would be advantageous to:

- enter into agreement with the contract holder at the time of contract approval, specifying the requirement to perform the practices in a future year (subject to funding availability at that time) as outlined in the Conservation Plan of Operations.
- Schedule the required practice in the applicable future year (per Conservation Plan of Operations specifications),
- allocate the funding for the practice only in the applicable future year when the practice is to be completed,
- Re-process all existing 848 agreements and make them subject to the new process of cost share accounting.

Benefits of allocating funding for future year scheduled practices include the following:

- FSA is only required to account for the apportionment or allocation of that funding in the appliable future year,
- Funding isn't unnecessarily obligated for multiple years prior to being expended,
- Producers and the agency enjoy the benefit of using cost share rates that are current for the applicable year, rather than rates that were established multiple years earlier.

Process flow would be as follows:

- 848 (cost share request) is signed at the time of contract approval for all practices specified on the Conservation Plan of Operations.

Practice completion timespans would be added here so those dates could be queried in the future.

- Annually, COF's would print a report of agreed to required practices. At that time, the COF would affirm the validity of the required and agreed to practice and then allocate the necessary funding to carry out that particular practice based on current cost share rates. COF users would have access to reports that would generate reminder letters for producers, which would be sent as reminders of practices to be completed.
- 848A (cost share agreement) is signed by the producer the year the practice is to be completed within the practice timespan.
- 848B (cost share/performance certification) is signed by producer/TSP after the practice is completed. Cost share is issued.

CRP contracting software must be dynamic, for example, when revisions are made to a contract, the cost share components required to be completed should also be revised.

As promised during the 2018 NASCOE/FSA Negotiations session, a task force comprised of COF, STO and National Office employees should be assembled to help design processes and software functionality that will address this issue.

**FSA'S RESPONSE:**

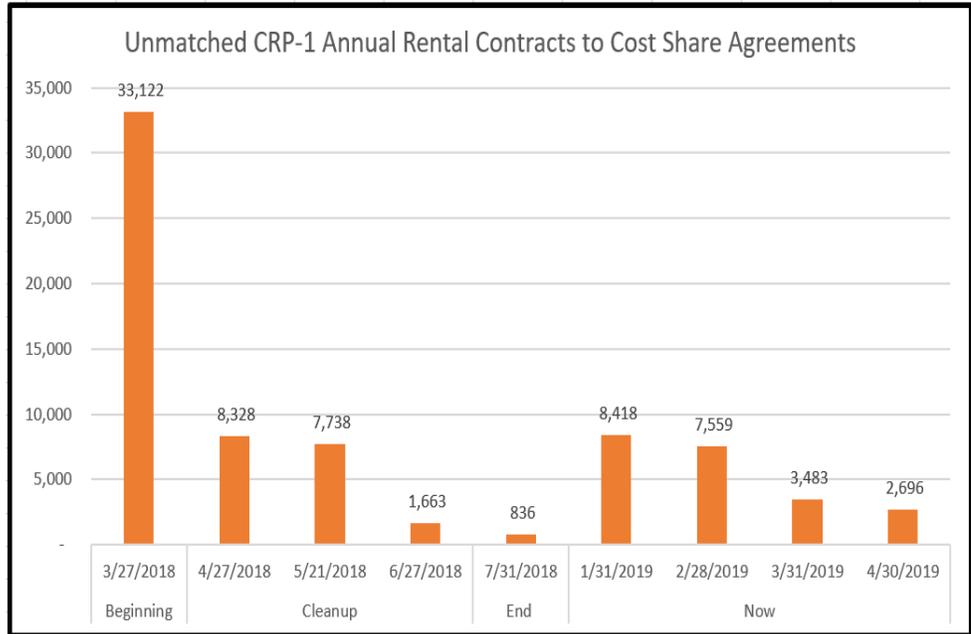
FSA concurs that we need to have the conservation obligations timely and easier for the field.

As part of the program's COC approval process, the maximum contract value must be calculated and successfully reserved, called an obligation.

Modifications to the contract data or other triggering events require revised obligations. FSA/CCC's Financial Statements were not properly stated due to obligation deficiencies with repeated audit findings preventing a clean audit option.

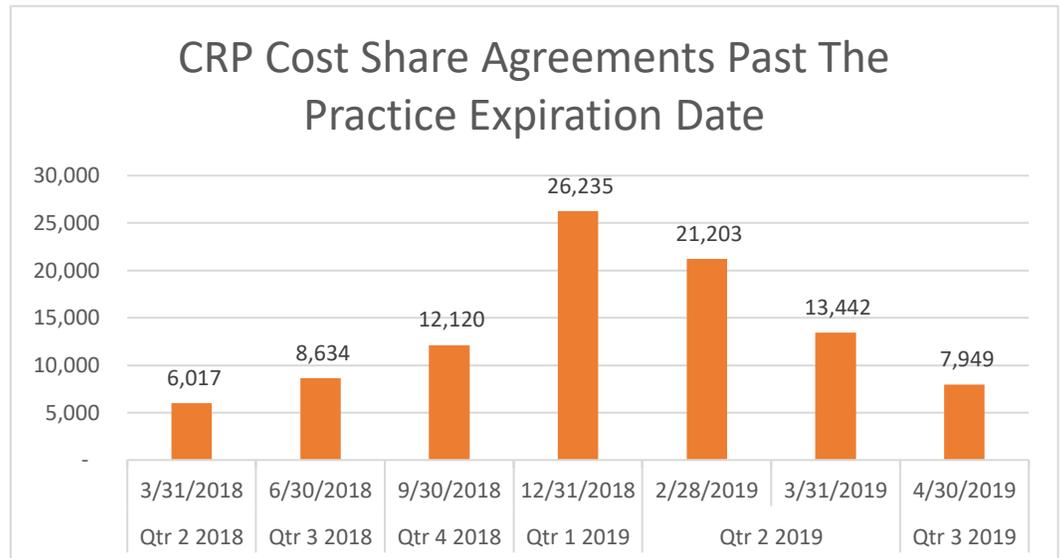
Appropriations Law requires FSA to obligate funds in the year in which the contract is signed. Obligations should be created as part of the CRP-1 contract COC approval process for all the conservation components outlined on the conservation plan of operations (CPO). Users must remember to establish the Cost Share (CS) after the CRP-1 is approved.

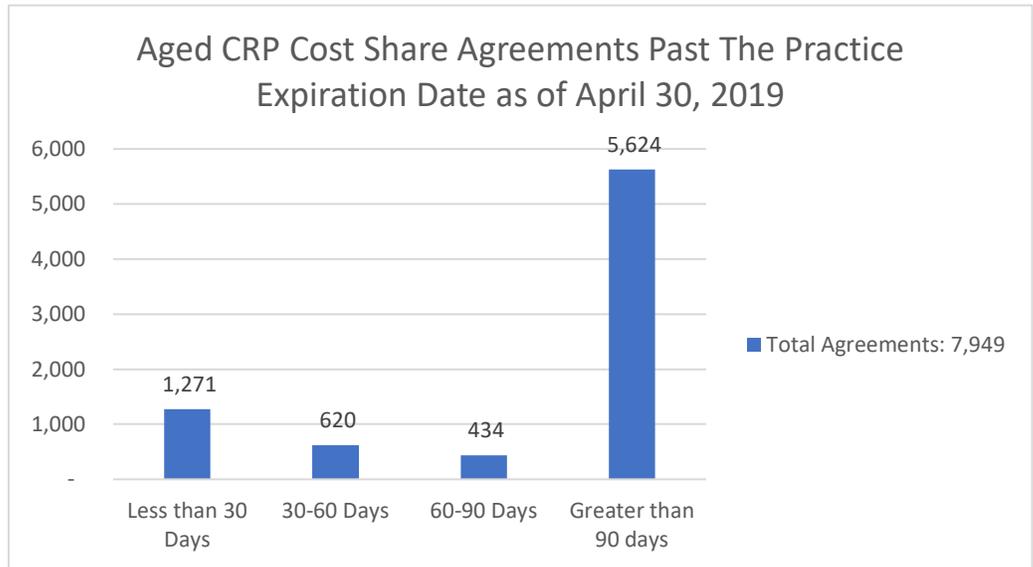
When FSA began reviewing the Cost Share agreements last year, approximately 33,000 Cost Share agreements had not been created in the CSS and grossly understating FSA's conservation liability.



A monthly report has been being provided to the STOs to serve as a compensating control to identify when a CS agreement has not been established related to a CRP-1.

Additionally, there large numbers of CS agreements with expired practices which need actions related to open obligations. FSA has 90 days to enter practice completion data after the expiration date.





The Conservation Farmbill taskforce comprised of national, state and county office personnel discussed the obligation processes changes required for the future to how automate these obligations for the field.

**RESOLUTION:**

The Conservation Division is currently working with FMD to only pull current practices on the cost share agreement and not pull all practices. The Conservation Division will also discuss with FMD the possibility of incorporating high level estimates. Overall continued dialogue with FMD with hopes of improvement.

A task force was developed and it is composed of folks from Conservation, FMD and a State Office Specialist. They are currently looking at sending out procedure for approving practices and the overall obligation policy. They are looking to add additional folks to the task force in the future and will welcome NASCOE input when they do.

The Conservation Division will add clarification to the handbook as to whether a contract can be paid after the expiration date.

**Item: 4****Category: Workload****ISSUE:**

National Notice CM-791 was issued to provide a work around for individuals who own the land as a living trust but are operating using their social security number.

While it is written in policy, the steps we are to follow for Business Partner (all contracts and applications, and all farm operating plans when an individual changes to a revocable trust), this process is cumbersome and repetitive.

**RECOMMENDATION:**

Consider a change to procedure that would allow FSA to note that the individual has set up a trust so that when that individual passes, we can then look further into where the land goes through the trust. Until that time, allow us to leave our paperwork as-is when the person is still operating using their social security number.

**FSA'S RESPONSE:**

CM-791 was issued to provide a temporary workaround for customers who requested to receive payment under a different name or entity than has been paid in prior years, when using the single Tax ID Number (the SSN). Once obsolete, the notice was incorporated into 11-CM paragraph 119.

The SSN Family is working as intended in MIDAS, it was a process improvement designed to allow the customer to participate as multiple entity/roles using the same SSN. The limitation requiring the cumbersome workaround is with SCIMS, which can only store a unique SSN for a single record and must retain that SSN on any record that was previously paid. The Designated Paying Entity (DPE) flag restriction is only necessary until SCIMS is modified or retired, which is a priority for the National Office.

**RESOLUTION:**

Currently nothing can be done unless FSA updates SCIMS software. Once the decision on the architectural paper as it relates to MIDAS is finalized then a decision will be made on what to do with SCIMS. NASCOE suggested that we use the comment field for noting the use of the social security number instead of using the work around. Policy and options will be reviewed and then a decision will be made. Until a decision is made, current policy stands.

**Item: 5****Category: Workload**

**ISSUE:** Sending CCC-941's to the IRS repeatedly is not only time consuming but not cost effective.

**RECOMMENDATION:** NASCOE would like to work with WDC management and the IRS to develop an easier and more cost-effective way to verify compliance with AGI regulations.

**FSA'S RESPONSE:** FSA is attempting to work with IRS on an automated solution to this problem. The issues with receiving determinations from IRS have been communicated with the Under Secretary. In the past, IRS has insisted they require the CCC-941 originally signed by the customer to ensure the customer is allowing information from their taxes to be released to FSA to determine if their income exceeds the \$900,000 threshold. FSA has confirmed that the issues with not receiving an IRS determination typically occur on the IRS side where the forms are lost, or the incorrect year is input by IRS personnel. FSA has noticed that on occasion, county offices are not following the steps outlined in 3-PL Rev 2 subparagraph 26J prior to mailing the form to IRS.

**RESOLUTION:** NASCOE accepts the response. Information will be provided on the findings regarding those who falsely certified.

**Item: 6****Category: Staffing/Personnel****ISSUE:**

The last few years, FSA has offered the Farm Service Agency State and County Fellowship Program (FSASCFP). These have presented some really interesting sounding opportunities. However the timing for these opportunities is during the busiest time of the year (acreage reporting) when most offices need all hands on deck just to get through the day to day responsibilities.

Realizing there is not a good time of year for participating in the Fellowship Program, the timing is creating an issue which is troubling a number of employees. It is causing these employees to have conflicting loyalties between their COF and self-improvement by applying for the program. Early June through Mid-July, is typically when the fellowship program is implemented. It also happens to be the busiest time of the year in the COF.

**RECOMMENDATION:**

NASCOE recognizes the 2019 fellowship dates were earlier than normal, thus avoiding the busy season in the COF. NASCOE would encourage FSA to consider similar policies in the future. Changing the May/June dates to March/May and the June/Sept dates to Aug/Sept, would encourage a larger pool of applicants to apply for fellowship.

**FSA'S RESPONSE:**

DAFO thanks you for the recommendation and recognizes the inconvenience that the timing of the FSASCFP program places on the State and County Offices and DAFO will recommend that the program period change to lessen the impact on State County Offices and that periods provided in the recommendation could increase the number of individuals available to participate in the program.

**RESOLUTION:**

**NASCOE accepts FSA's response.**

**Item: 7****Category: Employee Health****ISSUE:**

Health and Safety is part of every employee's performance plan and a large factor to an employee's health is their work station. Over the years research has shown the health benefits associated to ergonomically designed chairs and stand up workstations. For the most part, FSA has been very good at getting employees updated chairs and for some stand up workstations, resulting in better employee health and a more accommodating work environment. However, this is not being done consistently across the country and not all employees are being properly accommodated.

While the Agency has been good about replacing employees' chairs and providing stand up work stations, there is not a set guideline nor is there consistency between states as to how the process works. When it comes to these purchases, usually employees are not involved in the selection of the chair and not every employee has the same needs when it comes to what functions a chair has. Also, some states have deemed it unnecessary or not an essential need to provide employees with stand-up workstations, even with medical documentation.

**RECOMMENDATION:**

The Agency develop a Health and Safety Workstation Policy that States shall adhere to. As part of the process it is recommended that employees have the opportunity to provide what their needs are and to have input on the chair selection itself, as well as a set timeframe on the years between purchases (it is recommended that chairs be replace every 3-5 years to ensure an employee's health needs are being met). The plan would also include the requirement to provide stand-up workstations to any employee who provides a substantial request (not necessarily medical, but documentation as to why they would benefit from the stand-up workstation). Not every employee wants or needs a stand-up work station, but there are many health benefits to having one and employees should not be expected to sit for hours on end nor should they be asked to pay for one out of pocket when Health and Safety is a performance plan requirement. By developing this policy, it would ensure that all health needs of the employees are being taken into consideration when it comes to their workstation and that there is consistency and continuity across the country.

**FSA'S RESPONSE:**

**FSA makes every effort to provide reasonable accommodation when the appropriate medical documentation is provided. DAFO accepts the intent of the recommendation and FSA will work with the FPAC-BC Management Service and Human resources Divisions to development guidelines and a strategy to provide for furniture upgrades when funding is available.**

**RESOLUTION:**

**FSA will make every effort to meet with FPAC/HRD to get further education about the policy by next year's negotiations.**

**Item: 8**

**Category: Staffing/Personnel**

**ISSUE:**

CO Employees hired to do GS work full time. CO ceiling slots should not be used for full time GS positions.

**RECOMMENDATION:**

Recind policy making future CO ceiling slots available to be used for full time GS work carried out under CO position description. SED's should utilize "flexing" to address issues created with temporary staffing shortages.

**FSA'S RESPONSE:**

It is DAFO's policy that employees in CO and GS positions deliver FSA programs as described by their official position descriptions. DAFO will continue to emphasize the use of "flexing" on a temporary basis when needed.

**RESOLUTION:**

DAFO will review the policy. NASCOE does not accept this resolution as current policy circumvents GS work measurement ceiling results. Also, no data on this subject is available. The National Office is not enforcing annual reporting requirements from STO's which are using this policy. NASCOE believes SED's should utilize "flexing" to address issues created with temporary staffing shortages.

**Item: 9****Category: IT/Computer Environment****ISSUE:**

There are several outstanding improvements which need to be implemented to make Web TA more user friendly and accurate. Those improvements include: adding more than 30 lines at a time for activities, sortable data fields, adding an activity for Light Activation Linc Pass Stations and an option to freeze the header pane when scrolling. (Note: this item combines six similar items).

**RECOMMENDATION:**

Make necessary upgrades to increase employee efficiency and data accuracy.

Carry out suggested improvements in Web TA software.

**FSA'S RESPONSE:**

**30 Lines in Web TA** – FSA attempted to remove the 30-line limitation in Web TA when Web TA transitioned from version 3.8 to 4.2. FSA was informed that this was not a feasible augmentation due to data constraints.

FSA recognizes that the 30-line limitation causes difficulty for some employees that perform a variety of functions. In order to help mitigate this the BAMSD working group has consolidated some ARS codes and further has made workload measurement program driven as opposed to activity driven. FSA stands ready to assist employees in recommending best practice when challenged by the 30-line limitation.

**Create Activity for Linc Pass** – There are currently 4 activities that can be used for light activation linc pass stations. 1. Emergency Prep Management for FSA Employees, 2. NRCS Support for NRCS Employees, 3. Crop Insurance Support for RMA Employees and lastly Other agency support for everyone else.

**Freeze Header in viewing Pane** – Web TA 4.2 migration is complete and the window to request enhancements has elapsed. FSA will note this request and recommend the enhancement the next time NFC is open to receiving such requests.

**RESOLUTION:**

**USDA National Finance Center is responsible for WebTA. For the most part, the “activity” is not as relevant as the “program” field. Activities are not used to drive the proficiency analysis, but they are looked at by the Agency for other purposes. When running out of lines for coding, field level staff may consolidate at the “program” level to save lines.**

**DAFO/BAM will provide guidance on how the light activation stations should code their time in the guide.**

**Item: 10****Category: Hiring Process****ISSUE:**

An external job applicant applied for the COT program using an announcement for the COT program as guidance. The applicant intended on using “education” and “masters degree” as a qualifying factor for applying at the grade 9 level. Upon reading the announcement, the applicant only applied for grades 5 and 7 because the announcement asked for a “completed masters degree” in order to qualify at a grade 9. The applicant had not yet completed his masters degree as he had three more months of classes before graduating. After being accepted into the COT program, the applicant/employee then realized after reading Handbook 27 PM Par. 480 D that it was not a requirement to have a completed “*masters degree*” because having “*two full years of progressively higher level graduate education leading to such a degree*” was also a qualifying option for grade 9. Provisions set forth in Handbook 27 PM for CO 9 qualifications were not incorporated into the job announcement.

Novice applicants should not be required to make a self determination of eligibility.

**RECOMMENDATION:**

Applicants should be able to apply at the 5, 7 and 9 grade level without the agency asking the novice applicant to make a self determination. That determination would be made at or before the time of the interview by the supervising official. The local CO hiring official should make the determination of grade eligibility per instructions found in Handbook 27 PM. Also, application software should mirror application requirements set forth in handbook procedure.

**FSA’S RESPONSE:**

Our standard COT Job Opportunity Announcement provides that, At CO-09, applicants must meet one of the following criteria in order to qualify for this position:

- A Masters or equivalent graduate degree or two full academic years of progressively higher-level graduate education leading to such a degree from an accredited college or university: **OR**
- One year \*--**specialized experience** equivalent to grade CO-7 or GS-7 or be equivalent to grade CO-9 or GS-9 or above applying office methods and procedures to provide clerical and limited technical support to independently perform a full range of farm program processes. Experience that shows your ability to perform progressively more complex, responsible, or difficult duties, and that shows your ability to learn the specific work of this position. Experience in providing program interpretation, and instruction for an agriculture program area or operational phases of farm loan programs. Such work experience included acquiring data and providing information to producers, farm loan borrowers and farming operations; writing summary reports; assisting staff with policy guidance; arranging and scheduling activities of subordinates to complete technical/clerical review: **OR**
- A combination of education and experience as listed above.

It is possible that the specific instance that was cited was an anomaly.

It sounds like the latest standard COT job opportunity announcement was not used and might be just a one of case.

**RESOLUTION:**

DAFO/HRD will share with OPM, NASCOE's suggestion that applicants should be able to apply at the 5, 7 and 9 grade level without the agency asking the novice applicant to make a self determination. DAFO will work with FPAC to develop a narrative within the application to fully explain to the novice applicant how to properly apply for various grades within an announcement. This narrative will also include a description of consequences associated with choices the applicant made during the application process. NASCOE is willing to put an educational tool on the NASCOE website to assist with educating our employees. Completion date of no later than December 2019.

**Item: 11****Category: Staffing/Personnel****ISSUE:**

With the amount of recent disasters and the need for jump teams and volunteers to assist in the implementation of programs it has become apparent that FSA could benefit from having a pool of qualified employees at hand that could be dispersed to highly effected areas to provide immediate and necessary assistance. The need for immediate help to these disaster-stricken areas is essential and it is the understanding that there were not enough volunteers or able employees to provide assistance for the latest disasters that hit the US and Puerto Rico.

Not only is there the need for employees that are willing and able to assist, there is also a need that these employees be properly trained and “ready to assist”.

There are many qualified current employees, retirees and/or future retirees that have experience in programs that would be a great asset to assist FSA in training new employees, assisting with disaster situations, implementing new programs, and assisting understaffed offices.

**RECOMMENDATION:**

NASCOE proposes that FSA create a Disaster Ready Team that consists of highly skilled employees who can be deployed to disaster-stricken areas to assist offices in implementing programs to those in need. This pool of employees would be trained and ready to assist, and a plan would be in place as to who, how, and when employees are deployed. Having a Team in place would eliminate the need to call upon volunteers and risk being unable to provide the required assistance timely. Having a Disaster Ready Team will stream line the process, reduce confusion, and allow proper planning for staffing and office coverage.

As part of this Disaster Ready Team, NASCOE encourages the utilization of retired FSA employees through a rehired annuitant program along with current employees with flexible schedules and workload.

NASCOE would be willing to assist in preparing a document that outlines the creation of this team, including how employees and retirees can become members of the Disaster Ready Team and the process of how they would be trained, deployed, and how offices would be prepared for coverage in their absence.

**FSA’S RESPONSE:**

DAFO is keenly aware of the abundant need for staff resources to deliver and administer all Disaster and Non-Disaster Programs. Relative to the Disaster Ready Team, actions are underway to define protocols and identify members for such a mechanism. DAFO welcomes NASCOE’s offer to draft a document outlining the creation of this team, including how employees can become members of the Disaster Ready Team and the process of how they would be trained, deployed, and how offices would be prepared for coverage in their absence.

Regarding the rehire of annuitants, the National Defense Authorization Act for 2015 authorizes the Department to approve the reemployment of

Civilian Retirees with a Dual Compensation Waiver. That authority remains valid through December 31, 2019 and it is unknown at this time whether the authority will be extended beyond that date.

**RESOLUTION:**

FSA is already in the process of exploring the use of reemployed annuitants for the purpose of jump teams. NASCOE accepts FSA's response. NASCOE appreciates and looks forward to helping out with DAFO's offer to draft a document outlining the creation of this team, including how employees can become members of the Disaster Ready Team and the process of how they would be trained, deployed, and how offices would be prepared for coverage in their absence.

**Item: 12****Category: Staffing/Personnel****ISSUE:**

The code NP/Travel does not really show travel TO/FROM a shared management office because it does not really tell what the travel is for. It is too vague.

**RECOMMENDATION:**

We are requesting a specific program code that will cover only travel between county offices that is weighted in with other activity for determining staffing in County Offices. By using NP/Travel it penalizes both offices because it doesn't tell which office it is for.

**FSA'S RESPONSE:**

Time coded to NP/Travel does not penalize offices for any workload purposes. Further creating more specific versions of travel would likely lead to confusion and further burden employees who are already challenged by the 30-line limitation in Web TA. FSA is not opposed to creating more specific codes however FSA is hesitant to do so without a more clearly defined business need and data capture objective.

**\*\*\* This information is available now in the ARS Quick Reference Guide. Please see Notice AO-1730 for more information about the ARS Quick Reference Guide**

**RESOLUTION:**

Travel should be coded based on the work the employee is completing however if you are coding it as NP the time is still being allocated back to the programs.

Guidance on how to code time when traveling will be provided.

DAFO/BAM will provide guidance on travel policy for shared management offices.

**Item: 13****Category: Workload****ISSUE:**

Handbook 21-AO needs to be updated. With the workload model being an important tool to determine allocation of employees which utilizes the ARS system, it would stand to reason that if the handbook is not current, then how can the tool be expected to properly work? Some of the items not current are resources and links. In paragraph 25 it talks about the link for the Activity Worksheet of which does not currently work. We understand the process of adding policy to the handbooks and that it takes time, but also need to realize the data utilized in the workload tool will have its inadequacies due to the process.

Notice PM-2763 mentioned the role of the COC and DD to the software. As of yet this has not made it to the handbook. When will NASCOE see this added to 21-AO?

**RECOMMENDATION:**

Update 21-AO and make it current and provide training.

**FSA'S RESPONSE:**

As a first step to updating handbook 21-AO DAFO has created the ARS Quick Reference Guide. The ARS Quick Reference Guide will be disseminated to employees via DAFO's website and will allow FSA to capture feedback and update the document frequently in response to that feedback. The Quick Reference Guide will serve as a source document for the updates to 21-AO.

FSA does not know why the information in PM-2763 was not added to the 21-AO handbook and will contact the respective authorities to determine if the guidance provided in that notice is still applicable.

***\*\*\* DAFO does not have the resources to update this handbook in the immediate future and the ARS Quick Reference Guide identified in Notice AO-1730 can be used to answer ARS questions until the handbook is updated.***

**RESOLUTION:**

**The recent changes will be clarified in the form of a notice and examples will be added to the handbook.**

**Item: 14****Category: Staffing/Personnel****ISSUE:**

The 27-PM is written so that an applicant with a Masters' Degree in an ag-related field can be hired at no higher than a CO-5. The way Par. 458 is written, the experience that qualifies an applicant for a CO-5 instead of a CO-4 is other USDA agencies, state departments of agriculture, or extension services. For example, someone who has worked for the county government and could be considered an expert in researching deeds is only eligible to start at a CO-4.

The concern is that FSA has not reviewed these standards since 2006. In order to remain competitive as an employer and attract the best and the brightest talent, it is imperative that we be allowed to hire at higher grade levels by considering other types of relevant experience. We are often interviewing candidates who would take large pay cuts to start working for FSA and we have no way to compensate them for their abilities and experience.

**RECOMMENDATION:**

Review and revise the starting grade criteria in 27-PM, Par. 458 to give hiring officials the opportunity to offer a higher starting grade in order to attract the best talent. NASCOE would like to participate in the review process of this criteria.

**FSA'S RESPONSE:**

Need dialogue with NASCOE to better understand. Don't know that there is an immediate answer. Qualify on education or experience. No matter your educational level, the handbook allows the highest starting grade at a CO-5 when using education to qualify.

**RESOLUTION:**

**DAFO will review the policy. DAFO will also work with FPAC/HRD in the BC to make the handbook clearer and add examples so that STO's and hiring managers are aware of their ability to make exceptions to starting pay rates according to education and/or experience according to 27-PM.**

**Item: 15****Category: IT/Computer Environment****ISSUE:**

In MIDAS CRM the software is set to allow fifteen minutes use before the system times out. This is not allowing employees enough time to complete projects without the possibility of losing their work.

In the course of the work day, many distractions occur causing employees to move away from what they are working on. For example, the phone rings or a producer comes in, causing employees to divert from what they are working on. It is very frustrating to come back to the project to see that the five-minute warning has expired, and all the work previously performed has been lost.

**RECOMMENDATION:**

NASCOE would like to recommend that the settings in MIDAS CRM be revised to enhance the usability of the software. While actively working within MIDAS, the system should recognize the activity and not timeout. If there is inactivity in Midas due to unforeseen circumstances and the system "times out" then a draft should be saved to be able to come back to and start back where you left off. This recommendation would eliminate frustrations for county office employees that occur in multiple scenarios every day. Employees could make more efficient use of their time and garner more productivity.

**FSA'S RESPONSE:**

The time allowed to complete tasks in CRM due to inactivity is set by security. For security reasons, the system needs to timeout when a user is interrupted with another task. It is a security violation to have the system retain the open editing session if the user has abandoned the system for longer than 15 minutes. Most editing tasks can be saved immediately, and the user can come back into a subsequent editing session to make additional changes as necessary. GIS editing is different because at this time in the system there is no way to save draft edits to the CLU layer. We do have a long-term plan to create a draft/measurement service layer but do not have a timeframe when this can be implemented.

There is an issue in the system that is not restarting a session after it times out. This was address in an IB and will be corrected in an upcoming software release.

**RESOLUTION:**

Software will be reviewed to determine if and when it times MIDAS user out and if that is a defect in the software. FSA suggested that NASCOE discuss with IT/Security about the 15-minute time out period to see if we can expand this time. **Timeframe on follow-up???**

**Item: 16****Category: Workload****ISSUE:**

ARS Workload Analysis, we are told it is critical that ARS data be correctly reported on timesheets in WebTA.

We used to conduct workload meetings to freely share the weighting when Heidi Ware had the program. Either folks don't genuinely know, or they aren't willing to say. Can something be done about this so each State can use the system to illustrate the need for staff? Diversity that is not measured is a real issue. I am told the data is not quite right for measuring FTEs.

**RECOMMENDATION:**

County Offices need to see ARS Workload Analysis data. The data contained in the report can help county directors appropriately assign work tasks. The ARS data can help county directors and county committees determine if they are effectively targeting certain segments of a county's producers. The report also serves as a gauge if activities and outreach are being effective or not in specific program areas. This has been discussed with WDC previously. Numerous STO's shared this report completely with county offices and many more shared specific parts with county offices. In addition, the sharing of the ARS Workload analysis data will help counties report data more accurately to enhance the quality of the data analysis. NASCOE would like to create consistency and requests that the report be shared with all counties.

**FSA'S RESPONSE:**

DAFO has created an enhanced version of Workload Analytics which is in the pilot stage at the moment. There will be both a Farm Program and a Farm Loan Program version of the document and all CEDs and FLMs will receive a copy. Workload Analytics will allow managers to view all of the data used to compute workload measurements as well as provide a monthly update on current year ARS code usage.

**RESOLUTION:**

**NASCOE accepts FSA's response.**

**Item: 17**

**Category: Staffing/Personnel**

**ISSUE:** Career Advancement Opportunities for PTs – there need to be more Grade 8/9 opportunities for FSA; more availability in the CO level.

**RECOMMENDATION:** NASCOE recommends that FSA management re-visit the grade 8 “Senior PT” position which was recommended by the PT Classification Task Force in 2017.

**FSA’S RESPONSE:** When the PT Classification Task Force met, the major accomplishment which came out of the task force was the creation of updated standardized Position Descriptions for all PT positions. The task force also developed a “draft” PD for a Senior PT position. This PD was provided to DAFO leadership at that time; however, was tabled due to budget concerns. DAFO is willing to present this to current leadership for another review.

**RESOLUTION:** NASCOE accepts FSA’s response. DAFO is willing to add this topic to the Administrators task force agenda for consideration.

**Item: 18****Category: Program Procedure****ISSUE:**

ECP Frequent damage provisions. Regulations found in 7-CFR Part 701.105 3 (b) (6) does not specifically state any limitations on land eligibility as it relates to frequent damage. With frequent natural disasters occurring across the country our producers are taking extreme financial and physical losses. Producers are struggling to recover from these disasters and will be further hindered should they use up their eligibility for cost share assistance.

**RECOMMENDATION:**

NASCOE would like to recommend the policy put in to place in 1-ECP (Rev 5) Amend 1 Par 112 B be amended to lessen the restriction on our producers. The change should more accurately reflect the increased frequency and severity of natural disasters affecting our producers today.

**FSA'S RESPONSE:**

**Pending DAFP Response.**

**RESOLUTION:**

**The regulation does not state 3 and 10 however it does state frequency, so the agency had to define. Frequency of damage is related to a point on the earth not a county and that has been clarified to the State Office. The Conservation Division will evaluate the possibility of adding the option to request a waiver for those instances when the request to evaluate certain frequencies is legitimate. If policy is developed, the National Office will provide guidance in the handbook for requesting the waiver and adding STC to the flow of recommendation process.**

**Item: 19****Category: Program Procedure****ISSUE:**

Marking attributes on FSA-578 maps. It is repetitive and cumbersome to fit all the required information onto each field. For all crops, sometimes the fields are so small, it is difficult to do so.

**RECOMMENDATION:**

Allowing county offices, through their COC, at the first COC meeting of the new fiscal year, to establish the normal routine of crops for their specific counties so that only the exceptions are listed on the map.

The variety type, status, irrigated practice, can be put into the COC minutes with the note of “unless otherwise noted” for usual crops in each county.

Another option could be to add a key at the bottom of the map, covering all attributes, which would correspond to a symbol or code placed in each field.

**FSA’S RESPONSE:**

If state and county offices are using Python Map Series to create maps for acreage reporting purposes, the state GIS specialist can update the Map Series template (either mapseries\_portrait.mxd or mapseries\_landscape.mxd) to include text that meets this need. Templates used in CLU Maintenance Tool can also be modified by the user to meet this need. However, because the “unless otherwise noted” is a COC decision, maps generated from CARS cannot be adapted to have a different statement for each county.

**RESOLUTION:**

The Point and Click functionality is being looked at which will allow the user to click on a field and it will label the field for the user. The National Office will educate GIS Specialist and their Supervisors on the fact that the Python Map Series and other GIS techniques should be used to assist County Offices for acreage reporting purposes. Kim and Lisa will work together to determine whether use of a label on the map is acceptable.

**Item: 20****Category: Career Development/Employee Opportunities****ISSUE:**

Employees have recently been given opportunities for development through programs such as the Fellowship Program and the PT Leadership Program. These are great programs and offer employees the chance at better job opportunities, potential higher pay, and overall career growth/development.

Currently, in order to apply for these programs a requirement is that the employee's immediate supervisor as well as the SED must sign off on the application. In some states this requirement is hindering employees from being allowed to apply. In addition, there have been other requirements that have prohibited employees from applying such as performance rating and training requirements.

Often the stipulations being placed on employees as requirements to apply are out of their control, several employees have not been allowed the opportunity to grow through these programs because of them. These programs are for the betterment of our employees and often will give them an advantage when applying for promotions. The fact that we have employees who aren't being allowed these opportunities is not acceptable. It is agreed that there needs to be set criteria, however an employee who wants to better themselves should not be held back by personal preferences/agendas, a state's lack of providing training, or managers not willing to rate their employees appropriately for performance.

**RECOMMENDATION:**

It is recommended that there be a better process for employees to apply for these programs that does not allow for impartial treatment. The recommendation includes that an employee be allowed to apply to these programs without the consent of others, just as if they were applying for a job. It is understood that these are competitive programs and the selection criteria would further weed out program participants utilizing set criteria and a selection committee with non-objective viewpoints. It is also understood that this is not a way of leaving immediate supervisors and a state out of the process, once an employee has applied, and if selected by the selection committee, the selected employees' immediate supervisor and SED would be contacted and informed of the employee being accepted into the program. At that time, the employee's ability to proceed with the program would be confirmed. If the immediate supervisor and/or SED does not concur with the employee continuing on with the program then written documentation shall be provided to BOTH DAFO and the selected employee with detailed explanation as to why, the employee at that time would have the right to appeal this decision to DAFO.

Another solution would be to amend the application to allow for concurrence or denial by the CED and SED with a written justification. This would allow the application to still be submitted and reviewed. With the current process the application is never submitted without their concurrence.

**FSA'S RESPONSE:**

DAFO will ensure plausible reasons for non-concurrence. Need clear information conveyed among all parties. DAFO will not circumvent process. Proposal is unreasonable. Future notice will emphasize need for equity in the selection of candidates. Open communication with interested employees. If denied, you will be provided with a reason.

**RESOLUTION:**

NASCOE accepts FSA's response. As future training, fellowship's, etc. are announced, language will be added to the announcement (Notice or Memo) regarding States proper notification to employee of approved or not approved to apply, and why.

**Item: 21**

**Category: Program Procedure**

**ISSUE:**

Redesign the FSA-848s as the format doesn't flow well and is hard to read and understand by employees and customers. Currently the layout is too busy, making it difficult to find information quickly.

NASCOE believes that FSA should reformat or replace the FSA-848's and the process of producing the 848's.

**RECOMMENDATION:**

NASCOE believes that FSA should update the cost-share agreements document FSA-848 when making future updates to the form. It is recommended to utilize a task force with county office representation to help identify and remedy concerns with the current form.

**FSA'S RESPONSE:**

We are aware that the entire 848 series, especially the 848B, is cumbersome and we are trying to improve the information that is displayed. The form serves multiple purposes in that it is used for producer certification and also a summary of payments.

**RESOLUTION:**

A large effort designed to look at more than just the 848 process, but the cost share process as a whole has been launched. A contract was put in place with IBM as a contractor to examine cost share commonalities across all FPAC agencies. The "as is" process has been mapped and deficiencies and similarities have been determined.

FSA will share with NASCOE the draft of the revised 848 to see if they are going in the right direction.

Andrea is going to see if she can share the data from the IBM study that was gathered by participants through the reengineering process. It was determined that a summary was sufficient.

**Item: 22**

**Category: Performance Standards**

**ISSUE:** District Directors are assuming roles and responsibilities of managing CED performance, which is ultimately the responsibility of County Committees.

**RECOMMENDATION:** NASCOE recommends that the National Office notify and reaffirm with SED's, AO's, & DD's that they must respect the performance process and the supervisory roles of County Committees.

**FSA'S RESPONSE:** SEDs will have to reemphasize with DDs the importance of keeping the COC informed on the CEDs regular performance in the office and not just how they see the CED at meetings. SEDs suggest to the DDs to visit quarterly with the COC to update them on the CEDs daily performance.

**RESOLUTION:** Since policy is still being developed, table this item for further discussion. All agree that COC Orientation and HR training activities are needed for COC members and DD's to better do their job. We need follow up and to know more about what "policy is still being developed" that intersects with this topic. Also, need to follow up on timeframe for "further discussion" with NASCOE on this issue.

## Follow up items

<b>Item: 1</b>	<b>Category: Staffing/Personnel</b>
----------------	-------------------------------------

### 2016 Item 4

#### TEMPORARY SHARED MANAGEMENT-LENGTH OF TIME

**Issue:** Provisions in 27-PM paragraph 53C “temporary shared management operations shall not exceed 120 calendar days.” At present, many STO’s are not following this procedure.

**NASCOE Position:** NASCOE recommends that SED’s be reminded of applicable handbook procedures. Procedures shall be followed in instances where shared management operations exceed 120 days by SED’s meeting with COC’s to “work out a permanent solution. Any exceptions to the 120 calendar day limitation shall be approved in advance by DAFO.”

**HRD Response:** We concur with the statement of the policy and defer to DAFO on any reminders to or reinforcement of the policy with the States. We do stand ready to assist if any clarifications or changes to the handbook need to be issued.

**DAFO Response:** All extensions are approved by DAFO after it is determined how long the shared management operation will continue and what plans the State has to end it. As was have reiterated many time, budgetary and current Congressional restrictions prevent us from taking necessary steps to ease the situation of so many shared management offices.

**Agreement:** DAFO agreed to have temporary defined as 6 months and the review will have attached COC minutes showing the consultation with the state affiliate of NASCOE was done.

**DAFO Response:** Given the many variables in each situation, it is often difficult to determine prospectively when it might be feasible to discontinue a shared management operation. DAFO always asks the state what their future plans are.

**HRD Response:** The 120 days has already been changed to 6 months in Handbook 27-PM. As soon as Revision 2 is released, this will be visible to all employees.

**FINAL: Management agreed to have COC’s involved in shared management extensions. DAFO agreed to have temporary defined as 6 months and the review will have attached COC minutes showing the consultation with the state affiliate of NASCOE was done.**

**NASCOE:** Accepts this response.

#### **Resolution:**

**HRD:** Handbook 27-PM has a complete revision which is in the final review stage. We would anticipate this handbook being issued by this summer.

**RESOLUTION: Handbook revision is done but it still needs modifications. Completion date of no later than December 2019.**

Item: 2

Category: Benefit

**2018 ITEM 3:****Issue:**

USDA does not currently cooperate with the TSA Pre-check travel program.

Participating in the USDA TSA pre-check program should be analyzed for viability. It is possible that USDA and TSA could cooperate on a blanket scale and save both time and money for FSA employees when traveling. It would seem that since USDA has already processed background checks that they may already have all of the elements of information needed to qualify for TSA pre-check.

**NASCOE's Position:**

Currently if a USDA employee wanted to opt to be a TSA Pre Check traveler, they would have to submit an online application and then make an appointment to visit an enrollment center in order to process the request and pay the \$85 fee.

USDA employees are required to be finger printed and a background check ran as a prerequisite to their employment. Once the screenings are complete, the employee's credentials are then placed on a LincPass card which is provided to the employee in order to access government buildings and operating systems.

Having these credentials already in place, it makes sense that a partnership would be beneficial to both USDA and TSA alike. USDA employees would be given the added benefit of qualifying for the program using their LincPass credentials allowing USDA to realize time savings while employees are traveling on official duty and saving them the \$85 application fee. TSA would be able to realize cost savings by utilizing the background check information and fingerprints already provided by USDA.

In November 2014, TSA and the DOD announced a partnership to expand TSA Pre-Check expedited screening benefits to more than 2.6 million U.S. Armed Forces service members. The service members opt in thru MilConnect (DOD employees website), and use their ID Number when booking their flights. Through negotiations USDA could implement a similar process utilizing existing systems and the employees LincPass cards that would fulfill TSA requirements.

It is very encouraging that TSA has successfully formed a partnership with another government agency. NASCOE would like to request USDA/FSA leadership to pursue partnership negotiations with TSA to save time, money along with adding an additional benefit to its employees.

**FSA's Response:** FMD is in support of forming a partnership with TSA to provide Agency employees expedited screening with the TSA Pre-Check program. This initiative needs to be supported and lead by the Travel Area of the Department OCFO. FMD Travel Section will discuss this effort with the Department OFCO to determine if feasible for USDA/FSA employees.

**NASCOE Response:** What is the process and the timeline? Have you initiated contact with the other agency to start the process?

**Resolution:**

Currently TSA has a different vendor than OPM and therefore the finger prints are not transferable. EPD will reach out to TSA to see if they can generate a conversation about sharing fingerprints and developing a process to collaborate on gaining USDA employees Pre-check credentials. Follow-up will be forthcoming.

**RESOLUTION:** Currently the issue is in the FPAC Business Center and they are researching the possibility.

Item: 3

Category: Gov delivery

**2018 ITEM 13:****ISSUE:**

1-INFO (Rev. 3), Amend. 1 was issued 10/24/17. The issuance date of 1-INFO (Rev. 2) was 4/9/85. A lot has changed in communications technology since 1985 and it's understandable that a revision was certainly needed. However, as much as the methods of communication have evolved, communication at the local level with our customers has not changed; our customers expect to be informed with information specific to their locality and circumstances. One concern with Revision 3 is the content of Paragraph 94C. This new directive requires field offices to consult and receive clearance from the OEA Director and/or the PAB Chief through field PAS, share drafted text of the news release information at least 2 weeks in advance of the proposed announcement for all local issuances of news releases about local programs, issues, and concerns.

CED's are grade 11 and grade 12 employees that should be held accountable for communication content and success at the local level. This has always been the expectation and responsibility of CED's and accountability should not be diminished. The fact that communications technology and equipment has changed does not mean that CED roles and duties for direct customer service and outreach have changed. It is simply not feasible or efficient to require such bureaucracy and delays to affect information delivery to our customers at the local level. If there are noted communication deficiencies, this should be addressed by adequate and proper training or, in cases of disregard for procedure, CED's should be held accountable for performance.

**NASCOE's Position:**

Par. 94C should not require consultation, clearance, or 2 week advance submission to the OEA Director and/or PAB Chief through field PAS for field offices to issue news releases about local programs, issues, and concerns. It is reasonable to require CED's to be accountable for all content released in local issuances and to require local consultation and review of all local releases prior to issuance.

**FSA's Response:**

**OEA:** OEA understand the concerns. The clearance of news releases and other public-facing communications tools is imperative to ensure a consistent FSA, FPAC and OneUSDA message. We, at the national level, are required to have clearance, and the states and counties are held to the same standards. It is extremely important that we ensure that programs and policies have final approval from FPAC and the Department prior to external announcement— especially as we embark on a new farm bill. To date, with the 1-INFO policy in place, we have received few, if any, complaints from the communications coordinators. OEA staff understands the necessity for their responses to the requests for review and approval of locally issued materials to be as timely as possible without getting out ahead of the Administration. OEA staff works closely with

states and counties to clear narrative that may be required to meet specific needs outside of strategic department and national office messaging.

**Response:** Due to time constraints, DAFO agreed to facilitate a teleconference between NASCOE and appropriate staff at a later date.

**Resolution:**

**NASCOE will get an update from FSA and the BC on how external communications will be governed by the BC. Brenda Carlson will convey to the BC NASCOE's position of CED's being able to compose "home grown articles" about established programs.**

**Also, NASCOE will work with FSA and the BC on ideas to help celebrate FSA's birthday/legacy and promote FSA's enduring infrastructure that continues to serve American farmers and ranchers.**

**FPAC External Affairs Division response** to NASCOE membership's expressed concerns regarding the current communications content review process outlined in National Handbook 1-INFO (Rev. 3), Amend 1, Paragraph 94C that requires state and county offices to submit drafted text intended for local communications (i.e. news releases), to be reviewed and approved by External Affairs leadership at least two weeks in advance of planned issuance.

**Resolution**

External Affairs leadership is evaluating all existing agency policy to develop a framework that ensures the agencies are empowered to engage in locally-led communications under a new governance framework. We welcome conversations with NASCOE leadership as a key stakeholder in the development of this framework and request that conversations begin in early August.

As you are aware, FSA had developed template news releases to support local communications by allowing for county office localization and issuance. The purpose of these templates is to save valuable local office time and ensure consistency in messaging as all templates have cleared FSA HQ subject matter experts. There are currently 18 templates covering a variety of programs. The templates are currently being updated to reflect 2018 Farm Bill related changes and will be posted (all or in part) on the new myFPAC intranet site by mid-August 2019. External Affairs will provide information to NASCOE to help ensure that all county office employees are familiar with the templates.