

Statement of
Barbara J. Sapin, Executive Director
Office of Compliance
Before the Subcommittee on the Legislative Branch,
Committee on Appropriations, United States House of Representatives
Fiscal Year 2017 Budget Request
March 22, 2016

Mr. Chairman Graves, Ranking Member Wasserman Schultz, and Members of the Legislative Branch Subcommittee, thank you for allowing me the opportunity to submit for the record, this statement regarding the budget request for Fiscal Year (FY) 2017 for the Congressional Office of Compliance (OOC).

Before I get to the budget request, I want to express our appreciation for your support for the mission and efforts of the OOC. This year marks the twentieth anniversary of the OOC's existence. For two decades, our little known independent agency has advanced workplace rights for employees of the Legislative Branch, and helped make offices on Capitol Hill safer places to work and visit.

Congress created the Office of Compliance to administer the Congressional Accountability Act of 1995 (CAA) and the 13 federal workplace laws incorporated in the law. We ensure the integrity of a dispute resolution system; carry out an education and training program that assists employing offices and covered employees in understanding their rights and responsibilities under the CAA; advise Congress on needed changes and amendments to the CAA; and investigate and enforce the CAA's occupational safety and health protections, public access rights for persons with disabilities, and unfair labor practice provisions.

The Office of Compliance is requesting \$4,315,151 for FY 2017 operations, which represents a 9% increase from the FY 2016 enacted level. Of the additional \$356,161 that is being requested, 79.89% reflects a projected increase in personnel, benefits and other personnel compensation. The remaining FY 2017 budget request focuses on supporting the most important aspects of the statutory functions of the Office of Compliance and improving the delivery of services to the covered community.

Administrative Dispute Resolution Program

The centerpiece of the CAA is the model confidential administrative dispute resolution (ADR) process— counseling, mediation and adjudicative hearings and appeals. The OOC staff is committed to administering an effective ADR program by providing a neutral, efficient, and confidential process for resolving workplace disputes at the lowest level. We strive to ensure that stakeholders have full access to the ADR procedures.

In FY 2016, we began the process of replacing our outdated case handling system with a new and more comprehensive case management system (CMS) which recently went live. As we continue to finalize the new CMS, we look forward to being able to create more efficient reports that will help the OOC spot trends and develop necessary training. Our budget request contains funds that are necessary to create and maintain an e-filing system that would be integrated with this new case management system. This functionality will not only provide for more streamlined service delivery by our Office to the Congressional community, but will lend itself to timelier dispute resolution as well as allow cost savings in the long run.

Education and Training Programs

In addition to providing an effective ADR program, the OOC administers an education and training program for the covered community. In all areas of discrimination prevention, a comprehensive training program continues to be the most effective investment an organization can make in reducing complaints and creating a more productive workforce. Training programs have been linked to a reduction in discrimination complaints by approximately 25% in the Executive Branch.

The Congressional workforce benefits from continued training provided by the OOC. Further, the OOC can positively impact decisions made by managers and chiefs of staff on employees' rights incorporated in the CAA. Our aim is to provide the information that leads a manager to the right and just solution to workplace issues and eliminates the controversies and complaints. Although our staff is small, we produce written materials on the rights, protections, and responsibilities under the CAA, and we conduct personal briefings to employing offices on our case processing procedures and the substantive federal laws as applied to the Legislative Branch by the CAA.

Our training and outreach efforts are changing from in-person contacts to Internet based communications. As we move further into the digital age, we must make necessary changes. This shift in focus is essential in carrying out our statutory educational mandate.¹ Our budget request reflects our need for improvements to our existing website www.compliance.gov, not only to support our continuing need to bring the site into compliance with existing cybersecurity standards, but also to allow for necessary capacity to host our newly launched on-demand on-line training modules and webinars. We are developing on-line training to reach more employees, especially those working in the districts who are otherwise unable to attend in-person training sessions on the Hill.

Our FY 2017 budget request also includes funds that will be used for technical enhancements to develop new training methods, such as videos and interactive modules that will instruct on important office safety and health matters as well as best practices and insights around paternity/maternity issues, non-discriminatory telework policies, Family and Medical Leave Act compliance, and reasonable accommodations for staffers under the Americans with Disabilities Act.

¹Public Law 104-1, Section 302(h)(1)

Safety and Health and Public Access

Before the OOC opened its doors in 1996, Capitol Hill buildings had not been subject to even the most basic building codes or regulations. The first inspections led to the discovery of serious fire and other safety hazards in House and Senate buildings and around the Capitol. Each year, since those first inspections, at the urging of the OOC, Congress has abated thousands of serious hazards, reduced numerous barriers to access for individuals with disabilities, and thus dramatically improved the overall safety and accessibility of the Capitol Hill campus. In a post-9/11 world, the OOC's focus has expanded to promoting safe emergency evacuation plans, ensuring adequate alarm and warning systems, and promoting staff training.

Our budget request reflects the immediate need to continue the OOC's significant contributions to the safety and accessibility of Congressional workplaces through its OSH and ADA biennial inspections. Our case work investigating safety issues and finding solutions for barriers to access in Congressional facilities and programs has increased. By working directly with the AOC and other offices on the Hill, the OOC has been instrumental in the development and implementation of cost-effective solutions to safety and access problems. An increase in its appropriation would allow the OOC to expand its inspection programs to include more pre-construction evaluations of projects to minimize or eliminate potential safety and accessibility issues. These pre-construction reviews, which the OOC has been able to do to a limited extent in the past, provide tremendous cost savings by minimizing or eliminating expensive post-construction corrections that have riddled many past construction projects.

The balance of the 9% increase requested covers increases in contract services, including cross servicing providers, such as the Library of Congress and the National Finance Center, and other services, equipment and supplies needed to operate the OOC. The services include training development and video production, as well as technical support for the ever-growing social media environment on the Hill, which presents an opportunity to highlight best practices and provide important information to employees who have little time for training updates.

The OOC staff and I are available to answer any questions or address any concerns the Chair of the Subcommittee or its Members may have.

Barbara J. Sapin
Executive Director