



September 14, 2023

The Honorable James Comer
Chairman
Committee on Oversight and Accountability
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Comer,

Thank you for your May 18, 2023, and August 4, 2023, letters regarding telework, remote work, and workplace flexibilities at the Department of Health and Human Services (HHS or the Department). I am pleased to respond on behalf of the Secretary.

The Department has a varied mission, which includes enhancing the health and well-being of all Americans through providing for health and human services. By way of background, the Department and its programs are administered by the Department's 12 operating divisions, including nine agencies in the U.S. Public Health Service and three human services agencies, as well as the Department's ten regional offices, which directly serve to administer a variety of services and address the needs of communities and individuals. HHS is unique in that the Department has thousands of mission-critical employees who never left their worksites, even at the height of the COVID-19 pandemic, as the Department continued to meet its mission for the American people.

HHS takes the productivity of its employees very seriously, and the Department has worked to align employees' on-site requirements with job functions, while recognizing the diverse mission of the Department. To be eligible for telework, annual telework training and a formal agreement that outlines employee performance and attendance expectations are required. The Department's leaders, managers, and supervisors are held to the highest standards of accountability and performance and are responsible for adjusting workforce policies to maximize organizational performance and organizational health, including taking timely actions to address underperformance to ensure the Department is meeting its mission.

HHS manages all Department employees' performance, regardless of telework status, through clearly established performance expectations and end-of-year assessments. HHS holds supervisors accountable for ensuring the work performance of their employees. When employee performance or attendance issues are found, they are addressed by the individual supervisor in accordance with performance or conduct laws, regulations, policies, applicable collective bargaining agreements, and other procedures as required.

The Department is committed to continually improving organizational health and performance while adhering to government-wide policies, including relevant Office of Management and Budget (OMB) Memoranda. The Department is currently implementing OMB memorandum M-

23-15, “*Measuring, Monitoring, and Improving Organizational Health and Organizational Performance in the Context of Evolving Agency Work Environments*,” which directs agencies to take certain steps to assess, improve, and monitor organizational health and organizational performance.¹ To that end, HHS is implementing several changes to maximize optimal organizational health and organizational performance, including plans for continuing to substantially increase meaningful in-person work, as appropriate, given the Department’s diversified mission and unique considerations across its operating divisions and offices.

In October 2023, at headquarters in the National Capital Region, Atlanta (Centers for Disease Control and Prevention), and Baltimore (Centers for Medicare and Medicaid Services), the Department will continue increasing in-office presence by employees through a phased approach, in line with M-23-15. For example, some Division components are increasing the onsite presence of executives, managers, and supervisors while other Division components may prioritize whole subcomponents/teams. Beginning in December 2023, the same expectations for increased in-office presence will apply to employees assigned to offices outside of headquarters.

HHS is committed to using its space efficiently and adhering to government-wide policies regarding space utilization. The Department’s diverse real property footprint includes property for office space, health care, research and development, warehouse, and industrial purposes, with over 4,000 discrete property assets throughout the country. The Department’s capital planning program and facilities policies are laid out in the HHS Facilities Program Manual (FPM), which includes relevant policies on space requirements, property planning decision making procedures, and other requirements. The FPM was most recently updated in 2022 and is available online.² The HHS Program Support Center (PSC) is currently developing a Master Plan which will assess space utilization in the National Capital Region in order to consolidate and streamline office space as appropriate.

Federal agencies, including HHS, are strategically using workplace flexibilities like telework, remote work, and flexible work schedules to advance their missions and better compete in the national labor market to attract and retain a well-qualified and engaged federal workforce. The Department will continue to pursue policies that allow for workplace flexibilities balanced with the in-person time we need to build a strong culture, trust, and interpersonal connections.

If you or your staff have any questions, please feel free to contact the Office of the Assistant Secretary for Legislation at (202) 690-7627.

Sincerely,



Melanie Anne Egorin, PhD
Assistant Secretary for Legislation

cc: The Honorable Jamie Raskin, Ranking Member

¹ <https://www.whitehouse.gov/wp-content/uploads/2023/04/M-23-15.pdf>

² <https://www.hhs.gov/about/hhs-manuals/hhs-facilities-manual/index.html>