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United States Senate

COMMITTEE ON HEALTH, EDUCATION,
LABOR, AND PENSIONS

WASHINGTON, DC 20510-6300

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May 31, 2022

Delivered via Email

The Honorable Marty Walsh
Secretary
Department of Labor
200 Constitution Ave., NW
Washington, D.C. 20210

Dear Marty,

Thank you for your May 19, 2022, response to my second letter regarding the Department of Labor's (DOL) management of telework. Again, the response did not answer the questions posed or provide information requested regarding the VPN log in usage or other means by which Department personnel were demonstrating their responsibility to actually work during the telework phase of the COVID-19 pandemic.

This letter is not a Freedom of Information Act (FOIA) request as your response implies. I am aware that under FOIA DOL does not have to produce information that does not already exist. To be clear, this is a congressional oversight letter for which the Office of the Chief Information Officer has legions of capable individuals who can pull this information together, if they are logged on to their computers to do so. Congressional oversight is about answering the questions Congress asks, not about answering the questions you want to answer. The American people expect accountability and transparency from individuals placed in a position of trust.

As the Biden Administration oversees the protracted infant formula crisis, it is apparent that telework in agencies is hindering the government from meeting critical mission objectives. I remain concerned that all the agencies within the jurisdiction of the Senate Committee on Health, Education, Labor and Pensions are not working at full capacity at their duty stations.

As such, I renew my request for answers to the following information requests in order to determine how the Department is managing telework by June 3, 2022.

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- The rates of workers logging in through the VPN or Microsoft 360 since your Department declared maximum telework.
- A breakout of these rates by subagency or division.
- A comprehensive chart of progressive discipline actions taken once it is determined an employee is not logging in to the system.
- Details regarding the utilization of cell phones or other technology designed to assist work.
- Any modifications made to the Department or subagencies' collective bargaining agreements to allow for remote work after re-entry is authorized.

Further, as requested in previous correspondence, I ask you provide the reentry plan for the Department nationwide and an assessment of the implementation of this plan to date. Thank you for your attention to this matter.

Sincerely,



Richard Burr

Ranking Member

U.S. Senate Committee on Health, Education, Labor and Pensions