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UNITED STATES GENERAL ACCOUNTING OFFICE

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WASHINGTON, D.C. 20548

WAW

HUMAN RESOURCES
DIVISION

MAY 1, 1979

B-164031(4)

The Honorable Max Baucus
United States Senate

RSN 00001

The Honorable Charles Rose
House of Representatives

GHS 00001

The Honorable Robert F. Drinan
House of Representatives

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On April 20, 1978, the Social Security Administration (SSA), with the Department of Health, Education, and Welfare's (HEW's) approval, requested permission from the General Services Administration to reactivate the monitoring of incoming public telephone calls to its teleservice centers. Presently, there are 31 teleservice centers assisting the public by answering questions on social security matters and by receiving and processing changes in beneficiary status over the telephone. (See enclosure for center locations.)

Your July 27, 1978, letter requested that we answer questions about the proposed monitoring activities. You also requested on July 11, 1978, that SSA provide you with similar information. As agreed on September 14, 1978, we have answered your questions primarily by evaluating information that SSA submitted in response to your request.

Critical to SSA's proposal is whether telephone monitoring at teleservice centers is really needed. We have concluded that monitoring of incoming public telephone calls at the teleservice centers, if properly administered, could help ensure that accurate information is provided courteously to the public.



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Following are answers to the questions you raised.

HAS SUCH MONITORING EVER BEEN CARRIED
ON IN THE PAST BY SSA? IF SO, PLEASE
DESCRIBE WHERE, WHEN, AND WHY, AS WELL
AS WHO AUTHORIZED THE PROCEDURES AND
FOR HOW LONG?

From September 1972 to April 1974, SSA monitored incoming public telephone calls for quality assurance at 19 of the 22 then-existing teleservice centers. ^{1/} HEW's Assistant Secretary for Administration and Management had authorized these centers to monitor. HEW revised its regulations on telephone monitoring in March 1974. The revised regulations require that prior consent (permission) of the callers be obtained before conversations are monitored. SSA was concerned that this new procedure might confuse the public and raise questions not pertinent to the original inquiry. It believed that the new procedure would require too many explanations and impede the calls of others trying to reach the teleservice centers. Accordingly, SSA suspended all monitoring activities at the centers in April 1974.

WHAT IS THE LEGAL BASIS FOR PROCUREMENT,
INSTALLATION, AND USE OF SUCH MONITORING
EQUIPMENT?

Title III of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (Public Law 90-351), makes it unlawful to intercept and disclose wire or oral communications except as otherwise specifically authorized. One such instance in which monitoring of telephone calls is not unlawful is when one of the parties to the communication has given prior consent. The General Services Administration generally prohibits the installation and use of listening devices for such purposes as the monitoring of telephone calls to teleservice centers unless the head of any agency or his authorized designee determines that it is essential to the effective execution of agency responsibilities or is required for operational needs. Section 101-37.311(b) of the Federal Property Management Regulations requires that

^{1/}Three teleservice centers in California were not monitored because State law allows monitoring only with the knowledge of all parties to the conversation.

the determination be in writing and accompany orders placed through General Services facilities for this equipment. When orders are placed directly with commercial vendors, the regulation requires that a copy of the determination be furnished to General Services.

When orders for listening devices are placed with General Services, the procedures for procuring and installing them are the same as for other goods and services that agencies obtain through General Services.

WERE SSA EMPLOYEES AND THE PUBLIC
MADE AWARE IN ANY FASHION THAT
SUCH ACTIVITIES WERE BEING
CARRIED ON?

In the monitoring activities between 1972 and 1974, SSA informed only the teleservice employees that calls were being monitored. SSA officials stated that each employee was informed, when hired, of the reasons for and purpose of the monitoring. In addition, a label that stated "This instrument is subject to monitoring for quality control" was attached to each employee's telephone console. We found no evidence to show that the public was informed that its calls were being monitored.

WHAT WAS THE GENESIS OF THE
PRESENT PROPOSAL?

As discussed on page 2, SSA ended its monitoring activities in April 1974, when revised HEW regulations required that callers' prior consent be obtained before telephone conversations could be monitored. SSA postponed asking HEW's approval to monitor under the revised regulations until April 1978. Meanwhile, it used other methods of assessing quality of responses from the teleservice centers. (See p. 6.) However, SSA officials believe that only monitoring provides the feedback needed to ensure that callers receive high-quality service. Although SSA officials believe that monitoring without prior consent is more effective, they complied with the Department's regulation in their proposed plan on monitoring.

WHAT IS THE STATUS OF THAT PROPOSAL?

On April 20, 1978, SSA, with HEW approval, requested permission from the General Services Administration to reactivate the monitoring of incoming public telephone calls to its teleservice centers. In its May 25, 1978, reply, General Services deferred this request and announced plans to limit monitoring for all agencies.

On June 27, 1978, the General Services Administration published a proposed regulation in the Federal Register which prohibits monitoring devices on agencies' phones except for purposes of public safety. As of December 1978, General Services had received over 30 responses from agencies and congressional subcommittees concerning the proposed regulation. The agencies with public information programs opposed the proposed regulation because they believe it will unduly hamper their efforts to ensure high-quality service and accuracy in answering telephone queries from the public.

In addition, the Internal Revenue Service and the Department of Justice questioned the General Services Administration's authority to prohibit monitoring devices on agencies' telephones. These agencies believe that the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 481 et seq.) does not give General Services the authority to issue a regulation that prohibits lawful techniques which are used by agencies in effectively carrying out their missions and for which the Congress has appropriated funds.

As of March 1979, the General Services Administration had not issued its final regulation. According to a General Services official, public hearings may be held on the proposed regulation.

APPROXIMATELY HOW MANY CALLS WOULD BE OVERHEARD UNDER THE PROPOSED MONITORING PLAN? WOULD THE PUBLIC RECEIVE ANY ADVANCE NOTICE THAT ITS CONTACTS WITH SSA WERE SUBJECT TO SUCH SURVEILLANCE AND MONITORING?

Under the proposed monitoring plan, SSA officials estimated that over 10,000 of about 1 million calls received each month at the teleservice centers would be monitored. A basic

feature of the proposed plan is that callers would be told that a supervisor might listen in to make sure accurate information is provided courteously. Callers would be given a chance to decline and still conduct their business without monitoring. Monitored conversations would not be recorded. Also, SSA officials said pamphlets and telephone listings would be amended to inform the public that calls to tele-service centers may be monitored.

IS THERE ANY REAL NEED FOR SUCH
A PROGRAM ON THE PART OF SSA?

The effectiveness of SSA's programs depends, in part, on the quality of information provided to the public. Telephone monitoring, when used between 1972 and 1974 for quality assurance, gave SSA management an opportunity to

- evaluate the quality of employees' responses because both sides of the conversation could be heard, and
- determine training needs because employees' abilities to apply established procedures in situations covering the full range of their responsibilities could be evaluated.

Equally as important is that the public must rely on information furnished by teleservice centers to fulfill certain obligations and to obtain maximum benefits under Federal law. Suppose, for example, a person inquires about eligibility for Supplemental Security Income benefits and the answering teleservice employee mistakenly informs the caller that he/she appears to be ineligible for benefits. Although SSA procedures require that the person be notified in writing of the reason(s) for the informal ineligibility determination and advised that he/she can file an application for a formal eligibility determination by an SSA district office, an eligible person may lose benefits because the informal telephone denial discouraged him/her from applying for a formal eligibility determination. Also, incorrect information, such as when to stop work or apply for retirement, can adversely affect a person's benefit status. We believe that monitoring of incoming public telephone calls at the tele-service centers, if properly administered, could help ensure that accurate information is provided courteously to the public.

During fiscal year 1978, the approximately 1,200 teleservice center employees handled about 63,000 calls a day. General information calls to many district offices in a metropolitan area are automatically directed to a center where service representatives provide answers. Calls involving complex cases can be referred to the nearest district or branch office for resolution. Because the teleservice center's principal duty is to provide information over the telephone to the public, SSA officials believe that monitoring is the most effective management technique for providing quality assurance.

The principal method now being used for quality assurance at the teleservice centers involves supervisors sitting beside the employees and listening to their employees' side of the telephone conversation. According to SSA officials, this method is not satisfactory because supervisors cannot determine if employees' answers are responsive to the callers' questions. Another quality assurance method is test calls, whereby the teleservice centers' representatives are called at random by the regional offices and asked various technical questions. According to a teleservice manager, test calls are generally ineffective because employees can usually recognize the purpose of the calls. In addition, SSA officials stated that they cannot judge from the results of abstract questions how an employee would respond in a factual case requiring action.

Unlike teleservice centers, the approximately 1,300 district and branch offices have a wider range of duties. At district or branch offices, a person can, among other things; apply for a social security number, check on his/her earnings records, and apply for cash benefits. Regarding quality evaluation at these offices, SSA can evaluate written work, examine pending workloads, and observe face-to-face interviews to measure the service employees are providing to the public.

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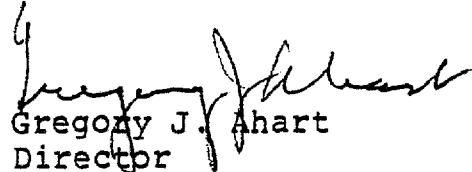
In addition to evaluating the information you requested from SSA, we discussed the proposed monitoring plan with officials of the American Federation of Government Employees. They stated that monitoring is an invasion of privacy for both the public and employees. They believed that the supervisory review of the employees' side of a conversation is an adequate measure for ensuring quality. However, SSA officials

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said teleservice employees are not opposed to monitoring as a method of quality assurance.

At your request, we did not take the additional time to obtain written comments from HEW. The matters covered in this report, however, were discussed with SSA officials, and their comments are incorporated where appropriate.

As arranged with your offices, unless you publicly announce its contents earlier, we plan no further distribution of this report until 30 days from its issue date. At that time, we will send copies to HEW and other interested parties and make copies available to others upon request.



Gregory J. Ahart
Director

Enclosure

TELESERVICE CENTER LOCATIONS

1. Atlanta, Georgia
2. Berkeley, California
3. Boston, Massachusetts
4. Chicago, Illinois
5. Chicago North, Illinois
6. Cincinnati, Ohio
7. Cleveland, Ohio
8. Dallas, Texas
9. Denver, Colorado
10. Detroit, Michigan
11. Ft. Lauderdale, Florida
12. Houston, Texas
13. Indianapolis, Indiana
14. Jamaica, New York
15. Jersey City, New Jersey
16. Kansas City, Kansas
17. Laurel, Maryland
18. Lodi (Passaic), New Jersey
19. Los Angeles, California
20. Milwaukee, Wisconsin
21. Minneapolis, Minnesota
22. New Orleans, Louisiana
23. Parlin, New Jersey
24. Phoenix, Arizona
25. Pittsburgh, Pennsylvania
26. Portland, Oregon
27. San Diego, California
28. Seattle, Washington
29. St. Louis, Missouri
30. Tampa, Florida
31. Upper Darby, Pennsylvania