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## NAAUSA Statement on OMB Guidance on Organization Health, Productivity

**FOR IMMEDIATE RELEASE**

**April 17, 2023**

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**WASHINGTON, DC**– Steven Wasserman, President of the National Association of Assistant U.S. Attorneys (NAAUSA) - representing the interests of Assistant U.S. Attorneys (AUSAs) working in the 94 U.S. Attorney Offices – issued the following statement regarding the new [guidance](#) from the Office of Management and Budget:

**“The Office of Management and Budget (OMB) correctly instructs agencies to make evidence-based decisions about the future of remote work that balance the need for in-person attendance with the proven benefits of remote work for organizational health and productivity. As the nation’s premier federal civil and criminal attorneys, AUSAs know there are many obligations that require in person attendance. However, as the private sector embraces workplace flexibilities, U.S. Attorney Offices must recognize the recruitment and retention benefits of balanced remote work,”** NAAUSA President Steve Wasserman said.

**“This guidance properly encourages agencies to make data driven decisions that promote flexible policies based on mission needs. NAAUSA has conducted significant research on telework [productivity](#) and [availability](#) over the last three years and is eager to partner with the Executive Office of U.S. Attorneys (EOUSA) on advancing a policy that meets both mission and employee needs. Our findings made several key points that should guide EOUSA in crafting telework policies under this new guidance: (1) U.S. Attorney Offices must be subject to a universal baseline policy to prevent internal competition; (2) many AUSA responsibilities can be effectively, and often more efficiently, administered remotely; (3) U.S. Attorney Offices in competitive districts cannot compete with the private sector to recruit young, talented attorneys without some telework; and (4) telework enables equitable hiring particularly for attorneys with disabilities and women,”** Wasserman continued.

**“While some U.S. Attorney Offices allow significant telework flexibility, others offer little to none. The patchwork of telework flexibility policies results in dramatically different and sometimes arbitrary access to an important work life benefit–this is despite overall work duties being comparable across Offices and 95 percent of AUSAs surveyed reporting they were successfully able to do their job remotely during COVID-19,”** Wasserman furthered. **“This guidance encourages flexibility–but evidence and mission-based flexibility. Therefore, NAAUSA urges EOUSA to adopt a uniform baseline policy for U.S. Attorney Offices allowing telework two days a week when in-person work is not necessary. From there, U.S. Attorney Offices can further tailor policies to their offices preference. Such a policy would strike the right balance between the benefits of in-person work and remote work.”**

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“Finally, NAAUSA appreciates that the core pillar of this guidance recognizes that a healthy and happy workforce is a productive workforce. As agencies begin identifying a coordinated and integrated set of indicators to measure, monitor, and improve organizational health and performance, pay data must be a key indicator for the Department of Justice. In [the Partnership for Public Service’s Best Places to Work in the Federal Government survey](#), U.S. Attorneys’ Offices reported above median and upper quartile scores in nearly every category since 2007. Yet, pay satisfaction has remained in the lowest quartile of scores in 12 of the last 13 survey years. Pay inequities—particularly the significant disparity between compensation on the Administratively Determined pay scale compared to the General Schedule—deeply undermines AUSA morale—driving away experienced attorneys, preventing the recruitment of qualified and diverse attorneys, and ultimately, hampering the effective administration of justice. We encourage EOUSA to recognize the critical link between organizational health and productivity and employee compensation. We look forward to working with EOUSA as they implement this guidance,” Wasserman concluded.

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