



September 8, 2020

MEMORANDUM FOR: Dr. Steven D. Dillingham
Director
U.S. Census Bureau

A handwritten signature in black ink that reads "Mark H. Zabarsky".

FROM: Mark H. Zabarsky
Principal Assistant Inspector General for Audit and Evaluation

SUBJECT: **2020 Census Alert: The Census Bureau Faces Challenges in Ensuring Employee Health Safety During 2020 Census Field Operations**
Final Memorandum No. OIG-20-046-M

The Office of Inspector General (OIG) is issuing this 2020 Census Alert to bring to your attention our concerns—about the Census Bureau’s (Bureau’s) inconsistent implementation of safety procedures to prevent the spread of coronavirus 2019 (COVID-19) as it completes its 2020 Census operations—that require immediate attention. Based on the number and consistency of COVID-19-related OIG hotline complaints that we have received, we are concerned that the Bureau is not fully complying with key elements of its own COVID-19 safety requirements—or operating fully in line with recommended guidance provided by the Department of Commerce (the Department), the U.S. Office of Personnel Management (OPM), the Centers for Disease Control and Prevention (CDC), and the U.S. Department of Labor (Labor)—and not holding its managers, employees, and contractors fully accountable for noncompliance, thereby putting their health at risk.

To accomplish the Constitutional mandate to conduct its decennial census,¹ the Bureau hires hundreds of thousands of field staff to work in area Census offices (ACOs) as enumerators to conduct the count in the community. Bureau staff, through the OIG hotline, have filed complaints² reporting their concerns about some ACO employees and managers choosing not to wear masks or facial coverings, not practicing social distancing at work, and not isolating themselves or requiring individuals who may be infected with COVID-19 to quarantine.

¹ The U. S. Constitution empowers Congress to carry out the census (Article I, section 2) and requires “counting the whole number of persons in each state” (Amendment XIV, section 2). Since 1790, the United States has conducted a census every 10 years. Data collected during the decennial census provides vital statistics for the nation. Census data are used, among other purposes, to apportion the seats of the U.S. House of Representatives; redraw congressional districts in each state; and allocate billions of dollars each year in federal financial assistance.

² The number of COVID-19-related safety instances raised by hotline complaints tripled between July 1 and August 21.

Between March 9 and August 21, 2020, OIG received multiple hotline complaints from 26 different Bureau locations in multiple states, alleging 76 instances³ of violations related to the Bureau's COVID-19 safety protocol. These included at least one of the following allegations: that Bureau employees (a) did not follow proper protocol when staff were exposed to office colleagues who tested positive to the virus; (b) did not follow social distancing recommendations; and/or (c) did not properly implement the mandate to wear masks or facial coverings, even when supplied by the Bureau.

Among these allegations, many relate to Bureau staff not practicing effective COVID-19 safety protocols:

- 21 instances included allegations of noncompliance with CDC and Bureau face mask directives;
- 15 instances included allegations of Bureau employees not complying with social distancing mandates;
- 8 instances included allegations that offices were not properly cleaned after discovery of a positive case—or cleaning supplies were not provided when employees were required to share work stations or office equipment (e.g., head sets);
- 8 instances included allegations that managers or colleagues became confrontational or threatened retaliation when employees pointed out safety protocol violations; and
- 7 complaints included allegations that personal protective equipment (PPE) such as gloves, hand sanitizers, or workspace barriers were not provided when social distancing was not possible.

In addition, some allegations concern employees not consistently following quarantine guidelines when they test positive for COVID-19:

- 17 instances included allegations expressing concern about employee exposure to other employees who are symptomatic—or who have tested positive and did not quarantine until after a positive test.

Furthermore, in GAO's early-April survey of ACO managers,

[O]pen-ended comments received from survey respondents contained concerns about census worker safety and its effect on staffing levels, such as the fear of being in contact with coworkers who potentially could be carrying the virus. Other comments received contained concerns about whether relevant public health guidance had been followed and about the adequacy of protective equipment and cleaning supplies provided to the ACO.⁴

The Bureau must ensure that its field employees can protect their own safety and the safety of those with whom they interact. To do so, the Bureau must maintain a robust enforcement

³ We received 39 complaints that alleged 76 separate COVID-19-related instances.

⁴ U.S. Government Accountability Office, June 2020. *COVID-19 Presents Delays and Risks to Census Count*, GAO-20-551R. Washington, DC: GAO.

program to ensure consistent protective practices and to address noncompliance. Reduction in enforcement activity to protect human health could threaten successful completion of 2020 Census field operations by placing their employees at risk, thereby increasing the likelihood of employee illness-related absenteeism and rates of attrition.

Background

Nonresponse followup (NRFU)—the final and largest field operation of the 2020 Census—requires the Bureau to follow up with households nationwide that have not yet responded to the 2020 Census. Bureau management have stated that their target number of enumerators, needed by the end of August 2020 to complete NRFU production, is just above 300,000. As of August 17, 2020, the Bureau has just over 253,000 enumerators trained and ready to start working on the NRFU operation that is underway—this represents almost 85 percent of the estimated number of enumerators needed to complete NRFU production. Enumerators began following up with households on July 16, 2020, in a limited number of areas, adding additional areas each subsequent week. Starting August 9, all remaining offices began following up with households nationwide.

According to the Bureau’s website, enumerators in the field have completed training on social distancing and safety protocols. Specifically, the Bureau has stated that its enumerators are trained to follow CDC recommendations to mitigate risk of transmission (e.g., wearing face masks, maintaining social distance of at least 6 feet, practicing hand hygiene, not entering homes, and conducting interviews *outside* as much as possible or practical). These protocols are consistent with national CDC and White House guidelines to mitigate transmission of the disease.

While NRFU operations occur primarily in the field, there are other 2020 Census activities that function *within* government buildings. For example, Census Questionnaire Assistance centers, the National Processing Center, Bureau headquarters, ACOs, and regional Census centers all have staff regularly working within buildings. Additionally, enumerator training occurs indoors and usually in large groups. This underscores the Bureau’s need to ensure its employees’ compliance with additional federal guidelines.

These guidelines include government-wide and Department-specific protocols. Office of Management and Budget (OMB) memorandum M-20-23⁵ states that agencies are responsible for implementing social distancing procedures to the extent practicable and across all phases of reopening, in accordance with national guidelines issued by the President. Federal employees and contractors onsite should follow social distancing and hygiene guidelines to the extent practical. In response to OMB memorandum M-20-23, the Department created the *Handbook for Reopening the Herbert C. Hoover Building*⁶ (the

⁵ Office of Management and Budget, April 20, 2020. *Aligning Federal Agency Operations with the National Guidelines for Opening Up America Again*, M-20-23. Washington, DC: OMB.

⁶ U.S. Department of Commerce Office of Facilities and Environmental Quality, June 9, 2020. *Handbook for Reopening The Herbert C. Hoover Building*. Washington, DC: DOC OFEQ [online]. <https://connection.commerce.gov/sites/connection.commerce.gov/files/handbookreopeninghchb.pdf> (accessed August 21, 2020).

Handbook), which also serves as a protocol template for all Departmental facilities. The Handbook aims to minimize the transmission of the COVID-19 virus by providing a phased approach to reoccupying HCHB and all Departmental facilities and requiring adherence to applicable CDC and Occupational Safety and Health Administration (OSHA) guidelines. During the current phases of reopening, the health and safety protocols—including wearing face masks and engaging in social distancing—apply to all building occupants (e.g., Departmental employees, contractors, visitors).

OIG Hotline Allegations

Complaints That Census Staff Are Not Practicing Effective COVID-19 Safety Protocols

As NRFU operations resume and as the Bureau collects census data, addressing concerns over COVID-19 will remain a major challenge for the Bureau. To protect the health and safety of both Census employees and the public, Bureau employees must consistently follow all applicable health protocols, including practicing good hand hygiene, wearing face masks, maintaining social distance, and staying at home if they are sick.

However, as alleged by several hotline complaints and supported by complainant-provided photographs⁷ from Bureau field office staff, there appears to be instances of some employees not adhering to safety protocols such as the use of face masks and social distancing. Since the resumption of 2020 Census operations, we have received complaints alleging 57 instances⁸ of noncompliance, representing offices throughout the U.S. and other facilities used to conduct 2020 Census operations. Because of the number and geographic distribution of the complaints, this may suggest a rising trend of noncompliance of Bureau field office workers.

Hotline complaints included statements of the following:

- Staff constructed their own makeshift barriers, using materials such as plastic sheets and cardboard boxes, in order to separate workspaces.
- Workstations were within 6 feet and office staff levels exceeded local occupancy limits.
- Managers and staff were not practicing social distancing when they were not wearing face masks.
- Supervisors were not enforcing COVID-19 protocols within the office, or were not taking them seriously.

⁷ As needed, OIG contacted complainants to clarify details and conduct follow-up inquiries. Due to the number and consistency of the complaints, these may indicate a rising trend that management should address, before the issues become more widespread.

⁸ As of August 21, 2020, we have received several complaints alleging 20 instances of face mask noncompliance and 15 instances of social distancing violations.

- Supervisors were combative, or conflict occurred, when employees asked them to wear their masks.

Two complainants provided several photographs that allegedly show staff not properly wearing face masks or within close proximity to each other:

- One photograph shows several staff and trainees, some without face masks and all sitting at registration tables or standing in narrow hallways within 6 feet of groups of others (i.e., not social distancing).
- Two additional photographs show staff and managers in enclosed office spaces, none wearing masks and all standing or sitting within close proximity (i.e., less than 6 feet) to other colleagues.
- In a fourth photograph, taken during a Bureau training session, all attendees can be seen wearing face masks; however, we noted that it appears that attendees were seated within 6 feet of each other and sharing the same table.

Complaints That Employees Are Not Consistently Following Quarantine Guidelines When They Test Positive for COVID-19

Because many workplaces such as ACOs can become crowded, and involve a high level of interaction with the public, there is a risk that these settings allow COVID-19 to spread easily among workers. Quarantine helps prevent the spread of disease that can occur before people know that they are sick or who are infected but asymptomatic. People in quarantine should stay home, separate themselves from others, monitor their health, and follow directions from their state or local health department. The CDC provides guidelines⁹ for investigating and responding to COVID-19 cases in work settings, as well as and tools for responding to outbreaks within the work environment. To mitigate this risk, the guidelines include steps such as

- listing of all workers present in the work environment during the time of potential exposure;
- identifying and documenting all known cases and contacts, also known as contract tracing; and
- interviewing cases and contacts in the workplace.

Additionally, CDC interim guidance for businesses and employers responding to COVID-19 states that, when a person is suspected or confirmed to have COVID-19, the following are recommended:

⁹ U.S. Department of Health and Human Services Centers for Disease Control and Prevention, May 6, 2020. *Interim Guidance for Businesses and Employers Responding to Coronavirus Disease 2019 (COVID-19), May 2020: Plan, Prepare, and Respond to Coronavirus Disease 2019* [online]. <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html> (accessed August 27, 2020).

- Waiting 24 hours before cleaning and disinfecting to minimize the potential of others being exposed to respiratory drops.
- Instructing potentially exposed employees to stay home for 14 days, telework if possible, and self-monitor for symptoms.
- Use of U.S. Environmental Protection Agency- (EPA-) registered products for cleaning and disinfecting approved for mitigating COVID-19.

However, we have received complaints that alleged 17 instances of Bureau employees expressing concern about exposure to colleagues who are symptomatic or have tested positive—and did not quarantine until after positive tests. Specifically, hotline complaints alleged that

- exposed staff were not adequately notified, provided guidance, or instructed to self-quarantine;
- contact tracing of positive staff was not conducted, nor were interviews and questionnaires provided;
- potentially exposed staff returned to work without being tested for COVID-19;
- training was conducted for new staff with instructors who subsequently tested positive; and
- offices were closed for less than 24 hours, with insufficient evidence of adequate cleaning.

We also obtained internal Bureau documentation tracking potential cases, positive cases, and staff self-quarantining. Our analysis indicates that, as of August 11, 2020, the Bureau has about 574 documented positive cases reported throughout its facilities, in 84 locations nationwide (5 of which have more than 20 positive cases).

Conclusions

The nature of the 2020 Census operations requires contact with the U.S. public. The Bureau has assured the public that its staff will exercise great caution by prioritizing health and safety when interacting with the public. However, the Bureau must ensure that protocols, such as wearing face masks and social distancing, are practiced throughout all Bureau facilities. The Bureau—which has a responsibility to provide safe workplaces for employees to perform their jobs—cannot execute the 2020 Census effectively without sufficient staff. Growing and evolving challenges stemming from the COVID-19 pandemic present critical workforce safety issues for the Bureau to assess and address as it seeks to continue operations.

We are issuing a series of 2020 Census Alert memorandums to bring to the attention of the Bureau and its stakeholders immediate concerns with the 2020 Census that we have identified during our ongoing oversight. We prepared this memorandum in alignment with OIG's quality control standards and the CIGIE Quality Standards for federal offices of inspector general, which require that we conduct our work with integrity, objectivity, and independence.

We are not requesting a formal response to this 2020 Census alert memorandum, as the key issues discussed in it were briefed to cognizant Bureau officials in advance of issuance. This memorandum will be posted to our public website.

If you have any questions or concerns about this memorandum, please contact me at (202) 482-3884 or Terry Storms, Division Director, at (202) 482-0055.

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