



Office of Inspector General

Privacy and Data Protection  
Policies, Procedures and  
Practices 2022

# Privacy and Data Protection Policies, Procedures and Practices 2022

Report No. MAR-22-06

May 2022

Federal Labor Relations Authority  
1400 K Street, N.W. Suite 250, Washington, D.C. 20424



**OFFICE OF INSPECTOR GENERAL**  
Federal Labor Relations Authority

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**TABLE OF CONTENTS**

OBJECTIVE ..... 1

BACKGROUND ..... 1

EXECUTIVE SUMMARY ..... 2

SUMMARY OF RESULTS ..... 2

STATUS OF PRIOR YEAR FINDINGS ..... 2

APPENDIX 1 REPORT DISTRIBUTION ..... 3

**Abbreviations**

FLRA	Federal Labor Relations Authority
FY	Fiscal Year
OIG	Office of Inspector General
OMB	Office of Management and Budget
PII	Personally Identifiable Information
PIA	Privacy Impact Assessment

**Privacy and Data Protection Policies, Procedure and Practices for 2022**  
**Report No. MAR-22-06** **May 26, 2022**

The Honorable Ernest DuBester, Chairman

This report presents the results of our review of the Federal Labor Relations Authority's (FLRA) privacy and data protection policies, procedures and practices for 2022, and to follow-up on the review of the FLRA's Privacy and Data Security Policies, Procedures, and Practices for Fiscal Year 2020 Report No. MAR-20-06. We determined the 2020 corrective action had been implemented and that the recommendation could be closed. There are no new findings.

## **OBJECTIVE**

The objective was to perform a privacy and data protection review for 2022 and to follow-up on the review of the FLRA Privacy and Data Security Policies, Procedures, and Practices for Fiscal Year 2020 Report No. MAR-20-06. The purpose of our review was to perform the following:

- Conduct a review of the FLRA privacy and data security policies, procedures, and practices in accordance with regulations;
- Review FLRA's technology, practices and procedures with regard to the collection, use, sharing, disclosure, transfer and storage of information in identifiable form;
- Review FLRA's stated privacy and data protection procedures with regard to the collection, use, sharing, disclosure, transfer, and security of personal information in identifiable form relating to FLRA employees and the public;
- Perform an analysis of FLRA's intranet, network, and websites for privacy vulnerabilities (through review of source documents):
  - Noncompliance with stated practices, procedures, and policy.
  - Risks of inadvertent release of information in an identifiable form from the website of the agency; and
- Issue recommendations for improvements or enhancements to management of information in identifiable form, and the privacy and data protection procedures of the agency.

## **BACKGROUND**

Dembo Jones, P.C., on behalf of the FLRA, Office of Inspector General (OIG), conducted an independent review of the quality and compliance of the FLRA privacy program with applicable Federal computer security laws and regulations. Any vulnerabilities discussed in this report should be included in FLRA's Fiscal Year (FY) 2022 report to the Office of Management and Budget (OMB).

The Privacy Act of 1974 regulates the use of personal information by the United States Government. Specifically, it establishes rules that determine what information may be collected and how information can be used in order to protect the personal privacy of U.S. citizens.

The Privacy Act applies to *Federal Government Agencies* and governs their use of a system of records, which is defined as “any group of records under the control of any agency from which information is retrieved by the name of an individual or by some identifying number, symbol, or other identifying particular assigned to the individual.”

The following rules govern the use of a system of records:

- No Federal Government record keeping system may be kept secret.
- No agency may disclose personal information to third parties without the consent of the individual (with some exceptions).
- No agency may maintain files on how a citizen exercises their First Amendment rights.
- Federal personal information files are limited only to data that is relevant and necessary.
- Personal information may be able to be used only for the purposes it was originally collected unless consent is received from the individual.
- Citizens must receive notice of any third-party disclosures including with whom the information is shared, the type of information disclosed and the reasons for its disclosure.
- Citizens must have access to the files maintained about them by the Federal Government.
- Citizens must have the opportunity to correct or amend any inaccuracies or incompleteness in their files.

## **EXECUTIVE SUMMARY**

The OIG performed a Privacy and Data Protection review in accordance with privacy and data protection related laws and guidance (e.g. Privacy Act of 1974, OMB memorandums, Consolidated Appropriations Act of 2005 etc.). The Consolidated Appropriations Act of 2005 requires agencies to assign a Chief Privacy Officer who is responsible for identifying and safeguarding personally identifiable information (PII) and requires an independent third-party review of agency use of PII and of its privacy and data protection policies and procedures periodically.

## **SUMMARY OF RESULTS**

Overall, the FLRA’s Privacy program is strong. This year’s Privacy audit resulted in no new findings. Additionally, FLRA also updated their Privacy Impact Assessments (PIAs). Lastly, the FLRA’s website had significant updates, whereby it currently complies with Privacy related requirements.

## **STATUS OF PRIOR YEAR FINDINGS**

The FY 2020 report had one finding. PIAs are required to be updated every 3 years, or earlier if the system had a significant change. PIAs are also required for new systems. Several systems had old or outdated PIAs, where they hadn’t been updated in more than three years. The finding was subsequently corrected by FLRA and is closed.

## **Appendix 1: Report Distribution**

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### **Federal Labor Relations Authority**

The Honorable Colleen Duffy Kiko, Member  
The Honorable, Susan Tsui Grundmann Member  
Michael Jeffries, Executive Director  
Noah Peters, Solicitor  
Rebecca Osborne, Deputy Solicitor  
Dave Fontaine, Director Information Resources