



Office of Audits  
Office of Inspector General  
U.S. General Services Administration

# Assessment of a Hotline Complaint: GSA's Public Buildings Service Faces a Significant Backlog of Open Occupational Safety and Health, and Fire Risk Conditions

Memorandum Number A230075  
August 29, 2024



Office of Audits  
Office of Inspector General  
U.S. General Services Administration

August 29, 2024

TO: ELLIOT DOOMES  
COMMISSIONER  
PUBLIC BUILDINGS SERVICE (P)

FROM: R. NICHOLAS GOCO  
ASSISTANT INSPECTOR GENERAL FOR AUDITING (JA)

SUBJECT: Assessment of a Hotline Complaint:  
GSA's Public Buildings Service Faces a Significant Backlog of Open  
Occupational Safety and Health, and Fire Risk Conditions  
Memorandum Number A230075

The purpose of this memorandum is to notify you of a significant backlog of open occupational safety and health, and fire risk conditions throughout GSA-managed assets.<sup>1</sup> According to Public Buildings Service (PBS) data, there are nearly 36,000 actionable, open risk conditions at almost 2,000 GSA-managed assets nationwide. The same data shows that there are more than 5,000 open risk conditions that were not corrected or did not have an abatement plan in place within the 30-day period required by Occupational Safety and Health Administration (OSHA) regulations.

To protect building occupants and federal property, unsafe or hazardous risk conditions in GSA-managed assets should be addressed in a timely manner. Additionally, PBS's policies and procedures for managing, correcting, mitigating, and closing out open risk conditions should promote the effective and timely resolution of health, safety, and fire risks.

### Background

As the landlord for the federal government, PBS oversees more than 8,600 assets, including 1,600 government-owned buildings and 7,000 leased spaces across the country. Section 19 of the Occupational Safety and Health Act of 1970 states that federal agencies are required to provide a place of employment that is free from recognized hazards, and that "it is the responsibility of the head of each Federal agency to establish and maintain an effective and

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<sup>1</sup> GSA-managed assets consist of government-owned buildings and leased spaces.

comprehensive occupational safety and health program.”<sup>2</sup> GSA has the additional responsibility to abate unsafe or unhealthful conditions within 30 calendar days or develop an abatement plan within that time frame.<sup>3</sup>

GSA primarily manages occupational safety and health through: (1) the Occupational Safety and Health program, which covers the GSA workforce working at GSA-managed assets; and (2) PBS’s Fire, Safety, and Environmental programs, which PBS manages for the protection of all federal occupants working at GSA-managed assets.

### **Hotline Complaint**

On June 12, 2023, we received a hotline complaint alleging that GSA is violating OSHA employee health and safety regulations. During our assessment of the complaint, PBS provided a database of all open occupational safety and health, and fire risk conditions as of November 22, 2023. This database contained data from multiple modules within PBS’s Inventory Reporting Information System (IRIS). The database contained 35,955 actionable, open risk conditions dating back to October 1, 2013.<sup>4</sup> The open risk conditions were generally findings input into the modules from routine occupational safety and health, and fire protection surveys.

Based on our assessment of the hotline complaint, we concluded that the complaint had merit and are notifying PBS of the deficiencies we identified through this memorandum.

### **Results**

Open risk conditions can pose health, safety, and fire risks to GSA building occupants and federal property. However, PBS data shows a significant backlog of open fire, safety, and health risk conditions throughout GSA-managed assets, including thousands of risk conditions that have not been addressed within the time frames prescribed by OSHA. Taken together, the volume of open risk conditions indicates that PBS management attention is needed to protect building occupants and federal property.

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<sup>2</sup> 29 U.S.C. 668, *Programs of Federal agencies*.

<sup>3</sup> 29 C.F.R. 1960, *General Services Administration and Other Federal Agencies*.

<sup>4</sup> The original dataset included more than 41,000 open risk conditions, with the oldest entry dating back to 1998. However, the Facilities Risk Management Division Director told us that the risk conditions listed with a date prior to Fiscal Year 2014, which begins October 1, 2013, were included for historical purposes and could not be edited in the system. Therefore, we classified those risks as not actionable and adjusted our analysis to only include the 35,955 open risk conditions reported after October 1, 2013.

## PBS Faces a Significant Backlog of Open Fire, Safety, and Health Risk Conditions

An open risk condition is a situation that has been identified as a potential danger to persons in or around GSA-managed assets. These risk conditions can include a lack of required signage, obstructions in the way of fire exits, or the presence of hazardous materials. As of November 22, 2023, PBS data shows 35,955 open risk conditions throughout 1,981 GSA-managed assets nationwide. See *Figure 1* below for details on the number of open risk conditions and affected GSA-managed assets by PBS region.

**Figure 1. Open Risk Conditions by PBS Region and Asset**

| PBS Region              | Affected Assets | Open Risk Conditions |
|-------------------------|-----------------|----------------------|
| New England             | 120             | 3,267                |
| Northeast and Caribbean | 75              | 604                  |
| Mid-Atlantic            | 191             | 3,590                |
| Southeast Sunbelt       | 207             | 12,974               |
| Great Lakes             | 207             | 2,721                |
| Heartland               | 73              | 1,363                |
| Greater Southwest       | 112             | 682                  |
| Rocky Mountain          | 144             | 1,321                |
| Pacific Rim             | 254             | 1,535                |
| Northwest/Arctic        | 178             | 2,073                |
| National Capital        | 420             | 5,825                |
| <b>Total</b>            | <b>1,981</b>    | <b>35,955</b>        |

As demonstrated in the two examples below, some of the open risk conditions constitute significant safety hazards.

- Charles E. Chamberlain Federal Building and U.S. Post Office, Lansing, Michigan** – A fire protection survey completed on March 20, 2017, found that the building had a high fire risk and recommended the installation of a complete sprinkler system. PBS noted that it would work with an asset manager to budget for a minor repairs and alterations project to design and install a complete sprinkler system. However, as of November 22, 2023—almost 7 years after the risk was first identified—no abatement plan or corrective actions had been entered into IRIS.
- One White Flint North, Bethesda, Maryland** – A safety survey completed on May 2, 2019, found falling stone from the façade of the building. The surveyor noted that the falling stone posed an “immediate and potentially imminent danger to employees and the public.” However, as of November 22, 2023—more than 4.5 years later—no abatement plan or corrective actions had been entered into IRIS.

PBS’s Facilities Risk Management Division Director told us that each PBS region reviews the status of: (1) its open risk conditions and (2) abatement plan development throughout the year. In addition, they stated that these statuses are also analyzed yearly by the Facilities Risk Management Division. However, as described above, PBS’s own data shows that tens of thousands of open risk conditions exist across GSA-managed assets nationwide.

**GSA Is Not Consistently Addressing Open Risk Conditions within Required Time Frames**

Federal regulations require GSA, within 30 calendar days, to either: (1) abate unsafe or unhealthy conditions or (2) submit an abatement plan to address the conditions.<sup>5</sup> However, of the 35,955 open risk conditions, PBS’s data shows that 5,131 (14 percent) were not corrected, nor was an abatement plan put in place, within the required 30-day period (see *Figure 2*). On average, PBS’s data shows that it took almost 3 years to put an abatement plan in place to correct these open risk conditions.

**Figure 2. Open Risk Conditions That Were Not Addressed within the 30-Day Requirement**

| PBS Region              | Affected Assets | Open Risk Conditions |
|-------------------------|-----------------|----------------------|
| New England             | 29              | 108                  |
| Northeast and Caribbean | 18              | 45                   |
| Mid-Atlantic            | 28              | 88                   |
| Southeast Sunbelt       | 107             | 2,856                |
| Great Lakes             | 60              | 558                  |
| Heartland               | 25              | 232                  |
| Greater Southwest       | 35              | 160                  |
| Rocky Mountain          | 44              | 231                  |
| Pacific Rim             | 53              | 222                  |
| Northwest/Arctic        | 51              | 242                  |
| National Capital        | 85              | 389                  |
| <b>Total</b>            | <b>535</b>      | <b>5,131</b>         |

The examples below include three long-standing, open risk conditions that were not addressed within the 30-day requirement.

- 1200 1st Street NE, Washington, D.C.** – A fire protection survey completed on October 20, 2016, found that fire dampers were not tested within the required time frame. PBS developed an abatement plan to obtain an updated test certification from the lessor almost 7 years later, on October 2, 2023.

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<sup>5</sup> 29 C.F.R. 1960.

- **Tucson Federal Building, Tucson, Arizona** – A safety survey completed on March 3, 2017, recommended signage to warn of fall hazards on the roof from vertical shafts and an access ladder to the rooftop penthouses that had no guard rail or fall protection. PBS developed an abatement plan to order and place signage more than 6 years later, on April 13, 2023.
- **U.S. Federal Building and Courthouse, Fort Lauderdale, Florida** – A safety survey completed on November 2, 2021, found that screws were missing from a panel in the electrical room, which created an opening that exposed workers to live electrical parts. The surveyor recommended installing screws and securing the front cover plate. PBS developed an abatement plan for the recommended actions more than 1.5 years later, on June 7, 2023.

PBS officials told us that the requirement to address unsafe and unhealthy conditions in a timely manner is very important to them. The Facilities Risk Management Division Director told us that, starting in 2021, PBS added a performance measure designed to track compliance with this requirement into the annual performance plans of more than 1,300 employees. The Facilities Risk Management Division Director also told us that they conduct an end-of-year analysis of risk conditions that is presented to various stakeholder groups within GSA. However, PBS's own data shows that a significant number of unsafe and hazardous conditions in GSA-managed assets have not been addressed in a timely manner.

## Conclusion

PBS data shows that there are nearly 36,000 actionable, open risk conditions at almost 2,000 GSA-managed assets nationwide. The same data shows that there are more than 5,000 open risk conditions that were not corrected or did not have an abatement plan in place within the 30-day period required by OSHA regulations.

To protect building occupants and federal property, unsafe or hazardous risk conditions in GSA-managed assets should be addressed in a timely manner. Additionally, PBS's policies and procedures for managing, correcting, mitigating, and closing out open risk conditions should promote the effective and timely resolution of health, safety, and fire risks.

## GSA Comments

In written comments to our draft memorandum, the PBS Commissioner agreed with our findings on open risk conditions and the conclusion reached in our memorandum. PBS's written comments are included in their entirety starting on page 7. See **GSA Comments**.

## Compliance Statement

This memorandum complies with the Council of Inspectors General on Integrity and Efficiency's Quality Standards for Federal Offices of Inspector General.

## **Audit Team**

This assignment was managed out of the Heartland Region Audit Office and conducted by the individuals listed below:

|                  |   |
|------------------|---|
| Michelle Westrup | Regional Inspector General for Auditing |
| Daniel Riggs     | Audit Manager                           |
| Erin Kraft       | Auditor-In-Charge                       |

## GSA Comments

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### Public Buildings Service

August 06, 2024

MEMORANDUM FOR: ROLANDO N. GOCO  
ASSISTANT INSPECTOR GENERAL FOR AUDITING (JA)  
OFFICE OF INSPECTOR GENERAL

FROM: ELLIOT DOOMES   
COMMISSIONER (P)  
PUBLIC BUILDINGS SERVICE

SUBJECT: Response to the GSA Office of Inspector General's Draft  
Memorandum, *Assessment of a Hotline Complaint: GSA's Public  
Buildings Service Faces a Significant Backlog of Open  
Occupational Safety and Health, and Fire Risk Conditions*  
(A230075)

The Public Buildings Service (PBS) has received your draft memorandum and appreciates the opportunity to respond. The health and safety of our employees and occupants is of the utmost importance to PBS, and I appreciate you raising this issue. PBS agrees with the conclusion reached in the draft memorandum by the OIG and provides the following additional information regarding these important issues.

We agree with your findings on open risk conditions. Over the last 26 years, PBS has documented and closed 57,603 risk conditions, and will continue to prioritize funding to support the closure of additional risk items. Full access to the Federal Buildings Fund, as proposed in our FY25 budget request, would support a more timely closure of open risk conditions that require funding. Where additional funding is not needed, we continue to work with our contractors and partners to address open risk conditions.

Regarding the timely closure of risk conditions within 30 calendar days, PBS acknowledges this issue and continues to work to address it. As noted in the memorandum, since 2021, a critical element designed to help ensure compliance with this requirement is in the annual performance plans of more than 1,300 PBS employees. Also, the current risk tracking tool (IRIS) provides for extensive oversight and allows users to immediately see if risk conditions have been corrected, or if they have corresponding abatement plans, within 30 calendar days, as required by 29 CFR 1960.34(a)(6). Previous versions of the tracking tool did not have this functionality. Therefore, the continued enhancement and use of the risk tracking tool, combined with the addition of the performance plan metric, has allowed PBS to achieve significant improvements in this area, and demonstrates the additional emphasis and importance that PBS places on complying with the provisions of 29 CFR 1960.34(a)(6).

U.S. General Services Administration  
1800 F Street NW  
Washington, DC 20405  
[www.gsa.gov](http://www.gsa.gov)

Thank you again for the opportunity to review the draft memorandum. If you have any questions, please contact Courtney Springer, Assistant Commissioner for the Office of Facilities Management.

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## ***Memorandum Distribution***

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GSA Administrator (A)

GSA Deputy Administrator (AD)

Commissioner (P)

Acting Deputy Commissioner (P1)

Deputy Commissioner of Enterprise Strategy (P2)

Acting Chief of Staff (PB)

Acting Deputy Chief of Staff (PB)

Assistant Commissioner, Office of Facilities Management (PM)

Director, Facilities Risk Management Division (PMG)

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Deputy Assistant Inspector General for Acquisition Audits (JA)

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Director, Audit Planning, Policy, and Operations Staff (JAO)