

Narrative of Effort Reporting Presentation

(Slide 1 – Effort Reporting Training) Effort Reporting is a method of verifying how we've worked on research projects. Effort Reporting is for non-hourly employees who charge to a contract, grant or cost-share account. OMB regulations require that effort/how you worked on a project is reported after-the-fact. And, if you look at your Payroll calendar, you'll see that there are several times during the year when we submit timesheets early. Christmas and other holidays are examples of when we submit timesheets before we've done the work. Hourly employees do not submit Effort Reports since their timesheet is their after-the-fact documentation.

(Slide 2 – Legal Basis for Effort Reporting) There is a legal basis for Effort Reporting. It is OMB A-21 and OMB 2CFR 200 Uniform Guidance. The new Uniform Guidance will be in effect on 12/26/14 and cover research projects that begin on or after that date. Both require after-the-fact documentation of effort. The Council on Government Relations is the advocacy group that helps us understand federal regulations. Reviewing their link for interpretations of regulations may be helpful.

(Slide 3 – Legal Basis for Effort Reporting) We do Effort Reporting because it is the law. Anyone who wants to do business with a federal agency has to comply with regulations regarding Effort Reporting.

(Slide 4 – Effort Reporting Audits) We got serious about Effort Reporting when our sister university got caught. UAH is a medical university and their doctors weren't clearly delineating the time they spent on a person as a patient versus the person as a research subject. They were actually very happy to only be paying 3.4 million. Penalties to universities may also include debarment from submitting proposals to a federal agency.

(Slide 5 – How the University & Individual are Held Responsible) We are sued under the Federal False Claims Act. If anyone says the words "False Claims" to you, you are about to be in big trouble. Federal Agencies have 6 years to complete their investigation, with extensions in some cases. That means that you could be under the pain of an audit for a very long time.

(Slide 6- How the Government Finds Out) Qui Tam is the Whistleblower Act. The whistleblower gets 10%. In UAB's case, the whistleblower got \$340,000. That's quite an incentive for someone to turn you in. In UAB's case, the whistleblower was someone in their Office of Sponsored Programs. That doesn't mean that you can't trust the person in the Office of Sponsored Programs. They have an ethics requirement that if the person or department doesn't work with them to fix a false claim issue, they have to report them.

(Slide 7 – The Effort Reporting Process -diagram) This is a diagram of the Effort Reporting process. It is 100% on-line now.

(Slide 8 – The Proposal) You are allowed to propose more than 100% of effort because you are not likely to win every award that you propose. If you are the 1 in a million that wins every award, you will have to work with the Office of Sponsored Programs to get your effort down to 100%. Don't worry about the agency taking back the award. Once they've granted it, they want you to finish the project, and are more than happy to work with you to get your effort down to 100%.

The effort you propose is committed effort. A general rule of thumb is that your committed effort, any progress reports and your actual effort should be within 5% of each other. If you are not able to work your committed effort, get with your OSP representative to see if you need to re-align your project.

If you are faculty and propose that you will be working on the project during your 9 month period, you cannot “save” the funding to charge it out during the summer. If you are only going to be working on the project during the summer, you should propose it that way.

(Slide 9 – Actual Effort) Only report your Actual Effort. Google [Craig Grimes](#). He got 3 years in prison for falsifying his effort. Stacy Nelson was in the news for a disallowed charge of a little more than \$3,000. So the penalties can be more than a monetary fine. They can ruin reputations and careers over big and small amounts.

If you are 9 month faculty, you may also work on research during the summer. Again, only report your Actual Effort. If you are taking a vacation, teaching, or doing administrative work, you cannot charge 100% to research for those 75 days in the summer.

(Slide 10 – The Effort Report) Effort Reports are released three times a year, roughly after each semester. After the release of the report, you have 10 working days to certify the report. If you have corrections to the report, you have another couple of months in order to get the corrections through the system. We call corrections to labor, Retros. If you see any charges on your report that are not right, notify your budget or administrative person who will enter the correction for you. If you are a PI, it is advisable for you to review your accounts at least monthly so that corrections are made in a timely manner. The Retro Policy is included in the Effort Policy, and also has its own link on the Effort Reporting website.

If you haven't certified in 90 days, the funds become a false claim and must be returned to the agency.

(Slide 11 – Researcher Certification) As I said before, you have 10 working days in which to certify. Do not delegate the responsibility to certify. The system allows a proxy, or you could give someone your password. But, if there is anything wrong with your reported effort, the agency is going to look at you for explanations. They will not ask your proxy or other person why the report was certified in error.

(Slide 12 – What Happens if I Don't Certify?) UAH penalties may include, return of funding to the agency, freezing of the employee's current award funds, the employee's debarment from research work, or personal disciplinary action/termination.

Federal penalties may include disallowed costs, fines to the University and employee, debarment from Federal work for the University and employee, and/or imprisonment of the employee under the Federal False Claims Act.

(Slide 13 –How to View Your Effort Report) This slide is how to log in.

(Slide 14 – How to Certify Your Effort Report) This slide is how to certify. So you can see that it is a simple process. If you have a problem logging in or certifying, call me and I'll be happy to walk you through it.

(Slide 15 – Certify My Effort tab) When you access the Effort Reporting system, you will see a tab that says “Certify My Effort.” The information there shows the Report Period as pay periods - in the

rectangle. The oval shows what dates the report is open for certification. The end date is the 90 day date. If you have not certified by then, all funds in the pay periods of the report will be returned to the agency and charged to your home labor account.

(Slide 16 – Exhibit A: Effort Report Certification Form) This is an example of an Effort Report. The page you certify is a summary of all the pay periods covered in the reporting period. This example covers 10 pay periods. The Sponsored section shows your sponsored projects. The Non-Sponsored section shows charges for things like cost-share, admin leave for employees who earn leave, or charges to your state account. Teaching would be in the Non-Sponsored section.

The Pay Period Summary link shows a break-down of the pay periods covered on the report. You can quickly compare your timesheet with what the system shows you charged for each pay period. That way, you don't have to make any calculations to figure out the distribution on the certification page.

This button says Request Changes. It brings up an email as a convenience for you. You don't have to use it. Or you can click on it and then click on the Cancel Changes button that replaces the Certify button. That action will bring back the Certify button.

This button says Add New Funding. It is disabled and does not save changes. New funding is added through the Retro system.

This button is the Certify button. Once you click on it, the report is locked. You cannot unlock it or process any Retros on it. You would have to contact me to get me to work with you through the process to unlock the report to allow Retros. Please read the Retro Policy for more information.

(Slide 17 – Effort Report Certification Form) Again, detailed instructions are on the Effort website.

(Slide 18 thru 20 – Frequently Asked Questions) These are Frequently Asked Questions that were asked when we first implemented Effort Reporting. They haven't been asked since then, so I won't go through them here. If you read them later and have any questions, give me a call and I'll be happy to answer your questions.

Thanks for your attention.