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Human Resource Management

This article, written by Lisa Rein and William Branigin from the Washington Post, discusses a potentially severe lack of management in the supervision of work-from-home employees whose job is to review patent applications. The individual who broke the story let the Post know that the office “ tolerates” employee abuses, later citing that the department often turned their heads in the face of these time and attendance issues when productivity was high. The culture in this office is a very relaxed one, mostly because managers and supervisors very rarely interact with their employees. This inevitably leads to a relaxed feeling of time and attendance for those employees, whose only guide for actually doing the work and putting in the required hours is their own conscience, a guide that is infamously unreliable. The management doesn’t want to crack down too much on the freedom that these employees are given, because they contextually are doing good work: Robert Budens, president of the Patent Office Professional Association, testified that the “ allegations of wrongdoing are isolated cases in the context of the agency’s success last year in reducing a troublesome backlog of patent applications.” However, though a more flexible working culture can be beneficial, one of the big problems with the patent office is that it does not allow managers and supervisors to report their employees. The patent office is now pushing for more “ frequent communication online between managers and examiners,” and supervisors can now request computer records of suspected abusers—both of which had not been instituted until these whistleblower reports came to light. Another issue with this management system is that the whistleblowers who reported were often

ignored. Rein and Branigin report that in many cases, “ examiners’ violations were reported by lower-level supervisors and then ‘ disregarded by more senior management.’” It seems as though this office had created a culture of unethical abuse that was taken advantage of by the less ethical members of its staff. In one case, “ an examiner allegedly claimed more than 300 hours of work that hadn’t been done but was not fired.” However, this is not to say that the entire department is fraudulent. Many employees were whistleblowers themselves, reporting misconduct they saw in their coworkers to avoid “ having their reputations dragged through the mud by a small minority of cheaters and bad apples.” This whole event is unfortunate, because this telework program has historically been praised for its effectiveness and reduction of costs in subsidizing its employees’ work from home. One of the major impacts of this incident is its influence on other telework programs as well. Virginia representative Frank Wolf is an advocate of telework programs, and has been involved in the incident with his criticism of Patent dept. leader Penny Pritzker. He testified that the “ problems at the patent office, if not addressed, could jeopardize telework agreements across the government.”

This article does a lot to report the transgressions of the patent office, and takes the viewer in very closely to the troubled inner workings of the patent office’s management in order to show us facts about how this incident occurred. It very effectively discusses the office’s already lax culture and disregard for time and attendance policies, as well as the actual offenses committed against the office and their cost to the government and the American people. It also shows the office’s poor system of whistleblowing,

especially when outlining the office's failure to recognize many reports by lower level supervisors and its limitation of supervisory power to correct fraudulent behavior. However, I believe that this article, whether intentionally or non-intentionally, does very little to portray the other side of the issue. Yes, it does discuss the office's preference of productivity and softening on its time and attendance policies in order to promote this, but very little else is reported. We know very little about the actual number of employees who committed transgressions—in effect, they could have been committed by a handful of individuals but yet the article portrays a perspective that the entire department was acting fraudulently. I think the article could also be improved by, in addition to listing what limitations the supervisors had on managing their employees' time and attendance, what powers they did have in order to see if the supervisors were simply not effectively managing their employees. I think the article would be similarly improved by investigating the employees with the alleged abuses and get their testimony regarding those allegations. Especially since it is clear that the article is leaning towards an opinion that these abuses are systemic and not random, it would be interesting to see a timeline of abuses and under which supervisors—this article does not make any of these factors clear to the reader.

I think this article does a great job of bringing to light a potentially huge abuse of government money and power in the patent department, and discussing its impact on other government programs of its kind. It certainly gives the reader a lot of information about the details of the abuses and the lack of power the program had previously given its managers and

supervisors to curb the issue beforehand. However, I think the article is only 50% complete—it does nothing to cover the story from the other side. It uncovers the issue, but does not dig under it. At surface level this story seems to be cut and dry, but I believe that there is more information about what kind of abuses were committed, by whom, and when, that will make the allegation that these abuses are systemic and thus in need of a program revision ultimately more convincing.