



FY 2013 PERFORMANCE PLAN Office of Employee Appeals

MISSION

The mission of the Office of Employee Appeals (“OEA”) is to render impartial, legally sufficient, and timely decisions on appeals filed by District of Columbia government employees. OEA has jurisdiction over appeals in which an employee has been removed as a result of an adverse action for cause, placed on enforced leave for 10 days or more, suspended for 10 days or more, reduced in grade, or been subjected to a reduction in force.

SUMMARY OF SERVICES

OEA offers District government agencies and employees the following three-part appeal process: mediation, adjudication, and petitions for review. The mediation process allows the employee and the agency an opportunity to resolve their disputes without going through the lengthy and costly adjudication process. The adjudication process results in disputes being resolved by an administrative judge who issues an initial decision and finds in favor of either the agency or employee. The petition for review process provides an impartial review of initial decisions by OEA’s Board.

AGENCY WORKLOAD MEASURES

Measure	FY 2010 Actual	FY 2011 Actual	FY 2012 YTD
Number of petitions for appeal filed	421	240	237
Number of petitions for review filed	25	20	30
Number of D.C. Superior Court case filings	20	22	13

OBJECTIVE 1: Render impartial, legally sound decisions in a timely manner.

INITIATIVE 1.1: Hire an additional full-time Administrative Judge.

For Fiscal Year 2013, OEA has been authorized to have 14 full-time equivalent positions. OEA will use the additional funding for this position to hire one more Administrative Judge. This will give the Office a total of 7 full-time judges. By having more Administrative Judges, the Office will be able to issue more decisions in a timelier manner while at the same time continue to reduce its backlog. Completion date: October, 2012.

INITIATIVE 1.2: Utilize a contract Administrative Judge to help reduce the backlog.

During the upcoming fiscal year, OEA will contract with an experienced employment law attorney who will provide adjudicatory services to the Office. The contract Administrative Judge will be assigned appeals which he or she will adjudicate and which will culminate in the issuance of an Initial Decision. By utilizing the services of a contract Administrative Judge, the Office will be able to continue to reduce its backlog of cases. Completion date: September, 2013.



INITIATIVE 1.3: Provide continuing education to Administrative Judges.

Depending upon the availability of funds during the upcoming fiscal year, the Administrative Judges will receive additional training in conducting evidentiary hearings. The training will enhance the judicial bench skills of the Administrative Judges who, as a result, will be better equipped to oversee their courtroom more effectively. Completion date: September, 2013.

OBJECTIVE 2: Centralize the duties of the Administrative Support Staff.

INITIATIVE 2.1: Restructure the duties of the Network Assistant, Administrative Assistant, and Receptionist.

During the upcoming fiscal year, under the supervision of the Operations Manager, the Network Assistant, Administrative Assistant, and Receptionist will be cross-trained so that each one is capable of performing the basic functions of the other. As a result of this cross-training, the Administrative Support Unit will become more efficient and responsive to the needs of the entire Office. Completion date: September, 2013.

OBJECTIVE 3: Maintain a system to allow the public to have access to all decisions rendered by the Office.

INITIATIVE 3.1: Compile a Digest of decisions.

During the upcoming fiscal year, the Office will compile a digest of all Initial Decisions and Opinions and Orders issued by the Office during the previous fiscal year. The decisions within the digest will be generally summarized and then grouped together based on the similarity of the issues discussed in each decision. The digest will be published both electronically and in hard copy thereby allowing the public to have greater access to the decisions rendered by the Office. Completion date: September, 2013.

INITIATIVE 3.2: Provide informational seminars.

Periodically throughout the upcoming fiscal year, the Office will conduct informational seminars. These seminars will be for the purpose of making the participants more fully aware of OEA's amended Rules of Procedure, its newly implemented mediation program, and the process OEA follows when an appeal is filed in the Office. Completion date: September, 2013.



KEY PERFORMANCE INDICATORS

Measure	FY 2011 Actual	FY 2012 Target	FY 2012 YTD	FY 2013 Projection	FY 2014 Projection	FY 2015 Projection
Number of initial decisions issued	188	200	391	250	250	260
Number of opinions and orders issued	50	35	25	25	25	25
Mean length of time required to complete adjudications ¹	9.5 months	9 months	15 months	15 months	15 months	15 months
Mean length of time required to resolve petitions for review ²	17 months	17 months	9 months	9 months	9 months	9 months
Percent of cases reversing agency decisions	5.8% ³	NA	3% ⁴	N/A	N/A	N/A
Percent of OEA decisions upheld in D.C. Superior Court and D.C. Court of Appeals	99%	99%	99%	99%	99%	99%

¹ The months indicated represent the time from which an appeal is filed with OEA until an Initial Decision is issued by an Administrative Judge.

² The months indicate the time from which an appeal is filed with the OEA Board until a final decision is rendered.

³ In FY11, OEA reversed 14 agency decisions of the 238 total cases decided.

⁴ In FY12 to date, OEA reversed 13 agency decisions of the 416 total cases decided.