



## FY2015 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.

### PERFORMANCE PLAN DIVISIONS

- Adjudication
- Agency Management<sup>1</sup>

### AGENCY WORKLOAD MEASURES

Measure	FY 2012 Actual	FY 2013 Actual	FY 2014 YTD <sup>2</sup>
Number of Petitions for Appeal filed	268	174	108
Number of Petitions for Review filed	31	31	37
D.C. Superior Court case filings	18	19	17
Percent of Cases Reversing Agency Decisions <sup>3</sup>	2.5%	5.4%	6.6%

<sup>1</sup> For the purposes of the FY14 Performance Plan, (1000) Agency Management is included with the (2000) Adjudication division to more accurately reflect the functional organization of the OEA.

<sup>2</sup> Data is accurate as of August 12, 2014.

<sup>3</sup> This workload measure was previously listed as a Key Performance Indicator in prior fiscal years. The measure was changed to a Workload Measure in FY 2015 because the OEA cannot assign projections or targets to this measure. By statute, the OEA is required to be impartial and assigning a performance target for this measure would, therefore, be inappropriate.



## *Adjudication*<sup>4</sup>

### **SUMMARY OF SERVICES**

The Adjudication Division provides mediation sessions, impartial hearings, and adjudication appeals for District government employees who challenge an agency's final decision on personnel matters.

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

##### **INITIATIVE 1.1: Process mediation appeals simultaneously with adjudicating the appeal.**

During the upcoming fiscal year, the Administrative Judges will work in teams of two wherein one Administrative Judge will conduct the mediation of an appeal while the second Administrative Judge simultaneously adjudicates the same appeal. By utilizing a "two-at-a-time" process, the Office will be able to prevent a backlog from developing with the appeals waiting to be mediated.

**Completion Date: September 30, 2015.**

#### **OBJECTIVE 2: Streamline the adjudication process.**

##### **INITIATIVE 2.1: Conduct an examination of the Office's procedures.**

This initiative is a multi-year project which will take approximately three years to complete. During the upcoming fiscal year, which will be the second year of this project, one of the Administrative Judges, who is a Certified Public Manager, will begin to implement certain procedures to determine whether they will streamline the adjudication process. **Completion Date: September 30, 2015.**

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

##### **INITIATIVE 3.1: Upload all past decisions onto the Office's website.**

During the upcoming fiscal year, the Office will work with the Office of the Chief Technology Officer to ensure that all of the Office's decisions have been placed on OEA's website. By placing all of the Office's decisions on its website, the public will have greater access to the decisions rendered by the Office. **Completion Date: September 30, 2015.**

##### **INITIATIVE 3.2: Improve search features of OEA's website.**

During the upcoming fiscal year, the Office will work with the Office of the Chief Technology Officer to create additional search features on OEA's website. The search features will give the public the ability to search OEA's decisions by subject matter, key word, first and last name of the parties, and OEA matter number. **Completion Date: September 30, 2015.**

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<sup>4</sup> For the purposes of the FY14 Performance Plan, (1000) Agency Management is included with the (2000) Adjudication division to more accurately reflect the functional organization of the OEA.



### KEY PERFORMANCE INDICATORS: Adjudication

Measure	FY 2013 Actual	FY 2014 Target	FY 2014 YTD <sup>5</sup>	FY 2015 Projection	FY 2016 Projection	FY 2017 Projection
Number of Initial Decisions Issued	337	250	293	250	250	250
Number of Opinion and Orders Issued	26	25	30	25	25	25
Mean Length of Time Required to Complete Adjudications <sup>6</sup>	12 months	12 months	12 months	12 months	12 months	12 months
Mean Length of Time Required to Resolve Petitions for Review <sup>7</sup>	9 months	9 months	9 months	9 months	9 months	9 months
Percent of OEA Decisions Upheld in D.C. Superior Court and D.C. Court of Appeals	100%	99%	NA	99%	99%	99%

<sup>5</sup> Data is accurate as of August 12, 2014.

<sup>6</sup> The months indicated represent the time from which an appeal is filed with OEA until an Initial Decision is issued by an Administrative Judge.

<sup>7</sup> The months indicated represent the time from which an appeal is filed with the OEA Board until a final decision is rendered.