



Office of Employee Appeals OEA (CH)

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.

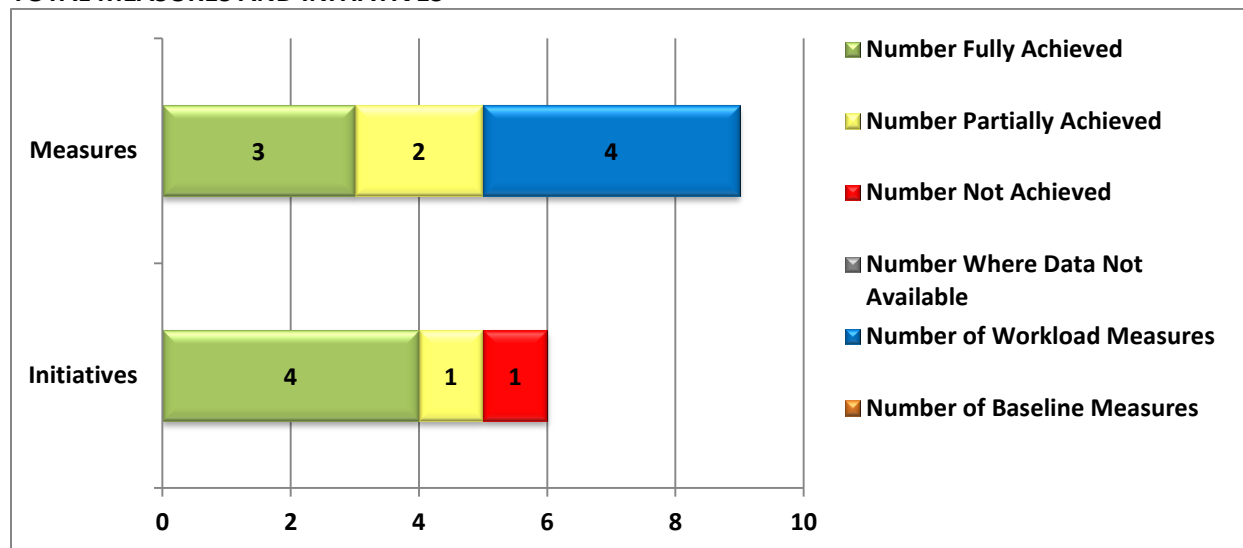
ACCOMPLISHMENTS

- ✓ **In FY12, OEA exceeded the number of Initial Decisions and Opinions and Orders which it had projected would be issued.**
The agency projected that it would issue 200 Initial Decisions in FY12. The agency actually issued 405 Initial Decisions. This was a 202.5% increase over what was projected. Moreover, the agency projected that it would issue 25 Opinions and Orders. The agency actually issued 31 Opinions and Orders. This represents a 124% increase over what was projected.
- ✓ **In FY12, OEA increased its settlement rate through its mandatory mediation program.**
It was OEA’s goal to increase the number of appeals that settle through mediation and consequently, decrease the amount of time and financial resources spent during the litigation process. By comparison, in FY11, before mediation became mandatory, OEA conducted 15 mediations. Three of those matters resulted in a settlement. Therefore, the program’s settlement rate was 20%. When mandatory mediation took effect in FY12, OEA conducted 65 mediations. Of those 65 cases, 18 appeals settled. The result was a 27% settlement rate. Thus far in FY13, OEA has conducted 57 mediations. Thirty-two of those matters have settled. Hence, OEA’s settlement rate is now at 56%.
- ✓ **In FY12, OEA issued its new rules of procedure.**
Prior to FY12, OEA’s rules had not been amended since 1998. However, to more accurately reflect how the Office conducts its business, new rules of procedure were adopted on March 12, 2012. The central purpose of the rules is streamline OEA’s litigation procedures in order to facilitate a reduction to the agency’s backlog without compromising the due process rights of the parties and to clarify the rules to present an understandable road map of the adjudication process conducted by the Office.

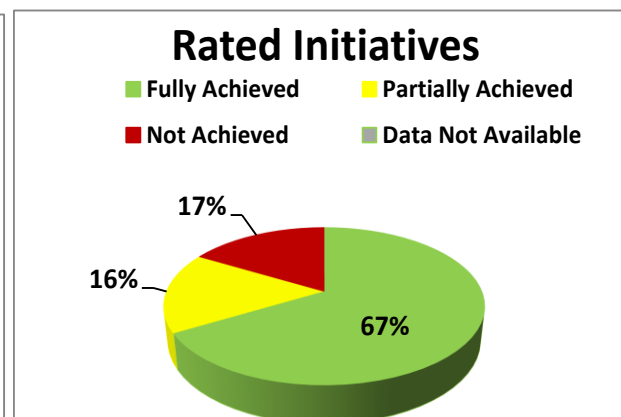
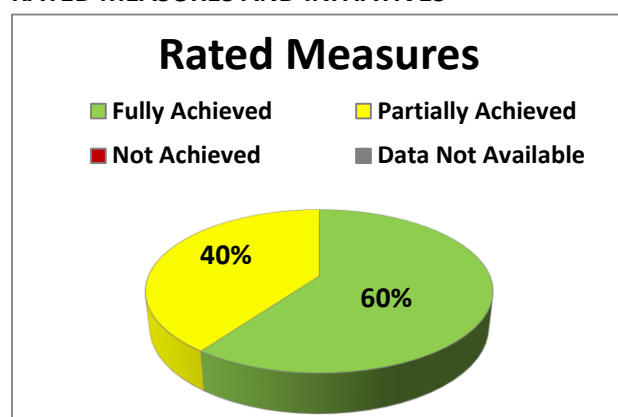


OVERALL OF AGENCY PERFORMANCE

TOTAL MEASURES AND INITIATIVES



RATED MEASURES AND INITIATIVES




Note: Workload and Baseline Measurements are not included


Default KPI Rating:	
$\geq 100\%$	Fully Achieved
75 - 99.99%	Partially Achieved
$< 75\%$	Not Achieved





Performance Initiatives – Assessment Details

Performance Assessment Key:

 Fully achieved

 Partially achieved

 Not achieved

 Data not reported

Agency Management

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

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

- This initiative was fully achieved. By hiring an additional full-time Administrative Judge, OEA was able to process more appeals and thereby exceed the number of Initial Decisions the agency had projected that it would issue.

INITIATIVE 1.2: Restructure the duties of the part-time Administrative Judge.

- This initiative was fully achieved. The part-time Administrative Judge began conducting monthly meetings with the full-time Administrative Judges for the purpose of resolving any issues which were possibly delaying the timely processing of appeals. The monthly meetings have proven to be beneficial because the Administrative Judges were able to issue more decisions in a timelier manner.

INITIATIVE 1.3: Develop a Judges' Manual

- This initiative was partially achieved. The Judges' Manual that was developed contained standard language for use in one of the types of appeals filed with the agency. The Administrative Judges were able to insert the standard language into that particular type of appeal and process those appeals more quickly. Due to the unique nature of the other types of appeals filed with the agency, it was not possible to develop standard language for those appeals. The agency will, however, continue to assess which appeals are of a more routine nature and will develop standard language for those appeals as well.

OBJECTIVE 2: Timely process appeals that are subject to mandatory mediation.

INITIATIVE 2.1: Mediator will schedule mediation conferences within 45 business days.

- This initiative was fully achieved. All mediation conferences were scheduled within 45 business days of when the appeal was assigned to the mediator. Of the 65 mediations conducted in FY12, 18 appeals settled through mediation. This resulted in a 27% settlement rate.

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

INITIATIVE 3.1: Complete the second phase of the database.

Response to Initiatives:

- This initiative was fully achieved. The database is OEA's case management system. By working closely with the Office of the Chief Technology Officer, the database was completed by the end of the fiscal year. By having the database completed, OEA has been able to manage its appeals more efficiently.



INITIATIVE 3.2: Publish office newsletter.

This initiative was not achieved. The agency projected that it would publish an office newsletter for the purpose of providing the public with greater access to the agency's decisions. However, through the enhancements made to OEA's website in FY12, all of its decisions were published on the website. As a result, the agency did not allocate already limited resources to this initiative which would have been a duplication of what was already available to the public on its website. The agency will, however, continue to determine whether additional steps can be taken by the agency to give the public more access to the decisions rendered by the Office.



Key Performance Indicators – Details

Performance Assessment Key:

● Fully achieved
 ● Partially achieved
 ● Not achieved
 ● Data not reported
 ● Workload Measure

	KPI	Measure Name	FY 2011 YE Actual	FY 2012 YE Target	FY 2012 YE Revised Target	FY 2012 YE Actual	FY 2012 YE Rating	Budget Program	
	●	1.1	Number of Initial Decisions Issued	188	200		405	202.5%	Adjudication
	●	1.2	Number of Opinions and Orders Issued	50	25		31	124%	Adjudication
	●	1.3	Time Required to Complete Adjudications	13	13		15	86.67%	Adjudication
	●	1.4	Time Required to Resolve Petitions for Review	17	17		9	188.89%	Adjudication
	●	1.5	Percent of Cases Reversing Agency Decisions	5.8%	0		3.22%	Workload Measure	Adjudication
	●	1.6	Percentage of OEA decisions upheld by D.C. Superior Court or D.C. Court of Appeals	100%	99%		92.59%	93.53%	Adjudication
	●	1.7	Number of Petitions for Appeal Filed	245	0		268	Workload Measure	Adjudication
	●	1.8	Number of Petitions for Review Filed	18	0		30	Workload Measure	Adjudication
	●	1.9	Number of Superior Court Case Filings	0	0		18	Workload Measure	Adjudication