



OFFICE OF EMPLOYEE APPEALS
FY 2022 PERFORMANCE AND ACCOUNTABILITY REPORT
JANUARY 15, 2023

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1 OFFICE OF EMPLOYEE APPEALS

Mission: The Office of Employee Appeals (OEA) is an independent agency with a mission is to adjudicate employee appeals and rendering impartial decisions with sound legal reasoning in a timely manner.

Services: In accordance with DC Official Code 1-606.03, the Office of Employee Appeals adjudicates the several types of personnel actions. (a) An employee may appeal a final agency decision affecting a performance rating which results in removal of the employee (pursuant to subchapter XIII-A of this chapter), an adverse action for cause that results in removal, reduction in force (pursuant to subchapter XXIV of this chapter), reduction in grade, placement on enforced leave, or suspension for 10 days or more (pursuant to subchapter XVI-A of this chapter) to the Office upon the record and pursuant to other rules and regulations which the Office may issue.

2 2022 ACCOMPLISHMENTS

Accomplishment	Impact on Agency	Impact on Residents
Improved efficiency of agency operations	OEA has begun notifying agencies within two business days that an employee has filed a petition for appeal with OEA. By shortening the length of time within which agencies receive this notification, OEA has been able to gather all the necessary documents in a timelier manner thereby allowing an appeal to be assigned to an Administrative Judge more quickly.	This accomplishment had no effect on DC residents.
Legally sound decisions	OEA's Administrative Judges and Board continued to issue decisions which successfully withstood judicial scrutiny. This accomplishment reassures the public and legal community that OEA's decisions can be relied upon and cited as legal authority.	This accomplishment positively impacted the residents of DC by reassuring them that OEA's decisions can withstand judicial scrutiny.

3 2022 OBJECTIVES

Strategic Objective	Number of Measures	Number of Operations
Render impartial, legally sound decisions in a timely manner.	8	4
Streamline the adjudication process.	2	1
Maintain a system to allow the public to have access to all decisions rendered by the OEA.	2	1

4 2022 OPERATIONS

Operation Title	Operation Description	Type of Operation
Render impartial, legally sound decisions in a timely manner.		
Petitions for Appeal	Intake Coordinator reviews Petition for Appeal, determines the type of appeal and assigns to Administrative Judge.	Daily Service
Petitions for Review	Office of the General Counsel reviews Petitions for Review, drafts the Opinion and Order and meets with the Board to present the appeal and issue the decision.	Daily Service
Initial Decisions	Administrative Judges process Petitions for Appeal which culminate in the issuance of an Initial Decision.	Daily Service
Appeals and Adjudication	Operations that occur within the appeals and adjudication process	Daily Service
Streamline the adjudication process.		
Mediation and Settlement	The goal of the mediation program is to help the parties, through the negotiation process, reach a settlement that is agreeable to both of them.	Key Project
Maintain a system to allow the public to have access to all decisions rendered by the OEA.		
Website	Decisions are uploaded to the agency's website so that the public is able to view the decisions and research the decisions.	Daily Service

5 2022 STRATEGIC INITIATIVES

In FY 2022, Office of Employee Appeals had 0 Strategic Initiatives and completed NaN%.

Title	Description	Completion Update to Date	Explanation for Incomplete Initiative
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6 2022 KEY PERFORMANCE INDICATORS AND WORKLOAD MEASURES

Key Performance Indicators

Measure	Directionality	FY 2020	FY 2021	FY 2022 Target	FY 2022 Q1	FY 2022 Q2	FY 2022 Q3	FY 2022 Q4	FY 2022	Was 2022 KPI Met?	Explanation of Unmet KPI
Render impartial, legally sound decisions in a timely manner.											
Number of Opinions and Orders Issued	Up is Better	18	18	18	4	2	6	1	13	Unmet	There were thirteen petitions filed this fiscal year. The Board issued all of the decisions that were pending on its docket. The only reason that the Board did not reach its target is because there were not at least eighteen cases pending on the Board's docket this year.
Time Required to Complete Adjudications	Down is Better	New in 2022	New in 2022	120	Annual Measure	Annual Measure	Annual Measure	Annual Measure	236	-	
Time Required to Resolve Petitions for Review	Down is Better	8	3	9	Annual Measure	Annual Measure	Annual Measure	Annual Measure	3	Met	
Percent of OEA decisions upheld by D.C. Superior Court and the D.C. Court of Appeals	Up is Better	97.3%	Not Available	100%	Annual Measure	Annual Measure	Annual Measure	Annual Measure	100%	Met	

Percent of Opinions and Orders uploaded to website	Neutral	100%	Not Available	-	100%	100%	100%	100%	100%	-
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Workload Measures

Measure	FY 2020	FY 2021	FY 2022 Q1	FY 2022 Q2	FY 2022 Q3	FY 2022 Q4	FY 2022
Appeals and Adjudication							
Number of evidentiary hearings conducted	New in 2022	New in 2022	4	1	4	3	12
Number of Board meetings conducted	New in 2022	New in 2022	2	1	1	1	4
Number of safety-sensitive designation appeals filed	New in 2022	New in 2022	0	0	0	0	0
Mediation and Settlement							
Number of attorney fee appeals mediated	0	0	0	0	Waiting on Data	0	0
Number of mediations declined by the agency	New in 2022	New in 2022	No data available	4	Waiting on Data	4	8
Number of mediations declined by the employee	New in 2022	New in 2022	No data available	0	Waiting on Data	0	0