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# Office of Employee Appeals

<http://oea.dc.gov>

Telephone: 202-727-0004

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Description	FY 2012 Actual	FY 2013 Approved	FY 2014 Proposed	% Change from FY 2013
Operating Budget	\$1,342,669	\$1,468,441	\$1,479,993	0.8
FTEs	12.0	14.0	14.0	0.0

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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 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.

The agency's FY 2014 proposed budget is presented in the following tables:

## FY 2014 Proposed Gross Funds Operating Budget, by Revenue Type

Table CH0-1 contains the proposed FY 2014 agency budget compared to the FY 2013 approved budget. It also provides FY 2011 and FY 2012 actual expenditures.

**Table CH0-1**  
(dollars in thousands)

Appropriated Fund	Actual FY 2011	Actual FY 2012	Approved FY 2013	Proposed FY 2014	Change from FY 2013	Percent Change*
<b>General Funds</b>						
Local Funds	1,116	1,343	1,468	1,480	12	0.8
<b>Total for General Fund</b>	<b>1,116</b>	<b>1,343</b>	<b>1,468</b>	<b>1,480</b>	<b>12</b>	<b>0.8</b>
<b>Gross Funds</b>	<b>1,116</b>	<b>1,343</b>	<b>1,468</b>	<b>1,480</b>	<b>12</b>	<b>0.8</b>

\*Percent change is based on whole dollars.

Note: If applicable, for a breakdown of each Grant (Federal and Private), Special Purpose Revenue type and Intra-District agreement, please refer to **Schedule 80 Agency Summary by Revenue Source** in the **FY 2014 Operating Appendices** located on the Office of the Chief Financial Officer's website.

## FY 2014 Proposed Full-Time Equivalents, by Revenue Type

Table CH0-2 contains the proposed FY 2014 FTE level compared to the FY 2013 approved FTE level by revenue type. It also provides FY 2011 and FY 2012 actual data.

**Table CH0-2**

Appropriated Fund	Actual FY 2011	Actual FY 2012	Approved FY 2013	Proposed FY 2014	Change from FY 2013	Percent Change
<b>General Fund</b>						
Local Funds	11.2	12.0	14.0	14.0	0.0	0.0
<b>Total for General Fund</b>	<b>11.2</b>	<b>12.0</b>	<b>14.0</b>	<b>14.0</b>	<b>0.0</b>	<b>0.0</b>
<b>Total Proposed FTEs</b>	<b>11.2</b>	<b>12.0</b>	<b>14.0</b>	<b>14.0</b>	<b>0.0</b>	<b>0.0</b>

## FY 2014 Proposed Operating Budget, by Comptroller Source Group

Table CH0-3 contains the proposed FY 2014 budget at the Comptroller Source Group (object class) level compared to the FY 2013 approved budget. It also provides FY 2011 and FY 2012 actual expenditures.

**Table CH0-3**  
(dollars in thousands)

Comptroller Source Group	Actual FY 2011	Actual FY 2012	Approved FY 2013	Proposed FY 2014	Change from FY 2013	Percent Change*
11 - Regular Pay - Continuing Full Time	761	920	1,045	1,039	-6	-0.5
12 - Regular Pay - Other	86	93	93	103	10	10.2
13 - Additional Gross Pay	13	0	0	0	0	N/A
14 - Fringe Benefits - Current Personnel	157	178	201	210	9	4.3
<b>Subtotal Personal Services (PS)</b>	<b>1,017</b>	<b>1,190</b>	<b>1,340</b>	<b>1,352</b>	<b>13</b>	<b>0.9</b>
20 - Supplies and Materials	18	15	15	15	0	0.0
31 - Telephone, Telegraph, Telegram, Etc.	5	0	0	0	0	N/A
40 - Other Services and Charges	40	30	59	60	1	1.9
41 - Contractual Services - Other	31	12	35	29	-6	-18.2
70 - Equipment and Equipment Rental	5	95	20	24	4	20.9
<b>Subtotal Nonpersonal Services (NPS)</b>	<b>99</b>	<b>152</b>	<b>129</b>	<b>128</b>	<b>-1</b>	<b>-0.8</b>
<b>Gross Funds</b>	<b>1,116</b>	<b>1,343</b>	<b>1,468</b>	<b>1,480</b>	<b>12</b>	<b>0.8</b>

\*Percent change is based on whole dollars.

### Program Description

The Office of Employee Appeals operates through the following 2 programs:

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

This program contains the following 3 activities:

- **Mediation** – provides both parties an opportunity to resolve or settle disputes without going through the lengthy and costly adjudication process;
- **Adjudication Process** – provides impartial, fair decisions to employees for timely resolution of their appeal; and
- **Appeals** – provides an impartial review by the Office of Employee Appeals Board of the decisions filed.

**Agency Management** – provides for administrative support and the required tools to achieve operational and programmatic results. This program is standard for all agencies using performance-based budgeting.

### Program Structure Change

The Office of Employee Appeals has no program structure changes in the FY 2014 proposed budget.

## FY 2014 Proposed Operating Budget and FTEs, by Program and Activity

Table CH0-4 contains the proposed FY 2014 budget by program and activity compared to the FY 2013 approved budget. It also provides the FY 2012 actual data.

**Table CH0-4**  
(dollars in thousands)

Program/Activity	Dollars in Thousands				Full-Time Equivalents			
	Actual FY 2012	Approved FY 2013	Proposed FY 2014	Change from FY 2013	Actual FY 2012	Approved FY 2013	Proposed FY 2014	Change from FY 2013
<b>(1000) Agency Management</b>								
(1040) Information Technology	59	56	58	1	0.9	1.0	1.0	0.0
(1085) Customer Service	54	43	44	0	0.9	1.0	1.0	0.0
(1090) Performance Management	163	162	163	1	0.9	1.0	1.0	0.0
(1100) Office of Employee Appeals	517	543	477	-66	5.1	5.5	5.0	-0.5
<b>Subtotal (1000) Agency Management</b>	<b>792</b>	<b>805</b>	<b>742</b>	<b>-64</b>	<b>7.8</b>	<b>8.5</b>	<b>8.0</b>	<b>-0.5</b>
<b>(2000) Adjudication</b>								
(2001) Adjudication Process	399	534	550	16	4.1	5.5	5.5	0.0
(2002) Appeals	152	129	128	-1	0.0	0.0	0.0	0.0
(2003) Mediation	0	0	60	60	0.0	0.0	0.5	0.5
<b>Subtotal (2000) Adjudication</b>	<b>551</b>	<b>663</b>	<b>738</b>	<b>75</b>	<b>4.1</b>	<b>5.5</b>	<b>6.0</b>	<b>0.5</b>
<b>Total Proposed Operating Budget</b>	<b>1,343</b>	<b>1,468</b>	<b>1,480</b>	<b>12</b>	<b>12.0</b>	<b>14.0</b>	<b>14.0</b>	<b>0.0</b>

(Change is calculated by whole numbers and numbers may not add up due to rounding)

**Note:** For more detailed information regarding the proposed funding for the activities within this agency's programs, please see **Schedule 30-PBB Program Summary by Activity** in the **FY 2014 Operating Appendices** located on the Office of the Chief Financial Officer's website.

### FY 2014 Proposed Budget Changes

The Office of Employee Appeals' (OEA) proposed FY 2014 gross budget is \$1,479,993, which represents a 0.8 percent increase over its FY 2013 approved gross budget of \$1,468,441. The budget is comprised entirely of Local funds.

### Current Services Funding Level

The Current Services Funding Level (CSFL) is a Local funds ONLY representation of the true cost of operating District agencies, before consideration of policy decisions. The CSFL reflects changes from the FY 2013 approved budget across multiple programs, and it estimates how much it would cost an agency to continue its current programs and operations into the following fiscal year. The initial adjustments in the budget proposal represent changes that should be compared to the FY 2014 CSFL budget and not necessarily changes made to the FY 2013 Local funds budget. The FY 2014 CSFL adjustments to the FY 2013 Local funds budget are described in table 5 of this agency's budget chapter. Please see the CSFL Development section within Volume 1: Executive Summary for more information regarding the methodology used and components that comprise the CSFL.

OEA's FY 2014 CSFL budget is \$1,479,993, which represents an \$11,552, or 0.8 percent, increase over the FY 2013 approved Local funds budget of \$1,468,441.

## Major CSFL Cost Drivers

The FY 2014 CSFL calculated for OEA included an adjustment entry that is not described in detail on table 5. This adjustment was made for an increase of \$8,460 in personal services to account for the Fringe Benefit growth rate adjustment of 4.2 percent year-over-year growth and \$3,093 in nonpersonal services based on the Consumer Price Index factor of 2.4 percent. During the development of the CSFL, some adjustments such as these were categorized as "other adjustments".

## Agency Budget Submission

**Increase:** The FY 2014 budget includes an increase of \$4,126 in personal services to support step increases and Fringe Benefits adjustments.

**Decrease:** OEA's budget reflects a reduction of \$4,126 in nonpersonal services to offset the increases in personal services.

## Mayor's Proposed Budget

**Cost-of-Living Adjustment:** This agency received a proposed cost-of-living adjustment (COLA) in Local funds, which will be applied centrally from the Workforce Investments account. For more information about the COLA, please see the Workforce Investments chapter contained in Volume 3 (Agency Budget Chapters – Part II) of the FY 2014 Proposed Budget and Financial Plan.

## District's Proposed Budget

The Office of Employee Appeals has no changes from the FY 2014 Mayor's proposed budget to the FY 2014 District's proposed budget.

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## FY 2013 Approved Budget to FY 2014 Proposed Budget, by Revenue Type

Table CH0-5 itemizes the changes by revenue type between the FY 2013 approved budget and the FY 2014 proposed budget.

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**Table CH0-5**

(dollars in thousands)

	PROGRAM	BUDGET	FTE
<b>LOCAL FUNDS: FY 2013 Approved Budget and FTE</b>		<b>1,468</b>	<b>14.0</b>
Other CSFL Adjustments	Multiple Programs	12	0.0
<b>LOCAL FUNDS: FY 2014 Current Services Funding Level Budget (CSFL)</b>		<b>1,480</b>	<b>14.0</b>
Increase: Personal services to support step increases and fringe benefits adjustments	Multiple Programs	4	0.0
Decrease: Nonpersonal services to offset the increases in personal services	Adjudication	-4	0.0
<b>LOCAL FUNDS: FY 2014 Agency Budget Submission</b>		<b>1,480</b>	<b>14.0</b>
No Changes		0	0.0
<b>LOCAL FUNDS: FY 2014 Mayor's Proposed Budget</b>		<b>1,480</b>	<b>14.0</b>
No Changes		0	0.0
<b>LOCAL FUNDS: FY 2014 District's Proposed Budget</b>		<b>1,480</b>	<b>14.0</b>
<b>Gross for CH0 - Office of Employee Appeals</b>		<b>1,480</b>	<b>14.0</b>

(Change is calculated by whole numbers and numbers may not add up due to rounding)

## Agency Performance Plan

The agency's performance plan has the following objectives for FY 2014:

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

**Objective 2:** Centralize the duties of the Administrative Support Staff.

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

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## KEY PERFORMANCE INDICATORS

Measure	FY 2011 Actual	FY 2012 Target	FY 2012 Actual	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 <sup>1</sup> (months)	9.5	9	15	15	15	15
Mean length of time required to resolve petitions for review <sup>2</sup> (months)	17	17	9	9	9	9
Percentage of cases reversing agency decisions	5.8% <sup>3</sup>	Not Available	3% <sup>4</sup>	Not Available	Not Available	Not Available
Percentage of OEA decisions upheld in D.C. Superior Court and D.C. Court of Appeals	99%	99%	99%	99%	99%	99%

### Performance Plan Endnotes:

<sup>1</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>2</sup>The months indicate the time from which an appeal is filed with the OEA Board until a final decision is rendered.

<sup>3</sup>In FY 2011, OEA reversed 14 agency decisions of the 238 total cases decided.

<sup>4</sup>In FY 2012 to date, OEA reversed 13 agency decisions of the 416 total cases decided.