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# Office of Employee Appeals

<http://oea.dc.gov>

Telephone: 202-727-0004

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Description	FY 2013	FY 2014	FY 2015	% Change
	Actual	Approved	Proposed	from FY 2014
Operating Budget	\$1,438,672	\$1,479,993	\$1,570,426	6.1
FTEs	13.9	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 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.

The agency's FY 2015 proposed budget is presented in the following tables:

## FY 2015 Proposed Gross Funds Operating Budget, by Revenue Type

Table CH0-1 contains the proposed FY 2015 agency budget compared to the FY 2014 approved budget. It also provides FY 2012 and FY 2013 actual expenditures.

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

Appropriated Fund	Actual FY 2012	Actual FY 2013	Approved FY 2014	Proposed FY 2015	Change from FY 2014	Percent Change*
<b>General Funds</b>						
Local Funds	1,343	1,439	1,480	1,570	90	6.1
<b>Total for General Fund</b>	<b>1,343</b>	<b>1,439</b>	<b>1,480</b>	<b>1,570</b>	<b>90</b>	<b>6.1</b>
<b>Gross Funds</b>						
	<b>1,343</b>	<b>1,439</b>	<b>1,480</b>	<b>1,570</b>	<b>90</b>	<b>6.1</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 2015 Operating Appendices** located on the Office of the Chief Financial Officer's website.

## FY 2015 Proposed Full-Time Equivalent, by Revenue Type

Table CH0-2 contains the proposed FY 2015 FTE level compared to the FY 2014 approved FTE level by revenue type. It also provides FY 2012 and FY 2013 actual data.

**Table CH0-2**

Appropriated Fund	Actual FY 2012	Actual FY 2013	Approved FY 2014	Proposed FY 2015	Change from FY 2014	Percent Change
<b>General Fund</b>						
Local Funds	12.0	13.9	14.0	14.0	0.0	0.0
<b>Total for General Fund</b>	<b>12.0</b>	<b>13.9</b>	<b>14.0</b>	<b>14.0</b>	<b>0.0</b>	<b>0.0</b>
<b>Total Proposed FTEs</b>						
	<b>12.0</b>	<b>13.9</b>	<b>14.0</b>	<b>14.0</b>	<b>0.0</b>	<b>0.0</b>

## FY 2015 Proposed Operating Budget, by Comptroller Source Group

Table CH0-3 contains the proposed FY 2015 budget at the Comptroller Source Group (object class) level compared to the FY 2014 approved budget. It also provides FY 2012 and FY 2013 actual expenditures.

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

Comptroller Source Group	Actual FY 2012	Actual FY 2013	Approved FY 2014	Proposed FY 2015	Change from FY 2014	Percent Change*
11 - Regular Pay - Continuing Full Time	920	1,044	1,039	1,137	98	9.4
12 - Regular Pay - Other	93	88	103	100	-2	-2.4
14 - Fringe Benefits - Current Personnel	178	210	210	234	24	11.3
<b>Subtotal Personal Services (PS)</b>	<b>1,190</b>	<b>1,342</b>	<b>1,352</b>	<b>1,471</b>	<b>119</b>	<b>8.8</b>
20 - Supplies and Materials	15	14	15	8	-7	-46.7
31 - Telephone, Telegraph, Telegram, Etc.	0	2	0	0	0	N/A
40 - Other Services and Charges	30	51	60	56	-4	-6.7
41 - Contractual Services - Other	12	24	29	14	-14	-50.4
50 - Subsidies and Transfers	0	0	0	0	0	N/A
70 - Equipment and Equipment Rental	95	5	24	21	-3	-12.4
<b>Subtotal Nonpersonal Services (NPS)</b>	<b>152</b>	<b>96</b>	<b>128</b>	<b>99</b>	<b>-28</b>	<b>-22.3</b>
<b>Gross Funds</b>	<b>1,343</b>	<b>1,439</b>	<b>1,480</b>	<b>1,570</b>	<b>90</b>	<b>6.1</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:

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

**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 2015 proposed budget.

## FY 2015 Proposed Operating Budget and FTEs, by Program and Activity

Table CH0-4 contains the proposed FY 2015 budget by program and activity compared to the FY 2014 approved budget. It also provides the FY 2013 actual data.

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

Program/Activity	Dollars in Thousands				Full-Time Equivalents			
	Actual FY 2013	Approved FY 2014	Proposed FY 2015	Change from FY 2014	Actual FY 2013	Approved FY 2014	Proposed FY 2015	Change from FY 2014
<b>(1000) Agency Management</b>								
(1040) Information Technology	60	58	62	5	1.0	1.0	1.0	0.0
(1080) Communication	0	0	0	0	0.0	0.0	0.0	0.0
(1085) Customer Service	51	44	48	4	1.0	1.0	1.0	0.0
(1090) Performance Management	162	163	186	23	1.0	1.0	1.0	0.0
(1100) Office of Employee Appeals	545	477	524	47	5.5	5.0	5.0	0.0
<b>Subtotal (1000) Agency Management</b>	<b>818</b>	<b>742</b>	<b>821</b>	<b>79</b>	<b>8.4</b>	<b>8.0</b>	<b>8.0</b>	<b>0.0</b>
<b>(2000) Adjudication</b>								
(2001) Adjudication Process	524	550	592	41	5.5	5.5	5.5	0.0
(2002) Appeals	96	128	99	-28	0.0	0.0	0.0	0.0
(2003) Mediation	0	60	59	-1	0.0	0.5	0.5	0.0
<b>Subtotal (2000) Adjudication</b>	<b>621</b>	<b>738</b>	<b>750</b>	<b>12</b>	<b>5.5</b>	<b>6.0</b>	<b>6.0</b>	<b>0.0</b>
<b>Total Proposed Operating Budget</b>	<b>1,439</b>	<b>1,480</b>	<b>1,570</b>	<b>90</b>	<b>13.9</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 2015 Operating Appendices** located on the Office of the Chief Financial Officer's website.

### FY 2015 Proposed Budget Changes

The Office of Employee Appeals' (OEA) proposed FY 2015 gross budget is \$1,570,426, which represents a 6.1 percent increase over its FY 2014 approved gross budget of \$1,479,993. 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 2014 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 FY 2015 CSFL adjustments to the FY 2014 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 2015 CSFL budget is \$1,570,426, which represents a \$90,433, or 6.1 percent increase over the FY 2014 approved Local funds budget of \$1,479,993.

### CSFL Assumptions

The FY 2015 CSFL calculated for OEA included adjustment entries that are not described in detail on table 5. Additionally, adjustments were made for increases \$87,365 in personal services, to account for Fringe Benefit costs based on trend and comparative analyses and the impact of cost of living adjustments implemented in FY 2013; and an increase of \$3,068 in nonpersonal services, based on the Consumer Price Index factor of 2.4 percent.

### Agency Budget Submission

**Increase:** OEA's Local funds includes an increase of \$31,530 in personal services for projected changes in salary steps and Fringe Benefit costs. This adjustment is the combination of an increase of \$30,893 in the Agency Management program and an increase of \$636 in the Adjudication program.

**Decrease:** The proposed budget reflects a reduction of \$31,530 in nonpersonal services to offset projected cost increases in personal services.

### Mayor's Proposed Budget

**No Change:** The Office of Employee Appeals' budget proposal reflects no change from the agency budget submission to the Mayor's proposed budget.

### District's Proposed Budget

**No Change:** The Office of Employee Appeals' budget proposal reflects no change from the Mayor's proposed budget to the District's proposed budget.

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## FY 2014 Approved Budget to FY 2015 Proposed Budget, by Revenue Type

Table CH0-5 itemizes the changes by revenue type between the FY 2014 approved budget and the FY 2015 proposed budget.

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**Table CH0-5**  
(dollars in thousands)

DESCRIPTION	PROGRAM	BUDGET	FTE
<b>LOCAL FUNDS: FY 2014 Approved Budget and FTE</b>		<b>1,480</b>	<b>14.0</b>
Other CSFL Adjustments	Multiple Programs	90	0.0
<b>LOCAL FUNDS: FY 2015 Current Services Funding Level Budget (CSFL)</b>		<b>1,570</b>	<b>14.0</b>
Increase: To support personal services adjustments	Multiple Programs	32	0.0
Decrease: To offset projected increases in personal services	Adjudication	-32	0.0
<b>LOCAL FUNDS: FY 2015 Agency Budget Submission</b>		<b>1,570</b>	<b>14.0</b>
No Change		0	0.0
<b>LOCAL FUNDS: FY 2015 Mayor's Proposed Budget</b>		<b>1,570</b>	<b>14.0</b>
No Change		0	0.0
<b>LOCAL FUNDS: FY 2015 District's Proposed Budget</b>		<b>1,570</b>	<b>14.0</b>
<b>Gross for CH0 - Office of Employee Appeals</b>		<b>1,570</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 2015:

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

**Objective 2:** Streamline the adjudication process.

**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<sup>1</sup>

#### Adjudication<sup>1</sup>

Measure	FY 2012 Actual	FY 2013 Target	FY 2013 Actual	FY 2014 Projection	FY 2015 Projection	FY 2016 Projection
Number of Initial Decisions Issued	405	250	337	250	250	250
Number of Opinion and Orders Issued	31	25	26	25	25	25
Adjudications <sup>2</sup>	15 months	15 months	12 months	12 months	12 months	12 months
Mean Length of Time Required to Resolve Petitions for Review <sup>3</sup>	9 months	9 months	9 months	9 months	9 months	9 months
Percent of Cases Reversing Agency Decisions	3.2% <sup>4</sup>	Not Applicable	5.4% <sup>5</sup>	Not Applicable	Not Applicable	Not Applicable
Percent of OEA Decisions Upheld in D.C. Superior Court and D.C. Court of Appeals	92.6% <sup>6</sup>	99%	100% <sup>7</sup>	99%	99%	99%

#### Performance Plan Endnotes:

<sup>1</sup>For the purposes of the FY 2014 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>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>3</sup>The months indicated represent the time from which an appeal is filed with the OEA Board until a final decision is rendered.

<sup>4</sup>In FY 2012, OEA reversed fourteen Agency decisions of the 436 total cases decided.

<sup>5</sup>In FY 2013, OEA reversed nineteen agency decisions of the 347 total cases decided.

<sup>6</sup>In FY 2012, there were twenty-six decisions issued by the Superior Court of the District of Columbia and four decisions issued by the Court of Appeals. Two of the twenty-six decisions reversed OEA rulings.

<sup>7</sup>In FY 2013-to-date, there have been Sixteen decisions issued by the Superior Court for the District of Columbia and four decisions issued by the Court of Appeals. All of OEA's decisions have been upheld.