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# Office of Employee Appeals

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**Table CH0-1**

Description	FY 2016	FY 2017	FY 2018	FY 2019	% Change
	Actual	Actual	Approved	Proposed	from FY 2018
OPERATING BUDGET	\$1,684,034	\$1,766,895	\$2,129,035	\$2,178,202	2.3
FTEs	14.1	15.0	15.0	15.0	0.0

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 2019 proposed budget is presented in the following tables:

## FY 2019 Proposed Gross Funds Operating Budget and FTEs, by Revenue Type

Table CH0-2 contains the proposed FY 2019 budget by revenue type compared to the FY 2018 approved budget. It also provides FY 2016 and FY 2017 actual data.

**Table CH0-2**

(dollars in thousands)

	Dollars in Thousands						Full-Time Equivalents					
	Actual FY 2016	Actual FY 2017	Approved FY 2018	Proposed FY 2019	Change from FY 2018	% Change*	Actual FY 2016	Actual FY 2017	Approved FY 2018	Proposed FY 2019	Change from FY 2018	% Change
<b>Appropriated Fund</b>												
<b>GENERAL FUND</b>												
Local Funds	1,684	1,767	2,129	2,178	49	2.3	14.1	15.0	15.0	15.0	0.0	0.0
<b>TOTAL FOR GENERAL FUND</b>	<b>1,684</b>	<b>1,767</b>	<b>2,129</b>	<b>2,178</b>	<b>49</b>	<b>2.3</b>	<b>14.1</b>	<b>15.0</b>	<b>15.0</b>	<b>15.0</b>	<b>0.0</b>	<b>0.0</b>
<b>GROSS FUNDS</b>	<b>1,684</b>	<b>1,767</b>	<b>2,129</b>	<b>2,178</b>	<b>49</b>	<b>2.3</b>	<b>14.1</b>	<b>15.0</b>	<b>15.0</b>	<b>15.0</b>	<b>0.0</b>	<b>0.0</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 2019 Operating Appendices** located on the Office of the Chief Financial Officer's website.

## FY 2019 Proposed Operating Budget, by Comptroller Source Group

Table CH0-3 contains the proposed FY 2019 budget at the Comptroller Source Group (object class) level compared to the FY 2018 approved budget. It also provides FY 2016 and FY 2017 actual expenditures.

**Table CH0-3**

(dollars in thousands)

Comptroller Source Group	Actual FY 2016	Actual FY 2017	Approved FY 2018	Proposed FY 2019	Change from FY 2018	Percentage Change*
11 - Regular Pay - Continuing Full Time	1,186	1,309	1,349	1,580	231	17.1
12 - Regular Pay - Other	119	108	107	130	24	22.3
13 - Additional Gross Pay	1	1	0	0	0	N/A
14 - Fringe Benefits - Current Personnel	251	273	298	351	52	17.5
15 - Overtime Pay	0	0	0	0	0	N/A
<b>SUBTOTAL PERSONAL SERVICES (PS)</b>	<b>1,557</b>	<b>1,691</b>	<b>1,754</b>	<b>2,060</b>	<b>307</b>	<b>17.5</b>
20 - Supplies and Materials	6	11	3	3	0	-7.5
31 - Telephone, Telegraph, Telegram, Etc.	0	0	0	0	0	N/A
40 - Other Services and Charges	104	34	327	84	-243	-74.4
41 - Contractual Services - Other	14	24	40	30	-10	-25.0
70 - Equipment and Equipment Rental	2	6	5	1	-4	-80.0
<b>SUBTOTAL NONPERSONAL SERVICES (NPS)</b>	<b>127</b>	<b>75</b>	<b>375</b>	<b>118</b>	<b>-257</b>	<b>-68.6</b>
<b>GROSS FUNDS</b>	<b>1,684</b>	<b>1,767</b>	<b>2,129</b>	<b>2,178</b>	<b>49</b>	<b>2.3</b>

\*Percent change is based on whole dollars.

## FY 2019 Proposed Operating Budget and FTEs, by Division/Program and Activity

Table CH0-4 contains the proposed FY 2019 budget by division/program and activity compared to the FY 2018 approved budget. It also provides FY 2016 and FY 2017 actual data. For a more comprehensive explanation of divisions/programs and activities, please see the Division/Program Description section, which follows the table.

**Table CH0-4**

(dollars in thousands)

Division/Program and Activity	Dollars in Thousands					Full-Time Equivalents				
	Actual FY 2016	Actual FY 2017	Approved FY 2018	Proposed FY 2019	Change from FY 2018	Actual FY 2016	Actual FY 2017	Approved FY 2018	Proposed FY 2019	Change from FY 2018
<b>(1000) AGENCY MANAGEMENT</b>										
(1020) Contracting and Procurement	0	0	0	117	117	0.0	0.0	0.0	0.0	0.0
(1040) Information Technology	70	78	73	76	3	0.9	1.0	1.0	1.0	0.0
(1085) Customer Service	57	63	56	57	2	0.9	1.0	1.0	1.0	0.0
(1090) Performance Management	199	235	249	264	16	0.9	1.0	2.0	2.0	0.0
(1100) Office of Employee Appeals	545	667	612	676	64	5.6	6.0	5.0	5.0	0.0
<b>SUBTOTAL (1000) AGENCY MANAGEMENT</b>	<b>871</b>	<b>1,043</b>	<b>990</b>	<b>1,191</b>	<b>201</b>	<b>8.5</b>	<b>9.0</b>	<b>9.0</b>	<b>9.0</b>	<b>0.0</b>
<b>(2000) ADJUDICATION</b>										
(2001) Adjudication Process	614	649	701	908	208	5.2	5.5	5.5	5.5	0.0
(2002) Appeals	127	75	375	0	-375	0.0	0.0	0.0	0.0	0.0
(2003) Mediation	72	0	63	78	15	0.5	0.5	0.5	0.5	0.0
<b>SUBTOTAL (2000) ADJUDICATION</b>	<b>813</b>	<b>725</b>	<b>1,139</b>	<b>987</b>	<b>-152</b>	<b>5.6</b>	<b>6.0</b>	<b>6.0</b>	<b>6.0</b>	<b>0.0</b>
<b>(9960) YR END CLOSE</b>										
(9961) Yr End Close	0	-1	0	0	0	0.0	0.0	0.0	0.0	0.0
<b>SUBTOTAL (9960) YR END CLOSE</b>	<b>0</b>	<b>-1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>TOTAL PROPOSED OPERATING BUDGET</b>	<b>1,684</b>	<b>1,767</b>	<b>2,129</b>	<b>2,178</b>	<b>49</b>	<b>14.1</b>	<b>15.0</b>	<b>15.0</b>	<b>15.0</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 2019 Operating Appendices** located on the Office of the Chief Financial Officer's website. "No Activity Assigned" indicates budget or actuals that are recorded at the division/program level.

### 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 2 activities:

- **Adjudication Process** – provides impartial, fair decisions to employees for timely resolution of their appeal; 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 2019 proposed budget.

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## FY 2018 Approved Budget to FY 2019 Proposed Budget, by Revenue Type

Table CH0-5 itemizes the changes by revenue type between the FY 2018 approved budget and the FY 2019 proposed budget. For a more comprehensive explanation of changes, please see the FY 2019 Proposed Budget Changes section, which follows the table.

### Table CH0-5

(dollars in thousands)

DESCRIPTION	DIVISION/PROGRAM	BUDGET	FTE
<b>LOCAL FUNDS: FY 2018 Approved Budget and FTE</b>		<b>2,129</b>	<b>15.0</b>
Removal of One-Time Costs	Adjudication	-244	0.0
<b>LOCAL FUNDS: FY 2019 Recurring Budget</b>		<b>1,885</b>	<b>15.0</b>
COLA: FY 2019 COLA Adjustment	Multiple Programs	53	0.0
Agency Request-Increase: To align personal services and Fringe Benefits with projected costs	Multiple Programs	15	0.0
Agency Request-Decrease: To partially offset projected adjustments in personal services costs	Multiple Programs	-13	0.0
<b>LOCAL FUNDS: FY 2019 Mayor's Proposed Budget</b>		<b>1,940</b>	<b>15.0</b>
Enhance: To support the Office of Employee Appeals Hiring Examiner Classification Amendment Act of 2018	Multiple Programs	238	0.0
<b>LOCAL FUNDS: FY 2019 District's Proposed Budget</b>		<b>2,178</b>	<b>15.0</b>
<b>GROSS FOR CH0 - OFFICE OF EMPLOYEE APPEALS</b>		<b>2,178</b>	<b>15.0</b>

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

## FY 2019 Proposed Budget Changes

The Office of Employee Appeals' (OEA) proposed FY 2019 gross budget is \$2,178,202, which represents a 2.3 percent increase over its FY 2018 approved gross budget of \$2,129,035. The budget is comprised entirely of Local funds.

### Recurring Budget

The FY 2019 budget for OEA includes a reduction of \$244,000 to account for the removal of one-time funding appropriated in FY 2018 for website upgrades.

### Mayor's Proposed Budget

**Cost-of-Living Adjustment:** The OEA budget proposal includes a cost-of-living adjustment (COLA) of \$53,070 in Local funds.

**Agency Request – Increase:** The OEA's proposed budget reflects a net increase of \$15,193 in personal services across multiple programs to support projected costs related to salary, step increases, and Fringe Benefits.

**Agency Request – Decrease:** The OEA's nonpersonal services budget proposal reflects a net reduction of \$13,421 across multiple programs to partially offset the increase in personal services. This adjustment comprises of : \$10,000 in Contractual Services, \$4,000 in Equipment, \$245 in Supplies, partially offset by an increase of \$824 in Other Services and Charges.

**District’s Proposed Budget**

**Enhance:** OEA’s proposed budget reflects a personal services increase of \$238,325 across multiple programs to support the reclassification of Hiring Examiner positions in accordance with the provisions of “the Office of Employee Appeals Hiring Examiner Classification Amendment Act of 2018.”

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## Agency Performance Plan\*

Office of Employee Appeals performance plan has the following objectives for FY 2019:

### Strategic Objectives

Strategic Objectives describe what the agency will do, at a high level, to achieve its mission. These are action-based sentences that define what an agency does for its customers, whether the customers are residents or other District agencies, and how that improves the District.

### Objectives

1. Render impartial, legally sound decisions in a timely manner.
2. Streamline the adjudication process.
3. Maintain a system to allow the public to have access to all decisions rendered by the OEA.
4. Create and maintain a highly efficient, transparent and responsive District government.\*\*

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### ACTIVITIES

Activities include the work that happens on a daily basis to help achieve the Strategic Objectives. Activity names come from the budget line items. This is further divided into “daily services” (ex. sanitation disposal), and long-term “key projects” that are high profile, one-time and span several years, (ex. redevelopment of Walter Reed Army Medical Center). Many agencies will mostly have daily services, whereas some agencies that have more of their budget come from capital funding will have several key projects.

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#### 1. Render impartial, legally sound decisions in a timely manner. (3 Activities)

Activity Title	Activity Description	Type of Activity
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

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#### 2. Streamline the adjudication process. (1 Activity)

Activity Title	Activity Description	Type of Activity
Track mediation of attorney fee appeals	Develop a system to track mediation of attorney fee appeals to include how many attorney fee cases went through mediation, how long was the mediation process, and what was the outcome.	Key Project

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#### 3. Maintain a system to allow the public to have access to all decisions rendered by the OEA. (1 Activity)

Activity Title	Activity Description	Type of Activity
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

## KEY PERFORMANCE INDICATORS

Key Performance Indicators measure how well an agency is achieving its Strategic Objectives. They are outcome-oriented and should be used to answer the question, “What does the agency need to measure to determine success?”

### 1. Render impartial, legally sound decisions in a timely manner. (6 Measures)

Measure	New Measure/ Benchmark Year	FY 2016 Actual	FY 2017 Target	FY 2017 Actual	FY 2018 Target	FY 2019 Target
Number of Initial Decisions Issued	No	165	160	142	150	150
Number of Opinions and Orders Issued	No	59	35	51	25	25
Percent of OEA decisions upheld by D.C. Superior Court and the D.C. Court of Appeals	No	81%	99%	93.1%	99%	99%
Percent of cases reversing agency decisions	No	9.8%	Waiting on Data	6.8%	Data Forthcoming	Data Forthcoming
Time Required to Complete Adjudications	No	8	12	6	12	12
Time Required to Resolve Petitions for Review	No	11	9	8	9	9

### 2. Streamline the adjudication process. (2 Measures)

Measure	New Measure/ Benchmark Year	FY 2016 Actual	FY 2017 Target	FY 2017 Actual	FY 2018 Target	FY 2019 Target
Percent of appeals involved in mediation process	No	Not Available	Not Available	Not Available	Data Forthcoming	Data Forthcoming
Percent of appeals resolved through mediation	No	Not Available	Not Available	Not Available	Data Forthcoming	Data Forthcoming

### 3. Maintain a system to allow the public to have access to all decisions rendered by the OEA. (2 Measures)

Measure	New Measure/ Benchmark Year	FY 2016 Actual	FY 2017 Target	FY 2017 Actual	FY 2018 Target	FY 2019 Target
Percent of Initial Decisions uploaded to website	No	Not Available	Not Available	Not Available	100%	100%
Percent of Opinions and Orders uploaded to website	No	Not Available	Not Available	Not Available	100%	100%

## WORKLOAD MEASURES

Workload Measures, also called inputs or outputs, quantify an activity, effort or process that is necessary to make progress towards the Strategic Objectives. They help answer the question; “How much are we doing?”

### 1. Track mediation of attorney fee appeals

Measure	New Measure/ Benchmark Year	FY 2015 Actual	FY 2016 Actual	FY 2017 Actual
Number of attorney fee appeals mediated	No	Not Available	Not Available	15

#### Performance Plan Endnotes:

\*For more information about the structure and components of FY 2019 draft performance plans, please see the FY 2019 Proposed Budget and Financial Plan, Volume 1, Appendix E.

\*\*We've revisited a project to standardize District wide measures for the Objective “Create and maintain a highly efficient, transparent and responsive District government”. New measures will be tracked in FY 2018 and FY 2019 and published starting in the FY 2019 Performance Plan.

\*\*\*Key Performance Indicators that are new may not have historical data and may only have FY 2019 targets.