

Original Jurisdiction Matters: Agency Representative User Guide



October 13, 2023

INTRODUCTION

MSPB is providing information for agency representatives who have a need to initiate certain original jurisdiction matters in the new e-Appeal, specifically actions brought by the Special Counsel under 5 U.S.C. §§ 1214, 1215, and 1216 and actions taken against administrative law judges under 5 U.S.C. § 7521.

This Guide is for agency representatives, only. Individuals requesting an informal hearing pursuant to 5 C.F.R. § 1201.143(a) (Removal from the Senior Executive Service) and administrative law judges alleging a constructive removal pursuant to 5 C.F.R. § 1201.142 should use the option in their user role of Appellant to file a “New appeal.”

VIEWING ORIGINAL JURISDICTION MATTERS

An agency representative can view their original jurisdiction matters in the new e-Appeal by navigating to the Dashboard Queues and selecting the option for “MSPB Original Jurisdiction.”

The screenshot shows a navigation menu on the left with the following items:

- Home
- Quick Links
- Tracking Inbox
- Dashboard Queues

The sidebar on the right is titled "Dashboard Queues" and contains the following categories:

- Case Management
- My Archived Assigned Cases
- My Assigned Cases
- My Monitored Cases
- My Work Unit Cases
- My Archived Work Unit Cases
- My Open Invitations
- MSPB Original Jurisdiction

The “MSPB Original Jurisdiction” page displays the agency representative’s docketed complaints and any submitted/draft complaints.

Complaints [New Complaint](#)

My Docketed Complaints

Case Family	Docket No.	Petitioner	Respondent	Relator	Petitioning Agency	Assigned MSPB Office	Status	Action
CB-1208-23-0033	CB-1208-23-0033-U-1	Hunter, Anarya	Evans, Calvin	Evans, Calvin	Department of Justice	MSPB Headquarters	HO Pending	
CB-1208-23-0044	CB-1208-23-0044-U-1	Hunter, Anarya	Danes, Claire	Danes, Claire	Department of the Navy	MSPB Headquarters	HO Closed	

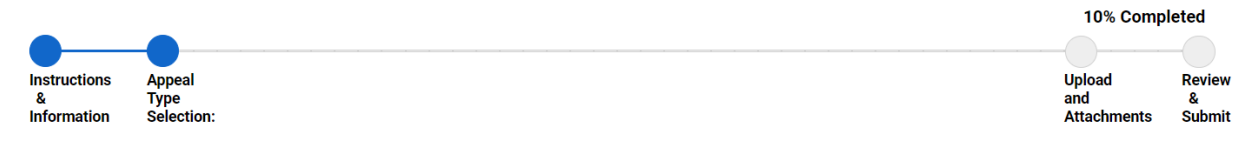
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My Submitted/Draft Complaints

Complaint Number	Petitioner	Respondent/Relator	Petitioning Agency	Submitted to MSPB Office	Status	Action

FILING AN ORIGINAL JURISDICTION COMPLAINT

1. To file a new original jurisdiction complaint, from the “MSPB Original Jurisdiction” page, select the option at the top of the page for “New Complaint.”
2. Follow the prompts and provide the requested information to complete and file the complaint. After providing the required contact information, you will have the option to upload a completed complaint file, if desired.



Appeal Type Selection:

Once you choose one of the five basic e-Appeal options below, you will be prompted to provide other information appropriate for the option chosen. If you need to choose more than one of the following five options, you must initiate a separate e-Appeal for each. Choose option 1 if you are unsure which option is most appropriate.

Please select one of the following options:

- 1. [Special Counsel Disciplinary Action](#) -- Special Counsel Disciplinary Action under [5 U.S.C. § 1215\(a\)\(1\)](#) OR [5 U.S.C. § 1216, 5 C.F.R. §§ 1201.122-127](#)
- 2. [Special Counsel Corrective Action](#) -- Special Counsel Corrective Action under [5 U.S.C. § 1214, 5 C.F.R. §§ 1201.128 to 1201.133](#)
Note: This type of action may be filed only by the Office of Special Counsel. If you are an employee or applicant for employment, you may not use this option to file a new appeal. Please follow the instructions below to return to the previous page and select a different appeal option.
- 3. [Special Counsel Request for Stay](#) -- Special Counsel Request for Stay under [5 U.S.C. § 1214, 5 C.F.R. §§ 1201.134 to 1201.136](#)
- 4. [Action Against Administrative Law Judge](#) -- Action Against Administrative Law Judge under [5 U.S.C. § 7521, 5 C.F.R. §§ 1201.137 to 1201.142](#)

* Indicates required field.

- Upon submission, your complaint will be routed automatically to the Office of the Clerk of the Board and it will appear on the dashboard in the “My Submitted/Draft Complaints” queue with a status of “Pending MSPB Review.”

My Submitted/Draft Complaints

Complaint Number	Petitioner	Respondent/Relator	Petitioning Agency	Submitted to MSPB Office	Status	Action
2023A000344	██████████	██████████	Office of Special Counsel	Office of the Clerk of the Board	Pending MSPB Review	
2023A000453	██████████	██████████	Office of Special Counsel	Office of the Clerk of the Board	Pending MSPB Review	

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- When the case is docketed by MSPB, it will move from the “My Submitted/Draft Complaints” queue and instead appear in the “My Docketed Complaints” queue.

For information regarding filing pleadings in a pending original jurisdiction matter, please refer to the General User Guide.

OFFICE OF SPECIAL COUNSEL: FILING A REQUEST FOR AN EXTENSION OF A STAY

At this time, the new e-Appeal does not yet offer the functionality for the Office of Special Counsel to file a request for an extension of an existing stay. MSPB is working to expand functionality in the new e-Appeal and hopes to be able to offer this option to the Office of Special Counsel in the near future. At this time, as an interim procedure, the Office of Special Counsel must file any request for an extension of a stay with the Office of the Clerk of the Board by facsimile, mail, commercial delivery or by submitting the request for an extension of a stay as a new complaint, as described above, and clearly stating in the submission that the request is for an extension of an existing stay.