

Peter B. Broida

Attorney at Law

1840 Wilson Blvd, Suite 203
Arlington, VA 22201
Tel. (703) 841-1112
Fax (703) 841-1006
Peterbroida@deweypub.com

January 3, 2013

William D. Spencer
Clerk
Merit Systems Protection Board
1615 M Street NW
Washington DC 20419

Re: Proposed Rulemaking
Revised MSPB Appeal Form

Dear Mr. Spencer:

I offer two comments for the Board's proposed new appeal form.

Box 4: I suggest you eliminate the agency phone number block. The regions have service lists for agencies, and agencies have multiple phone numbers at many levels of the government in many geographical locations. Should the appellant give the central number for, e.g., the Veterans Administration, the general contact number for a particular medical center where he or she was employed, or the number for that facility's personnel office or director? I would simply eliminate the requirement for provision by the appellant of an agency phone number.

Box 11: On the section for a hearing request, I think it is important to add two things: first, the appellant can ask for a hearing now and drop the request later; second, the appellant usually cannot decline a hearing now and add the request later. In short, the appellant needs to understand the implications of an election when he or she uses the appeal form.

The appeal form represents an improvement. It reduces the requirement for superfluous information and provides greater clarity in the explanation of what is being required and why it is being required.

Thank you for the opportunity to provide these comments.

Yours very truly,


Peter B. Broida