

UNITED STATES

MERIT SYSTEMS PROTECTION BOARD



GPRA Performance Plan

as taken from the

PERFORMANCE BUDGET JUSTIFICATION

FOR FISCAL 2005

SUBMITTED TO THE

CONGRESS

February 2, 2004

TABLE OF CONTENTS

Section	Page
1 Overview.....	1
1.1 Performance and Budget information.....	1
1.2 Agency Mission.....	1
2 Adjudication Performance Information	3
2.1 Adjudication Performance Plan.....	3
2.2 Adjudication Performance Measurement	11
3 Merit Systems Studies Performance Information	12
3.1 Merit Systems Studies Performance Plan.....	12
3.2 Merit Systems Studies Performance Measurement	20
4 Management Support Performance Information	21
4.1 Management Support Performance Plan	21
4.2 Management Support Performance Measurement.....	29

1 OVERVIEW

1.1 PERFORMANCE AND BUDGET INFORMATION

In the MSPB Performance Budget Justification for FY 2005, we have merged our performance plan with our budget justification to make it easier to compare funding being requested with our performance goals. We focus on the performance goals for the Board's two statutory programs—adjudication and merit systems studies—and the management activities required to support those programs. Our revised Strategic Plan for FY 2004 - FY 2009 (submitted separately), reduces the number of strategic goals from five to three by combining the goals for adjudication and alternative dispute resolution (ADR) and by combining the general management and human resources management goals. Therefore, the three strategic goals are now aligned with the agency's three budget activities—Adjudication, Merit Systems Studies, and Management Support. The goals for FY 2005 are consistent with the agency's Budget Justification for that year.

The performance information contained in this document is provided to the public in accordance with the requirements of the Government Performance and Results Act. The budget information contained in the Performance Budget Justification for FY 2005 is not included here, as is the custom during the period in which the budget is being negotiated with Congress. The budget information will be available when the President's budget is published in the summer or fall of 2004.

1.2 AGENCY MISSION

The Merit Systems Protection Board (MSPB) is an independent quasi-judicial agency established to protect Federal merit systems against partisan political and other prohibited personnel practices and to ensure adequate protection for employees against abuses by agency management. The Board carries out its statutory mission principally by:

- Adjudicating employee appeals of personnel actions over which the Board has jurisdiction, such as removals, suspensions, furloughs, and demotions;
- Adjudicating appeals of administrative decisions affecting an individual's rights or benefits under the Civil Service Retirement System or the Federal Employees' Retirement System;
- Adjudicating employee complaints filed under the Whistleblower Protection Act, the Uniformed Services Employment & Reemployment Rights Act (USERRA), and the Veterans Employment Opportunities Act;
- Adjudicating cases brought by the Special Counsel, principally complaints of prohibited personnel practices and Hatch Act violations;
- Adjudicating requests to review regulations of the Office of Personnel Management (OPM) that are alleged to require or result in the commission of a prohibited personnel practice—or reviewing such regulations on the Board's own motion;

- Ordering compliance with final Board orders where appropriate; and
- Conducting studies of the Federal civil service and other merit systems in the Executive Branch to determine whether they are free from prohibited personnel practices.

2 ADJUDICATION PERFORMANCE INFORMATION

FY 2005 - \$32.3 Million Requested
 FY 2004 - \$30.8 Million Enacted
 FY 2003 - \$29.6 Million Actual

2.1 ADJUDICATION PERFORMANCE PLAN

Strategic Plan Goal 1	
To provide fair, timely, and efficient adjudication of cases filed with the Board and to make effective use of alternative methods of dispute resolution in Board proceedings	
Objective 1-Issue High Quality Decisions	
Performance Goals	Experience
<p>Goal 1.1.1</p> <p>Maintain/reduce low percentage of cases decided by the Board on petition for review (PFR) that are reversed and/or remanded to MSPB judges for a new decision</p> <p>FY 2004 Goal – 10 % or less FY 2005 Goal – 10 % or less</p>	<p>FY 2000 Actual – 12 % FY 2001 Actual – 12.6 % FY 2002 Actual – 8 % FY 2003 Actual – 11 %</p>
<p>Goal 1.1.2</p> <p>Maintain/reduce low percentage of proposed decisions submitted by headquarters legal offices to the Board that are returned for rewrite</p> <p>FY 2004 Goal – 12 % or less FY 2005 Goal – 12 % or less</p>	<p>FY 2000 Actual – 9 % FY 2001 Actual – 15 % FY 2002 Actual – 8 % FY 2003 Actual – 6 %</p>
<p>Goal 1.1.3</p> <p>Maintain high percentage of Board decisions unchanged on review by the U.S. Court of Appeals for the Federal Circuit (Court dismisses case or affirms Board decision)</p> <p>FY 2004 Goal – 93 % or greater FY 2005 Goal – 93 % or greater</p>	<p>FY 2000 Actual – 96 % FY 2001 Actual – 96 % FY 2002 Actual – 93 % FY 2003 Actual – 94 %</p>

Objective 2 – Issue timely decisions at both the regional office and Board headquarters levels	
Performance Goals	Experience
<p>Goal 1.2.1</p> <p>Maintain average case processing time for initial decisions issued in regional offices</p> <p>FY 2004 Goal – 100 days or less</p> <p>FY 2005 Goal – 100 days or less</p>	<p>FY 2000 Actual – 89 days</p> <p>FY 2001 Actual – 92 days</p> <p>FY 2002 Actual – 96 days</p> <p>FY 2003 Actual – 94 days</p>
<p>Goal 1.2.2</p> <p>Reduce average age of pending PFRs at Board headquarters</p> <p>FY 2004 Goal – 175 days or less</p> <p>FY 2005 Goal – 160 days or less</p>	<p>FY 2000 Actual – 128 days at year-end</p> <p>FY 2001 Actual – 147 days at year-end</p> <p>FY 2002 Actual – 154 days at year-end</p> <p>FY 2003 Actual – 164 days at year-end</p>
<p>Goal 1.2.3</p> <p>Reduce number of cases pending at headquarters for more than 300 days</p> <p>FY 2004 Goal – 46 cases or fewer</p> <p>FY 2005 Goal – 46 cases or fewer</p>	<p>FY 2000 Actual – 53 cases pending more than 300 days at year-end</p> <p>FY 2001 Actual – 45 cases pending more than 300 days at year-end</p> <p>FY 2002 Actual – 61 cases pending more than 300 days at year-end</p> <p>FY 2003 Actual – 73 cases pending more than 300 days at year-end</p>

Objective 2 (continued)	
Performance Goals	Experience
<p>Goal 1.2.4</p> <p>Continue initiative to improve case processing timeliness at the regional and headquarters levels by streamlining adjudicatory regulations and internal procedural guidance</p> <p>FY 2004 Goal – Continue to review adjudicatory regulations and internal procedural guidance and make appropriate revisions; obtain internal feedback on the adjudicatory process and implement suggestions, as appropriate</p> <p>FY 2005 Goal – TBD, depending on results achieved in FY 2004</p>	<p>FY 2000 Actual – Not applicable (new goal in FY 2004)</p> <p>FY 2001 Actual – Not applicable (new goal in FY 2004)</p> <p>FY 2002 Actual – Not applicable (new goal in FY 2004)</p> <p>FY 2003 Actual – Conducted review of adjudicatory regulations to determine where revisions could be made to streamline case processing at the regional and headquarters levels; streamlining regulations approved by the Board and published in <i>Federal Register</i> on September 18, 2003; added a FY 2004 goal to Performance Plan to continue this initiative</p>

Objective 3 – Continue alternative dispute resolution (ADR) procedures in MSPB proceedings at both the regional office and Board headquarters levels	
Performance Goals	Experience
<p>Goal 1.3.1</p> <p>Maintain rate of settlement of appeals that are not dismissed at 50 % or higher</p> <p>FY 2004 Goal – 50 % or higher</p> <p>FY 2005 Goal – 50 % or higher</p>	<p>FY 2000 Actual – 55 %</p> <p>FY 2001 Actual – 57 %</p> <p>FY 2002 Actual – 54 %</p> <p>FY 2003 Actual – 54 %</p>
<p>Goal 1.3.2.</p> <p>Maintain rate of settlement of cases selected for the PFR Settlement Program at 25 % or higher</p> <p>FY 2004 Goal – 25 % or higher</p> <p>FY 2005 Goal – 25 % or higher</p>	<p>FY 2000 Actual – 24 %</p> <p>FY 2001 Actual – 27 %</p> <p>FY 2002 Actual – 26 %</p> <p>FY 2003 Actual – 44 %</p>

Objective 3 (continued)	
Performance Goals	Experience
<p>Goal 1.3.3</p> <p>Implement pilot program to test use of mediation in resolving appeals</p> <p>FY 2004 Goal – Based on evaluation of results of the Mediation Appeals Program pilot (MAP), determine whether the program should be continued, modified, or terminated</p> <p>FY 2005 Goal – TBD, depending on whether MAP program is continued</p>	<p>FY 2000 Actual – Not applicable (new goal in FY 2001)</p> <p>FY 2001 Actual – Conducted mediation training at MSPB Legal Conference; established ADR Working Group, which met with ADR experts, prepared statement of work for mediation training and development of an ADR program, and selected contractor</p> <p>FY 2002 Actual – Worked with contractor to develop Mediation Appeals Project (MAP); announced MAP to all MSPB employees and solicited applications to be a mediator; selected mediators and conducted training; promoted MAP through outreach activities; established MAP marketing program; first two co-mediations completed by MAP-trained mediators working with contractor</p> <p>FY 2003 Actual – Completed MAP training of 15 mediators; all mediators completed 3 to 5 co-mediations with contractor each; 50 percent of completed co-mediations resulted in settlement of the appeal; plenary session on MAP held at legal conference to report results of MAP training and co-mediations completed; responsibility for continued implementation of MAP transferred to Regional Directors of Atlanta RO and Central, RO; initial evaluation of MAP completed</p>

Objective 4 – Hold increase in average case processing cost to no more than the percentage increase in operating costs, adjusted for the change in the number of decisions issued	
Performance Goals	Experience
<p>Goal 1.4.1</p> <p>Hold increase in overall average case processing cost to no more than the percentage increase in operating costs, adjusted for the changes in the number of decisions issued</p> <p>FY 2004 Goal – \$2,731 plus percentage increase in operating costs, adjusted for the changes in the number of decisions issued.</p> <p>FY 2005 Goal – FY 2004 dollar amount plus percentage increase in operating costs, adjusted for the changes in the number of decisions issued</p>	<p>FY 2000 Actual – \$2,876 (Adjusted)</p> <p>FY 2001 Actual – \$2,820 (Adjusted)</p> <p>FY 2002 Actual – \$2,821 (Adjusted)</p> <p>FY 2003 Actual – \$2,731(Adjusted)</p>

Objective 5 – Implement an integrated, streamlined electronic case processing system that allows appellants and agencies to file and receive documents electronically	
Performance Goals	Experience
<p>Goal 1.5.1</p> <p>Develop integrated electronic case processing system that offers electronic access to customers as required by the Government Paperwork Elimination Act (GPEA) and streamlines internal case processing in accordance with MSPB’s long-term Strategic IT Plan</p> <p>FY 2004 Goal – Continue implementation of electronic case processing system by: (1) implementing Law Manager as the new case management system and making enhancements based on user experiences; (2) enhancing e-Appeal to include additional filings by parties and electronic publishing of MSPB orders and decisions through electronic distribution directly to the parties</p> <p>FY 2005 Goal – Continue to enhance all components of the electronic case processing system as MSPB requirements change and technology improves; implement an imaging pilot to determine whether scanning of case documents received in paper form would be both beneficial to case processing and cost effective</p>	<p>FY 2000 Actual – Document management system (Docs Open) and document assembly system (Hot Docs) implemented; preliminary design of case management system (Law Manager) begun</p> <p>FY 2001 Actual – Case management system design finalized to include interfaces with Docs Open, Hot Docs, and Lotus Notes; fill-in versions of Appeal Form and PFR Form developed and placed on website; work on revising Appeal Form to provide basis for electronic filing application begun; Action Plan for implementation of electronic filing developed and distributed internally; meeting with potential contractors to develop electronic filing application begun</p> <p>FY 2002 Actual – Continued work with contractor on development of case management system, including testing of partial implementations and data conversions; completed revisions to Appeal Form, distributed internally for comment, evaluated comments, revised form to create Appeal Forms Package that will serve as basis for electronic filing application, and published for public comments in accordance with the PRA; wrote Statement of Work (SOW) and Functional Requirements Document (FRD) for development of electronic filing application (e-Appeal)</p> <p>FY 2003 Actual – See next page</p>

Objective 5 (continued)	
Performance Goals	Experience
	<p>FY 2003 Actual - Met with Law Manager contractor and FEDSIM (GSA) official responsible for contract to discuss contractor's failure to meet contract deadline for completion of Law Manager; signed new firm fixed-price contract for completion of Law Manager ; signed contract for development of e-Appeal; worked with contractor to develop e-Appeal; conducted internal "beta" testing of e-Appeal; submitted e-Appeal and revised paper Appeal Form to OMB for PRA approval; published notice in <i>Federal Register</i> announcing PRA submission to OMB; launched e-Appeal and published electronic filing regulations in <i>Federal Register</i> on October 20, 2003, to meet statutory deadline for GPEA compliance (October 21, 2003)</p>

Objective 6 – Obtain customer input regarding the adjudicatory process	
Performance Goals	Experience
<p>Goal 1.6.1</p> <p>Continue to evaluate and implement, as appropriate, suggestions received from customer surveys and informal feedback regarding the adjudicatory process</p> <p>FY 2004 Goal – Conduct customer survey of agency representatives in appeals to MSPB to determine their views regarding the adjudicatory process; evaluate results; implement suggestions as appropriate; develop tools or procedures to obtain feedback from a variety of adjudicatory customers</p> <p>FY 2005 Goal – Continue to conduct customer surveys and obtain informal feedback; implement suggestions as appropriate</p>	<p>FY 2000 Actual – Conducted survey on experience of parties and MSPB judges with bench decisions and video hearings</p> <p>FY 2001 Actual – Evaluated and published results of survey on experience of parties and MSPB judges with bench decisions and video hearings; bench decisions and video hearings incorporated into MSPB adjudicatory procedures</p> <p>FY 2002 Actual – Conducted survey of customers of new video explaining MSPB appeals process; report on findings prepared by OPE and reviewed by ORO</p> <p>FY 2003 Actual – ORO and regional/field office staff received feedback on “customer satisfaction” at outreach events and through participation in such organizations as Federal Executive Boards, Small Agency Council, and bar organizations; feedback was discussed in bi-weekly teleconferences between ORO Director and Regional Directors; practitioners made presentations and responded to questions at legal conference; “best practices” session held at legal conference; ORO continued developing “best practices” guidance</p>

Revisions of Performance Goals

Objectives and goals for adjudication have been realigned and renumbered. In addition, the following changes or additions have been made to select objectives, goals or measures:

- **Goals 1.2.2** – This goal and its performance measure have been changed from average processing time for PFRs at headquarters to average age of pending PFRs at headquarters. The revised goal and measure are intended to promote the processing of PFRs at headquarters on a first in/first-out basis and to provide a greater incentive for the Board and the headquarters legal offices to close overage cases. As revised, this goal and Goal

1.2.3 (reducing the number of cases pending at headquarters for more than 300 days) now reinforce each other.

- **Goal 1.2.4** – This is a new goal launched in FY 2003 and added to FY 2004 and FY 2005. In FY 2003, MSPB legal offices reviewed and revised the Board’s adjudicatory regulations to streamline case processing at both the regional and headquarters levels. Upon approval by the Board, the revisions to the regulations were published in the *Federal Register* on September 18, 2003 (68 FR 54651). In FY 2004, the Board continuing this streamlining initiative and applying it to internal procedural guidance as well as to the adjudicatory regulations. The goal for FY 2005 is to be determined, depending on the results achieved in FY 2004.
- **Objective 6 and Goal 1.6.1** – The general statement of the goal has been expanded to include informal feedback on the adjudicatory process in addition to formal customer surveys. The goal for FY 2004 has been revised to include a survey of agency representatives and development of tools or procedures to obtain feedback from a variety of adjudicatory customers.

2.2 ADJUDICATION PERFORMANCE MEASUREMENT

Most performance measurement data for the adjudication and alternative dispute resolution goals are maintained in the Board's automated Case Management System (CMS). This system contains information about individual cases, their current status and final resolution including remands, rewrites, the outcomes of court decisions, case processing timeliness, average age of pending cases, and the numbers and types of cases settled. Data are entered into the system, monitored for accuracy and summarized in a variety of reports. The automated data are supplemented with qualitative information about significant cases as well as formal and informal data that are collected from a variety of adjudication customers.

3 MERIT SYSTEMS STUDIES PERFORMANCE INFORMATION

FY 2005 - \$1.5 Million Requested
 FY 2004 - \$1.5 Million Enacted
 FY 2003 - \$1.1 Million Actual

3.1 MERIT SYSTEMS STUDIES PERFORMANCE PLAN

Strategic Plan Goal 2	
To support strong and viable merit systems that ensure the public’s interest in a high quality, professional workforce managed under the merit principles and free from prohibited personnel practices	
Objective 1 – Assess and support effective and efficient merit systems and human capital management laws, regulations and policies and provide information for improvements and corrections to policymakers	
Performance Goals	Experience
<p>Goal 2.1.1</p> <p>Evaluate the impact of studies, newsletters and other products through feedback from stakeholder surveys, tracking use of recommendations or references in studies, policy papers, professional literature, legislation and the media</p> <p>FY 2004 Goal – Review alternative measures of the impact of studies; conduct formal survey that repeats key questions of earlier stakeholder surveys; monitor recommendations are used or cited by stakeholders in studies, policy papers, professional literature, legislation and the media</p> <p>FY 2005 Goal – Implement any revised measures for evaluating impact of studies</p>	<p>FY 2000 Actual – Informal survey results and volunteered feedback remained positive; MSPB studies continued to have large and positive impact, as measured by references in professional literature, media and respected research organizations</p> <p>FY 2001 Actual – Submitted request for blanket authority to conduct customer surveys to OMB and received approval; submitted survey instrument to OMB for review; list of citations and references to MSPB studies and recommendations by Congress, GAO, NAPA, the professional literature, the media, and other credible sources was developed, indicating the MSPB studies continue to have large and positive impact</p> <p>FY 2002 Actual – See next page</p> <p>FY 2003 Actual – See next page</p>

Objective 1 (continued)	
Performance Goals	Experience
Goal 2.1.1 (continued)	<p>FY 2002 Actual – Conducted customer survey, compiled returns, completed report; customer satisfaction survey results and collection of citations indicate substantial positive impact; sent selected studies from earlier studies to Volcker Commission on civil service reform</p> <p>FY 2003 Actual – Received favorable reviews from agencies, universities, and other organizations on reports issued in FY 2003; numerous references to reports made in the media; OPE staff invited to make presentations on reports; advance information about report on vacancy announcements used in testimony before Congress by contractor hired by OPM to improve central vacancy announcement process and USAJobs website; QuickHire requested permission to reprint report on vacancy announcements at their expense; MSPB reports contributed to enactment of legislation allowing agencies to use category rating instead of “rule of three”</p>

Objective 1 (continued)	
Performance Goals	Experience
<p>Goal 2.1.2</p> <p>Conduct studies of merit systems and human resources management matters in the Federal Government and issue reports of findings and recommendations for action, where appropriate</p> <p>FY 2004 Goal – Review long-term research agenda and adjust, as necessary; publish at least 6 reports and a quarterly newsletter; conduct less intensive studies including internal studies as directed; continue to formalize collaborative relationships with other research organizations</p> <p>FY 2005 Goal – Publish at least 6 reports and a quarterly newsletter</p>	<p>FY 2000 Actual – Conducted ongoing program of merit systems studies, including issuance of 2 major reports and 5 editions of newsletter; responded to about 250 individual and institutional requests for data runs, advisory assistance and other studies-related information</p> <p>FY 2001 Actual – Conducted ongoing program of merit systems studies, including issuance of 1 major study report and 4 editions of newsletter (3 additional major study reports were completed and submitted to the Board for approval); responded to about 250 individual and institutional requests for data runs, advisory assistance and other studies-related information</p> <p>FY 2002 Actual – Conducted ongoing program of merit systems studies, including issuance of 4 major study reports and 4 editions of newsletter; responded to about 250 individual and institutional requests for data runs, advisory assistance and other studies-related information</p> <p>FY 2003 Actual –Conducted ongoing program of merit systems studies, including issuance of 3 major study reports and 3 editions of newsletter; developed comprehensive research agenda after soliciting, receiving and evaluating stakeholder and internal suggestions; conducted less intensive studies on various topics and presented preliminary results, including presentations to Department of Homeland Security personnel system design team; established regular transmissions from OPM’s Central Personnel Data File (CPDF), trained staff in use of data, and used data to</p>

Objective 1 (continued)	
Performance Goals	Experience
	support newsletter articles and research; strengthened collaboration with other research organizations, including agreement to share draft work before finalization and to meet quarterly to share updates on research in progress
<p>Goal 2.1.3</p> <p>Periodically review the actions of OPM and other agencies with authority to develop human resources regulations and policies to assess the impact of those actions on merit systems and human capital management</p> <p>FY 2004 Goal – Review and participate in consultation with OPM on new regulations issued for the Department of Homeland Security; develop benchmark for assessment of new merit systems regulations and policies</p> <p>FY 2005 GOAL – Initiate assessment of new regulations and policies in selected agencies</p>	<p>FY 2000 Actual – Not applicable (new goal in FY 2004)</p> <p>FY 2001 Actual – Not applicable (new goal in FY 2004)</p> <p>FY 2002 Actual – Not applicable (new goal in FY 2004)</p> <p>FY 2003 Actual – Not applicable (new goal in FY 2004)</p>

Objective 1 (continued)	
Performance Goals	Experience
<p>Goal 2.1.4</p> <p>Ensure that reports of studies are made widely available, particularly to target audiences, and disseminate findings through such means as personal appearances, personal contacts, publication of articles by OPE staff, and collaboration with other research organizations to increase impact of studies</p> <p>FY 2004 Goal – Target management groups and other audiences for outreach presentations on studies; ensure that appropriate association membership lists are included in mailing list for studies; expand exposure through FEBs in collaboration with MSPB regional and field offices; improve website presence of studies, expand website links to research partners, and provide self-service updates to mailing list</p> <p>FY 2005 Goal – Continue expanding emphasis and presence with management groups and other change leaders</p>	<p>FY 2000 Actual – Approximately 12,000 copies of reports and newsletters distributed; estimated 35,000 downloads from the MSPB website and other websites; over 30 formal presentations made to groups; 3 articles by OPE staff published in professional journals; ongoing contacts similar to FY 1999</p> <p>FY 2001 Actual – More than 55,000 copies of reports and newsletters distributed in printed form and downloaded from the MSPB website and other websites; over 30 formal presentations made to groups; more than 500 discussions with individuals</p> <p>FY 2002 Actual – Over 100,000 copies of reports and newsletters distributed in printed form and downloaded from the MSPB website and other websites; more than 500 subscribers to Studies listserve since its implementation early in FY 2002; 23 formal presentations made to groups, including meetings held with Federal Executive Boards (FEBs) in Chicago, Denver, and San Antonio; approximately 350 discussions with individuals</p> <p>FY 2003 Actual – See next page</p>

Objective 1 (continued)	
Performance Goals	Experience
Goal 2.1.4 (continued)	FY 2003 Actual – Continued outreach targeted to Federal Executive Boards and associations of managers with presentations in seven cities; made approximately 30 formal presentations to groups representing a wide range of stakeholders and participated in several national conferences; substantially updated mailing lists for distribution of reports and newsletters; in collaboration with OCB, redesigned Studies page on MSPB website; succeeded in effort to get organizations and news services to include links to MSPB website on their websites; promoted self-service LISTSERV to customers

<p>Objective 2 – Support effective and efficient implementation and practice of human capital management laws, regulations and policies that ensure the workforce is managed under the merit system and free from prohibited personnel practices</p>	
<p>Performance Goals</p>	<p>Experience</p>
<p>Goal 2.2.1</p> <p>Conduct periodic Merit Principles Surveys, including questions intended to determine whether agencies adhere to the merit system principles and the extent to which prohibited personnel practices occur in the workplace, and report findings</p> <p>FY 2004 Goal – Conduct electronic 2004 Merit Principles Survey; analyze and evaluate results</p> <p>FY 2005 Goal – Issue report on 2004 Merit Principles Survey as one of the reports under Goal 2.1.2; prepare questions and refine processes for automated Merit Principles Surveys and coordinate with OPM’s governmentwide surveys</p>	<p>FY 2000 Actual – 2000 Merit Principles Survey conducted; analyzing and evaluating results begun</p> <p>FY 2001 Actual – Completed analyzing and evaluating results of the 2000 Merit Principles Survey; released findings through the <i>Issues of Merit</i> newsletter and OPE staff presentations and discussions</p> <p>FY 2002 Actual – Prepared report on 2000 Merit Principles Survey</p> <p>FY 2003 Actual - Began work on next Merit Principles Survey, including developing questions and planning for conducting survey electronically using web-based technology; met with OPM staff regarding lessons learned from OPM experience with electronic surveys, and finalized contract for MSPB to conduct a web-based survey; postponed conducting survey, and analyzing and evaluating results, until FY 2004</p>

Objective 2 (continued)	
Performance Goals	Experience
<p>Goal 2.2.2</p> <p>Conduct studies of one or more agency alternative personnel management systems or processes and their impact on human capital management, merit principles, and prohibited personnel practices</p> <p>FY 2004 Goal – Develop a baseline of data to be used to assess operation of merit in selected agencies with new or existing alternative systems; issue report as one of the reports under Goal 2.1.2</p> <p>FY 2005 Goal – Assess operation of merit in traditional and alternative systems, report results and/or recommendations as appropriate with report to be counted under Goal 2.1.2</p>	<p>FY 2000 Actual – Not applicable (new goal in FY 2004)</p> <p>FY 2001 Actual – Not applicable (new goal in FY 2004)</p> <p>FY 2002 Actual – Not applicable (new goal in FY 2004)</p> <p>FY 2003 Actual – Not applicable (new goal in FY 2004)</p>

Revisions to Performance Goals

Objectives and goals for studies have been realigned and renumbered. In addition, the following changes or additions have been made to select objectives, goals or measures:

- The objectives under this goal have also been updated to reflect a focus on impacting merit systems and human capital management laws, regulations and policies (Objective 1) and the implementation and practice of those laws, regulations and policies (Objective 2).
- In FY 2004 a review of alternative means to measure the outcomes and impact of MSPB studies will be conducted. The goal for FY 2005 is to implement any alternative measures.
- **Goal 2.1.3** – This is a new goal to review OPM’s actions and those of an increasing number of other agencies with authority to issue human resources regulations and assess whether those actions support merit principles. In FY 2004, OPE will consult with DHS on their new regulations and establish a baseline for subsequent assessment of new systems, and FY 2005 OPE will assess new and more established alternative systems.

- **Goal 2.2.1** – The Merit Principles Survey will be conducted and analyzed in FY 2004, and a report will be issued in FY 2005.
- **Goal 2.2.2** – This new goal emphasizes the need to assess the operation of merit systems in agencies that operate alternative personnel systems. In FY 2004 OPE will develop a baseline of data to assess practice of merit in agencies with alternative systems, and will report on the practice in selected agencies in FY 2005.

3.2 MERIT SYSTEMS STUDIES PERFORMANCE MEASUREMENT

Measures of impact are obtained from reviews of professional literature, legislative proposals, the media, and other sources where MSPB studies are cited as authoritative sources of information or analyses. A review of impact measures will be conducted in FY 2004 and any revised measures will be implemented in FY 2005. Standard procedures are used to conduct periodic customer surveys and focus groups designed to obtain customer feedback. Program evaluations and other assessments by independent organizations will also be used to inform program effectiveness.

4 MANAGEMENT SUPPORT PERFORMANCE INFORMATION

FY 2005 - \$3.4 Million Requested
 FY 2004 - \$3.3 Million Enacted
 FY 2003 - \$3.2 Million Actual

4.1 MANAGEMENT SUPPORT PERFORMANCE PLAN

Strategic Plan Goal 3	
To strategically manage the MSPB’s human capital and strengthen its internal systems and processes to support a continually improving, highly effective and efficient organization	
Objective 1 – Attract, develop, and retain the diverse and highly motivated workforce needed to effectively and efficiently accomplish the MSPB mission	
Performance Goals	Experience
<p>Goal 3.1.1</p> <p>Strengthen employee and management development programs and increase opportunities for MSPB employees</p> <p>FY 2004 Goal – Continue developing core and advanced training and development programs for key MSPB occupations; provide training for employees in accordance with Individual Development Plans (IDPs); provide developmental details between offices; provide management training; develop mentoring programs for selected employees in key MSPB occupations</p> <p>FY 2005 Goal – Automate database of employee skill sets and developmental needs; provide link to OPM’s e-Learning portal</p>	<p>FY 2000 Actual – 6 employees sent to OPM’s Management Development Centers; OAC attorneys detailed to Vice Chairman/Acting Chairman on rotating basis, which gave each employee a broader understanding of the various MSPB organizations and how they interact; OAC attorneys detailed on rotating basis to OCB for Expedited PFR Pilot Program</p> <p>FY 2001 Actual – 6 employees sent to OPM’s Management Development Centers and 4 employees sent to Federal Executive Institute (FEI); 1 OAC attorney detailed to Dallas field office for 2 months; 1 regional office attorney detailed to ORO for 6 months; OAC and OGC attorneys detailed to Chairman and Vice Chairman; OAC attorneys detailed on rotating basis to OCB for Expedited PFR Pilot Program</p> <p>FY 2002 Actual – See next page</p> <p>FY 2003 Actual – See next page</p>
Objective 1 (continued)	

Performance Goals	Experience
Goal 3.1.1 (continued)	<p>FY 2002 Actual – 5 employees sent to OPM’s Management Development Centers and 2 employees sent to Federal Executive Institute (FEI); details to Board members and ORO continued; OAC attorney detailed to OCB for Expedited PFR Pilot Program until 3/1/02 when responsibility for program was reassigned to OAC</p> <p>FY 2003 Actual - Core and advanced curriculums were developed for paralegals, and progress was made on developing programs for managers; OPE collaborated with NAPA on study to identify core managerial training needs of supervisors and managers; session for paralegals held at legal conference, and work continues on planning another session to be held at the National Advocacy Center; provided additional training and detail opportunities; Individual Development Plans (IDPs) updated to reflect current training needs</p>

Objective 2 – Leverage human resources strategies, policies, and services to result in optimum individual and organizational performance	
Performance Goals	Experience
<p>Goal 3.2.1</p> <p>Leverage use of technology to support human resources management programs</p> <p>FY 2004 Goal – Explore opportunity for use of automated classification and staffing capability; train managers on position management and classification issues; increase web-based capability for self-service by MSPB employees</p> <p>FY 2005 Goal – Implement automated systems; consider adding automated retirement calculator and employee development modules; improve interface with Human Resources Information System</p>	<p>FY 2000 Actual – Not applicable (new goal in FY 2004)</p> <p>FY 2001 Actual – Not applicable (new goal in FY 2004)</p> <p>FY 2002 Actual – Not applicable (new goal in FY 2004)</p> <p>FY 2003 Actual – Not applicable (new goal in FY 2004)</p>
<p>Goal 3.2.2</p> <p>Enhance quality of human resources customer service</p> <p>FY 2004 Goal – Enable local contact between managers and human resources experts; identify specific types of actions for priority assistance</p> <p>FY 2005 Goal – Conduct customer satisfaction survey; continue implementing recommendations and improvements to customer service</p>	<p>FY 2000 Actual – Not applicable (new goal in FY 2004)</p> <p>FY 2001 Actual – Not applicable (new goal in FY 2004)</p> <p>FY 2002 Actual – Not applicable (new goal in FY 2004)</p> <p>FY 2003 Actual – Not applicable (new goal in FY 2004)</p>

Objective 2 (continued)	
Performance Goals	Experience
<p>Goal 3.2.3</p> <p>Revise human resources policies and agency organization and structure as appropriate to align with evolving mission requirements</p> <p>FY 2004 Goal – Implement category ranking; revise performance management system as necessary to increase understanding of expectations and alignment with mission objectives; seek additional human resources flexibilities to meet evolving mission requirements; implement reorganization of regional operations including closure of selected field offices</p> <p>FY 2005 Goal – Formalize strategic human capital plan; continue to implement, improve, and formalize human resources flexibilities and policies; continue with reorganization of regional operations and closure of selected field offices</p>	<p>FY 2000 Actual – Not applicable (new goal in FY 2004)</p> <p>FY 2001 Actual – Not applicable (new goal in FY 2004)</p> <p>FY 2002 Actual – Not applicable (new goal in FY 2004)</p> <p>FY 2003 Actual – Not applicable (new goal in FY 2004)</p>

Objective 3 – Implement effective workforce analysis and planning to meet evolving mission needs and technological advances	
Performance Goals	Experience
<p>Goal 3.3.1</p> <p>Develop agency-wide recruitment strategies to ensure MSPB hires from a variety of sources to ensure a diverse, highly qualified workforce</p> <p>FY 2004 Goal – Identify sources to expand the candidates pool and target recruitment at those sources</p> <p>FY 2005 Goal – Make broader use of human resources flexibilities such as recruitment and retention bonuses; increase managerial involvement in targeted recruitment outreach</p>	<p>FY 2000 Actual – Not applicable (new goal in FY 2003)</p> <p>FY 2001 Actual – Not applicable (new goal in FY 2003)</p> <p>FY 2002 Actual – Not applicable (new goal in FY 2003)</p> <p>FY 2003 Actual - OPE worked with ORO to offer pre-announcement lateral opportunities to AJs, resulting in movement of AJs between field locations; OPE worked with ORO and Washington Regional Office to conduct job analyses of administrative judge (AJ) positions and developed structured interview for AJ positions; OPE worked with OCB to accommodate movement of headquarters staff; OPE began exploring use of automated systems for recruitment, including application and rating processes</p>
<p>Goal 3.3.2</p> <p>Analyze alternative sources for accomplishing the agency’s work</p> <p>FY 2004 Goal – Examine the future skills identified in workforce planning and determine whether there are alternative sources for obtaining them; review all requests for personal services contracts as a human capital management decision rather than solely a procurement decision</p> <p>FY 2005 Goal – Update workforce planning documents; continue to explore viability of alternative sourcing documents</p>	<p>FY 2000 Actual – Not applicable (new goal in FY 2004)</p> <p>FY 2001 Actual – Not applicable (new goal in FY 2004)</p> <p>FY 2002 Actual – Not applicable (new goal in FY 2004)</p> <p>FY 2003 Actual – Not applicable (new goal in FY 2004)</p>

Objective 4 – Maintain electronic access to and dissemination of MSPB information, explore application of governmentwide e-Government initiatives to MSPB operations, and ensure compliance with statutory e-Government requirements	
Performance Goals	Experience
<p>Goal 3.4.1</p> <p>Continue to make MSPB information available on the MSPB website and enhance the website as needed; continue to provide information to customers in electronic form when requested; determine where internal processes can be improved through application of governmentwide e-Government initiatives; comply with E-Government Act of 2002 and related e-Government requirements</p> <p>FY 2004 Goal – Continue to provide information on the MSPB website and add new information in response to customer needs; continue to provide information to customers in electronic form when requested; identify and review selected governmentwide e-Government initiatives and determine whether they would be beneficial to MSPB operations; determine steps necessary to comply with E-Government Act of 2002 and develop implementation plan</p> <p>FY 2005 Goal – Continue to provide information on the MSPB website and add new information in response to customer needs; continue to provide information to customers in electronic form when requested; continue review of governmentwide e-Government initiatives for applicability to MSPB operations; continue implementation of plan for compliance with E-Government Act of 2002</p>	<p>FY 2000 Actual – Redesigned MSPB website launched; continued to provide all information as before, but new search tool for Board decisions included, and link to GPO Access files of Board regulations replaced by MSPB files that are continuously updated as regulations are revised; information provided to customers in electronic form when requested</p> <p>FY 2001 Actual – Began adding key precedential Board decisions issued from inception of MSPB (1979) to 1994 to the decisions database on the MSPB website; testing of listservs for decisions and studies completed and implementation begun; fill-in versions of Appeal Form and PFR Form developed and placed on website; conversion to electronic distribution of decisions to publishers completed; information provided to customers in electronic form when requested</p> <p>FY 2002 Actual – Completed adding key precedential Board decisions issued from inception of MSPB (1979) to 1994 to the decisions database on the MSPB website; began adding <i>all</i> pre-1994 decisions to website database; listservs for decisions and studies implemented; information provided to customers in electronic form when requested</p> <p>FY 2003 Actual – See next page</p>

Objective 4 (continued)	
Performance Goals	Experience
Goal 3.4.1 (continued)	FY 2003 Actual – Completed and implemented redesigned MSPB website; all decisions issued by Board at headquarters are being distributed electronically to publishers; issued RFP for contract to complete project of adding all pre-1994 Board decisions to MSPB website, but bids received did not produce an affordable solution; determined that with use of MSPB staff only, adding additional pre-1994 decisions to website will have to continue over the next 2 years, as staffing allows

Objective 5 – Maintain information security sufficient to safeguard agency information and assets from compromise and to ensure the highest possible availability of information services to customers	
Performance Goals	Experience
<p>Goal 3.5.1</p> <p>Make improvements in information technology security program and comply with the Federal Information Security Management Act of 2002</p> <p>FY 2004 Goal – Provide security awareness training to all staff; revise security plans as needed, based on experience with electronic filing application, for implementation of enhancements to application and implementation of electronic publishing; continue to enhance contingency planning as funds permit</p> <p>FY 2005 Goal – Provide security awareness training to all staff; revise security plans as needed, based on enhancements to electronic case processing system; implement new security practices as technology improves</p>	<p>FY 2000 Actual – Not applicable (new goal in FY 2002)</p> <p>FY 2001 Actual – Not applicable (new goal in FY 2002)</p> <p>FY 2002 Actual – Conducted security awareness training for all employees; sent one IRM employee to security training; completed Security Plan; updated Risk Analysis; completed Contingency Plan for major systems</p> <p>FY 2003 Actual – Completed all information security initiatives in accordance with FY 2003 Plan of Action & Milestones (POA&Ms) submitted to OMB—except for background investigations being conducted by OPM and cancellation of one item; contracted independent auditor to conduct information security review and complete IG portion of 2003 FISMA Report; filed FISMA Report with OMB and Congress; provided security awareness training to all staff</p>

Revisions to Performance Goals

Objectives and goals for management support have been realigned and renumbered. In addition, the following changes or additions have been made to select objectives, goals or measures:

- **Objective 2 and Goals 3.2.1, 3.2.2, and 3.2.3** – This is a new objective with three associated performance goals. The new objective and goals reflect a new strategic planning approach to meeting the agency’s human capital needs. Goal 3.2.3 also includes initiatives to reorganize regional operations including closure of selected field offices.
- **Objective 3 and Goals 3.3.1 and 3.3.2** – This is a new objective with two associated performance goals. Goal 3.3.1 was formerly Goal 5.1.2. The general statement of Goal

3.3.1 is unchanged, but the goal for FY 2004 has been revised to reflect new plans for that year. Goal 3.3.2 is new. As with the new Objective 2 and its associated goals, the new Objective 3 and its associated goals reflect a new strategic planning approach to meeting the agency's human capital needs.

- **Objective 4 and Goal 3.4.1** – Both the objective and goal have been expanded to support broader e-Government initiatives.
- The former Goal 5.1.3, planning and conducting a biennial legal conference, has been deleted. Accomplishments with respect to the legal conference will be reported under Goal 3.1.1, the general goal for employee and management development.

4.2 MANAGEMENT SUPPORT PERFORMANCE MEASUREMENT

Achievement of human resources goals will be measured by reviewing agency workload data, monitoring work processes, assessing training and development outcomes, and assessing individual and organizational accomplishments. Quantitative measures will also be used, where appropriate. Measurement of the goal for electronic availability of MSPB information will rely primarily on customer feedback. The goal of maintaining the agency's information technology security program will be measured through both internal reviews and periodic independent evaluations.