

United States Merit Systems

Protection Board

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MSPB CUTS AGE OF PENDING CASES

The Merit Systems Protection Board (MSPB) has reduced significantly the age of the oldest cases pending before it. Two years ago, Chairman Ben L. Erdreich set a goal of reducing the number of cases that have been pending for more than a year at Board headquarters as petitions for review of initial decisions issued by the Board's administrative judges. In addition, he established a similar goal for cases pending before the administrative judges in MSPB regional offices on initial appeal from an agency personnel action.

"Our administrative judges, Regional Directors, headquarters staff, and my colleagues on the Board have done a terrific job in reducing the number of old cases," Chairman Erdreich said. "It is in the best interest of the Government--as well as of the individual appellant--that these decisions be made as quickly as possible."

The number of pending cases before the Board that are older than one year has been reduced from a high of almost 10 percent to the current level of less than 1 percent of all cases. Of the approximately 2,000 cases that are adjudicated at the Board level each year, currently only eight have been pending for more than a year.

In addition, during this same period, the number of cases older than a year pending in the regional offices has been reduced significantly. Two years ago, about 7 percent of regional pending cases was over a year old; today, that number has been reduced to 2 percent, or 36 cases out of the 1,730 cases pending. At the same time, the number of cases taking longer than 120 days to adjudicate has been reduced by 50 percent, even though the parties are being allowed more time to engage in discovery and settlement. On average, cases are decided by the Board's regional administrative judges in 100 days.

"MSPB is committed to adjudicating appeals fairly and as expeditiously as our procedures allow," Chairman Erdreich said "Under only the rarest of circumstances should the Board need more than a year to decide a matter before us. Especially for workplace disputes, it is in the interest of all parties to resolve the matters at issue as soon as possible."

The Board is an independent, quasi-judicial agency with responsibility for deciding Federal employee appeals from personnel actions taken against them and for protecting the integrity of the civil service and other Federal merit systems. The Board also conduct studies of the civil service and other merit systems and reviews significant actions of the Office of Personnel Management.